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August 26, 2013

Joan M. McDonald, Commissioner
NYS Department of Transportation
50 Wolf Road
Albany, NY 12232

Dear Commissioner McDonald:

I am writing in regard to the Metropolitan Transportation Authority's (MTA) letter dated July 24, 2013 that formally submitted a proposed amendment to the 2010-2014 Capital Program to the MTA Capital Program Review Board (CPRB). This major, proposed amendment:

- Adds \$5.674 billion to the 2010-2014 Capital Program for mitigation projects identified in response to Superstorm Sandy;
- Includes \$1.6 billion in project-level adjustments in accordance with the full funding plan approved by the CPRB in March 2012, and
- Rebalances the budgets of various project classifications to reflect current priorities and allow projects to proceed, including addressing so-called 10 percent issues. Although the Senate strongly supports the MTA's 2010-2014 Capital Plan and the proposed amendment that includes rebuilding and infrastructure hardening efforts, this is also the appropriate time to highlight a few concerns.

This is the second Sandy-related MTA Capital Plan amendment, and, upon its expected approval will increase the portion of the MTA 2010-2014 Capital Plan that is subject to CPRB oversight to \$31.849 billion, nearly \$9.7 billion more than the fully funded five-year program approved in March 2012. Earlier this year, the CPRB approved a nearly \$4 billion amendment for Sandy restoration and recovery projects. The severe flooding and infrastructure damage caused by Sandy was unprecedented, and the MTA should be prepared to take full advantage of available federal funding, including reimbursements from the Federal Transit Administration (FTA) and the Federal Emergency Management Agency (FEMA), for both recovery and mitigation capital projects. I'm well aware of the damage to the transit system caused by Sandy and the need to make repairs and hardening improvements. For example, subway service on the R line, which is a vital link to a major part of my district, will be rerouted for 14 months as the MTA rehabilitates the Montague Street Tubes that were badly damaged by flooding from Sandy.

According to the MTA, this amendment includes \$5.674 billion in transit and commuter railroad mitigation projects which will prevent or reduce water intrusion in stations, tunnels, and support facilities; fortify key infrastructure and right-of-way equipment; improve operational flexibility; and improve the overall resiliency of the MTA system and its ability

to recover from major weather events and other disruptions. To maximize the use of Sandy-related federal funds and to ensure that mitigation and recovery projects are delivered efficiently and in a cost effective manner, the MTA should ensure that a rigorous monitoring process is in place. In addition, the MTA should provide the CPRB with regular status reports on the allocation of federal assistance and the progress of projects funded within the Disaster Recovery portion (\$9.65 billion) of the 2010-2014 Capital Plan.

As previously noted, the proposed amendment contains mitigation projects to improve resiliency of the MTA network, including construction funding for the second phase of the Long Island Rail Road's (LIRR) Second Track project from Farmingdale to Ronkonkoma, a project which the Senate strongly supports. (Funding for the first phase of the Second Track project is also included as part of this amendment.) The MTA also plans to take needed steps to harden its system and better protect the transit and commuter rail network from high water levels in future storms, including improvements to better manage major service disruptions.

The MTA has acknowledged that existing track capacity constraints at Penn Station will exclude the construction of network improvements that would require a reduction in LIRR service at Penn Station. The Senate endorses this position and is relying on language in the MTA's July 24, 2013 letter (attached) submitting the amendment to the CPRB stating that "The Amendment to the 2010-2014 Capital Plan does not include monies to be used for the construction of any project that will necessitate or result in the reduction of Long Island Rail Road (LIRR) service at Penn Station to levels lower than the thirty seven trains per peak hour as described in the Record of Decision (ROD) issued by the Federal Transit Administration (FTA) for the East Side Access (ESA) project." To increase the utilization of Penn Station in the future the MTA will need to examine capacity improvements.

In conclusion, it is important that the MTA has the resources to harden and improve the mass transit network in the metropolitan region. This major amendment to the 2010-2014 Capital Plan will allow the MTA to move forward with many critical infrastructure projects. The amendment will also help create and maintain thousands of jobs and support New York's economy. Therefore, I strongly support the proposed 2010-2014 Capital Plan amendment that was submitted by the MTA to the CPRB in a letter dated July 24, 2013. Thank you.

Sincerely,



Senator Martin J. Golden
Member
MTA Capital Program Review Board

cc: Senator Dean G. Skelos
Senator Jeffrey Klein
Thomas F. Prendergast, Chairman & CEO, MTA
Assemblyman Keith L. T. Wright
Prescott Ulrey, Esq.
Senator Charles J. Fuschillo, Jr.
Assemblyman Joseph Borelli
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