

**RESOLUTION NO. \_\_  
December 15, 2020**

**A RESOLUTION OBJECTING TO THE INSTALLATION OF A GATE ON THE  
RAILROAD MAINTENANCE ROAD NEAR BROAD STREET AND URGING NEW  
YORK STATE DEPARTMENT OF STATE TO JOIN WITH HUDSON RIVER  
COMMUNITIES IN A COLLABORATIVE EFFORT TO REVIEW LOCAL  
GOVERNMENT AND REGIONAL PUBLIC ACCESS NEEDS AND IMPLEMENTATION  
FOR LOCAL WATERFRONT REVITALIZATION PROGRAMS**

**WHEREAS**, the City of Hudson's approved Local Waterfront Revitalization Program (LWRP) explicitly prioritizes and proposes increased access to the Hudson River shoreline;

**WHEREAS**, the Hudson River Railroad, constructed in the 1850s and now owned by CSX and managed by Amtrak, runs along the Hudson River shoreline and, as stated in the City's LWRP, prevents river access in Hudson;

**WHEREAS**, with approximately 1.5 miles of Hudson River shoreline, the railroad has limited the City's public river access to approximately 540' at the Henry Hudson Waterfront Park;

**WHEREAS**, on January 12, 2018 Amtrak submitted to the New York State Department of State (NYSDOS) an application for Consistency Review for a series of gates and fences at eight locations in five municipalities between Rhinebeck and Stuyvesant along the Empire Corridor South Hudson Line;

**WHEREAS**, hundreds of people, including many Hudson residents, expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River;

**WHEREAS**, the hundreds of people expressed concern in comments to the NYSDOS that the construction of gates and fencing at these locations would reduce access for water-related recreational activities such as fishing, hunting, launching boats and ice boats, as well as viewing the Hudson River; and

**WHEREAS**, on January 7, 2019 a letter was sent to NYSDOS Secretary of State Rossana Rosado signed by 11 mayors and Supervisors between Hyde Park and Castleton-on-Hudson, including the Mayor of Hudson and Supervisors of Clermont, Germantown, Livingston, Stockport and Stuyvesant. This letter reiterated and expanded upon concerns raised in the previous September 6, 2018 letter; and

**WHEREAS**, on January 18, 2019 Amtrak, after meetings with the NYS Department of Transportation (NYSDOT) and NYSDOS, withdrew its proposal for gates and fences so it could be revised in conjunction with a five-year corridor plan to improve safety. Amtrak's press release also stated that Amtrak would continue to work with affected communities, Town officials, and State agencies in formulating the revised plan; and

**WHEREAS**, on January 3, and 4, 2020 as part of public outreach for its Hudson River Access Plan, Poughkeepsie to Rensselaer, Scenic Hudson conducted three stakeholder meetings and three public meetings in Castleton-on-Hudson, Germantown, and Rhinebeck, at which approximately 300 people attended expressing the need to protect existing river access and expand future access; and

**WHEREAS**, during January 2020, Scenic Hudson conducted additional public outreach for the Hudson River Access Plan, which resulted in over 5,500 votes for various public access location and 1,000 comments on access needs were submitted;

**WHEREAS**, based on these meetings and public comments, Scenic Hudson on March 26, 2020 published the Hudson River Access Plan, Poughkeepsie to Rensselaer, which received letters of support from the Columbia County Board of Supervisors;

**WHEREAS**, on March 6, 2020 Congressmen Tonko, Delgado and Maloney sent a letter to Amtrak expressing hope that "Amtrak will work with all relevant state and local representatives to effectively reduce safety risks without compromising the public's ability to access the Hudson River;"

**WHEREAS**, this letter also supported cooperative efforts such as Scenic Hudson's Hudson River Access Plan, stated that "railroad development along both shores of the Hudson River has also created numerous barriers that may affect the public's ability to access the Hudson River," and expressed "a deep concern that the potential for loss of access runs contrary to New York State's Coastal Program;"

**WHEREAS**, on May 22, 2020 Congressmen Tonko, Delgado, and Maloney followed up with a second letter to Amtrak expressing that "the 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;"

**WHEREAS**, this letter also stated that Congressmen "remain concerned that Amtrak should do more to address local officials' concerns regarding the past, ongoing and future loss of shoreline access" and expressed an interest in seeing a "cooperative effort that maintains, and ultimately increases, shoreline access throughout the corridor;"

**WHEREAS**, this letter referenced the Hudson River Access Plan's "11 clear recommendations and over 70 case specific examples of crossings that need to be maintained or improved," urged Amtrak's project staff "to read the entire report 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"

**WHEREAS**, on July 16, 2020 Amtrak convened a video conference, at which they presented a reformulated *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor* would expand the locations of gates and fencing to additional locations in Columbia Counties, including new locations in the City of Hudson-- a 5' gate and 1,570' of fencing at Broad Street (MP 114.4) and a 4' gate and 290' of fencing at Dock Street (MP 114.85); gates and fencing near at Broad Street and ;

**WHEREAS**, this reformulated plan also requires a Consistency Determination from the NYSDOS;

**WHEREAS**, the gate at Broad Street has recently been installed without a Consistency Determination and will violate both New York State Coastal management Policy and Hudson's LWRP with respect to public access policies;

**NOW, THEREFORE BE IT RESOLVED**, that the City Of Hudson objects to the installation of this gate and requests that the gate be removed pending the completion of a Consistency Determination on the *Five Year Fencing Program on the Hudson Line Section of the Empire Corridor*; and be it further

**RESOLVED**, that the City Of Hudson believes It would be valuable for the New York State Department of State to join our communities in a collaborative effort to review local government and regional public access needs and implementation; and be it further

**RESOLVED**, that a letter to the Secretary of State will be sent requesting assistance from the NYSDOS in developing a regional riverfront access plan; and be it further

**RESOLVED**, that the City of Hudson urges every municipality along the eastern shore of the Hudson River between Rensselaer and Poughkeepsie to make a similar request of the Secretary of State; and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the, NYS Dept of State, NYS Congressmen: Tonko, Delgato, and Maloney.

Introduced: \_\_\_\_\_

Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_  
Kamal Johnson, Mayor