

**EMPOWERNJ'S COMMENTS TO
THE NEW JERSEY TURNPIKE AUTHORITY'S
PROPOSED CAPITAL PLAN¹**

The New Jersey Turnpike Authority's proposed \$24 billion capital improvement plan (the "Plan") is an affront to the State's clean energy policies, the health and well-being of New Jersey residents and common sense.

The bulk of the plan, spending more than \$16 billion over ten years, is to be used to widen the New Jersey Turnpike and Garden State Parkway. More than 250 bridges will need to be replaced or widened to accommodate the road widening. History tells us that the \$16 billion will almost certainly increase by billions of dollars because of cost overruns and delays.

Dedicating billions of dollars to expanding highways flies in the face of the State's clean energy goals, the recommendations in the State's Energy Master Plan (EMP), Executive Order 100 and the scientific consensus that we must dramatically reduce greenhouse gases immediately. The Plan will worsen already poor air quality, promote sprawl, and, of course, increase the emissions of dangerous greenhouse gases (GHG) fueling our climate crisis.

Not only that, the Plan will not even reduce traffic. Study after study has shown that widening roads results in what is commonly known as induced demand. Wider highways only temporarily relieves congestion; in the longer term, it leads to more cars, more vehicle miles traveled (VMT) and the same or more congestion. To paraphrase the Field of Dreams, if you build it, the cars will come.

The way to reduce traffic is to fund and expand mass transit, which is what any toll increase should, in substantial part, be used for. Green infrastructure will also produce the same if not more jobs as road building.

In the introduction to the Authority's Plan, Commissioner Diane Gutierrez-Scaccetti stated that the Authority's goal is to "further sustainability and proper maintenance of Authority assets." That should **not** be the goal -- like any State agency, the Authority's goal should be to

¹ EmpowerNJ is a coalition of more than 90 environmental, community, and faith and labor groups. Leonard Resto, President, New Jersey Association of Railway Passengers, joins in the submission of these comments.

promote the health, safety and welfare of New Jersey residents. The Authority should be working for the people of the State and not its own self-interest.

Using any relevant metric -- cost, GHG emissions, land use, traffic congestion, land use and jobs -- the Plan is disastrous for the health, welfare and well-being of New Jersey residents. The Authority should be pivoting immediately away from new road building to a “fix it first” approach that maximizes the efficiency of our existing roads and prioritizes climate considerations. No plan should even be drafted, much less adapted, without calculating and considering GHG emissions and no road widening plan should be adopted without considering induced demand.

THE AUTHORITY’S UNCONSCIONABLE DECISION MAKING PROCESS

Before discussing the Plan itself, we need to address the Authority’s shameful process for preventing any meaningful public consideration of its ill-advised Plan.

On March 9, 2020, Governor Murphy’s Executive Order 103 declared a State of Emergency in New Jersey due to the Covid 19 pandemic. The Executive Order ordered the State Director of Emergency Management to supervise and coordinate with all State agencies to implement the Order and it was the duty of every State agency to cooperate fully with the Director. Each Agency was empowered to waive, suspend or modify any of its rules to promote the public welfare.

On March 16, 2020, the Governor issued Executive Order 104, closing all schools indefinitely and beginning the closing of non-essential businesses. All public gatherings of more than 50 people were prohibited. It was the duty of each State agency to cooperate in all matters relating to the Executive Order 104.

Thumbing its nose at the Executive Orders and disregarding the health of New Jersey residents and sensible precautions needed to prevent the spread of the virus, the Authority nevertheless went forward with public hearings about the Plan on March 19th. Similar to the Plan itself, the Authority put its interests ahead of those of the public.

Few, if any, members of the public attended; only those with a vested financial interest in the Projects proceeding, i.e., the construction trades, who were obviously tipped off about the Plan and the hearing well in advance of the public. The fix was in.

The reason the Authority is rushing through its Plan, figuratively in the dead of night, while the State is consumed with the Covid 19 crisis and our fellow citizens are dying is obvious: any light and transparency would doom the Authority's fatally flawed Plan. The Authority must immediately put its Plan on hold and have new public hearings after the coronavirus emergency has abated.

THE CLIMATE CRISIS AND THE STATE'S ENERGY MASTER PLAN

The Authority simply ignores the grave threat that climate change poses and the State's policy of reducing GHGs.

In New Jersey, vehicles account for 40.6% of the State's net GHG emissions making it the highest emissions source in the State. (EMP at 12, 40). This does not even take into account GHG emissions created through the extraction, refining and distribution of fossil fuels used to run those vehicles.

