

New York State National Electric Vehicle Infrastructure Formula Program Plan Update July 2023



**Department of
Transportation**

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New York State Plan Update for Electric Vehicle (EV) Infrastructure Deployment

Introduction

The New York State National Electric Vehicle Infrastructure Formula Plan (Plan) represents a coordinated effort between partner agencies within the State of New York including New York State Department of Transportation (NYSDOT) (lead); the New York State Energy Research and Development Authority (NYSERDA); the New York State Department of Environmental Conservation (DEC); the New York Power Authority (NYPA); the New York State Department of Public Service (DPS); the Long Island Power Authority (LIPA); and the New York State Thruway Authority (NYSTA), collectively referred to as the state partner agencies.

The National Electric Vehicle Infrastructure (NEVI) Formula Program (NEVI Program) provides NYSDOT and its state partner agencies an opportunity to build on New York State's significant efforts to reduce greenhouse gas emissions and support the use of zero emission battery electric vehicles (EVs) in New York State and the nation. These efforts are guided by the New York Climate Scoping Plan¹ that includes recommendations to meet the Climate Act's nation-leading goals and requirements, including actions to achieve a reduction in economywide greenhouse gas (GHG) emissions of 40% by 2030 and 85% by 2050 from 1990 levels; meeting these goals will put New York on a path toward carbon neutrality while ensuring equity, system reliability, and a just transition from a fossil fuel economy to a robust clean energy economy. Specific focus related to transition to zero-emission vehicles and equipment include vehicles that use either battery electric, hydrogen fuel cell, or future zero-emission propulsion technologies to progressively replace existing vehicles that use gasoline or diesel fuel. Deployment of zero emission vehicles, particularly replacing or converting trucks and buses to zero-emission vehicles and expanding light-duty zero-emission vehicle adoption, will be prioritized in Disadvantaged Communities that bear a disproportionate burden of transportation-related emissions. To meet New York's goals, approximately three million zero-emission vehicles (predominantly battery electric) will be needed by 2030.

The NEVI funding received through the Infrastructure Investment and Jobs Act (IIJA)² will complement ongoing EV infrastructure and incentive programs within New York State. The NEVI Program funds will be focused on supporting publicly available direct current fast charging (DCFC) sites along EV Alternative Fuel Corridors (AFCs) throughout the State that have been designated by the United States Federal Highway Administration (FHWA). New York State has taken full advantage of the FHWA's AFC designation opportunities since its inception and has a robust network of designated EV AFCs (see Figure 2023-1). FHWA guidance provided in February 2022 and updated in June 2023 places a strong emphasis on initially addressing DCFC EV charging gaps along Interstate highways designated by FHWA as EV

¹ <https://climate.ny.gov/Resources/Scoping-Plan>

² Also referred to as the Bi-partisan Infrastructure Law (BIL)

Alternative Fuel Corridors. The program also focuses initially on charging for light-duty (LD) zero emission battery EVs.

This 2023 NYS NEVI Plan Update has been informed by a robust state partner agency assessment that included:

- analysis of the state of the EV market, sales, targets and policies in New York State,
- identification of barriers to EV adoption and strategies to address,
- identification of barriers to EV Charging deployment strategies to address,
- alignment of state partner agency missions and collective efforts around a common statewide EV charging strategy.

The resulting 2023 NYS NEVI Plan Update further aligns and articulates our state partner agency efforts and establishes primary and complementary goals and next steps. NEVI funding is one source of many in New York State that support EV charging infrastructure and support the achievement of the state’s nation leading climate initiatives and the transition to zero-emission vehicles (ZEVs).

The 2023 NYS NEVI Plan Update documents how New York State will achieve AFC build out efficiently and effectively, support Medium and Heavy Duty (MHD) EV charging and LD EV charging beyond our AFCs.

