



Testimony of Nadine Lemmon

On behalf of **Tri-State Transportation Campaign**

For the Public Hearing of the **Joint Legislative Hearing on the SFY 2014-2015 Executive Budget**

Thursday, January 30, 2014

Thank you Chairman DeFrancisco, Chairman Farrell and members of the Senate and Assembly Transportation Committees for giving Tri-State Transportation Campaign (TSTC) the opportunity to submit testimony today. TSTC is a non-profit policy and advocacy organization working for a more sustainable transportation system.

Transit Funding

Like roads, transit systems don't pay for themselves. Farebox revenues generally cover about a third of the operating expenses of running a public transit system, and none of the capital expenditure needs, so systems are dependent on local, state and federal governments to fill the gap. The state budget consequently has a significant impact on transit service across the state.

*1. Diversion of Dedicated Funds**

First, we'd like to thank the Senate and Assembly for their unanimous support last year of the Transit Lockbox Bill (S.3837/ A.5084). Were we disappointed by the Governor's decision to veto this legislation, and we are very disappointed by the doubling-down on diversions that have appeared in the Governor's budget. The Governor's proposal is to take \$40 million in dedicated transit funds, which pay for day-to-day operations, service and maintenance, and divert them to the state's General Service Debt Fund. With this action, Governor Cuomo reneges on an agreement the State made with the MTA in 2002 in which the State would pay for \$2.4B in MTA debt. This reversal of policy, which first occurred last year with a \$20 million diversion in the 2013-2014 NYS budget, is not only planned again this year, but in 2015, 2016 and beyond. In total, nearly \$350 million could be siphoned away from transit in future years to pay off this debt.

New York's transit riders have endured a series of painful fare hikes and service cuts, and the MTA's finances remain precarious. We ask you to take a strong stand this year, and uphold a policy that protects dedicated transit funds: *reverse Governor Cuomo's proposed diversion of \$40m in dedicated transit funds to the state's General Service Debt Fund and reject the proposed future diversions of dedicated transit funds.*

2. Correct Structural Imbalance for non-MTA Operating Funds

There are structural problems with the way upstate systems are currently funded by the state. Current revenue streams, established 30 years ago, are not inflation sensitive, and have experienced less growth compared to the revenues streams for downstate transit systems. The Petroleum Business Tax (PBT), the only dedicated funding source for upstate systems, has grown 8% over last 10 years, substantially outpaced by both inflation and escalating expenses. This anemic growth resulted in flat revenues in last year's state budget for upstate transit systems, compared to the 9% increase in funds for downstate systems. And this year, it is proposed that upstate systems will receive a 1.35% increase in STOA appropriations—a number that does not even keep up with basic inflation. *We support the New York Public Transit Association's proposal to make a revenue-neutral swap of the PBT for a portion of the state sales tax in order to help stabilize operating funds now, and in the future.*

Regarding downstate suburban transit systems, *we call for funding parity so that Westchester's BeeLine bus systems is funded, at a minimum, at the level of Nassau's NICE.* While Nassau County has a slightly larger population than Westchester, both bus systems serve nearly the same amount of daily and annual riders (32.1 million for Westchester versus 29.5 million for Nassau), yet Nassau would receive nearly \$10 million more in STOA funds than Westchester. Westchester County has a proven record of using bus investment to catalyze jobs and economic growth. In 2012

alone, the county's investment (supported by state and federal assistance) accounted for 1,260 jobs and \$208 million in economic output—good value overall.

With regards to NICE and SCT, last year your efforts brought an additional \$5 million in funding for Nassau's NICE transit and \$2 million more for Suffolk County Transit (SCT). Using these resources, NICE restored previously cut service and SCT added an unprecedented level of Sunday service to ten of its routes. But demand for additional service is high. *More predictable and dedicated funds for both systems will allow transit operators to better plan for the needs of the system, and will protect riders' ability to get to and from work and school, and more easily allow them to conduct their daily lives. Like upstate, the proposed increase for suburban transit in this Executive Budget (2%) will not even cover inflation costs.*

Dedicated Funding for Pedestrian and Bicycling Infrastructure

This part of my testimony is submitted on behalf of New Yorkers for Active Transportation (NY4AT), a coalition coordinated by TSTC, New York Bicycling Coalition, and Parks & Trails New York.

