

Russell Squire  
Chair

Will Brightbill  
District Manager



505 Park Avenue, Suite 620  
New York, N.Y. 10022-1106  
(212) 758-4340  
(212) 758-4616 (Fax)  
www.cb8m.com – Website  
info@cb8m.com – E-Mail

**The City of New York  
Community Board 8 Manhattan  
Congestion Pricing Task Force  
Tuesday, May 30, 2023, 6:30 PM  
Conducted Remotely on Zoom**

*Please note: The resolution contained in the committee minutes is a recommendation submitted by the committee co-chairs to the Community Board. At the monthly full board meeting, the resolution is discussed and voted upon by all members of Community Board 8 Manhattan.*

**Resolutions for Approval:**

**Item 2: Request that the Triborough Bridge and Tunnel Authority toll the inbound Upper Roadway of the Queensboro Bridge in the same manner as all other bridge entry and exit points in Manhattan with regards to Congestion Pricing.**

**Minutes**

**Present:** Lori Ann Bores, Edward Hartzog, Craig Lader, Valerie Mason, John McClement, Sharon Pope-Marshall, Judith Schneider, Cos Spagnoletti

The meeting was called to order at 6:32 PM.

**Item 1: Updates on the Central Business District Tolling Program since the February 16, 2023 Task Force Meeting**

Since the February 16, 2023 Task Force meeting, there have been several major developments regarding Congestion Pricing:

- On 5/5/23, the Federal Highway Administration (FHWA) approved the release of the Final Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI);
- The official 30-day public availability of Final EA and Draft FONSI began on 5/12/23;
- After the 30-day public review period ends on 6/12/23, FHWA will make its final determination to either to issue the FONSI or to require an Environmental Impact Statement (EIS), which would extend the federal review and result in a more rigorous environmental review process;
- If final decision is to issue a FONSI, the Metropolitan Transportation Authority (MTA) has provided a 330-day target timeframe to implement the program, meaning a start date as early as April 2024 is possible.

**Item 2: Presentation - New and Updated Information Contained in the Final Environmental Assessment and Finding of No Significant Impact**

Task Force Co-Chair Craig Lader gave a presentation on the Final EA and FONSI, focusing on how the EA has changed from the draft version issued in August 2022, along with how the EA handled and addressed the comments made during the public hearing process. The presentation began with an explanation of the purpose of a FONSI, which formally states that the FHWA has determined that the Central Business District Tolling Plan, aka congestion pricing, as specifically described in the Final EA, will have no significant impact on the human or natural environment, and that an EIS is not required. The finding was based on a series of mitigation measures that would be required.

The Project Sponsors (i.e. the MTA) have committed \$155 million over 5 years to implement the mitigation measures and enhancements, and they will implement them regardless of whether tolling is ever adapted. An additional \$5 million has been allocated for mitigation and enhancement measures related to monitoring across other topics, along with \$47.5 million for the low-income toll discount.

The mitigation measures, which were added to the Final EA, include the following:

- **Establishment of a Low-Income Discount Plan:** in which the MTA/TBTA provides a 5-year commitment to provide low-income drivers with a 25% discount on their 11<sup>th</sup> trip (and all subsequent trips) in a calendar month after they have paid non-discounted tolls;
- **Overnight Toll Discounts:** TBTA will ensure the overnight toll rate for all vehicles is discounted by at least 50% from the peak tolls rates from at least 12:00 a.m. to 4:00 a.m.;
- **For Hire Vehicle Toll Limits:** in response to EA findings of “potential disproportionately high and adverse effects” on “taxi and FHV drivers who largely identify as minority populations,” all for-hire vehicles will be tolled a maximum of once per day;
- **Regional Mitigation:**
  - Expansion of Clean Trucks Program to accelerate the replacement of eligible diesel trucks to lower-emission electric, hybrid, compressed natural gas, and clean diesel vehicles.
  - Expansion of Off-Hours Delivery Program to lower-emission electric, hybrid, compressed natural gas, and clean diesel vehicles.
- **Place-Based Mitigation:** Specific mitigation measures will be implemented based on the needs of communities that are already overburdened by pre-existing air pollution, and chronic diseases could see an adverse effect as a result of increased traffic. None pertain to Community District 8.

Locations of place-based mitigation include:

- Manhattan: East Harlem, Randall’s Island, Lower East Side/Lower Manhattan
- Bronx: High Bridge, Morrisania and Crotona, Tremont, Hunts Point, Mott Haven, Pelham, Throggs Neck, NE Bronx
- Brooklyn: Downtown Brooklyn, Fort Greene, South Williamsburg,
- New Jersey: Orange, East Orange, Newark, and Fort Lee.

