



ESSEX COUNTY IN THE PARK
INDUSTRIAL DEVELOPMENT AGENCY

7566 Court Street . P.O. Box 217 . Elizabethtown, NY 12932
(518) 873-9114 . Fax (518) 873-2011 . E-mail: info@essexcountynyida.com
Web Site: www.essexcountynyida.com

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Office of Proceedings
October 29, 2018
Part of
Public Record

October 29, 2018

Hon. Ann D. Begeman, Chairperson
US Surface Transportation Board
395 E. St. SW
Washington, DC 20423

**Subject: STB Docket No. AB 1261
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION-
ADVERSE ABANDONMENT- SARATOGA AND NORTH CREEK RAILWAY IN TOWN OF
JOHNSBURG, NY**

Dear Hon. Ann Begeman:

At a regular meeting of the Essex County Industrial Development Agency (IDA) Board of Directors, they unanimously passed Resolution #2018-77 opposing the New York State Department of Environmental Conservation Abandonment Application STB Docket No. AB 1261 with the Surface Transportation Board of the 30-mile section of railroad commonly known as the Sanford Lake Branch, and to permit the continued operation by another operator to transfer materials from the hamlet of Tahawus, New York in the Township of Newcomb.

Whereas on September 7, 2018 the New York State Department of Environmental Conservation filed an Application to Abandon Services of the Sanford Lake Branch, STB Docket No. AB 1261 before the Surface Transportation Board;

Whereas the New York State Department of Environmental Conservation application is seeking adverse abandonment of the authority of the Saratoga and North Creek Railway, LLC to operate over the Sanford Lake Branch;

Whereas a proposal from Omnitrac, a Denver Colorado based company, submitted to the Warren County Board of Supervisor includes their intent to purchase the assets of the rail line from North Creek to the Tahawus mine for continued operation;

Whereas for the last decade Paul Mitchell of Mitchell Stone Products of Tupper Lake, N.Y. has been removing the stone known as tailings from the old mine under contract with NL Industries;

Whereas Paul Mitchell owner of Mountain Endeavors LLC, has purchased the former NL Industries titanium and iron mine site in the hamlet of Tahawus where an estimated 100 million tons of recyclable material aggregate remains;

Whereas the use of the Sanford Lake Branch to transport the material aggregate can result in the potential to create significant economic benefit for Essex County, the Town of Newcomb community and our region;

Whereas both the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Transportation (NYSDOT) urged the Surface Transportation Board to approve Saratoga & North Creek Railway LLC (SNCR)'s Notice of Exemption for operation of the Tahawus Line on March 15, 2012; and

Whereas both the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Transportation (NYSDOT) in its joint letter agreed that the environmental, economic, recreational and safety issues associated with the rail operations from an environmental perspective could result in a dramatic reduction of truck traffic in this sensitive area of the Adirondack Park, thereby reducing harmful emissions, lowering the region's carbon footprint and greatly diminishing dust and noise, while unsightly piles of aggregate are removed; and

Whereas both the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Transportation (NYSDOT) also stated in their joint letter of support that "the resumption of the rail line will also add to the year-round employment base of the region, improve the safety and environmental costs of aggregate removal, ensure that this product is recycled, and reduce expensive road maintenance costs; and

Whereas the Surface Transportation Board has abandonment authority and jurisdiction to consider alternatives to a proposed third party abandonment; now,

Therefore, be it Resolved the Essex County IDA Board of Directors urges the Surface Transportation Board to deny the application of the New York State Department of Environmental Conservation request for adverse abandonment of the authority of the Saratoga and North Creek Railway, LLC to operate over the Sanford Lake Branch; and it is further resolved the Essex County IDA Board of Directors urges the Federal Surface Transportation Board to exercise its jurisdiction over the Sandford Lake Branch leading from Tahawus to North Creek, support the future use of the Sanford Lake Branch by a viable rail operator to remove the material aggregate from the Mountain Endeavors LLC at Tahawus and reject the adverse abandonment request of this line.

Thank you for your consideration of this request.

Sincerely,



Darren Darrah, Chairman
Essex County IDA Board

C.c. Bonney Hartley, 65 1st Street, Troy NY 12180
Douglas Mackey, PO Box 189, Waterford NY 12188
D. Scott Bassison, 3 Empire State Plaza, Albany NY 12223-1350
Honorable Charles Schumer, US Senate, 322 Hart Senate Bldg, Washington DC 20510
John Heffner, 2015 Connecticut Ave., N.W. Suite 717, Washington DC 20036
Joshua Tallent, The Capitol, Office of Attorney General, Albany NY 12224
Arnold Printup, 412 State Route 37, Akwesance NY 13655
Amy Gitchell, 1 Buffington Street, Bldg. 10, 3rd Floor North, Watervliet, NY 12189
Susan Bachor, PO Box 64, Pocono Lake PA 18347
Paul Mitchell, 15 Mitchell Lane, Tupper Lake NY 12986
Robert Wimbish, 29 North Wacker Drive, Suite 800, Chicago IL 60606
Supervisor Robin Deloria, Town of Newcomb, PO Box 405, Newcomb NY 12852
Susan Taylor, The Capitol, Office of Attorney General, Albany NY 12224
Thomas Berkman, 625 Broadway, 14th Floor, Albany NY 12233
US Envir. Protection Agency, 290 Broadway, New York NY 10007
US Fish & Wildlife Service, 3817 Luker Road, Cortland NY 13045
William Janeway, PO Box D-2, Elizabethtown NY 12932
William Kuntz, PO Box 1801, Nantucket Island, MA 02554