

Mobilizing the Region

A Weekly Bulletin from the Tri-State Transportation Campaign

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NEWS

NJ Capital Program: What Next?

Last week, we reported on the chaos created among New Jersey municipalities and counties by the discovery that NJDOT was some **\$300 million short** for capital projects that DOT and the state's MPOs had programmed.

The capital plan is still in disarray, but to his credit, Commissioner Haley has heeded the North Jersey Transportation Planning Authority's suggestion that delivery of the capital program to the Legislature be delayed for one month. At his confirmation hearing on Monday, March 3rd, Haley asked for the delay, but surprised all by **claiming to have found \$200 million** of the needed \$300 million. The windfall is from interest costs saved via lower-than-expected rates paid on Transportation Trust Fund bonds.

There was no explanation as to why DOT's back office had not discovered the savings early enough to head off the public relations and bureaucratic capital program debacle. We expect that the figures published here last week of budget percentages representing highway capacity expansion projects will grow when the new-found **\$200 million is poured back into projects** that had been cut. County legislators have also heard that Frank Wilson's promise that funding for the **Wynn tunnel/highway** would not come at the expense of northern NJ projects will be broken. Some members of the TPA are reportedly trying to schedule a closed-door committee session to sort out project priorities and available funding.

Shore Line East Survival Hearing

A "field hearing" of the CT Legislature's Appropriations Committee: Subcommittee on Transportation will be held **Tuesday evening, March 11 7:00pm at the Elizabeth Adams School on Route 77, Guilford.**

The Chairs of the joint subcommittee, State Senator Brian McDermott and Assembly Member Kevin Ryan, will convene the proceedings.

Governor John Rowland has proposed to eliminate commuter rail service on Shore Line East and on Metro-North's Waterbury and Danbury branches, and to hike fares on CT Transit buses.

The Guilford hearing will undoubtedly focus heavily on Shore Line East. It is reported that **further hearings** will be held in the areas served by the Metro-North branch lines. We were unable to get details at press time. Call Ryan's (860-240-8585) or McDermott's (860-240-0099) offices for more information.

NJ DOT: Road Widening

"Unopposed" Throughout State

The project "wish lists" submitted by New Jersey DOT to NJ's congressional delegation for inclusion in this year's five-year federal transportation authorization are organized in an interesting way. The projects are marshaled into **five "ISTEA-2 Earmark Corridors"**: the "NJ International Gateway Corridor" in Hudson, Union and upper Middlesex Counties, the "NJ Coast Tourism Corridor," North, Central and South Jersey "Commerce Corridors." Each corridor encompasses **7-10 highway** reconstruction or expansion projects. A separate package includes the next phases of the NJ **Urban Core** transit projects, including the Hudson Bergen Light Rail, Newark City Subway extension and the Secaucus Transfer (but omits Newark-Elizabeth light rail).

The package descriptions appear as answers to questions from a **form circulated** in early January by the **U.S. House Transportation and Infrastructure Committee** for special "House Member projects." One of the most eyebrow-raising features of these forms are the answers to the question about "Community Support/Opposition" to the project. The Urban Core submission accurately notes widespread support, with a few local exceptions, for most of its projects. The NJ DOT corridor applications, however, tersely assert **"No Opposition"** in each of the five road corridors.

This is interesting because, for instance, the first project listed in the "Central Jersey Commerce Corridor" is the locally reviled Rte 1 **Millstone Bypass**. The project has spurred formation of several opposition groups, including the Sensible Transportation Options Partnership (STOP), and may soon see action in court. The Millstone project is so **vigorously opposed** that a STOP member and the Mayor of Princeton Boro **appeared at Commissioner Haley's confirmation hearing** to speak about it (they were not permitted — the committee requested that Haley meet later with the representatives).

Pavement Dreams

As we surmised last week, the *NY Observer* report on NY State's ISTEA-2 wish list only covered its NYC aspects (LIRR-Grand Central, Penn Station/Farley Building, Gowanus). Also included are **full funding for the Cross-Westchester HOV lane addition project** and a number of upstate highway projects, including Rt. 29 near Saratoga, and the Utica-Rome Expressway.

NYMTC: Unimproved

The Federal Highway Administration and the Federal Transit Administration are nearing a deadline for deciding **what to do about the NY Metropolitan Transportation Council** (NYMTC), the ISTEA-designated "metropolitan planning organization" (MPO) for downstate NY.