Updates from Prior Plan

New York’s 2023 NEVI Formula Funding Program Plan includes the following required sections noting those pages from the 2022 NEVI Plans & Supplemental Information that remain relevant:

NEVI Formula Funding Program Plan sections	Required	2023 NEVI Plan pages	2022 NEVI Plan pages
Introduction		4	4-8
Updates from Prior Plan	✓	5	
State Agency Coordination		6	4-5
Memoranda of Agreement with other agencies		6	
Interagency Working Group(s)		7	
Public Engagement		7	33, Appendix E
Community Engagement Outcomes Report	✓	8	
Tribal Engagement		16	
Utility Engagement		17	Appendix H
Site-Specific Public Engagement		18	
Plan Vision and Goals		18	46
Contracting		22	
Status of Contracting Process	✓	22	
Awarded Contracts	✓	23	
Scoring Methodologies Utilized	✓	23	
Plan for Compliance with Federal Requirements	✓	23	

Civil Rights		24	Supplemental Information
Existing and Future Conditions Analysis		24	9-18, 18-22, 43-44, Appendix A
Alternative Fuel Corridor (AFC) Designations	✓	26	
Existing Charging Stations	✓	28 & 44	
EV Charging Infrastructure Deployment	✓	29	
Planned Charging Stations	✓	29	
Planning Towards a Fully Built Out Determination	✓	31	
Implementation		31	
Equity Considerations	✓	33	
Identification and Outreach to Disadvantaged Communities (DACs) in the State	✓	33	
Process to Identify, Quantify, and Measure Benefits to DACs	✓	35	
Labor and Workforce Considerations	✓	35	
Physical Security & Cybersecurity		36	
Program Evaluation	✓	36	44-45
Discretionary Exceptions		36	

State Agency Coordination

New York state has formed a multiagency team with expertise and experience in transportation, energy, environment, and utilities to formed partnerships and coordinate to deliver the NEVI objectives. These state partner agencies have been working collaboratively to develop an understanding of DCFC needs along the designated corridors and have been considering strategies for how funding can most efficiently result in publicly available DCFC that meet the NEVI requirements and any federal Buy America requirements for NEVI funding. It also reflects initial stakeholder outreach efforts to inform Plan and program development. Plan development has also been informed by extensive stakeholder and public engagement that has occurred over the last several years through the State’s Climate Action Council work including the Scoping Plan that was released in December 2022³.

As noted in the 2022 NYS NEVI Plan, the NEVI Formula Program builds on many years of effort in New York State supporting clean energy development and incentivizing the use of the EVs. Appendix B of this update provides an updated listing of New York State programs, laws, regulations, and initiatives that are supportive of the growth of EV use in New York State.

Memoranda of Agreement with Other Agencies

NYSDOT has executed Memorandums of Agreement that are in control agency review for final

³ See Scoping Plan here: <https://climate.ny.gov/resources/scoping-plan/>

approval. NYSDOT plans to partner with NYSERDA to fund NEVI compliant charging station build out through public private partnerships. NYSDOT will develop and utilize an agreement with the NYSTA that will be used to provide NEVI funding to the NYSTA for build out of MHD EV charging along the I-87 corridor and MHD and LD EV charging at other select locations along the Thruway system. Sites will be built out simultaneously, dependent on the availability of power and funding.

Interagency Working Group(s)

The New York state partner agencies meet bi-weekly to discuss the NEVI program and meet weekly along with the Governor's Office of State Operations to discuss the broader statewide EV charging strategy for New York.

New York State agencies and authorities have participated in an Interagency ZEV Planning Workgroup, formed prior to NEVI, to implement action items/recommendation outlined within LD and MHD Multi-State Memorandum of Understandings.

Public Engagement

The information included in the 2022 NEVI Plan pages 28-32 and Appendix F is updated with the information below.

As stated in our 2022 NEVI Formula Funding Program Plan, New York State remains committed to an open process in the development of its NEVI Formula Program plans and procedures. New York State's NEVI engagement builds on robust outreach efforts from its climate and clean energy work, including that of the Transportation Advisory Panel to New York's Climate Action Council. New York State continues to leverage the extensive stakeholder, public and environmental justice (EJ) advocate engagement undertaken through the Climate Act Scoping Plan development to inform NEVI program decisions to ensure benefits from our NEVI investments accrue to all residents especially those that are underrepresented and disadvantaged. These include program decisions related to workforce development for residents, including those within disadvantaged communities, who are interested in getting into clean energy careers as well as opportunities to support EV charging within communities through our corridor charging beyond the designated AFCs and through our NYSERDA partnership.

The State will further engage with disadvantaged community (DAC) stakeholders⁴ moving forward to discuss opportunities for NEVI Formula Program funding benefits to disadvantaged and underserved areas and how we can measure our progress. These efforts will explore their potentials for transportation electrification, and to ensure that the economic benefits from EVs reach them, consistent with Justice40 and the goals of New York State's Climate Act. As New York State faces implementation, it will work with local community advocates.

