

STATE ENVIRONMENTAL QUALITY REVIEW ACT DRAFT SCOPE

Remsen-Lake Placid Travel Corridor Unit Management Plan Draft 2019 Amendment/Draft Supplemental Environmental Impact Statement (DSEIS)

Name of Action: Remsen-Lake Placid Travel Corridor Unit Management Plan 2019 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 2019 Amendment (2019 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 recommended for approval. The amendment revised/updated the definition of the travel corridor classification.

This 2019 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 85 miles of the Corridor south of Tupper Lake to be upgraded for train service.

This UMP amendment/SEIS will analyze management alternatives for the Tupper Lake to Lake Placid segment (TLLP) of the Corridor. The management of the Remsen to Tupper Lake segment 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 a UMP Amendment that will address management objectives concerning public access and use of the TLLP. 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 TLLP;
- 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 (NYSDEC managed facilities such as trails and parking);
- Designation and creation of rail trail amenities along the TLLP;
- Designation and construction of facilities for persons with disabilities along the TLLP;
- Designation and construction of kiosks and interpretive signage along the TLLP in accordance with the mitigation plan adopted for compliance with the State Historic Preservation Act; and
- Description of proposed management actions for the junction of train service and rail trail in Tupper Lake.

Existing Environmental Setting

The 2019 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 this document (2019 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 demolition, construction, or maintenance activities associated with the use of heavy equipment and vehicles.

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 demolition, 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 willing partners and outside groups 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 usage of the TLLP, including a potential increase in snowmobile usage, and from temporary demolition, construction, or 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 the usage of the TLLP. 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. 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. Demolition and 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 demolition and construction activities do not disrupt breeding times for potentially sensitive wildlife species in the vicinity.

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 118 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 within the Historic District, but not part of the Corridor because privately owned lands are not classified 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, however, 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 will consult 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 TLLP segment of the Corridor in accordance with Section 14.09 of New York State Parks, Recreation and Historic Preservation Law (State Historic Preservation Act).

Rail use will continue from Remsen to Tupper Lake (85 miles). About 34 miles of the corridor (the TLLP) will be impacted. Contributing structures and features in the remaining rail corridor will be retained and upgraded for train service. There will be modifications made in the Tupper Lake area to create infrastructure 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, must be removed. Some rail infrastructure elements may remain 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.

D. Community Character

With the discontinuation of train service and removal of rails and ties, the potential significant adverse impacts to the local community are related mostly to a loss of (1) train tourism revenue, (2) train-service employment, and (3) opportunities for enthusiasts to experience trains.

Potential Significant Adverse Impacts:

With discontinuation of train service, there could be loss of user-experience of riding a train in TLLP; loss of passive 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 hobby for volunteer train staff, and loss of revenue to local businesses that benefit from train service.

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

Multi-modal travel on 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 (i.e. skiing versus snowmobiles, bicyclists versus pedestrians).

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 will introduce bicycling, cross-country skiing, and running, among other modes of travel, to the TLLP. Additionally, 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.

Rail service in the Adirondacks will exist in the Corridor south of Tupper Lake. If rails are rehabilitated between Big Moose and Tupper Lake as planned, there will be potential for one of the longest scenic railroads in the eastern United States. This allows for train enthusiasts and volunteers to have a train experience in the Adirondacks.

The removal of rails and ties may create new business opportunities along the TLLP and offset lost revenue existing businesses received from the scenic train service. 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. 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 can make a winter busier with snowmobile traffic than it would have been with rails, and it can start the season earlier and potentially extend it later. 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 recumbent and traditional 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 to those using the corridor for cross-country skiing and walking. The completed trail is expected to encourage more responsible and safe usage. Unlawful motor-vehicle use, such as that which currently occurs with dirt bikes and ATVs, could be less likely to occur with an expected increase in year-round lawful 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. The NYSDEC will mitigate the effects of potential impacts associated with a new multi-modal 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

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.

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 could also result in a decrease in local automobile traffic, emissions, and fuel consumption.

Potential for conflicts between road users and trains would be reduced between May and November. The rail trail would allow for a safer bicycling route among and within local communities when compared to riding the limited highway shoulder. Increased number and frequency of users will also likely be able to monitor and report unlawful activity, including ATV/dirt bike use along and from TLLP.

A rail trail would maintain most of its historical appearance by retaining the topography and some infrastructure of a railroad corridor. Train noise would also be eliminated (rail service was limited to May to November).

A rail trail serves a wider range of recreational users and is not limited to train enthusiasts. 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 patron's money.

The Corridor, as a railbed, is designed and built for high-traffic and heavy use. As a rail trail the TLLP could become a popular day-use destination for tourists. The rail trail has the potential to 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 race and community events, and their resultant economic benefits.

There is enough scientific evidence (Budzic and Budzic 2014; Kornilev, Price, and Dorcas 2006) to also note that small animals (including reptiles and amphibians) that need to migrate or disperse across railroad tracks can be inhibited or trapped by the rails. Since this project involves removing most of the rail infrastructure, small animal dispersal and breeding conditions should be improved.

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 to be neither relevant nor 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 trail demolition and 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 demolition 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.

The NYSDEC and NYSDOT do not anticipate significant adverse impacts to air resources due to demolition, 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. Any potential annual increase in snowmobile exhaust along the TLLP will likely be offset by the annual loss of train diesel exhaust and automobile exhaust from local commuters.

3) Loss of future train freight, passenger, or Olympic venue opportunities.

The NYSDEC and NYSDOT do not consider this to be a significant, adverse environmental impact. Passenger service ceased in 1965, freight service was discontinued in 1972, and the Corridor was used for the 1980 Olympics in Lake Placid. Since those times, there has been ample opportunity for a passenger or freight enterprise to capitalize on the Corridor, and none have come forward.

- 4) 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.”

- 5) Perceived increase in 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 would be able to monitor and report illegal activity along and from 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. People would not think that their neighborhood quality of life improved if there was an increase in unlawful activity.

- 6) Increase in unlawful ATV/dirt bike use on the TLLP.

ATVs and dirt bikes have been unlawfully using the TLLP for decades. A rail trail will foster more responsible and appropriate usage since it will have year-round activity, and as with the unfounded ‘rise in criminal activity’ concern, this year-round activity would help monitor and report illegal motor vehicle usage in the TLLP.

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 Corridor remains an underutilized public resource. The 2019 UMP Amendment/SEIS will analyze alternatives for the current management of the TLLP.

This analysis will discuss three different alternatives:

- 1) No Action Alternative;
- 2) Retaining rail service for the entire Corridor, with parallel trails going on and off the Corridor as necessary; and
- 3) Removal of enough 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.

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

Budzic, K. A., & Budzic, K. M. (2014). A preliminary report of amphibian mortality patterns on railways. *Acta Herpetologica*, 9, 103–107.

Kornilev, Y., Price, S., & Dorcas, M. (2006). Between a rock and a hard place: Responses of eastern box turtles (*Terrapene carolina*) when trapped between railroad tracks. *Herpetological Reviews*, 37, 145–148.

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

Tupper Lake to Lake Placid Segment (TLLP)

