

## **Transportation Advisory Panel Meeting November 19, 2020**

### **Attendees**

- **Chair**, Marie Therese Dominguez, Commissioner, New York State Department of Transportation
- Jared Snyder, Deputy Commissioner, New York State Department of Environmental Conservation
- Albert Gore, III, Policy and Business Development, Tesla
- Bob Zerrillo, Policy Director, New York Public Transit Association
- Craig Turner, Executive Director, Buffalo Niagara International Trade Gateway Organization
- Dimitris Assanis, Assistant Professor, Stony Brook University
- Elgie Holstein, Senior Director for Strategic Planning, Environmental Defense Fund
- Julie Tighe, President, New York League of Conservation Voters
- Kendra Hems, President, Trucking Association of New York
- Nancy Young, Vice President, Environmental Affairs, Airlines for America
- Nick Sifuentes, Executive Director, Tri-State Transportation Campaign
- Paul Allen, Senior Vice President, M. J. Bradley & Associates
- Porie Saikia-Eapen, Director, Environmental Sustainability and Compliance, Metropolitan Transportation Authority
- Renae Reynolds, Transportation Planner, New York City Environmental Justice Alliance
- Steve Finch, Senior Vice President, Automotive Services, AAA Western & Central New York

### **Not in Attendance**

- John Samuelsen, International President, Transport Workers Union
- Kerene Tayloe, Director of Federal Legislative Affairs, WE ACT for Environmental Justice

Ron Epstein welcomed everyone on behalf of Commissioner Dominguez and introduced agenda.

### **Presentation from Abby Morgan (Kittelson) on Strategies for VMT Management and System Efficiency (see presentation)**

- Questions
  - Epstein – economic expansions have been based on ICEs and VMT – how do we balance and promote growth while also managing VMT and emissions?
    - Morgan – it’s more about managing VMT than reducing VMT – we need to provide people with multiple alternative modes of transportation. If cars are really the only option, there’s no reason to take another mode. If you have other modes, like transit, bikes, etc., it makes it easier for people to make those choices. Providing EV charging stations helps people make that choice much more easily and fight range anxiety. We need to help create awareness of these options. Alternate modes also improve resiliency of the transportation system.
  - Snyder – Will you be able to identify emission reduction potential of these strategies? Are there examples or case studies that we should look to?
    - Morgan – Yes, Cadmus is doing analysis on emission reduction potential and we’ll be able to provide an update when that’s complete. And yes, we are

- working on identifying and cataloging examples from other places, including CA, DC on parking, etc. to put together case studies and examples.
- Turner – On deadheading, no one wants to deadhead but the challenge is how to solve the problem. On reducing distance traveled, that's something the logistics industry works hard on because it helps reduce costs and serves the customer. Smart logistics facilitates what we're doing here. We should emphasize the impact of regional planning and smart growth – we're too focused on local neighborhoods, but freight corridors are important to consider too. We should encourage planners to engage the logistics industry and explore things like setting aside zoned areas for trucking.
  - Morgan – Has spent a lot of time with freight industry and understands it's really important. Fleets have a large amount of data about their performance such as fuel efficiency and we can learn a lot from them. A lot of new technology is being tested with freight industry, like platooning. Truck parking challenges are real (they're more of a national issue) and are something we should address.
- Zerrillo – On smart growth, infill, and land use decisions, with NY being a home-rule state, what are some examples or best practices of how the state can encourage infill reuse, TOD, brownfield reuse, increased density? People still develop where land is cheap, so how do we promote solutions?
  - Morgan – we are working on some one-pagers about policy ideas and will make sure that is addressed in those
- Sifuentes – have you done any modeling on VMT fees, what would be needed to incentivize other travel behavior and revenue impacts from that?
  - Morgan – modeling hasn't started yet, we are currently only in the strategy development phase but we will be looking at those types of questions
- Holstein – has been reading about Uber-style approaches to dispatching and scheduling of trucks – is that an upcoming strategy?
  - Morgan – A few years ago Uber launched an app for truckers to try to increase loads and allow for this type of shipping strategy, and it may grow in popularity. Would defer to freight experts
  - Assanis – Uber Freight spun off in 2018 and is going strong
  - Holstein – does it help achieve our goals? Are their downsides?
  - Assanis – doesn't have to comply with any specific emissions rules, not really regulated at this point, but CA is considering it
  - Morgan – other benefits – help drivers make more efficient trips, make more money and retain drivers
- Chat Box – what about alt fuels?
  - Morgan – not covered today, but will be part of other work

