

## **New Yorkers Against Congestion Pricing Tax**

FOR IMMEDIATE RELEASE

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**Federal Judge apparently ignored valid SAPA Claim; other cases using same arguments advanced by New Yorkers Against Congestion Pricing Tax pending in State and federal court**

### **Statement by Susan Lee, President, New Yorkers Against Congestion Pricing Tax**

New Yorkers Against Congestion Pricing Tax, the coalition of residents from diverse neighborhoods around NYC who initiated a lawsuit to demand that the FHA perform an EIS to show the real impacts of Congestion Pricing on our communities, notes the SDNY decision presents no final outcome the issues our Class Action lawsuit raises, including the (NYS) Green Amendment, and the MTA's failure to follow SAPA (the New York State Administrative Procedure Act). SAPA requires consideration of socio-economic impacts, including on small business and workers. It is especially important because the toll tax impacts marginalized New Yorkers who will be hurt by the Congestion Pricing Tax which, absent action by the courts, is slated to begin cutting in to their pockets and pocketbooks. We respectfully disagree with the SDNY opinion and await decisions from the other courts and will explore all potential Appellate options. We emphasize that other federal and state court outcomes remain pending.

Indeed, the implementation of this toll-tax scheme will increase the costs of goods and services in every NYC neighborhood for small businesses and all New Yorkers whether they take public transit, ride a bike, walk, rely on for hire vehicles or drive a car; increase traffic and pollution and incidence of asthma in environmentally sensitive communities including the Lower East Side, Chinatown, and the South Bronx; and kill jobs that many lower income New Yorkers depend on – one cannot get more socio-economic than that!

Last Spring we proposed “[A 5-point Plan to Save Public Transit](#),” especially as a starting point. That plan includes funding MTA Capital Program the same way NYC and NYS fund their regular capital programs. Funding for public transit should be a priority in the same manner the city and state fund schools, hospitals, senior center, roads, libraries, museums and parks. Since PublicTransit fuels the City economy which fuels the state economy which fuels the U.S. economy, secure steady stream of capital funding from the Federal government.

The federal government must come through with substantial funding for the Public transit system that fuels the economy of the city and state the fuel the national economy.

As to new revenues, look at the “[menu](#)” of one dozen alternatives identified by Keep NYC Congestion Tax Free.

Ultimately we still look forward to an outcome that leads to a path that protects New Yorkers from a deleterious, environment and economy killing toll-tax also harmful to public health and devote public resources as appropriate and outlined above.

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*New Yorkers Against Congestion Pricing Tax is a coalition of residents from diverse neighborhoods around New York City who have initiated a lawsuit to demand that the Federal Highway Administration perform an Environmental Impact Statement (EIS) to show the real impacts of Congestion Pricing (CP) on our communities. The federal government and the Metropolitan Transit Authority rushed an incomplete Environmental Assessment Statement (EAS) instead of applying the more extensive and comprehensive EIS. An EIS would properly examine the three E's: Environmental Impacts, Economic Hardship, and Equity.*