⁴ [Disadvantaged Communities Criteria - New York's Climate Leadership & Community Protection Act \(ny.gov\)](https://www.ny.gov/newsroom/disadvantaged-communities-criteria-new-york-climate-leadership-community-protection-act)

Community Engagement Outcomes Report

Specific to DCFC in the context of the NEVI Formula Program, since May 2022, New York State has reached out to EV charging stakeholders to engage them in NEVI plan development.

NEVI Program Engagement

Public and Disadvantaged Community Engagement

A NYS NEVI website⁵ was launched in the Spring of 2022 in partnership with the New York State Energy Research and Development Authority (NYSERDA). This website provides the public with background information on the NEVI program; answers frequently asked questions; provides an opportunity to submit input and comments via a short survey, which was updated in July of 2023; and the ability to sign up for additional information about the program. NYS directs the public and stakeholders to this website for NEVI program information and to provide feedback via the online survey. The NEVI website is updated as new information becomes available and our sign up list is notified of website updates via email. To date, the site has received approximately 9,500 visitors and more than 200 survey responses to help inform the NYS NEVI Plan development. A summary of these comments can be found in Appendix D of the 2023 NYS NEVI Plan Update.

Updates for the 2023 survey include gathering feedback related to routes within the state where New York should focus its program efforts after the designated EV AFC is deemed built out; site amenities important to the public; and preferred means of community engagement related to the NEVI program. This feedback will continue to inform the NYS NEVI formula funding program implementation.

Feedback collected through the NYS NEVI web-survey since May 2022 highlights the priority for the state to build out the New York State Thruway corridor including I-87 from New York City to Albany, and I-90 from Albany to Buffalo. Similarly, prioritized amenities include lighting, restrooms and proximity to food. NEVI funded AFC build out site evaluations scoring considers these amenities accordingly. Additionally, the need for MHD EV charging and the need for operations and maintenance funding were cited. New York's proposed NEVI program plan and Charging and Fueling Infrastructure (CFI) projects are responsive to this feedback. The following state partner agencies submitted CFI project applications to the FY22/23 Notice of Funding Opportunity:

- NYSTA – “I90 Medium and Heavy Duty Vehicle Charging Network”
- NYPA – “Power Authority of the State of New York USDOT FHWA Charging and Fueling Infrastructure Discretionary Grant Opportunity”
- NYSERDA – “New York State Community Level 2 and DCFC Charging Proposal NYSERDA”

In addition, other eligible applicants may also have submitted CFI project applications to the

⁵ [National Electric Vehicle Infrastructure \(NEVI\) Program - NYSEERDA](#)

FY22/23 Notice of Funding Opportunity.

New York State has also received hundreds of requests to be kept informed and has established growing lists of interested stakeholders. New York continues to update its NEVI website as needed when new information is available. The 2023 NYS NEVI Plan Update will be posted to the NEVI website for public review and comment following the August 1, 2023, submittal to the Joint Office of Energy and Transportation.

A NYS NEVI program public information meeting was held by NYSDOT and its state partner agencies during the Summer of 2022. This meeting was attended by 330 participants, and the state partner agencies fielded questions related to New York's NEVI planning efforts. Much of the feedback collected during the public information meeting (a summary of which was included in Appendix E of the 2022 NYS NEVI Plan) focused on the interpretation of NEVI program requirements, federal funding regulations and what the pending EV charging infrastructure standards should include. Stakeholders and the state partner agencies have used the FHWA NEVI Standards and Requirements, released in March 2023, the updated FAQs, and the updated 2023 NEVI Formula Program guidance, released in June 2023, to better understand the funding requirements.

NYSDOT focused on the NEVI funding program during a panel discussion titled "Getting Charged: Accelerating NY's EV Charging Infrastructure Growth" at the Alliance for Clean Energy NY's Fall Conference in November of 2022 along with representatives from National Grid, WE ACT for Environmental Justice, and BP Pulse Fleet. This discussion focused on the challenges and opportunities to successfully building EV charging infrastructure, equity and reducing air pollution, how to maximize funding opportunities, workforce development needs and how to improve our charging infrastructure programs. Feedback from this discussion included the need for the state to consider car share and micro-mobility opportunities in our clean transportation planning. The build out of New York State's designated AFCs will serve all EV long distance travelers including those via car share. Additional opportunities for NEVI funding to address these transportation needs will be considered as New York develops implementation plans for corridor and community charging once its AFCs are fully built out.

