

LEWIS COUNTY NEW YORK

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October 4, 2023

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Ms. Cynthia T. Brown, Chief Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street SW, Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
October 10, 2023
Part of
Public Record

Re: Docket No. AB-768X (Mohawk, Adirondack & Northern Railroad Corporation
Docket No. AB-180X (Lowville & Beaver river Railroad Company

Dear Ms. Brown:

I am the attorney for the County of Lewis, NY. Enclosed is the filing by the Chairman of the Board in support of abandonment of the rail lines set forth under the above Docket numbers. As the attorney for the Board (and Chairman), I hereby certify that copies of the letter have been mailed and emailed (*where provided*), to the following listed interested parties:

John K Fiorilla, Esq, 605 Main St, Suite 104, Riverton, NJ 08077 jfiorilla@dverpeterson.com
Dennis Bishop, 5267 Jefferson St., Lowville, NY 13367, cbishop14@twcny.rr.com
Bruce Krug, 2771 West Road, Constableville, NY 13325, krugvale@frontiernet.net
Ron Trottier, PO Box 285, Cape Vincent, NY 13618 & PO Box 317, Croghan, NY 13327, rtrottie@twcny.rr.com
Joanne & Rodney Dicob, 7714 State Rte 812, Lowville, NY 13367 jdicob@hotmail.com
Richard Meyer, 10455 State Rte 126, Carthage, NY 13619, meyer_trucking08@yahoo.com
Peter Keys, 8420 State Rte 812, Lowville, NY 13367, supervisorkeys@hotmail.com
Eric Schwartzentruber, 5553 Highland Ave, Lowville, NY 13367, edschwartzentruber@hotmail.com
Brian Reape, PO Box 18, Castorland, NY 13620
Scott M. Doyle, 3707 Roberts Rd, Carthage, NY 13619, supervisordoyle@townofdenmarkny.org

Please post and file the County's letter.

Sincerely,

Joan E. McNichol

Enc.
JEM:hs



7660 North State Street • Lowville, NY 13367 • lewiscountyny.gov

October 3, 2023

Ms. Cynthia T. Brown, Chief Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street SW
Room 1034
Washington, DC 20423-0001

Re: Abandonment Exemption Notices: In Lewis and Jefferson Counties:
Docket No. AB 768X - Mohawk, Adirondack & Northern Railroad Corp (MAN)
Docket No. AB 180X - Lowville & Beaver River Railroad Company (LBRR)

Comments by County of Lewis in support of abandonment

Dear Surface Transportation Members:

I am the Chairman of the Board of Legislators for the County of Lewis, and submit this letter in support of the rail companies' Notice of Exemptions filed for Abandonment of these lines. The County has contracted with MAN and LBRR to purchase the identified rail lines (approximately 31 miles), provided same have been formally abandoned by the STB. The County has for over fifteen (15) years, been interested in acquiring these inactive and non-commerce used rail lines for public recreational uses.

On an annual basis, the County has commissioned SUNY Jefferson Center for Community Studies to survey the residents of the County on various issues and matters, including the interests of residents in seeing the inactive rail lines converted and used for multi recreational uses open to the public. The overwhelming responses have been in favor of the County taking the steps to acquire these inactive lines for multi-use recreational trails.

Lewis County is a largely rural area comprised of approximately 1,300 square miles in Northern, New York. Lowville, the County seat, is located about an hour's drive from both Utica (to the south) and the Canadian border (to the north). As of the 2020 census, Lewis County's population was just shy of 26,000 residents. Lewis County's primary industries include agriculture and farming as well as recreation and tourism. The Kraft Heinz cheese plant and Qubica AMF bowling pin plant are both located in Lowville, but do not and have not operated with any need or dependence upon rail lines for their successful operations.

Portions of the approximate 31 miles of rail lines the County seeks to acquire for its intended public recreational multi-use trails have been **inactive** for multiple decades. Simply stated, the rail lines in issue have had no commercial purpose or use for decades; and no stated interest by any industrial or commercial user to cause any hesitation by this Board to abandon.

