

STATE ENVIRONMENTAL QUALITY REVIEW ACT FINAL SCOPE

Remsen-Lake Placid Travel Corridor Unit Management Plan Draft Amendment/Draft Supplemental Environmental Impact Statement (DSEIS)

Name of Action: Remsen-Lake Placid Travel Corridor Unit Management Plan
Amendment and Supplemental Environmental Impact Statement

SEQR Status: Type 1

Lead Agencies: New York State Department of Environmental Conservation
(NYSDEC) and New York State Department of Transportation (NYSDOT)

I. Introduction

Purpose

A draft Supplemental Environmental Impact Statement (DSEIS) is being prepared pursuant to the State Environmental Quality Review Act (SEQR) to analyze the relevant areas of environmental concern resulting from the adoption of the Remsen-Lake Placid Travel Corridor (Corridor) Unit Management Plan (UMP) Draft Amendment (Amendment).

This scoping document is intended to define the scope of information to be included in the DSEIS, to be prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL § 8-0101 et seq.), and its implementing regulations found in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR Part 617).

II. Description of Proposed Project

Project Background

The 1996 Remsen-Lake Placid Travel Corridor Unit Management Plan and Final Environmental Impact Statement (1996 UMP/FEIS) currently governs the use of the 119-mile Corridor. The preferred alternative in the 1996 UMP/FEIS allowed for rail service along the entire length of the Corridor and encouraged the development of a parallel recreational trail where feasible.

The Adirondack Park State Land Master Plan (APSLMP) has been amended and was signed by Governor Andrew Cuomo on June 21, 2019. The amendment revised and updated the definition of the Travel Corridor classification.

This Amendment proposes removal of rails and ties for the creation of a rail trail along the 34-mile segment of the Corridor from Tupper Lake to Lake Placid, with 45 miles of the Corridor south of Tupper Lake to be rehabilitated for train service.

This UMP amendment/SEIS will analyze management alternatives for the Tupper Lake to Lake Placid segment (TLLP) of the Corridor. The overall management of the Remsen to Tupper Lake segment (RTL) will remain as described in the 1996 UMP/FEIS.

The NYSDEC and NYSDOT, as Lead Agencies, have determined that the scope of the proposed action described below and its potential for significant adverse environmental impacts is such that a DSEIS should be prepared. The NYSDEC and the NYSDOT have determined this project may result in significant adverse impacts, beyond those addressed in the 1996 UMP/FEIS, that require preparation of a project-specific SEIS. These issues will be presented and discussed, as follows.

Project Summary

The proposed action relies on the adoption of an UMP Amendment that will address management objectives concerning public access and use of the Corridor. Currently, major topics under consideration for discussion in the UMP Amendment/SEIS will include:

- Purpose and need for the project;
- Existing and projected public use of the management area;
- Description of the historical nature, features, and value of the Corridor;
- Transfer of jurisdiction of the TLLP from NYSDOT to NYSDEC;
- Designation and creation of a rail trail on the TLLP;
- Designation of allowed modes of travel and recreation;
- Designation and creation of connections to other Forest Preserve units and features (State managed facilities such as trails and parking);
- Discussion of rail trail amenities along the TLLP;
- Discussion of facilities for persons with disabilities along the TLLP;
- Discussion of kiosks and interpretive signage along the TLLP in accordance with the historic preservation plan to be developed in compliance with the State Historic Preservation Act;
- Discussion of rail rehabilitation and upgrades in the RTL; and
- Description of proposed management actions for the junction of train service and rail trail in Tupper Lake.

Existing Environmental Setting

The Amendment will rely in part on the 1996 UMP/FEIS for a description of existing conditions, including: historic resources, community character, topography, soils, wildlife, wetlands, water resources, and geography. Conditions that have changed since the 1996 UMP/FEIS will be noted in the Amendment.

