

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----X

TAXI AND LIMOUSINE COMMISSION

DEIS HEARING

-----X

TRANSCRIPT of the stenographic notes
of the proceedings in the above-entitled matter,
as taken by and before Nicole Cannistraci, a
Court Reporter and Notary Public, held at TLC
Commission Room, 33 Beaver Street, New York,
New York, on Thursday, October 3, 2013,
commencing at 6:00 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A p p e a r a n c e s :

ELENA BARNETT,
Henningson Durham & Richardson, Inc.

PANEL:

RICHARD JOHNS, Moderator, Executive Director
of Special Projects

JUSTINE JOHNSON, External Affairs Analyst

CONAN FREUD, Deputy Commissioner for Finance
and Administration

MEERA JOSHI, General Counsel

KEITH WALSH, Assistant General Counsel

EDWARD GONZALES, Commissioner

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

MR. JOHNS: Good evening. My name is Richard Johns. I'm the Executive Director of Special Projects at the Taxi and Limousine Commission, also known as the TLC, and will serve as the moderator for today's public hearing. Excuse me.

My name is Richard Johns. I'm the Executor Director of Special Projects at the Taxi and Limousine Commission, or TLC, and will serve as the moderator of TLC. For the record, the date of this evening's hearing is October 3rd, 2013. The time is approximately six o'clock p.m. and the meeting site is the TLC Commission Room at 33 Beaver Street in Manhattan.

TLC, as lead environmental review agency, has determined that an Environmental Impact Statement, also known as EIS, pursuant to the requirements of the New York State Environmental Quality Review Act, also known as SEQRA, and the City Environmental Quality Review, also known

1 Proceedings

2 as CEQR, is required to evaluate the
3 potential impacts of the public sale of
4 up to 2,000 fully transferable taxicab
5 licenses, which are also known as
6 medallions. All of these new licenses
7 would be required to be used with the
8 taxicab vehicles that are accessible to
9 individuals who use wheelchairs.

10 The public sale of these fully
11 transferable medallions by the Mayor of
12 New York through TLC constitutes the
13 discretionary action, or Proposed
14 Action, that is the subject of this
15 evening's public hearing. Sale by
16 public auction of these medallions is
17 authorized under New York State Chapter
18 602 of the laws of 2011 and Chapter 9 of
19 the laws of 2012, both of the State of
20 New York.

21 In accordance with CEQR
22 requirements, TLC completed a process to
23 define the scope of the final EIS, which
24 is also known as the -- sorry -- the
25 scope of the draft EIS, which is also

1 Proceedings

2 known as the DEIS. As part of that
3 process, the TLC prepared a Draft Scope
4 of Work for the DEIS that it made
5 available for comment by agencies and
6 the public on March 19th, 2012. Based
7 on comments received on the Draft Scope
8 of Work, including comments received
9 during the April 19th, 2012 public
10 meeting on the Draft Scope of Work, the
11 TLC published a Final Scope of Work for
12 the DEIS on May 22nd, 2012. The TLC has
13 prepared a DEIS that assesses the
14 potential impacts of the Proposed Action
15 in conformance with that Final Scope of
16 Work.

17 This DEIS is an update to the DEIS
18 previously issued by the TLC in May
19 2012. Notices of availability of the
20 DEIS for public review were published in
21 the City Record on September 17th, 2013
22 in the Environmental Notice Bulletin on
23 September 25th, 2013 and in the New York
24 Post on September 13th, 2013. The DEIS
25 was also posted on TLC's Web site at

1 Proceedings

2 www.nyc.gov/tlc on September 13, 2013,
3 and notices of its availability were
4 e-mailed to the offices of the borough
5 presidents and the affected community
6 boards on September 13th, 2013. The
7 DEIS continues to be available for
8 download at TLC's Web site.

9 As indicated in those notices, the
10 TLC will consider public and agency
11 comments on the DEIS no later than the
12 close of business on October 15, 2013.
13 Written comments on the DEIS should be
14 addressed to New York City Taxi and
15 Limousine Commission, attention Justine
16 Johnson, 33 Beaver Street, 22nd floor,
17 New York, New York 1004.

18 In conformance with CEQR
19 requirements, the Final EIS, which is
20 also known as the FEIS, will be prepared
21 by the TLC after consideration of these
22 public comments.