The EMP calls for, among other things, a concerted effort to reduce VMT and to expand mass transit, which "will also yield many economy-wide financial and health benefits: (Id. at 14).

It is worth noting that without a hint of irony, the Plan includes spending \$1.4 billion to raise the portion of the Parkway between Bass Harbor and Mullen River/Great Egg Harbor. This is a direct result of climate change and this project represents a miniscule amount of what we will need to address rising sea levels.

THE HIGHWAY WIDENING PLANS

The bulk of the spending in the Plan is devoted to widening the Turnpike and Parkway. The following road widening projects at a cost of \$16.12 billion are included in the Plan:

- Widening the Parkway between interchanges 98 – 125, including replacing and widening 27 bridges (\$1.35 billion).
- Widening the Parkway between interchanges 129-147, including replacing or widening 36 bridges (\$800 million).
- Widening the Parkway between interchanges 142-154, requiring the replacement and widening of 47 bridges (\$2.5 billion).

- Widening the Parkway between interchanges 154-163, requiring the widening, rehabilitation and replacement of 51 bridges (\$750 million).
- Widening the Turnpike between interchanges 1 and 2, requiring the replacement and widening of 18 bridges (\$400 million).
- Widening the Turnpike between interchanges 2-3, requiring 21 bridges to be replaced and widened (\$400 million).
- Widening the Turnpike between interchanges 3-4, requiring the replacement or widening of 11 bridges (\$300 million).
- Widening the Turnpike between interchanges 14-18A, requiring the replacement or widening of three bridges and constructing a new Newark Bay Bridge (\$3 billion).
- Widening the Turnpike between interchanges 14A-14C, requiring the replacement or widening of 26 bridges (\$1.3 billion).
- Widening the Turnpike between Southern Mixing Bowl – 15W, including the construction of a new bridge to accommodate through traffic (\$3.5 billion).
- Widening the Turnpike between Interchanges 15W and 16W (\$700 million).
- Widening the Turnpike between Interchange 16W and Northern Mixing Bowl, requiring the reconstruction of bridges and a railroad yard (\$850 million).
- Widening the outer roadway of Interchange 13 of the Turnpike, requiring the reconstruction of a railroad overpass and reconstruction and widening of 13 bridges (\$270 million).

The Plan also calls for the construction of new roads feeding into the Turnpike and Parkway: widening Route 9 and Country Road 530 (\$75 million) and constructing a new road through Carteret and Linden to connect with Turnpike interchange 12 (\$200 million).

THE FAILURE TO CONSIDER CLIMATE IMPACT

We should not even have to say this but given what is in and what is not in the Plan it is necessary to state the obvious: we are in a climate crisis. While we are currently consumed with Covid 19 state of emergency, rising GHG emissions are another invisible killer. The

scientific consensus set out in the now well-known IPCC Report is that we until 2030 to reduce GHGs by 45% to avoid climate catastrophe.

The Plan is one of the largest, if not the largest, fossil fuel oriented projects in New Jersey history. The construction activity itself will be a large service of GHGs. Cement and asphalt are some of the biggest contributors to climate change. But more importantly, the proposed lane widenings will increase VMT dramatically. The national standard is that each new highway lane increases capacity by 2,200 cars/mile/hour under optimal driving conditions. Adding hundreds of miles of new lanes will increase GHGs and climate impacts exponentially.

How much exactly? We don't know because of the lack of detail in the Plan. This is not something we should be guessing at, but the Authority should be calculating. The Governor's Executive Order 100 requires the NJDEP to adopt regulations that will integrate climate change considerations into the State regulatory process. There is no time like the present to do this with regard to one of the greatest GHG's emitting projects in the State's history. Indeed, it could, by itself, prevent the State from meeting its GHG reduction goals.

While electric vehicles (EVs) may be a long term answer to vehicle GHG emissions, that day, unfortunately, is a long way off. EV's now make-up a sliver of the State's total vehicle registrations, only 0.3% of the 6.5 million total vehicles registered as of 2018. (EMP at 63).

We cannot wait for EVs to be the norm. The scientific consensus is that the next nine years are crucial. We need, **now**, to reduce GHGs. The Plan will do exactly the opposite.

OTHER NEGATIVE HEALTH AND ENVIRONMENTAL IMPACTS

In addition to contributing to our climate emergency, the Authority's highway widening projects will have numerous other deleterious health and environmental impacts.