III. Potential Impacts and Mitigation

A. Soils, Drainage, Wetlands, and Water Resources

Potential Significant Adverse Impacts: The potential impacts to soils, drainage, wetlands, and water resources could be soil erosion into adjacent wetlands and water bodies that can cause increased sedimentation and turbidity, or soil compaction. These impacts could be a result of temporary disturbance from rail rehabilitation and removal, trail construction, or maintenance activities associated with the use of heavy equipment and vehicles, although these impacts could also result from storm events or other naturally occurring phenomenon such as beaver dams.

Initial List of Potential Mitigation Measures: To minimize or avoid potential adverse impacts to these resources to the greatest extent practicable, the NYSDEC will use on-the-ground data and observations collected by field staff to assess and monitor the soil conditions. The NYSDEC will employ mitigation by design and use best management practices to ensure soil stabilization on exposed soils during rail rehabilitation and removal, trail construction, or maintenance, which will be temporary activities. Construction can also be timed to periods of low or normal rainfall.

The NYSDEC will develop a trail-monitoring program to identify and correct trail erosion, illegal trail building, or the presence of invasive species in a timely fashion, before the problems become permanent. The NYSDEC will work with trail partners to help maintain the rail trail through the issuance of Temporary Revocable Permits (TRP's) or stewardship agreements (such as Volunteer Stewardship Agreements (VSA) or Adopt A Natural Resource (AANR)).

B. Noise

Potential Significant Adverse Impacts: There are potential impacts to the local community, non-motorized trail-users, and wildlife from noise associated with increased use of the Corridor. These potential impacts in the RTL Segment could include an increase in train traffic and temporary disturbance from rail rehabilitation. In the TLLP Segment, potential noise impacts could include temporary disturbance from rail removal and trail construction, rail trail users, and increased snowmobile usage. Both segments could experience noise impacts from maintenance activities.

Initial List of Potential Mitigation Measures: The NYSDEC will work with local communities and snowmobile clubs to mitigate impacts associated with noise generated by a potential increase in rail trail users and snowmobiles in the TLLP Segment. These mitigation measures could include implementation of NYSDEC regulations or town/village ordinances requiring quiet areas or times, and speed limits designated for part or parts of the TLLP Segment. Appropriate signs and educational material can be posted to further this objective. Snowmobile clubs can assist in monitoring trail users' adherence to regulations and ordinances through reports to law enforcement. The increase in use of snowmobiles with four-stroke engines and the introduction of electric snowmobiles will reduce noise impacts from snowmobiles. Rail removal and trail construction noise will be temporary and limited to daytime hours, and the NYSDEC wildlife staff can be consulted to ensure that the annual and daily timing of rail rehabilitation and removal and trail construction activities do not disrupt breeding times for potentially sensitive wildlife species in the vicinity.

Noise associated with rail rehabilitation in the RTL Segment will be temporary and limited to daytime hours. When rail rehabilitation is complete in the RTL Segment, noise from trains will increase with an increase in train traffic to Tupper Lake. Train connections to existing trail systems on neighboring lands along the RTL Segment could be established and serve as “flag stops”. The number, location, design and procedure for use of such flag stops at rail crossings shall be subject to public input, review, and discussion among DEC, APA, DOT, and the rail operator. Use of the train horn will be minimized to the maximum extent practicable while maintaining full compliance with 49 CFR Part 222.

C. Historic Resources

Potential Significant Adverse Impacts: The Corridor is encompassed by the New York Central Railroad, Adirondack Division Historic District (Historic District), listed in the State and National Registers of Historic Places. The National Register nomination describes the Historic District as within the existing railroad right-of-way, extending an approximate distance of 119 miles from its southern terminus at a point approximately 0.9 miles north of the village of Remsen to its northern terminus in the village of Lake Placid. The privately-owned Lake Placid Depot parcel at the end of the line is located within the Historic District, but as privately-owned lands are not classified as part of the corridor by the APSLMP. Contributing features of the Historic District include rails and ties within the existing right-of-way, 23 buildings, and 18 structures. The proposed removal of contributing rails and ties from the TLLP segment of the Corridor would result in adverse impacts to the Historic District. These impacts are limited to the TLLP and include removal of rail service for that segment of the corridor, and removal of some historic features in that segment of the corridor.