The adoption of the Complete Streets law in 2011 has developed significant momentum for pedestrian and bicycle projects at the local level in our state. Communities across New York are eager to invest in pedestrian and bicycle projects, knowing that these projects improve their community's quality of life, promote a healthier population, revitalize downtowns, increase real estate values and business activity, provide more equitable and affordable transportation choices, and reduce air pollution.

Unfortunately, recent reductions in funding, on a state and federal level, greatly reduce the ability of communities to realize their goals.

The new federal transportation law, MAP-21, cut federal dollars for bicycle and pedestrian infrastructure by 30 percent, about \$12 million a year. Additionally, NYSDOT's new Preservation First policy categorically excludes new pedestrian and bicycling infrastructure from 80% of the spending in the state. *We do not believe this follows the spirit, or the letter, of the 2011 Complete Streets law.* A TSTC analysis of the State Transportation Improvement Plan showed that NYS DOT plans to spend *less money* on these types of projects than they spent *before* passage of the Complete Streets Law. The recent distribution of \$67 million dollars from the Transportation Enhancements Program was a welcome shot in the arm for communities, but it came after 4 years of draught in which there were no solicitations for this funding program.

What is needed now is a reliable, dedicated source of funding, that can function very like the planned reserve fund established in last year's state budget for transit capital projects or the "State Funding for Local Bridges" program of a few years ago.

In 2012, New York State was ranked worst in the nation for pedestrian and bicycling safety—27% of the fatalities on our roads were pedestrians and bicyclists. And yet currently, we're only spending a couple pennies on our transportation dollar to protect these vulnerable users. We can, and should, do better.

Sheridan Expressway

This part of my testimony is submitted on behalf of the Southern Bronx River Watershed Alliance, a coalition of 7 groups, including TSTC, working to transform the Sheridan Expressway and surrounding roadways into an improved transportation network as part of an overall plan to increase affordable housing, economic development and open space in the South Bronx. *We request that NYS Department of Transportation (NYSDOT) include approximately \$3 million in funds to commence an Environmental Impact Study (EIS) of proposed ramps from the Bruckner Expressway to the Hunts Point peninsula.* The construction of the ramps are one of two key recommendations released by New York City in December 2013 on how to improve access to the Hunts Point Food Distribution Center, a \$2 billion a year economic engine. The second recommendation is to convert the Sheridan Expressway into a narrowed boulevard reminiscent of the West Side Highway that calms traffic, improves access to resources such as parks and the Bronx River, and creates developable land along the Bronx River.

Because there is no direct way to access the Hunt Point peninsula from the Bruckner Expressway, tens of thousands of trucks make their way daily into the Hunts Point peninsula by traveling up to two miles on local and residential streets. This contributes to air pollution and safety issues for residents. Constructing these ramps makes it easier for customers and businesses to access the Hunts Point markets, gets trucks off local streets, and improves air quality and safety throughout the community. The EIS is the next step that must be undertaken in order to begin

implementing the two key recommendations. Additionally, the construction of the ramps ties into other economic development proposals for the area including the restoration of the Hunts Point Metro North station as part of Governor Cuomo's Penn Access proposal, the state's \$50 million contribution to the Hunts Point Terminal Produce Market's redevelopment and NYC's recent seven-year lease renewal with the Hunts Point Terminal Produce Market.

This project has received federal and national attention and should progress but cannot do so without an EIS. We ask that NYSDOT include \$3 million to commence the EIS for the ramps so that these transformational recommendations can advance.

Bronx River Greenway

The reclamation of the Bronx River, and the resurgence of community life along the river, is a success story in which we all take pride. New York State has played a crucial role in this success, from stopping polluters to designing an award-winning section of the Bronx River Greenway in the South Bronx, Starlight Park.