23 As part of the public review
24 process for the DEIS, the purpose of
25 this hearing is to receive verbal

1 Proceedings

2 meeting will be recorded by the
3 stenographer seated at the front of the
4 hearing room and provided to TLC for its
5 consideration. In addition to providing
6 verbal comments, you may also provide
7 written comments either at this
8 evening's hearing or to the address I
9 provided earlier prior to the close of
10 business on October 15, 2013. Written
11 comments at this evening's hearing
12 should be provided to the TLC personnel
13 staffing the reception table at the
14 entrance of this room. All comments,
15 whether offered verbally here tonight or
16 provided in written form, will be
17 considered by TLC in the preparation of
18 the FEIS. A transcript of this
19 evening's meeting will be produced and
20 made available for public review.

21 Prior to asking for public
22 comments, Justin Johnson will provide a
23 brief presentation on the Proposed
24 Action and its purpose and need, after
25 which Elena Barnett from the consultant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

to the TLC responsible for preparation of the DEIS, will briefly summarize the findings of the DEIS.

MS. JOHNSON: My name's Justin Johnson and I'll be providing an overview of Proposed Action and its purpose and need.

Fifty-four percent of New York City households do not own a car and rely heavily on public transportation, yellow taxis and other for-hire vehicles to make their daily trips. Yellow taxis are particularly essential to the 1.6 million residents of Manhattan, where only 24 percent of households own a car. Taxis are also used by the approximately 2.3 million people who work in Manhattan each day and the approximately 50 million people who visit the city each year. New York City taxis provide approximately 500,000 trips each day. The projected increase in the population of the city by 2030 to approximately 9.1 million residents, and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

the population of Manhattan to over 1.8 million residents will increase the need for yellow taxis, as will the projected increases in employment and visitation to the city.

As compared to other cities that rely heavily on public transportation and taxi services, New York City's taxi supply is relatively low. For example, New York City's 8.4 million residents share 13,237 taxis, or one taxi for every 630 residents. In contrast, London has 22,000 black cabs that serve its 7.5 million residents, or one taxi for every 340 residents. Similarly, in Chicago, where the 71 percent household car ownership rate is over 50 percent higher than New York City's household car ownership rate, there is approximately one taxi for every 385 residents. Of course, New York City's livery and black car industries supplement service provided by yellow taxis, but yellow taxis are not the only

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

services that may accept street hails anywhere in the city, including the city airports and the Manhattan exclusionary zone.

The demand for taxis is reflected in the long hours of operation, of the current taxi fleet, and the observed time that it takes to locate an unoccupied taxi. This has resulted in a 13 percent increase in the number of hours each day a cab is hired, from 6.8 hours each day in the first quarter of 2009, to 7.9 hours each day in the first quarter of 2012.

To address the observed and projected shortage in the number of taxis, the Proposed Action would authorize the issuance of 2,000 new medallions, an increase of approximately 15.1 percent above the existing number of medallions, all of which would be required to be used with taxicab vehicles that are accessible to individuals who use wheelchairs. This

1 Proceedings

2 would increase the supply of wheelchair
3 accessible vehicles from 231 wheelchair
4 accessible vehicles to 2,231 wheelchair
5 accessible vehicles. The increase in
6 the number of taxi vehicles available
7 for use by persons with disabilities
8 would foster increased access, mobility
9 and independence of persons with
10 disabilities, and a major goal of the
11 city's transportation policy.

12 As dictated by the legislation, no
13 more than 400 of the 2,000 taxicab
14 licenses authorized pursuant to the
15 legislation can be used by the TLC until
16 a Disability Access Plan is approved by
17 the New York State Department of
18 Transportation, also known as NYSDOT.
19 TLC anticipates that the public sale of
20 the initial 400 taxicab licenses would
21 be by June 2014 and that the remaining
22 1,600 additional taxicab licenses would
23 be issued by public sale subject to
24 approval of the Disability Access Plan
25 by the NYSDOT.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Previous sales of medallions by TLC occurred in 2004, 2006, 2007 and 2008. Since the late 1940s, the number of medallions has increased approximately 12 percent.

We will now have an overview of the findings of the DEIS.

MS. BARNETT: Good evening. My name is Elena Barnett, Vice President of Henningson Durham & Richardson Architecture and Engineering P.C., the consulting firm responsible for preparation of the DEIS for the Proposed Action described by Ms. Johnson. As mentioned by Mr. Johns, the DEIS can be found on the TLC website.

