

**Department of
Transportation****ANDREW M. CUOMO**
Governor**MARIE THERESE DOMINGUEZ**
Commissioner**FRANK P. CIRILLO, SR/WA**
Regional Director

December 8, 2020

Robert McLaughlin
Member
McLaughlin Law, P.C.
90 State Street, Suite 700
Albany, NY 12207

Re: Sen. Pat McGee Trail: Abandonment Exemption-STB Docket No. FD_36435

Dear Mr. McLaughlin:

Thank you for your letter dated October 8th, 2020 regarding the Cattaraugus Local Development Corporation's (CLDC) efforts to acquire an abandoned rail line for use as the Senator Pat McGee Trail in Cattaraugus County. As noted in your letter this active 12.4-mile portion of the trail was never fully abandoned with the Surface Transportation Board and an abandonment petition has been filed by the CLDC. This trail is a fine example of reuse of an old abandoned rail line for recreational opportunities.

The New York State Department of Transportation (NYSDOT) appreciates the opportunity to comment on this abandonment procedure and has reviewed comments in both Exhibit 4 and Exhibit 5 from the U.S. Environmental Protection Agency and the New York State Office of Parks, Recreation, and Historic Preservation. NYSDOT also concurs we agree with the Site Assessment at this time and note that the CLDC has improved the trail since 2005 for the benefits of the community and beyond.

If you have any other questions, please contact me at (716)847-3238, or Joseph Buffamonte, Regional Planning and Program Manager at (716)847-3241.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank P. Cirillo", written over a horizontal line.

Frank P. Cirillo, SR/WA
Regional Director