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January 2, 2018

Vincent Sapienza
Commissioner, NYCDEP
59-17 Junction Boulevard
Flushing, NY 11373

Dear Commissioner Sapienza,

Thank you for your response to our November 21, 2017 letter through your Director of Public Affairs, Adam Bosch.

As you know, the recent modification to the railroad easement through the Ashokan Reservoir property allows Ulster County to leave as much railroad infrastructure it would like to (page 7, Paragraph 15). Accordingly, we have asked Ulster County to leave the eastern 1500 feet of track in the easement (east of Basin Road) in place so that it can eventually be used to transport rail customers to the trailhead at West Hurley (only with future permission of the NYCDEP).

Ulster County Officials have indicated to us that they have no issues with leaving this track in place so long as the creosote ties are disposed of. They have however indicated that the NYCDEP is the sole impediment to leaving this track in place, as they have stated that the NYCDEP will not approve the design of the overall trail unless all railroad track is removed.

The CMRR has indicated that it is willing to replace the creosote ties with non-creosote ties over time to resolve this issue. As stated above, the CMRR is aware that leaving the track in place will still need a future agreement with the NYCDEP for the track to be used by trains.

Nevertheless, the CMRR is willing to take on the responsibility for replacing the ties if the NYCDEP consents to leaving this short stretch of track in place.

So, our question is, will the NYCDEP consent to leaving the easternmost 1500 of railroad track in place in the easement area if the CMRR will take on the obligation of replacing the creosote ties with non-creosote ties?

Consent by the NYCDEP to this simple request will go a long ways towards settling the issue of railroad vs trail in Ulster County.

Since the tracks are scheduled for removal in the near future, a quick response to this request would be much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest Hunt".

Ernest Hunt

President, CMRR

Cc: Adam Bosch, NYCDEP