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**The City of New York
Community Board 8 Manhattan
Congestion Pricing Taskforce
Monday, May 3, 2021 – 6:30 PM
This meeting was conducted via Zoom**

Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee chair to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.

MINUTES:

Present: Lori Bores, Alida Camp, Craig Lader, Valerie Mason, Cos Spagnoletti, Russell Squire, Marco Tamayo, Elaine Walsh

Resolutions for Approval:

Item 3 – Congestion Pricing Plan Repeal

Item 1: The meeting began with Craig Lader, co-chair, giving background on the congestion pricing plan, which covers the Central Business District (CBD) “zone” south of 60th Street. He provided some recent history regarding how the expected implementation date of January 1, 2021 was not met due to federal delays caused by to the Trump Administration not authorizing required environmental reviews. He explained that the Biden administration has ended the delay by authorizing an Environmental Assessment, which is a typically completed within a few months. He noted that tolling initiatives meant to deter single vehicle traffic use are assumed to have a net environmental benefit and thus meet the threshold for an Environmental Assessment rather than a lengthier and more stringent Environmental Impact Statement.

The aim of the Task Force is to bring issues around the congestion pricing plan to light and to provide a forum for community feedback, as many unanswered questions regarding how congestion pricing will be operated continue to exist. Craig noted that some members of the community have expressed concerns that there will be increased congestion in the area near the 60th Street boundary, including the southern portion of CB8M.

Item 2: Alida Camp, co-chair, reviewed the prior resolutions from 2008, 2014, 2018 and 2020. Links to those resolutions are attached. The 2008 and 2014 resolutions each supported Congestion Pricing in concept; the 2018 resolution called for the elimination of congestion pricing fees assessed on TLC Yellow Cabs. In 2020, CB8 passed a resolution. The most recent resolution regarding the Traffic Mobility Review Board (TRMB), which is empowered by law to determine policies regarding the operations of congestion pricing, CB8M passed a resolution in 2020 calling for two Manhattan residents on the as-yet unappointed members of the TRMB.

Selected key elements from the 2019 Budget Bill pertaining to Congestion Pricing, and key unanswered questions, include the following:

- The law specifies that the TRMB will consist of a chair and five members, one of which who shall be recommended by the Mayor of New York City, one residing in in Metro-North Railroad region and one residing in LIRR region;
- The TRMB must consider traffic patterns, mitigation measures, operating costs, public impact, peak and off-peak rates, safety, traffic impact, traffic safety, hardships, motorcycles, environmental impact including air quality and

emissions trends, and shall recommend a plan for credits, discounts or exemptions informed by a traffic study associated with impact of credits, discounts, and exemptions.

- The City will study the impact of tolling on parking within 18 months of start of tolling program, providing the study to state legislators and the governor.
- The law requires a traffic study, including the CBD and surrounding areas, to be performed by the Triborough Bridge and Tunnel Authority, and provided to TMRB for purposes of allowing them to make recommendations regarding credits, discounts and/or exemptions.
- The law limits vehicles from being tolled no more than once per day.
- The law stipulates that CBD tolling will not include FDR Drive, but does include approaches and ramps in the geographic area below 60th street excluding the FDR Drive and West Side Highway.
- The law does not provide clarity as to whether cars exiting the Queensboro Bridge north of 60th Street or entering the bridge via streets south of 60th Street will be subject to CBD tolls; this is a core issue for Community District 8 in which clarity is needed from the TRMB.
- The issue of potential offsets for vehicles tolled at crossings operated by the Port Authority of New York and New Jersey is among those that will have to be addressed by the TRMB; New Jersey officials have raised concerns about its residents being tolled twice, though tolls collected by the Port Authority don't support New York City Transit.
- It also isn't clear whether vehicles tolled at other TBTA crossings would be eligible to have such tolls offset or be exempted from being tolled to enter the CBD of Manhattan below 60th Street.
- About signage, signs must be placed at a reasonable distance going into and out of the zone. Signs must include toll amounts.
- There will be certain exemptions from the toll. For example, vehicles carrying those with disabilities will be exempted. There is no language regarding exemptions for taxis and for-hire vehicles, and thus it is unclear how passengers in such vehicles would be impacted.
- The Triborough Bridge and Tunnel Authority must engage in a public information campaign at least 60 days prior to the date tolling is to begin.

