



December 4, 2018

Mr. Chris Bisignano
Commander, First Coast Guard District (dpb) Battery Park Building
One South Street
New York, NY 10004-1466

Dear Commander,

Amtrak is writing to you in accordance with the United States Coast Guard (USCG) regulations to propose a change to the rules regarding the operation of Amtrak's Portal Bridge at river mile marker 5.0 of the Hackensack River in New Jersey.

Thousands of commuters and intercity rail passengers depend on this bridge daily. Amtrak and New Jersey Transit (NJT) operate 454 trains over this bridge that carry roughly 206,500 passengers daily.

Rail Carrier	Number of Trains Daily	Number of Passengers Daily
Amtrak	105	21,900
New Jersey Transit	349	184,600
Total	454	206,500

Most of these passengers are on trains that cross the bridge during the traditional rush hours in the morning and evening peak commuting times. Despite this heavy reliance on the free flow of passengers over the bridge during those times, the existing regulations require Amtrak to open the bridge for marine traffic during commuting rush hour peak train traffic, so long as the railroad is given one hour's notice. This requirement can create and has created great inconvenience to large numbers of rail passengers. A recent demand to open the bridge for maritime traffic illustrates the cascading impacts these types of openings have on rail transportation.

On October 30, 2018, Amtrak was required to open the bridge for a marine movement during the afternoon rush-hour. Amtrak encountered a mechanical issue with the closing of the bridge. This one opening caused 90 minutes of train delay, resulting in delaying 164 (16 Amtrak & 148 NJT) trains and affecting 80,000 passengers.

We are aware that the USCG is required to balance the interests of all users of the marine resource; as we have pointed out above, rail traffic (both the number of trains and numbers of passengers) is increasing, and is only forecasted to go higher. However, the number of marine users of the resource seem to be falling precipitously. The number of requested openings has dropped greatly over the past few years, from 281 in 2013, to 15 in 2015 (see Attachment 1). We believe that on balance, the factors that lead the USCG to configure the regulation as it exists now have shifted to the point where it is necessary to recast the regulations to achieve balance.

Amtrak is aware that New Jersey Government Officials (Senator(s) Menendez, Booker and Governor Murphy)) have asked the USCG to look into limiting or eliminating navigation openings of the bridge during rail commuter rush hours (see Attachment 2). We agree.

Therefore, as owner of the bridge, Amtrak is making this request based on the amount of delay that bridge openings cause to rail ridership, and based on the reduced amount of necessary marine navigation openings.

We are requesting the following changes to CFR Title 33 Sec 117.723(e):

- Start the morning and evening rush hours one hour earlier each, and allow for no openings at all during those times
- Eliminate "except Federal holidays" from the days the rush hour rules apply
- Eliminate the provisions that allow for additional openings on one hour's notice during the rush hours
- Require a 24hr notice for all requested openings instead of opening "on signal" during all other times

Attached (as Attachment 3) is a marked up copy of the regulation and changes that Amtrak is requesting.

Should you have any questions, please call at 215-349-7000.

Regards,



Paul DeSignore

Deputy Chief Engineer-Structures
2955 Market Street, Box 55
Philadelphia, PA 19104

Attachment 1

Portal Bridge Openings for Marine Traffic, 2011-2018

Month	2011	2012	2013	2014	2015	2016	2017	2018
Jan	*	16	15	18	19	9	10	0
Feb	*	16	14	16	21	18	1	0
Mar	*	16	20	14	21	20	1	0
Apr	19	14	26	16	17	19	0	0
May	18	18	80	18	13	19	0	3
Jun	19	17	40	14	13	12	0	1
Jul	13	13	14	17	24	16	0	2
Aug	13	15	17	24	23	18	0	0
Sep	15	14	14	16	13	15	0	1
Oct	18	13	12	18	14	19	2	8
Nov	5	0	13	13	15	0	0	*
Dec	20	6	16	18	17	8	0	*
<i>Avg./ Month</i>	16	18	31	22	23	19	2	2
Yearly Totals	140	158	281	202	210	173	14	15

Notes:

*data missing or incomplete (Years 2011 and 2018 don't have complete data).