Federal reviews of NYMTC's performance under the planning principles of ISTEA, which stress inter-agency coordination and cost-effective regional planning, have found NYMTC sorely lacking. The federal transportation agencies "certify" planning organizations like NYMTC as part of their oversight duties. At the end of last summer, the feds concluded **they could only conditionally certify NYMTC** because of its many deficiencies. These included technical shortcomings that prevented New York from being able to show that its transportation plans met federal clean air standards. But they also included a number of more fundamental critiques of NYMTC's structure and processes.

In trying to meet the federal concerns, NYMTC and its parent agency, the New York State Dept. of Transportation, have **focused on the technical issue** of developing an adequate transportation/clean air computer model. **They have ignored the broader issues.**

For this reason, **it would be unconscionable for the Federal Highway Administration and the Federal Transit Administration to recertify NYMTC** at this point. Such an act would send a strong message that FHWA and FTA take ISTEA's planning and program requirements no more seriously than do the NY agencies.

The minimum requirements for a functional NY MPO would be its re-location to an independent host (away from NY State DOT) and revision of the Council membership to make a representative group of local elected officials from various levels of government the voting Council members. The Boston metropolitan region has recently reorganized its MPO in such a fashion. There is no reason NY should be held to a lower standard.

Among the findings of the federal reviews of NYMTC:

- NYMTC's voting membership is static, and the Council last convened over two years ago.** No changes have been made to Council membership since 1982, despite requests from the NYC DEC, the Port Authority and the Borough Presidents to join.

- NYMTC has not followed through with procedural requirements for interagency coordination on "major investment studies.** As a result, separate efforts are being undertaken by highway and transit agencies in the same corridor. Overlapping efforts for major transportation projects not only waste resources, but also impedes the development and selection of projects that meet regional, long range mobility goals.

- NYMTC has created the impression that the planning process is removed from the public realm** and

Queens Lawmaker: Ban Dialing & Driving

Talking on car phones while driving **would be prohibited in NY State** under legislation introduced by veteran Queens State Senator Leonard Stavisky last week. Car-phone use is unregulated in the United States, although **Israel, Brazil and Switzerland prohibit simultaneous driving and phoning.**

The bill comes on the heels of a Feb. 13 *New England Journal of Medicine* article by two Canadian physicians, who studied 700 cell-phone-using drivers over 14 months and found that **crash incidence was four times as high when drivers were using cellular phones**, as compared to "normal" driving. The 4-fold increase in risk, which the authors likened to the relative risk of driving with a **blood alcohol level at the legal limit** (0.1% B.A.C.), obtained for hand-held and hands-free phones.

The Stavisky bill would fine drivers \$50 for a first offense, \$100 for a second and \$200 for a third, but contains a 60-second grace period to make and receive calls before pulling off the road, as well as allowing calls by a driver who fears assault. The bill would require car phones to carry labels describing the prohibition, which would apply to drivers but not passengers.

Interestingly, neither the bill nor Sen. Stavisky's press release mentioned the **dangers of car phones to unmotorized travelers.** Pedestrian and bicyclist fatalities in the senator's borough of Queens during 1990-94 totaled five-sixths as much as driver and passenger fatalities (375 vs. 449, respectively).

Stamford: Road Projects Need Review

Stamford Mayor Dannel Malloy withdrew the city's support for the widening and straightening of Stillwater Road this week, responding to a **public outcry.** At recent hearings on the project, Stamford residents said the paving of part of a golf course and the addition of new lanes to the road were **not worth the safety and traffic flow benefits** engineers attributed to the project. "All of the current work being done on this project needs to be reviewed. It went too far. It's entirely too intrusive," the Mayor told the *Advocate*.

Malloy said he would have his staff take a look at other projects in the pipeline to head off similar excesses. "The government, and in some cases, engineers, can **go too far in pursuit of traffic goals,**" he said.

that the Council "is not where decisions are made." NYMTC's host relationship with the State Dept. of Transportation prevents it from acting independently to fulfill basic planning responsibilities.

- NYMTC is ineffective as a forum for regional decision-making.** The MPO has no criteria for identifying "regionally significant" projects. Also, because the current process allocates highway and flexible transportation funds to Dept. of Transportation sub-regions for programming, parochial interests often prevail.

How to Improve ISTEA

In February, the Surface Transportation Policy Project (STPP), a Washington, D.C.-based national coalition of public interest, planning, transit and environmental groups, released its platform for renewal of ISTEA — the federal Intermodal Surface Transportation Efficiency Act of 1991 — which expires this September. Congress is taking up the debate on ISTEA reauthorization now. The attractive 80-page document, *A Blueprint for ISTEA Reauthorization: a Common Sense Guide to Transportation Priorities for the 21st Century*, calls for the **continuance of the basic principles and structure of**

the 1991 program, but also contains numerous specific recommendations for improving ISTEA's ability to deliver on its main points. Here are two:

Spending for public transportation should be increased to the maximum feasible amount. Underfunding of transit is caused in part by federal authorization levels that are too

low to permit all the revenue in the federal Mass Transit Account to be spent. A "solvency test" for use of Mass Transit Account revenue is also more restrictive than the test applied to funds from the Highway Account. The authorization level should meet expected revenues to the Mass Transit Account, and the transit solvency test should be brought into line with that for the Highway Account.

