

DRAFT
RESOLUTION _____

**REGARDING TRACK AND CORRIDOR CHANGES AND MANAGEMENT
OF PROJECT DETAILS NEEDED TO COMPLETE IMPROVEMENTS NECESSARY TO IMPLEMENT THE
PROPOSED PASSENGER RAIL SERVICE BETWEEN MILWAUKEE AND MADISON, WISCONSIN**

WHEREAS, on behalf of the counties of Crawford, Dane, Grant, Iowa, Rock, Sauk, Walworth, and Waukesha, the Wisconsin River Transit Commission d/b/a the Wisconsin River Rail Transit Commission (WRRTC) was created for the purpose of providing for the continuance of rail service on the Rail Line, with authority to acquire the use of the Rail Line by purchase, lease or otherwise and to provide for the operation of freight rail service thereon by contract or otherwise;

WHEREAS, under the terms of Grant Agreement No. 0490-40-48(b)(1) and Land Use Agreement No. 0490-40-48(a)(1) by and between the WRRTC and the Wisconsin Department of Transportation (WisDOT), WisDOT owns the land of the rail lines in Wisconsin, and WRRTC, through a grant-in-aid from WisDOT and its own financing, owns subject to various appropriate conditions and limitations, the improved property of the rail lines in Wisconsin and the land and improved property of the new lines in Illinois;

WHEREAS, by Amendment Twelve to the Grant Agreement and by Amendment Eight to Land Use Agreement the Watertown to Madison rail line segment (Milepost 132.11 to Milepost 164.61) was added to the Agreements as a new principal line segment;

WHEREAS, the land, track and improvements on the Madison to Watertown line segment were acquired by WisDOT with 100 percent state funds;

WHEREAS, WisDOT has been awarded funding from the Federal Railroad Administration for track and corridor improvements to implement high speed rail passenger service between the communities of Madison and Milwaukee and between Milwaukee and Chicago, IL;

WHEREAS, WisDOT plans to use Federal Railroad Administration and state funds for all track improvements needed to accommodate passenger rail service on the Madison to Watertown line, and no funds will be requested from WRRTC for this project;

WHEREAS, freight rail service will continue to be the top priority service on the Madison to Watertown line and the freight rail service will not be negatively affected by passenger rail service;

WHEREAS, WisDOT shall assume full responsibility for all track work and corridor management issues associated with the upgrade of the Madison to Watertown rail line necessary to implement and complete the state's proposal to develop passenger rail service between Madison and Milwaukee;

WHEREAS, it is the opinion of the WRRTC that, at this time, these track and right of way improvements, and the implementation of passenger rail service are in keeping with the goals and objectives of the WRRTC;

WHEREAS, all terms of the agreements between the WisDOT, WRRTC and the Wisconsin & Southern Railroad (WSOR) will remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the WRRTC, in legal session assembled, hereby approves of the proposed track improvements and corridor management changes needed to accommodate passenger rail service at speeds up to 110 mph on the Madison to Watertown rail line as part of the Madison to Milwaukee passenger rail service;

BE IT FURTHER RESOLVED that the WRRTC commits to bargaining in good faith an agreement with the Wisconsin & Southern Railroad, similar to the Intercity Passenger Rail Operating Agreement dated April 17, 2000, to allow WSOR to contract for passenger rail service on the Madison to Watertown line segment; (my concern is that any such agreement must be approved by WisDOT and I don't want the Commission to be in a position where it agrees to enter into a contract without advance approval of a necessary third party.)

BE IT FURTHER RESOLVED: that a copy of this Resolution be set forth upon the minutes of this meeting, and that a copy of this Resolution be forwarded to WisDOT as a testimony of agreement to the track and corridor changes proposed by WisDOT and for WisDOT to assume all management responsibility for the project.

ADOPTED this 6th Day of August, 2010.

SIGNED:

Karl Nilson, Chair

Margaret Ruf, Secretary