NYSDOT and DPS participated on a regional roundtable panel at the December 2022 NECEC/AEG Northeast Regional Alignment Summit on Transportation and Mobility, hosted by ConEd and sponsored by NYSERDA, National Grid, ConEd, Rasky Partners and the Government of Québec. The panel discussed issues and case studies in the northeast to advance Interstate highway charging. This event convened leaders from the public and private sectors across the northeast to share lessons learned, challenges and successes to build consensus on how we can approach the task of building a clean transportation sector. In particular, the event discussed the 2022 NEVI plans created by all states for public EV charging stations on Interstate highways and what infrastructure (charging and other technologies) is needed for both public and private entities and heavy-duty electric truck fleets. Discussions at this event also included the community level perspective to assess how well regional plans address local needs and how to ensure this transition is done equitably.

Feedback from this discussion has informed NY State's NEVI goals to build EV charging that will support the acceleration of ZEV adoption and a full transition to ZEVs as to support MHD vehicles and bus electrification through MHD EV charging. Compliance with the NEVI standards and requirements are designed to ensure the funded sites will reduce range anxiety for EV owners traveling along New York State's AFCs by providing safe, reliable, relevant, and functional EV charging. This EV Charging will continue to exist well past the 5-year minimum and will ideally connect logically and efficiently with other neighboring states and internationally across the Quebec and Ontario borders. NYSDOT actively coordinates with our neighboring states and Canada via individual outreach to confirm our AFC gap site locations will meet the 50 mile AFC NEVI station location criteria as well as for broader program strategy on recurring Northeast Association of State Transportation Officials (NASTO) EV working group meetings and FHWA Office of International Programs convened EV infrastructure meetings.

A stakeholder engagement on EV investment benefits to disadvantaged communities meeting was held by NYSDOT and its state partner agencies in November of 2022. Nineteen Environmental Justice leaders were invited and twelve joined the discussion. Discussion during this engagement included the following items:

- The need to support the transition of transit fleets and school buses to Zero Emission Vehicles (ZEV), including in rural areas
- The interest in maintaining transit bus routes in NYC
- The need to support community ownership of EV charging infrastructure
- The need for resources in rural communities to educate residents about EVs
- The perspective that siting EV charging in DACs does not serve to benefit DACs as they are least likely to be able to afford an EV
- The desire for the state to focus on completing the build out of corridors as soon as possible to allow the ability to invest funds in other programs like freight infrastructure, etc.

New York's planned use of the NEVI funds is responsive to this feedback as its AFC build out strategy focuses on building out AFCs quickly and funding the construction of MHD EV charging along the Thruway's I-87 corridor, which will help support the transition of MHD vehicles to ZEV, including freight and transit vehicles who travel along this corridor.

MPO Engagement

On June 21, 2022, New York State engaged the 14 New York State Metropolitan Planning Organizations (MPOs) to review NEVI funding guidance and coordinate NEVI Plan development and strategies with metropolitan plans and localized knowledge. These MPOs include:

- Adirondack-Glens Falls Transportation Council
- Binghamton Metropolitan Transportation Study
- Capital Region Transportation Council
- Dutchess County Transportation Council
- Elmira-Chemung Transportation Council
- Genesee Transportation Council

- Greater Buffalo-Niagara Regional Transportation Council
- Herkimer-Oneida Counties Transportation Council
- Ithaca-Tompkins County Transportation Council
- New York Metropolitan Transportation Council
- Orange County Transportation Council
- Syracuse Metropolitan Transportation Council
- Ulster County Transportation Council
- Watertown Jefferson County Area Transportation Council

Feedback from the MPOs included the need for continued coordination as federally funded EV charging station project locations are identified and funding is programmed on the Statewide Transportation Improvement Program (STIP) and MPO Transportation Improvement Programs (TIP).

In May 2023, NYSDOT presented on the NYS NEVI program at the NYS Association of MPOs (NYSAMPO) statewide conference. A wide variety of stakeholders were among the hundreds who attended the conference, including federally recognized Native Nations, as a session specific to Native Nations outreach and collaboration during the planning process was also held at that conference. The NYS NEVI program discussion was part of the “Cleaning Up Goods Movement” panel comprised of representatives from NYSDOT, the New York Metropolitan Transportation Council and the New York City Department of Transportation. This discussion focused on NEVI program requirements, EV charging infrastructure components, considerations for siting EV charging infrastructure and federal highway funding considerations.

