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Ms. Cynthia T. Brown
Chief of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Re: STB Docket No. AB 1261, *New York State Department of Environmental Conservation Application for Adverse Abandonment- Saratoga and North Creek Railway in the Town of Johnsburg, NY*

Dear Ms. Brown:

The Adirondack Council hereby submits this letter in opposition to the Amended Motion To Dismiss Adverse Abandonment Proceeding filed by the trustee for the bankruptcy estate of the parent of Saratoga and North Creek Railway, Inc. ("SNCR").¹ As noted in previous correspondence to the Surface Transportation Board, the Adirondack Council supports the NYS DEC Application for Adverse Abandonment because of SNCR's long-term failure to institute freight rail service on the Tahawus Line and the need to give state agencies, local governments other affected stakeholders the opportunity to develop a beneficial use for this limited corridor in the Adirondack Park.

The Adirondack Council is not opposed to a new operator providing freight rail service on the line, so long as the rail is not used in a manner incompatible with the preservation of the Adirondack Park, like the reckless storage of hazardous tank cars. We have not yet seen a practicable proposal for such rail service, however, so we continue to support the proposed abandonment.

The line in question transgresses the counties of Warren, Hamilton, and Essex in the Adirondack Park, and crosses state forest preserve lands, which by operation of Article 14 of the New York State Constitution are forever protected as wild forest lands. The state, its agencies and municipalities deserve the opportunity to explore alternative uses for the Tahawus Line that provide environmental benefits and economic development opportunities.

For the reasons stated herein, the Adirondack Council opposes the Amended Motion To Dismiss Adverse Abandonment Proceeding.

Sincerely,

Kevin Chlad
Director of Government Relations
Adirondack Council

CC: Parties of Record

¹ The Adirondack Council is a not-for-profit environmental organization with two offices in New York State and with membership comprised of thousands of individuals residing in all 50 states. The mission of the Adirondack Council is to ensure the ecological integrity and wild character of the Adirondack Park for current and future generations. We envision an Adirondack Park with clean water and air and large wilderness areas, surrounded by working forests and farms and vibrant local communities.