Initial List of Potential Mitigation Measures: The NYSDEC and NYSDOT have consulted with the Office of Parks, Recreation and Historic Preservation (OPRHP) to review the full inventory of contributing historic structures/features within the TLLP and explore means to avoid or mitigate adverse impacts to the Historic District. In consultation with the OPRHP, a plan will be developed to satisfactorily mitigate adverse impacts to the Historic District within the Corridor in accordance with Section 14.09 of New York State Parks, Recreation and Historic Preservation Law (State Historic Preservation Act).

About 34 miles of the corridor (the TLLP) will be adversely impacted by removing most of the track and grade crossing infrastructure. Contributing structures and features in the RTL segment will be retained and upgraded for train service. The rail infrastructure between Big Moose and Lake Placid is in disrepair. Although there is sufficient maintenance at road crossings in this segment, there has been insufficient maintenance in between them. The Amendment/SEIS proposes to rehabilitate rail infrastructure between Big Moose and Tupper Lake for a potential contiguous train service from Remsen to Tupper Lake, a distance of approximately 85 miles.

Modifications to the infrastructure in the Tupper Lake Depot area are planned to support the junction of rail service and rail trail. Some rail infrastructure will remain in the TLLP segment, including bridges, culverts, and some rails and ties for historic mitigation purposes. Other rail infrastructure in that segment, including the majority of rails and ties and grade crossing warning devices, will be removed or be re-located to locations that will not conflict with operation of the train service, rail trail, and surrounding roadways.

Potential mitigation measures to be developed in consultation with the OPRHP may include documentation of contributing historic features (rails and ties) prior to their removal;

rehabilitation of contributing buildings and structures for adaptive re-use; and the development of public educational and interpretive materials along the Corridor.

This amendment is proposing to retain and rehabilitate rail infrastructure in the RTL Segment, which has a beneficial impact to the Historic District since it promotes maintenance of the rail infrastructure. A rail trail in the TLLP would retain the railroad alignment, grade, and some rail infrastructure as interpretive displays about the railroad corridor at designated locations. Train noise would also be eliminated even though rail service was limited to between May and November.

D. Railroad Passenger and Freight Service

Potential Significant Adverse Impacts: Removal of the rail infrastructure will result in the discontinuation of recent tourist train service and will preclude freight or passenger use in the immediate future. While common carrier passenger service in this corridor ceased in 1965 and freight service was discontinued in 1972, due to the remoteness of the surrounding area and limitations on the regional highway network, the availability of the railroad for future shipping and passenger travel must be considered. Moreover, as the Lake Placid area was used as an Olympic venue in 1980 and is scheduled to host major sporting events in the future, its inability to transport passengers or freight for the purpose of any future Olympic venue selection must also be considered. Based on the foregoing, the NYSDEC and NYSDOT consider this to be a significant adverse environmental impact.

Initial List of Potential Mitigation Measures: Conversion of the corridor from rail use to trail use will maintain the railroad alignment and grade, such that rail infrastructure could be re-installed in the corridor should the need arise. NYSDEC will consider railroad loadings during the rehabilitation or replacement of any culverts or bridges in the corridor. The State will maintain the Travel Corridor designation of the TLLP segment of the corridor and will not seek to merge the TLLP corridor into adjacent state land units.

E. Community Character

Potential Significant Adverse Impacts: With discontinuation of train service, there will also be loss of user-experience of riding a train in TLLP; loss of tourist train access (including for persons with disabilities) to remote or scenic areas along the TLLP; loss of revenue for a tourist train operator; loss of employment for train employees; loss of opportunities for the public to enjoy the train service; and loss of revenue to local businesses that provide goods and services to the train operator or benefit from spending by the patrons of the previous train service.

