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219529.
June 13, 2007
VIA: Electronic filing

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: Finger Lakes Railway Corp. -
Abandonment Exemption - Yates County, NY
STB Docket No. AB-1005X
**Comments to Environmental Assessment, Trail Use
and Public Use Requests**

Dear Secretary Williams:

This letter serves as the comments of the applicant Finger Lakes Railway Corp. ("FGLK") to the Environmental Assessment ("EA") served by the Board on May 29, 2007. This letter also responds to the public use and trail use requests that have been filed.

Environmental Assessment. The EA recommends a condition that FGLK notify National Geodetic Survey (NGS) at least 90 days prior to beginning salvage. FGLK believe that this condition goes beyond what NGS requested and what should be required. Through discussions with NGS after the EA was issued, FGLK has confirmed that NGS (as stated in its email of March 9, 2007 attached as part of Exhibit B to the Environmental/Historic Report) only requests advance notice of salvage activities *if* the activities will affect its markers. Since all of FGLK's proposed salvage activities will take place within the existing rail bed, FGLK has confirmed that no markers will be affected. Imposition of a 90-day advance notice requirement would mean that FGLK would not be able to commence salvage until at late September or October, precluding its re-use of materials in this year's planned construction projects. Accordingly, FGLK requests that any condition require notice to NGS only if NGS markers will be disturbed.

Public Use and Trail Use Requests. FGLK has received requests for public use and trail use conditions from Friends of the Outlet, Inc., and from the New York State Office of Parks, Recreation and Historic Preservation. FGLK has also received the enclosed letter dated June 8, 2007 from Parks & Trails New York in support of trail use. (It does not appear that this letter was filed with the Board.) On the other hand, FGLK has received opposition to a trail from the Town of Benton. See EA at 3.

GOLLATZ, GRIFFIN & EWING P C

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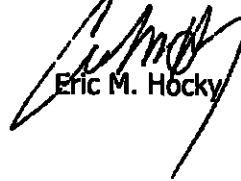
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Accordingly, FGLK believes it is premature for a determination as to whether the right of way should be converted to trail use. However, FGLK does not oppose the imposition of a public use condition that will give the parties further time to explore possible uses of the right of way, provided that the condition permits FGLK to salvage the tracks, ties, signals and other track materials.

Respectfully,



Eric M. Hocky

Enclosure

cc: All parties on the Service List



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June 8, 2007

Mr. Michael Smith

President

Finger Lakes Railway Corporation

400 Border City Road

Geneva, NY 14456

**Re: Finger Lakes Railway Corp. (FGLK) – Abandonment Exemption - Yates
County, New York STB Docket Number AB-1005-0-X**

Dear Mr. Smith:

Parks & Trails New York is a private, non-profit, statewide parks and trails advocacy organization with more than 16 years experience assisting communities with the development of multi-use trails, many of which are located on former railbeds. We are writing to add our support for the interim trail use and public use condition requests filed with the Surface Transportation Board by the Friends of the Outlet, Inc. and the New York State Office of Parks, Recreation, and Historic Preservation for the above referenced corridor. We urge you and the directors of the Finger Lakes Railway Corporation to grant the Interim Trail Use Condition request and railbank rather than dispose of the 4.95 miles of corridor between railroad milepost 41.35 near the Village of Penn Yan, Township of Benton and railroad milepost 46.3 near Bellona in the Township of Benton in Yates County, New York.

Parks & Trails New York believes this corridor is eminently suitable for public use as a multi-use trail that would offer significant health, environmental, economic, and quality of life benefits for Yates County residents and businesses as well as visitors to the region.