The DEIS provides a comprehensive assessment of the potential effects of the Proposed Action consistent with the detailed requirements in the current version of the City Environmental Quality Review Technical Manual. As shown on this slide, the DEIS includes assessments of the effects of the

1 Proceedings
2 proposed action on:
3 Land use, zoning and public
4 policy;
5 Socioeconomic conditions;
6 Community facilities and services;
7 Open space;
8 Shadows;
9 Historic resources;
10 Urban design and visual resources;
11 Neighborhood character;
12 Natural resources;
13 Hazardous materials;
14 Waterfront revitalization program;
15 Infrastructure;
16 Transportation;
17 Air quality;
18 Greenhouse gas emissions;
19 Noise;
20 And public health.
21 In addition, the DEIS identifies:
22 The unavoidable significant
23 adverse impacts of the Proposed Action;
24 The growth-inducing aspects of the
25 Proposed Action;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

The irreversible commitment of resources that would occur as a consequence of the Proposed Action;

And measures to be applied to mitigate any anticipated significant adverse impacts that would occur with the Proposed Action;

The cumulative effects of the Proposed Action with those of actions and projects that would be completed prior to the full implementation of the Proposed Action anticipated to be the year 2017.

The assessment of impacts of the Proposed Action was based on the projected incremental change to the environmental setting that would occur with the Proposed Action based on a comparison of conditions in the year 2017 with and without the Proposed Action. In describing the future no Action Conditions for each impact area, the DEIS incorporated the effects of generalized growth and the effects of

1 Proceedings

2 development projects that would be
3 completed independently of the Proposed
4 Action by the year 2017 identified in
5 coordination with the New York City
6 Departments of City Planning and
7 Transportation. The No Action condition
8 also incorporated anticipated changes to
9 the yellow taxicab fleet that would
10 occur due to the anticipated replacement
11 of the existing fleet of yellow taxicab
12 vehicles for the Taxi of Tomorrow. The
13 study areas for assessment of impacts
14 differed depending on the technical area
15 being analyzed.

16 Based on preliminary screening
17 assessments prepared in accordance
18 with --

19 (An off the record discussion took
20 place.)

21 Based on preliminary screening
22 assessments prepared in accordance with
23 impact screening procedures outlined in
24 the 2012 CEQR Technical Manual, it was
25 determined that the Proposed Action

1 Proceedings
2 would not have the potential to result
3 in significant adverse impacts and,
4 consequently, would not require detailed
5 assessments in the DEIS for the
6 following impact areas:

7 Land use, zoning and public
8 policy;
9 Community facilities and services;
10 Open space;
11 Shadows;
12 Historic and cultural resources;
13 Urban design and visual resources;
14 Natural resource;
15 Hazardous materials;
16 Water and sewer infrastructure;
17 Solid waste and sanitation
18 services;
19 Energy;
20 And noise.

21 The DEIS provided summaries of the
22 screening assessments for those impact
23 areas; however, it was determined that
24 detailed impact assessment of the
25 Proposed Action were required regarding

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

its potential impacts on:

Socioeconomic conditions;

Transportation;

Air quality;

Greenhouse gas emissions;

Public health;

And neighborhood character.

The results of these impact assessments are summarized on the following slides.

The assessment of the impact of the Proposed Action on socioeconomic conditions included assessments of the impact of the Proposed Action on the:

Value of a yellow taxicab medallion, including separate assessments of the impact of the Proposed Action on the values of Independent and Corporate Medallions;

The income of taxicab drivers;

The livery car industry;

And the overall New York City economy.

These assessments indicate that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

the Proposed Action would result in an approximately .5 percent to 3.6 percent reduction in the value of an Independent Medallion and a .4 percent to 2.7 reduction in the value of a Corporate Medallion;

An approximate .5 percent to 3.7 percent decline in driver net income, assuming lease rates stay at the current maximum lease caps set by TLC;

A minimal impact on the livery car industry;

Additional city-wide earnings for taxicab drivers of approximately \$226 million per year, an increase in employment for an additional 5,077 taxicab drivers and a city-wide increase in employment of approximately 6,200 additional jobs per year.

None of these effects would be considered to be an overall city-wide significant adverse impact on socioeconomic conditions.

Regarding the impact of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Proposed Action on transportation, as shown on this slide, the Proposed Action would result in:

The results of this assessment indicate that in 2014, 21 of the 54 studied intersections would have significant adverse impacts in the a.m. peak hour; in 2015, 29 of the 54 study intersections would have significant adverse impacts in the a.m. peak hour; in 2016, 35 of the 54 study intersections would have significant adverse impacts in the a.m. peak hour and in 2017, 37 of the 54 study intersections would have significant adverse traffic impacts in the a.m. peak hour. The number of significant adverse traffic impacts also varies by peak hour. For example, in 2014, 15 of the 54 study intersections would have significant traffic -- would have significant adverse traffic impacts in the midday peak hour and 12 of the 54 study intersections would have

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

significant adverse traffic impacts in the p.m. peak hour.