In addition, during an open house style poster session at the NYSAMPO conference, NYSDOT staff engaged with participants on a variety of topics including the state’s Alternative Fuel Corridors (AFCs); EV charging station project components; the NEVI program and other NYS EV charging funding programs; charging station locations; assistance needs of MPOs, municipalities and communities; and how to support property owners interested in being site hosts.

EV Industry Engagement

New York State held a discussion with EV industry experts in the Summer of 2022, building upon years of established relationships with the EV industry, specifically its clean energy efforts. The NEVI state partner agencies continue to supplement this engagement with other industry stakeholders, including those expressing interest via the public NEVI website.

Discussion with the EV charging industry stakeholders identified several challenges including the following:

- EV charging companies were unfamiliar with federal highway and Title 23 funding requirements.
- Many noted concerns over meeting Buy America requirements and for the need and availability of Electric Vehicle Infrastructure Training Program (EVITP) credentialed

contractors to deliver NEVI funded projects.

- The group expressed concern over the availability of the level of power needed to support charging stations and several agreed that exceeding the 150kW power level would not result in reduced charge time given battery cell technology and it was noted that highway charging will not be the only way EV drivers will charge.
- The group expressed the need for states to provide financial support for operation and maintenance especially given the 97% up time requirements for NEVI funding and raised concerns over the time needed to obtain local building permits.

New York State's proposed NEVI formula funding program plan is responsive to this feedback by capitalizing on the extent of the state's existing EV charging station infrastructure that meets the NEVI geographic and capacity standards along its designated EV AFCs; avoiding the construction lead time and expense of building additional utility infrastructure needed for new stations in these areas; and focusing efforts on building in gap areas. New York State will further advantage its AFC build out by optimizing the scope of the NEVI funded installation work resulting in reduced construction durations, which will allow New York to build out its corridors more efficiently while maintaining the ability to leverage the funding for up to 5 years of operations and maintenance.

Workforce Development Engagement

NYSDOT has conducted outreach with the International Brotherhood of Electrical Workers (IBEW), including Local Union 363, to discuss the need for repair technicians and workforce development and training such as the Electric Vehicle Infrastructure Training Program (EVITP) training and certification for electricians installing electric vehicle supply equipment (EVSE). This collaboration will continue and expand by engaging with the State University of New York educational institutions as well as NYSERDA's Clean Energy Workforce Development and Training team to understand their existing programs and needs. Additionally, New York state partner agencies will collaborate with the Office of Strategic Workforce Development (OSWD) within Empire State Development (ESD), a new division charged with better aligning workforce development efforts with the needs and priorities of today's employers. Through these outreach efforts, New York State will endeavor to facilitate workforce development opportunities through its NEVI program implementation.

As New York State transitions to a clean energy economy, the Office of Just Energy Transition (OJET)⁶ will connect workers to opportunities for quality jobs, upskilling, and training with a focus on serving those who are traditionally underrepresented, especially within disadvantaged communities. OJET will also assist businesses by upskilling their workers and connecting them to a trained workforce while helping navigate eligible hiring incentives and available funding.

As noted in the 2022 NYS NEVI Plan, New York will engage Disadvantaged Community (DAC) liaisons within the state to identify opportunities to provide benefits from the expenditure of NEVI funds, including opportunities for workforce training and education to support a clean energy job pipeline, job training, and enterprise creation.

⁶ <https://dol.ny.gov/office-just-energy-transition-ojet>

NYS EV Charging Programs and Transportation Plan Engagement

New York State’s EV Make-Ready Program is undergoing a mid-point review designed to assess and evaluate the program budget, incentive levels and additional program phases. Stakeholder engagement for the mid-point review has included technical conferences to address projected program plug goals, funding incentive levels, data reporting and vehicle-grid integration, DAC considerations and MHD vehicles. Recommendations from these engagements under consideration include:

- Program budget increases
- Incentive modifications
- Updated plug projections and program goals
- Data reporting considerations
- Updated DAC workforce development approaches
- Micro-mobility infrastructure eligibility
- Expanding funding eligibility for MHD EV charging
- Future-proofing
- Communication and data standards
- Considerations for inclusion of advanced technologies

Feedback from the Make-Ready mid-point review will help inform the NEVI program as New York State develops implementation plans for corridor and community charging once the AFCs are fully built out. NYSDOT participated in the Department of Public Service Make Ready Midpoint Review budget/incentive technical conference on July 27, 2023 to share information related to federal-aid project process considerations as well as defining EV charging station project scopes of work as they apply to NEVI formula funding. Key takeaways included developers noting capacity to participate in greater than the required local cost share of 20%; capping the NEVI eligible reimbursable expenses is reasonable and commensurate with Make Ready program rules; and the federal Buy America requirements will increase DCFC station construction costs.

