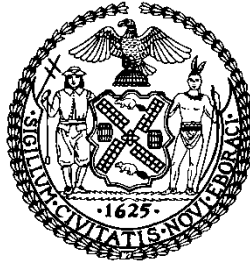


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THE COUNCIL OF THE CITY OF NEW YORK

COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION
Matthew Gewolb, Legislative Director

COMMITTEE ON TRANSPORTATION

Hon. Ydanis Rodriguez, Chair

November 12, 2015

Oversight - Next Stop: Exploring Methods of Connecting Transportation Deserts

INT. NO. 964:

By Council Members Rodriguez, Chin, Crowley, Johnson, Koo, Mendez, Richards, Rose and Dickens

TITLE:

A Local Law in relation to a study to be conducted by the department of transportation determining the feasibility of building a light rail system in the city of New York.

INT. NO. 965:

By Council Members Rodriguez, Constantinides, Arroyo, Chin, Cumbo, Gentile, Johnson, Mendez, Palma, Richards, Rose and Dickens

TITLE:

A Local Law to amend the New York city charter, in relation to a study regarding transportation deserts.

CHARTER:

Amends chapter 71 by adding a new section 2907.

RES. NO. 670:

By Council Members Miller, Eugene, Gentile, Johnson, Richards, Cohen, Wills and Van Bramer

TITLE:

Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

RES. NO. 903:

By Council Member Rodriguez

TITLE:

Resolution calling upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

INTRODUCTION

On November 12, 2015, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Int. No. 964, a Local Law in relation to a study to be conducted by the department of transportation determining the feasibility of building a light rail system in the city of New York; Int. No. 965, a Local Law in relation to a study regarding transportation deserts; Res. No. 670, a Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses, and allow for free transfers between commuter rail and New York City Transit subways and buses; Res. No. 903, a Resolution calling upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors; and on the oversight topic “Next Stop: Exploring Methods of Connecting Transportation Deserts.” The Committee expects to hear testimony from the New York City Department of Transportation (“DOT”) and other interested stakeholders.

BACKGROUND

A “transportation desert” (also known as a “transit desert”) is a relatively new public policy concept that describes an area containing a large contingent of transit-dependent populations with limited automobile access where the level of mass transit service does not adequately service such populations.¹ Those who live in transit deserts face restricted mobility and limited access to jobs, amenities, and in some cases, fresh food.

New York City’s mass transportation network was initially planned to provide reliable

¹ Junfeng Jiao and Maxwell Dillivan, *Transit Deserts: The Gap between Demand and Supply*, Journal of Public Transportation, Vol. 16, Issue 3, 23 (2013), available at <http://www.nctr.usf.edu/2013/10/transit-deserts-the-gap-between-demand-and-supply/#sthash.begwwwAf.dpuf>.

travel for commuters into and out of Manhattan, but over the past 20 years, there has been a major increase in the number of residents who both live and work outside of Manhattan.² Even though New York City boasts the largest public subway system in the world and an expansive bus system with 238 local, 7 Select Bus Service, and 62 express routes as of the end of 2014, residents who both live and work outside of Manhattan often lack time- and cost-competitive transit options.³ Travel is particularly difficult between the outer boroughs, even as economic development has increased significantly outside of Manhattan.⁴ Some major job centers located in areas with less-than-adequate public transit service include the Hunts Point Food Distribution Center in the Bronx, with over 20,000 employees; John F. Kennedy International Airport in Queens, with over 55,000 employees; and the Kings County-SUNY Downstate medical campuses in Brooklyn, with over 20,000 employees.⁵

Transportation deserts in New York City disproportionately affect lower-income residents, especially as housing prices rise and push the lower-income population further toward the edges of the outer boroughs.⁶ Over 750,000 New Yorkers travel more than one hour each way to work, with two-thirds of such commuters earning less than \$35,000 a year.⁷ By contrast, just six percent of these extreme commuters earned more than \$75,000 a year.⁸ Moreover, immigrants and people of color are much more likely than white New Yorkers to have long

² Center for an Urban Future, *Behind the Curb* (Feb. 2011), available at <https://nycfuture.org/research/publications/behind-the-curb>.

