

Key Points for Public Comment Letters to NYS DEC for the “Draft Adirondack Rail Trail Conceptual Plan (Program Report)”

May 6, 2017

Prepared by Sunita Halasz for Trail With Rails Action Committee (TRAC)

Link to the draft conceptual plan:

http://www.dec.ny.gov/docs/lands_forests_pdf/adktrailplan42017.pdf

DEC Public meetings about the conceptual plan:

Tuesday, May 9, 2017

Community Room of the Tupper Lake Emergency Services Building, 31 Santa Clara Ave., Tupper Lake

Wednesday, May 10, 2017

Main conference room of DEC Region 5 Headquarters, 1115 State Route 86, Ray Brook

- ★ Both dates will have an Availability Session from 3-5pm, and a Public Meeting from 6-8pm. DEC will answer questions and accept comments during each of the two afternoon availability sessions. DEC staff will share a presentation and offer the public the opportunity to comment on the draft plan during the evening public meetings.

Deadline for written comments is **June 2, 2017**. Comments to:

Senior Forester Steve Guglielmi

NYSDEC Region 5

P.O. Box 296

Ray Brook, NY 12977

email: r5.ump@dec.ny.gov

Key Points

Please re-state these points in your own words, including adding how this plan personally affects you and your property if you live adjacent to or near the corridor.

- DEC request for public input states:

DEC is seeking comment on the plan and comments regarding the specific features and infrastructure to be included in the Final Design and Construction Plan to ensure a high quality trail that provides residents and visitors using the trail a safe and enjoyable experience. DEC is not seeking comments on supporting or opposing the trail - that decision has been made.

- ★ While TRAC supports a plan that includes both rail and trail enhancement, TRAC will respect DEC's request and comment only on the details set forth in this draft conceptual plan. However TRAC notes that the decision for the corridor is actually still awaiting legal determination in court.

- The entire corridor is affected by this plan, yet no information/public comment meetings are planned at the southern end of the Corridor in Old Forge or Utica. This is a statewide issue and is located on public land. Due to the the geographic, economic, historical, and ecological connections created by the corridor, stakeholders throughout the state must be included in the decision-making. Utica, for instance, acts as a hub where I-90, the new Empire State Trail, Amtrak, and the railroad line into the Adirondacks all come together, and therefore it would benefit Utica, the State, and the Adirondacks to hold public meetings there regarding this plan.
- There is still nothing concrete about how the State will approach Historic Preservation in the national and state-listed “New York Central Railroad Adirondack Division Historic District” except to re-state that “interpretive opportunities” will be enough to replace the living history experience of the railroad. It should also be noted that sites and artifacts of archaeological importance have not been surveyed in the Corridor. Anecdotally we know that within the Historic District, there are large amounts of significant artifacts and the coincident information these artifacts convey. The plan should discuss how artifacts will be identified and preserved and provide detailed information about how to mitigate the loss of the structures and appurtenances that define the Historic District.
- The plan does not have a cost estimate for rail removal or construction and maintenance of the trail. There is no clear definition of responsibilities and authority for each of the jurisdictions involved.
- There is a lack of information about Americans with Disabilities Act compliance and opportunities for access. The plan only pays lip service to disabled users with two short mentions: it states the design will “comply with the ADA Act to the maximum extent possible” and states, as a Beneficial Impact, there will be “New recreational opportunities for people with disabilities.” This should actually be listed in “Adverse Impact” section because the plan actually represents an overall net LOSS of recreational opportunities and access for people with disabilities compared with accessibility options through the railroad and rail bikes.
- The State Land Master Plan indicates that only roads and railroads are acceptable uses within the Travel Corridor designation. In planning for this project, the State has initiated a major change within a designated Travel Corridor from railroad to recreational use through a Unit Management Plan without first addressing the underlying need to revise the State Land Master Plan. We disagree with this approach and have argued in previous public comment periods that the State Land Master Plan should have been revised and the existing Travel Corridor designation changed to another land use designation before removal of any rail infrastructure.
- Wetland Impacts and Stormwater Control are not discussed in any detail. Wetlands are extensive and obvious throughout the Corridor, and wetland impacts are very likely, especially since there is no stormwater erosion and sedimentation control plan identified in either the UMP Amendment or the Draft Conceptual Plan. While the plan does state “Erosion is the biggest enemy of stone dust trails,” this is discussed in terms of the impact to the trail and not the impact to wetlands and surface water receiving this runoff and sedimentation. The Adirondack Park Agency regulates

wetlands and lands adjacent to wetlands, has regulatory and additional maps at its disposal, as well as highly trained staff to assist with wetlands ID and avoidance. The language in this plan suggests that maps and experts have not been consulted, which should have been a simple first step for the authors of the plan. As currently written, the plan does not comply with SEQRA with regards to wetlands and stormwater control.