Examples of place-based mitigation include:

- NYCDOT to coordinate to replace diesel-burning TRUs at Hunts Point with cleaner vehicles.
- NYSDOT to coordinate to expand electric truck charging infrastructure.
- Project Sponsors coordinating to install roadside vegetation to improve near-road air quality.
- The Project Sponsors renovating parks and greenspaces.
- The Project Sponsors installing or upgrading air filtration units in schools.
- The Project Sponsors coordinating to expand existing asthma case management programs and create new community-based asthma programming through a neighborhood asthma center in the Bronx.

Other new elements or enhancements to the EA include:

- Establishment of a Small Business Working Group (SBWG) that will meet six months prior and six months after Project implementation, and annually thereafter, to solicit ongoing input on whether and how businesses are being affected.
- A formal report on the effects of the Project will be issued one year after implementation and then every two years.
- A reporting website will make data, analysis, and visualizations available in open data format to the greatest extent practicable. Updates will be provided on at least a bi-annual basis as data becomes available and analysis is completed.
- The Project Sponsors committing to ongoing monitoring and reporting of potential effects of the Project on:
  - Traffic entering the CBD
  - Vehicle-miles traveled in the CBD;
  - Transit ridership from providers across the region;
  - Bus speeds within the CBD;

- Air quality and emissions trends;
- Parking;
- Project revenue.

It was indicated that among the documents added to the Final EA was a 28,000+ page section that included every question and comment raised during the public hearings, including responses. Most of the responses were distilled into a separate Frequently Asked Question chapter. The following FAQs that related to many of the issues discussed at previous Task Force meetings were highlighted; key elements of the responses are available as an appendix to these Minutes, or in the PowerPoint presentation that can be found at <https://www.cb8m.com/wp-content/uploads/2023/05/Congestion-Pricing-Task-Force-5-30-23.pdf>.

- What is the purpose of the Central Business District (CBD) Tolling Program and why is it needed?
- Please clarify the boundaries of the area where the CBD toll would apply, and which roads would and would not be excluded?
- What does “remaining in” the Manhattan Central Business District mean?
- How will the Project affect parking?
- How will the Project affect taxi and FHV drivers?
- Are there other alternatives to reduce congestion, such as eliminating bike lanes, eliminating outdoor dining, enforcing parking regulations, and requiring trucks to make deliveries during off-peak periods?
- Are there other methods for generating funds for future transportation improvements?
- Why does MTA need additional revenue when it received billions of dollars in COVID-relief funding?
- Why is the CBD Tolling Program still being progressed, given that we are still recovering from the COVID-19 pandemic?
- How will the revenue be spent and how will the public know the funds are being used appropriately?
- Why does the EA rely on 2019 data, which does not reflect post-COVID conditions?
- Why should I pay an extra toll to enter the Manhattan CBD when I already pay a toll at a bridge or tunnel?
- Can the region’s public transportation system accommodate increased ridership caused by this Project?
- Why should patients from regional locations and other locations in New York City have to pay to enter the Manhattan CBD for medical appointments?
- How will this Project affect middle-income drivers?
- How will this Project be fair for drivers who cannot reasonably use public transportation, and therefore won’t have a reasonable alternative to paying the new toll?
- What are the potential effects of the Project to elderly populations?
- Will the CBD Tolling Program cause residents to relocate outside of the Manhattan CBD or the region?

The presentation concluded with a synopsis of the resolutions that emerged from the Congestion Pricing Task Force that ultimately were approved by the full Board of CB8.

Attendees asked a range of questions seeking clarity on the updates that were included in the Final EA and understanding the information that was presented in the FAQs. Task Force Co-Chair attempted to answer questions based on his understanding of the process, but was clear that he couldn’t speak for the agencies that are charged with implementing Congestion Pricing or assign motives behind the decisions that were made. The majority of meeting participants who spoke did so in opposition to congestion pricing, citing their skepticism that the plan will accomplish its goals and objectives, disagreement with the FAQ responses in the EA, and concerns that adverse impacts that the EA views as “not significant” or doesn’t anticipate will occur. Parking concerns were also mentioned by multiple speakers, as were the impacts congestion pricing would have on people looking to access the major medical institutions within the Community District and the unfair burdens that it would have on people for which using public transportation is a challenge. There was continuing frustration that the Traffic Mobility Task Force has yet to meet, and that so many of the fine details of the plan are yet to be finalized, such as toll rates and discounts/exemptions/offsets.

