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To the New York State Department of Transportation:

We are pleased to submit the comments of the Bronx Council for Environmental Quality on the New York State Draft Transportation Master Plan 2050.

BCEQ is a 54-year old all-volunteer, environmental advocacy 501c3 organization dedicated to achieving "a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage." We are among New York City's leading community advocates and active consulting partners with city and state agencies in planning and developing sustainable and resilient clean water through green infrastructure, environmental greenways, accessible waterfronts, living shorelines, nature-based natural features, and stormwater management and mitigation for current and proposed development.

As the poorest county in New York State and the state's leader in rates of respiratory illness, Bronx residents have a special stake in New York States' transportation master planning. Many Bronx neighborhoods are divided and built around the NYSDOT highways. As the only NYC borough connected to the mainland and crucial overland route to New England, the Bronx is linked directly to the upstate NYSDOT transportation system and bears more than its fair share of its critical infrastructure. The public health, socio-economic and environmental legacies of New York State transportation master planning is structural and visible in the Bronx. Every day, they shape our communities.

Our comments focus on several of the 6 goals outlined in the 2050 Master Plan; Community-Responsive and Resilient Transportation System; Environmental Stewardship and Protection, and Economic Competitiveness. Our comments are informed by our environmental priorities: the creation of a linear environmentally productive waterfront greenway along the Bronx bank of the Harlem River; the protection of our waterbodies from highway stormwater runoff; and reduction of air pollution and heat island impacts in overburdened Bronx communities.

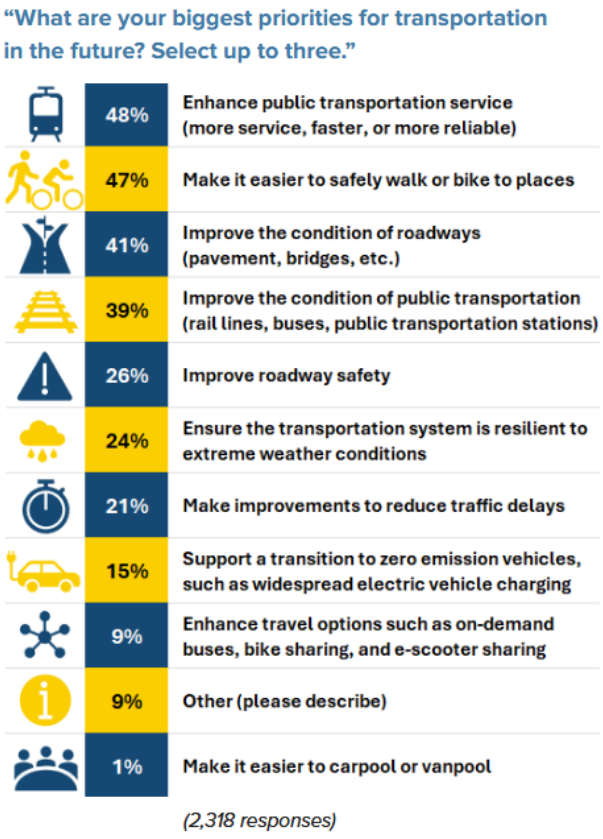
Community Responsive and Resilient Transportation System

We agree with these statements of principle:

"*Recognizing that much has changed in our communities in terms of population and travel patterns, along with the desires of our neighborhoods and communities for more walkable, bikeable, mixed-use environments, maintenance and reconstruction of infrastructure may involve rethinking the design, speeds, and features of transportation infrastructure*" (76)

As proponents and active participants in the design of a Bronx-wide greenway system, we could not be more supportive of shared use and alternative transportation plans that link the Bronx to New York City communities and to New York State. We obtained New York State designation of the Harlem River as a Brownfield Opportunity Area for the purpose of building a new community-based, resilient, shared-use waterfront transportation infrastructure. However, we have yet to see tangible interest from NYSDOT and do not see any tangible commitments in the 2050 Master Plan for achieving this goal in the Bronx. NYSDOT should fund and take a more active role in the emerging greenway system throughout New York City and especially in areas like the Bronx that have been negatively, materially impacted by NYSDOT traditional infrastructure. NYSDOT plans for the development of more community-based transportation systems should note and take constructive advantage of NYS systems such as Empire State Trail and East Coast Greenway.

