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October 12, 2009

Paul A. DeCotis
Deputy Secretary for Energy
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

RE: NYSMPO Comments on Draft 2009 New York State Energy Plan

Dear Mr. DeCotis:

On behalf of the New York State Metropolitan Planning Organizations Association (NYSMPO), thank you for the opportunity to review and comment on the draft *2009 New York State Energy Plan* ("Draft Plan"). Per the comments provided by NYSMPO on the *2009 New York State Energy Plan – Interim Report* ("Interim Report") on May 15, 2009, we continue to support Governor Paterson's leadership in addressing the energy and Greenhouse Gas (GHG)-related issues facing New York State.

NYSMPO is encouraged by the incorporation of several of our suggestions as provided in our previous comments. Specifically, we are most pleased with the 1.) recognition that the next Federal surface transportation authorization legislation is an excellent opportunity to further incorporate energy into the national vision for transportation; namely, additional support for public transportation; and 2.) increased emphasis on engaging non-State entities including regional and local entities in a cooperative manner.

NYSMPO would like to reiterate and add to several of our comments on the Interim Report in the hope that they can be included in the final *2009 New York State Energy Plan* ("Final Plan"):

- The New York State Department of Transportation (NYSDOT) released the *2010-2015 Capital Program* on October 8, 2009. Given the completion of this program and the significant progress made by NYSMPO members in developing their regional Transportation Improvement Programs (TIPs) that will allocate Federal transportation funds for the next five Federal fiscal years, the schedule for completing the Final Plan is less than preferable. However, the Metropolitan Transportation Plans (MTPs) that provide the frameworks for making investment decisions through the TIPs are generally consistent with and supportive of what will likely be the recommendations of the Final Plan, given the Federally-required fiscal constraint component for MTPs and TIPs.
- The Draft Plan references transit-oriented development (TOD) several times; all of which are in the context of the New York City Metropolitan Area. Per our previous comments, "transportation-efficient development" that creates walkable communities, supports TOD *and* transit-supportive development, and encourages mixed-use and concentrated development patterns in all metropolitan areas of the State should be promoted to reduce vehicle miles traveled.

Reference a recently completed NYSMPO shared-cost study on transit supportive development at http://www.nysmpos.org/transit_supportive_dev.html.

- The Draft Plan does not identify how the State will support greater integration of land use and transportation through the SEQRA process undertaken by local governments. While the Draft Plan recommends that “[a]ll State agencies should consider transportation choices, energy use, energy conservation, and climate change as part of their State Environmental Quality Review Act (SEQRA) reviews when they are lead agencies”, the majority of development that will impact these considerations is driven by the private sector and approved by local governments. The Final Plan provides the opportunity to provide education and guidance to local governments through the SEQRA process and this opportunity should not be missed.
- Executive Order 24 requires the development of a Climate Action Plan to reduce GHG emissions 80 percent below 1990 levels by 2050. This will require significant reductions from the on-road transportation sector that NYSMPO members address via their Federally-required policy, planning, and investment decision making processes. As such, NYSMPO respectfully requests that its members be fully engaged from the onset of development of this Climate Action Plan as many of the physical and programmatic improvements necessary to meet the “80 by 50” goal will be determined via their Policy Committees.
- The Draft Plan states that “[w]ithin the time horizon of this Plan, the State Sea Level Rise Task Force and the NYC Climate Change Adaptation Task Force will examine the needs and costs associated with implementing adaptive and protective measures to address the impending sea-level rise on the energy system’s major components.” Adaptation and protection measures to address transportation infrastructure components must also be included in this examination. Given the lead time required to develop and finance transportation projects, NYSDOT and the state’s MPOs should be provided with uniform guidance on the forecasted impact of sea-level rise.
- The Draft Plan states that “the state should expand transportation choices to users of the transportation system. This includes enhanced public transportation service and carpooling/ride-matching services for commuters and intercity rail, as well as waterborne services, for shippers. In this way the State will meet the statewide goal of reducing VMT 10 percent below projected levels by 2020.” It also states that “expanding mass transit options, in combination with using cleaner-burning fuels for cars and buses, linking land use with transportation planning, and keeping roadways and the transportation system in good working order, will lessen traffic congestion, reduce energy use, and also contribute to better air quality and public health”. Accordingly there should be more emphasis on parking cash out for state agencies. In addition the state should develop and implement a cohesive carpool/vanpool plan, which in many regions can be coordinated with existing and planned MPO carpool/vanpool initiatives, for its agencies, and encourage state employees to choose alternative commute options by providing incentives.

The implementation of the Final Plan will require a significant effort from all involved parties at the Federal, State, regional, and local levels. NYSMPO stands ready to assist the State as it progresses the energy- and GHG-related policies, projects, and programs that improve the transportation system’s contribution to economic development and quality of life.

Sincerely,



Steven Gayle, Chair
New York State MPO Association

cc: John Zamurs, Ph.D. – NYS Department of Transportation - Air Quality and Energy Section