

Public Comments and Responses on *Moving Forward 2055*

Public Comment Period: June 30 - July 30, 2025

General Comments

Comment #1

June 29th, 2025

Rick Horan

Via Plan comment portal

Subject: Reactivation of the Rockaway Beach Branch as a Subway – QueensLink

NYMTC's plan should include a recommendation that New York City reactivates Queens' only north-south rail corridor, a NYC-owned transit right-of-way and not encumber it with a park or any other non-transit use.

NYMTC Response: The MTA's Comparative Evaluation and 20 Years Needs Assessment looked at the potential to reactivate the Rockaway Beach Branch, 6-mile alignment along former Long Island Railroad right-of-way serving Central Queens. Findings showed that this project, operated by either LIRR or NYCT, was not cost effective as it would serve a relatively low to modest number of riders at a relatively high cost.

https://future.mta.info/documents/20-YearNeedsAssessment_ComparativeEvaluation.pdf

MTA currently has in place the City Ticket program, which allows those traveling on the Long Island Railroad or Metro-North Railroad within New York City, to purchase a CityTicket for \$5 during off-peak hours or \$7 during peak hours. LIRR serves the following stations in Queens: Woodside, Forest Hills, Kew Gardens, Long Island City, Hunterspoint Avenue, Mets-Willets Point, Jamaica, Hollis, Queens Village, St. Albans, Locust Manor, Laurelton, Rosedale, Flushing-Main Street, Murray Hill, Broadway, Auburndale, Bayside, Douglaston, and Little Neck.

Comment #2

June 30th, 2025

Sean Cirillo

Via Plan comment portal

Subject: Lack of Constrained Active Mobility Plans Nassau

I am disappointed in the lack of constrained active mobility plans for Nassau County. The constrained project list includes zero non-motorized projects and the vision list is littered with projects that have been floating around for over a decade now. NSNC1997V was included in Nassau County's 2010 master plan and NSNC1995V plan was published in 2012. NSNC623V is just a general plan to connect key destinations and even that can't be moved to the constrained project list. The projections in Moving Forward 2055 constantly emphasize the poor conditions in Nassau and project it to get worse, yet no viable alternatives are being pushed forward. Extremely disappointing and lackluster plan. What is the point of putting out this grand plan when none of it ever gets implemented?

NYMTC Response: Projects are prioritized based on their potential to most effectively enhance safety and efficiency across the transportation network. While not all projects make the constrained list, Nassau County is diligently striving to improve active mobility.

Comment #3

July 8th, 2025
Clifford Hymowitz
Via email

Subject: Accessibility

I have sent multiple correspondences to the MTA regarding the lack of accessibility at Grand Central Madison station. Additionally, I have requested information about the wayfinding technology used at other stations. I would appreciate it if you could contact the appropriate person and provide me with an update. This situation should never have arisen; accessibility should always be prioritized over aesthetics. Is this something you can assist me with? I would like to identify funding once the appropriate technology is determined.

NYMTC Response: We have two active smartphone-based wayfinding pilots. These pilots are mostly designed improve access for the Deaf and blind/low-vision communities, but can be used by all. We are currently studying the viability of a systemwide expansion for both apps:

- NaviLens is a wayfinding app that uses colorful codes to provide step-by-step, audio/visual navigation within subway stations as well as real-time service status (e.g., line disruptions, train/bus arrival times), all in dozens of languages. It is now live at dozens of subway stations, on 6 line subway cars, and along the Bx12 SBS, M23 SBS, and M66 bus corridors. The MTA is currently in the final months of its most recent pilot from a federal grant program and once it concludes, we will determine whether or not a systemwide expansion is viable.
- Convo Access or “Convo” is a mobile app that provides users with live ASL interpretation to help them chat with MTA employees regarding questions/concerns about their trip (e.g., fare payment, planned service changes). Convo is currently in use at several locations throughout the subway and railroad systems, including at LIRR’s Grand Central Madison, Penn Station, Atlantic Terminal, Jamaica, Babylon, and Ronkonkoma. For more information on how to use the app and where to find it, visit our webpage on Convo.

Comment #4

July 14th, 2025

Sanjeev Ramchandra

Via Plan comment portal

Subject: Reroute SR 25A from Northern Blvd to Astoria Blvd

I recommend that SR 25A designation on Northern Blvd west of Grand Central Parkway be rerouted onto Astoria Blvd between GCP and Hoyt Ave.

Northern Blvd roadway west of GCP no longer has a highway structure whereas Astoria Blvd between GCP and Hoyt Ave is a highway truck route.

More broadly, SR 25 already connects to Queensboro Bridge so SR 25A need not be redundant to connect there but should connect to RFK Bridge.

NYMTC Response: We thank the commenter for the recommendation.

Comment #5

July 14th, 2025

Osama Shahbaz

Via Plan comment portal

Subject: Moving Forward 2055 - Lower Hudson Valley

Hello, I am a resident of Southern Westchester. Thank you for providing a detailed overview of the state of transportation in the region today and how it will be improved tomorrow.

I have a few comments and questions. First, my vision for the Moving Forward 2055 is one where all modes of transportation, whether it's pedestrian, micro mobility, public transit or car based transit are equally viable options to get around the Southern Westchester region.

With that being said, the video summary stated that 10% of Rockland's trips and 20% of Westchester's trips are to NYC. The remaining 70% are within the Hudson Valley. Of those 70% of trips, where do they start and end? Are they commuters from homes to workplaces, homes to transit hubs or other trips (i.e. to stores, parks, etc.)? I want to know this because I want the Moving Forward 2055 plan to include projects and visions to reduce our reliance on personally owned vehicles and improve public transit infrastructure, pedestrian or micromobility to the point where those modes are the first thing that someone might use to get around the region, rather than a car. If most trips are to transit hubs, then an obvious project would be to improve public transit infrastructure to transit hubs, whether its Transit Signal Priority, separated busways or bus lanes, or turning oversized roads/routes/streets into multi-modal pathways. Another aspect of this that I would like to see is the reduction of the over-subsidization of car parking i.e. an elimination of parking minimums for any and all new development, reducing or eliminating free parking, and reducing or eliminating street parking, limiting to off street parking only.

Another question I have is that the Appendix does not clearly identify projects or visions that are taking place in Southern Westchester, specifically Yonkers, Mount Vernon and New Rochelle. These are 3 of the most populous cities in the Lower Hudson Valley - there should be a much stronger focus on their improvement of public infrastructure. What projects or visions have been identified for those 3 cities and how can more be contributed to the plan? Furthermore, the Cross County Parkway, in my opinion is an over-built and car-centric parkway that does not serve other modes of transportation well. It is the only major connector of the aforementioned 3 cities, yet it also divides those 3 cities into north/south regions. How does the plan address the Cross County Parkway? I believe it should be turned into a multi modal connector, with rail, biking, buses and personally owned vehicles. It really should be a "park" way, with parks lining the right of way or otherwise embedded into it.

Thank you for your time.

NYMTC Response: Your comments are noted and appreciated in relation to a future network that is less reliant on personal vehicles and addresses trip pairs entirely within Westchester, which comprises of most of the trips that people take on a daily basis. The Plan includes many policies and projects that will directly contribute to Westchester County's Bee-Line Bus System adapting new technology and infrastructure to improve the experience of its passengers. Both Moving Forward 2055's guiding principles and shared vision for regional mobility are congruent with multimodalism that strongly supports active transportation and public transit priorities described in this comment – these are supported by specific projects identified in the Plan along with being broadly described as TSMO strategies and actions. Moving Forward 2055 was developed in coordination with input from local and regional stakeholders, and needs to be balanced to support all users of all types of modes and facilities; furthermore, many policies such as those related to parking are managed at the local level and tie more into the comprehensive plans of their individual jurisdictions rather than a regional document such as Plan 2055, with Yonkers, Mount Vernon and New Rochelle all actively working on many projects that dovetail with Moving Forward 2055.

Comment #6

July 16th, 2025

Sanjeev Ramchandra

Via email

Subject: Alternative Cross Harbor Freight Plan

Hello NYMTC Leaders,

I would like to share with you my Cross Harbor Freight Plan that uses a bridge instead of a tunnel across NY Harbor as a multimodal corridor for trains, trucks, buses, bicycles, and pedestrians.

Please see the attachment for my presentation slides which describes the details of my proposal. I am sending this information to transportation, government, business, and community leaders.

Thanks for your time and attention and feel free to share this information with anyone else.

NYMTC Response: We have received the comment and shared it with project sponsors.

Comment #7

July 16th, 2025

Greg Wayrich

Via Plan comment portal

Subject: Comment

My comment is that I cannot wait to leave this shithole region as you destroy it and make it a wasteland of mini-prisons and warehouses. I hope it costs billions and people have to leave as it sinks into the ocean.

NYMTC Response: The comment is noted.

Comment #8

July 17th, 2025

Review Session Participant

Via Webex Chat

Comment: What updates/improvements are part of the subway accessibility project?

NYMTC Response: Station accessibility upgrades include a new ADA-compliant, stair-free path of travel (e.g., elevators, ramps) between street level and platforms, accessible boarding areas, staircase upgrades, detectible warning strips (DWS) along platform edges, and accessible fare control (currently through an AutoGate, which will be replaced by modern gates in the near future). The MTA's 2020-2024 Capital Program dedicated \$5.2 billion to making 67 subway stations newly accessible and almost \$600 million to rebuilding elevators to ensure continued reliability, with additional funding coming from revenue from Congestion Relief Zone tolling. In the MTA's 2025-2029 Capital Plan, over 60 more stations are to be made accessible. In addition to adding new elevators and ramps, this Capital Program includes the replacement and modernization of 45 elevators across our system to keep them running smoothly. The MTA also launched a revamped Elevator and Escalator Status tool, making it easier for riders to check the status of any elevator or escalator. More details on specific stations receiving accessibility upgrades can be found at <https://www.mta.info/project/station-accessibility-upgrades>.

Comment #9

July 17th, 2025

Review Session Participant

Via Webex Chat

Comment: What is being proposed for Route 9 in Greenburgh? (Confirmed that this question refers to the roundabouts proposed as part of the Route 9 Complete Streets Program.)

NYMTC Response: Project 8010.84 – Route 9 Safety and Operational Improvements is currently in design and anticipated to complete Preliminary Engineering by early 2026. Design concept recommendations are still in development. Please reference the project website (<https://www.dot.ny.gov/route9completestreetsfor>) for the most current project information.

Comment #10

July 24, 2025

Robert Fass from Friends of the Hudson River Greenway in the Bronx

Via Plan comment portal

Subject: In support of a greenway along the Hudson River in the Bronx

I strongly applaud the inclusion of the Hudson River Valley Greenway in the Vision Elements for non-motorized transportation in the Bronx. The local community and all our elected officials are strongly behind the creation of a greenway along the Hudson connecting the Manhattan and Yonkers greenways. This project would align extremely well with the seven stated goals of the Moving Forward 2055 plan. The feasibility study has been done, now it's time for the engineering study to be funded and for the MTA to act in good faith to incorporate the Hudson River Greenway into their resiliency plans for improving and protecting the Metro-North tracks along the Hudson in the Bronx. The greenway plan could easily be part of a shoreline restoration which would create an attractive and transformative multi-use environment for NYC residents, commuters between Westchester and Manhattan, as well as visitors to the city from around the world.

NYMTC Response: This comment is noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives.

Comment #11

July 25, 2025

Bob Bender from Friends of the Hudson River Greenway in the Bronx

Via Plan comment portal

Subject: Appendix A, Table 2.2 Bronx Vision Element: the Hudson River Greenway

Thank you for including the Hudson River Greenway in the Bronx in your Moving Forward 2055 plan. This project has been on NYC greenway maps since 1993. It should be built. It will connect Manhattan to Westchester through the northwest Bronx. It will offer non-motorized recreational and transportation options. Please continue to recommend that this project be built.

NYMTC Response: This comment is noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives.

Comment #12

July 27th, 2025

Jessica Haller

Via Plan comment portal

Subject: Hudson River Greenway

As a Bronx/Riverdale resident I was glad to see the Hudson River Valley Greenway on the "vision elements" list for non-motorized transportation. The community and all the local elected officials are firmly behind it and it aligns with most if not all of the 7 goals of the NYMTC plan.

It's time the MTA acknowledge that any resiliency and/or restoration efforts to the shoreline NEEDS to include the greenway. In fact the GREENWAY is HOW you achieve the resiliency goals and enhance the community.

NYMTC Response: This comment is noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives.

