APA’s Response To Rail-Trail Comments Falls Short

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By this stage the NYS APA, DEC, and DOT may feel justified that they have adequately addressed public comments about the future of the Remsen-Lake Placid Railroad Travel Corridor. Having hosted listening sessions in 2013-14 and several public comment periods in 2015, the last one concluding in December, the DEC’s unit management plan amendment goes on, page after page, responding to questions and comment. The DEC responses justify the preferred alternative of separate corridor segments; segment one with rail from Remsen terminating at Tupper Lake, the other, an all-recreational segment two between Tupper Lake and Lake Placid, without rail. The underlying economic studies doubtless contributed to the result, as do the physical obstacles to rail with trail, but the compromise seems almost unavoidable in light of the often clamorous, divided public point and counterpoint.

Still, one would have hoped that in its mailing to Agency members this month APA staff would have gone the extra mile in describing and analyzing the public comments in explaining why the Travel Corridor UMP amendment, and the creation of the two corridor segments (and much else in the UMP) complies
with the State Land Master Plan. That was the purpose of the public comment period ending in mid-December. That is the decision APA Members will have to make next week in Ray Brook. The case for compliance, the major policy issues facing the APA, and staff’s assessment of public comment letters vis-à-vis those important policy questions should form the basis of an informed decision, right?

The APA staff memorandum notes the Agency has received 217 public comments, about one-third of which addressed the question of SLMP compliance, and the remainder raising issues of corridor management. It states: “the most notable comments regarding compliance...have to do with land classification implication of rail removal; listing of the railroad on the State and National Register of Historic Places; specific language of the 1996 UMP opining on APSLMP interpretation; and potential impacts of snowmobile use along the Corridor.”

Having described four “notable” areas of public comment, the staff surely would follow with assessment, legal interpretation, and a strong rationale and basis for the APA members to consider next Thursday. Not so. The memo abruptly ends with: “agency staff has reviewed the proposed Final Amendment...and finds the amendment conforms to the general guidelines and criteria of the ...Master Plan.” As far as analysis of the 200+ “notable” public comments, APA staff appears unconcerned and APA members are left to their own devices.

This memo is unsatisfying on several levels, not least of which is that a professional, talented staff can and should do so much better if properly encouraged. The Park, including its people and all those who have commented on such a controversial policy matter deserve better.

One of Adirondack Wild’s comments, which APA staff took note of but does not address, are the several places in the SLMP which link the words travel corridor, right-of-way and railroad. Taken together, they do more than suggest that an all-recreation travel corridor lacking rail transportation infrastructure between Tupper Lake and Lake Placid may not conform to the Master Plan:

- The Travel Corridor definition (SLMP pg.46) states that a travel corridor category includes “the Remsen to Lake Placid railroad right-of-way.” The right-of-way is modified by the word railroad in the very definition.
- This ROW descriptor is carried over onto page 47, where the responsibility of the NYS DOT over the Remsen to Lake Placid railroad line is mentioned.
- The designation of travel corridors (SLMP pg. 49) states that the application of the definition results in designation of 120 miles making up “the Remsen to Lake Placid railroad.”

In addition, on page 15 the SLMP states that “the classification system takes into account the established facilities on the land...many of these factors are
self-evident: the presence of a highway determines the classification of a travel corridor...” From this section, one can conclude that the mere presence of the RLP RR right-of-way without the rails would not make a Travel Corridor self-evident.

Does the SLMP intend that the Remsen to Lake Placid right-of-way receive meaning solely through the railroad or railroad line? Therefore, is an amendment to the Travel Corridor designation or the creation of a new SLMP designation necessary? Agency staff neither asks nor answer. At the next APA meeting, maybe some members will.

Former agency staff did answer, as well as DOT and DEC staff involved in reviewing the 1996 Remsen to Lake Placid Unit Management Plan. They all concluded that “the description of the travel corridor classification in the APSLMP refers to the railroad right-of-way in terms of a mass transit situation similar to roads and highways rather than a recreational facility” (1996 UMP, pg. 53).

If the ROW were to be transitioned to a trail for snowmobiling, bicycling or foot traffic, say these 1996 UMP authors, “the travel corridor description should be amended to more clearly reflect the recreational theme of the management that would be pursued on the Corridor if rail options fail to materialize. As an alternative, another classification should be added to the APSLMP to reflect recreational use of the Remsen-Lake Placid Corridor instead of major transportation use” (1996 UMP, pg. 53).

Will the current APA staff explain why in 1996 their predecessors deemed it necessary to amend the SLMP for an all-recreational corridor, and why in 2016 it no longer is? Stay tuned next Thursday and Friday at the APA.