

Mobilizing the Region

A Weekly Bulletin from the Tri-State Transportation Campaign

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NEWS

Clean Air Case Against West Side Plan

Last week, the Hell's Kitchen Neighborhood Association sued New York City and State in the first **federal case** against the city's Far West Side development plans. Numerous other cases have been brought in state court.

The suit argues the West Side rezoning plan the city has adopted violates the U.S. Clean Air Act. That is so because its parking provisions contradict restrictions that are part of the **state's implementation plan** to meet federal pollution reduction targets. For more than 20 years, the clean air plan has imposed a limit on parking spaces in buildings in Manhattan south of 60th street. New parking spaces for buildings are limited to 20% of the number of residential units, or 200 spaces, whichever was less, and 100 spaces for each commercial building. The newly approved Hudson Yards rezoning, by contrast, **requires parking** for 33% to 40% of residential units. Commercial construction will also require one space for 3,000 square feet. This could mean hundreds of new spaces for large buildings.

The suit says the zoning plan will more than double the amount of parking permitted under old rules and encourage the construction of public garages, attracting motorists who will create "unprecedented" traffic jams and pollution. In crowded cities, **parking availability** is a key determinant of the **choice to drive**. Parking capacity limits directly promote mass transit use.

North Jersey Planners: "Funding Crisis"

The North Jersey Transportation Planning Authority's new "Issue Spotlight" calls on leaders in Trenton to restore the state's Transportation Trust Fund.

NJTPA Chairman **Peter Palmer**, a Somerset County Freeholder, writes that "Money put back into transportation projects is not an expense. It's **an investment in the future**, and one that pays about a five or six to one return."

The Spotlight says New Jersey faces a "full blown crisis" in transportation funding, and notes the state gas tax is much lower than in surrounding states. The NJTPA is asking New Jerseyans to contact local, county state elected officials to build momentum to refill the trust fund to pay for current and future transportation projects.

#500

On the occasion of assembling the 500th edition of *MTR* — about 10 years of nearly weekly coverage — we took a look back at the first few editions we issued in **September 1994**. We were not sure if doing so would be instructive, depressing or uplifting.

The results yielded some of each. For instance, many of the topics covered during *MTR*'s advent are **still on the transportation radar screen** today. That is perhaps testimony to the lack of resources and attention devoted to our critical infrastructure systems by government leaders.

In the early 1990s, the prospect of rebuilding the Gowanus Expressway triggered a major debate in western Brooklyn, but no final decisions have been made about the project, and funding for it is not on the horizon. Also a decade ago, then-County Executive Andrew O'Rourke established a blue ribbon transportation panel to address east-west travel in **Westchester's I-287 corridor**. Today, an environmental impact statement for a new Tappan Zee Bridge project is planned, but transportation agencies are deadlocked over what should be studied.

In 1994, the MTA was floating its first proposals for one-person subway operation (on short shuttle trains). Announcement of plans for a new rail car manufacturing plant in Plattsburgh underscored the importance of the MTA capital program to other parts of NY State. Congressman Jerry Nadler and Tri-State Campaign representatives toured north Jersey rail yards with Conrail executives discussing regional freight problems — especially **lack of rail infrastructure east of the Hudson**.

However, other news attested to some of the significant changes that have taken place in a decade. Last week in Newark, **New Jersey DOT** was presented with a "Smart Growth Award" by New Jersey Future. DOT was the first state agency to be so recognized, and was nominated for the honor by the Tri-State Campaign. In 1994, the Campaign and other groups took NJ DOT to court for seeking to widen I-287 in Somerset County without undertaking an environmental impact statement.

Another early *MTR* item noted that NJDOT had just hired its first post-ISTEA "bicycle coordinator." Ten years on, cycling and pedestrian projects have flourished around New Jersey, the region and the

United States, probably representing the largest percentage growth for a new type of transportation project, even though demand for them is growing even faster than available funds.