Comment #13

July 30th, 2025

Mordechai Schweid

Via Plan comment portal

Subject: Housing Inclusive Plus Transportation

Thank you for your comments. These comments are noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives. Additional responses from NYMTC to comments received are as follows:

Comment:

Serious Concerns Regarding Discriminatory Impacts of MIH and Accessibility in Transportation Planning

To: Marie Therese Dominguez, NYMTC Co-Chair and Commissioner

Bruce Blakeman, NYMTC Co-Chair and Nassau County Executive

Dan Garodnick, Director, NYC Department of City Planning

Ydanis Rodriguez, Commissioner, NYC Department of Transportation

Janno Lieber, Chair & CEO, Metropolitan Transportation Authority

Kevin Byrne, Putnam County Executive

Ed Day, Rockland County Executive

Ed Romaine, Suffolk County Executive

Kenneth W. Jenkins, Westchester County Executive

Advisory Council Members

Richard Cotton, Executive Director, Port Authority of NY & NJ

Kris Kolluri, President and CEO, NJ Transit

David Behrend, Executive Director, North Jersey Transportation Planning Authority

Sean Mahar, Interim Commissioner, NYS Department of Environmental Conservation

Michael Cullota, Regional Administrator, Federal Transit Administration - Region 2

Richard Marquis, Division Administrator, Federal Highway Administration - NY Division

Michael Martucci, Regional Administrator, U.S. Environmental Protection Agency

Dear Esteemed Members of the NYMTC and Public Planning Officials,

I am writing with urgency and sincerity regarding the planning and implementation of housing and transportation policy outlined in NYMTC's "Moving Forward 2055." As a Brooklyn resident and a

member of the religious Jewish community, I must raise what I believe are serious and systemic shortcomings in the application of the Mandatory Inclusionary Housing (MIH) program and transit design that amount to de facto discrimination against our community.

The MIH policy — while framed as progressive and inclusive — has in practice functioned to systematically exclude religious Jewish families, especially those from Hasidic communities. These families are often large, with specific space and layout needs that have been completely disregarded in the current model of “affordable housing.” Most of these new units are designed with minimal square footage, are placed on upper floors, and are structured in a way that is incompatible with the lifestyle of large, observant families. This does not merely limit access — it outright bars our participation.

Recently, I walked through the Williamsburg waterfront neighborhood — historically a vibrant center of Jewish life — and I did not see a single visibly religious Jewish family entering or leaving any of the newly developed residential buildings. This absence is visible to everyone and underscores a disturbing reality: the developments are not welcoming or suitable for our community, despite our long-standing presence and growth in the area. This is not a coincidence — it reflects the result of policies that fail to account for our real needs and existence.

New York City’s own data confirms the robust and ongoing growth of the Jewish population, particularly in Brooklyn neighborhoods like Borough Park, Williamsburg, and Crown Heights. Religious Jewish families contribute to the city’s social, cultural, and economic fabric, and their exclusion from new housing is not just unjust—it is unsustainable.

On the matter of transportation, I express support for the Interborough Express (IBX) project, which presents a critical opportunity to connect underserved communities. I ask that serious consideration be given to aligning the route with the street level, as seen in Boston’s Beacon Street Green Line, in order to make the transit accessible for families with strollers, seniors, and those with mobility needs. If designed well, IBX can be a symbol of equitable planning; if not, it risks becoming another system that bypasses our needs.

Additionally, I only recently became aware of the “Moving Forward 2055” public comment process. There was no visible outreach or signage in key parts of my community, and this lack of communication has deprived many residents of their chance to participate. I respectfully request that the comment period be extended, and that culturally relevant outreach be conducted to ensure inclusion.

This is not simply a bureaucratic oversight — it reflects a deeper and troubling pattern in which our growing community is continually overlooked. These decisions — whether in housing, zoning, or transit — cannot be made in a vacuum. Without engaging the people affected, the result will continue to be inequity disguised as progress.

I respectfully urge your offices to:

- Conduct a formal review of MIH implementation for discriminatory outcomes;

- Redesign unit size and building access to accommodate larger families;

NYMTC Response: NYMTC is not involved with or has jurisdiction over building unit size and building access.

Comment:

- Plan IBX to serve the full range of city residents, including those with religious and family-based needs;

NYMTC Response: Thank you for your support of the Interborough Express project. IBX is expected to be fully accessible for all riders, including those with strollers, seniors and customers with mobility needs. The project design phase has commenced and MTA will have more details to share regarding station design as the project progresses.

Comment:

- Extend the “Moving Forward 2055” comment period and implement outreach strategies to affected communities;

NYMTC Response: Per NYMTC's Public Outreach operating procedures, the public comment period for the draft of Moving Forward 2055 was thirty calendar days from June 30 through July 30, 2025. Extensive outreach activities took place during the early stages of Plan development (*from 2023 through June 2024*). These were advertised on multiple platforms, in multiple languages, notified using targeted social media campaigns, public forums, subregional in-person pop-ups and more to reach as many interested parties as possible. Information on these outreach activities can be found in Appendix H of Moving Forward 2055.

Comment:

- Include religious and minority representatives in future planning processes.

NYMTC Response: NYMTC complies with Title VI and all other federal and state requirements for non-discrimination of individuals in its planning processes and outcomes. ***NYMTC's Title VI/Non-Discrimination Program establishes a framework for compliance with Title VI of the Civil Rights Act***

of 1964. Additionally, the Title VI/Non-Discrimination Program considers the requirements of 49 U.S.C. Section 5332, Executive Order 12898 on Environmental Justice (EJ), and related statutes regarding the nondiscriminatory delivery of services and benefits.

New York City prides itself on being a city for all — but this promise can only be realized if planning reflects the diversity of its people. We seek to be included and heard, and we urge you to correct course before these patterns of exclusion become permanently embedded in the city's future.

Thank you for your time and dedication to public service.

Sincerely,

Mordechai Y. Schweid

mschweidr@gmail.com

Comment #14

July 30th, 2025

Mary Parisen-Lavelle and Mary Arnold from Citizens United for Railroad Environmental Solutions (CURES)

Via email

Subject: CURES Public Comment

Thank you for your comments. These comments are noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives. Additional responses from NYMTC to comments received are as follows:



Comment:

Thank you for this opportunity for public comment on the update of the Moving Forward plan. Please enter CURES's comments and all supporting material and the articles in the hyperlinks and those referenced within this document into the public record and email CURES an acknowledgment. Thank you, Mary Parisen-Lavelle, Chair CURES 718-772-6563, Mary Arnold, Board Member, 973-943-6151 civicsunited@gmail.com

2-17: *"The balance of New York State sent 23 million tons and received 6 million tons of freight to and from the NYMTC planning area. The leading inbound commodities include nonmetallic minerals (9 million tons), secondary traffic (6 million tons), and farm products (2 million tons). The essential outbound commodities are waste or scrap materials (2 million tons), secondary traffic (2 million tons), and nonmetallic minerals (1 million tons)."* The economics of rail in the NYMTC area: at least 2/3 of annual carloads are full and empty low and no value waste and stone cars. Waste-by-rail has been the growth sector.

NYMTC Response: Comment is noted.

Comment:

2-17: *"The proportion of freight trips made by truck in the multi-state region and NYMTC planning area exceed the truck share nationally, in part due to the limited capacity and utilization of freight rail east of the Hudson River, and in part due to the fact that the region's large consumer market generates a large volume of pickup/delivery and mid-mile distribution trips that are almost exclusively made by truck. Given the region's high dependence on trucking, effective strategies to reduce or mitigate social and environmental impacts and costs of trucking will be especially important and valuable."* As far as the so-called "underutilization" of rail goes, the market for rail east of Hudson is limited to businesses that are physically located in the area and that need carloads of heavy bulk goods that can be transported by rail within the operating windows that the LIRR gives freight rail, the MTA-LIRR rail infrastructure constraints, the investments railroads are willing to make, and if the rates, handling, and time work for shippers and their customers.

2-23 *"The value of exploring or encouraging strategies to reduce the number of truck vehicle miles traveled associated with empty vehicular, barge and rail car movements, possibly through load- matching services and strategies; and Water and rail, while relatively limited in tonnage and value, can provide viable alternatives to trucking for certain types of commodities and markets, and continuing to maximize their potential will be important."* Any customer that wants rail service can get it. So the planning focus here turns from capturing new rail customers along customary lines to grabbing backhauls? Commercially, what can move by rail are commodities that are heavy bulk that fill out the weight limit of a railcar. As far as rail goes, rail cars are not typically available for backhaul. For every shipper's full freight car that is hauled there is a corresponding empty, which is hauled back empty to the same shipper to be refilled and shipped again. C&D cars on Long Island typically have the markings on them that identify their transfer station or waste company. There is a complex freight rail car hire system. Also, mandates for modernizing rail have not been implemented by railroads; not even the law to put solid covers on loads of C&D that NYS presumes are toxic. Even with trucks, more than half the tractor trailers leaving NYC are hauling air per the last iteration of Moving Forward.

4-11 Mention should be made of the waste-by-rail industry in Suffolk County that is served by the New York & Atlantic Railway. Waste-by-rail has been the major driver of growth in NYA's carloads and comprises at least 1/3 of its business. Waste-by-rail transfer stations have proliferated on a site-by-site basis, driven by competition among private disposal companies, and lacking underlying planning, as NYMTC points out in its Regional Waste Movement Study. Lack of timely, matching datasets and waste management plans resulted in NYMTC's use of per capita tonnage increases based on population growth to estimate future tonnage and the need for facilities. NYMTC admitted the inadequacies of this approach, which was the only common data they had, during the Regional Waste Movement Study public hearing. The actual need for facilities if Zero Waste plans and actions are pursued instead of the same old private export and so-called "responsible disposal" by incinerating and landfilling has yet to be determined.

NYMTC Response: This section of the draft Regional Freight Plan is focused on a description of physical infrastructure. Commodity flows - including waste — are described in Chapter 2

Comment:

4-18 Mention should be made here of the federal "Blue Highways" program and NYC's freight transportation plan that focuses on more use of marine transport, which comes later in the document.

NYMTC Response: Physical infrastructure is the focus of this chapter. Waterborne programs and recommendations are in subsequent sections.

Comment:

4-5 Mention should be made of ongoing industry efforts to extend pipelines carrying petroleum products in NYC, the strong opposition to doing so, and the legal, environmental, health, and economic consequences of doing so after the passage of NYS's Climate Leadership and Community Protection Act.

NYMTC Response: Pipeline infrastructure is described in Section 4.5. The limitations of the pipeline infrastructure are noted.

Comment:

4-6 Truck to Rail Terminals should mention that such factors as predominately low and no value rail commodities, spacial requirements that make double stack containers east of Hudson infeasible, dense (and getting more dense, due to City of Yes) higher value urban development, and other infrastructure limitations -- including already congested roadways and the primacy of passenger transport, which continues to take operating windows and trackage from freight rail, e.g., Grand Central Madison, perhaps the IBX, and the ready Blue Highways alternative -- render construction of modern intermodal rail terminals on Long Island infeasible.

NYMTC Response: Description of existing physical infrastructure is the focus of this chapter. Freight land use is described in Section 4.7.

Comment:

4-27 "Freight-handling facilities are mostly mature, meaning there is little development of new rail or highway rights-of-way, marine terminals, or airports anticipated. However, existing facilities may be upgraded, expanded, modernized, or otherwise improved through planned or programmed public projects and/or private investments over the next three decades. These investments could provide capacity to handle greater volumes of freight to keep up with regional and national population and economic growth. The distribution of land parcels categorized as freight-handling in the multi-state region is shown in Figure 4.12."

This blanket statement that investments could provide more capacity is not correct in many cases because money alone is not the determining factor. An analysis of constraints and feasibility would have to be conducted for each facility in order to determine where capacity could actually be increased through funding and what the feasibility is. For example, is there a conflict with passenger service, since operating windows for freight are limited. Is there a customer, a market to support more capacity, are railroads willing to invest, and does the cost-benefit support a capacity increase?

For example, the capacity of Fresh Pond Yard is constrained by the size of the railroad right of way that NYA doesn't own and that is in a mainly residential area, e.g., is the city going to demolish homes and retail businesses to increase the size of a railyard that is largely handling waste and stone, particularly when marine options are available?. There are underground spatial constraints that limit the dimensions of rail cars that can enter and exit the yard. The market/customers for rail freight (e.g., the potential number of carloads and the value of that rail freight) has proven to be limited, even after BRT was built. The number of companies involved in rail freight handling and the time and money it takes for that handling, e.g., rail to barge to rail to truck for the car float, are a further drag on rail's competitiveness east of Hudson. Also, residents already are suffering from the way freight rail operates today, for example, from excessive pollution due to outmoded locomotives and open rail cars of toxic waste. There is no getting away from this because rail cars are stored and rail moves take place on tracks in residential areas, and the railroads and their customers won't spend money on new technologies that protect public health and the environment. There should no expansion of freight rail use without this mitigation first.

NYMTC Response: Several of the recommended actions in Section 7.2 speak to maximizing capacity of existing facilities, including roadways, rail and waterborne. Chapter 6 describes many of the factors which limit capacity of existing facilities.

Comment:

Freight Decarbonization 5-2 must include passenger and work trains, and freight rail, including rail yards. Congress Member Velázquez's [Priorities](#) include freight rail decarbonization.¹

Decarbonization 5-10: Kudos for including health and environmental impacts.

NYMTC Response: Comment is noted.

Comment:

Table 5.2 Barriers to Freight Decarbonization also include, among other barriers: 1. need for batteries with greater energy density that can power heavier on and off-road vehicles and that have fewer downsides, e.g., development of solid state batteries that recharge quickly and are not flammable. 2. the current dynamic era in the development of on and off-road vehicles with

¹ Velázquez Pushes Bold Priorities in Upcoming Surface Transportation Package, <https://velazquez.house.gov/media-center/press-releases/velazquez-pushes-bold-priorities-upcoming-surface-transportation>

alternative power sources, without clear winners and losers and standardization currently, 3. lack of voluntary or regulatory action that would ensure that industries stop externalizing their costs, which results in health and environmental costs that are presently going uncounted and unaddressed, 4. The indifference of shareholders and other national and international investors to adverse economic, health, and environmental impacts from lack of investment in R&D and in modern technologies designed to eliminate adverse impacts and "unintended consequences" of pollution from freight transport. For more information about barriers to decarbonization and the use of new technologies please see this report, which was prepared by the Locomotive Workgroup² of [US EPA's Mobile Sources Technical Review Subcommittee](#), of which CURES is a Member. The Subcommittee approved transmission of the report³ to the Clean Air Act Advisory Committee for their review and vote on its transmission to EPA at the December, 13, 2024 MSTRS meeting.