November 2, 2018

The Honorable Karl L. Schultz
Commandant
United States Coast Guard
2703 Martin Luther King Jr. Avenue SE
Washington, DC 20020

Dear Commandant Schultz:

We write to you concerning the ongoing management of maritime traffic around the Portal Bridge, which spans the Hackensack River near Kearny and Secaucus, New Jersey. Built in 1910, the Portal Bridge is an outdated swing bridge that frequently malfunctions when opened to permit marine traffic to pass below. These breakdowns are costly for our region--on October 30, a series of Portal Bridge malfunctions severely delayed 80,000 passengers, causing riders to be late for work, to miss time with family, and driving more commuters away from transit and on to already-crowded roadways.

In spite of the bridge's critical importance to our regional and national economy, plans for a modern replacement bridge that would fully accommodate both maritime and rail traffic have been needlessly stalled by the Trump Administration. The NJ TRANSIT Corporation has taken action to date and proposed a financial plan to the federal government that delivers a replacement bridge. Because we cannot wait, NJ TRANSIT has fulfilled all planning and National Environmental Policy Act (NEPA) requirements, as well as completed the project's design. The project is 100% designed, fully permitted, and has early work currently underway, thus well positioning it for construction that will provide increased reliability and capacity to rail passengers throughout the region and nation in the near-term.

We continue to fight to convince the Administration to provide the necessary federal funding for a new bridge, including through the release of more than \$250 million in federal rail funding the Administration has needlessly withheld. As we continue these efforts, we write to request that the Coast Guard work with us to explore short-term solutions to mitigate this ongoing commuter crisis.

Under current Coast Guard regulations, the Portal Bridge is generally barred from being opened between the hours of 6 am to 10 am and from 4 pm to 8 pm on Monday through Friday. While these are common-sense protections designed to minimize the impacts of Portal Bridge openings and malfunctions during rush hour, the current standard also includes a series of loopholes that

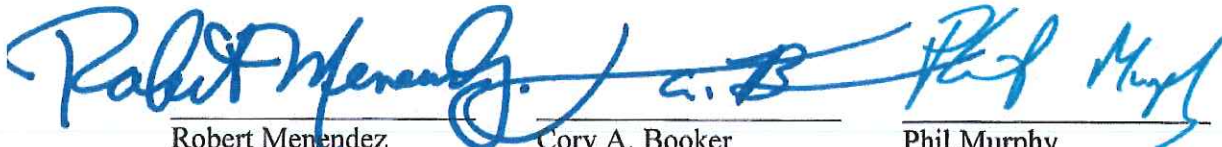
weaken its effectiveness. Under current law, maritime traffic can request that the Portal Bridge open during a two-hour period during the morning rush, and for a one hour and forty minute period during the evening rush, provided they give at least a one-hour advance notice of their intent to request a bridge opening.

These loopholes significantly degrade the effectiveness of the rush hour limitation. Given the problems posed to commuters by the frequent Portal Bridge malfunctions, we urge you to revise your regulations to eliminate these loopholes and to end the opening of the Portal Bridge during the morning and evening rush hours.

We recognize the importance of the region's maritime sector to our economy, and would note that the current problems with the Portal Bridge are not of the Coast Guard's making. We believe the only long-term solution is the new Portal Bridge, which is designed to serve both our maritime and rail sectors by allowing ships to pass underneath while rail traffic continues unimpeded above. That said, we ask that you help us find a short-term solution to mitigate the consequences of Portal's failures as we work to convince the Trump Administration of the clear and compelling need to replace the bridge immediately.

Thank you for your consideration of this request.

Sincerely,



Robert Menendez
United States Senator

Cory A. Booker
United States Senator

Phil Murphy
Governor of New Jersey

Attachment 3

§ 117.723 Hackensack River.

(a) The following requirements apply to all bridges across the Hackensack River:

(2) Train and locomotives shall be controlled so that any delay in opening the draw shall not exceed 10 minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting the opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping or reversing.

(e) Except as provided in paragraph (a)(2) of this section, the draw of the Amtrak Portal Bridge, mile 5.0, at Little Snake Hill, need not open for the passage of vessel traffic Monday through Friday, ~~except Federal holidays, from 6⁵ a.m. to 10 a.m. and from 4³ p.m. to 8 p.m.~~ ~~Additional bridge openings shall be provided for commercial vessels from 6 a.m. to 7:20 a.m.; 9:20 a.m. to 10 a.m.; 4 p.m. to 4:30 p.m. and from 6:50 p.m. to 8 p.m., if at least a one-hour advance notice is given by calling the number posted at the bridge.~~ At all other times the draw shall open on signal if at least a twenty four hour advance notice is given by calling the number posted at the bridge.