We emphasize the need for more constructive and visible greenway planning on the basis of this poll:



The demand for safer and more accessible bikeways is second only to that of a functioning public transportation system! Given that there are 14 commuter rail stations in the Bronx, there is no reason why the robust public transportation infrastructure cannot be used to plan and augment shared use bikeways and pedestrian access.

We also agree with this statement of principle of Community Responsive and Resilient Transportation Systems:

> "*As transportation infrastructure requires reconstruction, transportation agencies will not just repair and replace infrastructure but will explore and consider the current and future needs of our communities and reimagine transportation infrastructure to best serve these needs. This will provide a better balance between the variety of travel needs– interstate, regional, local–and modes to ensure that infrastructure best supports community desires. Furthermore, this approach will be proactive in addressing the risks of human-caused threats and natural disasters on our transportation system* (76).

And:

> "*When undertaking infrastructure reconstruction projects, seek opportunities to better serve current and emerging community needs. Rather than simply replacing or maintaining what exists, identify ways to repurpose or redesign infrastructure to enhance safety, connectivity, and travel choices, considering life-cycle costs and return on investment. This could involve downsizing the space dedicated to vehicles*." (78)

From our experience with the proposed design for the New York State DOT 5 Bridges Project in the Bronx and the Kosciuszko Bridge in Brooklyn, we do not see evidence of these principles in action. In fact, we see the opposite: expansion of the traditional highway infrastructure with "sweeteners" that cannot disguise the failure to imagine a transportation future.

The Cross Bronx Expressway is a case in point.

In 2004 The State of New York performed a Major Investment Study (MIS) for the Cross Bronx and Major Deegan. Most of the Deegan work, the Highbridge Interchange and the Hamilton Bridge, has been completed. The Cross Bronx part is only now beginning. The MIS proposed "connector roads" alongside the Cross Bronx Expressway and areas of decking over it to carry part of the service roads for buses and for open space.

A NYC DCP/DOT plan to "Reimagine the Cross Bronx Expressway" was released in 2025, twenty years later, nothing having happened for the Cross Bronx in the interim. It contains some of the same ideas: new side roads, decking/capping and open space. There are stronger links to pedestrian and cycling lanes. It does not include a bus route on the capped portions, moving such Bus Rapid Transit ideas to the south and north. NYSDOT was heavily involved in this plan.

However, actual Cross Bronx Expressway projects are very different. When the current NYSDOT project to replace five bridges was presented in 2016m NYSDOT said the *"Bronx Borough President's Office asked if this project had any connection to the CBE Major Investment Study (MIS) that was done by NYSDOT. NYSDOT responded that while the proposed project does not incorporate the connector roadway recommended in the CBE MIS, it does not preclude that roadway from being implemented in the future."* The presentation said: Temporary three-lane structure south of existing mainline.

Now the idea of a permanent connector road has come back again but there is no plan or design to connect it to anything to the west. A second project at Third and Webster Avenues is at some stage of study or design, again with little or no reference to the 2004 or 2025 work to "fix" the Cross Bronx. There are no plans, or funding, to connect the connectors to each other or to much of anything to the west. We do not see any integration of shared use lanes for pedestrians.

There are more projects in development, including four expansions of the Cross Bronx Expressway near Coop City. We have no information about what two of the "phases" might be. This expansion is taking place within walking distance of a new Metro North Station. Is it possible that the new station might reduce the need for more highway space?

A robust community driven plan to redesign the Cross Bronx puts the buses someplace else. State DOT told us in 2016 that the diversion structure was temporary; after 20 years of planning that is invisible in the actual proposed construction. Even the new connector is only meant to "Improve multi-modal accessibility within the project limits".