There were also multiple speakers who responded to the clarity offered in the EA in regards to how the Queensboro Bridge’s upper roadway is being treated in the Congestion Pricing Plan. The EA stated in a footnote on page 4A-5 the following:

*“The Manhattan-bound upper ramp of the Queensboro Bridge is considered part of the Queens-inbound crossing locations to the Manhattan CBD, and it is also reported in the 60th Street outbound crossing locations. Currently, all Manhattan-bound traffic enters the bridge via the northern upper-level lanes of the Ed Koch Queensboro Bridge and enters the Manhattan CBD but immediately exits the Manhattan CBD on the northbound ramp to 62nd Street (except for AM peak-period HOV lanes that use the southern lanes, typically reserved for outbound traffic, which enter the Manhattan CBD at 59th Street). The Queensboro Bridge entrances and exits are consistent with the NYMTC Hub Bound Travel Data Report. All traffic using the northern upper roadway of the Ed Koch Queensboro Bridge to access Manhattan north of 60th Street would not be subject to CBD tolling in the tolling scenarios modeled in this EA.”*

In response to this footnote, there was discussion regarding the potential impacts of leaving the inbound upper roadway untolled, along with the FAQ response highlighting that vehicles coming off the Queensboro Bridge but headed to the FDR drive south will be tolled. The concern raised was if the inbound upper roadway is untolled, it will lead to “bridge shopping” and attract all vehicles seeking to avoid the congestion fee and coming from east of the East River to Community District 8 and points north.

The following resolution was put forward:

**WHEREAS;** the Final Environmental Assessment of the Central Business District Tolling Program was issued on May 12, 2023; and

**WHEREAS;** implantation of congestion pricing could occur as early as April 2024 if the Finding of No Significant Impact is issued upon the expiration of the 30-day review period set to expire on June 12, 2023; and

**WHEREAS;** the modeling performed for the Environmental Assessment for the Central Business District Tolling Program did not assume tolling on the inbound upper roadway of the Queensboro Bridge, suggesting that it will remain untolled upon implementation of toll collection;

**WHEREAS;** the Queensboro Bridge provides a critical link to and from Community District 8; and

**WHEREAS;** There are consistently very high levels of congestion within Community District 8 at entrance and exit points of the Queensboro Bridge, especially on the inbound upper roadway ramp and along 62<sup>nd</sup> and 63<sup>rd</sup> Streets where traffic exits; and

**WHEREAS;** there is significant concern among residents of Community District 8 that there will be increased congestion near the 60<sup>th</sup> Street toll zone boundary upon the initiation of congestion pricing; and

**WHEREAS;** an untolled upper inbound roadway would promote bridge shopping to allow drivers to avoid tolls to reach points north of 60<sup>th</sup> Street that they would otherwise need to pay upon entering or exiting all other roadways of the Queensboro Bridge;

**THEREFORE BE IT RESOLVED,** that Community Board 8 Manhattan requests that the Triborough Bridge and Tunnel Authority toll the inbound Upper Roadway of the Queensboro Bridge in the same manner as all other bridge entry and exit points in Manhattan with regards to Congestion Pricing.

*Yes (5):* Bores, Lader, McClement, Pope-Marshall, Schneider

*No (3):* Hartzog, Mason, Spagnoletti

*Abstain (0):* None

**Item 3: Elected Official Comments/Reports Regarding Congestion Pricing**

In response to comments and requests made at past Task Force meetings, all elected officials are now being invited to participate and provide comments.

Audrey Tannen, the District Office Director for State Senator Liz Krueger, Hannah Weinerman, a Community Liaison for Congressman Jerrold Nadler, and Madison Thomas, a Community Liaison for Assemblywoman Rebecca Seawright, each spoke in response to the comments that were made by speakers throughout the meeting.

Ms. Tannen indicated that Sen. Krueger supports congestion pricing, but has consistently raised important questions and concerns, and submitted testimony multiple times regarding how the program will operate once implemented, especially in regards to the Queensboro Bridge, the area near the toll zone boundary at 60<sup>th</sup> Street, and how persons with disabilities will be accommodated. Ms. Tannen emphasized that she will be sharing the concerns raised throughout the meeting with Sen. Krueger, who has attended a Task Force meeting previously.

Ms. Weinerman also stated that she was taking notes to share with Rep. Nadler; as he is new to representing Community District 8, Ms. Weinerman emphasized that he is very interested in learning about the concerns and viewpoints of residents. She noted that Rep. Nadler has been a strong supporter of congestion pricing and that most of the upcoming decisions and policies to be decided upon are no longer at the Federal level. Ms. Weinerman also said she would ask Rep. Nadler about potentially attending a future Task Force meeting.

Ms. Thomas emphasized Assemblywoman Seawright's advocacy for providing carve-outs for certain groups that are going to be more adversely impacted by congestion pricing, such as seniors and persons with disabilities. She too noted that the Assemblywoman has submitted past testimony, and that the comments made at the Task Force meeting would be shared.

#### **Items 4, 5 & 6: Old and New Business/Next Steps**

There was no old or new business discussed.

There being no further business, the meeting was adjourned at 8:50 PM.