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- The corridor would make an excellent multi-use trail that would provide additional opportunities for recreation and healthy physical activity for residents and visitors to the Finger Lakes region.
- The corridor would provide an unobstructed and unparalleled view of the beauty of the rural, agricultural countryside and the expanse of Keuka Lake. It is the lakes and the pastoral landscapes which represent much of what makes this area such a world famous vacation destination.
- Use of the corridor as a trail would complement and enhance existing area trails such as the 7-mile Keuka Outlet Trail (also a former rail bed), which receives more than 9,000 visitors per year, and the 27-mile, on-road Bluff Point Bike Trail that traverses the rolling hills along the northern borders of Keuka Lake.
- The corridor can offer a safe, off-road alternative transportation route for residents traveling between Bellona and the businesses, county government offices, and other community resources in the Village of Penn Yan. A trail would be particularly beneficial to the Town of Benton Mennonites who must currently ride their bikes along heavily traveled State Route 14A to reach Penn Yan. As a former railroad bed, the trail would provide an alternative to the steep grades found on Route 14A, which would be additionally attractive to cyclists.
- A multi-use trail would be an additional quality of life benefit that the County IDA could offer to attract corporations and workers to the Horizon and Penn Yan Business Parks they are currently developing near the corridor.
- Conversion of the corridor to a multi-use trail is consistent with existing trail plans for the region. The corridor is identified as a trail project, "Penn Central Rail Trail – Yates County section," that is recommended for near-term implementation in Phase II of in the local Metropolitan Planning Organization's (MPO) Regional Trails Initiative, a comprehensive, nine-county trail action plan developed in 2004 with considerable public input, to assist community leaders in creating and maintaining a safe, accessible, and highly functional regional trail system that will be fully integrated with the existing transportation system and a nationally recognized, distinguishing feature of the region.





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Parks & Trails New York looks forward to working with the Finger Lakes Railway Corporation, Friends of the Outlet, Inc., New York State Office of Parks, Recreation, and Historic Preservation, and local and county governments to preserve this important corridor and develop it as public, multi-use trail that will benefit the community for generations to come. If you have any questions or would like more information on our activities, you can contact me at 518-434-1583 or rdropkin@ptny.org. I look forward to working with you.

Respectfully submitted,

Robin Dropkin

Executive Director

cc: Eric M. Hocky, Esq.; Gollatz, Griffin, & Ewing, P.C.



Service List - STB Docket No. AB-1005X

Yates County Industrial Development Agency
Attn: Jeff Gifford, Chairman
One Keuka Business Park, Suite 104
Penn Yan, New York 14527

Ontario County Pathways, Inc.
PO Box 996
Canandaigua, NY 14424

New York Department of Public Service
3 Empire State Plaza
Albany, New York 12223-1350

Director of Real Estate
New York Department of Transportation
50 Wolf Road
Albany, NY 12232
Att: Phil Healey

Director
Attention: SDTE-SA
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-4537

National Park Service
National Center For Recreation
and Conservation
Org. Code 2220
1849 C Street, NW
Washington, DC 20240-0001

Cherri Espersen
Rivers, Trails and Conservation Assistance Program
National Park Service
1849 C Street, NW (Org Code 2235)
Washington, DC 20240-0001

Office of Chief of Forest Service
U.S. Department of Agriculture
Auditor's Building
201 14th Street S.W. and Independence Ave., S.W.
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New York Department of State
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US Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9589

US Fish and Wildlife Service
New York Field Office
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Cortland, NY 13045

U.S. Army Engineer Division
Great Lakes & Ohio River Division
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Room 10,032
Cincinnati, Ohio 45202-3222

Northeast Region
Regional Director
National Park Service
U.S. Custom House
200 Chestnut St., Fifth Floor
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USDA Natural Resources Conservation Service
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Beltsville MD 20705-5410

USDA Natural Resources Conservation Service
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Chief, Spatial Reference System Div.
United States Dept. of Commerce
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Silver Spring, MD 20910

New York State Historic Preservation Office
Peebles Island Resource Center
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Waterford, NY 12188-0189

U.S. Army Engineer Division
U.S. Army Corps of Engineers- Buffalo District
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