NYS DOT is expanding a highway right next to a train station. This is the opposite of coordinated transportation system planning. There are no funded community mitigation projects for the neighborhoods through which the most infamous highway disaster in the country was built: no capping, no sound barriers, no new crossings, no open space expansions or improvements. ere is no For example, there is no green infrastructure to mitigate the air pollution from the trucks and other vehicles. This situation is neither just nor sensible. The Cross Bronx is not a Community Responsive and Resilient Transportation system.

We leave the discussion of the environmental impact of the proposed 5 Bridge connector on the precious parkland and water system of the Bronx River for our comment on "Environmental Stewardship and Protection."

<u>Environmental Stewardship and Protection:</u>

We agree that the protection of the environment requires "[enhancing] active transportation, public transportation, and other travel options so that a substantial portion of personal transportation in urbanized areas occurs by walking, bicycling, on public transportation, or low-carbon options like E-bicycles and E-scooters. Providing more travel options will reduce the need to use a personal

vehicle, which not only supports reduced motor vehicle emissions, but also reduces vehicle ownership needs and supports improved accessibility.

Given the increased truck traffic on Bronx highways caused by congestion pricing traffic diversion on NYS DOT managed highways, we would expect the Bronx to be the perfect place where these alternative transportation is enhanced. We do not see evidence of that commitment in the Bronx's "disadvantaged communities" identified through the Climate Change and Community Leadership statute.

BCEQ has long advocated for permeable asphalt substitutes in the construction of greenways. These materials allow for the infiltration of stormwater runoff in situ, filtering their contaminants and protecting local waterways. But we also believe that NYSDOT can be a national leader in recarbonization, as described here:

> "*Use sustainable materials in construction and maintenance activities that have less environmental impacts. For instance, to reduce embodied carbon in construction, NYSDOT has issued contract provisions that started the voluntary collection of environmental product declarations for concrete, steel, asphalt, and glass materials used in capital construction projects as of January 2024 and mandatory collection starting January 2025*" (84).

We can recarbonize the materials of the transportation Industry, or turn them into "carbon sinks", that protect the urban environment by using green Infrastructure and ecosystem services to offset current levels of pollution. We urge NYSDOT construction to include GI in all landscapes as much as possible to the point of creating 30% protected forest and/or GI, including creating wetlands. A comprehensive plan to reimagine the Cross Bronx Expressway, New England Thruway, Bruckner Expressway, and the Major Deegan Expressway according to environmental stewardship goals would rebuilding all the via ducts and bridges, including stormwater runoff management, to capture carbon.

In the Recarbonization of the Biosphere: Ecosystems and the Global Carbon Cycle (2012), the abstract describes the model we need to adapt. The book explains how the biosphere, including urban lands are potential C sinks, see below:

> *Human activities are significantly modifying the natural global carbon (C) cycles, and concomitantly influence climate, ecosystems, and state and function of the Earth system. Ever increasing amounts of carbon dioxide (CO2) are added to the atmosphere by fossil fuel combustion but the biosphere is a potential C sink. Thus, a comprehensive understanding of C cycling in the biosphere is crucial for identifying and managing biospheric C sinks. Ecosystems with large C stocks which must be protected and sustainably managed are wetlands, peatlands, tropical rainforests, tropical savannas, grasslands, degraded/desertified lands, agricultural lands, and urban lands. However, land-based sinks require long-term management and a protection strategy because C stocks grow with a progressive improvement in ecosystem health.*

In addition, the article "Evidence and attribution of the enhanced land carbon sink", Nature Reviews Earth & Environment, 25 July 2023. This article explains how long term sequestration is possible if nature based climate solutions and appropriate ecosystem management strategies are used:

