



April 20, 2018

Consistency Review Unit
New York State Department of State
Office of Planning, Development, & Community Infrastructure
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231

SUBJECT: "F-2018-0060"

To Whom It May Concern:

About a month ago, on March 19th Scenic Hudson and Riverkeeper wrote requesting an extension of the comment period and for public information meetings in each municipality where Amtrak's gates and/or fences are proposed. We asked because the information provided in Amtrak's application for a Consistency Determination was incomplete and insufficient for us to determine whether or not the action would not be consistent with New York State Coastal Policies regarding public access and viewshed protection.

Over the past month, you've also received letters from five riverfront towns in Columbia County, the Villages of Tivoli and Rhinebeck, State Senator Kathy Marchione, Assemblymember Didi Barrett and scores of people. The Rhinebeck Town Board passed a resolution raising concerns with the proposal. The Poughkeepsie Journal published an editorial on the issue as did The Columbia Paper, opining that the fences "Make No Sense." All asked for public meetings and expressed that the application was not adequate. Many expressed concern that the gates and fences would reduce their access to the Hudson River for fishing, boating, iceboating, windsurfing and swimming—all water-dependent uses.

While we appreciate that the New York State Department of State (NYSDOS) has extended the comment period until May 1st we and others have not heard back regarding the public meetings we requested.

New York State Coastal Policy prohibits federal actions that reduce the public's access to the river for water-dependent recreational uses. This policy was included in the State Coastal Plan because waterfront land is limited—as is the public's access to the waterfront—and competition for undeveloped waterfront land is keen.

Scenic Hudson and Riverkeeper believe that, based on the information provided in the application, fences and gates at the proposed locations would reduce the public's access for water-dependent recreational uses, is inconsistent with New York State's Coastal Policy, and, therefore Amtrak's application for a Consistency Determination should be denied.

Scenic Hudson and Riverkeeper reiterate our—and the public's—request for public meetings. We also ask that the May 1st public comment period be suspended until at least one month after the conclusion of the final public meeting.

Thank you.

A handwritten signature in blue ink that reads "Jeffrey Anzevino". The signature is fluid and cursive, with the first name being the most prominent.

Jeffrey Anzevino, AICP
Director of Land Use Advocacy
Scenic Hudson, Inc.

A handwritten signature in blue ink that reads "John Lipscomb". The signature is cursive and somewhat stylized, with the first name being the most prominent.

John Lipscomb
Patrol Boat Captain & Vice President for Advocacy
Riverkeeper, Inc.