Transit agencies should be allowed the flexibility to use federal funds where they are needed most. Federal transit funds have traditionally been limited to capital expenditures, hampering the ability of many systems to provide the service their customers need. In contrast, road resurfacing and reconstruction, as well as many traffic management activities, are eligible capital expenses under federal law. Such "capital maintenance activities" should be eligible for federal transit funding as well. *Contact STPP: 202-939-3470*

Transit Briefs

The **new ferry service** that was to have begun between Great Kills, Staten Island, and Wall Street has been **held up** by the NYC Dept. of City Planning over S.I. waterfront zoning issues.

NJ Transit has **sold its Manhattan-Newark airport bus route** to Olympia Trails Bus Co. The route had been profitable for Transit. Now riders, especially airport workers fear the sale could lead to fare increases.

New on the Campaign's Web Site this week:

The Amalgamated Transit Union's analysis of ridership, environmental and fiscal impacts of reduced fares and bus lanes for Staten Island-Manhattan express buses: *Express to the 21st Century*

<http://www.tstc.org/tstc>

Rte.29's Secret "Re-evaluation"

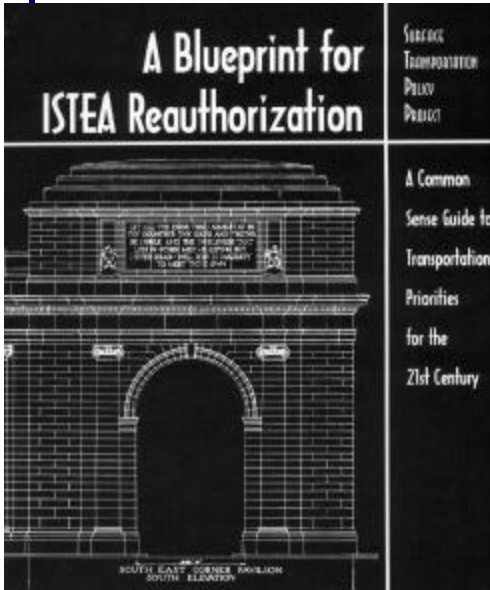
Transportation reform groups learned this week that NJDOT had submitted to FHWA in Trenton a "re-evaluation" of the environmental and other impacts of the contested \$94 million, 1.7 mile Rte. 29 Trenton waterfront highway project.

The FEIS for the project dates from 1980, and is so stale it does not even have an analysis of whether the project will increase ozone emissions; its air quality "update" used a 1976 EPA model. But when Tri-State and NJPIRG asked FHWA and NJDOT for the re-evaluation, they were told it was **"not public information."** The agencies' representatives insisted the document was being negotiated and that there would be no public review or comment. They said that when FHWA was satisfied with the document, it would be approved. A complaint to Governor Whitman's office brought a promise that the document would be made available, although it has not been produced as of this writing.

Perhaps justifying the road in the new environmental document is so difficult that the agencies hoped for secrecy. Since the FEIS is so old, the re-evaluation will become the project's new final environmental document. Interestingly, the old EIS indicates that NJDOT is not building the project it identified in the 1970's and 80's, but is proposing a **new design that combines a number of rejected alternatives.** FHWA claims that because the road has been downsized from six to four lanes, and is being partly covered and landscaped, impacts will be "mitigated." Thus, they say, they are not required to officially supplement the FEIS or hold hearings.

The alignment now pushed by DOT was **rejected in the old FEIS** as "not prudent and feasible" under NEPA. Specifically, the FEIS states "due to the disruption of the Delaware River and acquisition of [park] land and [private] property, this alternative is not [feasible or prudent]." Moreover, the four-lane option, which is closest to the new route selected, and which was suggested in earlier years by local residents and the City of Trenton to save trees and reduce impacts, was rejected because local "streets would continue to be heavily utilized, providing little improvement in existing traffic congestion and pedestrian hazards in South Trenton." The FEIS for the old project also predicts that its construction would **strengthen forces promoting suburban sprawl and center-city decay.**

How will NJDOT turn these clear FEIS statements of extensive cost, severe local traffic impacts, loss of recreation and parklands and disruption of the River itself into a worthwhile, defensible project ?