NYMTC Response: Comments are noted and will be discussed with the Freight Subcommittee.

Comment:

With the understanding that transportation, not solid waste management, is NYMTC's expertise, we respectfully note that all appearances of the jargon "WTE" and "Waste-to-energy facility" must be replaced by the correct terminology, i.e., "municipal waste combustor" in the Regional Waste Movement Study and the MPO's Moving Forward Regional Transportation Plan. "Municipal waste combustor" is the terminology used by NYS DEC and US EPA, so NYS DOT- NYMTC staff need to make this correction throughout the documents. Municipal waste combustors are not legally classified as sources of "renewable energy" in NYS, and cannot be implied to be such by using the jargon "waste to energy," or by implying that municipal waste combustors are constructed primarily to generate energy instead of for waste disposal, as in 5- 6, 7-6 4: *"After being collected and streamed, waste is transported to recycling facilities within the U.S. or abroad to be converted into new products, sent to waste-to-energy plants where they are burned to generate energy, or taken to landfills for disposal."* For accuracy, the sentence above should read: *"After being collected and streamed, waste is transported to recycling facilities within the U.S. or abroad, hopefully to be converted into new products,*

² Acknowledgments: MSTRS Members and Report Authors, December 2024,
https://drive.google.com/file/d/1du5tiQBajRuAz_wHPV94fuUhVzYngNTu/view?usp=sharing

³ Report on Considerations for Emissions Standards for Locomotives, 2024 Final Draft, Prepared by the Locomotive Workgroup of the EPA Mobile Sources Technical Review Subcommittee (MSTRS), <https://drive.google.com/file/d/1gw4vCQl8nA6lBFxpfnT35XkOdfiK-uBj/view?usp=sharing>

taken to landfills for disposal, or sent to a municipal waste combustor where it is burned, generating more pollution than a coal-fired power plant."⁴

"Recommendation I-5: Modernize and expand Waste-to-Energy Facilities. Include Waste-to- Energy (WTE) facilities as part of a long-term regional disposal strategy. Properly designed and regulated, modern WTE facilities can provide in-region capacity for waste disposal, reduce dependence on long-distance landfills, produce energy, and safely handle byproducts such as ash. The recent closure of Hartford, CT's facility demonstrates the political opposition these sites face, but abandoning this infrastructure altogether will constrain the region's options. The CopenHill WTE facility in Copenhagen demonstrates how a modern facility can be safely integrated into urban life and public perception. The facility is located in an industrial area close to the city center and designed as an architectural landmark including public areas, in the form of an artificial ski slope or hiking trails on the rooftop. Apart from the visual advantages and the public participation and engagement, in 2013 the facility was known to be the cleanest WTE plant in the world, emitting CO2 emissions in sudden, bursting smoke rings, instead of a continuous stream of smoke [10]." This spurious "Recommendation" is from the Regional Waste Movement Study. The corresponding Moving Forward Recommended Action (#4) promoting municipal waste combustors falls outside the scope of past and present transportation projects, which have included capital and non-capital surface transportation projects, bicycle and pedestrian facilities, and other transportation enhancements.⁵ In addition, there are a host of actual transportation projects that need funding at a time when federal funding is more uncertain. Whatever is going on here to line up federal funding or otherwise federally facilitate #4, promoting construction of municipal waste combustors is not a transportation project and needs to be removed from this plan.

NYMTC Response: The Freight Plan recommendation #4 speaks to the study recommendations as a whole.

Comment:

The #4 Recommended Action also needs to be removed because the need for facilities could not be determined due to lack of data. During NYMTC's Regional Waste Movement Study presentation NYMTC acknowledged that due to the lack of timely, matching datasets, waste management plans -- including for waste reduction, etc. NYMTC and its consultants fell back on population growth estimates to estimate/model future waste tonnage. The study could only posit that the waste

⁴ Energy Justice Network et al., July 22, 2025 public comment re. Mandatory Greenhouse Gas Reporting Rule Part 253 regulation, page 3, 4, to New York State Department of Environmental Conservation, Mandatory Reporting, via email, <https://energyjustice.net/ny/GHGreporting.pdf>

⁵ United States Department of Transportation, Federal Transit Administration, Transportation Improvement Program (TIP), <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/transportation-improvement-program-tip>

volumes of today will increase on a straight line, per capita basis. The use of this crude method means facilities needs have not been determined. Today "New York has more waste incinerators than any other state, with ten municipal solid waste (trash) combustion facilities -- some of which are burning other wastes including treated medical waste, construction and demolition waste, tires, pharmaceutical wastes and other industrial wastes" -- and waste incinerators emit more air pollution than burning coal.⁶ As to the assertion in the Regional Waste Movement Study about "safely handling byproducts such as ash," [for every hundred tons of waste incinerated about 30 tons of toxic ash are produced.](#)⁷ This ash requires disposal, thus spreading toxics. Ash that is disposed of in landfills contributes toxics -- including heavy metals and PFAS -- to [landfill leachate, which is then trucked and piped to municipal sewage treatment plants.](#)⁸ aka, "Wastewater Resource Recovery Facilities". The resulting sewage sludge from those plants is laden with toxics, and is in turn both landfilled and spread on agricultural lands, which can pollute water, soil, and produce. Maine banned the spreading of sewage sludge after PFAS contamination came to light. In January 2025 USEPA warned the public about the dangers of PFAS contamination from spreading sewage sludge on farmland. In 2025, a [bill was introduced in the NYS Legislature for a moratorium on the spreading of sewage sludge on farmland.](#)⁹ Some NYS counties already have moratoria.

NYMTC Response: The study's primary recommendation in the infrastructure category is waste reduction. That primary recommendation is followed by a series of other infrastructure options, of which WTE modernization is one. The study is clear that no single option, including waste reduction, will resolve all waste movement issues and that choices among several options will be needed.

Comment:

It also was made clear in remarks during the Regional Waste Movement Study portion of the May 16, 2025 MAP Forum public meeting -- where the study was presented by then NYMTC Planner and NYSDOT official Gerry Bogacz -- that municipal waste combustors were being presented as one option, not as the Recommendation, that pollution from incineration and waste export is

⁶ Energy Justice Network et al., July 22, 2025 public comment re. Mandatory Greenhouse Gas Reporting Rule Part 253 regulation, page 1, 3, 4, to New York State Department of Environmental Conservation, Mandatory Reporting, via email, <https://energyjustice.net/ny/GHGreporting.pdf>

⁷ Trash Incinerator Ash – Nearly 30 tons for every 100 tons burned: For every 100 tons burned in an incinerator, about 30 tons of toxic ash are produced, Energy Justice Network, <https://energyjustice.net/incineration-ash/>

⁸ The Leachate Loophole: A Project of the Hudson and Mohawk Rivers Leachate Collaborative, <https://leachateloophole.org>

⁹ Statement in Support of A6192B_S5759A, from the Bronx, Brooklyn, Manhattan, and Queens Solid Waste Advisory Boards, https://drive.google.com/file/d/1ms_Glin_gA--Dd2RTeGhOTG2ldMHpV-X/view?usp=sharing

acknowledged to be an issue, and there is merit in a change in direction from export and disposal to reduction -- which drew supportive comments from the public during this public meeting. These are additional reasons why this "Recommendation" for municipal waste combustors, if that's what it is, should be removed from the study and Moving Forward's "Recommended Action Items." The May 16, 2025 MAP Forum meeting appears on [NYMTC's official May calendar](#) for 2025. The recording of that meeting documents these facts. It appears to be the NYMTC public meeting where the public had the opportunity for public comment before the Moving Forward Draft with this Recommended Action was released for public comment. The link to the recording of that MAP meeting -- both the presentation and the public comment and Q&A -- must be posted on [NYMTC's website as part of the Regional Waste Movement Study with the other online meetings, which already are up there](#).¹⁰

Furthermore, the impacts of waste incineration -- which includes the burning of plastics in and from the NYMTC Region -- on communities where municipal waste combustors are located, e.g., in Newark, NJ, Westchester, and Chester, Pennsylvania must be included in any mention of building or expanding municipal waste combustors. It also must be noted that these municipal waste combustors are operating under US and state law and regulation, where [emissions regulation is not protective enough of public health or the environment](#).¹¹

The [history and issues of the CopenHill plant](#)¹² are not accurately portrayed in NYMTC's disingenuous Recommendation for municipal waste combustors. The above link to a paper on CopenHill and newspaper articles about the Brookhaven landfill -- where incinerator ash has been dumped -- that follow need to be included when there is any mention of municipal waste combustors, in order to give a realistic picture of incineration and ash disposal to landfill in the NYMTC Region and beyond. Instead, the description of CopenHill in the Recommendation is shamefully reminiscent of so-called "benefits" that were peddled in the past to residents of greater Long Island about disposal facilities (see the Long Island Advance article that follows). As one Brookhaven resident described actual outcomes, "Our community is left with broken promises, a mountain of ash, [fumes, plumes](#),¹³ and [decades of refusal to plan sustainably for the region's waste](#)

¹⁰ Regional Waste Movement Study, New York Metropolitan Transportation Council, <https://www.nymtc.org/en-us/Regional-Planning-Activities/Freight-Planning/Regional-Waste-Movement-Study>

¹¹ Energy Justice Network et al., July 22, 2025 public comment re. Mandatory Greenhouse Gas Reporting Rule Part 253 regulation, Page 1, to New York State Department of Environmental Conservation, Mandatory Reporting, via email, <https://energyjustice.net/ny/GHGreporting.pdf>

¹² Copenhagen's Struggle to Become the World's First Carbon Neutral Capital: How Corporatist Power Beats Sustainability, Urban Planning, 2022 Volume 7, Issue 3, Pages 230-241, <https://www.cogitatiopress.com/urbanplanning/article/view/5327/2773>

¹³ Brookhaven Landfill, New York State Department of Environmental Conservation, <https://dec.ny.gov/environmental-protection/waste-management/solid-waste-program/brookhaven-landfill>

future."¹⁴ The Abstract of the paper about the CopenHill plant at the link above, which states, "Our findings reveal how the sustainability concept can be utilized as an empty vessel to promote private export agendas," applies directly to the Recommended Action for municipal waste combustors.

Residents of the NYMTC Region and places that take the Region's waste are suffering adverse impacts from waste export and disposal. They well understand how their public health and environmental interests diverge from the financial interests of national and multinational companies invested in waste export and disposal. To NYMTC's credit, then Planner Gerry Bogacz touched on the issue of community burdens at the MAP Forum public meeting, as well as stating that municipal

The Long Island Advance

A CONSOLIDATION OF THE FAYETTEVILLE ADVANCE AND THE NORFOLK TRIBUNE

99th Year Number 50 Published Every Thursday by The Fayetteville Advance, Inc.
200 West Main Street, Fayetteville, N. C. 27315 THURSDAY, AUGUST 13, 1970 Entered as second-class matter Oct. 10, 1964. Post Office at Fayetteville, N. C. 20 Pages

'40 Million Cost in 25 Years: Landfills, Super Parklands Planned in Garbage Report

Bellport SD Site
Bellport SD a new site—this is described in the summary as "Brookhaven," but is north of the Sunrise Highway and west of Horseblock Road to about one mile east of Station Road in North Bellport. Its 200-plus proposed acres will be started in 1972 on completion of the Holtsville site.

The theme will be skiing and the pyramid slopes will be constructed of the collected garbage. The ski slopes will be on the northerly sides, while the two southerly sides will have tennis, handball and basketball. There will be a meadow for picnics and a swimming pool that could also be used in the Winter for skating.



HOLTSVILLE ON COMPLETION — To be phased out in 1972, the Holtsville landfill site will complete parks and recreational area superimposed in 1972. Refuse will be used to create ramps and terraces for tennis, basketball and handball courts. The Olympic-sized swimming background will have conduits leading down to lower level pools. The park will cover 74 acres contain areas for varied recreational activities. A heavy use of the parks is seen due to population projected for Holtsville and surrounding areas.

Parklands Pictured
The architect, Norval C. White of Brooklyn, drew a magnificent picture of parklands and recreational centers for Brookhaven Town to be developed on the landfill sites as they were completed and handed over to the town.

The parks-recreational themes to be developed, Mr. White said, will include: a 7,000-seat amphitheater and swimming pools for Holtsville; two 240-foot high pyramids at the Bellport SD site for snow and ski sports, a swimming pool, and land for the usual handball games; and for the Middle Island East site a naturalistic topography to be developed "much in the manner of Manhattan's Central Park."

The time schedule for the 25 year program was laid down by Alan Michael of the engineering firm. This was as follows:
Holtsville-to be used for the next two years as the sole town operated landfill site, and then phased out in 1972. The proposed park would be constructed and handed over to the town in 1973. It would cover 74 acres.

