

United States Senate
WASHINGTON, DC 20510-3005

May 15, 2023

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary Buttigieg:

We write to you today to express serious concerns regarding the final Environmental Assessment (EA) and proposed Finding of No Significant Impact (FONSI) for the Central Business District (CBD) Tolling Program. We are concerned that the CBD Tolling Program is simply an effort to balance the Metropolitan Transportation Authority's budget on the backs of hardworking New Jerseyans. We urge you to abandon the current EA and FONSI, and instead pursue a full Environmental Impact Statement (EIS) that includes input from and equity for all stakeholders, including those in New Jersey.

We have spent our careers fighting to encourage and increase mass transit use, alleviate congestion, reduce harmful emissions, and promote environmental justice for communities in New Jersey and across the country. While the CBD Tolling Program may have set out to accomplish similar goals, unfortunately the program outlined in the final EA falls far short. Instead, it would shift New York's financial and environmental burdens onto New Jersey families and institutions.

As we examine ways to reduce congestion in the New York metropolitan area, we must ensure equity for New Jersey commuters and communities, many of which are overburdened. New Jerseyans already pay up to \$17 to cross the Hudson River into New York City via the Lincoln and Holland tunnels and the George Washington Bridge. Adding a new fee of up to \$23 would greatly increase the financial burden on families that are already stretched thin. While the EA identifies mitigation measures to ensure that low-income individuals living within the CBD receive a tax credit for the cost of CBD tolls, it provides no similar benefit to low-income individuals residing outside the CBD who are nonetheless affected by it.

Additionally, while several of the tolling scenarios considered under the EA provide some credit for Hudson River tunnel crossings from New Jersey, nearly none of them would provide a similar credit to drivers crossing the George Washington Bridge. Providing CBD tolling credits for some river crossings and not others could result in drivers traveling greater distances on the New Jersey side of the Hudson River to reach preferred river crossings, resulting in decreased efficiency, longer drive times, and increased vehicle emissions. Indeed, the EA itself admits that the CBD Tolling Program could result in millions more passenger vehicles and hundreds of thousands more trucks passing through Bergen County, New Jersey each year, resulting in higher

emissions of particulate matter, carbon monoxide, nitrogen oxides, and other harmful pollutants. Yet, it proposes no mitigation efforts to offset these increases.

Increased truck and vehicular traffic, as outlined above, will inevitably increase the strain on New Jersey roadways and infrastructure. Additionally, increases to NJ Transit and PATH ridership could match or outpace increases to New York City transit ridership, placing increased strain on these transit systems. Yet, New York City's Metropolitan Transportation Authority (MTA) will receive a potential windfall of \$1 billion annually in new revenue under the CBD Tolling Program to balance its budget and upgrade its transit system, while the State of New Jersey won't see a dime to offset its own impacts.

The CBD Tolling Program is the first project of its kind in the United States, implementing a complex tolling system in the nation's largest metropolitan area that boasts an intricate multi-modal transportation network. Despite this, FHWA inexplicably allowed the project sponsors to proceed with an EA rather than a more robust EIS. An EIS would not only more fully evaluate and mitigate negative impacts of the CBD Tolling Program, but also better engage the full range of stakeholders, from commuters, to New Jersey communities that could see increased traffic and pollution, to transit agencies and state and local entities that will see changes to their revenue streams and additional strain on their infrastructure.

For these reasons, we urge DOT and FHWA not to finalize the FONSI and abandon the current EA process. FHWA must instead require a full EIS and ensure that New Jersey has a seat at the table should any congestion pricing system for the New York metropolitan area move forward.

Sincerely,

A handwritten signature in blue ink, reading "Robert Menendez".

Robert Menendez
United States Senator

A handwritten signature in blue ink, reading "C. Booker".

Cory A. Booker
United States Senator