RESOLUTION #2444

SUBJECT: Authorize the VRE CEO to Execute the Amended and Restated Operating/Access and Amended Master Lease Agreements with CSX Transportation

WHEREAS: The Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission ("Commissions") currently have an Amended and Restated Operating/Access Agreement with CSX Transportation relating to Virginia Railway Express (VRE) operations in the Fredericksburg to Washington corridor, with the agreement ending June 30, 2021;

WHEREAS: In December of 2019, the Commonwealth of Virginia announced the Virginia Rail Improvement Plan, which includes the acquisition of CSX Transportation right-of-way in the Commonwealth including in the Fredericksburg to Washington corridor;

WHEREAS: During the 2020 Virginia General Assembly Session, the Virginia Passenger Rail Authority (VPRA) was established;

WHEREAS: In part, the VPRA will own and manage the right-of-way acquired by the Commonwealth from CSX Transportation;

WHEREAS: in December of 2020, the Commissions approved the Operating/Access and Master Lease agreement with the VPRA to account for VRE service on the newly acquired VPRA right-of-way;

WHEREAS: The current agreements the Commissions have with CSX Transportation must be amended to accommodate the acquisition of CSXT right-of-way by the Commonwealth; and

WHEREAS: The VRE Operations Board recommends the Commissions authorize the VRE Chief Executive Officer to execute the Amended and Restated Operating/Access and Master Lease agreements with CSX Transportation in a form approved by legal counsel.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to execute the Amended and Restated Operating Access Agreement and the Amended Master Lease Agreement with CSX Transportation in a form approved by legal counsel.

Approved this 6th day of May 2021.

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Dalia Palchik
Secretary-Treasurer

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Katie Cristol
Chair