> *Climate change has been partially mitigated by an increasing net land carbon sink in the terrestrial biosphere; understanding the processes that drive this sink is thus essential for protecting, managing and projecting this important ecosystem service. In this Review, we examine evidence for an enhanced land carbon sink and attribute the observed response to drivers and processes. This sink has doubled from 1.2 ± 0.5 PgC yr−1 in the 1960s to 3.1 ± 0.6 PgC yr−1 in the 2010s. This trend results largely from carbon dioxide fertilization increasing photosynthesis (driving an increase in the annual land carbon sink of >2 PgC globally since 1900), mainly in tropical forest regions, and elevated temperatures reducing cold limitation, mainly at higher latitudes. Continued long-term land carbon sequestration is possible through the end of this century under multiple emissions scenarios, especially if nature-based climate solutions and appropriate ecosystem management are used. A new generation of globally distributed field experiments is needed to improve understanding of future carbon sink potential by measuring belowground carbon release, the response to carbon dioxide enrichment, and long-term shifts in carbon allocation and turnover.*

The sad fact, however, of the NYS DOT system, is that antiquated systems are not retrofit with carbon capture and stormwater resilience until it is expanded. That means that the Bronx, in dire need of environmental mitigation of highway impacts and environmental stewardship of its precious natural resources, will never reach the essential goal of this Master Plan without highway expansion.

The current state of NYSDOT highway repair in the Bronx makes NYSDOT a contributor to water quality impairment. With 14 bridges spanning the Harlem River, NYS DOT and NYC DOT bridges need to give the Bronx a bridge infrastructure that manages and recycles stormwater for productive uses. As designed, these bridges are stormwater pollutant discharge systems that need to be brought to the modern age. The stormwater management for these highways is left to municipalities and their local sewer systems, or when those systems run through parks, on-site park management.

The Major Deegan Expressway, built on a flood plain, is now a flood zone, subject to regular closures during severe rain events. The flooding of the MDE after Hurricane Ida made the Bronx an international spectacle. Any yet to date, zero improvements have been made to the highway corridor, aside from NYC DEP catch basin maintenance. It is time for this off-loading of transportation infrastructure stormwater management from state to municipality to end. Since 1985, stormwater runoff from every bridge cannot discharge into a waterway. The rule is to treat all stormwater to the highest level of the waterbody based on its use. This needs to be a priority for the NYSDOT Master Plan because bridges and roads are part of the waterbody infrastructure system and represent a large share of impervious surfaces across the city.

The highways and bridges that traverse the Bronx are major contributors to the impaired water quality of the Harlem River. Because of the continued stormwater outfalls from scuppers into the

river, NYS DEC has issued a proposal to lower the primary contact recreation use to secondary. While runoff from the bridges are not the only pollutants, that runoff is filled with oils and dirt from the roadways – which have the added complication of temperature, which has a impact on habitat.

The NYSDOT Master Plan needs to adopt stormwater resiliency as an every day goal. The time from shutdown to recovery is unacceptable. Though transportation systems typically build resilience measures against coastal flooding, the Bronx shows us that NYS needs to adopt non-coastal flooding resilience measures as well to avoid system-wide shutdowns. With so many bus depots and train yards in the Bronx, the transportation complex has actually contributed to local flooding. And though they are all located in flood plains, none of them have annualized Stormwater Management Plans publicly available.

The 5 Bridges project adds a source of stormwater runoff when it adds the proposed connector. Though we are in close contact with the NYSDOT team, the expanded highway is an intrusion into a natural area, and subject to rigorous environmental assessment and mitigation. As we enter the public comments on the Environmental Assessment for this project, we are mindful of the fact that the first version of this project is business as usual for the Bronx: constructing highways in sensitive areas that require more protection.

We also believe that NYSDOT has an opportunity and obligation under the public trust doctrine to manage its owned and leased properties to further environmental stewardship and protect the natural environment. As the master lease holder of industrial property in crucial waterfront tax lots in the South Bronx, NYS DOT can and should play lead agency in the master planning of a healthy, accessible waterfront that repurposes these properties for the very goals stated in the Master Plan 2050. Instead, the NYSDOT has been the silent partner in the warehousing of industrial scale facilities, including two carbon-emitting power plants and a Con Ed facility, in the Bronx's poorest communities. In particular, regular monthly maintenance activities are required to increase the recabonization of natural areas - not just responding to complaints.

