



PRESS RELEASE

August 21, 2018

**PROTECT Cheers State's Continued Legal Action
to Decertify Sanford Lake Railway from North Creek to Tahawus**

*NYS Attorney General files papers to formal notice of New York's intent to file
proceedings for "abandonment" of 30-mile Sanford Lake Railway*

State expects to file formal papers by August 30, 2018

For more information:

Peter Bauer, Executive Director: Office 518.251-2700, Cell 518.796.0112

Protect the Adirondacks applauds the commitment by the State of New York to pursue formal abandonment of the 30-mile Sanford Lake Railway, which runs from North Creek to the Tahawus Mine in Newcomb. This line is currently owned by Iowa Pacific Holdings, which has defaulted on its lease of the Saratoga & North Creek Railroad. Iowa Pacific's plan to use the Sanford Lake Railway to store indefinitely 2,000 to 3,000 used oil tanker railcars was widely rebuffed by state leaders, local governments leaders, and environmental groups. The company pulled out over 100 oil tankers this spring and more than two dozen boxcars this summer as part of its withdrawal from the area.

The state is alleging in its federal filings that Iowa Pacific has reneged on its core responsibilities of using the Sanford Lake Railway to haul out minerals from the Tahawus Mine or to allow the track to be used for winter recreation. The state also stated that it's continued operation in a dilapidated state poses long-term environmental threats. At the end of 2017, the State of New York started official proceedings with the federal Surface Transportation Board for formal abandonment of the Sanford Lake Railway.

"Protect the Adirondacks supports state action to close the Sanford Lake Railway. This railroad has no viable purpose going forward. The tracks should be removed and the lands in the corridor returned to the public Forest Preserve and private landowners," said Peter Bauer, executive director of Protect the Adirondacks.

The Sanford Lake Railway was created during World War II to haul materials from the Tahawus Mine important for the war effort. The federal government used its powers of eminent domain to create the railroad corridor, which the State of New York opposed. After the war, the railroad corridor was leased contingent on the mine's operation. Prior to 2010, the Sanford Lake Railway was going to be removed and an Adirondack Park

Protect the Adirondacks!
PO Box 48 North Creek NY 12853 (518) 251-2700
info@protectadks.org www.protectadks.org
Like Us on Facebook Follow Us on Twitter @ProtectAdkPark

Agency (APA) permit authorized it. Under the terms that created the Sanford Lake Railway, once it is abandoned the railway corridor must return to private landowners, including the State of New York, where the rail line crosses through the Forest Preserve, and to dozens of private landowners.

In 2010, Iowa Pacific Holdings petitioned the Surface Transportation Board to recertify the rail line, which was met with strong support from state and local officials. Protect the Adirondacks was the lone voice that opposed recertification of the Sanford Lake railway in 2010.

“The Sanford Lake Railway should have been abandoned in 2010. We should not make the same mistake twice. It should be abandoned now,” said Peter Bauer.

The new papers submitted by the NYS Attorney General state:

The New York State Department of Environmental Conservation ("Applicant") gives notice that on or about August 30, 2018, it intends to file with the Surface Transportation Board ("Board") an application seeking adverse abandonment of the authority of the Saratoga and North Creek Railway, LLC ("SNCR") to operate over the rail line originating at MP NC 0.0 at North Creek, New York in Warren County and proceeding north a distance of approximately 29.71 miles into Essex and Hamilton Counties to a terminus at MP NC 29.71 near the Tahawus Mine ("Line"). Portions of the Line are situated in U.S. Postal Zip Codes 12843, 12842, 12857, 12853, 12851, and 12852. There are no stations on the Line.

The reasons for the proposed abandonment include: (1) the absence of current use of the Line pursuant to the authority granted to SNCR by the Board; (2) the lack of any reasonably foreseeable future need for rail service on the Line; and (3) the prospect for beneficial non-rail use of the property.

In addition, there are significant environmental health and safety concerns associated with the current use of the property.

Here's the link to the new filing by the NYS Attorney General for abandonment of the Sanford Lake Line from North Creek to Tahawus Mine: [https://www.stb.gov/filings/all.nsf/ba7f93537688b8e5852573210004b318/b78fa43d4e4c68dc852582e80068fb21/\\$FILE/246204.pdf](https://www.stb.gov/filings/all.nsf/ba7f93537688b8e5852573210004b318/b78fa43d4e4c68dc852582e80068fb21/$FILE/246204.pdf)

Here are two links for the the 2010 filings to the federal Surface Transportation Board where Protect the Adirondacks stood alone in opposition to certification of the Sanford Lake line:

https://www.stb.gov/home.nsf/case?openform&caseID=30726&caseDocket=FD_35559_0

https://www.stb.gov/home.nsf/case?openform&caseID=30726&caseDocket=FD_35631_0

Warren County should work with State to Fully Investigate Conversion of Saratoga & North Creek Railroad to Multi-Purpose Public Recreation Trail

Protect the Adirondacks is advocating for a study by state and local leaders to investigate conversion of the Saratoga & North Creek Railway to a public multi-purpose recreational trail. “It would be foolish for Warren County to rush into a another contract for the Saratoga & North Creek Railway without looking at a long-term solution for the rail line. This is a major decision and a lot of information should gathered and a feasibility study organized,” said Peter Bauer. Protect the Adirondacks is advocating for state support for the rail line conversion study.

Protect the Adirondacks

Protect the Adirondacks, Inc. (PROTECT) is a privately funded, IRS-approved not-for-profit organization dedicated to the protection of the 6-million-acre Adirondack Park in northern New York. PROTECT was formed through the merger of the Association for the Protection of the Adirondacks and the Residents’ Committee to Protect the Adirondacks in 2009. PROTECT pursues its mission to protect the Adirondack Park and defend the public “forever wild” Forest Preserve through citizen advocacy, grassroots organizing, education, research, and legal action. PROTECT is governed by a volunteer Board of Directors. PROTECT maintains an office outside of North Creek, New York, in the central Adirondack Park. For more information see www.protectadks.org and @ProtectAdkPark.

##