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May 15, 2009

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

RE: NYSMPO Comments on 2009 New York State Energy Plan – Interim Report

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 *2009 New York State Energy Plan – Interim Report* (“Interim Report”). NYSMPO applauds Governor Paterson’s leadership in conducting a broad and thorough assessment of the energy-related opportunities and issues facing New York State. Further, we are encouraged by the role that transportation is given in the Interim Report.

NYSMPO offers the following comments on the Interim Report:

- Addressing “the impact of energy production and use on public health, particularly among the State’s most vulnerable populations” (page 1-1) is an admirable and necessary consideration that addresses NYSMPO commitment to Environmental Justice.
- Our member agencies represent a diverse range of local and regional interests from across the State representing approximately 90 percent of New York’s population and employment. If the State chooses to “exercise its leadership by clearly articulating its vision for the future of New York’s energy and transportation systems and adopting policies to support that vision” (page 2-4), MPOs in New York State should be provided meaningful opportunities to review and comment on those policies since any Federal transportation funds that would be used to implement said policies in metropolitan areas would require approvals by the Policy Committees of the MPOs.
- The State Energy Plan is intended to address energy-related “matters over the 2009 through 2018 planning horizon” (page 1-1). Current Federal transportation funds are programmed through September 30, 2011 (Federal Fiscal Year 2011) and NYSDOT is in the midst of developing the next Statewide Improvement Program (STIP) that will program these funds through FFY 2014. It is imperative that the recommendations of the State Energy Plan be incorporated into guidance for the next STIP in adequate time for MPOs and NYSDOT Regional offices to utilize this in the development of their regional Transportation Improvement Programs (TIPs).

- In Chapter 3 – Procedural Background, it is stated that the State Energy Planning Board met on December 11, 2008 to “receive detailed reports on key issues identified by the Energy Coordinating Working Group (ECWG)” (page 3-1). There is no specific mention of a detailed report on transportation. NYSMPO respectfully requests further information on discussions regarding transportation during these reports as they likely played a significant role in the development of the Interim Report.
- In Chapter 4 – Preliminary Findings, the fourth finding deals solely with transportation and states that “many strategies” will be employed to reduce the State’s “reliance on petroleum-based fuels over the long run” (page 4-9). However, the most prominent of these strategies is “to target the increased market penetration and use of electric vehicles” (ibid). NYSMPO respectfully requests further information on the reasoning for selecting this technology over others. Specifically, any consideration given to associated economic development opportunities that may arise in the State from such a policy. Fuel cell technologies and alternative fuel production are already creating jobs in various areas of the State and could be considered as long-term strategies as well.

Mass transit is presented as a short- and mid-term strategy for reducing energy use from petroleum-based fuels. Coupled with land use strategies, via local planning and zoning regulations (specifically, Transit Oriented Development and Transit Supportive Development – see below for an expanded discussion of the role of land use), public transportation has the ability to significantly reduce vehicle miles traveled (VMT) over not only the short- and mid-terms but also the long-term. In addition, the “many strategies” that will be employed by the State and MPOs needs to explicitly consider and incorporate a range of diversified strategies and programs including, but not limited to: bicycle and pedestrian facility improvements (particularly, in urbanized areas); car sharing, ridesharing, and vanpool programs; and the further integration and deployment of intelligent transportation systems and associated technologies on both the highway and transit networks to better manage and operate the overall transportation system. Further consideration and attention should be given to all of these options and the connections between them as means for shifting travel from single-occupancy vehicles.

- The Interim Report provides limited mention of the important role of land use and design in reducing energy use from petroleum-based fuels. As stated in the Interim Report, “local governments are responsible for zoning regulations that greatly influence local land use patterns” (page 4-10). Transportation-efficient development should be promoted to the fullest extent possible to create walkable communities, transit oriented/transit supportive development, and mixed use and concentrated development patterns to provide the opportunity for their citizens to reduce VMT. This emphasis on further integration of transportation into local land use plans to positively impact energy usage should be a prime component of the “*Intra-state initiatives*” noted on page 4-16.


The State Energy Plan should identify opportunities for the State to strongly incentivize local governments to more fully integrate land use and transportation when developing and enforcing local zoning, subdivision, site plan, and other land use regulations. One opportunity that local governments have with pending development is through their processing of SEQRA requirements. There is an opportunity to provide education and guidance through SEQRA-required forms in a way that facilitates local governments’ ability to make more informed land use/transportation decisions and to gauge the potential impact of proposed development on energy consumption and transportation system efficiency.

In addition, the State should examine its array of transportation policies as incorporated in its design manual and highway access permitting requirements and develop an action plan to revise these policies where they conflict with the goal of VMT reduction, or have the unintended consequence of discouraging transit service provision and the use of modes other than single occupant vehicles.

- The Interim Report provides no mention of coordination with the recently adopted New York State Rail Plan – 2009 (Rail Plan) or the upcoming surface transportation legislation authorization (Authorization). The recommendations of the Rail Plan provide numerous opportunities to reduce energy usage and associated emissions. The Authorization provides an excellent opportunity to further incorporate energy into the national vision for the surface transportation system (including high-speed passenger rail), along with funding to implement the vision. State efforts to ensure a coordinated approach to reducing the transportation sector’s use of energy with existing transportation plans and studies, as well ensure that the next Authorization advances the recommendations of these plans and studies, is critical.
- In Chapter 5 Next Steps, there is a discussion of the preparation of “the policy and analytical underpinnings of the Draft Energy Plan” (page 5-1). It is assumed that additional analysis will be required to determine progress towards meeting the goals of the State Energy Plan. There is no mention of whether further analysis will be required by the MPOs in the State or the development of the interface to the EPA MOVES model that NYSDOT is developing. NYSMPO feels strongly that any State Energy Plan-related analysis requested of MPOs by the State recognize the breadth and depth of Federally-mandated activities that MPOs must meet first and foremost as Federally-created and enabled entities, and provide the commensurate resources (e.g., data, analytical tools, etc.).
- The Interim Report is basically a framework/outline of the issue areas and provides a general indication of the directions that will be addressed and the strategies that will be included in the draft of the State Energy Plan that is planned for release on July 15, 2009. The Interim Report states that the Issue Briefs, including one on Transportation (page 4-8) will not be released for public review and comment until the draft of the State Energy Plan is released. To obtain a clearer idea of the directions and strategies that will be included, NYSMPO respectfully requests that the Issue Brief related to transportation be provided at the earliest possible date.

Again, thank you for the opportunity to comment on the Interim Report. NYSMPO stands ready to assist the State in the development and finalization of the State Energy Plan.

Sincerely,



Steven Gayle, Chair
New York State MPO Association