**Respectfully submitted, Alida Camp & Craig Lader, Co-Chairs**

# RESPONSES TO FREQUENTLY ASKED QUESTIONS

## **FAQ: What is the purpose of the CBD Tolling Program and why is it needed?**

- The purpose of the Central Business District (CBD) Tolling Program is to reduce traffic congestion in the Manhattan CBD in a manner that would generate revenue for future transportation improvements.
- Related objectives include:
  - Reduce daily VMT within the Manhattan CBD.
  - Reduce the number of vehicles entering the Manhattan CBD daily.
  - Create a funding source for capital improvements and generate sufficient net revenues to fund \$15 billion for MTA capital projects.
  - Establish a tolling program consistent with the purposes underlying the New York State legislation entitled the "MTA Reform and Traffic Mobility Act."

## **FAQ: Please clarify the boundaries of the area where the CBD toll would apply, and which roads would and would not be excluded?**

- The CBD Tolling Program would apply to the area of Manhattan south and inclusive of 60th Street, but not including the Franklin D. Roosevelt Drive (FDR Drive), the West Side Highway/Route 9A, the Battery Park Underpass, and any surface roadway portion of the Hugh L. Carey Tunnel connecting to West Street. All vehicles other than those that are exempt from the toll would be charged a toll when entering or remaining in that defined area.
- *In accordance with the legislation, other connections between the bridges and tunnels and the excluded roadways would be subject to the toll. This includes connections between the Ed Koch Queensboro Bridge and the FDR Drive, approaches to the Ed Koch Queensboro Bridge from areas north of 60th Street*, and connections between the West Side Highway/Route 9A and the Holland and Lincoln Tunnels. It also includes connections between the residential area of Waterside Plaza and the FDR Drive and between Battery Park City and the West Side Highway/Route 9A. The limits of the CBD Tolling Program as well as the specific roadways excluded from the toll are defined in the Traffic Mobility Act.
- Some commenters proposed that the specific additional roadways be excluded, to allow free connections between the excluded roadways (i.e., the West Side Highway/Route 9A and the FDR Drive) and the tunnels and bridges that provide access to the Manhattan CBD. However, *these connections are typically among the more congested locations in the Manhattan CBD, and excluding them would not contribute to reducing congestion in the Manhattan CBD and therefore make the Project less effective at meeting its purpose and need.*

### **FAQ: What does “remaining in” the Manhattan CBD mean?**

- All vehicles other than those that are exempt from the toll would be charged a toll when entering or remaining in the Manhattan CBD, as per the Traffic Mobility Act. Vehicles that remain in the Manhattan CBD are vehicles that are detected when leaving but were not detected entering in the same day. Given that they were detected leaving, they must have driven through the Manhattan CBD to get to the detection point, and therefore remained in it during a portion of the day. These vehicles would be charged that day for remaining in the Manhattan CBD.
- If a passenger vehicle makes two round trips into the Manhattan CBD on the same day, it would be charged a single toll, because passenger vehicles would be charged only once daily.
- If a passenger vehicle is parked all week within the Manhattan CBD (for example, a vehicle owned by a resident of the Manhattan CBD) and then leaves the Manhattan CBD for a day trip on Saturday, the vehicle would be detected leaving (remaining) and re-entering the Manhattan CBD on the same day. Because passenger vehicles would be charged only once daily, a single toll would be charged on Saturday.
- If a vehicle parked on the street within the Manhattan CBD is moved to the other side of the street for alternate-side-of-the-street parking regulations, it would not be charged for entering or remaining in the Manhattan CBD so long as it does not leave the CBD when circling the block or cross one of the detection zones when crossing the street. A vehicle would also not be charged a toll if it uses one of the excluded roadways (the West Side Highway/Route 9A or the FDR Drive) before re-entering south of 60th Street in Manhattan. Vehicles that cross 60th Street (and vehicles that leave through any of the bridges or tunnels before returning) to find another parking space would be charged.

