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THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

Bureau of Rail & Transit
May 26, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Pursuant to RSA 228:69 I (b), authorize the Department of Transportation to enter into agreements with Railroad Operators for an amount not to exceed \$1,432,590.00 from the Special Railroad Fund for the maintenance and repair of state-owned railroad lines, effective July 1, 2021 or upon Fiscal Committee and Governor and Council approval, whichever is later. 100% Other Funds (Special Railroad Funds).

Funding for this agreement is contingent upon the availability of funds in Fiscal Year 2022 and Fiscal Year 2023, with the ability to adjust encumbrances through the Budget Office between State Fiscal Years if needed and justified.

	<u>FY 2022</u>	<u>FY 2023</u>
04-96-96-964010-2991		
Special Railroad Fund		
400-500871 Construction Repair Materials	\$716,295.00	\$716,295.00

EXPLANATION

The Department's Special Railroad Fund is established by RSA 228:68 for the deposit of revenues produced on the state-owned railroad corridors through user fees paid by railroads, leases and fees paid by other landowners, and other revenues. This dedicated fund is required to comply with Federal regulations that require lease or other income on property acquired with Federal Funds to be used to maintain those properties. Typical maintenance and repair activities of state-owned railroad lines include track, minor bridge and drainage projects as well as the cost of engineering and construction administration.

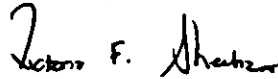
The Department, in accordance with RSA 228:69 I (b), has existing railroad operating agreements with the railroads that operate on the state-owned railroad lines that include provisions to maintain and repair the state-owned railroad lines on which they operate. The Department's Bureau of Rail and Transit will reimburse the railroads operating on the state-owned rail lines, and other responsible parties, for their infrastructure construction, maintenance, and engineering and construction administration expenses on the state-owned rail lines and bridges. The operating railroads on the state-owned rail corridors and the estimated construction funds to be encumbered and expended on their operating lines are:

Agency	Vendor #	SFY 22	SFY 23	Total
Department of Transportation	177927	\$54,295	\$54,295	\$108,590
Plymouth & Lincoln Railroad	157711	\$188,500	\$188,500	\$377,000
New Hampshire Central Railroad	157337	\$95,000	\$95,000	\$190,000
Profile Mountain Holdings	289704	\$188,500	\$188,500	\$377,000
Merrimack & Grafton Railroad	336981	\$95,000	\$95,000	\$190,000
Milford-Bennington Railroad	156441	\$80,000	\$80,000	\$160,000
New England Central Railroad	160565	\$15,000	\$15,000	\$30,000
TOTAL		\$716,295	\$716,295	\$1,432,590

To resolve unanticipated events and circumstances on the state-owned rail lines, the estimated amounts listed above are subject to adjustment by the Administrator of the Bureau of Rail & Transit. Should funds not become available, no General Funds will be used.

Your approval of this resolution is respectfully requested.

Sincerely,



Victoria F. Sheehan
Commissioner