### **Climate Justice Working Group Liaisons**

- Snyder – the CJWG plays an important role – provides input to advisory panels on how to address needs of disadvantaged communities. This panel needs to engage with CJWG. First step is to assemble delegation from this panel to participate in one of the upcoming CJWG meetings – there are two in December (12/2 and 12/16 around noon). Please send email to Jared to volunteer.

## Reports from Panel Subgroups/Policies Under Consideration

- Fuels [presentation by Assanis and Tighe]
  - Assanis – we need to look at different energy sources, including electrification and other fuels. CLCPA specifies for GHG pollution and co-pollutants, so want to meet those requirements but remain energy-source agnostic on how to get there
  - Tighe – we need to look at how to advance production, distribution, and sales of these fuels, including EV charging infrastructure and cost of charging. Look at ways to finance and fund this. Look at ways to increase workforce opportunities.
  - Assanis – will engage industry group experts, NGOs, think tanks, advocates – will provide unique perspectives. Happy to get more recommendations. Additional research and analysis will mostly focus on where the opportunities are and what the best options are for each subsector. Would welcome input from the public
  - Tighe – MD/HD will be on a slightly longer track to zero emissions, so need to look at biofuels and other options for those in particular. But all of the above are on the table right now.
  - Snyder – what approach are you planning to use for expert engagement?
  - Tighe – Thinking about interactive panel discussions
- Electrification [presentation by Allen]
  - Allen – we are trying to move from general to specific – starting at the broadest, how to increase sales of MD/HD to 30% by 2030 and LD to 60/70% by 2030 and 100% by 2035. Brainstormed a lot of potential policy interventions. Focus on electrification in high risk and high pollution areas, break down barriers to adoption around awareness and local regulations. Look at opportunities for funding and financing. Look for opportunities for non-road EV policies. Identified a number of experts, including OEMs, fleets, think tanks, advocates, etc. Will put together a roundtable discussion. Will need to continue to narrow down the focus to some flagship policies and some supporting policies as well. Will want to look at some policies from CA, elsewhere. Input from NYS staff on how to address convergence between transportation and electric grid.
  - Snyder – this group should get together with the power generation panel to consider some of the cross-sectoral issues, especially on the MD/HD side.
- Market-based Policies [presentation by Snyder]
  - Snyder – we are looking at market-based strategies that can support what other panels are working on. Some options are cap-and-invest, LCFS, other market-based and funding mechanisms, like feebates, VMT fees (need to move away from gas tax to fund transportation infrastructure), registration fees. Want to think about how the strategies overlap and interact with each other and strategies that are being proposed by other subgroups. Want to talk to CARB, RFF, other experts.
  - Tighe – hearing from CARB directly would be really helpful for lessons learned
- Financing [presentation by Holstein]
  - Holstein – EDF released a report yesterday looking at financing of trucks [<https://www.edf.org/energy/financing-transition-electric-truck-and-bus-fleets>]. Looking at ways to deal with reality that states are under intense fiscal pressure right now, including the fact that COVID has reduced gas tax revenues. All levels of government are trying to deal with this right now, so we've been looking at how to

synchronize policies with other state and federal policies, how to design strategies that leverage private capital (like revolving funds – can work where there are ongoing revenue streams). Look to examples from NYGB to attract private capital, opportunities for large investments in clean transportation. Look at PACE financing or similar ideas for transportation investments. Integration of these policies with private funding or other public funding can help build incentives on top of each other. Lots of experts on financing in NYS, in addition to NGOs and others.

