



## Parks, Recreation and Historic Preservation

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Commissioner

October 29, 2019

Robert Davies  
Director, Division of Lands and Forests  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-0001  
*(via email)*

Re: OGS/DEC/DOT  
Amendments to the Remsen-Lake Placid Travel Corridor Unit Management Plan/Lake Placid to Tupper Lake  
Herkimer, St. Lawrence, Franklin and Essex Counties  
19PR00322 (15PR03218)

Dear Mr. Davies:

Thank you for requesting the comments of the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). We continue to review this undertaking in accordance with Section 14.09 of New York State Parks, Recreation and Historic Preservation Law (NYSPRHPL).

We have had an opportunity to review the revised *Trail Alternatives Analysis (Creighton Manning, August 27, 2019)* that The NYS Office of General Services (OGS) submitted to our Division on August 27. As noted in our March 27 letter, any alternative that involves the removal and non-replacement of sections of rail and ties would be classified as having an Adverse Impact on the National Register listed New York Central Railroad Adirondack Division Historic District ("District").

Adverse impacts occur when features that are character defining to a listed resource are affected through alteration, neglect or destruction. Under Section 14.09 linear features, such as this 118-mile long rail district, present unique challenges when determining how project related changes, both beneficial and adverse, may impact the historic resource.

The district was listed in the New York State and National Register of Historic Places in 1993 where it was found to be primarily significant "...for its role in shaping the social and economic history of the Adirondack-Northern New York region between 1891 and the Second World War." It was determined to derive additional significance "...as a distinctive collection of railway, buildings, structures, and infrastructure reflecting engineering design and practices during a transitional period when wood, stone, and iron were replaced by concrete and steel." The nomination document goes on to state that "...the historic features of the Adirondack Division Historic District represent a rare and significant collection associated with the opening of a vast wilderness region of New York State at the turn of the century."

When assessing the extent of impacts that may be associated with a specific undertaking the Division for Historic Preservation weighs the action against how it may affect the *integrity* of: 1) the individual contributing components of the district, and 2) the *entire* district.

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### Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [www.parks.ny.gov](http://www.parks.ny.gov)

Although “integrity” is not defined in Section 14.09, it is defined under the criteria that is used to designate a property to the State and National Registers. The National Park Service’s National Register Bulletin (15) defines integrity as, “...*the ability of a property to convey its significance.*” It goes on to identify seven aspects of a property that are used to assess a resource’s integrity for listing in the register. These prescribed elements are: *location, design, setting, materials, workmanship, feeling and association.* Not all seven are required for designation, but most will be present. Impacts to these areas of a property’s physical integrity help to define what would be considered adverse to its character defining features.

In reviewing the newly developed *Criteria 19-Impacts to Historic/Cultural Resources*, we note that your agency has expanded the definition of components associated with the listed district to include ancillary features such as culverts, mile-markers, and switch stands. These smaller features were not enumerated in the nomination, but are nevertheless important to the overall integrity of the rail line.

As outlined in your updated *Comparison for Considered Alternatives*, your agency has determined that all plans except for the No Build proposal would result in adverse impacts to the National Register listed resource.

The Division for Historic Preservation offers the following comments on each of the alternative assessments presented in the updated analysis:

**No Build Alternative:** This is a newly added alternative. As described in the analysis, the full length of the district will remain unchanged. The trail would not be constructed within the district and NYSDOT would continue routine inspections. No alteration to the setting of the resource will occur.

On this alternative our office agrees, in part, with DEC’s determination that this option would “*not have an impact on the resource.*” It is our opinion that in the *short-term* the No Build alternative would not directly impact the district.

However, we do note that if features along the Tupper Lake to Lake Placid section deteriorate through a continued lack of reuse, this could be considered adverse to the resource as the condition of rails, ties, culverts, bridges and infrastructure degrade.

Section 9 NYCRR Part 428.7(c) states that an adverse impact occurs when neglect of a historic resource results in its deterioration or destruction.

Thus, in assessing the long-term (indirect) effects that this option may have on the district, we must disagree with the proposed finding in the Alternatives Assessment.

**Alternative 1-Trail with Operational Rail:** This alternative interweaves a new multi-use trail with the existing rail line section from Tupper Lake to Lake Placid. The proposal will require the build-up of a 10-foot wide trail bed adjacent to the existing rail bed and track. The two features will be separated for safety by a new fence/barrier. Bridges along the route will be modified or new structures will be added to accommodate the new trail.

The introduction of the new trail will add a second “bed structure” to 34-miles of the listed district. The roughly 15-foot wide trail, clear zones and track side barrier will, in our opinion, introduce a new and modern feature to the existing district. The clearing needed for this option will undoubtedly change the character of the district in at least a portion of the involved section.