With removal of rails and ties, there could be an increase in snowmobile usage. There will be a loss of opportunity to ride rail pedal bikes, a loss of revenue for potential rail pedal bike operators, and there could be a loss of revenue to local businesses from an absence of rail pedal bike patrons.

Multimodal travel on a rail trail by trail users could lead to trespassing onto adjacent private property, non-conforming uses on adjacent Forest Preserve, loss of privacy to adjacent landowners, or multimodal travel conflicts and safety issues (e.g., skiing and snowmobile use, bicyclists and pedestrian use, etc.).

Initial List of Potential Mitigation Measures: While there will be a discontinuation of train service and a loss of that user-experience in the TLLP, a rail trail is expected to bring in a larger variety

and volume of users to that segment of the Corridor. A rail trail in the TLLP will introduce bicycling, cross-country skiing, and running, among other modes of travel, as opposed to the two uses currently allowed: train-travel or rail bikes (snowmobiling is allowed in either scenario). The rail trail, access points, and infrastructure on the trail will be designed to comply with the Americans with Disabilities Act to the maximum extent practicable.

The loss of the rail service in the TLLP segment will be offset by the improved rail service between Remsen and Big Moose Station, and the rehabilitation of the rail line between Big Moose Station and the Tupper Lake Depot. The distance by rail from Remsen to Tupper Lake is approximately 85 miles. If rails are rehabilitated between Big Moose and Tupper Lake as proposed, and when including the rail service beyond the southern end of the Corridor to Utica, there will be potential for one of the longest scenic railroads in the eastern United States. A beneficial impact of this proposal will be the restoration and preservation of rail infrastructure in the RTL, where these features are currently in a state of disrepair and not capable of safely handling rail traffic.

The removal of rails and ties may create new business opportunities along the TLLP to offset lost revenue the scenic train service provided to existing businesses. It is anticipated that the rail trail will generate a demand for businesses that provide goods and services to rail trail patrons, and it is expected that these patrons will often be families. Additionally, new opportunities for rail-based business opportunities may be created in the segment of the Corridor where the rails will be rehabilitated.

Railroad tracks exposed in snow inhibit safe snowmobiling because rails can “catch” the skis, causing the rider to lose control. This deters some riders from using the Corridor. Removal of track infrastructure is expected to lead to an increase in snowmobile usage, because the TLLP can be ridden in times of low snow accumulation. This may lead to greater business opportunities due to a potential increase of snowmobile traffic, and the season can start earlier and potentially extend later into the season. More snowmobiles and a longer snowmobiling season within the TLLP can translate to economic benefits for local businesses. While rail and tie removal will preclude future use of pedal car rail bikes in the TLLP, rail bikes may be used elsewhere in the Corridor. New opportunities for traditional, recumbent, and surrey bicycle enthusiasts will be available in the TLLP, and this could encourage bike rental business opportunities for the communities along the segment.

The rail trail will be an improvement over existing conditions for those using the corridor for cross-country skiing, running, and walking. The completed trail is expected to encourage more responsible and safer usage. Unlawful motor-vehicle use, such as that which currently occurs with dirt bikes and ATVs, should be less likely to occur with an expected increase in year-round rail trail users. Increased enforcement and better enforcement agency access on the rail trail will also be a disincentive for unlawful activity.

A multi-use trail will allow a larger number of travel modes than before the rail trail, which has been train, snowmobile, and for two summers, rail bikes. Instead of a limited number of train excursions between May and November, a rail trail will be available to users 365 days a year, 24 hours a day, and free to the public. Many residents who live in the villages of Tupper Lake, Saranac Lake, and Lake Placid often commute between these villages for work, and this rail trail will offer the opportunity to take daily traffic off the local roads and give these residents a healthy and safe opportunity to commute.