One trend we noted in the bulletin's early days that still abides is New Jersey's aggressive intent to expand its passenger rail system. Since our observations began, NJ has opened two new light rail lines, built a number of key connections in its commuter rail network and continues in the same vein with a strong consensus favoring a new cross-Hudson commuter train tunnel. NJ's regional counterparts continue to struggle to modernize existing systems, although New York is certainly more credit-worthy in this regard than Connecticut.

One general theme we could not anticipate ten years ago is the astonishing extent to which state governments would **drive transportation systems to insolvency** with huge amounts of borrowing (or disinvestment, in Connecticut's case) carried out behind a public anti-tax facade. The details of the problem have played out differently in each state, but the general trend has pushed transportation systems to the brink across the region.

New Jersey Republicans: Pandering on Gas Tax, Tolls Begins

In two recent televised and one radio debate between the seven men running for the Republican nomination for governor of New Jersey, a near-consensus seemed to emerge that the state should collect less money for its transportation system despite the fiscal cliff the Garden State's transportation budget is approaching. Any **increase in the state's gas tax** was derided by six of the seven, while elimination of tolls resumed its prominence as an election theme.

Only **Doug Forrester**, businessman and former West Windsor mayor, declined to declare himself an opponent of a gas tax increase, noting on New Jersey News that "Of course I'm going to support the infrastructure of the state, which is what our roads and bridges are all about. I'm going to make sure that that money is there." He said the state needs to be very careful before raising any tax assuming it would raise revenue.

To fund the state's Transportation Trust Fund, on course to be entirely consumed by debt service costs in July of 2006, most of the other candidates suggested **cutting other, unspecified areas of state spending** and shifting the money to transportation. Ideas ranged from businessman Robert Schroeder's plan to dedicate 3.5% of the state's general fund — roughly \$1 billion — to Assemblyman Paul DiGaetano's plan to shift \$410 million annually to the Trust Fund from the state's budget. Several candi-

dates also discussed reducing corruption, "pay to play," and "streamlining the process" as options to keep the Trust Fund on its feet, without being clear about how these steps would create money for infrastructure projects.

Former Jersey City Mayor **Bret Schundler** took credit for stopping the gas tax from being raised by then-Governor McGreevey in the lame-duck session in 2003, perhaps inadvertently **taking credit** for the state's **current transportation finance crisis**.

Bogota Mayor Steve Lonegan doesn't want to see a gas tax hike and said state transportation spending should fund only highway and bridge repair; which could end all local aid, safety, and NJ Transit capital projects because he doesn't "believe motorists should carry the burden of subsidizing mass transit all on their own."

Bergen County Freeholder Todd Caliguire says he believes the Department of Transportation should identify the top 100 congestion hot spots in the state, and offer a plan to fix them in "less time than it took America to put a man on the moon." He has not addressed how to pay for the plan.

Caliguire called for more state spending on open space, while Schundler, former Jersey City mayor, said reviving cities is the best antidote to sprawl.

Schundler again took a strong stand on toll elimination, repeating his 2001 promise to remove Garden State Parkway tolls early in his administration. Forester, who appeared to be referring to the NJ Turnpike as well as the Parkway said "We've got to find a way to **eliminate [toll collection].**"

The two front-runners did not say how they would replace the funding tolls represent, especially if they are against raising the gas tax and, for Forester, if he's willing to throw the Turnpike cash-cow onto the fire. But John Murphy, Morris County Freeholder, said that while toll elimination was a worthy goal, having funds to fix roads was more important. Lonegan favors retaining tolls, according to the *Asbury Park Press*. DiGaetano said some tolls should be eliminated to create more regional "equity."

NYC Democrats: Projects and Priorities

Transportation may be an emerging theme in this year's NYC mayoral race. City Council Speaker **Gifford Miller** recently launched a campaign theme around improving city transit, and at a recent forum for candidates, several expressed sharp opinions about transportation project and policy priorities.