NYSERDA, in conjunction with state partner agencies, has been working on the release of a statewide Zero Emission Vehicle Market Development Plan, which will provide a comprehensive suite of policy recommendations and next steps for reaching NYS Climate Act targets for zero emission vehicle adoption. In the fall of 2022, NYSERDA hosted several outreach meetings to get input from a variety of stakeholders that encompass technology end-users like transit authorities and trucking fleets, original equipment manufacturers (OEMs) and local environmental advocates to get an “on-the-ground” sense of the most significant barriers and priorities to address in the next few years. This outreach consisted of six facilitated sessions where representatives were able to provide their perspectives to inform the policies in the ZEV plan. As such, special focus was paid to addressing the needs of disadvantaged communities and local environmental advocates were in attendance to speak to the issues directly. The market feedback received through these forums has informed New York State’s broader approach to the EV market and EV charging by providing additional information about costs of charging, expected market progress, barriers to adoption, and charging needs of MHD EVs. This market intelligence has influenced the emphasis on MHD EVs in the NEVI plan and has confirmed the

State's approach to providing a mix of charging types at different types of priority locations.

Other electric vehicle supply equipment (EVSE) programs run by NYSERDA - including Charge Ready NY Level 2 Program and the DCFC Program - incorporated feedback from a variety of environmental and community-based stakeholders that informed program design. More specifically, Charge Ready NY 2.0, which launched in July 2023, will have a greater focus on installing Level 2 chargers in disadvantaged communities and at larger residential complexes where residents are less likely to have access to home charging. Initially, the DCFC program was focused on building stations in areas of upstate New York where investment has not been as high compared to the New York City metropolitan area. The feedback received around these programs has informed New York's understanding of market needs, costs, and implementation challenges related to both DCFC and Level 2 charging station installations. The cost information gained from these programs has influenced the State's budgeting of its NEVI funds and the programs have shown that there is strong private sector interest in building charging stations across the State.

DEC conducted stakeholder outreach on September 14 and 21, 2022 and included environmental justice organizations. The outreach focused on adoption of California's Advanced Clean Cars II (ACC II) low-emission vehicle (LEV) and zero emission vehicle (ZEV) standards. A public hearing was held March 1, 2023 as part of a 60-day comment period that ended March 6, 2023. More than 4,440 comments were received and responded to in an Assessment of Public Comment, which will be published as part of the final ACC II rulemaking package in early August 2023. DEC completed additional stakeholder outreach during the development of New York's Volkswagen Settlement beneficiary mitigation plan, "Clean Transportation New York" which includes dedicated funding for publicly accessible light-duty EVSE. Outcomes from this stakeholder outreach will serve to inform future statewide EV charging strategies.

New York State continues to build on the extensive stakeholder, public and environmental justice advocate engagement undertaken through the NYS Climate Act Scoping Plan development. Since the release of the NYS Climate Act Scoping Plan in December 2022, NYSERDA staff have given presentations before several community-based organizations that represent environmental justice (EJ) interests. The objective of these presentations is to present an update on implementation and provide opportunities for community members to engage in rulemakings and program development related to implementation of the NYS Climate Scoping Plan. Audiences have included the EJ chairs of the NY NAACP regional chapters and the residents of Southeastern Queens at an EJ townhall. This engagement provided opportunities to give input on the Make Ready program and upcoming transportation programs focused on disadvantaged communities and built relationships that will be valuable when conducting future NEVI outreach.

NYSDOT stakeholder outreach for the New York State Transportation Master Plan occurred in June 2023. Discussion for this comprehensive statewide plan with a horizon year of 2050, covered a wide range of NEVI related topics. Of particular note were discussions related to prioritization and concerns related to vehicle electrification/charging and associated traveler choices surrounding the following:

- Climate change/implementation of the transportation goals of the NYS Climate Leadership and Community Protection Act (CLCPA)
- Innovation/keeping up with the future of technology
- Ridesharing shift toward EVs
- Expansion of micro transit services to compete with rideshares and concerns related to the impact of underfunding of intercity bus services
- Demographics impacts, including changing transportation habits with young adults opting for alternative modes of transportation, and aging population creating a workforce development challenge with a decline in skilled workers to build/maintain EV networks
- Context/working in harmony with communities and addressing equity issues
- Prioritization of EV and AFC planning

Considering that infrastructure drives how people travel and where development occurs, this transportation master plan stakeholder input will be considered when building out EV charging infrastructure specifically to help inform locations where NEVI funded corridor and community charging investments can be prioritized.