The Bronx River Alliance is grateful to the New York State Department of Transportation for completing the initial phase of Starlight Park, which opened in 2013, and for laying the groundwork for the second phase. Phase 2 requires the development of eleven acres of state-owned land and the installation of three pedestrian bridges, linking segments of the Greenway and ensuring access to the river and open space for over 100,000 residents in South Bronx neighborhoods.

The next step is to complete Phase 2 of Starlight Park, the last remaining unfunded link in the Bronx River Greenway. The project costs \$35.6 million according to a NYSDOT estimate. New York City has committed \$12 million and has accepted the responsibility for project coordination, at the suggestion of NYSDOT and the Department of the Interior. *Now we ask New York State to make an equal commitment of \$12 million and to join us in seeking another \$12 million from federal and other potential sources to close this critical South Bronx gap in the Bronx River Greenway, and we thank you for your past support.*

Thank you for your time today.

** This is an adaptation of a statement released on January 29th, 2014 by the following groups:*

Citizen Action of New York • Environmental Defense Fund • Empire State Future** • General Contractors Association • Long Island Lobby Coalition** • Long Island Progressive Coalition • Melville Chamber of Commerce • New York League of Conservation Voters • NYPIRG Straphangers Campaign • New York State Transportation Equity Alliance** • Permanent Citizens Advisory Committee to the MTA • Pratt Center for Community Development • Regional Plan Association • Reinvent Albany • Riders Alliance • Riverkeeper • Southern Westchester Energy Action Consortium • Sustainable Long Island • Transportation Alternatives • Transport Workers Union Local 100 • Tri-State Transportation Campaign • Vision Long Island • WeAct for Environmental Justice

Coalition member groups:

Empire State Future

Adirondack Council • American Farmland Trust • American Institute of Architects – New York Chapter American Institute of Architects – New York State • American Planning Association – New York Upstate Chapter Audubon – New York • Bike Walk Alliance of Westchester & Putnam • Binghamton Regional Sustainability Coalition • Building Performance Lab- CUNY • The Catskill Center • Centerstate Corporation for Economic Opportunity • East Coast Greenway Alliance • Environmental Advocates of New York • FXFowle Architects, PC • Green Options Buffalo • Green Village Consulting – Rochester • Hunt Engineers, Architects and Land Surveyors, PC. IBI Group • Jonathan Rose Companies • Landmark Society of Western New York • League of Women Voters of New York State • The Leyland Alliance • Local Initiative Support Corporation, Buffalo • Mid-Hudson Pattern for Progress • Natural Resources Defense Council • The Nature Conservancy – New York • NeighborWorks – Rochester • New York Bicycling Coalition • New York Civic • New York League of Conservation Voters • New York Planning Federation • New York State Association of County Health Officials • New York State Urban Council • Orange County Citizens' Foundation • Parks & Trails New York • Partners for a Livable Western New York • Partnership for the Public Good- Buffalo • Preservation League of New York State • Project For Public Spaces • Regional Plan Association • Rochester Regional Community Design Center • Scenic Hudson • Sierra Club – Atlantic Chapter • Smart Growth America • Sustainable Hudson Valley • Sustainable Long Island • Sustainable Saratoga • Sustainable South Bronx • Sustainable Tompkins • Syracuse First • The Stakeholders, Inc. • Ticonderoga Revitalization Alliance • Tri-state Transportation Campaign • University Transportation Research Center, Region II (UTRC) Urban Land Institute – New York District Council • Vision Long Island • WE ACT for Environmental Justice • Wildlife Conservation Society • W X Y architecture + urban design