The general appearance for the landfill operations, as laid down by EFC, calls for the dumping to be made mostly above ground. It was pointed out that this would involve least interference with the fresh water level.

Mr. White said the refuse will be used to create sloped ramps and terraces for tennis, basketball and handball courts, also football and baseball fields. There would also be the amphitheater, swimming and bathing pools, and other recreational facilities.

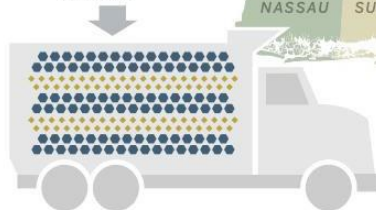
waste combustors were not the Recommendation. The history of incineration and ash disposal in landfills in or associated with the NYMTC Region includes serious health and environmental problems, and other ongoing public costs, such as those as documented in the excerpt from the 2023 Newsday article that follows, about the Covanta municipal waste combustor and the Brookhaven landfill, on Ed Romaine's watch.

¹⁴ Brookhaven sided with landfill vendor Covanta after whistleblower raised concerns about ash, records show, Newsday, October 8, 2023, <https://www.newsday.com/long-island/investigations/brookhaven-landfill-covanta-incinerator-ash-oyk2qbxt>

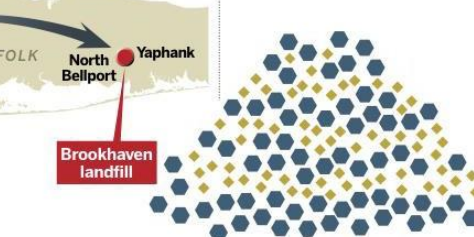
5 REDUCING ASH'S TOXICITY
Typically, the two types of ash are **mixed** to minimize concentrations of metals and be deemed nonhazardous. Brookhaven landfill cannot accept hazardous materials.



Records show Covanta, from 2006 to 2014, **just layered** fly ash into trucks with bottom ash.



6 DISPOSAL
Covanta dumps ash at Brookhaven landfill.



NEWSDAY / PAUL LAROCO, ANDREW WONG



'WE'VE BEEN LET DOWN' Hannah Thomas of North Bellport, co-founder of Brookhaven Landfill Action and Remediation Group, seeks the closure and cleanup of the landfill.

they reveal no actual environmental violations. The company stated that portraying its ash practices as concerning is misleading, since the "DEC knew about — and often approved — most of the challenged practices," including later calling the approach to the failed ash test "reasonable."

"The practices [Fahey] now challenges were either affirmatively disclosed to the government regulator responsible for environmental oversight . . . or were conducted in plain view of the on-site DEC monitors and other DEC personnel, who

never found a violation," Michael W. Ross, a lawyer for Covanta, wrote in a legal filing last year.

In late 2021, more than two years after Fahey's case against Covanta first became public, Gov. Kathy Hochul ordered the DEC to open what it called a "comprehensive investigation into allegations of improper ash mixing and disposal of ash by Covanta at the Town of Brookhaven landfill."

The probe began after North Bellport residents complained about proposed lawsuit settlements that wouldn't have pro-

vided funds for potential environmental cleanups. Roughly 20,000 people live in the communities immediately surrounding the landfill, most of them in North Bellport, but also in Yaphank and Brookhaven hamlets.

"We've been let down," said Hannah Thomas, a 65-year-old North Bellport resident and co-founder of Brookhaven Landfill Action and Remediation Group. "There's no one truly monitoring what's coming in here."

Dry fly ash, even without elevated levels of toxic metals, can

cause respiratory irritation, according to environmental health experts.

"It's subject to [federal] restrictions and regulations for a reason," said Dr. Kenneth Spaeth, division chief of occupational and environmental medicine at Northwell Health and Hofstra Northwell School of Medicine. "And so it certainly has the potential to pose hazards to those who might be exposed to it."

Spaeth, who spoke generally, said pure fly ash could hypothetically pose dangers through inhalation, as well as through soil and groundwater, assuming it either escaped the Brookhaven landfill by blowing off waste piles or piercing landfill liners.

"I think for the residents and the communities in the immediate area, they certainly have a legitimate basis to ask questions and make sure that it's not posing any risk," he said, "because it has that potential for sure."

The DEC said its protocols are meant to validate ash as nonhazardous before it leaves incinerating facilities, and that the material isn't tested again once it's sent out for disposal.

Fly ash in the community

In 2014, Fahey secretly recorded Edward Sandkuhl, then a senior Covanta Hempstead engineer, saying of ash at the landfill: ". . . when you go out to Brookhaven, it's . . . everywhere."

He told Fahey he had visited the dump and saw "fly ash blowing off the [expletive] mountain," which, at up to 270 feet tall, Sandkuhl compared to

Mount Everest.

"You could taste the ash. It was in your mouth," said Teri Palermo of East Patchogue, who worked for more than 30 years as a special-education teacher at Frank P. Long Intermediate School in North Bellport, which is less than a mile downwind from the landfill.

Palermo, 70, who retired in 2016, has survived lung and breast cancers that she blames on prolonged exposure to landfill odors and chemicals. She is one of the people suing Brookhaven Town over alleged landfill exposures, which the plaintiffs have defined to include construction debris odors carrying potentially carcinogenic chemicals, as well as ash.

The town, which denies the lawsuit claims, derives nearly \$60 million a year from the landfill's acceptance of construction debris. Officials have said the facility is scheduled to stop accepting the debris at the end of next year.

Brookhaven has not said when it will stop accepting ash from Covanta, whose contract with the town runs through 2024. The town paid the company \$22.8 million last year to accept its solid waste. Covanta, in turn, paid the town \$21.6 to dispose of ash at the landfill, town officials said.

The DEC's probe of Covanta includes examination of newly produced company records, Maureen Wren, an agency spokeswoman, said in a statement. She noted that the DEC "continues to strictly oversee and monitor facility

See **LANDFILL** on A14

NEWSDAY / SUNDAY, OCTOBER 8, 2023

The Long Island Metro Business Action (LIMBA) announcement and its list of sponsorships that follow are current examples of "the promotion of private export agendas" mentioned in the CopenHill article. These private interests are working with public leadership that helped create the waste pollution problems described in the Newsday article above. Now greater Long Island leadership is trying to pull the region down another version of the same unhealthy, unsustainable path of export to incinerating and landfilling. The public deserves better.



Regional Solid Waste Challenges – And Solutions

Winters Bros Waste Management
Michael White

Friday, May 2, 2025

8:30am - 10:00am

Candlelight Diner Corporate Room

56 Veterans Memorial Highway, Commack, NY 11725

Michael E. White is a consultant on special projects with Winters Bros. Waste Systems of Long Island, LLC. He is also President and Owner of LI Strategies, Inc., an environmental planning consulting firm, and an attorney with a law practice focused on environmental law, solid waste, municipal law, land use, natural resources, and freight rail transportation.

2025 PREMIERE SPONSORS



HAVE YOU EVER THOUGHT ABOUT SPONSORING A
LIMBA MEETING?

The notion that building and expanding municipal waste combustors, and putting ash in landfills is "sustainable", even desirable, or that those invested in waste disposal and export assets -- including waste-by-rail -- won't externalize their costs this time does not comport with history or current reality.



NYMTC Response: The study recommendations are waste movement options for the future. The very complex regulatory landscape of waste and its disposal is addressed in the study and greater regulatory consistency is among the recommendations.

Comment:

The waste export to disposal business model needs to be rapidly supplanted by a paradigm change to [Zero Waste policy, planning, and action, including Reduction](#)¹⁵, as NYC is trying to do. For example, NYC is spending \$200 million annually exporting organics to landfilling and incineration when the organics could be composted locally, with benefits that include low tech sequestration of carbon, production of beneficial soil amendments for the city's trees, parks, and gardens, and no production and spreading of toxic ash or sewage sludge. [To this end, a NYC Council bill has been introduced to expand composting facilities within NYC.](#)¹⁶

The pie chart below is from the NYS Climate Leadership and Community Protection Act Scoping Plan.¹⁷ The proliferation of municipal waste combustors would increase pollution, which is

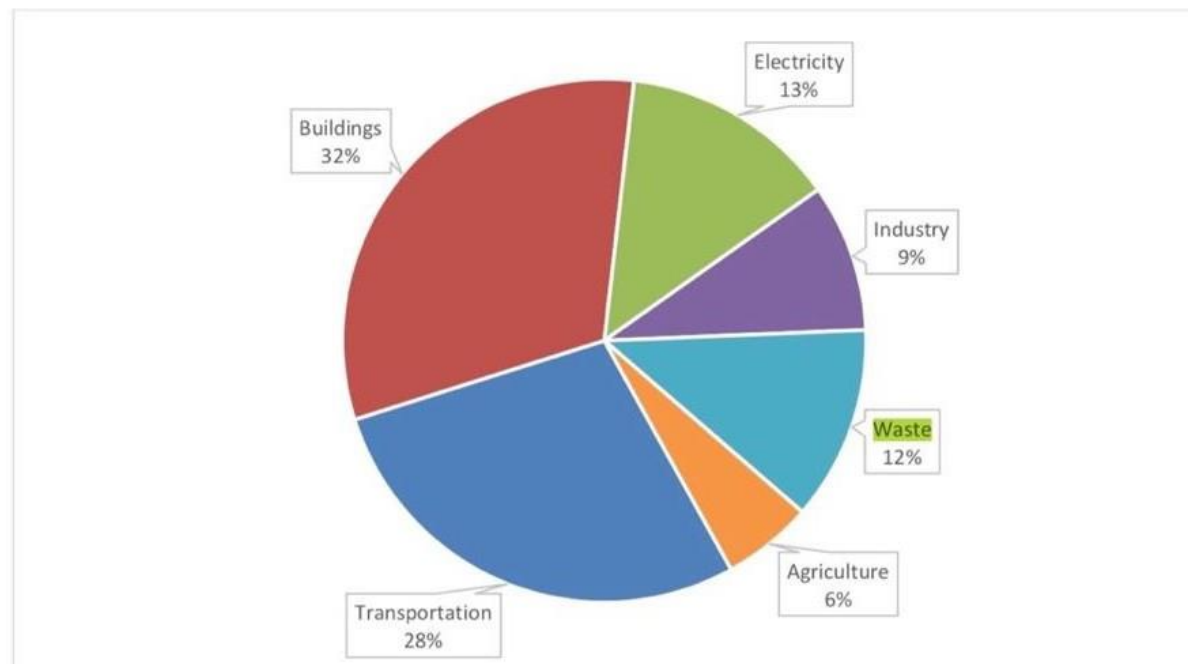
¹⁵ Zero Waste International Alliance: working towards a world without waste, <https://zwia.org/zwh/>

¹⁶ Int. 0696-2024, <https://zwia.org/zwh/>

¹⁷ New York State, Climate Act, New York's Scoping Plan, <https://climate.ny.gov/resources/scoping-plan>

antithetical to achieving the requirements of the CLCPA Law.¹⁸ Note in the pie chart that the electricity generation sector produces 13% of the state's greenhouse gas emissions, and the waste sector produces almost as much: 12%. Instead of going to bat for "WTE" and more waste-by-rail to incineration and landfilling, greater Long Island electeds could be avidly pursuing Zero Waste actions, such as source separating gypsum wallboard construction debris for gypsum recycling, and source separating and composting organics, which comprise 30-40% of municipal solid waste. The resulting compost could be used on greater Long Island's public lands and farms. Greater Long Island is the region in NYS that has experienced notable growth in the number of farms and farmland acreage. According to the NYS Comptroller, "There were 607 farms on Long Island in 2022, a 3% increase from 2017. In comparison, the state as a whole lost just over 8% of its farms during the same timeframe. There are 34,468 acres of farmland in the region, an 11% increase from 2017."¹⁹

Figure 2. 2019 New York State GHG Emissions by Scoping Plan Sector



¹⁸ Energy Justice Network et al., July 22, 2025 public comment re. Mandatory Greenhouse Gas Reporting Rule Part 253 regulation, to New York State Department of Environmental Conservation, Mandatory Reporting, via email, <https://energyjustice.net/ny/GHGreporting.pdf>

¹⁹ Long Island Experienced Gains in Farms and Farmland, DiNapoli: Agriculture Report Reveals Economic Growth and Challenges Facing New York Farms, November 14, 2024, <https://www.osc.ny.gov/press/releases/2024/11/dinapoli-agriculture-report-reveals-economic-growth-and-challenges-facing-new-york-farms-long-island#:~:text=Some%20of%20the%20important%20findings,an%2011%25%20increase%20from%202017>

Changing waste export transportation modes won't achieve the mandates of NYS's Climate Leadership and Community Protection Act. Waste export by rail to landfilling and incineration does not reduce the tonnage or toxicity of waste. Use of trains does not move the needle on local truck traffic going to and from waste transfer stations, since waste always arrives by truck. Also, the old locomotives and open rail cars of C&D that are being used are actually sources of pollution.