Some other upcoming statewide plans with opportunities for outreach to inform various stakeholders and solicit input on the NEVI program and approach include:

- NYS Active Transportation Strategic Plan (NYSDOT)
- NYS Master Plan for the Aging (New York State Department of Health (NYSDOH) and New York State Office for the Aging (NYSOFA))
- Statewide Greenway Trails Plan (NYS Office of Parks, Recreation and Historic Preservation (OPRHP))
- New York State Energy Plan (NYSERDA)

The state partner agencies engaged with graduate students on a project team from the Syracuse University Dynamic Sustainability lab as stakeholder for a project completed with the Northeast Clean Energy Council with the objective of recommending next steps toward determining optimal locations to charge medium and heavy duty (MHD) electric vehicles in Central New York based on existing data and key stakeholder input. The state partner agencies gained insights on the needs and challenges of the trucking industry, drivers, the transition to ZEV and how to support their operation.⁷ This feedback has been taken into consideration in both the NYSTA's CFI application to fund MHD EV charging along I-90 as well as the NEVI formula funding program strategy to fund MHD EV charging along I-87.

Future NEVI Program Engagement

Ongoing community engagement over the next year will continue to inform plan and program development and will include (but not be limited to):

⁷ The results of their study have been posted here [Final Presentation_NECEC Team 20Apr23.pptx - Google Slides](#).

- A recorded presentation of the 2023 Update to New York’s NEVI Formula Program Plan will be posted to the NYS NEVI website (with stakeholder engagement via web-survey opportunity) – Summer 2023
- Partnering with the New York Power Authority (NYPA) for engagement related to AFC build-out
- Engaging with State University of New York (SUNY) system related to workforce development
- Working with International Brotherhood of Electrical Workers (IBEW) union related to workforce development and Electric Vehicle Infrastructure Training Program (EVITP) certification
- Sharing planned DCFC site information and gathering input via social media
 - Instagram: “Coming Soon” posts identifying EV charging station locations
 - Facebook: AFC buildout updates – geo-targeted

Tribal Engagement

There are eight tribes, nations, or bands with territories or tribal lands in New York State that are recognized by the federal government and one additional tribe, nation, or band that is recognized by New York State.

Federally (or State) Recognized Tribe, Nation, or Band	NYSDOT Region(s)
Cayuga Nation of New York	Region 3 - Central New York
Oneida Indian Nation	Region 2 - Mohawk Valley
Onondaga Nation	Region 3 - Central New York
Poospatuck (Ukechauge) Indian Nation ⁸	Region 10 - Long Island
Saint Regis Mohawk Tribe	Region 7 - North Country
Seneca Nation of Indians	Region 5 - Western New York Region 6 - Central Southern Tier
Shinnecock Indian Nation	Region 10 - Long Island
Tonawanda Seneca Nation	Region 4 - Genesee Valley Region 5 - Western New York
Tuscarora Nation	Region 5 - Western New York

Governor Hochul recently appointed a Deputy Secretary for First Nations to engage with Tribal communities on opportunities for infrastructure investments and enhance coordination with New York’s Native Nations. Access to the Deputy Secretary for First Nations will provide a useful resource and assistance to the state partner agencies to coordinate with the native nations for sites that are being considered on native nation/tribal lands, as appropriate.

It is the policy of the New York State to recognize the government-to-government relationship between the Department and tribes, nations, or bands in New York State and to ensure the Department’s coordination, correspondence, consultation, and construction activities reflect and

⁸ Not currently federally recognized, the Poospatuck (Ukechauge) Indian Nation is recognized by the State of New York.

enhance this relationship. NYSDOT's Native Nation Coordinator and applicable NYSDOT Regional Native Nation Coordinators will be engaged as NYSDOT develops the New York State NEVI funding program beyond AFC corridor and community charging programs and further engage with native nation stakeholders to discuss opportunities for how NEVI Formula Program can benefit native nations and how NYSDOT can measure its progress. These efforts will explore how NEVI funding can improve and create opportunities to promote transportation electrification and to ensure that the benefits from the transition to EVs reach New York's native nations.