³ Metropolitan Transportation Authority, Facts and Figures, <http://web.mta.info/nyct/facts/ridership/index.htm> (last accessed Nov. 7, 2015).

⁴ Center for an Urban Future, *supra* note 2, at 4-5.

⁵ *Id.* at 6.

⁶ Rockefeller Foundation, *Mobility and Equity for New York's Transit-Starved Neighborhoods* (Dec. 2013), available at <https://www.rockefellerfoundation.org/blog/mobility-equity-new-yorks-transit/>.

⁷ *Id.*

⁸ Pratt Center for Community Development, Long Commutes for Low Wages, <http://prattcenter.net/research/long-commutes-low-wages> (last accessed Nov. 7, 2015).

commutes.⁹ Therefore, identifying transportation deserts with the aim to improve New York City's mass transit system is both a significant quality-of-life issue for many New Yorkers and important to the City's economic development.

Given the context of New York City's relatively robust mass transit system, and the fact that most New Yorkers are mass transit-dependent, the concept of a "transportation desert" may need to be expanded to mean more than simply an area that lacks access to mass transit such as subways and buses. For City residents, those with hour-plus commutes, multiple transfers or having to pay multiple fares, or who live areas where mass transit is not particularly accessible to those who are older, mobility-challenged, or traveling with small children face considerable transit challenges.¹⁰

Light Rail

According to some transit advocates, one relatively cost-effective way to address transit access in transportation deserts is to expand the network with light rail systems. Light rail is often described as an electric railway system characterized by its ability to operate single cars or short trains along exclusive rights-of-way at ground level, on aerial structures, in subways, or occasionally, in streets and to board and discharge passengers at track or car floor level.¹¹ While light rail is used in major cities throughout the United States—including Boston, Los Angeles, and Philadelphia, and in cities as close as Jersey City—New York City has not yet introduced light rail to the mix of its public transit system.¹² This has not been for a lack of advocacy; various light rail proposals have been put forward for at least a decade. In Staten Island, there

⁹ Center for an Urban Future, *supra* note 2, at 12 ("White residents have an average commute time of 36 minutes, whereas Hispanic residents have an average commute of 41 minutes, Asian residents 42 minutes and Black residents 47 minutes.").

¹⁰ Dani Simons, *Transit Deserts Leave New Yorkers Thirsting for Access to Jobs*. STREETS BLOG, Nov. 22, 2011, <http://www.streetsblog.org/2011/11/22/transit-deserts-leave-new-yorkers-thirsting-for-access-to-jobs/>.

¹¹ American Public Transportation Association, *This is Light Rail* (2000), available at http://www.apta.com/resources/reportsandpublications/Documents/light_rail_bro.pdf.

¹² *Id.*

have been two significant light rail proposals in recent years: a North Shore Rail Line, which never progressed because bus rapid transit was selected as the preferred mode instead, and a West Shore Rail Line, being pushed by the Staten Island Economic Development Corporation.¹³ In Manhattan, light rail proposals for 42nd Street date as far back as 1994 and a citizen's initiative known as "vision42" has attempted to revive enthusiasm and support for light rail that would run cross town on 42nd Street.¹⁴ A proposal for a light rail line between Astoria and Red Hook along the Queens-Brooklyn waterfront has been discussed as recently as this past summer.¹⁵

ANALYSIS OF INT. NO. 964

Section one of Int. No. 964 would require DOT to conduct a study determining the feasibility of developing a light rail system within the City. The study would have to include recommendations related to light rail options that would increase access to mass transit in areas that have been identified as lacking adequate mass transit options.

Section two of would require the study to be submitted to the Mayor and the Council and posted on DOT's website within one year, if feasible, but in no event later than two years, after the local law's enactment.

Section three states that the local law would take effect immediately.

ANALYSIS OF INT. NO. 965

Section one of Int. No. 965 would amend Chapter 71 of the Charter by adding a new Section 2907 entitled "Transportation desert study." New subdivision a of the section would

¹³ Ken Paulsen, *Reality Check for Staten Island Rail Plans*, STREETS BLOG, Jul. 12, 2008, http://www.silive.com/transportation/index.ssf/2008/07/reality_check_for_staten_islan.html; Nicolas Rizzi, *Campaign to Bring Light Rail to Staten Island Restarts*, DNAINFO, Aug. 18, 2014, <http://www.dnainfo.com/new-york/20140818/elm-park/campaign-bring-light-rail-staten-island-restarts>.