5-23 Re. Freight Villages: Brookhaven Rail Terminal (BRT) has never achieved the scope of development or levels of traffic originally anticipated.²⁰ This is likely because their STB license for their railroad precluded them from dealing in waste -- Long Island's and NYS's biggest export by rail - at the request of the Town of Brookhaven -- and the demand for freight rail is otherwise limited. After BRT's violations due to illegal sand mining on LIPA and LIRR property, and illegal dumping on their own property, BRT's owners entered into agreements that imposed further restrictions on their use of their property, including a conservation easement. In 2020, BRT sold off their railroad -- and some of the "surplus" land they purchased from Suffolk County to build BRT -- including some acreage with the conservation easement restrictions, thus, a 'Pig in a Poke' -- to the carting company Winters Brothers. Winters' failed to prove the need for its planned massive new C&D-by-rail transfer station and otherwise made fruitless efforts to remove restrictions on the property and circumvent local and state land use law and associated public input. [Governor Hochul](#),²¹ the [NYS and Brookhaven NAACP](#),²² and [others](#)²³ opposed Winters plan. Winters wound up [giving up this plan](#)²⁴ and selling out to Waste Management. BRT still operates warehouses that have rail connections via the New York & Atlantic Railway and CSX, but today BRT is far more limited a facility than the one BRT's owners initially envisioned or a "freight village."

NYMTC Response: The context of the current BRT is noted and does not preclude future long-range opportunities, either at the BRT site or elsewhere on Long Island.

²⁰ Brookhaven Rail Terminal Long Island, LIMBA Presentation, November 2011, <https://studylib.net/doc/5573982/brookhaven-rail-terminal>

²¹ GKH Letter to US STB re. Brookhaven Rail Project, November 29, 2021, <https://drive.google.com/file/d/12gYCGCjxfzgVhoMrLwjowg14LP-pkKiE/view?usp=sharing>

²² Press Release Brookhaven Garbage Dump 520.21, NAACP New York State Conference, <https://drive.google.com/file/d/1B9azS0j2RW7i1qHIdaQN87Of6vtFI70q/view?usp=sharing>

²³ Memorandum of Opposition: Alienating Parkland in Town of Brookhaven, Citizens Campaign for the Environment, <https://drive.google.com/file/d/10JNiFlfXg99MOHdnTbcqkwzmkNluNqt/view?usp=sharing>

²⁴ Winters drops plan for controversial Yaphank waste transfer station, Newsday, September 27, 2024, https://drive.google.com/file/d/1xJTr6v37F44C0ksB5YglP32vRPd_iG8S/view?usp=sharing

Comment:

5-24 The inland ports concept requires 1. a market that requires shipments of rail carloads of bulk freight and is large and high margin enough to justify the investment, e.g., not no and low value loads of waste and stone, 2. acreage devoted to freight rail, e.g., not shared with, densely developed urban land or passenger transportation, 3. the yard, trackage, bridge, switching, and other infrastructure required for the movement of double stack trains, autoracks, e.g., not a system constrained to cars no larger than Plate F associated with a 10-acre rail yard for classification and switching.

Flood walls do not magically make the volume and force of water disappear. They simply push them onto someone else's property. The idea that flood walls can be built to protect property on a site-by-site basis is unsound from both a scientific and planning standpoint, and should be removed from this document. Best practices such as rain gardens, leaving open space, retention and detention basins, wetlands preservation and restoration, daylighting streams, and retreat from the coast and other areas that will flood are more sound practices than having industrial real estate developers, landowners, and others invest in constructing flood walls or other "preventative" measures to protect land and facilities that generate, receive, and/or handle freight. This increases development and real estate costs and will prove to be futile due to sea level rise and climate change. Use of the region's Blue Highways and retreat from areas that flood are the only sure means of ensuring that freight-generating and freight-handling land uses are relocated to areas less prone to flooding or sea level rise, as described in this panel discussion by Newsday: ["Paying the Price: Long Island's Stormy Future"](#).²⁵

NYMTC Response: Chapter 4 presents a complete review of these approaches related to Moving Forward 2055's resilience vision goal. The Regional Freight Plan mentions flood walls and other protective measures and also mentions relocations as a potential approach.

Comment:

6.2.2, 6-39, 7-8 14. *"Advance the Cross Harbor Freight Program Tier II Environmental Impact Statement."* The freight rail needs list is full of reasons why the Cross Harbor Tunnel will never be built and funding tunnel planning should cease. The Port Authority had come to the conclusion that investing in modern ferry service for rail cars was the most feasible solution for handling Cross Harbor rail freight when Laura Shabe was leading the program for PANY-NJ. See the attached public comments from CURES and other stakeholders, including CSX and a trucking association, which were [submitted](#)

²⁵ Watch: Experts answer questions on Long Island's rising insurance costs, flooding, Newsday, nextLI, <https://www.newsday.com/nextli/long-island-insurance-costs-flooding-storms-paying-the-price-du7jt200>

during previous phases of the EIS process²⁶ and a CURES' comment to [NYMTC re. TIP](#).²⁷ The infeasibility of the tunnel is reinforced by the IBX plan, which will take trackage on the Bay Ridge -- trackage used for freight moves and rail car storage, as [this MTA slide from a presentation about the IBX clearly shows](#)²⁸-- even though the only nearby place to store them will be trackage in residential areas. This will inevitably increase problems of toxic diesel pollution and noise for residents, including when they are trying to sleep at night. To compare rail east of Hudson to Chicago, e.g., saying that something like the CREATE program could be implemented, demonstrates lack of understanding of [how the rail system of today east of Hudson is a fragment of the public and private freight rail facilities that existed in the 1960's](#)²⁹ and its customer base, and they are not coming back due to changes in the economy and land use. Other limitations are constraints in the physical space and the markets for freight rail that exist, how heavily subsidized by the public purse the New York & Atlantic Railway (NYA) is, how little of their own money NYA's owners are willing to invest in that railroad, and how little interest Class 1 railroads have in investing and operating east of Hudson on Long Island, including investing in a Cross Harbor Tunnel. Sure, CSX will pick up a 100 car train once a day at the Fresh Pond Yard interchange, but has invested its own money west of Hudson and elsewhere. Don't throw good money after bad -- more than \$100 million to date -- by spending more increasingly scarce public resources on planning the Cross Harbor Tunnel. Documentation of comments above and the EIS Appendix in which market research for the tunnel is referenced are in [CURES' Cross Harbor Freight comment](#).³⁰

7-2 1. b. *"Prioritize safe streets, intersections, railroad grade crossings and shared-use right of ways, and establish road safety initiatives that follow a Safe System approach."* For years residents have been asking for a Quiet Zone in Queens Community District 5, to reduce night time noise and increase

²⁶ CURES public comment on the Cross Harbor Tunnel FEIS, addressed to Jonathan McDade and Patrick Foye, October 26, 2015,
<https://drive.google.com/file/d/1YLSH3vs9oePzzSkDocF42cvD4U8nFUSA/view?usp=sharing>

²⁷ CURES Public Comment on TIP Amendment NYC 17-38 - X50201,
<https://drive.google.com/file/d/11oluhXst4U0bfep2wtHqvF5lVVZjj54-/view?usp=sharing>

²⁸ Interborough Express, a presentation by the MTA, Technical Advisory Committee, NYS DOT & ESDC, NYC DOT, EDC, Parks, City Planning, Stakeholders: PANYNJ, New York & Atlantic Railway, CSX Railroad, Amtrak, LIRR, 2022, https://drive.google.com/file/d/1NM6vfTnE8zz_hPcDhpoN2zhJGvxt-2uy/view

²⁹ LIRR FREIGHT STATIONS & PRIVATE SIDINGS 1966, from Pasquale J. Cuomo,
<https://docs.google.com/document/d/1G3QcxHcC86VDCckiglj3loBfc8oWRwrb/edit?usp=sharing&ouid=106932285069103280791&rtpof=true&sd=true>

³⁰ CURES public comment on the Cross Harbor Tunnel FEIS, addressed to Jonathan McDade and Patrick Foye, October 26, 2015,
<https://drive.google.com/file/d/1YLSH3vs9oePzzSkDocF42cvD4U8nFUSA/view?usp=sharing>

safety at grade crossings that have only freight rail grade crossing protection.³¹ There are even freight rail grade crossings in MTA-LIRR freight territory in NYC that require a crew member to exit the locomotive and walk the train across the grade crossing holding a lantern, for example on the Bushwick. There have been collisions and injuries because of this situation and the proximity of trackage to residential and commercial areas. Serious consideration should be given to increasing safety through upgraded crossing protection and increased security measures on the part of railroads in freight territory within MTA-LIRR's right of way, a subject that was raised at a roundtable with then FRA Administrator Amit Bose that was organized for the community by Congress Member Nydia Velázquez. The Congress Member's [Railroad and Freight Priorities for the Surface Transportation Package](#)³² address freight rail problems east of Hudson.

NYMTC Response: Comments are noted and will be shared with appropriate NYMTC member agencies.

Comment:

1. c. *"Rebuild, replace, and/or modernize needed transportation assets for passengers and freight."* Railroads have resisted decarbonizing even to the extent of repowering to Tier 4 emissions standards, which means thousands of times more air pollution for residents and workers. (For additional information please see this final draft Locomotive Workgroup report³³, approved for transmission to the Clean Air Act Advisory Committee by USEPA's Mobile Sources Technical Review Subcommittee on December 13, 2024, and the list of contributors³⁴.) In addition, the waste-by-rail industry has sued in federal court in the Southern District of New York to overturn NYS's new 2023 law to fully contain waste-by-rail in rail cars and containers: Case No. 24-CV-135 (RA). Containing waste in rail cars and modernization of rail fleets to Tier 4 or cleaner were NYMTC goals years ago, and it's time to fully fund and implement them. There are funds from the NYS Legislature that accumulated since 2013, which can be leveraged with private and federal funding to repower freight

³¹ RE. Public Comment - Draft FFY 2020-2024 Transportation Improvement Program and Draft Transportation Conformity Determination, Letter from Hon. Grace Meng to NYMTC, July 23, 2019, <https://drive.google.com/file/d/185DwAYlAtIF-cDVdXGU7b13kXmE3eL4s/view?usp=sharing>

³² Velázquez Pushes Bold Priorities in Upcoming Surface Transportation Package, <https://velazquez.house.gov/media-center/press-releases/velazquez-pushes-bold-priorities-upcoming-surface-transportation>

³³ Report on Considerations for Emissions Standards for Locomotives, 2024 Final Draft, Prepared by the Locomotive Workgroup of the EPA Mobile Sources Technical Review Subcommittee (MSTRS), <https://drive.google.com/file/d/1gw4vCQl8nA6lBFxpfnT35XkOdfiK-uBj/view?usp=sharing>

³⁴ Acknowledgments: MSTRS Members and Report Authors, December 2024, https://drive.google.com/file/d/1du5tiQBajRuAz_wHPV94fuUhVzYngNTu/view?usp=sharing

locomotives operating in the MTA-LIRR right of way to Tier 4 or cleaner emissions standards, giving communities and workers cleaner air to breathe. MP-15 frames can be used for this repowering, as Class 1 railroads are doing, making the money go farther. The funds are in NYS Comptroller's Contract # DR36644. MTA has procured Dual Mode Tier 4-electric passenger locomotives. Repowering the freight fleet also is overdue.

NYMTC Response:

MTA/LIRR is engaged in an active procurement to upgrade both the LIRR work locomotive fleet and locomotives used by LIRR's freight operator, New York & Atlantic Railway (NYAR) to Tier IV standards. Upgraded NYAR locomotives will be supported by New York State-allocated funding.

Freight on the LIRR network is required to be transported in accordance with all applicable laws and regulations. As the regulations referenced in the comment are either proposed or the subject of ongoing litigation, MTA/LIRR cannot respond at this time.

Comment:

3. i *"Promote resiliency strategies that account for environmental determinants of health and their impact on vulnerable communities."* A Recommended Action to [build and expand municipal waste combustors does not comport at all with "promoting resiliency" in the "Shared Vision."](#)³⁵

There are NYS designated Disadvantaged and Potential Environmental Justice Communities that are being adversely impacted almost every day of the year by toxic diesel emissions from outdated locomotives and toxic waste blowoff, leachate, and gas from open rail cars with "muffintop" loads of C&D covered only by pervious orange netting. EJ communities in NYC, on Long Island, and in the Bronx are overburdened with pollution from waste transfer stations, including C&D transfer stations that are not fully enclosed, and from trucks, and/or locomotives. The same problems exist east of Hudson as when The [State of Waste in Queens report](#) was written in 2021, but now there's even more waste-by-rail.³⁶

Also, the LIRR has ancient rescue trains, diesel locomotives that idle 24-7, including idling day and night by new development in Long Island City. LIRR can utilize electric shore power to keep these units powered with resulting zero local emissions and cleaner community air. While repowering is imperative, electric shore power is an interim fix for some of the harms the LIRR is inflicting on the public by using ancient locomotives, including these rescue trains.

