

February 6, 2023

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building

Albany, NY 12224

Re: Widening Route 17 in Orange and Sullivan Counties

Dear Governor Hochul:

We are writing to you concerning the proposed \$1 billion widening of State Route 17 in Orange and Sullivan Counties. We applaud the Administration's recent actions to combat climate change, including drastically expanding the development of solar, wind, and other sources of renewable energy, reducing greenhouse gas emissions from trucks, buses, and cars, and investing climate-related resources in historically disadvantaged communities.

Advancing a nearly 50 mile widening of Route 17 will not only fail to accomplish the stated goal of reducing traffic congestion—it will also be inconsistent with New York's climate mandates to slash greenhouse gas emissions 85% by 2050 under the state's landmark Climate Leadership and Community Protection Act (CLCPA). Widening this highway would also run afoul of other state laws and policies as well federal transportation requirements. And expanding Route 17 would accelerate unsustainable rural sprawl, divert resources away from critical mass transit needs, threaten nationally significant park lands and other natural areas and parkland, and potentially have a disproportionate impact on low income and communities of color.

The good news is that state and federal monies envisioned for this project can be spent on a robust transportation plan for the Route 17 corridor in compliance with the state's climate law, creating needed jobs, supporting sustainable economic development, and promoting sustainable climate smart communities.

We represent a diverse coalition of local, state and national groups that have worked for decades to ensure responsible and environmentally-sound development along the Route 17 corridor and throughout the greater Lower Hudson Valley/Catskill region. Through our work, we have collectively examined traffic patterns along Route 17 and surrounding roadways. We have also studied the environmental, climate, and traffic impacts of highway expansions in other regions of the country. And we stand ready to work with the Administration to design and implement a transportation vision for the Route 17 region that helps move people and goods without increasing pollution.

This past fall you announced the launch of an environmental review process to study the addition of a third lane in both directions on Route 17 and converting the road into Interstate 86. This decision springs from a 2021 Planning and Environment Linkages (PEL) report by the New York New York State Department of Transportation (DOT) that included a recommendation to assess constructing these additional third lanes for 47 miles between Exit 131 in Harriman and Exit 103 in Monticello. The primary rationale for this expansion, according to DOT, appears to be “current and expected” traffic capacity problems based on projected growth patterns along the Route 17 corridor through 2050. The state’s DOT also suggests, without any specificity, that additional Route 17 upgrades are necessary to meet current highway standards and allow for a future conversion to Interstate 86. While our groups welcome a full and transparent environmental review process, we believe DOT’s recommendation to advance this proposal raises at least four major concerns.

First, contrary to the DOT’s analysis, expanding the highway will not solve the long-term “congestion problem” described in the PEL. Repeated transportation case studies across the country have documented that while adding additional lanes might bring some short-term relief, it very often increases traffic congestion over the longer-term due to so-called “induced demand.” In short, adding a lane causes more people to use that highway at peak times, and often to travel further, resulting in the same level of congestion as before—and sometimes resulting in much higher traffic delays. Moreover, in the long run, the additional highway capacity will induce further sprawling land use development that will add more car trips. In addition, some studies have shown that the delays caused by the construction—which would be significant along Route 17—can outweigh any benefits from the widening.

Second, largely because of this induced growth, expanding Route 17 will increase greenhouse gas emissions. Remarkably, without any support, DOT suggests in the PEL that expanding Route 17 would somehow reduce greenhouse gas emissions. Transportation and emissions models that do not account for induced travel will produce erroneous results. Our initial analysis finds that adding third lanes in both directions on Route 17 would induce hundreds of millions of vehicle miles travelled per year—with a total increase of as much as 2 million tons of greenhouse gas pollution (MMT CO₂e) through 2050. These increases are particularly troubling given that New York’s transportation sector is one of the state’s largest sources of greenhouse gas emissions (as much as 36% of statewide emissions). And this sector has increased 25% since 1990. According to New York State’s own calculations, emissions would need to be slashed 86% of 2016 levels by 2050, and 31% of 2016 levels by 2030, to meet the state’s CLCPA transportation targets.

Thus, as currently planned, expanding Route 17 would be inconsistent with attainment of the greenhouse gas emissions limitations set forth in the CLCPA and implementing regulations. And

under these circumstances, DOT and other state agencies would be compelled under the CLCPA (Section 7) to not issue any approvals or permits for this project unless it can be demonstrated that it complies with the state's climate law.

Related to this, since the Route 17 expansion would rely on federal monies and approvals, the proposed project would also run afoul of several national, climate-related transportation policies. New federal policy under the recently passed Bipartisan Infrastructure Law/Infrastructure Investment and Jobs Act, for example, dictates that recipients of federal highway funds prioritize projects that reduce greenhouse gas emissions and strengthen climate resilience. This means that in most cases federal funds should be used to repair, improve, and maintain existing highways rather than expand them—as is proposed here.

And lastly, widening Route 17 will pose other environmental threats to the region. It would unnecessarily pave over existing greenspace and slice through nationally and regionally significant natural areas along the corridor—including the Bashakill Wildlife Management Area, the Shawangunk Mountains, and the Neversink River basin. It would likely exacerbate air pollution problems in the region, including particulate matter and carbon monoxide levels. And the expected air pollution and traffic increases from the proposed highway expansion would potentially have a disproportionate impact on low-income communities and communities of color along the Route 17 corridor—in addition to drawing resources away from mass transit options that these communities rely on more heavily than other constituencies. All of these likely impacts would trigger additional state and federal environmental assessments. Indeed, among other requirements, federal law instructs that federally funded projects should promote environmental justice and may not impose a disproportionate burden on minority or low-income populations.

Our organizations believe the Administration should develop an alternative transportation plan for the region focused on moving people and goods without adding additional lanes to Route 17 and the attendant impacts. As part of this plan, we recognize that some sections of Route 17—such as the stretch between Harriman and Middletown—could be upgraded to meet federal interstate standards. But a main pillar of any alternative plan should focus on reducing greenhouse gas emissions (and other pollution) through increased mass transit, zero-emissions goods movement, enhanced ride-sharing and teleworking options, electrified public and private fleets, reduced use of single-occupancy cars, and creation of more walkable and bikeable communities.

Another pillar of an alternative plan should focus on creating a climate-resilient transportation system along the Route 17 corridor. Climate mitigation projects may also be necessary to assure mobility in the long term and during disasters. This would further provide resources to mainline

communities along Route 17 to invest in water, sewer, energy, waste, heat absorption, storm water and other climate-related infrastructure upgrades. And any alternative plan must ensure, among other things, that disadvantaged communities receive an equitable share of resources, that such communities do not bear a disproportionate burden of economic and social impacts, and that there is fairness in mobility and accessibility for all community members. If the environmental review process moves forward, these and other alternative plan elements should of course be fully evaluated.

We look forward to working together with the Administration to develop an alternative plan that can meet the transportation needs of the Route 17 corridor, is consistent with the state's climate obligations, supports well-paying jobs in construction and operations, and is fair and equitable to all New Yorkers. Such a vision for this region would only strengthen the strong environmental and climate legacy you are building across the state.

Sincerely,

Ramsay Adams
Catskill Mountainkeeper

Tracy Brown
Riverkeeper

Bob Cohen
Citizen Action New York

Alok Disa
Earthjustice

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CC:

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