¹⁴ *Light-Rail Push for 42nd Street Gets Rolling*, CRAIN'S NEW YORK, Jun. 19, 2013, available at <http://www.crainnewyork.com/article/20130618/TRANSPORTATION/130619866/light-rail-push-for-42nd-street-gets-rolling>.

¹⁵ Emma Whitford, *Is It Maybe, Possibly, Actually Time For A Brooklyn-Queens Waterfront Streetcar?*, GOTHAMIST, Jul. 5, 2015, http://gothamist.com/2015/07/31/is_it_maybe_possibly_actually_time.php.

define “census tract” to mean the geographic unit ascribed to that term by the United States Bureau of the Census in the most recent decennial census.

New subdivision b would require DOT to conduct a study once every five years identifying areas in the City that fit the following descriptions: census tracts in which no subway stops are located within one-third of a mile from where a majority of residents live; census tracts in which no subway stops or bus stops are located within one-third of a mile from where a majority of residents live; census tracts in which the daily round-trip commute of a majority of residents takes more than three hours in the aggregate; census tracts in which the daily round-trip commute of a majority of residents takes more than three hours in the aggregate and requires two or more transfers between modes of mass transit; and any areas that otherwise might be described as lacking access to reliable and/or frequent public transit service according to criteria established by DOT. It would further require the study to include recommendations related to improving access to mass transit in such identified areas and require that it be submitted to the Mayor and the Council and posted on DOT’s website by July 1, 2016 and on July 1 of every fifth year thereafter.

Section two states that the local law would take effect immediately.

ANALYSIS OF RES. NO. 670

Res. No. 670 would state that on March 21, 2015, the MTA raised fares on trains, buses, bridges, tunnels and commuter rail across their entire system and that the MTA has raised fares for riders on five separate occasions in the past eight years and plans to raise fares again in 2017. It would further state that at a New York City Transit (NYCT) monthly board meeting on March 23, 2015, NYCT President Carmen Bianco acknowledged increases in system delays and wait times for riders.

The Resolution would point out that the MTA presently has several subsidy programs for travel within specific areas, including the CityTicket program, which charges \$4.25 on Metro North and Long Island Rail Road travel within City limits exclusively on weekends; the \$3 intermediate fare for all Metro North travel within the Bronx; the \$3.25 fare for all off-peak LIRR travel within Zone 3, which includes 14 stops in eastern Queens. It would explain that CityTicket has specific restrictions, including that it is only available on weekends; it cannot be used to transfer trains at junction points, even when remaining within city limits; it is only available on the date of purchase; it cannot be purchased on board trains; it is not available on the New Haven Line between Manhattan and Fordham station; and it does not provide free transfers between commuter rail and subways and buses.

The Resolution would note that on weekdays, when CityTicket is not in effect and a larger number of commuters are traveling, fares for commuter rail are over 50 percent higher, with peak fares from Penn Station to LIRR stations in Queens totaling between \$8.25 and \$10; peak fares between Grand Central Terminal and Metro North Stations in the Bronx totaling \$8.75; and the peak fare between Atlantic Terminal and Jamaica is \$10.

The Resolution would state that, according to testimony from the Tri-State Transportation Campaign at a February 10¹, 2015 hearing of the Committee on Transportation, the percentage of New Yorkers spending an hour or more to get to work has increased by 20 percent over the past few years and two-thirds of this group make less than \$35,000 per year, highlighting the financial burdens of higher fares and longer commutes.

The Resolution would state that, according to MTA data, travel time via commuter rail within New York City is considerably faster than comparable subway and bus trips, with trips between Grand Central Station and several stations in the Bronx taking 50 percent less time; trips

between Penn Station and outer Queens stations taking over 50 percent less time and trips between Jamaica Station in Queens and Flatbush Avenue in Brooklyn taking nearly 75 percent less time.