### **FAQ: How will the Project affect parking?**

- Transportation modeling conducted for the Project using the BPM shows that in Manhattan, the number of cars on each of the avenues immediately north of 60th Street would decrease under all tolling scenarios; therefore, there would not be an increase in parking demand in those neighborhoods because there would be fewer cars traveling to them.
- The neighborhoods closest to the Manhattan CBD, including the Upper East Side, have curbside parking on local streets that is generally heavily used, with high demand and few available spaces during most times of the day. Consequently, on-street spaces are generally not a reliable source of parking and finding available parking spaces that are not already occupied can involve substantial time searching for an available space.
- While transportation modeling conducted for the Project does not indicate an increased demand for parking in neighborhoods outside but close to the Manhattan CBD, if this were to occur as a result of the new CBD toll—for example, immediately after the toll is implemented, before drivers adjust to the new conditions—those drivers seeking parking would increase demand for the very limited curbside parking and for off-street parking lots and garages.
- The analysis presented in the EA describes that in Manhattan close to but north of the CBD boundary, there is available capacity in off-street parking facilities.
- If there are parking capacity constraints, parking operators would likely increase fees for parking. Consistent with NYC’s CEQR Technical Manual methodology, parking shortfalls in New York City in areas designated as “Zone 1” and “Zone 2” are not considered adverse effects. These zones include all of Manhattan as well as neighborhoods in Brooklyn, the Bronx, and Queens close to the Manhattan CBD.
- The City of New York does not currently have a program of residential parking permits and a residential parking permit program is not currently included as part of this Project. However, this does not preclude NYCDOT from implementing such a program in the future.
- The Manhattan Resident Parking Tax Exemption lowers the tax residents pay on rental parking spaces by 8 percent. The current tax on rental parking spaces in Manhattan is 18.375 percent, but it is lowered to 10.375 percent with the exemption.

### **FAQ: How will the Project affect parking? (continued)**

- Some new transit users would drive to transit stations in New York City outside the Manhattan CBD to access transit to complete their journey. Within New York City, the 0.7 to 1.6 percent increase in transit usage from the Project would be distributed among commuter rail and subway stations.
- The neighborhoods closest to the Manhattan CBD, including the Upper East Side, have curbside parking on local streets that is generally heavily used, with high demand and few available spaces during most times of the day. Consequently, on-street spaces are generally not a reliable source of parking and finding available parking spaces that are not already occupied can involve substantial time searching for an available space.
- New vehicle trips at transit facilities would include some customers who would be dropped off without parking and therefore would not add to the demand for parking.
- The Project Sponsors estimated that at transit stations in New York City, the number of new vehicles would not exceed a screening threshold of 50 vehicles per hour, and consequently determined that no adverse effects on parking conditions would occur.
- The Traffic Mobility Act requires that NYCDOT study the effects of the CBD Tolling Program on parking conditions and availability in and around the Manhattan CBD, following implementation of the Project, and prepare a report describing the results of this study 18 months after the Project commences.
- The study will collect data on pre-implementation and post-implementation parking conditions in these geographies and other areas of concern for comparison.
- Recommendations could range from changes in curb regulations at affected locations to larger-scale initiatives that would require state or local legislation to implement (e.g., a residential parking permit program).

### **FAQ: How will the Project affect taxi and FHV drivers?**

- As updated in the Final EA, TBTA will ensure that a toll structure with tolls of no more than once per day for taxis or FHV is included in the final CBD toll structure.
- This will avoid a disproportionately high and adverse effect on taxi and FHV drivers from the Project. (This commitment would not preclude New York City taxi and FHV drivers from benefiting from the low-income driver mitigation measures, including the Low-Income Discount Plan for their vehicles that are not licensed as taxis or FHV, provided that they can demonstrate eligibility.



**FAQ: Are there other alternatives to reduce congestion, such as eliminating bike lanes, eliminating outdoor dining, enforcing parking regulations, and requiring trucks to make deliveries during off-peak periods?**

- These strategies have proven difficult, insufficient, or not viable to implement. Moreover, many of the suggested strategies would not meet the purpose and need of the CBD Tolling Program, which is to reduce traffic congestion in the Manhattan CBD in a manner that would generate revenue for future transportation improvements. Related objectives include:
  - **ELIMINATING BIKE LANES** would be counter to established public policy. Moreover, eliminating bike lanes would not serve the needs of the increasing number of people who travel in New York City by bicycle rather than by vehicle, which is counter to the goal of reducing traffic congestion
  - **ELIMINATING OUTDOOR DINING:** The environmental review for the Open Restaurants Program concluded that it would not result in adverse effects on traffic flows in the city, since all in-street seating would be within parking lanes and not reduce the traffic capacity of streets. Consequently, eliminating outdoor dining would be counter to an established policy and would not reduce congestion in the Manhattan CBD.
  - **PARKING REGULATION ENFORCEMENT:** With the CBD Tolling Program, this enforcement would continue and the reduced traffic volumes in the Manhattan CBD would also reduce the demand for on-street parking, which would free up more legal parking spaces to meet the demand and thus could reduce the frequency of double parking. As it relates specifically to parking placards issued to government employees, prior studies have shown this would reduce VMT south of 86th Street by 0.1 to 0.3 percent, depending on the size of the reduction (reductions evaluated ranged from 3,000 to 10,000 placards). With this level of VMT reductions, this alternative would not reduce the number of vehicles entering the Manhattan CBD enough to meet the Project objective of reducing VMT in the Manhattan CBD by at least 5 percent.
  - **OFF-PEAK TRUCK DELIVERIES:** Shifting truck deliveries to off-peak hours in lieu of the proposed CBD toll is one of the congestion reduction measures that the Project Sponsors analyzed as part of their evaluation of alternatives. The analysis concluded that restricting truck deliveries to off-peak periods would be logistically complex because this would require receivers to be open and willing to receive the deliveries in overnight hours. Further, depending upon how such restrictions were implemented, they might result in multiple small trucks making deliveries instead of a single large truck, thereby increasing vehicle numbers and vehicle miles traveled by trucks.
  - **RESTRICTING THE NUMBER OF TAXIS AND FHVS IN THE MANHATTAN CBD:** Restricting the number of taxis and FHVs in the Manhattan CBD would reduce the availability of a critical transportation service used by millions of people each day. It would also adversely affect taxi and FHV drivers, many of whom are minority populations, and therefore would raise concerns related to environmental justice.