NYSDEC will mitigate the effects of potential impacts associated with a new multimodal user-base (trail users) in the Corridor, and an increase in usage of the Corridor, by employing proper signage for notification of safety risks, respect for private property and neighboring landowners, responsible use of the rail trail, and proper trail etiquette. Travel lanes can be established, and speed zones and hours of operation can be utilized if the need arises. The trail will be maintained in accordance with Snowmobile Grooming Guidelines. Trail guide signage will be in accordance with Snowmobile Trail Signage Guidelines. Snowmobile safety materials will be available at kiosks and snowmobile stops along the Corridor.

IV. Potential Benefits of the Proposed Action

With rehabilitation of the rail infrastructure from Big Moose to Tupper Lake, the historic character of that segment will be retained and enhanced. Rail usage in that segment will also allow the public an opportunity to ride a train into the heart of the Adirondacks. The rehabilitated rail will also provide an opportunity for an increase in rail-based recreational uses such as rail bikes.

Aside from the mitigation measures noted above, there are numerous potential benefits to the local communities and tourists by converting the TLLP from rail service to a rail trail. The rail trail may reduce the potential conflicts between bicycles, pedestrians and vehicular traffic among and within local communities when compared to riding or walking on the highway shoulder. Increased number and frequency of users will also likely be able to monitor and report unlawful activity, including ATV and dirt bike use along and from TLLP.

A rail trail serves a wider range of recreational users and is not limited to train riders. It would be different from any other Adirondack trail, in that it would have gentler grades, wide, large radius curves and straight sections, and therefore provide access to a larger spectrum of user-abilities. It would increase recreational (wildlife viewing, fishing, hunting) and scenic opportunities for some persons with disabilities. The public would be able to use a rail trail free of charge, travel at one's own pace, and stop along the trail for an unlimited amount of time, as compared to train and rail bike service which are one-way, on a limited schedule, and cost patrons money.

A rail trail promotes and enables physical fitness for residents and visitors to the region. Residents can benefit by having healthier, human-powered, multimodal transportation commuting options available to them. Commuting in the TLLP may also result in a decrease in automobile traffic between the local communities, emissions, and fuel consumption.

The Corridor, as a railbed, is designed and built for high-traffic and heavy use. As a rail trail the TLLP has the potential to become a popular day-use destination for tourists. The rail trail could draw hiker traffic away from some of the nearby Forest Preserve trails that are experiencing overuse, and significantly lessen the impacts to those trails. The rail trail could improve access to Forest Preserve trail connections and facilities, such as beaches and campgrounds, thereby reducing parking problems (carrying capacity) near trailheads elsewhere.

The rail trail could utilize the rail corridor, which until recently had a very limited, one-way-at-a-time train schedule with a lot of down-time, to a bi-directional rail trail open 365 days a year, 24 hours a day, and it is conducive to special community events, and their resultant economic benefits.

V. Potential Impacts Not Considered Significant

The following issues were considered in the review of the environmental assessment form or raised during scoping, and determined not to be environmentally significant:

1) Impacts to wildlife, fisheries, vegetation and habitat.

The NYSDEC and NYSDOT reviewed the proposed action and determined that impacts to wildlife, fisheries, vegetation and habitat will not be significant. Several potential impacts were considered including damage or disturbance to habitat caused by rail removal and trail construction; disturbance to wildlife by trail users; controlling beaver population as a result of any flooding caused by beavers; and impacts to rare, threatened or endangered species, and significant natural communities during rail removal and construction.

The NYSDEC and NYSDOT have used existing natural resource information, Natural Heritage biologists and databases, and existing reports documenting the locations of rare, threatened, or endangered species in order to examine the potential impacts of operational and construction activities in the TLLP and have determined that potential impacts to these resources are not significant.

NYSDEC wildlife and fisheries staff have also been consulted and conclude that impacts to wildlife and fisheries will not be significant. The timing of construction activities can be controlled, if necessary, so that nesting/breeding periods of relevant wildlife species are not impacted. Public education, with signs and kiosks, about adjacent significant natural communities, or wildlife nesting areas, and the need for protection of such places, can also be implemented.

2) Air Resources and Climate Change.