Finally, the Resolution would call upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

ANALYSIS OF RES. NO. 903

Res. No. 903 would note that the New York City subway system is experiencing record high ridership levels, exposing the limits of its ability to accommodate increasing demand, and that continued population and job growth throughout the City, and specifically in the boroughs outside of Manhattan, is expected to further strain the City's public transit system.

The Resolution would further note that there are rail lines throughout the City that have the potential to accommodate increased levels of passenger service than they do today and would offer as an example of an underused rail corridor the Long Island Rail Road's Montauk Line between Long Island City and Jamaica in Queens, which last saw passenger service in the 1990s and now only serves a few overnight freight trains. The Resolution would go on to offer other examples including the abandoned Rockaway Beach Branch between Ozone Park and Rego Park in Queens and the New York Connecting Railroad (including the Bay Ridge Branch and the Fremont Secondary) between Bay Ridge, Brooklyn, and Woodside, Queens, which is only used by freight trains.

The Resolution would note that many proposals have been put forward over the years for increased passenger service using existing rights-of-way, including the Regional Plan Association's

Triboro Rx plan for a line connecting the Bronx, Queens, and Brooklyn and that the Metropolitan Transportation Authority's Twenty-Year Capital Needs Assessment, released in October 2013, identifies the Bay Ridge Branch and the Rockaway Beach Branch as possible options for new service. It would further note that the Assessment asserts that converting existing rights-of-way to allow for increased passenger service "could help reduce land acquisition and construction costs, and facilitate construction time in densely developed areas."

The Resolution would state that in order to begin the process of better connecting relatively-isolated communities with the mass transit system at a fraction of the cost of building completely new rail lines, a thorough examination of the possibilities for increased use of existing rights-of-way is needed and would call upon the MTA to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

Int. No. 964

By Council Members Rodriguez, Chin, Crowley, Johnson, Koo, Mendez, Richards, Rose and Dickens

A Local Law in relation to a study to be conducted by the department of transportation determining the feasibility of building a light rail system in the city of New York

Be it enacted by the Council as follows:

Section 1. The commissioner of the department of transportation of the city of New York shall conduct a study determining the feasibility of developing a light rail system within the city of New York. Such study shall include recommendations related to light rail options that would increase access to mass transit in areas that have been identified as lacking adequate mass transit options.

§ 2. Such study shall be submitted to the mayor and the council and posted on the website of the department of transportation within one year, if feasible, but in no event later than two years, after enactment of this local law.

§ 3. This local law shall take effect immediately.

wjp
LS #3905
3/24/15; 3:48 p.m.

Int. No. 965

By Council Members Rodriguez, Constantinides, Arroyo, Chin, Cumbo, Gentile, Johnson, Mendez, Palma, Richards, Rose and Dickens

A Local Law to amend the New York city charter, in relation to a study regarding transportation deserts

Be it enacted by the Council as follows:

Section 1. Chapter 71 of the New York city charter is amended by adding a new section 2907 to read as follows:

§ 2907. Transportation desert study.

a. For purposes of this section, the term “census tract” has the meaning ascribed to such geographic unit by the United States bureau of the census in the most recent decennial census.

b. The commissioner shall conduct a study once every five years identifying areas in the city of New York that fit the following descriptions: (1) census tracts in which no subway stops are located within one-third of a mile from where a majority of residents live; (2) census tracts in which no subway stops or bus stops are located within one-third of a mile from where a majority of residents live; (3) census tracts in which the daily round-trip commute of a majority of residents takes more than three hours in the aggregate; (4) census tracts in which the daily round-trip commute of a majority of residents takes more than three hours in the aggregate and requires two or more transfers between modes of mass transit; and (5) any areas that otherwise might be described as lacking access to reliable and/or frequent public transit service according to criteria established by the commissioner. Such study shall include recommendations related to improving access to mass transit in such identified areas.

c. Such study shall be submitted to the mayor and the council and posted on the department’s website by July 1, 2016 and on July 1 of every fifth year thereafter.

§ 2. This local law shall take effect immediately.

WJP

LS#3298

12/30/14; 1:50 p.m.