Best of Both Worlds?

Port Authority officials cited in the *NY Times* were **upbeat about the announced deal** to divide Conrail between Norfolk Southern Corp. and CSX Corp., rather than have it absorbed by one or the other. They said it could introduce **competing freight rail services** to the Tri-State region for the first time in decades. A Port Authority spokesperson tied affordable freight rail rates and route connections to the potential emergence of the Port of NY/NJ as the East Coast hub port.

Under one version of the proposed deal, the two rail companies would have joint access to port railheads. CSX would get the route north to Albany, and the Boston-Buffalo line. Norfolk Southern would get the old Pennsylvania RR line through NJ and PA to Cleveland and the midwest, and a NY southern tier route.

A Better Way to Get MTR !

Demand for *Mobilizing the Region* has grown to the extent that our **fax queue** is backing up into the workweek (where we used to be able to get it out entirely over a weekend).

To help remedy this situation, we've developed the capability of **getting MTR to you, formatted exactly as this edition is, by electronic mail**. Once you've downloaded the electronic edition, you can print it with your computer system or simply read it on-screen.

The formatted e-mail edition of MTR has these advantages:

Prompt Friday or Monday a.m. delivery — no getting stuck in the fax queue.

Save fax paper.

Crisper graphics.

The two caveats are that for this delivery system, you need to have:

1) Adobe's Acrobat Reader software — this is available

free for Windows, Macintosh, Unix and other platforms from Adobe — download from:

<http://www.adobe.com/proindex/acrobat/readstep.html>
(this takes a few minutes).

2) An e-mail system that's capable of receiving binary attachments.

If you don't have these capabilities, you can receive the text-only e-mail version of MTR we've been distributing on the Internet since early 1995. Still, most e-mail accounts do now enable binary file transfer, the software is free, and the formatted edition is simply a better product. We hope some of you will try it.

Visit the Tri-State Transportation
Campaign Web Site

<http://www.tstc.org/tstc/>

CALENDAR

MAR 10, 10 AM Transportation session: NYC City Council hearing on Mayor Giuliani's proposed 1997-2001 financial plan. City Hall. 212-240-6758.

MAR 10, 1:00 PM North Jersey TPA monthly meeting, 1 Newark Center, 17th floor. Call 201-639-8406.

MAR 13, 1:15 PM Annual meeting of NY Metropolitan Transportation Council (NYMTC). Oval Room, 1 World Trade Center, 44th floor, Manhattan. Call 212-938-3300.

MAR 13, 4 PM NY State DOT public hearing on potential Conrail merger impacts. Oval Room, 1 World Trade Center, 44th floor, Manhattan. 718-482-4526.

MAR 24, 6:00 PM Transit Authority's Manhattan East Side Transit Alternatives team presents overview of their Big Study: Transportation Alternatives office, 115 West 30th St., #1207. Manhattan. 718-694-5164

MAR 26, 10 AM Poughkeepsie-Dutchess County Transportation Council meeting — vote on 1997-98 TIP update. Dutchess Cty Leg. Chambers, 22 Market Street, Poughkeepsie. 914-486-3600.

APRIL

APR 2 8:30 AM-1:00 PM "Pedestrian Safety in Municipalities." Seminar organized by NJ State League of Municipalities. Quality Inn, 815 Rte 37 West, Toms River, NJ. Reg. fee \$45. Call 609-695-3481.

APR 4, 12:30-2:00 PM NYC Dept. of City Planning Brown Bag Lunch. Hilary Ring, MTA Planning and Capital Investment Director is featured guest. 22 Reade Street, Manhattan. Call 212-442-4724.

APR 5, 2 PM "Asphalt Nation." Lecture on car dependent 20th Century life. Jane Holtz Kay, author of new book of same title. NY Historical Society, 2 W. 77th Street, Manhattan. 212-873-3400.

APR 8 RPA's 7th Annual Regional Assembly: "The Road to Recovery." NY Sheraton Hotel & Towers, 7th Ave. & 52nd St. 212-785-8000.

APR 11, 8:30 AM-1:00 PM "Pedestrian Safety in Municipalities." Seminar organized by NJ State League of Municipalities. Landmark Inn, Rtes 1 & 9, Woodbridge, NJ. Reg. fee \$45. Call 609-695-3481.

APR 15 NYC Dept. of City Planning Brown Bag Lunch. "Gowanus Tunnel Option" Al Appleton, Jeff Zupan, RPA, featured speakers. 22 Reade Street, Manhattan. Call 212-442-4724.

TRI-STATE TRANSPORTATION CAMPAIGN



Mobilizing the Region

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