<u>Strengthen Economic Competitiveness:</u>

We agree that "*New York State [needs] a well-connected transportation network that provides an efficient multimodal system to support the movement of goods vital to industry, including agriculture, and support jobs across our state*" (90).

Multimodal transportation in the Bronx means something quite distinct. Trucks increasingly share city roads with private cars. NYS DOT is ignoring the logistical demands of truck-bound freight coming in and out of NYC and is relying on NYC DOT city streets to serve as makeshift depots. New York City streets are not truck depots.

NYSDOT needs to design A regional freight rail/truck/boat transportation network that removes heavy truck traffic from secondary and tertiary roadways, alleviates idling pollution in dense urban neighborhoods, and speeds the delivery of goods and services to the metropolitan core.
What is needed is a comprehensive regional plan for heavy truck travel into and out of our communities. Satellite distribution centers removed from commercial districts could easily alleviate traffic and congestion that hinder local neighborhood economic development and bring truck idling pollution to our Bronx communities.

These need to be developed so that things can be delivered with the least impact on the quality of life of other economic and social segments in our communities.
Centralization of distribution facilities in the metropolitan core has come at a heavy price. Hunts Point is an unmitigated environmental disaster, creating and exacerbating chronic health problems due to truck idling. Only now do we see electrification coming to the site. Centralization, a longtime NYS logistical goal for freight, has a cost--and a price.

NYMTC needs to adopt guidelines and programs for mitigating exhaust at high volume sites and adopt "do no harm" principles for design, construction, timing and maintenance of its freight transfer facilities, especially as they are located in poor neighborhoods.

The Blue Highway initiative languishes while New York's waterfronts are rezoned to eliminate commercial and freight traffic. State IDA and DOT cooperation is needed with local zoning to ensure that waterfront deindustrialization does not eliminate all water-based distribution.
Blue Highways initiative looks to be mostly focused on Brooklyn. There was an attempt to get the fish market involved in such a thing a long time ago but not much came of it. Why not?
Increased local economic activity will arrive through greater mobility of goods and services; segregation of light and heavy truck traffic to benefit local economies; the reduction of air pollution in neighborhoods; and increased and purposeful investment in local distribution infrastructure.

The elephant in the room: the MTA

If the NYSDOT Master Plan 2050 is to be multimodal, it has to include the impact of railroads in our communities. A transparent NYSDOT master planning process needs to directly engage the MTA with the needs of the communities in which it locates its operations and houses its maintenance facilities. This can lead to a sustainability strategy that mitigates the environmental impacts of large facilities on communities.

While the MTA is heavily invested in the economic development of the East Bronx, it has not adopted a good neighbor policy with respect to the West Bronx. MTA has made the dubious decision to place its maintenance and transfer facilities for its operations on the borough's most precious public asset--its shoreline. MTA tracks follow this shoreline from upstate but those that run through the Bronx are supplemented by facilities and sheds that compound the obstacles for community access to

the Harlem River waterfront and expand the transportation system footprint. MTA sent a clear message to the Bronx when it decided to shift waste transfer operations from the underground facilities of the newly activated Grand Central Terminal to accommodate the direct commuter link with the LIRR. The Bronx has received more than its fair share. These facilities are now found along a stretch of the Harlem River with the poorest neighborhoods in the New York City,

It is not neighborly to have facilities on the waterfront that are filled with garbage, cleaning the cars, or transferring trash. All over the world people treasure waterfronts. MTA has offered no funds or design to improve waterfronts in exchange for using them as industrial facilities.
NYSDOT should acknowledge that the achievement of their laudable goals for Master Plan 2050 depend upon the cooperation and coordination of the Bronx. Given the proximity of highways and railroads in the borough connected to both city and state, we believe that this coordination should and can happen in the Bronx.

Thank you for your consideration of our comments. We are ready and willing to engage with further dialogue with the New York State Department of Transportation on both the Master Plan 2025 and individual projects as we pursue the goal of a greener, healthier Bronx. We are happy to meet with you to discuss further. Contact Karen Argenti at karen@bceq.org to make arrangements.

Sincerely,

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