³⁵ Energy Justice Network, Incineration and Environmental Racism, <https://energyjustice.net/incineration/ej/>

³⁶ The State of Waste in Queens, A Report by the Queens Solid Waste Advisory Board Organizing Committee, Waste Impacts, pages 64-70, April 2021 <https://queensswab.nyc/wp-content/uploads/2021/05/Waste-Impacts.pdf>

The new business that the New York & Atlantic Railway's owners did invest in and opened this year east of Hudson is another toxic-waste-by-rail business on MTA-LIRR property (this time in Blissfield Yard): their Precision Terminal Logistics' open-air intermodal transfer station for coal ash. The toxic ash is intended to be sourced from coal-fired power plants' waste ash and used by [cement plants, which are notorious for spreading pollution in vulnerable neighborhoods.](#)³⁷

7-8 11. *"Develop transload yards and industrial sidings to enhance regional freight rail volumes. Address vertical clearances and railcar storage capacity needs in order to support growth in rail freight movement."* Please be aware that unless transload yards also increase the capacity of trackage for rail car storage, those rail cars are going to wind up stored on tracks in neighborhoods, with attendant toxic pollution and noise from old locomotives and trains during rail moves. And where is the space to build those yards coming from, as pressure to construct more housing builds and formerly industrial areas gentrify? Building transload yards also does not increase the capacity of local streets to handle traffic. Pollution from trucks moving through and parking in residential areas already is an issue. Why spend the time and labor required for multiple intermodal freight moves -- when shippers can put it on a truck at an intermodal warehouse and deliver it directly to the customer? Trucks serve ports and railyards that can handle double stack and autorack rail cars that can never come through Fresh Pond Yard, which is another issue for shippers. The tallest rail car that goes into Fresh Pond yard to be classified and switched to or from the Bay Ridge, the Fremont Secondary, the Bushwick, the Montauk, etc. is a Plate F high side gondola. There is a new bridge by Metropolitan Avenue that limits the size of rail cars. Electrified sections of LIRR track pose other spacial limitations. You can't put 10 pounds of flour in a five pound sack. And it is not worth spending billions of public dollars on infrastructure to give waste shippers their choice of routes off Long Island.

NYMTC Response: These are important considerations for transload facilities. However, the operational design of future facilities is beyond the scope of a long-range regional freight plan.

Comment:

There are many references in this plan about the use of new technology. When it comes to freight rail, CURES' experience since 2009 is that on Long Island, within the MTA Right of Way, this is extremely naive thinking. Why? Public and private railroads are still using Tier 0 locomotives to haul freight, fouling the air our families breathe. Bridges have been modernized and some trackage added at public expense, but the heavier, high side Plate F waste-by-rail gondolas they were made for are still hauling toxic "muffintop" loads of C&D without solid covers, in defiance of a 2023 NYS

³⁷ WASTED CITY STREETS Pols' toxic tour shows pollution peril in Queens, Daily News, April 9, 2018, <https://www.nydailynews.com/2004/08/20/wasted-city-streets-pols-toxic-tour-shows-pollution-peril-in-queens/>

law. The AAR, ASLRRRA, and the National Waste & Recycling Organization-New York State Chapter are in federal court fighting this modest public protection tooth and nail. The case is scheduled to be heard in 2026. The C&D in the photos of rail cars that follow is presumed to be toxic by NYS. Residents who are being adversely impacted by waste-by-rail pollution took the photos on pages 19, 20, 23, 26, and 27.

NYMTC Response: As a long-range regional plan, anticipation of possible future technology is essential. The point about the track record to date on Long Island is noted.

Comment:

Our comment reflects the fact that the health and quality of life of residents and workers is at stake. Please give it your most serious attention. When making transportation decisions, more than lip service must be paid to protecting public health, the air we breathe, the water we drink, the food we eat, and vulnerable and overburdened communities.

If you do nothing else we have asked, we implore NYMTC to remove Recommended Action #4 from Moving Forward 2055. Every building -- including municipal waste combustors -- is served by truck, rail, or barge. Please stick to the regional waste movement aspects, and don't go to bat for the proliferation of municipal waste combustors -- which would tragically lock in export and disposal to incineration and landfilling, while externalizing costs of climate and health altering pollution. #4 as advocacy for municipal waste combustors would undercut emerging Zero Waste policy and action to reduce unsustainably unhealthy levels of toxics and waste, and render innovative technologies and actions -- that protect health and the environment instead of externalizing costs -- uncompetitive. NYMTC, the decisions you make will affect us, our neighbors, families, children, grandchildren, and generations to come. Thank you again for this opportunity to comment on Moving Forward 2055.



WIN Waste Innovations gondola loaded with C&D

NYC Council Member Holden to NYS: FIX WASTE-BY-RAIL PROBLEMS Or Be DENIED New Transfer Station Permit

CURES
Civics United for Railroad Environmental Solutions

By Mary Parison-Lavelle, Chair
Civics United for Railroad Environmental Solutions

Here we go again, folks. The New York State Department of Environmental Conservation (DEC) is reviewing another permit application for a new waste-by-rail transfer station. Peconic Environmental Services, the permit application proponent, is shipping the tonnage of up to 5,300 additional large, Plate F rail gondolas of "C&D Residue" into NYC from Suffolk County annually. All of these rail cars of landfill-bound waste will be handled by the New York & Atlantic Railway and CSX in and around Fresh Pond Yard.

In response to the permit application, on October 20, 2022, Council Member Bob Holden submitted a blistering public comment to DEC. See Letters, page 12! He said the permit should be denied unless New York State addresses community problems that already can be anticipated. Council Member Holden's letter specifically refers to adverse community impacts caused by a lack of state waste-by-rail containment standards. What does the Peconic Environmental Services application disclose that points to how this industry dumps problems and costs on

The railroad compliant tarps used today, under the CSX tariff, are pervious orange mesh that allows precipitation to enter the rail gondola.

neighborhoods? What happens to your family when they load waste odors, blowoff, and leachate into rail gondolas with open tops and drains in the bottom?

The problem of foul odors coming from rail gondolas of "C&D Residue"

The Peconic Environmental Services permit application discloses information that points to why rail cars hauling "C&D Residue" can emit foul odors and leachate. The application discloses that the transfer station dumps its potential leachate and odor problems into rail gondolas that they ship "away" into your neighborhood! The application says: "FLOOR DRAINS - The facility shall not collect leachate and store it in underground tanks. These are prone to clogging and produce foul odors. Instead, the concrete slab shall be pitched towards the center region of the tipping floor. Moisture is typically absorbed within the C&D material. In the event standing water is discovered, absorbent pads or booms shall be utilized and then disposed of with the C&D material."

The problem of sinking leachate draining out the bottom of the rail car

The Peconic Environmental Services permit application says they will use the same type of open rail gondolas that are already being used for "C&D Residue" by rail, with railroad compliant tarps. These gondolas are open at the top and have drains in the bottom. The railroad compliant tarps used today, under the CSX tariff, are pervious orange mesh that allows precipitation to enter the rail gondola. Because of the way the bottom of the rail gondolas are shaped, and because they are never completely emptied, filthy leachate both collects in the bottom of the rail car and drains out in your neighborhood.

The problem of waste blowoff polluting community air

Since the waste is not completely contained within the rail cars, the cars emit clouds of dusty C&D blowoff in neighborhoods, as they are hauled, classified, and the wind blows through them. And yet the Peconic Environmental Services application says they will test it. "No! Should any fill material or residue leave the facility for reuse, it shall be analyzed in accordance with the sampling and analysis requirements outlined in section 360.13(c) of Part 360. A minimum of one analysis is required for every 1000 cubic yards of fill material and must follow the criteria outlined in section 360.13(f) of Part 360"

Why would the applicant have to promise to test? What is NYS concerned about finding in the "C&D"? According to what is in the list below, it's toxic pollution! This material is crushed and dumped into rail gondolas that regularly emit possibly contaminated dust that no one is testing into community air!

Analytical parameters. Fill material samples must be analyzed for:

- (i) the Metals, PCBs/Pesticides, and Semi-volatile organic compounds listed in subdivision 375-6.8(b) of this Title;
- (ii) asbestos if demolition of structures has occurred on the site;
- (iii) volume of physical contaminants, if present, based on visual observation; and
- (iv) Volatile Organic Compounds listed in subdivision 375-6.8(b) of this Title, if their presence is possible based on site events such as an historic petroleum spill, odors, photoionization detector meter or other field instrument readings.

N.Y. Comp. Codes R. & Regs. Tit. 6 § 360.13 - Special requirements for predetermined beneficial use of fill material

Senator Joe Addabbo, Assembly Members Hevesi and Bannwell, and Congress Member Grace Meng have tried to enact legislation to establish standards for containment of waste in a rail car to protect communities. However, today all that "protects" our families from what is in the "C&D Residue" that blows and drains out of rail gondolas is that orange mesh. **Thank you, Council Member Holden for telling New York State this has to stop!**

What does the Peconic Environmental Services application disclose that points to how this industry dumps problems and costs on neighborhoods?

What happens to your family when they load waste odors, blowoff, and leachate into rail gondolas with open tops and drains in the bottom?

24 JUNIPER BERRY • Winter 2022

JUNIPER BERRY • Winter 2022 25

Please note that the above is a stock photo selected by the publication.

Garbage train.





Kim J Haynes Mccray ▶ **Sunny Farm Landfill complaint group**

May 17 at 9:21 AM · 🌐

Waiting on train on Rt 224. This is all the trash waiting to get into dump, look how far it goes, TAKE IT BACK NEW YORK WE DONT WANT IT!!!!

Derailment of Tunnel Hill-Coastal Distribution C&D gondolas near Sunny Farm Landfill in Ohio

NTSB

Railroad Accident Report

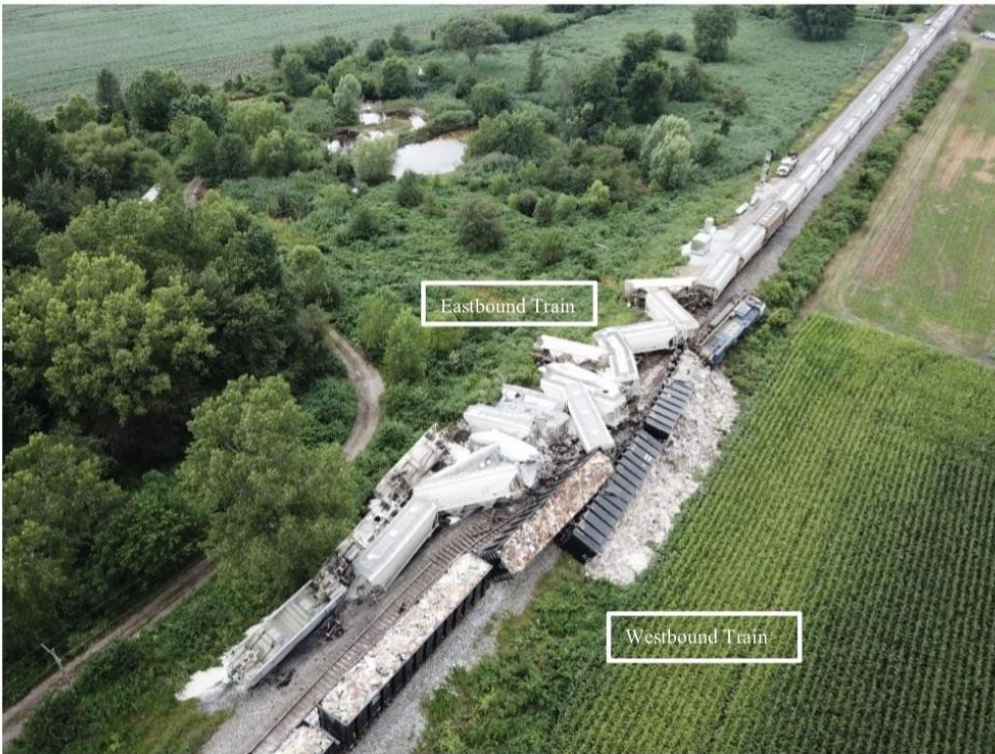


Figure 1. Aerial view of collision location. (Photograph courtesy of CSX.)



CURES - Civics United for Railroad Environmental Solutions

Published by Mary Arnold · January 31 at 1:04 PM ·



Private investors are making \$\$\$\$\$\$ by processing, hauling, and landfilling waste at the least cost to themselves. Investors dump costs on residents and communities in the form of air, land, and water pollution and health costs. When are they going to cover their rail cars with "hard tarps", as required by NYS law starting January 1, 2024?! As you can see from this promotional photo, these rail cars are not covered! They are shamelessly advertising one way they are harming families for profit! [Assemblywoman Jenifer Rajkumar](#)



WIN Waste Innovations

January 26 at 4:12 PM ·

[#FunFactFriday](#): Did you know WIN Waste is one of the largest integrated waste-by-rail companies in North America? 🚂 🗑️ We move more than 4 million tons of waste annually through our rail-served transfer stations — avoiding the carbon emissions of thousands of truck trips. Now that's a WIN. 🏆

[#winwaste](#) [#performancefortheplanet](#)

2015



2009



C&D DERAILMENTS.

3-14-15



9-15-15



Hoping to get

on track

BY ALFONSO A. CASTRO

alfonso.castro@newsday.com

The Long Island Rail Road said it expected to resume normal service in time for this morning's commute after a derailed freight train near Hicksville that caused two days of cancellations and delays.

The derailment — the third incident in just two weeks to cause major service disruptions on the LIRR — impacted some 25,000 riders, more than a third of the railroad's



Trash-filled train causes concern

I was disgusted by the picture of a derailed train car overflowing with trash ["Train trouble," News, May 15].