The public and Board raised the following concerns:

- We don't know if the traffic study has even been completed or what its findings may be. Recent traffic data collected by NYCDOT suggests that traffic is at pre-pandemic levels, although we don't know whether that is typical traffic or traffic that will decrease once mass transit usage recovers from declines experienced throughout the Covid-19 pandemic.
- Access to and driving from the 59th Street Bridge, as noted above. Will the toll be imposed on drivers who, getting off the bridges and tunnels, go a couple of blocks into the zone to get to the FDR Drive? Similarly, what happens if a street is closed to traffic and a driver must go into the zone? Will that driver be charged the toll?
- Congestion around the zone boundary, and express subway stops.
- Will drivers be coming off the bridge at 63rd Street circle around for parking?
- Will there be congestion at 86th Street?
- Will increased traffic affect garage charges?
- Could there be larger MTA-built parking garages?
- Impact of the pandemic - How has the pandemic affected traffic with people not using mass transit as frequently when they come into the City to work, and other people working remotely? Craig noted that updated MTA ridership information and bridge and tunnel traffic, is available on MTA website. Average on bridge and tunnel crossings is about at pre-pandemic levels.
- Increased revenue through federal funding, and higher taxes for the wealthy will improve MTA funding, eliminating the need for the regressive tax the scheme imposes.
- Traffic studies - should there be an updated traffic study? Will traffic patterns be more like London where it doesn't increase in other areas, or will it be more likely to increase in areas to avoid paying the toll?
- Environmental impacts. Will a build-up in traffic around the edge of the zone decrease air quality in that area if cars are circling? A lively discussion took place about whether vehicles would congregate around the boundary or

public transit hubs looking for parking to avoid the toll, increasing pollution and risk to those suffering from asthma and other health issues.

- Some concern was raised that the parameters of the plan have been locked in, making it impossible to effect changes, such as moving boundary south to accommodate bridge traffic, although it may be possible to tweak placement of tolls. The suggestion is to focus on fixing the problems that will be created by the plan.
- What mitigation of the plan's impacts could be affected? One suggestion was to provide express trains making fewer stops than on current express trains.
- Adverse economic impact - will congestion pricing impact small businesses near the zone? Will drivers or passengers who want to patronize small businesses or their delivery trucks be forced to enter the zone as they search for parking? Will it force some small businesses to close? It was noted that in London, there is a carve-out for local residents and businesses. Can New York, a time of recovery, afford the Plan? Will increased pollution arising from increased congestion lead to a potential decrease in property values near the boundary?
- Toll payments - No one should pay more than once. How will the tolls be charged? Would cameras be used? Cameras would be expensive and would raise privacy issues. Will tolls go up if there is insufficient traffic into the zone? Will there be light flashes that accompany tolls?
- Exemptions. Would residents and businesses within five blocks north and south of zone be exempt from the tolls? Would drivers using Port Authority bridges and tunnels be exempt? Will Long Island traffic moving straight through to New Jersey be exempt.? Would those who live south of the boundary and commute to New Jersey pay CBD and bridge tolls?
- Resident parking permits was suggested to combat parking shortages if there is increased congestion. The business community is concerned that resident parking would make it difficult for contractors to park. Concerns about whether the program would be equitable were raised. It was noted that the former NYCDOT Commissioner Polly Trottenberg publicly spoke in opposition of residential parking permits while she was in office, as it would be very difficult to administer.
- Purpose of the plan - Congestion pricing is intended to provide financing for the MTA, not to reduce traffic. It was noted that exemptions for New Jersey drivers will mean the MTA will not receive toll revenues from those drivers. A lockbox for the MTA subways was raised as a concern because funding will go to the LIRR, Metro North, and subways, not only to the subways.
- Reevaluation of the plan - With the infrastructure proposal from the federal government, the congestion pricing plan should be re-evaluated. Not knowing what the City will look like after the pandemic is also reason to re-evaluate.
- Equity - The additional congestion pricing fee on taxis is and has been unfair, particularly during the pandemic. It discriminates against residents below 96th Street. The additional fee on taxis reduces quality-of-life. Will lower income residents be forced underground to avoid the toll while wealthy folks are driving into the zone because they could afford the toll.
- Toll times - Limit the hours of the toll to business hours.
- Transportation Accessibility - It was noted that the plan will not improve accessibility. This applies as well to those residents who, as for one speaker, live in New York for access to medical care at the hospitals along the East River. The tolls will make it less economically viable to be treated in New York, leading some to seek treatment in other cities.
- Community outreach - the lack of outreach was noted. Will the Board be likely to have interest in community views on how plan should be administered?
- Taxing - It was noted that in effect, the plan is a regressive tax, affecting those in the lower and middle income brackets. Many New York residents already pay additional MTA taxes through payroll taxes. Commuters may be exempt, while New Yorkers are not exempt. Congestion is due to bus lanes, bike lanes, use of street by Fresh Direct and Amazon, underlining the congestion pricing fee as a tax rather than a toll to reduce congestion.
- Funding for MTA. Will any funding raised through the toll be spent properly? The State has not funded the MTA properly. The plan puts more costs onto the City, and less onto the State which should be funding it better.

The majority of the CB8 members participating in the meeting felt there was value in the Board taking a position of opposition to congestion pricing, resolving that it reverse the policy, but that if it will move forward, what steps can be taken to undo the harm that it will cause.