Miller recently devoted a major campaign speech to **the need to improve mass transit**, directly attacking Mayor Bloomberg for letting the problem drift during his term and receiving a fair degree of press coverage. Miller said infrastructure modernization has to be prioritized above capital expansion. This is largely happening within the MTA's capital

budget now because there is nowhere near enough funding for major expansion projects ? so it is unclear if Miller is taking aim at the MTA funding devoted to keeping the Second Avenue subway and LIRR-Grand Central work alive at planning and design stages, or at the city's intention to spend \$2 billion to extend the #7 subway. In any case, Miller called for a "freeze [on] expansion until the MTA meets this first priority and finds real revenue streams for any new projects."

Miller did answer the problem about bringing more money into the system ? he said he would seek to **reinstate the commuter tax**, and supported increased private-public partnerships so businesses could help maintain stations in exchange for advertising.

In tone, **Fernando Ferrer** was harshly critical of the #7 project at a recent forum organized by the NY League of Conservation Voters, though it was unclear if a Mayor Ferrer would pull the plug on the project. Ferrer said "not even a bad transit planner" would design a West Side subway extension that did not connect Penn Station and the area to the west. He did say his transit expansion priority would be a "**fully funded Second Avenue subway** buildout from Co-op City to the airport."

Ferrer also spoke generally about the value of additional rail infrastructure in the city: "Good mass transit and rail policy increase [transportation] capacity." He said, "I don't think there is a more important project in this city to reduce freight [than the proposed **cross harbor rail freight tunnel**]." He expressed concern for Queens residents who currently opposed the plan, but insisted, "If we do this right we can solve everyone's problems." Mayor Bloomberg recently opposed the project and has idled the NYC Economic Development Corp. team working on it.

Ferrer said he would look into new ways to further build transit use; he said his administration would look into "off-peak pricing on the subways, to use pricing in an intelligent way."

Many of Congressman **Anthony Weiner's** comments at the League of Conservation Voters event also ranged around transportation issues. When asked about his perspective on the many large-scale development and rezoning projects initiated by the city, Weiner responded that the the city's recent approach has been "disastrous" and that more of the same would **cause more highway and street traffic**. Weiner promised that his mayoral administration would reform "how we do land use applications in

this city."

Weiner called for increased use of waterways for passenger and freight transport. He supported continuing full government subsidy for the Staten Island Ferry, and deplored the Bloomberg administration's lack of interest in developing and **subsidizing ferry commuting**: "We have free market water transport – we need to get out of that model."

Weiner also emphasized moving freight onto water and rail, saying he would "incentivize and penalize trucks," push for **more night deliveries** and said he is working on his own transportation plan for citywide solid waste export. Like Ferrer, Weiner supports the proposed cross harbor rail freight tunnel, and agreed that the concerns of residents in Maspeth, Queens could be addressed. "It's important to engage New Yorkers in a discussion about why these things matter."

Throwback Project Would Blight Harlem River

In what looks like a dramatic retreat to the period when highway engineering priorities were permitted to trump all other considerations, the New York City DOT is planning a **new elevated highway structure** in East Harlem stretching from 126th to 131st Streets, to connect the Harlem River Drive and Third Avenue Bridge.

In return for fostering an easier car commute into Manhattan, a policy the city should distance itself from in any case, the elevated road project will:

? Increase exposure to vehicle emissions for many residents living near the proposed ramp structure. This community suffers from one of the highest asthma rates in the nation.

? Visually blight the waterfront and create the sort of physical barrier between neighborhood and river that many cities seek to eliminate, in a community that needs more park space and environmental and quality of life improvements.

? Create shadow and noise impacts and reduce the width of Harlem River Park and surround Each One Teach One Park with imposing elevated road infrastructure.

? Divert \$78 million in scarce city capital dollars and federal bridge repair funds that are badly needed elsewhere. More than half (55.5%) of the city's 2,097 bridges (including highway overpasses) are in deficient condition, compared to a statewide average of 35.9%. Looking not just at the count of bridges, but at their size as well, almost 70% of NYC's "bridge area" is rated deficient according to NY State standards. State records show that only eight of NYC's 1,164 deficient bridges are now being replaced or rehabilitated (*MTR #474*).

