



BLUEPRINT FOR NY INTERCITY PASSENGER RAIL

Putting New York State in the Game

for Transformational National Rail Infrastructure Program Funding

President Biden and a bi-partisan majority of the United States Congress are close to funding an unprecedented \$66 billion dollar freight and passenger rail infrastructure investment program. Over \$44 billion¹ of this investment is allocated to discretionary grant programs of the Federal Railroad Administration.

Today, outside of the MTA region and the NY-NJ Gateway Project, we are concerned that New York State is ill-prepared to take advantage of this extraordinary opportunity to improve our intercity passenger rail program, rebuild our rail-focused industries and create good-paying union jobs across the state.

The Empire State Passengers Association has created a Blueprint for New York Intercity Passenger Rail to outline the actions necessary to build a competitive State Rail Program. This Blueprint begins the work on both individual improvement projects and Corridor-wide investments to create a reliable, frequent, safer and faster intercity passenger rail network across New York State.

1. Release the Long-Delayed Draft Environmental Impact Statement for Empire Corridor Improvements

The State submitted its draft EIS to the Federal Railroad Administration in 2014. In the Spring of 2021, the FRA pushed back the date for the planned release of the EIS on its Environmental Review Dashboard from April 2021 until January of 2022. To date, an adequate explanation as to the delay has not been provided to ESPA and others who have inquired about the project's status.

Completion of this Tier I Environmental Impact Statement and the subsequent release of an FRA Record of Decision (ROD) on a preferred alternative for improvements in passenger rail service between Albany and Niagara Falls is a prerequisite for eligibility for federal financial assistance on corridor-wide improvements.

¹ Fed./State Partnership for SGR \$36 bil. / CRISI \$5 bil. / Grade Crossing Elimination \$3 bil. and \$50 mil. for restoration and enhancement program

Getting to a ROD will involve extensive additional discussion with New Yorkers and a commitment from the Hochul Administration and the State Legislature to support a preferred alternative. Then the Administration and the State Legislature will have to fund the local share of this large financial investment to create better mobility, generate economic development opportunities, expand private sector manufacturing in the state and generate good temporary and permanent jobs building our 21st century rail service.

A summary of the EIS options may be found at the end of this document. ESPA supports the 90B Option as the most realistic to implement with the freight railroads while yielding significant service improvements including shortened travel times across the state. ESPA has long pragmatically supported the building of a dedicated passenger track between Albany and Buffalo largely utilizing space within the existing right-of-way, with top speeds of 90-to-110-mph.

The currently under construction “Brightline” rail service in Florida and the planned Toronto-Montreal “High Frequency Rail” project of VIA Rail are two examples of “Higher Speed Rail” projects that at an affordable cost will deliver significant service improvements, including shortened travel times, higher frequency of daily trains and stellar on-time reliability.

Even with the ROD on the Tier 1 EIS, further refinement and improvements can be made in the following Tier 2 EIS for specific projects. This could include getting the future passenger rail service to net-zero emissions and further reducing travel times by including segments of 125-mph track on new right-of-way.



Step 2. Rebuild a Robust New York State Rail Program

Under federal law states are responsible for the cost of Amtrak service on routes of 750 miles or shorter.² Cooperatively with Amtrak, states make the policy and capital investment decisions for their routes and generally must provide 20 percent local match on federal discretionary grant programs for capital improvements. States now play a central role in improving passenger rail service. Therefore, we

believe it is critical that NYS invest more heavily to build a robust passenger and freight rail program, with staffing levels at the Department of Transportation that allow for greater focus on rail.

While New York successfully implemented several large federal construction grants from the American Recovery and Reinvestment Act of 2009, a handful of upstate projects were

² Passenger Rail Investment and Improvement Act of 2008. The cost-allocation rules on the Northeast Corridor are somewhat different, but state costs for their commuter railroad operations on Amtrak property have increased.

deferred³ and money was transferred to the completion of new upstate rail stations and Moynihan Train Hall. No major rail projects north of Poughkeepsie have been initiated or announced in over six years. (A major investment at Rhinecliff station is in design including new high-level platforms, new elevators and rehabilitation of the historic station building but neither Amtrak nor NYS DOT has announced detailed scope, budget and schedule information.)

ESPA suggests New York create a dedicated team of in-house planners, designers, engineers and project managers to develop and execute an on-going rail capital program and a larger team to oversee and benchmark Amtrak's service in the state. Wisconsin, Virginia, North Carolina and California are among the several states with robust state rail programs and projects ready for large federal rail grants.

3. Advance a package of long-discussed capital projects through the new federal infrastructure program.

- **Replace the Livingston Avenue Bridge (1902) connecting Albany with Rensselaer**
 - Critical passenger rail connection between Central/Western NY and the Hudson Valley/NYC region
 - Restricted to one train on the bridge at any time and slow speed order due to condition
 - Environmental Assessment initiated in 2010 is still not completed.
 - Broad support for parallel bicycle and pedestrian connection to link Capital Region
 - Failure of the bridge's swing mechanism could block Hudson River traffic

- **Build a new Amtrak maintenance facility and crew base in Niagara Falls**
 - No indoor maintenance facility for western end of the Corridor
 - Poor working conditions create safety and employee morale problems
 - Facility would result in better maintenance and reliability of trains
 - Originally promised in 2009/2010 federal grant package
 - Necessary for implementing the goals of the Empire Corridor EIS alternatives

- **Purchase additional trainsets for NY service in the Amfleet replacement contract now underway**
 - Amtrak and state partners have announced a new equipment contract with Siemens
 - Empire Corridor trains regularly sellout on Fridays, Sundays, holidays and at other times
 - No analysis provided by NYS DOT or Amtrak on appropriate size of New York equipment order to accommodate existing and future demand
 - Contract "options" likely allow NYS to order additional cars by some future date

³ New York State received FRA funds to design a Maintenance and Crew Base facility in Niagara Falls, build 11-miles of new passenger tracks between Buffalo and Rochester, construct Syracuse area track improvements and complete an Environmental Assessment for the Livingston Ave. Bridge replacement in Albany.



