

0. [Foreword]

0.1 BACKGROUND AND TIMING

The MTA Reform and Traffic Mobility Act (the Traffic Mobility Act) was passed by the New York State Legislature in April 2019 with the goal of reducing traffic congestion within the Manhattan Central Business District (CBD) and creating a dedicated revenue stream to fund the Metropolitan Transportation Authority’s (MTA) 2020–2024 Capital Program, as well as any successor programs. To meet these goals, the Traffic Mobility Act directed the Triborough Bridge and Tunnel Authority (TBTA), an affiliate of the MTA, to establish a plan to charge tolls for vehicles entering or remaining in the Manhattan CBD. The resulting tolling program, known as the Central Business District Tolling Program (i.e., the Project), is being proposed by TBTA in partnership with the New York State Department of Transportation (NYSDOT) and the New York City Department of Transportation (NYCDOT) (collectively, the Project Sponsors). The Project would address the need to reduce vehicle congestion in the Manhattan CBD and create a new local, recurring funding source for MTA’s capital projects.

The Project Sponsors are seeking the acceptance of the Project into the Federal Highway Administration’s (FHWA) Value Pricing Pilot Program (VPPP), through which FHWA can provide tolling authority to state, regional, or local governments to implement congestion pricing programs. When FHWA reviews an application to the VPPP, it must evaluate the potential environmental effects of the proposed action in accordance with the National Environmental Policy Act (NEPA).

In March 2021, the Project Sponsors received approval from FHWA to proceed with a NEPA Class III (Environmental Assessment [EA]) action under 23 Code of Federal Regulations (CFR) Part 771. NEPA Class III actions are those in which the significance of the environmental impact is not clearly established. The CBD Tolling Program EA was prepared to determine the effects of the Project on the built and natural environment.

Meaningful opportunities for public participation and engagement in the Project were initiated with an early outreach period from August 26, 2021, through April 27, 2022. During this eight-month period, over 7,000 comment submissions were received. From September through December 2021, the Project Sponsors held 19 public information webinars, soliciting input from the public, with nine of the sessions specifically focused on environmental justice communities. Over 1,000 individuals participated in the webinars and nearly 400 people provided commentary. Recordings of the public information webinars had generated more than 18,000 views on YouTube as of December 2022. Further, the Project Sponsors convened an Environmental Justice Stakeholder Working Group and an Environmental Justice Technical Advisory Group—which met two and three times, respectively, during the early outreach period. The early outreach period was influential in developing the EA in a manner that would speak to the questions and concerns of the public, especially those of environmental justice communities.

The EA was completed and made available to the public on August 10, 2022. The publication of the EA initiated a 30-day formal public comment period. The public comment period was subsequently extended by 14 days to September 23, 2022, in response to requests for an extension. During this 44-day comment window, more than 14,000 individual submissions and more than 55,000 form letters were received. Many of the submissions had multiple comments, resulting in over 22,000 individual comments during this period. Comments were collected by the Project Sponsors and FHWA through a combination of email, traditional mail, voicemail, fax, and an online form, as well as through oral testimony provided at six virtual public hearings on the EA. During the virtual hearings, 552 speakers offered oral testimony and many more participated during the livestream or watched later via the Project website or YouTube (over 11,200 views as of December 2022). Following the release of the EA, the Project Sponsors held one additional meeting with the Environmental Justice Stakeholder Working Group, and four additional meetings with the Environmental Justice Technical Advisory Group, to further engage with environmental justice communities.

0.2 ABOUT THE FINAL EA

Based on feedback received during the public comment period, and during the additional Environmental Justice Technical Advisory Group discussions, as well as guidance from FHWA, the EA was revised, resulting in a Final EA for the CBD Tolling Program. Throughout the remainder of this document, where the term “EA” is used, it refers to the Final EA as made available to the public in 2023, unless otherwise specified.

The Final EA incorporates revisions and provides new and/or updated information in response to public comments. Importantly, it provides more specificity on earlier mitigation and enhancement commitments, and adds an additional package of mitigation measures to address concerns raised during the public comment period and in discussions with the Environmental Justice Technical Advisory Group.

0.3 DIFFERENCES BETWEEN THE EA AND FINAL EA

Within the Final EA, where text has been changed from the EA document submitted for public review in August 2022, it is shown in square brackets using italics and bold font (e.g., ***[this is how edited text is marked]***). Where figures or entire tables have been changed, the title of the figure or table is in square brackets using italics and bold font. The revisions are marked in this way to be clearly distinct and visible to readers.