Res. No. 670

Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

By Council Members Miller, Eugene, Gentile, Johnson, Richards, Cohen, Wills and Van Bramer

Whereas, On March 21st, 2015, the MTA raised fares on trains, buses, bridges, tunnels and commuter rail across their entire system; and

Whereas, The MTA has raised fares for riders on five separate occasions in the past eight years and plans to raise fares again in 2017; and

Whereas, At a New York City Transit (NYCT) monthly board meeting on March 23rd, 2015, NYCT President Carmen Bianco acknowledged increases in system delays and wait times for riders; and

Whereas, The MTA presently has several subsidy programs for travel within specific areas, including the CityTicket program, which charges \$4.25 on Metro North and Long Island Rail Road travel within city limits exclusively on weekends; the \$3 intermediate fare for all Metro North Travel within the Bronx; the \$3.25 fare for all off-peak LIRR travel within Zone 3, which includes 14 stops in eastern Queens; and

Whereas, CityTicket has specific restrictions, including that it is only available on weekends; it cannot be used to transfer trains at junction points, even when remaining within city limits; it is only available on the date of purchase; it cannot be purchased on board trains; it is not available on the New Haven Line between Manhattan and Fordham station; and it does not provide free transfers between commuter rail and subways and buses; and

Whereas, On weekdays, when CityTicket is not in effect and a larger number of commuters are traveling, fares for commuter rail are over 50% higher, with peak fares from Penn Station to LIRR stations in Queens totaling between \$8.25 and \$10; peak fares between Grand

Central Terminal and Metro North Stations in the Bronx totaling \$8.75; and the peak fare between Atlantic Terminal and Jamaica is \$10; and

Whereas, According to testimony from the Tri-State Transportation Campaign at a February 10th, 2015 hearing of the Council of the City of New York's Committee on Transportation, the percentage of New Yorkers spending an hour or more to get to work has increased by 20% over the past few years and two-thirds of this group make less than \$35,000 per year, highlighting the financial burdens of higher fares and longer commutes; and

Whereas, According to MTA data, travel time via commuter rail within New York City is considerably faster than comparable subway and bus trips, with trips between Grand Central Station and several stations in the Bronx taking 50% less time; trips between Penn Station and outer Queens stations taking over 50% less time and trips between Jamaica Station in Queens and Flatbush Avenue in Brooklyn taking nearly 75% less time; now, therefore, be it

Resolved, That The Council of the City of New York calls upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

LS#4489
3/31/15
RM

Res. No. 903

Resolution calling upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

By Council Member Rodriguez

Whereas, The New York City subway system is experiencing record high ridership levels, exposing the limits of its ability to accommodate increasing demand; and

Whereas, Continued population and job growth throughout the City, and specifically in the boroughs outside of Manhattan, is expected to further strain the City's public transit system; and

Whereas, There are rail lines throughout the City that have the potential to accommodate increased levels of passenger service than they do today; and

Whereas, One example of an underused rail corridor is the Long Island Rail Road's Montauk Line between Long Island City and Jamaica in Queens, which last saw passenger service in the 1990s and now only serves a few overnight freight trains; and

Whereas, Other examples include the abandoned Rockaway Beach Branch between Ozone Park and Rego Park in Queens and the New York Connecting Railroad (including the Bay Ridge Branch and the Fremont Secondary) between Bay Ridge, Brooklyn, and Woodside, Queens, which is only used by freight trains; and

Whereas, Many proposals have been put forward over the years for increased passenger service using existing rights-of-way, including the Regional Plan Association's Triboro Rx plan for a line connecting the Bronx, Queens, and Brooklyn; and

Whereas, The Metropolitan Transportation Authority's Twenty-Year Capital Needs Assessment, released in October 2013, identifies the Bay Ridge Branch and the Rockaway Beach Branch as possible options for new service; and

Whereas, The Assessment asserts that converting existing rights-of-way to allow for increased passenger service “could help reduce land acquisition and construction costs, and facilitate construction time in densely developed areas”; and

Whereas, In order to begin the process of better connecting relatively-isolated communities with the mass transit system at a fraction of the cost of building completely new rail lines, a thorough examination of the possibilities for increased use of existing rights-of-way is needed; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

LS# 5878
10/27/2015
JM