“Ground level ozone, also called smog, can cause permanent lung damage. Importantly, according to U.S. EPA's National Ambient Air Quality Standards (NAAQS), all 21 counties in New Jersey are in moderate or marginal nonattainment of ground level ozone standards.” (EMP at 59). Vehicles are also the largest contributors to ground level ozone and are responsible for “71% of the State's nitrous oxide emissions, as well as particulate matter.” (Id.). The increased

traffic resulting from the highway widening will increase air pollution in a state where most counties have 'F' designations from the American Lung Association.

That's not all. The highway widening in the Meadowlands will cut through environmentally sensitive wetlands, increase flooding and resuspend toxic sediment. Widening the Parkway will require the destruction of homes and apartment buildings in environmental justice communities like Hillside, Irvington, Newark, and East Orange.

THE ROAD WIDENING WILL NOT REDUCE CONGESTION

Trying to cure traffic congestion by adding more capacity is like trying to cure obesity by loosening your belt.

Well-documented studies and experience shows, in case after case, that road widening will only provide temporary, if any, congestion relief. Ultimately it will result in more driving and even greater long-term congestion, a phenomenon known as induced demand.

Induced demand was recognized as early as 1930, but became better known and accepted with the publication of The Power Broker, the legendary biography of Robert Moses, New York's "master builder." Caro wrote:

During the last two or three years before [the entrance of the United States into World War II], a few planners had...begun to understand that, without a balanced system [of transportation], roads would not only not alleviate transportation congestion but would aggravate it. Watching Moses open the [Triborough Bridge](#) to ease congestion on the [Queensborough Bridge](#), open the [Bronx-Whitestone Bridge](#) to ease congestion on the Triborough Bridge and then watching traffic counts on all three bridges mount until all three were as congested as one had been before, planners could hardly avoid the conclusion that "traffic generation" was no longer a theory but a proven fact: the more highways were built to alleviate congestion, the more automobiles would pour into them and congest them and thus force the building of more highways – which would generate more traffic and become congested in their turn in an ever-widening spiral that contained the most awesome implications for the future of New York and of all urban areas.

As Caro also showed, the same effect had been seen earlier with the new parkways that Moses had built on [Long Island](#) in the 1930s and 40s, where every time a new parkway was built, it quickly became jammed with traffic and the load on the old parkways was not

significantly relieved. Similarly, the building of the [Brooklyn-Battery Tunnel](#) failed to ease congestion on the [Queens-Midtown Tunnel](#) and the three [East River bridges](#),

Since the publication of the *Power Broker* in 1974, scholars, academics and planners have consistently verified Caro's thesis. The Wikipedia page on induced traffic, https://en.wikipedia.org/wiki/Induced_demand, cited a few of them.

“In [Southern California](#), a study by the [Southern California Association of Governments](#) in 1989 concluded that steps taken to alleviate [traffic congestion](#), such as adding lanes or turning freeways into double-decked roads, would have nothing but a cosmetic effect on the problem.¹ Also, the [University of California at Berkeley](#) published a study of traffic in 30 California counties between 1973 and 1990 which showed that every 10 percent increase in roadway capacity, traffic increased by 9 percent within four years time. A 2004 meta-analysis, which took in dozens of previously published studies, confirmed this: it found that:...on average, a 10 percent increase in lane miles induces an immediate 4 percent increase in vehicle miles traveled, which climbs to 10 percent – the entire new capacity – in a few years.

See also, Adam Mann, *What's Up With That Building Bigger Roads Actually Makes Traffic Worse*, WIRED, June 17, 2014, <https://www.wired.com/2014/06/wuwt-traffic-induced-demand>; Lewis M. Fulton et al., *A Statistical Analysis of Induced Travel Effects in the U.S. Mid-Atlantic Region*, J. TRANSP. & STAT. 2 (2000).

In 2002, the EPA published its [Guidebook on Induced Travel](#). The report concluded studies showed that a 10% increase in highway capacity caused an immediate 3% to 5% increase in VMT in 1 to 2 years and a 5% to 9% increase in VMT over 10 to 20 years.

More recent studies have shown even greater induced demand from new highways lanes. Transportation for America's analysis from 1993-2017, [Transportation For America The Congestion Con](#), <http://t4america.org/maps-tools/congestion-con/>, showed that highway expansions in the top 100 urbanized areas increased traffic congestion because of induced demand:.