- Young – market-based measures and finance are closely related. I assume they're an integrated conversation?
- Holstein – yes, it's an integrated conversation. This is a call for creativity – want to try new things even if they're at a small scale.
- Snyder – agreed, financing is more about how to get private capital to come into these strategies
- Young – agreed, this will impact different communities and different market sectors in different ways, so diversity of options is important
- Public Transportation [presentation by Zerrillo]
  - Zerrillo – we need to identify policies that can double availability of transit upstate and in downstate suburbs by 2035, and support MTA's long-term needs. Strategies include alternative delivery methods, TOD, improve physical access, find new revenue alternatives and other financing strategies. The subgroup has identified many potential strategies, including identifying right vehicle types, communicating benefits of transit for economic development, making transit easier to use, coordinating with FHVs, integrating planning between neighboring transit operators, educating more people about using transit, looking at affordability and equity in fares, using data to target future users, enhancing reliability of service (signal preemption), increasing frequency, creating EV service network, looking at TOD/commercial development at transit stations to reduce trip needs, and looking at pricing strategies. Looking for expert input from developers, economic development orgs, APTA, municipalities, rider advocates. Additional research is needed on GHG impacts of strategies, costs, and policy feasibility.
- Smart Growth
  - Saikia-Eapen – a lot of what Abby Morgan presented fits in with Smart Growth. Focus on development near transit and other low-carbon modes. Strategies include promoting transportation-oriented development, connectivity, options for traveling less and growing the ecosystem of low-carbon options. Need to connect the dots for practitioners – have an integrator to bring together all of the mobility needs. Transportation oriented development and FM/LM, investing in smart growth, looking at freight planning, technology-enabled smart growth, focus on users. Examples to look to: Finland. Experts include NACTO, EcoMobility, ULI, AICP, RPA, AIA, other independent experts, coordination with other Panels. Research needs include identifying other factors contributing to VMT, challenges and impacts of smart growth on equity, and asses how emerging technologies can impact VMT.

### **Public Discussion**

- Dominguez – introduction, speakers should announce name and organization, will be called out in order of registration, will have 2 minutes

- Roger Caiazza – retired air pollution meteorologist making comments on behalf of himself. Cautions that most people don't know about the CAC and attendance at this meeting here is not reaching a representative cross-section. Recommend developing a public outreach strategy. Analysis should address literature review, impact of transportation electrification impact on local distribution systems and how to charge cars in places like NYC. Transportation should consider lifecycle costs, upstream impacts for batteries materials and disposal. Should explain costs and impacts to show whether they are beneficial and share with public to see if they're willing to make the changes required.
- Elizabeth Giles – Citizens for Regional Transit, Buffalo transit advocate. Research shows that transit benefits don't really impact ridership, what impacts ridership is direct financial incentives. Should look at taxing VMT to help people really think about the choices for driving versus other modes. If VMT were taxed after a certain number of VMT per year, that could give a push toward transit. If you allow for a certain number of miles before the tax kicks in, this could help address some equity concerns. This could be done using odometer readings at annual inspections.
- Douglas Funke – Citizens for Regional Transit. Also submitted written comments regarding chart that was emailed out. Buffalo region has light rail that needs attention just like the MTA. Transit is where we can really save on energy use and GHG. Each train in Buffalo can carry 600 people, pulling 150-600 cars off the road every 10 minutes, but we haven't invested appropriately so it isn't attractive. CLCPA is supposed to help disadvantaged communities, but 30% of people in Buffalo don't own cars, in large part because they can't afford them. Need to invest in transit as a key part of the solution, even if we could get everyone into EVs we would have to get cars off the road.
- Larissa Koehler – EDF. Applauds NY for taking these actions. Will submit written comments. Policies supporting transit need to be a major part of the solution, and congestion pricing is important. Commit to 100% EV sales by 2035 and 100% bus sales by 2040, with target of all EVs on road by 2045. Focus on disadvantaged communities, need to do more research on local emissions sources. Communities should be at the table from the start. Need to do stringent emissions control strategies like TCI. Should offer financing mechanisms to reduce upfront cost of EVs, address range anxiety.
- Allison Considine – Sierra Club. Will submit written comments. Embed equity in all policies – living through crises and need to make sure that people impacted by these are first in line for cleaner solutions. Rapid transition to ZEVs, reducing VMT will help get to GHG goals and improve health, reduce out of state spending, create jobs. Based on modeling from Synapse urge goal of reducing emissions by at least 50% by 2035 – important to get quick reductions because vehicles are on the road for 15-20 years. Look at CA rules for examples. Encourage utilities to improve make-ready programs. Improve transit systems. Encourage more opportunities for transparency at all meetings, including subgroup meetings, and look to a wide range of experts.
- Steve Strauss – Empire State Passenger Assn. No mention of intercity passenger rail – important strategy for reducing carbon use across the state, providing better options for intercity transportation. Look at further electrification of MTA commuter rail lines and expansion of electric rail north of Poughkeepsie.
- Carine Dumit – EVgo. Will submit written comments too. Nation's largest fast charge network. Additional area to consider is rate design for EV charging stations. There's a lot of investment in

