



# COMMONWEALTH of VIRGINIA

## *Virginia Passenger Rail Authority Board*

Jennifer L. Mitchell  
Chairperson

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### **VPRA Decision Brief**

#### **Title: Authorization of Execution of Comprehensive Rail Agreement between Norfolk Southern Railway Company and the Virginia Passenger Rail Authority**

**Issue:** Since signing a term sheet on April 2, 2021 between Norfolk Southern Railway Company (“NSR”) and the Virginia Department of Rail and Public Transportation (“DRPT”) for the sale of railroad right of way (“ROW”) to the Commonwealth, VPRA, DRPT, and the Virginia Secretary of Transportation have negotiated a Comprehensive Rail Agreement between VPRA and NSR to operate a second passenger rail train between Alexandria and Roanoke that is part of Amtrak’s Northeast Corridor Rail service, and to extend service between Roanoke and the New River Valley over NSR ROW and VPRA-acquired property. Under this agreement VPRA will acquire property along the NSR Virginian Line (the “Purchased V-Line”) for passenger rail purposes for \$38,200,000, and for related capital improvements. The details of the agreement are below.

**Facts:** The Comprehensive Rail Agreement memorializes terms regarding the acquisition of the Purchased V-Line, capital improvements, and other elements:

- Acquisition of the Purchased V-Line, which is between the Salem Crossovers west of Roanoke at or about milepost V-250.5 and Merrimac (Christiansburg) at milepost V-279.0;
- NSR is receiving \$168,000,000 in grants to increase and maintain rail capacity and facilitate the movement of passenger trains west of Manassas;
- VPRA will have the right to initiate the second frequency to Roanoke upon financial close;
- VPRA will have the right to extend service to the New River Valley upon completion by NSR of improvements to the NSR Roanoke West yard, and upon completion by VPRA of passenger facilities between Salem and Christiansburg;
- VPRA will have the right to provide for the operation of a third passenger rail frequency upon request and agreement from NSR at a future date;
- NSR and VPRA agree to coordinate on capital improvements, including for VPRA to establish a passenger station on or adjacent to the Purchased V-Line in the New River Valley;
- VPRA will be responsible for maintenance of the Purchased V-Line;
- VPRA also has the right to facilitate the operation of Excursion Passenger Rail Service, which requires approval from NSR to ensure its freight schedule is not unduly harmed; and
- Exhibits are attached, which include forms of real property instruments, operating schedules, and track charts that indicate infrastructure improvements.

**Recommendation:** VPRA recommends that the VPRA Board authorize the Executive Director of VPRA to execute the Comprehensive Rail Agreement, consistent with the major business terms presented to the VPRA Board on March 22, 2021, April 22, 2021, and January 10, 2022.

**Action Required by VPRA:** Approval of the attached resolution to authorize the VPRA Executive Director to enter into the Comprehensive Rail Agreement.

**Options:** Approve, Deny, or Defer.