**FAQ: Are there other methods for generating funds for future transportation improvements?**

- Commenters suggested other sources of revenue, such as tolling the East River bridges rather than the entire Manhattan CBD, raising transit fares, raising tolls at existing tolled crossings, pursuing turnstile jumpers, and pursuing toll evaders. In addition, some commenters suggested alternative sources of funding outside the purview of the Project Sponsors, such as new taxes on landlords and new taxes on legalized cannabis sales, among others.
- A variety of congestion management strategies and revenue enhancements for transit have been evaluated over many decades and have proven ineffective, difficult, or not viable to implement, such as parking pricing strategies, and toll alternatives (e.g., raising tolls on existing facilities, tolling East River and Harlem River bridges that are currently untolled, using high-occupancy toll lanes).
- Some strategies would fail to reduce congestion or raise revenue so as to meet the Project's purpose and need. Others would reduce congestion but would not raise revenue; or would raise revenue but not reduce congestion.
- Targeting evasion (e.g., turnstile jumpers) and toll evasion: Even if the agency collected every fare and toll, that would not address the need to provide a sustainable funding source for the MTA Capital Program—the need being addressed by the CBD Tolling Program. First, it would not raise enough revenue. The CBD Tolling Program would generate an estimated \$1 billion annually, which is about double the amount MTA expects to lose to payment evasion this year. Second, it would not meet the need for funding for MTA's Capital Program. Revenue from fares and tolls is used to fund MTA's operating budget, including debt service. Finally, this would not reduce traffic congestion.
- Raising transit fares: Pre-pandemic combined fares and tolls covered only approximately half of operating costs and slightly more than one-third of total expenses, which includes capital costs. Higher transit fares would not lead to decreased congestion in the Manhattan CBD. Rather, it would more likely discourage the use of transit, potentially increasing vehicular traffic.
- Other revenue sources, such as new taxes on landlords and new taxes on legal cannabis sales: These are outside the purview and control of the Project Sponsors. In addition, these suggestions would result in adverse effects in terms of other public policies. For example, introducing new taxes on landlords would ultimately result in higher rents, which would adversely affect tenants whether or not they contribute to congestion. Taxes on the new recreational cannabis program would be contrary to the goals of the program, which seeks to begin the work of repairing decades of disproportionate enforcement and overcriminalization of cannabis prohibition, especially in Black and Brown communities.

**FAQ: Why does MTA need additional revenue when it received billions of dollars in COVID-relief funding?**

- Specifically, MTA lost over 95 percent of its ridership and farebox revenue at the peak of the pandemic. Compared to other transportation entities, MTA is more reliant on farebox and toll revenue to cover its expenses.
- The COVID-19 relief funding was used entirely to fund continued MTA operations for essential workers; it did not fund capital investments.

**FAQ: Why is the CBD Tolling Program still being progressed, given that we are still recovering from the COVID-19 pandemic?**

- As activity is returning to pre-COVID-19 pandemic conditions, so is traffic congestion.
- Overall, traffic volumes and speeds are approaching pre-pandemic levels. Vehicle traffic at TBTA bridges and tunnels has returned to its 2019 levels (<https://new.mta.info/coronavirus/ridership>). Similarly, in September 2022, daytime inbound traffic volumes on the Brooklyn, Manhattan, Williamsburg, and Ed Koch Queensboro Bridges were within 15 percent of pre-pandemic levels
- September 2022 Midtown Manhattan daytime traffic speeds and traffic speeds fell to an average of 5.4 mph, only 10 percent above pre-pandemic levels.

