



THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



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William Cass, P.E. Commissioner

David Rodrigue, P.E. Assistant Commissioner

Andre Briere, Colonel, USAF (RET) Deputy Commissioner

The Honorable Ken Weyler, Chairman Fiscal Committee of the General Court and

Bureau of Rail & Transit July 18, 2023

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 \$1,401,000 from the Special Railroad Fund for the maintenance and repair of state-owned railroad lines, effective upon Fiscal Committee and Governor and Council approval through June 30, 2025. 100% Other Funds (Special Railroad Funds).

Funding for this agreement is based on the available funds in Fiscal Year 2024 and Fiscal Year 2025 approved budget, with the ability to adjust encumbrances through the Budget Office between State Fiscal Years if needed and justified.

Table with 3 columns: Item Description, FY 2024, FY 2025. Row 1: 04-96-96-964010-2991 Special Railroad Fund. Row 2: 400-500871 Construction Repair Materials \$700,000 \$701,000

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 24	SFY 25	Total
Department of Transportation	177927	\$48,000	\$49,000	\$97,000
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	\$70,000	\$70,000	\$140,000
New England Central Railroad	160565	\$15,000	\$15,000	\$30,000
TOTAL		\$700,000	\$701,000	\$1,401,000

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,



William J. Cass, P.E.
Commissioner