

**Rail Tariff items – Description of Charges
January 1, 2014****Tariff Item – Rail Fees**

The Port of Vancouver's rail premises shall include all tracks west of the BNSF Seattle Subdivision within the Port's operational boundaries.

The operational control of tracks within the port's premises is the responsibility of BNSF, the port's exclusive rail operator. No railcars are to be pulled from their spotted locations until specifically released by the consignee/consignor and confirmed by BNSF. Tenants with specific port agreements may perform their own railcar shifting operations as designated by that agreement.

The port's rail tracks (track) are intended to facilitate the use of its industrial and marine facilities for their intended purposes, to accommodate rail traffic specifically for the benefit of the Port of Vancouver USA and its customers and tenants.

Unless contractually allowed or specifically approved by the port, storage of railcars on any track for longer than 24 hours is prohibited.

It is the intention of the port to charge certain fees for rail operations occurring at and within the port.

Based on the Master ITA with the BNSF, under Article III, Section 3 the port has the ability to charge the following fees:

– **Maintenance Fee**

The port shall have the right to establish a reasonable Common Rail Maintenance Fee and shall publish a facilities tariff annually which will reflect the Common Rail Maintenance Fee. Maintenance fees shall apply to all rail customers and other port, BNSF and UP rail customers using the track; be based on cost of maintenance from the previous calendar year; calculated to a per car fee using total port car counts and shall be charged monthly at the per car fee rate against the average monthly car count from the tenants prior year. Thus each tenant's monthly maintenance fee will be the same every month for the entire year. The tenant's car count will include both inbound, loaded, placed for unloading and inbound, unloaded, placed for loading provided by BNSF.

The maintenance fee is currently being based on the cost of maintenance from the previous calendar year and charged monthly on a per car basis directly to all rail customers and other port, BNSF and UP rail customers using the track.

The 2014 Common Rail Maintenance Fee will be set at \$4.00 per car and will have an expected implementation date of January 1, 2014. Lessee is still responsible for 100 percent of rail maintenance costs occurring on their lease track.

– **Union Pacific Railroad (UP) Access Fees (Rail Access Fee)**

The port shall have the right, in its sole and absolute discretion, to charge fees to the UP for UP traffic receiving commercial access to the Port of Vancouver USA under the West Vancouver Freight Access Industrial Track Agreement (ITA). A Rail Access Fee of \$50.00 is assessed on each loaded railcar with an origin or destination controlled by or line haul performed by the UP Railroad that is subject to BNSF Price List 90103, or later price lists (but not delivered to the customer via Railroad Rule 11), or under a separate switching agreement between BNSF and the UP Railroad. This fee is billed to the UP Railroad.

Effective Date: April 30, 2009

This Rail Access Fee of \$50.00 has been negotiated directly with the UP Railroad and is to be charged directly to the UP and is only to be charged for Rail Customers that are subject to the BNSF Price List 91013, effective date February 1, 2009, or an Inter-Carrier Switching Agreement:

Customer Code	Customer	Address
C1	Boise Cascade LLC	3309 NW Lower River Rd.
C2	Vancouver CFS	2710 NW Lower River Rd.
C3	Commodities Plus	2707½ NW Lower River Rd.
C4	Fabricated Products	3201 NW Lower River Rd.
C5	Food Express	2901 NW Lower River Rd.
C6	Subaru Of America DBA Auto Warehousing Co.	3309 NW Gateway Ave.
C7	Tesoro Refining & Marketing	2211 West 26 th Ave.
C8	Trimac Panel Products	2601 West 26 th Ave.
C9	Tristar Transload	3702 NW Gateway Ave.
C10	Port of Vancouver	3103 NW Lower River Rd.
Inter- Carrier Switching Agreement	Wind Energy	Parcel 1A

Future rail customers at Terminal 5 will be subject to an amendment to the BNSF Price List 90103 or an Inter-Carrier Switching Agreement between the BNSF and the UP.

Rail customers located within Terminal 2 and Terminal 3 at the Port of Vancouver or who are not subject to the 1941 or 1962 Vancouver Switching Agreements are exempt from the UP Access Fees (Rail Access Fee) because their service is secure under the 1918 agreement and subsequent amendments.