I can just imagine what would happen to all that trash if there were more wind, or wind caused by train speed! Who's in charge of loading

NEWSDAY, FRIDAY, MAY 23, 2014

Eight cars derailed May 14 at Jamaica construction debris, a second cooking oil and

those cars and making sure they are covered with tarps?
John R. Saxe
Islip

5-14-14





TV coverage of a derailment of C&D Gondola on the LIRR Main Line

In 2008, the C&D-by-rail industry started up on Long Island. From the beginning of this new industry, residents and elected officials implored railroads and shippers to "Put A Lid On It!" Finally in 2023, Queens' state elected officials got a NYS law passed mandating solid covers. The industry sued in federal court to overturn this modest law. One of their arguments is that hauling it this way -- in gondolas that emit blowoff, leachate, and gas that NYS presumes to contain toxics -- is the "industry standard." There is no federal jurisdiction over how C&D is hauled in a rail car because it is federally classified as "Non-Hazardous" waste.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATION OF AMERICAN
RAILROADS; AMERICAN SHORT LINE
AND REGIONAL RAILROAD
ASSOCIATION; and NATIONAL WASTE
& RECYCLING ASSOCIATION – NEW
YORK STATE CHAPTER,

Plaintiffs,

v.

BASIL SEGGOS, *Commissioner of the New
York, Department of Environmental
Conservation*; and LETITIA JAMES,
Attorney General of New York, in their
official capacities.

Defendants.

No. 24-CV-135 (RA)

OPINION & ORDER

RONNIE ABRAMS, United States District Judge:

In 2023, the “Waste By Rail Law” was enacted in New York State, mandating that particular coverings be placed over solid waste when transported by rail within the State. *See* N.Y. Env’t Conserv. Law § 27-0712(2) (McKinney 2023). Asserting that federal law preempts New York’s enactment of the law, the Association of American Railroads, the American Short Line and Regional Railroad Association, and the New York State Chapter of the National Waste & Recycling Association (“Plaintiffs”) brought this action against Basil Seggos, Commissioner of the New York Department of Environmental Conservation, and Letitia James, Attorney General of New York (“Defendants”), in their official capacities, seeking to enjoin enforcement of the law and a declaratory judgment that federal law preempts it. Now before this Court is Defendants’ motion to dismiss the Complaint. *See* Mot. to Dismiss, ECF No. 26. For the reasons that follow, the motion is granted in part and denied in part.

7/24/25

Freight rail emissions and noise in NYC from 1970's locomotives



9-15-23
New York & Atlantic Railway
locomotive, Queens, NYC



7-10-22
LIRR work train, Queens, NYC

Residents took these photos of the LIRR's freight rail concessionaire and the LIRR operating ancient, high-polluting diesel locomotives in the MTA-LIRR right of way.

Submitted to the New York Metropolitan Transportation Council by Civics United for Railroad
Environmental Solutions

July 30, 2025

NYMTC Response:

MTA/LIRR is engaged in an active procurement to upgrade both the LIRR work locomotive fleet and locomotives used by LIRR's freight operator, New York & Atlantic Railway (NYAR) to Tier IV standards. Upgraded NYAR locomotives will be supported by New York State-allocated funding. Freight on the LIRR network is required to be transported in accordance with all applicable laws and regulations.

Comment #15

July 30th, 2025

Karen Argenti from the Bronx Council on Environmental Quality

Via email

Subject: Bronx Council on Environmental Quality Comment

Thank you for your comments. These comments are noted, and NYMTC is aware of and facilitating coordination and discussions with nearby stakeholders and initiatives. Additional responses from NYMTC to comments received are as follows:

**Bronx Council for Environmental Quality comments on the
2055 NYMTC Plan and Resilience Plan – Vision, Examples, Goals**

Comment:

1. Trucks

Vision:

Increased capacity of city streets in the metropolitan core through local DOT enforcement/design modifications for truck and commercial vehicle parking

Trucks are coming into New York City, and particularly the Bronx all the time. NYS DOT is ignoring the logistical demands of truck-bound freight coming in and out of NYC and is relying on NYC DOT city streets to serve as makeshift depots. New York City streets are not truck depots.

Local enforcement can regulate the time of day for travel and transport, places to park when at rest (and not on our streets, bridges, traffic islands, etc.), and special routes for each truck type and size. This is especially urgent during the warmer months where the air pollution increases with higher temperatures. Enforcement is urgent and should be the DOTs based on location.

Examples:

DOT put Jersey barriers around a triangle at the Jerome Avenue exit of the Cross Bronx expressway to stop trucks from resting there. There are other locations like Jerome Avenue where it is a service road for the Major Deegan in Van Cortland Park. In that case it doesn't help that there are two gas stations with rest rooms and food in the park along the highway making the whole thing a virtual rest stop for truck drivers. It's the same along the Deegan near Cedar Avenue Playground.

Goals:

Increased capacity for truck parking, stopping, idling, etc.

NYMTC Response: NYCDOT's Smart Truck Management Plan addresses issues related to truck parking and enforcement which are beyond the jurisdiction on the NYMTC Plan. This comment will be forwarded to NYCDOT for consideration.

Comment:**2. Freight Networks***Vision:*

A regional freight rail/truck/boat transportation network that removes heavy truck traffic from secondary and tertiary roadways, alleviates idling pollution in dense urban neighborhoods, and speeds the delivery of goods and services to the metropolitan core.

What is needed is a comprehensive regional plan for heavy truck travel into and out of our communities. Satellite distribution centers removed from commercial districts could easily alleviate traffic and congestion that hinder local neighborhood economic development and bring truck idling pollution to our Bronx communities.

These need to be developed so that things can be delivered with the least impact on the quality of life of other economic and social segments in our communities.

Centralization of distribution facilities in the metropolitan core has come at a heavy price. Hunts Point is an unmitigated environmental disaster, creating and exacerbating chronic health problems due to truck idling. Only now do we see electrification coming to the site. Centralization, a longtime NYS logistical goal for freight, has a cost--and a price.

NYMTC needs to adopt guidelines and programs for mitigating exhaust at high volume sites and adopt "do no harm" principles for design, construction, and maintenance of its freight transfer facilities, especially as they are located in poor neighborhoods.

The Blue Highway initiative languishes while New York's waterfronts are rezoned to eliminate commercial and freight traffic. State IDA and DOT cooperation is needed with local zoning to ensure that waterfront deindustrialization does not eliminate all water-based distribution.

Examples:

Blue Highways initiative. It looks to be mostly focused on Brooklyn. There was an attempt to get the fish market involved in such a thing a long time ago but not much came of it. Why not?

Goals:

Increased local economic activity through greater mobility of goods and services; segregation of light and heavy truck traffic to benefit local economies and alleviate air pollution in neighborhoods; increased and purposeful investment in distribution infrastructure to grow state industries.

NYMTC Response: Recommendation 22 of the Regional Freight Plan element of Plan 2055 calls for developing urban and suburban freight hubs/consolidation centers, and microdistribution facilities drawing on the data collected through the Regional Freight Land Use Study in order to facilitate the transfer of freight and parcel deliveries to smaller, lower emissions vehicles.

Comment:**3. Rail Infrastructure in our community***Vision:*

A transparent master planning process that engages MTA with the needs of the communities in which it locates its operations and houses its maintenance facilities and that distributes them equally and fairly across its service areas; a sustainability strategy that mitigates the environmental impacts of large facilities on communities.

Capital Improvements and Increasing Maintenance are an essential part of the complete transportation system. This should not only rely on complaints but should be on a regular basis and built into the cost analysis of any and all infrastructure. As this becomes standard operating procedures, sustainable choices will take the lead.

NYMTC plans for NYS should include MTA plans for transportation changes or improvements. Currently, MTA plans do not make their capital plans for their leased or owned property publicly transparent; they do not issue master plans for regions; they do not have public comment on the impact of their current or proposed space utilization planning.

Transportation facilities in our community have become a burden to surrounding neighborhoods. The failure of these facilities, which include MTA train depots, to manage stormwater in the Bronx have led to chronic flooding in the poorest Bronx communities. BCEQ supported MTA in their search for FHWA grants to manage and mitigate but we have seen no results and had no outreach from MTA to follow up on the dangers we noted in our comments/letter of support. Though MTA treats its facilities and properties as "islands," they are not isolated from the environment and neighborhoods in which they are located. Citizens need to know that MTA will not degrade their community's capacity for resilience.

All around the city streets MTA and their affiliates never remember to sweep the garbage or remove snow and ice around its perimeter. Along the waterfront and in the yards, it is worse.

MTA has made the dubious decision to place its maintenance and transfer facilities for its operations on the most precious public asset known to New York City--its shoreline. MTA tracks follow this shoreline from upstate but those that run through the Bronx are supplemented by facilities and sheds that compound the obstacles for community access to the Harlem River waterfront and expand the footprint of MTA, making shared use all but impossible. As there are many examples of shared use for active railroads through the nation, we find it absolutely discretionary and indefensible on the part of MTA to deny all collaboration/contact with longtime advocates of waterfront community, in and out of local government.

MTA sent a clear message to the Bronx when it decided to shift waste transfer operations from the underground facilities of the newly activated Grand Central Terminal to accommodate the direct commuter link with the LIRR. The Bronx has received more than its fair share. The warehousing of

these facilities in a stretch of the Harlem River on which the poorest neighborhoods in the New York City reside calls for a reexamination, and public justification, for this discretion, which has no public review process, no environmental assessment, no authorization or consultation with local officials.

It is not neighborly to have facilities on the waterfront that are filled with garbage, cleaning the cars, or transferring trash. All over the world people treasure waterfronts. MTA has offered no funds or design to improve waterfronts in exchange for using them as industrial facilities.

All maintenance operations conducted at the waterfront sites should incorporate strict environmental controls given the proximity of the waterway and the use of industrial strength cleaners. Design modifications at these sites should ensure that there is no stormwater runoff or other pollutants going into the waterway. That includes the weed killer sprayed from the back of the train, which is totally inappropriate, as it not only harms our natural resources it is not healthy for people either.

NYMTC needs to issue ASAP a fair share analysis of MTA that quantifies the distribution of maintenance facilities and operation in its service area, cross referencing with population demographics. MTA is a huge land and lease owner in New York City, and controls the environmental health, waterfront planning, recreational access, and community development of all the communities that border its properties. Putting the trash and washing cars for the MN system along the Harlem River without becoming part of the statewide system to help clean up the river and build community access, is not fair, equitable, or effective. Access to the water is a sacred right. Clean water is part of that.

Examples:

Harlem River waterfront in the Bronx at Harlem River Yard, Highbridge Yard, Fordham Landing North (not sure how to describe it); TA yards at Water Place and 149th Street behind the old Post Office on the Concourse, etc.

Goals:

Immediately, adopt, implement and publicly list individual Stormwater Management Plan and Annual Report as required by law.

NYMTC Response:

MTA has an extremely transparent planning process, with public outreach and comment solicitation, and is fully viewable during the 20-Year Needs process and in the final adoption of the five-year Capital Plan. Further, MTA has a large net positive impact on the environmental quality in the Bronx.

Transportation facilities in the Bronx predate the residential communities that are near them. For example, Metro-North yards in the Bronx are generally over 100 years old (BN yard has been a yard for over 100 years, originally serving as a switching yard for where the Hudson Line met the Putnam

Line) and the Hudson Line is 175 years old. The Bronx began to develop as an urban center with the introduction of trains, with the lines now being the same ones that ran back then.

The vast majority of Metro-North maintenance facilities and maintenance work is done outside of NYC and the Bronx. Although there are yards in the Bronx, they are smaller, less active, and less impactful than the larger facilities as they supporting operational needs within the Bronx and support functions that need to be done between trips. The largest and busiest facilities are in New Haven and Croton with Stamford, White Plains, Poughkeepsie and Brewster as the next tier.

Comment:

4. Bridges over water ways for cars, subways and railroads

Vision:

A bridge infrastructure that manages and recycles stormwater for productive uses.

With 14 bridges spanning the Harlem River, NYS DOT and NYC DOT bridges serve as prime sources of stormwater outfall into the river. Bridges need to be repaired and replaced with modern stormwater management systems that can redirect, retain, and when possible, recycle stormwater for greywater uses. As they are, these bridges are stormwater pollutant discharge systems that need to be brought to the modern age. The stormwater management for these highways is left to municipalities and their local sewer systems, or when those systems run through parks, on-site park management.

It is time for this off-loading of transportation infrastructure stormwater management from state to municipality to end. Since 1985, stormwater runoff from every bridge cannot discharge into a waterway. The rule is to treat all stormwater to the highest level of the waterbody based on its use. This needs to be a priority for the regional plan because bridges and roads are part of the waterbody infrastructure system and represent a large share of impervious surfaces across the city.

Examples:

Many of our rivers, including the Bronx and Harlem Rivers, have degraded. Recently, the state issued a proposal to lower the primary contact recreation use to secondary. While runoff from the bridges are not the only pollutants, that runoff is filled with oils and dirt from the roadways – which have the added complication of temperature, which has a impact on habitat.,

Goals:

Whenever a bridge has a capital project, it must include managing the scrubbers so that they are off loaded on the approaching bridge landscapes.

NYMTC Response: Stormwater management as it relates to facilities is an operational aspect of the transportation system that is beyond the scope of Moving Forward 2055. Therefore, these comments will be forwarded to the relevant NYMTC member agencies — primarily NYCDOT and NYSDOT — for their consideration.