A Board member stated that on principle, it would be a wrong policy to charge residents to use streets which are for the public good. Anything that singles out one part of the City to be treated less favorably isn't right. It will have the backwards effect of driving folks into the subways if they are not driving into the zone. The subways are already overburdened because of MTA underfunding and lack of repairs. Revenue will not be produced as vehicles stop going into the zone, while the subways will be even more crowded. Another Board member raised the City Council's Comprehensive City Plan. The congestion pricing plan reaction is a good way to show that the community makes a difference because the plan will impact low income and disabled people.

Craig Lader, stepping outside of his co-chair role, made the counter-argument supporting Congestion Pricing and advised that CB8 will not be viewed as a credible voice raising legitimate concerns if we made clear that we don't want to see Congestion Pricing implemented in the first place, and noting the political reality that the law is very unlikely to be repealed. He emphasized that congestion pricing is meant to reduce vehicular use, and that plan is intended to generate benefits such as reducing traffic, improving air quality, increasing bus speeds, providing MTA with dedicated funding, and encouraging suburban commuters to utilize Metro North and LIRR to access the CBD. He added that there are still funding needs to maintain and improve the subway system, including installation of new technologies that will help improve reliability. He noted that a critical discussion item is carve-outs and exemptions, which will be central to the success of the program and is why working to communicate our issues and concerns to the TMRB is so critical.

Item 3: The meeting concluded with a discussion regarding upcoming topics and speakers at future meetings. It was agreed that the Task Force must be able to provide input and find out who at MTA and TBTA will keep us in the loop and share information with us. CB8 should check on agencies to ensure they look out for our interests, accept our feedback, advocate for us as a community, and brief us. We should discuss other policies, including exemptions and issues to go before Traffic Review Mobility Board, who should address our unique issues to our benefit. It should be aware of our interests and concerns before they begin their work.

The DOT will be invited to attend a future Task Force meeting to discuss how it intends to implement the plan. State elected officials will also be invited to a meeting to hear the public's and Board's concerns.

At the May 3, 2021 Congestion Pricing Task Force meeting, the Task Force adopted the following resolution by a vote of 6 in favor, 2 opposed, 0 Abstentions, 0 Not Voting For Cause

WHEREAS The 2019 New York State Budget signed into law included a Congestion Pricing Plan that would assess tolls on vehicles entering the Central Business District of Manhattan below 60th Street;

WHEREAS following delays by the Trump Administration, the Biden Administration has authorized an environmental assessment of the Central Business District Tolling Plan, which are expected to be completed in June 2021 and are expected to clear the path for implementation to move forward;

WHEREAS the long-term effects of Covid-19 on traffic volumes, New York City Transit ridership, commuting patterns, and funding for transportation infrastructure and operations is unknown;

WHEREAS passage of the American Rescue Plan Act of 2021 provided over \$6.5 billion in federal funding to support the MTA, raising questions as to the need for additional funding that would be generated through Central Business District Tolling;

WHEREAS the possibility of future state or federal tax increases targeting the wealthiest New Yorkers may lead to increased funding for the MTA;

WHEREAS the details of the congestion pricing plan, including rates, exemptions from the Plan's tolls, location and methodology of the tolls, hours of the tolls and other issues critical to implementation are unknown;

WHEREAS community outreach on the Plan, including, but not limited to, exemptions and implementation, has been minimal at best;

WHEREAS community input on the Plan has been neither sought nor included in formulating the Plan;

WHEREAS the needs of Community District 8, which lies adjacent to the Central Business District, differ in significant ways from those of community districts within the District;

WHEREAS, the Plan raises significant questions of equity, including equivalence to a regressive tax;

WHEREAS, the environmental impact of the Plan on communities adjacent to the 60th Street tolling boundary is unknown, raising questions of negative health and safety effects;

WHEREAS it is unknown whether the required traffic study, which would include areas surrounding the tolling zone including Community District 8, have been performed or the findings of the study if it has been completed;

WHEREAS, there are questions about whether the funds will go solely to improve and maintain New York City's subways;

WHEREAS, there is concern about the impact congestion pricing would have on MTA funding and MTA ridership resulting from fewer cars going into the Zone as a result of tolls;

WHEREAS tolling revenue is not currently mandated to be used to increase public transportation accessibility;

WHEREAS taxi passengers below 96th Street have been unfairly taxed as part of an initial phase of Congestion Pricing that was implemented in February 2019;

WHEREAS it is inherently unfair to tax residents for use of a city amenity;

WHEREAS there is concern about the impact Central Business Tolling would have on small businesses in Community District 8, particularly in areas surrounding the 60th Street tolling boundary;

THEREFORE, BE IT RESOLVED that Community Board 8 calls on the New York State legislature to repeal the Congestion Pricing law enacted as part of the 2019 New York State Budget.

VOTE:

In Favor: Camp, Mason, Spagnoletti, Squire, Tamayo, Walsh

Against: Bores, Lader

Abstain: N/A

Not Voting for Cause: N/A

Alida Camp and Craig Lader, Co-Chairs