Changes in setting, feeling and design of the historic rail corridor would be anticipated resulting in adverse impacts.

**Alternative 2-Trail with Rail Removal:** This alternative removes the rails and ties from the 34-mile project area. The trail would be developed on a slightly recontoured existing rail bed. The width of the existing maintained corridor would remain intact with limited need for additional clearing. Existing bridges would be modified as needed to accommodate the trail, but would not be widened or twinned.

The visual aspects of the involved section of the district would remain largely unchanged with the width of the existing open right-of-way and the retention of the existing historic rail bed being repurposed for the trail. This alternative would have limited impacts on the district's setting, feeling and engineering design.

However, the loss of the rails and ties would have direct adverse impacts on the district's materials.

**Alternative 3-Trail with Non-Operational Rail:** This alternative would retain short sections of contributing rails and ties along the 34-mile project corridor. The rails would be rendered inoperable resulting from the placement of the trail immediately adjacent to them. Sections of rail would be removed to allow the trail to follow the existing rail bed or to cross over as needed based on topographic changes and other operational needs.

Like Alternative 2, removal of all or a portion of the contributing rail and ties would retain the existing cleared width of the rail right-of-way. Although where the trail and track are aligned side-by-side more clearing may be required to accommodate the parallel structures. Overall, the visual aspects of the involved section of the district, including the width of the existing clear right-of-way and the repurposed historic rail bed, would remain largely unchanged.

This alternative also retains in-situ short sections of rail along the trail route, which could help reinforce the historic use and engineering design to the new users. As such, this alternative would have limited impacts on the district's setting, feeling and engineering design.

However, the loss of the rails and ties would have direct adverse impacts on the district's materials.

Overall, we believe that the revised analysis offers a more thorough view of the alternatives being proposed. As noted above, our office found that each of the four proposed alternatives have the potential to adversely impact the 118-mile long New York Central Railroad Adirondack Division Historic District.

Absent a feasible and prudent alternative that might avoid these adverse impacts and fulfill the program goals of your agency for this undertaking, the Division for Historic Preservation recommends that the Department of Environmental Conservation proceed with the development of a Letter of Resolution. As defined in 9 NYCRR Part 428.10, this document should outline the course of action taken by the involved agencies and establish the appropriate mitigation treatments designed to offset the impacts associated with each of the proposed alternatives.

Since each of the identified alternatives has the potential to adversely impact the historic district, we recommend that clear mitigation options appropriate for each of the individual options be prepared and memorialized in the agreement. Mitigation plans should look at the resource in its entirety and focus on preservation and interpretation across all 118-miles of the district in the addition to the directly impacted Tupper Lake to Lake Placid segment. Once a preferred

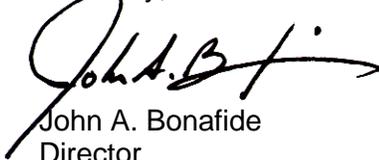
alternative is selected, through the ongoing Unit Management Plan (UMP) amendment process, the specific suite of mitigation options for that plan can be implemented.

Regarding the submitted DRAFT Mitigation Plan (Morton Archaeological Research Services, August 29, 2019), we found that the approach to educational and interpretive signage to be useful information. Also, the plan has important information about the character defining features of the district. However, it is our recommendation that this document serve as a Historic Preservation/Interpretive Plan for the involved section of the District rather than a mitigation proposal.

We recommend that this plan be augmented with an inventory of the ancillary components within the listed district such as mile markers, switch stands and other similar large features be added as a possible addendum. Some additional language about how these features would be managed under each of the alternatives would be helpful in provided for a long-term preservation planning for the district's resources.

If I can be of any further assistance, I can be reached at [john.bonafide@parks.ny.gov](mailto:john.bonafide@parks.ny.gov) or (518) 268-2166.

Sincerely,



John A. Bonafide  
Director,  
Technical Preservation Services Bureau  
Agency Historic Preservation Officer

cc: John Schmid, DEC *(via email)*  
Francis Sheehan, DEC *(via email)*  
Charles Vandrei, DEC-APO *(via email)*  
Diane Kenneally, DOT *(via email)*  
Alicia McNally, DOT *(via email)*  
Walter Linck, APA *(via email)*  
Elizabeth Phillips, APA *(via email)*  
Kathleen Martens, OPRHP *(via email)*



## Parks, Recreation and Historic Preservation

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

February 10, 2020

Robert Davies  
Director, Division of Lands and Forests  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-0001  
(via email)

Re: OGS/DEC/DOT/APA  
Amendment to the Remsen-Lake Placid Travel Corridor Unit Management Plan/Lake  
Placid to Tupper Lake, Herkimer  
St. Lawrence, Franklin and Essex Counties  
19PR00322 (15PR03218)

Dear Mr. Davies:

Thank you for your ongoing consultation with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). We continue to review this undertaking in accordance with Section 14.09 of New York State Parks, Recreation and Historic Preservation Law (NYSPRHPL) and its implementing regulations (9 NYCRR Part 428).