In an expensive effort to curb congestion in urban regions, we have overwhelmingly prioritized one strategy: we have spent decades and hundreds of billions of dollars widening and building new highways. We added 30,511 new freeway lane-miles of road in the largest 100 urbanized areas between 1993 and 2017, an increase of 42 percent. That rate of freeway expansion significantly outstripped the 32 percent growth in population in those regions over the same time period. Yet this strategy has utterly failed

to “solve” the problem at hand—delay is up in those urbanized areas by a staggering 144 percent.

Those new lane-miles haven’t come cheap and we are spending billions to widen roads and seeing unimpressive, unpredictable results in return. Further, the urbanized areas expanding their freeways more rapidly aren’t necessarily having more success curbing congestion—in fact, in many cases the opposite is true.

Decades of traffic data across the United States shows that adding new road capacity doesn't actually improve congestion. An example of this is the widening of Los Angeles' I-405 freeway, which was completed in 2014 after five years of construction and a cost of over \$1 billion. The data shows that traffic is moving slightly slower now on 405 than before the widening, <https://www.vox.com/2014/10/23/6994159/traffic-roads-induced-demand>.

In fact, you do not have to look further than New Jersey to see that wider highways do not lead to less traffic congestion. Over time the Parkway has been widened to 15 lanes in places and the Turnpike to 14 lanes. That sure has not given anyone any solace during rush hour or on a Saturday trip to the Shore.

THE DESPERATE NEED FOR MASS TRANSIT FUNDING.

VMT have been steadily increasing in New Jersey. In 1989, the earliest year in which there is data, annual VMT was roughly 52.2 billion. “As of 2017, New Jersey drivers traveled a record 77.5 billion vehicle miles. At the same time, miles of roads increased from 33,879 miles in 1984 to 38,896 miles in 2017.” (EMP at 78). Only 12% of the State’s commuters use mass transit. (*Id.*).

Importantly, in making recommendations with respect to relieving congestion and idling through New Jersey, the EMP does **not** recommend new roads or widening roads. (EMP at 83), instead recommending, among other things, more signal optimization and bus lanes, reducing idling, and, of course, establishing a stable funding source for mass transit. To state the obvious, the use of trains, buses and light rail reduces VMT and emits fewer GHG per passenger than single occupied vehicles.

New Jersey’s transportation spending should be oriented towards fully funding mass transit. That funding is desperately needed. Before the coronavirus crisis hit, New Jersey Transit’s passengers had to endure overcrowded trains, unreliable and infrequent service, and a

crumbling infrastructure. Under the currently proposed budget, the Authority would be providing less funding million f to NJ Transit, than it did in 2016.

Now, with the coronavirus emergency, the situation has become even graver. NJ Transit trains have lost 90% of its ridership with no immediate end to this in sight. Put simply, New Jersey needs mass transit for a sustainable future, which it won't have under the Authority's highway first, and basically highway only, Plan.

The Plan is not also the best way to create jobs; that would be through building green infrastructure, such as investing in mass transit and fixing our crumbling roads and bridges. As the comments submitted by the Tri-State Transportation Campaign demonstrated, public transportation investments generate 31% more jobs per dollar than new construction of roads and bridges, and repair work on roads and bridges generates 16% more jobs per dollar than new bridge and road construction.

Instead of building roads, we should lay tracks. Frustrated by Shore traffic? How about upgrading our third world train service to the Shore to make it an attractive alternative people will actually want to ride on? Instead of laying concrete for roads, use the concrete to raise low-level rail platforms which would aid the elderly and those who under the ADA are physically challenged to use the trains. Instead of raising and widening the Turnpike and Parkway overpasses/bridges, bring them into a state of good repair. Instead of pursuing the same failed road widening strategy that has not worked in the past and won't work in the future. create a "best in class" transit system that would jump start our economy.

WHAT THE AUTHORITY SHOULD BE DOING

The Authority needs to stop living in the past and act consistently with the EMP's recommendations and the State's clean energy policy. It must pivot immediately away from highway-centered transportation programs and towards mass transit projects. Instead of more road building, we need a "fix-it-first" approach that maximizes the efficiency of our existing roads and limits new construction that contributes to sprawl, the destruction of our wetlands and increases pollution

Climate considerations must be paramount in all of our transportation planning. The Authority must analyze the overall climate impacts of projects that would increase GHG

emissions for decades to come. We need to reinvent transportation planning to achieve decarbonization as quickly as possible.

There are States that are making sure that transportation decisions align with climate goals. For example, last year California passed a bill, AB285, which requires the state's transportation department to prioritize emissions reductions as part of the state's transportation plan. This is what the Authority must do.

The Authority should not proceed with the toll hike if it means using those funds for highway widening.

Dated: April 4, 2020

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