I have read the nine (9) letters in opposition submitted by adjoining landowners, including the railroad historical society and Ron Trottier, (signer on behalf of the Railway Historical Society of Northern New York and his own interested company, Railstar Corporation). I respectfully submit the following in refute of some of their generalized, inaccurate statements and positions:

a. Climate change and the country's intention to reduce dependence upon carbon will not bring back these rail lines for commerce in Lewis County. The farms and agricultural businesses in Lewis County have not depended upon the rails to operate or to move their products. If the rail lines had been an efficient way to move their products, investment in keeping the lines active would have been undertaken by these rail companies. It was not.

b. Mr. Krug notes to the Board in his opposition that the loss of rail lines adds to the county and its population remaining economically poor. There has been no rail transportation for over 15 years. The County was poor then and continues to be considered one of the poorest counties in the state because there is no viable economic development other than its main and growing resource - recreation and tourism opportunities. Indeed, recent studies show that the County's increase in sales tax and real estate development is directly related to people coming to Lewis County and investing here by buying and building second homes in order to enjoy all the recreational choices the County has to offer, including snowmobiling, atv riding, hiking, biking, cross-country skiing, snow shoeing, horseback riding. The rail trails will provide this growing recreation and tourism industry with safe trails that connect from community to community, and provide the opportunity for more growth.

c. Concern about rail trails being close to our schools is unsupported. Many parents and educators in our schools support recreational trails, especially if near the schools so that their athletes have a safe area to practice instead of risking physical harm in running and biking on the roads.

d. The one mile tourist train run by the Railway Historical Society will not be adversely impacted by this abandonment, as the County has already indicated that it will work with the Society to have this tourist line continue. The claim, however, that they intend to extend this tourist line into Lowville contradicts other opposition statements by the Dicobs who assert that recreational trails would have to cross bridges that flood. This is the same line the Historical Society has claimed for years that they intended to fix up and use for their tourist train extension, along with Mr. Trottier's "intended uses" which have never materialized for decades.

The Rail Trail idea took shape in Lewis County decades ago, with every survey commissioned by the County from the early 2000's and more recently in 2021 and 2022, confirming that the overwhelming majority of residents support the purchase of the rail lines for multi-use recreational trails.

Lewis County residents have the unfortunate distinction of having one of the highest rates of obesity, diabetes, high blood pressure, depression, and other acute and chronic maladies within the State. In addition, and as someone who is intimately familiar with the long, harsh winters that we experience in this part of the world, it should come as no surprise to you that many Lewis County residents remain mostly indoors for nearly half of the year; adding to the lack of physical activity by its residents. Lewis County leadership is committed to combating those health issues by promoting, and more importantly, facilitating opportunities for physical activities that can be enjoyed throughout the year, including

walking, biking, hiking, snowshoeing, etc. The rail trail will provide these opportunities throughout the County.

Due in large part to the Covid lockdowns we experienced over the last couple of years, rural communities like Lewis County have become more desirable places to live. Our increased home sales and building permits confirm this. Lewis County's vision for a rail trail program will be another natural draw for younger families to consider moving to the County.

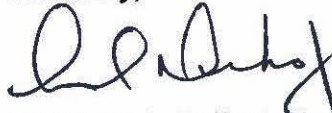
Upon this Board's favorable abandonment decision, the County will develop a Master Plan to convert the lines (by sections) into multi-use trails for walking, hiking and biking, similar to those that already exist in the Lyons Falls area. In addition, the County will evaluate whether certain portions are suitable for motorized recreational use (i.e., snowmobiling, ATV, etc.). It cannot be disputed that such uses would be far more beneficial to Lewis County and its residents than inactive, overgrown rail lines that have been (and remain) in severe disrepair.

On a final note, none of those who have submitted opposition have been ignored. The County intends to address legitimate concerns expressed by all residents as to the development of the trails. However, any claim that the rail lines will come back into commercial operation is simply erroneous.

I am aware that many community members have submitted letters in support, but may not have known that their statements would not be posted by the STB if they did not send copies of their statements to the interested parties presently listed on the STB website. Our County Attorney has undertaken to have copies of those supporting letters sent by email to the listed parties, and will submit her certification of same by separate letter.

Thank you for your attention.

Sincerely,



Lawrence L. Dolhof, Chairman
Lewis County Board of Legislators

cc: Parties of Record: (Via reg mail and email)

Dennis Bishop

Richard Meyer

Ron Trottier (Railstar & RHSNNY)

Brian Reape

Scott M. Doyle (Town Supervisor)

Joanne & Rodney Dicob

Peter Keys, Town Supervisor

Eric Schwartzentruber

Bruce Krug

John K. Fiorilla, Esq. (Attorney for MAN & LBRR)