The NYSDEC and NYSDOT do not anticipate significant adverse impacts to air resources due to rail rehabilitation and removal, trail construction, or operation activities associated with this project. Several potential impacts were considered including the reduction in air quality due to a potential increase in snowmobile traffic, and acceleration of climate change due to a potential increase in fossil fuel combustion from snowmobiles.

The NYSDEC and NYSDOT have determined that any potential increase in snowmobile traffic and resultant air quality will not be a significant impact.

3) Perceived decrease in property values with conversion to rail trail.

There are numerous studies that have been compiled on this issue. According to a report by the University of Delaware (Racca and Dhanju, 2006) that compiled many reports/studies on this topic:

“The majority of studies examined indicate that the presence of a bike path/trail either increases property values and ease of sale slightly or has no effect.”

4) Perceived increase in non-motorized unlawful activity along rail trails.

With a potential increase in the number and frequency of users on a rail trail, there could be less unlawful activity as the trail users may be able to monitor and report illegal activity along the TLLP. A report by the University of Delaware (Racca and Dhanju, 2006) that compiled many bike path studies/reports (included converted rail trails) concluded, that quality of life has improved in neighborhoods through which bike path/trails pass. An improved quality of life is not consistent with an increase in unlawful activity.

5) Increase in unlawful ATV and dirt bike use on the TLLP.

ATVs and dirt bikes have allegedly been using the TLLP unlawfully for a long period of time. A rail trail will foster more responsible and appropriate usage since it will have year-round activity, and this year-round activity may help monitor and report illegal motor vehicle usage in the TLLP.

6) Landowners adjacent to the TLLP assuming the railroad had an easement over their property

In 1974, the State acquired the Corridor from Penn Central by exercising the power of eminent domain in order to preserve the right-of-way until the best use could be determined. With exception of parcels within the North Country Community College (NCCC) campus and the Lake Placid depot parcels, the State extinguished all prior easements and ownership rights by eminent domain. In May of 2019, the State purchased the NCCC parcels.

There are no reversionary rights to adjoining landowners, and the State's control over the Corridor is not by railroad easement over any of the properties, but by fee ownership except for a few parcels at the end of the line at the Lake Placid depot, where the State has an access agreement to a portion of the property owned by the Lake Placid-North Elba Historical Society (LPNEHS).

VI. Alternatives*

The 1996 UMP/FEIS analyzed six alternatives for management of the RLPTC and calls for re-evaluation of the Corridor UMP every five years. In the twenty-plus years since that document's adoption, the State has determined that the Corridor remains an underutilized public resource. This SEIS will discuss the preferred alternative from the 1996 UMP/EIS (alternative 6) and propose a new alternative for managing the Corridor:

- 6) No Action Alternative. The no action alternative for the current UMP amendment is to continue management of the corridor in accordance with the preferred alternative of the 1996 UMP. This alternative calls for the rehabilitation of the track for the entire Corridor, with parallel trails going on and off the Corridor as necessary; and
- 7) Removal of rails and ties to create a rail trail entirely within the TLLP, which is 34 miles of the 119 total Corridor miles. The remaining 85 miles of the Corridor will be available for train service, of which approximately 45 miles of rails will be rehabilitated.

* The three alternatives (numbered 1-3) in the Draft Scope did not follow the numbering scheme for alternatives as outlined in the 1996 UMP/EIS. This Final Scope addresses and simplifies that concern.

VII. Appendices to Accompany DSEIS

The following elements will be included in the Appendices to the DEIS

Appendix 1: References

Appendix 2: Map

Appendix 1: References

Racca, D.P., & Dhanju A., (2006) Property Value/Desirability Effects of Bike Paths Adjacent to Residential Areas. A report prepared for Delaware Center for Transportation and The State of Delaware Department of Transportation. University of Delaware, Center for Applied Demography & Survey Research <https://www.railstotrails.org/resourcehandler.ashx?id=4482>

Appendix 2: Map

Remsen-Lake Placid Travel Corridor