- There is very little information given regarding the serious issue of invasive species management. The plan states that “Invasive species should be kept in check” and “Monitoring should be performed regularly.” Like wetlands protection, this is a surprising lack of information and planning for this issue in a Park like ours which boasts the award-winning Adirondack Park Invasive Plant Program and their highly trained staff and easily accessible online resources. Any fill that is brought in to widen or flatten the trail must be free of invasive species, and the method for doing this should be noted in the plan. Training for construction crews, which DOT provides, should be mandatory and noted in the plan. Signage should be developed for recreational users to wash their bike tires before using the trail, to explain firewood transport regulations, and to do boat inspection and washing before accessing water bodies along the trail. This is a long, linear trail through areas that have not seen this kind of use before and the likelihood of invasive species introduction is high. There are many high value, expansive wetland complexes along this Corridor and invasive species introduction would cause a terrible loss of habitat.
- The plan states that implementation will cause an increase in carbon emissions. How does this fit with Governor Cuomo’s initiative to reduce greenhouse gas emissions in the state?
- The plan provides no clear information about user safety - especially regarding snowmobile use - on the narrow, 10-foot wide trail. This is something that has been identified as a concern by many stakeholders throughout the discussions for this corridor, but this Conceptual Plan still lacks clear answers.
 - Sharing the trail and Rescue Aid - Who has the right of way? What should users do if they are hurt or in an unsafe situation? How and to whom can users report unsafe situations? How will road crossings work?
 - Regulation Enforcement - How will snowmobile speed limits, curfews, noise limits, and exhaust be regulated and enforced, day to day, hour by hour?
 - Stone dust concerns - Is stone dust a carcinogen? If so, how will construction dust and dust created by users be kept to a minimum for construction crews and adjacent landowners; how will users be protected?
 - Other toxins - Are the soils under the railroad ties contaminated with wood preservative chemicals or other *in situ* contaminants of concern to human health? Users will now be coming into contact with these soils. Users, including children, may sit on the bed of the trail and have a snack. Will these soils need to be removed to a certain depth before new fill is brought in to replace it? Where will potentially contaminated soils be removed to? If it is the planned salvage yard in Tupper Lake, and if so, is this a concern for residents? These concerns are not a consideration for rail operations because users do not come into contact with soils.

- Planning for situations - The plan should lay out scenarios in the document about user conflicts in extra narrow spots, like bridge, culvert, and roadway crossings, and go through examples of how these will be resolved by the users.
- A snowmobile “noise” map should be developed for the communities the trail passes through.
- The plan provides no clear plan for involving adjacent landowners in decisions that affect their properties. Some landowners may not be comfortable with increased snowmobile use - without the rails, snowmobiles will be able to run longer in the season, faster, and later into the night. Similarly, walkers, cyclists, joggers, etc. will come at uncertain times, versus the train and rail bikes users who came at predictable, discrete times. The plan talks about "barriers/screening fencing and plantings" at the edges of people's yards to keep out trail users. Landowners may not want this on their property.
- Deeds from abutting property owners in Lake Clear and Ray Brook contain specific language regarding easements for use by a railroad. Easements are not extinguished when ownership changes.
- There is no mention of how the Governor’s exciting initiative to develop the Empire State Trail through NYS will affect use on this trail. TRAC has a real worry that the Empire State Trail is going to make this narrow trail seem quite pale in comparison! We need the Adirondacks to be unique - not just another place with a rail trail. The plan should discuss the ramifications of how this lesser trail in the Tri-Lakes will be affected by statewide trail development initiatives.
- The plan provides no research or guarantee about the economic impact promised by the trail. The plan should identify how the trail is expected to equal or exceed 40,000+ users (the number brought by Rail Explorers and the Adirondack Scenic Railroad each year) so that the Tri-Lakes can maintain status quo and/or benefit yet more from the trail’s development.
- DEC’s draft conceptual plan should align with the 2013 Bicycle and Pedestrian Trail Plan, approved by the Saranac Lake Village Board and funded by a NYS Department of State grant, that outlines rail-with-trail plans for the Village of Saranac Lake.
https://www.egovlink.com/public_documents300/saranaclake/published_documents/Community%20Development/SaranacLakeFinalPlan.pdf