Measures to mitigate identified significant adverse impacts were evaluated for each intersection at which a significant adverse impact was projected to occur. The goal of the mitigation measures is to reduce the impacts to a non-significant level, while not causing new impacts at other locations. Mitigation measures were developed for each individual year and peak period. The analysis took into consideration the effect that a proposed mitigation measure would have on nearby intersections. For example, timing changes at one location can affect downstream operations at subsequent locations. For this study, only signal timed changes without facing changes were considered for the project mitigation measures. There are a number of locations, however, where signal timing improvements were either not

Proceedings

1
2 possible, or were not sufficient to
3 mitigate the identified impacts. If
4 full mitigation could not be achieved,
5 improvements were proposed to decrease
6 impact to the extent possible.

7 There were no significant adverse
8 impacts on parking since taxis would
9 spend the vast majority of their time
10 cruising for fare on the city roadways
11 and any parking or standing would be
12 staggered and dispersed throughout the
13 street network.

14 There were no significant impacts
15 on pedestrians or bicycles, since it
16 would not generate a sufficient number
17 of new pedestrian or bicycle trips at
18 any location.

19 There were no significant adverse
20 impacts on transit facilities, since it
21 would not result in a significant number
22 of new bus or subway trips.

23 There was an increase in the
24 volume of traffic in 25 locations in the
25 study area that experienced five or more

1 Proceedings

2 pedestrian and/or bicycle related
3 accidents during any one year in the
4 most recent three-year period. The DEIS
5 identifies a range of ongoing and
6 planned improvements to address high
7 accident locations within the study
8 area.

9 Regarding the impact of the
10 Proposed Action on air quality, the
11 Proposed Action would result in --
12 forgive me.

13 The results of the detailed
14 microscale analysis for the Proposed
15 Action were below the applicable state
16 and federal ambient air quality
17 standards and CEQR thresholds for CO,
18 PM10 and 24-hour PM2.5, and above for
19 annual PM2.5 neighborhood. However,
20 transportation mitigation would bring
21 the annual PM2.5 neighborhood levels
22 below the significant thresholds.
23 Additional analyses are being undertaken
24 prior to the FEIS in order to further
25 refine the results. In addition, the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Proposed Action is not expected to significantly impact NOx and NO2 concentrations in New York City. Therefore, the proposed addition of 2,000 taxicab medallions would not result in a significant adverse impact to air quality with the proposed traffic mitigation.

Regarding greenhouse gas emissions, the Proposed Action would result in an approximately 1 percent increase in greenhouse gas emissions generated from on-road vehicles and an approximately .2 percent increase in total greenhouse gas emissions generated in the city.

Since the Proposed Action would not result in any significant adverse impact on water quality, hazardous materials or noise, it would not result in any significant adverse impact on public health. Similarly, since the Proposed Action would not result in any of the elements identified in the CEQR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Technical Manual that, together, define the character of an area, the Proposed Action would not result in any significant adverse impact on neighborhood character.

This ends my public presentation.

MR. JOHNS: We will now accept public comments at this time. We have no speaker, but if anybody would like to speak, you can sign up on the form in the back and we'll take you in the order that you come. If you do speak, please speak directly in the microphone at the front of the meeting room. State your name and affiliation, if any, with any organization. The speakers, we ask that you limit it to five minutes.

MR. TUNCCEL: My name is Airhon Tuncel (ph). I'm with the League of Mutual Taxi Owners. I was just wondering whether any of these comments that were made will be available to the public, either online or in written form, so that I can go over it in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

preparation for my written testimony.

MR. FREUD: We'll post the presentation.

MR. TUNCEL: Online, the TLC Web site?

MR. FREUD: And under the "Medallion Auction" section.

MR. TUNCEL: Thank you.

MR. JOHNS: The time at this point is 6:28. We're going to adjourn for five minutes -- I'm sorry -- for 45 minutes -- 45 minutes. So we will return here at 7:15, let's say, and see if there are any comments or any commenters or speakers, okay? Great.

(A recess was taken at 6:28 p.m.)

MS. JOHNS: Well, for the record it's 7:15. We've received no additional comments, so we will adjourn this public hearing. However, public comments can be submitted to the TLC up until the close of business on October 15th.

And I would like to thank everybody that participated here, Elena,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

Conan Freud, Justine and Keith Walsh. I would also like to thank Commissioner Gonzales for attending and Meera Joshi, our general counsel, both she and Commissioner Gonzales.

So that concludes the hearing.
Thank you all for coming.

(A recess was taken at 7:15 p.m.)

(The record was closed at
7:33 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Proceedings

CERTIFICATE

STATE OF NEW YORK)
) Ss.
COUNTY OF QUEENS)

I, NICOLE CANNISTRACI, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

That I reported the proceedings in the within entitled matter, and that the within transcript is a true record of such proceedings.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of October, 2013.

NICOLE CANNISTRACI