EV infrastructure, but the underlying tariff structures and rates are important to ensure effectiveness of investments, especially on DCFC side.

- Conor Bambrick – Environmental Advocates of NY. Encourage recommendations for adopting CA rules, such as electrifying public transit (extend to all transit systems). State should lead by example and electrify its own fleet and examine what procurement hurdles exist. RNG and LCFS – have concerns about how that could perpetuate use of gas infrastructure and should be linked with Power Gen panel. LCFS – should think about whether that can be viewed as an offset program and how that matches up with the CLCPA rules around offsets. TCI – if the state does go forward with TCI, we should make commitments aligned with CLCPA, especially around equity and co-pollutants. Transit – would like to see panel make recommendations to CAC and legislature about the overall funding model for transit and how it can be fixed.
- Kathy Harris – NRDC. Have submitted written comments. Policies should not be mutually exclusive. CA ACT is top priority – reduce GHG emissions in general and in DACs specifically. Go beyond MOU to achieve goals. Will need funding opportunities, including LCFS and TCI. Both will fund investments in different ways. TCI will provide resources for the state to invest in clean transportation. LCFS would support private investment and help provide incentives for EVs and charging stations. These all can work together very well. Encourage additional public comment meetings and be transparent and post materials publicly.
- Floyd Vergara – National Biodiesel Board. Biodiesel, renewable, diesel, renewable jet fuel. Urge support for CFS like what's proposed in Woerner bill. Submitted letter. Oversaw LCFS in CA, reduced GHGs by 69M metric tons. CA consumers have not seen prices increase because of LCFS. Good for economy, environment, public health. Biodiesel has displaced more than 3B gallons. Supports 4400 full-time jobs, 38,000 jobs in CA. Reductions in both GHG and criteria pollutants from biofuels. Significantly important for DACs. Fleet operators can go 100% renewable with 80% renewable diesel and 20% biodiesel. CFS is proven, tech-neutral solution.
- Mindy Germain – Transit Solutions. Helps people reduce SOV trips on Long Island. Supportive of transit and other solutions to reduce SOVs such as infrastructure modernization, pedestrian infrastructure, microtransit and addressing transit deserts. NYC has terrible gridlock, LI is heading there too. Drivers spend millions of hours in delays each year, wastes a lot of fuel. Before pandemic were spending a lot to modernize the system, including LIRR improvements, BRT lines. Should continue these projects and support robust transit more broadly.
- Kevin Miller – ChargePoint. Leading network of EV charging stations. Will provide written comments. Encourage perspectives of EV charging hardware and software and interests of independent site hosts – could help identify barriers and methods for overcoming barriers. Need to fully electrify LD, MD, and HD fleets – need to overcome barrier of demand charge rates and implement CFS. Rate design – agree with Carine, but also want to note that public and private entities that invest in DCFC are signed up for rates that are not set up for DCFCs, and this is holding up public and private investment. Demand charges can account for up to 90% of costs. Other approaches in other states to look to. Legislation is already filed offering a potential solution. Understand that there may be concern that this is technology-specific, but it's not. Support CFS, will help all EV drivers and charging station owners, will create jobs.
- Jen Robertson – NYC Mayor's Office of Sustainability. Submitted written comments too. Encourage using NYC as a resource in this process since many NYC programs align with TAP policies. NYC has the biggest EV fleet in the nation and biggest program for non-car streets in the nation. On EVs and Fuels, NYC has signed onto 100% ZEVs by 2035, needs more charging

