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TRI-STATE TRANSPORTATION CAMPAIGN



Testimony of

Tri-State Transportation Campaign

2016 Joint Legislative Hearing on Transportation

Wednesday, January 20, 2016

Thank you for giving Tri-State Transportation Campaign (TSTC) the opportunity to present testimony on the 2016-2017 Executive Budget for New York State. My name is Nadine Lemmon, and I am the Director of New York & Federal Policy at TSTC, a non-profit policy and advocacy organization working for a more sustainable transportation network. As transportation advocates, we of course were thrilled to hear about the bold plans the Governor has laid on the table for infrastructure in this state. Many of the proposals—like the Third Track on Long Island, revamping Penn Station, and the Hudson Links transit system on the New NY Bridge—have been on our wish list for years. Unfortunately, as they say, the devil is in the details, or in this case, the lack of details.

A Non-Existent Plan for Funding the MTA

The Executive Budget reveals that Governor Cuomo’s plan for funding the MTA’s capital needs is nothing but smoke and mirrors. This budget contains no appropriation for the MTA, not only this year, but in any of the outlying years. There is only a re-appropriation of the \$1 billion from last year’s budget. While we were supportive of the agreement made this summer between Governor Cuomo and Mayor deBlasio to fill the \$11 billion dollar gap in the \$26.9 billion 5-year capital plan, we see now that the Governor had an entirely different idea of “fully funded”.

The Executive Budget redefines the concept of parity between Upstate and Downstate. Upstate drivers will get real dollars put into their roads and bridges, fixed as part of NYSDOT's capital plan, and the New NY Bridge will be receiving \$2 billion total from the bank settlement funds. Instead of comparable cash, the MTA will be given an IOU. This budget leaves the door wide open to be funded with an unsustainable level of debt financing for the MTA.

Drivers will be getting a toll reduction, while downstate transit riders will be saddled with a transit system facing an uncertain future.

We understand that every capital plan has some debt, but the Executive Budget introduces substantial risk to transit riders. As history has shown, unsustainable debt puts pressure on the MTA's operating budget, increasing the likelihood of future fare increases and service cuts, which would disproportionately impact low-income transit riders. There is also the risk that projects will be slowed down, or fall off the table in later years, to push off the State's promised commitment. In fact, the ambiguous language in the Article VII legislation leaves the potential for no money to be put into the MTA by New York State until 2019. By 2019, as the debt bomb is exploding, the Governor's term—and potentially his commitment to this plan—will have ended.

Current budgets and current lawmakers cannot constrain the decisions of future lawmakers. This budget proposal assumes our economy is not subject to financial risk as was seen in 2007-2008. A loss in MTA revenue led to the 2010 fare increases and service cuts.

There should be parity between MTA and Roads and Bridges, but a different kind of parity than you've heard today. The Capital Plan Review Board needs to approve the MTA Capital Program immediately (it has already been delayed one year), and real dollars need to be put into the 2016-2017 budget, along with a clear timeline and certainty of funding sources for the plan.

Inadequate Funding for Non-MTA Transit

Multi-year capital funding is the key to establishing stable transit and transportation systems, across the state. While we applaud the Executive Budget for recognizing the need for a 5-year capital plan for non-MTA transit systems, the amount proposed in the budget (\$295 million) substantially underfunds the

identified needs of these systems. We are particularly concerned that there is no capital funding for downstate suburban transit systems, such as Westchester's Beeline and Nassau County's NICE systems. Just this past Sunday, 11 bus routes were eliminated in Nassau County, in part due to the \$7.5 million gap in NICE's budget. In order to prevent similar cuts to transit, across the state, we urge you to fully-fund the \$500 million gap in New York Public Transit Association's proposed 5-year capital plan.

A Non-Existent List of Projects for NYSDOT

In December 2015, at the Assembly Transportation Committee's hearing on the NYSDOT capital plan, we testified that the process for developing the state's plan for roads and bridges is broken. This Executive Budget continues to prove our point.

While there is a detailed list of projects for the MTA's Capital Plan, there is no list of projects for the Governor's proposed 5-year NYSDOT capital plan. In March 2015, the legislature approved a 2-year capital plan for NYSDOT alongside the state budget. The list of projects for *that* plan is still not available to the public, and the MOU—drafted in conjunction with the legislature—has yet to be signed by the Governor.

Details are sorely lacking in the Executive Budget. For example:

- The Executive Budget's briefing book mentions that the First Phase of transit on New NY Bridge will be funded. Quote: "Included within DOT's Capital Plan is funding to complete the initial phase of the Hudson Links Bus Rapid Transit project." To our knowledge, there is no appropriation to verify that the required \$31 million gap will be filled. This is problematic for a new bus system that is expected to launch in 23 months.
- A press release from the Governor's office on January 5th mentions that NYSDOT "Complete Streets" funding will be used to partially fund the \$100 million Downtown Revitalization Initiative. There is no so-called "Complete Streets" funding that we know of, unless the Governor is referring to the federal dollars dedicated to bicycle, pedestrian and trail infrastructure, via the former Transportation Alternatives Program. If that's the case, is the Governor's plan to siphon off these much-needed dollars for a downtown hunger games? Instead, we ask the legislature to create a dedicated fund

for pedestrian and bicycling infrastructure, funded with at least \$20 million annually, in addition to what is already being spent in the state—so that communities across the state can build this life-saving infrastructure.

- For the past several years, the Bronx community has been calling for the inclusion of \$3 million dollars in NYSDOT’s Capital Plan to fund the environmental review of the reconfiguration of the Sheridan Expressway. Again, without a detailed list of capital projects, there is no way to tell if this funding has been included in this Executive Budget.

The opaque and unregulated process for developing the NYSDOT Capital Plan must change. The state legislature must statutorily require NYSDOT to submit a 5-year Capital Plan, with defined projects, that is subject to public review prior to passage of the state budget and require NYSDOT to report on the progress of the Plan. New York needs its capital planning to be done transparently, comprehensively and in a coordinated, long-term manner. The MTA and NYSDOT capital plans need to be submitted for consideration, at the same time, every five years and based on a 20-year needs assessment analysis. Given that the MOU process has clearly broken down, this needs to be a statutory requirement. It is the only way to assure parity in the system.