Your agency initiated lead consultation with our office for this current undertaking by letter dated January 15, 2019. The action called for an amendment to the existing definition of "Travel Corridor" in the current Remsen Lake Placid Travel Corridor Unit Management Plan. The amendment provides for the development of a multi-use trail to be constructed within the existing railroad right-of-way between Lake Placid and Tupper Lake. As part of the consultation process, the New York State Office of General Services provided OPRHP's Division for Historic Preservation (Division or DHP) with a memorandum dated February 28, 2019 that outlined three trail development alternatives.

Based on our review of this alternatives analysis, the Division issued comments on May 27, 2019 noting the removal of rails from the listed resource would have an *adverse impact* on the listed historic district. An updated analysis memo dated August 27 was received by DHP on September 4, 2019 accompanied by a DRAFT "Mitigation Plan" (Morton 9-29-19). The Division provided the involved agencies with updated Section 14.09 comments on the revised assessment of prudent and feasible project alternatives by letter dated October 29, 2019. The Division determined that the four alternatives presented, which now included a "No Action" option, had the potential to result in adverse impacts to the State and National Register listed New York Central Railroad Adirondack Division Historic District ("District").

On November 11, 2019, DHP received the DRAFT Remsen-Lake Placid Travel Corridor Unit Management Plan Amendment DSEIS (November 2019) for ongoing consultation under Section 14.09. The document identifies Alternative 7 as the agency's preferred plan for the corridor and establishes Option 2 as the preferred trail development proposal (Appendix D: Draft Historic Preservation Plan, Section E).

Under this option the existing rails and ties, which contribute to the District, would be removed from roughly Tupper Lake to Lake Placid. The new trail will be developed within the existing right-of-way with short sections or track left in situ throughout the trail area.

As stated in our letter dated October 29, the Division indicated that all the proposed options for trail development under Alternative 7 had the potential to cause adverse impacts to the listed District. In particular, under selected Option 2: *“The visual aspects of the involved section of the district would remain largely unchanged with the width of the existing open right-of-way and the retention of the existing historic rail bed being repurposed for the trail. This alternative would have limited impacts on the district’s setting, feeling and engineering design. However, the loss of the rails and ties would have direct adverse impacts on the district’s materials.”*

Even though the agency’s preferred option would have direct adverse impacts to the District, the Division’s letter, nevertheless, also recommended continuing the Section 14.09 process and developing mitigation measures that would help offset adverse impacts to the District. Once agreed upon, these measures should be memorialized in a Letter of Resolution.

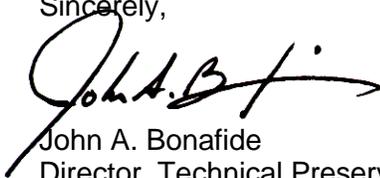
Appendix D, Section III (F) of the Draft UMP SEIS proposes a suite of mitigation options. The loss of track in the proposed trail part of the District from Tupper Lake to Lake Placid would be mitigated by:

1. Documenting the contributing features of the trail section of the District.
2. Developing an interpretive plan that would include signage and exhibits relating to the historic significance of the Adirondack Railroad throughout the trail section.
3. Establishing a preservation plan for identified features within the affected corridor that could be relocated for interpretation at central points within the trail section.
4. Rehabilitation of portions of the rail line within the District between Remsen and Tupper Lake.

After reviewing the full scope of each of the mitigation options outlined in Appendix D of the DRAFT UMP Amendment, we find them to be sufficient given the agency’s determination it is in the public interest to proceed with Option 2. We recommend that your agency proceed with the development of a DRAFT Letter of Resolution that will include these four components in their entirety. We also recommend that language be added to confirm that any future work proposed for contributing buildings within the Historic District will be reviewed in accordance with the applicable Secretary of the Interior’s Standards and Section 14.09.

If I can be of any further assistance, I can be reached at [john.bonafide@parks.ny.gov](mailto:john.bonafide@parks.ny.gov) or (518) 268-2166.

Sincerely,



John A. Bonafide  
Director, Technical Preservation Services Bureau  
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Elizabeth Phillips, APA (via email)  
R. Daniel Mackay, OPRHP (via email)  
Kathleen Martens, OPRHP (via email)