

# RESOLUTION

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

## **A RESOLUTION SUPPORTING IMPLEMENTATION OF THE PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008 AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

**Whereas**, the Passenger Rail Investment and Improvement act of 2008 (Division B of PL 110-432) and the American Recovery and Reinvestment Act of 2009 (PL 111-5) (the Acts) are now the law of the land, and;

**Whereas**, the Acts establish a program of federal capital grants to states and interstate high-speed rail compacts for infrastructure investments which will improve passenger, intermodal and freight services, create a new capital program for states to expand and improve conventional and high-speed intercity passenger rail services, facilitate competitive service provisions, provide grants to address critical rail network capacity needs, and encourage public-private partnerships that provide for the financing, design, construction, operation, and maintenance of high-speed rail services, and;

**Whereas**, the Congress has appropriated \$8,000,000,000 and the President has recommended a program of additional investments at the rate of \$1,000,000,000 annually over the next five federal fiscal years for a total national availability of \$13,000,000,000 to develop high speed rail and other investments in rail infrastructure that improve network capacity, safety and reliability; and

**Whereas**, primary objectives of the Acts are to contribute to economic recovery efforts by creating and or saving jobs, advance strategic transportation goals that ensure safe and efficient transportation, build a foundation for future economic competitiveness, promote energy efficiency and environmental quality, support interconnected livable communities, and further development of high-speed and intercity passenger goals, and;

**Whereas**, the North Carolina House Interim Committee on Expanding Rail Service has reported to the North Carolina General Assembly that expansion of rail freight and passenger services can help promote economic development and mobility for our citizens; that improved freight and intermodal services can help integrate North Carolina into the global economy; that the General Assembly should consider mechanisms to join with local governments, the federal government and the private sector to provide funding for improved freight, intermodal and passenger services, and:

**Whereas**, the National Railroad Passenger Corporation's (Amtrak) national passenger rail system currently serves 16 cities and towns in North Carolina with eight daily passenger trains, two in partnership with the State of North Carolina, providing safe, efficient, and affordable intercity mobility for hundreds of thousands of citizens annually, and;

**Whereas**, North Carolina and its cities and towns have partnered for nearly 40 years with the National Railroad Passenger Corporation (Amtrak) to provide its citizens with higher levels of mobility and passenger services, and continues to do so, and;

**Whereas**, the 21<sup>st</sup> Century Transportation Committee completed an examination of the role of ports, airports, mass transit, rail, and pedestrian and cycling access in providing the transportation needs of the State, and;

**Whereas**, the 21<sup>st</sup> Century Transportation Committee recommended that North Carolina maximize capacity and utilization of rail freight and passenger movements, and;

**Whereas**, in response to House Bill 1005, Session Law 2007-551, the North Carolina Office of State Budget and Management coordinated development of a statewide logistics plan that addresses the state's long-term economic, mobility and infrastructure needs, and;

**Whereas**, the United States Department of Transportation, working through the Federal Railroad Administration and the Federal Highway Administration and pursuant to the National Environmental and Policy Act has issued a Tier I Record of Decision to guide development of the Southeast High Speed Rail Corridor connecting Charlotte through Raleigh to Richmond, Virginia and on to Washington, DC, and;

**Whereas**, 16 chambers of commerce in six states, including those serving Raleigh, Greensboro, Winston-Salem, and Charlotte, have created the Southeastern Economic Alliance to promote development of improved intercity and high-speed rail services across the Southeastern United States, and;

**Whereas**, the North Carolina Department of Transportation has analyzed and recommended extension of intercity passenger service to connect Western North Carolina via Salisbury to Asheville and Southeastern North Carolina via Raleigh, Fayetteville, and Goldsboro to Wilmington, and;

**Whereas**, the North Carolina Board of Transportation has adopted a 2009 Update to the State Rail Plan, and;

**Whereas**, the North Carolina Board of Transportation has charted a new direction for transportation in North Carolina through adoption of a Long-Range Statewide Multi-modal Transportation Plan, and;

**Whereas**, 57 municipalities, 17 counties, 18 transportation planning organizations and councils of government, 17 chambers of commerce, and 10 other State and local organizations have endorsed a resolution supporting creation of a comprehensive passenger rail system to serve the State of North Carolina, and;

**Whereas**, the Secretary's Rail Advisory Committee, acting through the Secretary of the North Carolina Department of Transportation, has asked the United States Secretary of Transportation to provide for stability in our nation's intercity passenger rail program and provide for a program of federal, State, and private investment in our freight and passenger railroad system, and;

**Whereas**, Article 18, of Chapter 136-220 of the North Carolina General Statutes and Senate Bill 126 adopted by the 2004 session of the Virginia General Assembly provides for establishment of the Virginia-North Carolina Interstate High-Speed Rail Compact, and;

**Whereas**, North Carolina has over 3,200 miles of railroad and is served by two Class I and 24 short-line railroads, and;

**Whereas**, in 1849 the North Carolina General Assembly chartered the North Carolina Railroad Company with a mission to connect the piedmont and eastern portions of our State that, said company having the right to transport persons, goods and merchandise, and;

**Whereas**, the State of North Carolina holds in perpetuity 100% of the common shares of stock in the North Carolina Railroad Company, and;

**Whereas**, the North Carolina Railroad Company serves the State as a vital economic force, and;

**Whereas**, the capacity of the rail network serving North Carolina is strained which impacts our consumers, producers, shippers, communities and citizens; and;

**Whereas**, CSX Transportation has asked the State to enter into a partnership with it to develop the National Gateway initiative, and;

**Whereas**, the Norfolk Southern Railway has asked the State of North Carolina to enter into a partnership with it to develop the Crescent Corridor initiative; and;

**Whereas**, North Carolina has heretofore invested State funds to develop a rail program in support of these State, national and regional goals;

**NOW, THEREFORE, BE IT RESOLVED** by the North Carolina Board of Transportation:

**SECTION 1.** The North Carolina Department of Transportation will work in partnership with the North Carolina Railroad Company, Norfolk Southern Railway, CSX Transportation, and Amtrak to develop eligible projects and corridor plans, enter into stakeholder agreements, develop comprehensive project management plans, make application and aggressively compete for available federal funds,

**SECTION 2.** The North Carolina Board of Transportation encourages the railroad industry to work cooperatively with state and local officials to achieve these public policy objectives,

**SECTION 3.** The North Carolina Board of Transportation encourages the Governor and the Secretary of Transportation in concert with the North Carolina Congressional Delegation, to work with the United States Department of Transportation to develop cooperative agreements and letters of intent to develop and implement a program of projects and corridor plans,

**SECTION 4.** The North Carolina Board of Transportation acknowledges that this program of rail infrastructure investment will provide an enhanced basis for the operation of freight, intermodal and passenger trains, and that operation of passenger trains will require on-going financial support,

**SECTION 5.** The Secretary to the North Carolina Board of Transportation shall send certified copies of this resolution to the North Carolina Congressional Delegation, the Secretary of the US Department of Transportation, and to the Presidents of the North Carolina Railroad, CSX Transportation, Norfolk Southern Railway, and Amtrak.

**SECTION 6.** This resolution is effective upon adoption.

---

**Eugene A. Conti**  
Secretary of Transportation

---

**J. Douglas Galyon**  
Chairman of the Board of Transportation

Attest: \_\_\_\_\_  
**Tammy B. Denning**, Secretary to the Board of Transportation

(Seal)