Most of the text in the Final EA remains unchanged from the August 2022 EA. **Table 0-1** below details substantive new or updated information provided in the Final EA. In addition to these updates, text errors were corrected in multiple chapters. Text error corrections are also marked as changed.

Notably, four chapters/appendices are entirely new. To indicate that they are new, the title of these chapters/appendices are marked in square brackets, with text that is bold and italicized. These chapters/appendices include the following:

- **“Foreword”** – this chapter, which explains the process and updates reflected in the Final EA.
- **Appendix 17D, “Technical Memorandum: Considerations for Environmental Justice Communities with Existing Pollution or Health Burdens”** – examines how environmental justice communities with pre-existing air pollution and health burdens could be affected by Project-generated increases or decreases in highway traffic adjacent to these areas – a concern that was raised during the public comment period and in discussions with the Environmental Justice Technical Advisory Group and Environmental Justice Stakeholder Working Group. The Technical Memorandum is a supplemental discussion to the quantitative air quality analysis presented in the EA and informs an expanded **Chapter 17, “Environmental Justice.”**
- **Appendix 17E, “Approach to Mitigating the Effect of CBD Tolls on Low-Income Frequent Drivers”** – provides background information about the development of mitigation to address a potential adverse effect on low-income frequent drivers.
- **Appendix 18, “Agency Coordination and Public Participation”** – contains comments and responses collected during the formal comment period in 2022, as described above. It includes the following sections:
 - **18A: Responses to Frequently Received Comments**
 - **18B: Index of All Submissions**
 - **18C: Comments and Responses** (this includes specific responses, but in many instances references the **Responses to Frequently Received Comments** in **Appendix 18A**)
 - **18D: Form Letter Submissions**

Table 0-1. New and Updated Information in the Final EA, by Chapter or Appendix

CHAPTER/ APPENDIX	LOCATION	NEW AND UPDATED INFORMATION
Chapters	“Executive Summary”	Updates to reflect changes made in all other chapters
	Chapter 2, “Project Alternatives”	Corrections to Alternative O-2 in Table 2-2, as well as additions to the table’s notes
	Chapter 3, “Environmental Analysis Framework”	Includes analysis of new mitigation commitments in relation to the conclusions of the EA
	Chapter 4A, “Regional Transportation Effects and Modeling”	Updates figures and tables summarizing commuting costs to reflect the effective toll rate in MTA’s Staten Island Resident Rebate Program
	Chapter 5C, “Social Conditions: Public Policy”	Reflects latest information on New York State’s Climate Leadership and Community Protection Act
	Chapter 6, “Economic Conditions”	Reflects additional analysis on effects to small businesses, and incorporates new mitigation measures
	Chapter 10, “Air Quality”	Includes a direct link to the electronic versions of all the MOVES modeling conducted for the Project; provides additional detail on the PM microscale analysis; and clarifies conclusions for the 12-county air quality study area
	Chapter 16, “Summary of Effects”	Reflects updates to previously identified mitigation and enhancement measures, details about how and when these measures will be implemented, and adds new mitigation commitments ¹ ; also includes analysis of new mitigation commitments in relation to the conclusions of the EA
	Chapter 17, “Environmental Justice”	Summarizes supplemental data and additional analysis of existing health and pollutant burdens, and incorporates new mitigation measures
Appendices	Chapter 18, “Agency Coordination and Public Participation”	Includes additional outreach activities that took place after the EA was released for public review
	Appendix 4A.3, “Representative Commuting Costs by Auto and Transit”	Updates to reflect the effective toll rate in MTA’s Staten Island Resident Rebate Program
	Appendix 17, “Environmental Justice”	Includes new Appendix 17D, Technical Memorandum and Appendix 17E, Approach to Mitigation for Low-Income Frequent Drivers
	Appendix 18, “Agency Coordination and Public Participation”	New appendix including all comments received during the formal comment period in 2022 and responses to those comments
	Appendix 19, “Section 4(f) Correspondence”	An unsigned letter from Mark Eberle, National Park Service was replaced with a signed copy of the letter

Note: ¹ Updated information on mitigation and enhancement measures was also incorporated throughout the following chapters and within the concluding sections of Subchapter 4C, “Transit”; Subchapter 4E, “Pedestrians and Bicycles”; Chapter 6, “Economic Conditions”; Chapter 7, “Parks and Recreational Resources”; Chapter 8, “Historical and Cultural Resources”; Chapter 10, “Air Quality”; Chapter 13, “Natural Resources”; Chapter 14, “Asbestos-Containing Materials, Lead-Based Paint, Hazardous Wastes, and Contaminated Materials”; Chapter 15, “Construction Effects”; and Chapter 17, “Environmental Justice.”