



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

March 30, 2018

Angela VanDyke, Acting Public Affairs Specialist
United States Department of Agriculture
Natural Resources Conservation Service
441 S. Salina Street, Suite 354
Syracuse, NY 13202

Re: STB Docket No. AB 1261; *New York State Department of Environmental Conservation – Adverse Abandonment – Saratoga and North Creek Railway in Town of Johnsborg, NY*

Dear Ms. VanDyke:

The purpose of this letter is to advise you that the New York State Department of Environmental Conservation (DEC) plans to file an application with the Surface Transportation Board (STB) seeking abandonment of the authority of the Saratoga and North Creek Railway (SNCR) to operate over a line of railroad known as the Sanford Lake Branch or the Tahawus Line (Line). The Line originates in the hamlet of North Creek, New York and continues approximately 30 miles north to its terminus at the site of the former Tahawus Mine. A map of the Line is attached to this letter.

DEC believes the Line should be abandoned because it currently carries no freight and is unlikely to carry freight in the future, and also because the Line—the right-of-way for which was taken by a federal exercise of eminent domain in the 1940s—cuts through and adversely affects constitutionally-protected forest lands in New York's Adirondack Park.

Abandonment of rail operations on the Line requires approval from the STB. STB regulations require consultation with certain governmental entities regarding the potential for environmental impacts stemming from the proposed abandonment. While DEC does not believe the proposed abandonment will result in any adverse environmental impact, we would appreciate your views on this issue. In particular, we request any comment you may have on the following issue:

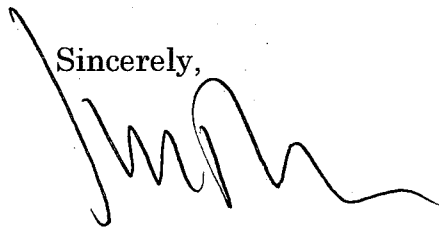
- Describe the effect of the proposed abandonment on prime agricultural land, if any (*see* 49 C.F.R. § 1105.7e[3][ii]).

DEC will provide you with a copy of its environmental and historic report in the coming weeks. The report will outline the scope of the proposed abandonment and will include reference to any comments you submit. We can send the report to you either by mail or electronically; if you wish to receive the report electronically, please let me know.

Please send your reply by mail to Joshua M. Tallent, New York State Office of the Attorney General, Environmental Protection Bureau, The Capitol, Albany, NY, 12224. Alternatively, feel free to email your response to me at Joshua.Tallent@ag.ny.gov.

Thank you for your assistance in this matter. If you have any questions or concerns, please contact me at your convenience.

Sincerely,



Joshua M. Tallent
Assistant Attorney General
Joshua.Tallent@ag.ny.gov
(518) 776-2456

encl.