- **Commit to implementing the package of capital investments in the 2005 Hudson Line Transportation Plan⁴** (projects from NYC to Rensselaer)
 - Plan provides a list of low, medium and high-cost projects that would improve reliability, add capacity and shorten travel times for Metro-North and Amtrak riders
 - Need to strength Hudson Line against climate change events
 - Metro-North's current Five-Year Capital Plan includes only one project from the Plan

In advance of implementing the ROD for the Empire Corridor, a 15-to-20-year undertaking at a minimum, these capital projects can advance in the next two to eight years and provide meaningful improvements in service quality, safety, increased reliability, additional capacity and shorter travel times.

4. Advance Penn Station Expansion Planning and Separate It from the Controversial Financing Proposals

The platforms and tracks at Penn Station are insufficient to accommodate current and future levels of train service there. In *NEC Future*, the Tier I environmental impact statement for Northeast Corridor service improvements, the FRA identified Penn Station and the Hudson River tunnels as the biggest bottleneck on the corridor between Boston and Washington.

Failure to expand track and platform capacity at Penn Station along with building the Gateway tunnels hinders regional economic growth and greatly restricts regional mobility up and down the east coast.

Unfortunately, this underground improvement need is caught up in a highly controversial fight about how to pay for the improvement, diverting attention from reasoned discussion on the best means to improve station capacity.

Let's separate the two issues. Allow MTA, NJ Transit and Amtrak to advance the planning for station capacity improvements linked in with the new Gateway tunnels. Encourage broad community input including affected riders throughout the region.

⁴ This joint Amtrak, NYS DOT and Metro-North Railroad study contains a package of projects that would improve reliability, reduce travel times, add capacity and benefit both Amtrak and Metro-North customers. While the costs figures in the study now need updating, all three agencies continue to use the study as a roadmap for needed improvements in the corridor.

Establish a separate process for developing preferred financing options and discussion of above ground redevelopment around the station. Everyone will benefit from a two-track approach.

5. Commence an Update to the New York State Rail Plan

Federal Railroad Administration regulations call for states to create and then update their State Rail Plans every 4 to 5 years. New York State's last Rail Plan was prepared in 2008 by Quandel Consultants, the first update in 22 years according to the consultant's website.

The FRA has the option to reject discretionary grant applications from states which lack a current, approved State Rail Plan. Initiating an update would give the Hochul Administration the opportunity to develop its vision for freight and passenger rail in New York. Working with passengers, shippers, Amtrak, the state's freight railroads, rail advocates and communities across the state of New York the administration could develop a plan for our 21st Century rail renaissance.

A new State Rail Plan can be a key component of New York's compliance with the Climate Leadership and Community Protection Act of 2019 (CLCPA). Shifting people and goods movement to a more environmentally friendly means of transportation will reduce greenhouse gas emissions, reduce highway maintenance needs and increase mobility choices.

Both the freight rail industry and the passenger rail advocacy community support the call to start working on a new State Rail Plan.

6. Use intercity passenger rail and increased attention to mass transit to meet the New York CLCPA greenhouse gas emission reduction targets.

To date, we believe the drafters of the Transportation Elements of the NYS Climate Council could be more aggressive in their recommendations for meeting the requirements of the CLCPA. Much of the emphasis has been on motor vehicle electrification with too little emphasis on the electrification and expansion of freight, intercity passenger and commuter/regional rail; and subways and light-rail in Buffalo and New York City.

While the mass electrification of cars, trucks, and buses is essential to meeting the goal of net-zero transportation, increasing the use of passenger rail – combined with walkable transit-oriented development – would also greatly aid in creating a truly sustainable transport system.

Building a strong NYS intercity passenger rail program will provide new and better options for New Yorkers to travel upstate and downstate. With air and bus service between upstate cities nearly non-existent, faster, reliable and more frequent Empire Corridor passenger train service can provide environmentally friendly travel options across the state.

Downstate, serious consideration must be given to further electrification of the higher volume commuter rail lines on the LIRR and Metro-North. On less utilized branches battery-electric trains may be a good option. ESPA believes that the State should evaluate the electrification of Metro-North's Hudson line to Poughkeepsie and Amtrak's segment from Poughkeepsie to Albany-Rensselaer. As the Empire Plan preferred alternative is implemented upstate, the State should study zero-emission power options.

Electrification not only enables net-zero transportation by utilizing wind, solar, hydro, and nuclear power, it also increases the operational efficiency of passenger service by reducing travel times and allowing increased train frequencies, thereby attracting more riders from other modes.

NYS DOT must also begin working with neighboring states to expand our intercity passenger rail connections to adjoining states and corridors. ESPA is a founding member of the new Lakeshore Rail Alliance which has a long-term goal of bringing 4 to 6 daily roundtrips to the Chicago to New York City market and a short-term goal of adding a day train between Cleveland and New York City via Buffalo and Albany to supplement the Lakeshore Ltd. Vermont and Massachusetts have both proposed expansions and enhancements to their intercity passenger rail networks and connecting these enhancements to Albany greatly increases connectivity/mobility for passengers across New York State and improves the operational viability of the train network.

If New York chooses to act, we can build a 21st century intercity passenger rail network, delivering frequent, reliable, faster and greener train service across the state. We must rebuild our State Rail Program and commit to using the opportunity provided by the Bi-partisan Rail Infrastructure program to initiate this. It will take leadership, funding and vision.