



September 24, 2007

Hon. Marc Shaw  
Chair  
New York City Traffic Mitigation Commission  
Extell Development Company  
805 Third Avenue, Seventh Floor  
New York, New York 10022

Dear Chairman Shaw:

As members of a coalition of civic groups, we are sending you a list of questions that we request that your commission research.

We are participating in the Campaign for New York's Future, an alliance of scores of organizations concerned about the growing problems of congestion, air pollution and transit finance in the metropolitan-area.

Our groups are strong supporters of congestion pricing as the approach that best addresses all of these urgent problems. However, we believe there are important questions about the specifics of how to implement such a system for New York City.

We are sending you a non-exhaustive list of questions, which we believe should be included in the Commission's research agenda. Fair and unbiased answers to these issues—many of which were raised by both pricing supporters and critics—would be very helpful as the debate moves forward.

Please let us know how we can best support your efforts moving forward.

Sincerely,

Ruth Acker  
Women's City Club of New York

Sandy Balboza  
Atlantic Avenue Betterment Association

Marcia Bystryn  
New York League of Conservation Voters

Maria Alvarez Castro  
Manhattan Hispanic Chamber of Commerce

Cate Contino  
NYPIRG/Straphangers Campaign

Roger J. Herz  
TIME/To Improve Municipal Efficiency

Peter Kostmayer  
Citizens Committee for New York City

Brad Lander  
Pratt Center for Community Development

Peggy Sheppard  
West Harlem Environmental Action

Kate Slevin  
Tri-State Transportation Campaign

Ron Stein  
Vision Long Island

James Tripp  
Environmental Defense

Louise Vetter  
American Lung Association of the City of New York

Anna Vincenty  
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Paul Steely White  
Transportation Alternatives

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CC: Richard M. Bivone  
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## CONGESTION PRICING AND MITIGATION QUESTIONS

This memorandum briefly discusses questions that have been raised regarding the implementation of congestion pricing. The intent of these questions is not to suggest that they all need to be answered definitively prior to the authorization of a congestion pricing pilot program. Indeed, many cannot be fully resolved until the recommended pilot is implemented and evaluated. In addition to obtaining the best available information, these questions can also guide a discussion of how the program could be fine-tuned as data is collected and analyzed following implementation.

### 86<sup>th</sup> Street

The decision to designate 86<sup>th</sup> Street as the northern boundary of the zone has come under considerable scrutiny for its inclusion of several areas usually considered residential rather than a part of the Central Business District. The City's modeling results should be reviewed and additional model runs done as necessary, with the aim of examining the results against a set of performance criteria to either strengthen the justification for 86<sup>th</sup> Street or to suggest alternatives.

### Peripheral Impacts

In cities that have adopted congestion pricing, traffic reductions occur both inside and outside the zone. This should especially be true in New York along major feeder routes heading to the central business district at peak commute times. While we recognize that traffic models may not always be able to provide fully accurate predictions at the street-by-street level, we ask that you research the anticipated benefits of congestion pricing for communities outside the zone, and especially for those in areas where CBD-bound traffic tends to funnel now. The effects of the pilot program on air quality in these neighborhoods should receive particular attention, both through the examination of anticipated impacts and monitoring of neighborhood air quality once the pilot is in place.

At the same time, we ask that you investigate more thoroughly one of the most frequently cited concerns about congestion pricing, namely the extent to which drivers may park their vehicles just outside the zone, putting pressure on parking in those areas. To address this, there should be an assessment of the relative time, cost and convenience for different choices that drivers could make: a) driving to the periphery and then using transit or taxis to complete their trip, b) continuing to drive into the zone, or c) leaving their vehicles at their trip origins. In all analyses, the differences for various border zones—i.e. Upper East Side, Upper West Side, Brooklyn, Queens—should be identified. To the extent possible, data on parking supply and demand in those neighborhoods should be collected and assessed to better understand the implications for parking, traffic and air quality, including both on and off street supply, current demand, on street regulations and parking prices. Many communities have expressed interest in permit-parking programs, and we would ask that you identify the areas where this solution might be used to offset any potential concerns about increased parking.

### Entry Impacts versus Within District Impacts

To the extent possible, the commission should distinguish between the effects of congestion pricing on traffic at entry points to the zone from effects on traffic within the zone, preferably by time of day. If possible, these distinctions should be examined against a set of pre-established evaluation criteria.

### Exit Charges

Alternatives to the proposal of charging any vehicle entering or exiting the zone (but not more than once in any 24-hour period) should be examined for their impact on simplicity of use, revenues and equity. One potential alternative is to charge only those vehicles entering weekdays between 6 AM and 6 PM.

### Time of Charging Effects

If large numbers of motorists avoid the charge by entering just before the charging period starts or just after it ends, it is possible that localized congestion points could result. There is particular concern about this issue at the Lincoln Tunnel, where inbound evening traffic is already severely congested. Concerns have also been expressed about the impact on particular industries or districts, such as the theater district.

We ask that you evaluate the potential for these unintended consequences and, if any are found, to press for traffic calming and other solutions to reduce them. These effects might be mitigated by having a variable toll where adjusting one's schedule to save the fee may not be as much of a financial incentive. These options could be part of the research and analysis, or a potential adjustment that could be implemented after the pilot is in place and real impacts are analyzed.

### Transit Capacity and Improvements

The MTA's analysis of where the added transit riders might board the existing subways lines, the existing or added bus service, and the existing or added commuter rail service will be important input for making any modifications to the proposal for both congestion pricing and increased transit service. Among the transit improvements under consideration, the Commission should document how LIRR service in Queens will be expanded once East Side Access is in place and how Metro North service to Penn Station can be utilized for Bronx and Upper Manhattan residents as well Hudson Valley and Connecticut commuters. The Commission should also review outstanding requests and studies for new and modified bus routes to reduce congestion and improve connectivity for areas outside the cordon, and consider a policy of buying only low floor buses from this point on to decrease loading and unloading times.

### Resident Charge

Questions have been raised about specifics of the resident charge, for example whether a resident of the zone entering the zone in the charging time should pay the full \$8? We ask the commission to evaluate various scenarios for resident discounts to ensure fairness and integrity of the system and its results.

### Traffic Data Privacy Policy

For compliers and violators respectively, how long will the ANPR (automated number plate recognition) images be retained? How long will the data gleaned from the images be retained?

How will drivers be given assurances that the data destruction has happened? What other safeguards will be adopted to protect privacy and insure due process for drivers?

### Detection Equipment

What equipment will be used and what will they look like? Can the City show the public in advance what the equipment will look like when in place using virtual visual techniques?

### Exemptions and Deductions

The Commission should examine the congestion and revenue impacts of the exemptions and deductions now on the table – exemptions for taxis and through vehicles that use only the periphery roads, and deductions for existing MTA and Port Authority tolls. Should any existing policies be reconsidered, or should additional exemptions, other than the ones in the City's proposal, be considered? All existing or proposed exemptions should be evaluated and justified by the same set of economic, environmental, equity and revenue criteria.

### Education and Monitoring Programs

It is critical that the public understands what is being done, what it is intended to accomplish and how well it is working after implementation. Using London's comprehensive approach for reporting out impacts regularly as a guide, an education and monitoring program should be articulated as early as possible. This should include the strategy for effectively communicating information on how congestion pricing will work, its intended outcomes and benefits prior to implementation, what data will be collected, and how performance will be monitored and reported following implementation.