MTA Response:

The MTA acknowledges BCEQ's support for our application to the FHWA's PROTECT (Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation) program for Westchester Yard. Westchester Yard is the home of the 6 train, plus many work trains that keep the subway system running. BCEQ's support contributed to the successful award of \$33.2M in stormwater and coastal flood protections. These protections will include stormwater detention facilities that will benefit the adjacent tidal wetlands around Westchester Creek. More information on the award is here: <https://www.mta.info/press-release/mta-awarded-federal-grant-protect-nyc-transit-westchester-train-yard-flooding>

The MTA also appreciates BCEQ's support for our 2023 applications to FHWA's PROTECT program for Metro-North Mott Haven Yard Flood Mitigation Planning and Hudson Line Resilience Planning. While those applications were not successful, the MTA's 2025-2029 Capital Plan includes funding for Mott Haven Yard stormwater mitigation and climate resilience investments for the Hudson Line.

Comment:

5. Resilience

Vision:

The complete system needs to consider resiliency as an every day goal. We note the focus on storm surge and coastal flooding resilience. But the plan needs to concentrate on non-coastal flooding as well--a principle cause of recent stormwater transit system shutdowns. In addition, the full transportation complex, including bus stops and subway stations, needs to adopt the rules for Managing Stormwater, like site specific Annual Stormwater Management Plans. Every one of your sites are in flood zones, and have no SMPs publicly available.

Examples:

An example of this would be to make another stop in the Bronx at the intersection of the 4, 5, 2 and Metro North at 149th Street behind the former Grand Concourse Post Office. This site needs special attention that is not limited to moving people to Manhattan but to other places like Connecticut and Westchester.

Another point would be the recent flooding of the #1 subway at 28th Street and also at 145th Street. You are responsible for managing your stormwater, and there are now many ways to do it. If you want to make sure it does not rain on the platform, you may have to help out on the street above,

but building and maintaining green infrastructure – at the very least around the entrances to the subway stations.

Goals:

Good Housekeeping as required by the MS4 and CSO permits. Try to be a Good Neighbor.

NYMTC Response: Stormwater management, particularly in the era of climate change as warmer air brings more frequent and intense rainfall events, is of paramount importance to the MTA. The MTA has several climate resilience initiatives that will mitigate impacts of stormwater on critical infrastructure described in the 2025-29 Capital Plan as well as the MTA Climate Resilience Roadmap (both documents available at mta.info). Of paramount importance are the parallel actions taken by city agencies, including DEP and DOT, to mitigate the neighborhood scale impacts of torrential rainfall and stormwater runoff.

Note that the MTA posts information on its website regarding MS4 here:

mta.info/transparency/storm-water-reports

Comment:

6. Environmental & Land Use - See Chapter 4 for Goals and Fairness and access

Vision:

Recarbonize the properties of the Transportation Industry to protect the urban environment by using Green Infrastructure and ecosystem services including maintenance to create carbon to offset current levels of pollution. Use GI in all landscapes as much as possible to the point of creating 30% protected forest and/or GI, including creating wetlands.

Examples:

Comprehensive plan to reimagine the Cross Bronx Expressway, New England Thruway, Bruckner Expressway, and the Major Deegan Expressway by rebuilding all the viaducts and bridges, including stormwater management treating runoff.

Comprehensive Cross Bronx Expressway plan - bridges, decking, parallel bus routes, MS4 compliance.

Goals:

In the Recarbonization of the Biosphere: Ecosystems and the Global Carbon Cycle Book (2012), the abstract describes the model we need to adapt. The book explains how the biosphere, including urban lands are potential C sinks, see below:

Human activities are significantly modifying the natural global carbon (C) cycles, and concomitantly influence climate, ecosystems, and state and function of the Earth system. Ever increasing amounts of carbon dioxide (CO₂) are added to the atmosphere by fossil fuel combustion but the biosphere is a potential C sink. Thus, a comprehensive understanding of C cycling in the biosphere is crucial for identifying and managing biospheric C sinks. Ecosystems with large C stocks which must be protected and sustainably managed are wetlands, peatlands, tropical rainforests, tropical savannas, grasslands, degraded/desertified lands, agricultural lands, and urban lands. However, land-based sinks require long-term management and a protection strategy because C stocks grow with a progressive improvement in ecosystem health.

In addition, the article “Evidence and attribution of the enhanced land carbon sink”, Nature Reviews Earth & Environment, 25 July 2023. This article explains how long term sequestration is possible if nature based climate solutions and appropriate ecosystem management strategies are used:

Climate change has been partially mitigated by an increasing net land carbon sink in the terrestrial biosphere; understanding the processes that drive this sink is thus essential for protecting, managing and projecting this important ecosystem service. In this Review, we examine evidence for an enhanced land carbon sink and attribute the observed response to drivers and processes. This sink has doubled from 1.2 ± 0.5 PgC yr⁻¹ in the 1960s to 3.1 ± 0.6 PgC yr⁻¹ in the 2010s. This trend results largely from carbon dioxide fertilization increasing photosynthesis (driving an increase in the annual land carbon sink of >2 PgC globally since 1900), mainly in tropical forest regions, and elevated temperatures reducing cold limitation, mainly at higher latitudes. Continued long-term land carbon sequestration is possible through the end of this century under multiple emissions scenarios, especially if nature-based climate solutions and appropriate ecosystem management are used. A new generation of globally distributed field experiments is needed to improve understanding of future carbon sink potential by measuring belowground carbon release, the response to carbon dioxide enrichment, and long-term shifts in carbon allocation and turnover.

NYMTC Response: The Environment is one of Moving Forward 2055’s seven vision goals described in Chapter 4. This goal focuses on long-term environmental stewardship and reducing harmful pollutants from the operation, preservation, and enhancement of the transportation system. The goal seeks to minimize the transportation system’s environmental impacts through land use measures, environmental stewardship, managing vehicular travel, promoting lower impact vehicle technologies, and mitigating community impacts. NYMTC’s member agencies have individual policies for addressing the impacts of transportation on the environment, which include design elements such as Green Infrastructure.

Comment:

7. Enhanced community participation

Vision:

We cannot state enough that the lines of communication between the metropolitan transportation system are in need of work.

Examples:

A few things about the plans for renewing the Cross Bronx Expressway show a lack of planning.

In 2004 The State of New York performed a Major Investment Study (MIS) for the Cross Bronx and Major Deegan. Most of the Deegan work, the Highbridge Interchange and the Hamilton Bridge, has been completed. The Cross Bronx part is only now beginning. The MIS proposed “connector roads” alongside the Cross Bronx Expressway and areas of decking over it to carry part of the service roads for buses and for open space.

Goals:

A plan to “Reimagine the Cross Bronx Expressway” was released in 2025, twenty years later, nothing having happened for the Cross Bronx in the interim. It contains some of the same ideas, new side roads, decking/capping and open space. It does not include a bus route on the capped portions, moving such Bus Rapid Transit ideas to the south and north. NYSDOT was heavily involved in this plan.

However, actual Cross Bronx Expressway projects are very different. When the current project to replace five bridges was presented in 2016 NYSDOT said the “Bronx Borough President’s Office asked if this project had any connection to the CBE Major Investment Study (MIS) that was done by NYSDOT. NYSDOT responded that while the proposed project does not incorporate the connector roadway recommended in the CBE MIS, it does not preclude that roadway from being implemented in the future.” The presentation said: Temporary three-lane structure south of existing mainline.

Now the idea of a permanent connector road has come back again but there is no plan or design to connect it to anything to the west. A second project at Third and Webster Avenues is at some stage of study or design, again with little or not reference to the 2004 or 2025 work to “fix” the Cross Bronx. There are no plans, or funding, to connect the connectors to each other or to much of anything to the west.

And there are more projects in development, apparently four expansions of the Cross Bronx, near Coop City. We have no information about what two of the “phases” might be. This expansion is taking place within walking distance of a new Metro North Station. Is it possible that the new station might reduce the need for more highway space?

A robust community driven plan to redesign the Cross Bronx puts the buses someplace else, State DOT told us in 2016 that the diversion structure was temporary, we have 20 years of planning that is

invisible in the actual proposed construction. Even the new connector is only meant to: "Improve multi-modal accessibility within the project limits". We are expanding a highway right next to a train station, there are no funded mitigations for the communities through which the most infamous highway disaster in the country was built: no capping, no sound barriers, no new crossings, no open space expansions or improvements. This situation is neither just nor sensible.

Conclusion:

Thank you for this opportunity to comment. We are available to have a discussion anytime.
Sincerely,

Karen Argenti, BCEQ Recording Secretary – karen@bceq.org

Robert Fanuzzi, BCEQ President – robert@bceq.org

Formed in 1971, Bronx Council for Environmental Quality (BCEQ) has sought to establish a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage. We are a volunteer organization with no staff.

NYMTC Response:

Comment #3 – Rail infrastructure in our community

The MTA acknowledges BCEQ's support for our application to the FHWA's PROTECT (Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation) program for Westchester Yard. Westchester Yard is the home of the 6 train, plus many work trains that keep the subway system running. BCEQ's support contributed to the successful award of \$33.2M in stormwater and coastal flood protections. These protections will include stormwater detention facilities that will benefit the adjacent tidal wetlands around Westchester Creek. More information on the award is here: <https://www.mta.info/press-release/mta-awarded-federal-grant-protect-nyc-transit-westchester-train-yard-flooding>

Comment #5 - Resilience

Stormwater management, particularly in the era of climate change as warmer air brings more frequent and intense rainfall events, is of paramount importance to the MTA. The MTA has several climate resilience initiatives that will mitigate impacts of stormwater on critical infrastructure described in the 2025-29 Capital Plan as well as the MTA Climate Resilience Roadmap (both documents available at [mta.info](https://www.mta.info)). Of paramount importance are the parallel actions taken by city agencies, including DEP and DOT, to mitigate the neighborhood scale impacts of torrential rainfall and stormwater runoff. Note that the MTA posts information on its website regarding MS4 here: [mta.info/transparency/storm-water-reports](https://www.mta.info/transparency/storm-water-reports)

Appendix E: Coordinated Public Transit – Human Services Transportation Plan

Comment E-1

July 25th, 2025

People's Arc of Suffolk

Via email

Subject: Request for Inclusion in Coordination Plan

NYSARC Inc - Suffolk Chapter has received FTA 5310 funding for vehicles in Suffolk County, NY.

I am writing to request inclusion in the 2055 Coordinated Human Service-Public Transportation Plan.

This is a requirement of receiving grant funding.

NYMTC Response: People's Arc of Suffolk will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.

Comment E-2

July 25th, 2025

John T. Mather Memorial Hospital

Via email

Subject: Coordinated Plan – Mather Hospital

Mather Hospital has received FTA 5310 funding for vehicles and service provision. Mather Hospital is located in Suffolk County.

I am writing to request inclusion in the 2055 Coordinated Human Service-Public Transportation Plan. This is a requirement of receiving grant funding. Mather has been included in the past, and is in the current plan.

NYMTC Response: John T. Mather Memorial Hospital will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.

Comment E-3

July 25th, 2025

Jewish Guild for the Blind

Via email

Subject: Inclusion in 2055 NYMTC Coordinated Plan

Jewish Guild for the Blind (an affiliate of Lighthouse International) has received FTA 5310 funding for the provision of mobility management to individuals who are blind or visually impaired in the 5 boroughs of New York City.

I am writing to request inclusion in the 2055 Coordinated Human Service-Public Transportation Plan. This is a requirement for receiving grant funding.

NYMTC Response: Jewish Guild for the Blind will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.

Comment E-4

July 25th, 2025

Community Program Centers of Long Island, Inc.

Via email

Subject: Request to be included in the 2055 Coordinated Human Service-Public Transportation Plan

Community Program Centers of Long Island, Inc. (DBA Day Haven Adult Day Services) has received FTA 5310 funding to purchase vehicles in Ronkonkoma and Port Jefferson New York

I am writing to request inclusion in the 2055 Coordinated Human Service-Public Transportation Plan. This is a requirement of receiving grant funding.

NYMTC Response: Community Program Centers of Long Island, Inc. will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.

Comment E-5

July 25th, 2025

United Cerebral Palsy of Greater Suffolk, Inc.

Via email

Subject: Request to be included in the 2055 Coordinated Human Service-Public Transportation Plan

United Cerebral Palsy of Greater Suffolk, Inc. (DBA United Cerebral Palsy of Long Island, Inc.) has received FTA 5310 funding to purchase vehicles in Hauppauge New York

I am writing to request inclusion in the 2055 Coordinated Human Service-Public Transportation Plan. This is a requirement of receiving grant funding.

NYMTC Response: United Cerebral Palsy of Greater Suffolk, Inc. will be added to the Appendix E-Coordinated Plan of the *Moving Forward 2055*.

Comment E-6

July 25, 2025

YAI

Via Plan Comment portal

Subject: Add YAI to Coordinated plan- Appendix E

Good morning,

I am writing as YAI receives 5310 funding for Mobility Management and should be included in Appendix E- Coordinated Plan of the Moving Forward Plan.

NYMTC Response: YAI organization will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.

Comment E-7

July 31st,2025

Head Injury Association

Via email

Subject: NYMTC Coordinated Plan

Head Injury Association (HIA) is a non-profit organization located in Hauppauge, NY. We have groups homes and day programs located in Nassau and Suffolk counties. HIA is a recipient of 5310 vehicles. As such, we are respectfully requesting to be included in the next revision of revision of Appendix 6 of the NYMTC Coordinated Plan.

NYMTC Response: Head Injury Association will be added to the Appendix E- Coordinated Plan of the *Moving Forward 2055*.