**FAQ: Why does MTA need additional revenue when it already receives regular funding from other sources? MTA's budgeting and expenditures should be subject to oversight to ensure money is spent appropriately.**

- MTA's revenues include commuter rail, subway, and bus fares, and tolls at TBTA crossings; state and local subsidies that include dedicated state taxes (e.g., petroleum business taxes, sales tax, payroll mobility tax, motor vehicle registration and license fees, taxi and FHV fees, real estate transaction taxes on both residential and commercial properties); and station maintenance payments.
- With respect to transparency, MTA reports regularly on legislative, financial, and governance issues, with information available for public review on MTA's website (<https://new.mta.info/transparency>). This includes detailed information about MTA agencies' performance data; operating and capital budgets; public meetings and hearings; open data resources; bonds, notes, and securities; and revenue information. Details on MTA's operating and capital budgets are also available on the agency's website, including funding sources and how the money is spent.

**FAQ: How will the revenue be spent and how will the public know the funds are being used appropriately?**

- As currently designed, after expenses related to the Project are paid, the CBD Tolling Program revenues would be sufficient to fund \$15 billion for capital improvements included in the MTA's 2020–2024 Capital Program. The funding would be achieved through the issuance of bonds and cash (PayGo) financing. Consistent with the Traffic Mobility Act, revenues would be directed to a "lockbox" fund that may not be commingled with other funds. As established by the Traffic Mobility Act, the net revenue generated by the CBD Tolling Program would be used to fund transit and commuter rail projects in the MTA 2020–2024 Capital Program and successor programs.
- As specified in the Traffic Mobility Act, the revenue from the CBD Tolling Program would be allocated as follows:
  - 80 percent to New York City subways and buses (New York City Transit, Staten Island Rapid Transit Operating Authority, and MTA Bus Company), with priority given to the subway system, new signaling, new subway cars, track and car repair, accessibility, buses and bus system improvements and further investments in expanding transit availability to areas in the outer boroughs that have limited mass transit options.
  - The other 20% would be split between LIRR and Metro-North projects including but not limited to, parking facilities, rolling stock, capacity enhancements, accessibility, and expanding transit availability to areas that have limited mass transit options.

### **FAQ: Why does the EA rely on 2019 data, which does not reflect post-COVID conditions?**

- The Project Sponsors used pre-COVID-19-pandemic baseline conditions to define near-term 2023 No Action Alternative conditions as the region rebounds and to forecast long-term future conditions to 2045. The use of these data reflects the return of traffic volumes and other conditions to pre-pandemic levels;
- This data reflects normal, typical conditions, which are an appropriate baseline for the environmental analysis rather than the use of unusual conditions. This allows FHWA and the Project Sponsors to understand the potential effects of the proposed CBD Tolling Program in consideration of those normal background conditions.
- Recent data indicates that traffic is now at or close to pre-pandemic levels, whereas transit ridership continues to lag significantly, with average weekday ridership maintaining approximately 60 to 65 percent of comparable pre-pandemic days across the region. While many office workers continue to work remotely, others have returned to offices or work locations on part-time or full-time schedules. In addition, tourism, entertainment, and retail activity is returning to its previous levels. As activity is returning to pre-COVID-19 pandemic conditions, so is traffic congestion.
- Use of 2019 data throughout the EA for the quantified analyses of the potential effects of the CBD Tolling Alternative—i.e., the analyses related to potential changes in traffic and potential increases in transit ridership—accounts for conditions that would occur in the future if traffic levels and transit ridership return to pre-COVID conditions. Currently, MTA forecasts that transit ridership will return to 80 percent of pre-COVID levels by 2026, and traffic levels throughout the region have already largely returned. If traffic and transit levels do not fully rebound, then the use of pre-pandemic information for the baseline analysis results in predictions of larger negative effects as a result of the proposed CBD Tolling Alternative than would actually occur.

### **FAQ: Why should I pay an extra toll to enter the Manhattan CBD when I already pay a toll at a bridge or tunnel?**

- The existing TBTA toll revenue is insufficient to meet the funding needs for MTA's 2020-2024 Capital Program.
- At this time, the actual toll schedule, including exemptions, discounts, and crossing credits, has not been finalized. The CBD Tolling Program could include credits for tolls paid at existing tolled tunnels that connect directly to the Manhattan CBD or credits for these facilities as well as tolls paid at tolled bridges connecting to Manhattan. If these are included, the crossing credits would more efficiently distribute traffic across the East River crossings by making the net toll amount paid by a driver at each crossing more similar.
- At the same time, the more vehicles that are given crossing credits and the higher the credit, the higher the CBD toll must be to ensure sufficient revenues are generated to meet the Project's revenue target. Drivers who choose to use a currently untolled East River crossing, or who enter the Manhattan CBD via the avenues that cross 60th Street, would pay a higher CBD toll under scenarios with crossing credits compared to scenarios without credits.
- As crossing credits are added, drivers from New Jersey and Queens would pay less for the CBD toll and drivers from Brooklyn and areas north of the Manhattan CBD would tend to pay more, although the differences would converge when considering overall tolls paid to enter the Manhattan CBD.

