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August 27, 2013

Thomas J. Madison, Jr.  
Executive Director  
The New York State Thruway Authority  
200 Southern Blvd.  
P.O. Box 189  
Albany, NY 12201

**Re: Proposed Interim Improvements to the Williamsville Toll Barrier**

Dear Mr. Madison:

Having been informed about the scope and nature of the proposed interim improvements to the Williamsville toll barrier which are slated to be advanced in lieu of the relocation of the plaza, I write today to convey that they are inadequate.

It has been conveyed to me that the Authority is preparing to ask that FHWA waive the repayment of \$6 million in federal aid which was spent on the toll relocation studies. I further write today to inform you that as a result of the inadequacy of the proposed improvements, I am not presently convinced that the provision of this relief by the FHWA is necessarily in the public interest.

I appreciate that spending \$100 million on the relocation of the toll plaza may be imprudent while the Authority is undertaking pilot studies and otherwise advancing the possibility of converting to a cashless system, which would render the new facility obsolete almost immediately. However, after more than a decade of study and after burning through \$6 million in taxpayer support, the Authority owes it to the driving public in Western New York to do better than what they have proposed.

You may be aware that officials in the Village of Williamsville are working to make their Main Street business district more pedestrian-friendly. While they are making tangible progress in this regard, their success will be constrained unless the issue of excess traffic resulting from toll evasion is addressed. Your interim improvements would provide some, limited help in this regard, as your consultants estimate that the proposed remedies would divert about 2,500 vehicles daily from Main

Street and Route 33. This is far fewer, however, than the 7,000 vehicles<sup>[1]</sup> which would have been diverted from Main Street and Rt. 33 to the Thruway daily under the relocation scenario according to its associated environmental studies.

While your proposed remedy addresses most of the time-loss issue which incents drivers to avoid this part of the Thruway, it does not address the financial disincentive for using the Thruway. Eliminating this disincentive will allow for a diversion of traffic closer to the volumes anticipated in the EIS. As such, I recommend that in addition to the proposed interim improvements to the Williamsville Toll barrier, you eliminate the toll for EZ-Pass customers only between exits 49 and 50. Such an arrangement would be similar to an arrangement currently in place in the Albany area,<sup>[2]</sup> and would have a *de minimis* impact on Authority finances, as the toll is only 15¢.

It is important that the public receive significant tangible improvements in return for their substantial investment in the toll relocation study. The elimination of this toll – in addition to the already-proposed interim improvements – would render the substitution of these changes for the proposed relocation more acceptable to the public and would make the forgiveness of the Authority's obligation to repay the federal government more palatable.

Thank you very much for your leadership and your consideration.

Sincerely,



Brian Higgins  
Member of Congress

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[1]. FHWA-NY-EIS-06-01-D, Design Report/DEIS, May, 2006. Daily traffic, or "AADT" X .061 = "DDHV" (Directional Design Hour Volumes), per page A17. DDHV changes of 117 and 312 are given in Table A-6. Therefore the change in daily traffic = 7033.

[2] Vehicles which use Exit 25A AND exit 24, 25 or 26 are not assessed a toll.