stations, and agrees that we need to deal with EV rate redesign. NYC supports LCFS. On market-based policies, we should consider public health – respiratory illnesses are worse in high-emission areas. Encourage right-sizing vehicles including e-bikes, e-scooters. On transit, we need to include expansion of MTA. On smart growth, NYCDOT is piloting a cargo bike program, but size restrictions in state law is hampering this. Low emission zones are good opportunity for collaboration between state, city, feds.

- Deb Peck Kelleher – ACE NY. Support LCFS – encourage innovation, create sustainable funding for EVs. Adopt CA ZEV regs on LD/MD/HD vehicles. Support build-out of MD/HD EV infrastructure. Supports sales tax exemption for EVs, electric rate reform, and allow direct EV sales. Strongly recommend incentives for electric school and transit buses and incentives for EVSE at MUDs. Should work with other panels on efficient siting of projects. Support TCIs – will generate revenue to invest in clean transportation, focus investments on benefitting DACs.
- Pete O'Connor – Plug-In America. Accelerate transition to EVs, benefits all NYers – GHG and criteria pollutant reductions. Off-peak charging helps everyone. Need transit investment, but as long as there are cars they should be electric. Encourage joining TCI – both cap side and investment side are important. Developed model policy toolkit – NY has done many of these already. EV building codes are an important component, especially for MUDs.
- Kevin Neumaier – Swift Rails. New technology provider that is less expensive than traditional transit. Cross between EVs and public transit. Don't be too prescriptive so you don't exclude new solutions.
- Ben Mandel – CALSTART. National consortium focused on clean transportation. Supports NYTVIP implementation since 2013. Incentives are necessary but not sufficient. Make ready order is a big step forward. Additional actions: Adopt ACT, Innovative Clean Transit, 100% ZEV by 2035 rules – need both regulations and incentives. Enact CFS (Woerner bill) similar to CA's LCFS, will help catalyze low carbon vehicles, will help achieve ACT and other targets. TCI is another important opportunity – complementary with CFS. Encourage electricity rate reform for EVs, makes a big difference especially for MD/HD fleets. Need all-hand approach to getting ZEV trucks in the state.
- Andrew Dupuy – Rails-to-Trails Conservancy. Submitted letter. Wants to see more focus on mode shift toward active transportation, more emphasis on connections with bike/ped and transit, promote active transportation for short trips. Support EVs but they're not a panacea – not sufficient by themselves.
- John Hroncich – BAE Systems. Electric drive manufacturer of buses, based in Endicott, NY. Member of Clean Fuels NY – encourage CFS legislation. Transit is in a really difficult position and we're just starting to understand the long-term impacts. Could impact emissions more broadly.
- Michael Trunzo – Shenker Russo & Clark. Represent National Biodiesel Board. Also represent Darling Ingredients from Texas – biodiesel and renewable diesel producers. Drop-in replacements for diesel, reduce GHG by up to 80% compared to diesel. Already in use. Would like to see CFS.
- Kaitlin Monaghan – Rivian. US EV company selling large trucks and SUVs. 70% of pre-order customers will be new EV owners. Support expanded consumer access to EVs. Allow OEM-direct sales of EVs. Keeps new companies out of the market, creates a big barrier to meeting goals.
- Scott Hedderich – Renewable Energy Group. Largest supplier of biodiesel in U.S. Will submit written comments. A lot of discussion around electrification, but it's only as clean as the grid

and it will take time. Solutions available today include biodiesel – geared for diesel engines, can get emissions reductions today.

- Lonnie Coplen – Alternative and Renewable Construction (ARC). Support strategies that help every region, focus on resiliency at the community scale. Considering the significant changes we'll see, need to have workforce transition programs.

#### **Wrap-Up**

- Dominguez – Upcoming CAC meetings
  - Nov. 24 reports from EE, Ag and Land Use Panels
  - Dec. 15 reports from Transportation, Trade and Power Gen Panels