Long Island Lobby Coalition

AARP • American Communities Institute at Dowling College • American Planning Association—LI Chapter • Child Care Council of Nassau • Child Care Council of Suffolk • Citizens Campaign for the Environment • Citizens Campaign for the Environment • Concern for Independent Living • Concerned Citizens of the Plainview-Old Bethpage Community • Coram Civic Association • Cornerstone Church of God in Christ • Dowling College • Elmont Chamber of Commerce • Empire State Future • EmPower Solar • Friends of the Bay • Glen Cove Business Improvement District • Good Harvest Financial Group • Greater Smithtown Chamber of Commerce • Greenman-Pedersen Inc. • HIA-LI • Hicksville Chamber of Commerce • Huntington Township Chamber of Commerce • Laible and Fitzsimmons Inc. • Lake Ronkonkoma Civic Organization • Long Island Business Council • Long Island Federation of Labor • Long Island Hispanic Chamber of Commerce • Long Island Housing Partnership • Long Island Minority AIDS Coalition • Long Island Software and Technology Network • Longwood Alliance • Mastic Beach Property Owners Association • Mastics-Moriches-Shirley Community Library • Middle Island Civic Association • Nassau Council of Chambers of Commerce • Neighborhood Network • New York Committee for Occupational Safety and Health • New York League of Conservation Voters • Plainview/Old Bethpage Chamber of Commerce • Renaissance Downtowns • Roel Resources • Save the Forge River • Selden Civic Association • Signature Organization • South Yaphank Civic Association • Sustainability Institute at Molloy College • Them TV • Tri-State Transportation Campaign • Uniondale Community Council • US Green Building Council Long Island Chapter • Verizon • Vision Long Island • Wading River Civic Association • Workforce Development Group • Youth of Ethical Societies Long Island Chapter

New York State Transportation Equity Alliance

Abyssinian Development Corporation • Action Toward Independence Adirondack Council • Albany Bicycle Coalition • American Lung Assoc. in New York Arbor Hill Environmental Justice Asthma Free School Zone • ATU Local 1321 • ATU Local 726 • ATU Local 923 • BCID • Bedford Audubon Society • Belmont Housing Resources for WNY Beyond Oil NYC • Brooklyn Greenway Initiative • Capital Region Transit Advocates (CRTA) • CCCEH • Center for Disability Rights • Center for Working Families • Citizen Action NY • Citizens Regional Transit Corporation • City Council • Clean New York • Community League of the Heights • Community Voices Heard • East Coast Greenway Alliance • EDF • El Puente • Empire State Future • Environmental Advocates of New York • Environmental Justice Action Group of Western New

York Fifth Ave Committee • For A Better Bronx(xx) • FXFOWLE Architects LLP • Good Jobs NY • Harlem Childrens Zone • Healthy Community Alliance • Highbridge Community Life Center • Hudson River Sloop Clearwater • League of Woman Voters New York State • Livable Streets Education • Long Island Progressive Coalition • Membership hopefuls • Metro Justice of Rochester • Metro New York Health Care for All • Mothers on the Move • Neighborhood Network • Neighbors Allied for Good Growth • NeighborWorks Rochester, Healthy Blocks Initiative • New York Academy of Medicine • New York Bicycling Coalition • New York City Environmental Justice Alliance • New York Jobs with Justice • New York Lawyers for Public Interest • New York League of Conservation Voters (NYLCV) • New York Public Interest Research Group, The Straphangers Campaign New York State Apollo Alliance • Niagara Heritage Partnership • North Shore Waterfront Conservancy of Staten Island • Nos Quedamos CDC • NRDC • NY County Acad. of family Phys. • Project for Public Spaces • Public Health Solutions • PUSH Buffalo • Rail*Train*Ecology*Cycling • Reconnect Rochester • Recycle a Bicycle • Regional Plan Association • Resources for Children with Special Needs • RightRides • Rudin Center • Rudin Center • Scenic Hudson • Self Advocacy Assoc. of NYS • Sierra Club New York City Group • Sinergia • St. Alliance for Health • Sustainable Flatbush • Sustainable Hudson Valley • Sustainable Long Island • Sustainable South Bronx • Syracuse First • TEN • The Center for Independence of the Disabled, New York • The Morningside Heights/West Harlem Sanitation Coalition • The Partnership for Onondaga Creek • The Point CDC • The Pratt Center • The Westchester-Putnam Bike Walk Alliance • Transportation Alternatives • Tri-State Transportation Campaign • TWU Local 100 • UPROSE • Urban Agenda • Urban Design Lab, Earth Institute at Columbia University Vision Long Island • VOICE Buffalo • WE ACT for Environmental Justice • West Harlem Group Assistance • Ydanis City Council • Youth Ministries for Peace and Justice