



Congress of the United States
House of Representatives
Washington, DC 20515

May 22, 2020

Mr. William Flynn
President and Chief Executive Officer
National Railroad Passenger Corporation dba Amtrak
1 Massachusetts Avenue NW
Washington, D.C. 20001

Dear Mr. Flynn:

We are in receipt of the March 17, 2020 letter in response to our letter from March 6, 2020.

We fully appreciate and support Amtrak's commitment to the safety of your customers, employees and the public. Thank you for outlining the list of programed improvements, such as implementing positive train control, and upgrading signal systems with new underground power cable and electronic track circuits.

We wrote on March 6th asking Amtrak to work with relevant state and local representatives, along with potentially impacted communities, to effectively reduce train safety risks without compromising the public's ability to access the Hudson River. The letter also conveyed our deep concern that potential loss of access runs contrary to New York State's Coastal Management Program and may be in violation of the Public Trust Doctrine. This loss of access with which we are concerned is not limited to designated public parkland, but also other places along the shoreline where generations of people have fished or simply enjoyed river views.

It is heartening to hear that Amtrak representatives have met with local officials and others last year, and that those meetings resulted in what you describe as "the adjustment of fencing heights and locations at several of the sites." We remain concerned that Amtrak should do more to address local officials' concerns regarding the past, ongoing and future loss of shoreline access. We are interested in seeing a cooperative effort that maintains and, ultimately increases, shoreline access throughout the corridor. And we believe, as Amtrak has done in other parts of the country, that this can be achieved while appropriately managing the level of risk.

We note that your March 17 response letter was issued before the March 26, 2020 publication of Scenic Hudson's *Hudson River Access Plan: Poughkeepsie to Rensselaer*¹. Our March 6th letter referenced that plan. The document from Scenic Hudson addresses the access issues and

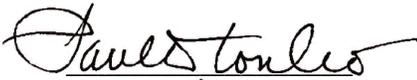
¹ <https://www.scenichudson.org/press-release/udson-river-access-plan-outlines-ways-to-increase-public-enjoyment-of-the-river-and-improve-rail-safety>

opportunities along the rail corridor between Poughkeepsie and Rensselaer. The Hudson River Access Plan provides 11 clear recommendations and over 70 case-specific examples of crossings that need to be maintained or improved. We urge Amtrak's project staff to read the entire Hudson River Access Plan before continuing to reformulate fencing and gate locations; adjust the proposal accordingly; and then explain on a case-by-case basis how risk can be managed without reducing river access at each location.

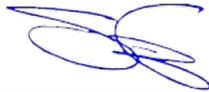
We believe that Amtrak has a responsibility to take community concern to heart and seek out innovative ways to manage risk. Preservation of local water-related recreational uses and shoreline fishing should be a priority. This would be consistent with New York State's Coastal Management Program.

We look forward to working with you, state and municipal officials, and other stakeholders to manage risk while maintaining and ultimately increasing public shoreline access—not just in existing designated parkland, but in other places identified by municipal leaders and other key stakeholders.

Sincerely,



Paul D. Tonko
Member of Congress



Sean P. Maloney
Member of Congress



Antonio R. Delgado
Member of Congress