### **FAQ: Can the region's public transportation system accommodate increased ridership caused by this Project?**

- Yes, the region's extensive public transportation system has the capacity to accommodate additional ridership that would occur as some people switch from automobile to public transportation with the new CBD toll.

**FAQ: Why should patients from regional locations and other locations in New York City have to pay to enter the Manhattan CBD for medical appointments?**

- Some people who currently drive to the Manhattan CBD for medical services may seek alternative locations outside the Manhattan CBD if they do not want to pay the toll.
- While there are many hospitals, clinics, and medical specialists within the Manhattan CBD, there are also service providers located outside the Central Business District (CBD) Tolling Program Environmental Assessment Manhattan CBD, including prominent research hospitals such as Mount Sinai, Memorial-Sloan Kettering Cancer Center, and New York Presbyterian Hospital.
- Also, many doctors have office locations both within and outside the Manhattan CBD.
- Some people living outside the Manhattan CBD may not have or want to seek an alternative provider outside the Manhattan CBD and would be subject to the toll if they drive to their appointments. Similarly, some residents within the Manhattan CBD may need to travel to medical appointments outside of the Manhattan CBD and would be subject to the toll.
- At this time, the actual toll schedule, including exemptions, discounts, and crossing credits, has not been finalized.
- It is noted that many trips to medical facilities are taken by taxis, and the EA includes Tolling Scenarios C and E where taxis are exempt such that there would be no cost passed on to patients taking these modes. Furthermore, there are numerous programs that offer free or discounted transportation for medical travel that can be used to access medical providers in the Manhattan CBD at low or no cost.
- The Internal Revenue Service allows for medical tax deductions to the extent that they exceed 7.5 percent of the adjusted gross income of those filing their taxes. This includes a host of travel expenses, including but not limited to vehicle expenses including tolls.

**FAQ: How will this Project affect middle-income drivers?**

- The CBD Tolling Alternative would increase costs for all motorists, at all income levels, who would continue to drive to the Manhattan CBD, unless they are eligible for an exemption. How much those costs would increase would depend on the actual tolling structure.
- Some commenters stated that the proposed CBD toll would in effect be a new tax. However, unlike a new tax, the proposed CBD toll would not apply to everyone. Rather, it would only apply to people who drive into the Manhattan CBD, and only when they drive there. Transit riders already have a cost associated with their travel to the Manhattan CBD since they must pay a fare to use the service, but these costs are not currently paid by drivers using certain routes. A toll to enter the Manhattan CBD for drivers is like the user fee (fare) paid by transit riders.

**FAQ: How will this Project be fair for drivers who cannot reasonably use public transportation, and therefore won't have a reasonable alternative to paying the new toll?**

- For people who continue to drive and pay the toll, the cost of their trip would increase.
- With the proposed new toll, people who currently drive to the Manhattan CBD have several options, which will vary in their feasibility and desirability among drivers. They include, but are not limited to, the following:
  - Continue to drive and pay the toll.
  - Switch modes to a non-vehicular option(s) to avoid the toll.
  - Central Business District (CBD) Tolling Program Environmental Assessment
  - Shift the time of trips to when lower off-peak and overnight toll rates are in effect.
  - Carpool or rideshare and pay and share the cost of the toll.
  - Telecommute, or telecommute more often, to eliminate or reduce the frequency of incurring the toll.
  - Seek new employment opportunities (or other workplace locations with the same employer) at location(s) that would not involve incurring the toll.
  - Relocate their place of residence to a location within the Manhattan CBD or to a location closer to transit.

**FAQ: What are the potential effects of the Project to elderly populations?**

- There is a transit option for reaching most destinations within the Manhattan CBD, including local buses that stop within a block or two of most destinations.
- People over the age of 65 or with a qualifying disability receive a reduced fare on MTA subways and buses
- Elderly individuals with a qualifying disability can also receive MTA's paratransit service, including taxis and FHV's operating on behalf of MTA to transport paratransit users
- Elderly people who drive to or from the Manhattan CBD and are low-income would be entitled to the same mitigation measures and enhancements proposed for all low-income populations with the CBD Tolling Alternative. Other elderly individuals who drive to the Manhattan CBD would pay the full toll.

**FAQ: Will the CBD Tolling Program cause residents to relocate outside of the Manhattan CBD or the region?**

- The Project Sponsors do not anticipate that introduction of the new CBD toll would cause residents to relocate outside of the Manhattan CBD. Indirect residential displacement occurs when a change in socioeconomic conditions resulting from a project leads to conditions that require residents to move, such as increased rents or other increases in the cost of living.
- Implementing the London Congestion Charge (LCC) improved traffic conditions and increased property values in the charge area relative to areas outside the zone. A study of the LCC concluded that new homeowners were willing to pay, on average, 3.6 percent more for homes within the zone to benefit from better air quality and safer roads.