Where more holistic urban planning has taken

The Tri-State Transportation Campaign web site:

www.tstc.org

hold, cities such as Milwaukee, Portland, Seattle, San Francisco, Akron and Boston are **removing elevated roads** to reconnect neighborhoods and downtown districts to waterfronts.

In New York City in 2005, battles over blighting waterfront highway projects should be discussed by planning students assigned to read *The Power Broker*, not unleashed by city government.

CT Transit Funding: Tax Shift

The Connecticut legislature's Finance, Revenue, and Bonding Committee recently nixed Governor Rell's proposal to **slowly increase the state's gas tax** and instead approved a gradual increase of the **petroleum products tax**. The latter will be largely passed on to motor fuel consumers, but it may have less immediate political consequences than directly raising the state's take at the gas pump. The Committee's plan will provide a comparable amount of funding for transportation improvements over the next 11 years.

Rell's \$1.3 billion transportation improvement plan relied on raising the gas tax six cents per gallon over eight years and adding a **\$1 surcharge** on all tickets on the **New Haven line** starting in 2008. It would pay for 342 new rail cars over the next ten years and improvements to Interstate 95, among other things. The Finance, Revenue, and Bonding committee did not alter this proposal, or funds slated for various portions of I-95. However, the committee did re-direct \$150 million the governor had slated for I-84 and I-91 to a list of projects the state's Transportation Strategy Board had issued earlier. It was not immediately clear which projects would receive funding, since the strategy board has generally adopted a "more of everything" approach to state transportation needs.

The committee also dropped Rell's plan to speed up rail car purchases by exempting them from the state's bidding process, arguing that it would set a bad precedent for future bids. The bill will now be submitted to the Senate. Legislators will approve the state's budget in the beginning of June.

TRI-STATE TRANSPORTATION CAMPAIGN



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Calendar

May 26, 12pm. NYC Transit Riders Council monthly meeting. 347 Madison Avenue, Manhattan. 5th floor conference room. 212-878-7087. www.pcac.org

June 1, 8am-5pm. Delaware and Raritan Canal Conference: The Past, The Present and The Promise. Municipal Land Use Center at The College of New Jersey. Ewing, NJ. Call 609-771-2832 for conference details.

June 2, 12pm. Permanent Citizens Advisory Council to the MTA quarterly meeting. 347 Madison Avenue, Manhattan. www.pcac.org, 212-878-7087.

June 3, 10am. Pedestrian-Bicycle Working Group Meeting presented by New York Metropolitan Transportation Council. 22nd Fl., 199 Water St, Manhattan. www.nymtc.org, 212-383-2530.

June 4, 10am. SI Rail Transit's Joe Kimbrig presents: *St. George to Tottenville: Staten Island Railroad*. Take 10am Ferry from South Ferry Station. 718-694-1867 for registration info.

June 5, 8:30am. Transportation Alternatives 'Tour de Brooklyn: 18 miles escorted bike tour to introduce/celebrate Brooklyn on two wheels. . www.tourdebrooklyn.org, 212-629-8080.

June 8, 4:30pm. MTA Public Hearing on Federal Funding Proposals for New York City Transit and its subsidiaries. Board Room, 5th Floor, 347 Madison Ave. Manhattan. 212-878-7483. www.mta.info

June 9, 12-2pm. Final Stakeholder Committee Meeting for the Comprehensive Port Improvement Plan. North Jersey Transportation Planning Authority, 17th Fl. Conf. Rm., One Newark Center. www.cpiponline.org. 866-877-2747.

June 14, 4-6pm & 7-9pm. Public meeting: LIRR Main Line Corridor Improvement to add a third track to LIRR Main Line. Jericho Terrace, 249 Jericho Turnpike, Mineola, NY. 718-558-7934.

June 14 & 15. National Corridors Initiative presents: *National Conference and Rally for Rail*. Capitol Hill, Washington, D.C. 860-536-5480. www.nationalcorridors.org

June 16, 4-6pm. & 7-9pm. Public meeting: LIRR Main Line Corridor Improvement to add a third track to LIRR Main Line. 250 Jericho Turnpike, Floral Park, NY. 718-558-7934.