Utility Engagement

The 2022 NYS NEVI Plan identifies the utilities in the State and the territories they serve in 2022 NEVI Plan Appendix H, Figure H-2: Utility Territories in New York State.

New York state partner agencies are holding discussions with the Joint Utilities [Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc. ("Con Edison"), New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid"), Orange and Rockland Utilities, Inc. and Rochester Gas and Electric Corporation] and the Long Island Power Authority to understand how the State can best coordinate as NEVI-compliant DCFC site development moves forward. These conversations continue as the State moves forward with Plan implementation. An area of continued interest by the State is the incorporation of the publicly available load serving capacity maps, which the Public Service Commission directed the utilities to publish in 2020, which can be used to screen locations along the designated corridors for suitable grid capacity for EV charging.

New York Power Authority (NYPA) staff meet monthly with the major utility companies in New York State. These monthly utility meetings allow for coordination in all the phases of building DCFC sites, including those planned as part of New York State's NEVI AFC build-out agreement. NYPA engages the utilities to verify that the information on their EV charging hosting maps for a specific site is up to date; NYPA engages the utility to inquire if they have any questions regarding load letters submitted for grid interconnection; and both parties can coordinate construction schedules so the utility transformer can arrive and be connected once the concrete pad and conduit are in place.

Through the implementation of the "EV Make Ready" programs, the utilities have assigned EV specific staff to assist customers developing charging station projects with the incentive programs and grid interconnection. The utilities must also provide status reports regularly to the Public Service Commission with detailed accounting of the status of each application to the program, utility metering and billing information for participants, charging station session data, and other financial information for each operational charging station funded through the program. This coordination between state partner agencies and the utility companies continues to inform our NEVI formula funding program development and provides a mechanism for EV charging station development information sharing.

Site-Specific Public Engagement

Site host identification is the critical path for locating an EV charging station. If a developer wants to build a site on public or private property, it involves negotiating with the site hosts or property owners. For New York's AFC build-out strategy, NYPA has been actively identifying and negotiating site host agreements for locations that meet the NEVI geographic criteria of being located 50 miles along the AFC (as measured from station address to station address) and within 1 mile of the corridor as measured from the Interstate exit or highway. Once site host agreements are executed, with the approval of the site host, NYPA and NYSDOT will share this location information publicly and engage with local communities to discuss project specific plans and timelines.

The NYSTA public engagement plans for their MHD and LD charging strategy will be developed to ensure meaningful input from the public, industry stakeholders and others. It will also leverage public engagement activities planned and hosted by state partner agencies. While the Thruway is a discrete facility, it does serve first-mile/last-mile destinations throughout the state; many of which are urban environments home to disadvantaged communities.. As a key element in the larger freight network, implementing the MHD EV project will promote medium- and heavy-duty EV truck transition which will reduce emissions and noise pollution in disadvantaged communities located in/along freight delivery routes.

All of the feedback New York State has received and will receive through the above-mentioned planned engagement opportunities will continue to inform the design of the New York State NEVI program implementation for EV charging beyond designated AFC build out. This feedback will help to inform and prioritize locations for the NEVI funded corridor and community charging investments, as well as NEVI funding incentive levels, EV charging station capacity levels, and workforce development strategies,

Plan Vision and Goals

In late spring 2023, the New York state partner agencies compiled an assessment of the state of the EV market, sales, targets and policies in New York, identified the barriers to EV adoption and policy responses, identified the barriers to EV charging deployment and policy responses, and worked to align missions and collective efforts around a common statewide EV charging strategy.

NYS NEVI state partner agencies' primary goals are:

- To accelerate near-term ZEV adoption to meet the state's ambitious ZEV adoption goals.
- To enable full ZEV transition in the longer term.
- To support MHDV and bus electrification through MHD EV charging.

In addition, and to support the just transition principles⁹, complementary goals are:

- Encourage private ownership and investment in, and self-sufficient operation of, EV chargers.
- Achieve equity in EV charger availability; in DACs and urban areas, this may manifest as an emphasis on electrified passenger transportation services as opposed to EV ownership.
- Allocate fair and reasonable electric grid improvement costs between utility rate payers, charging station owners and drivers.
- Provide affordable EV transition for passenger and commercial EV operators.
- Provide a high-quality, reliable, and timely travel experience for EV travelers that meets their expectations for local and long-distance trips.
- Encourage domestic manufacturing of EV infrastructure, vehicles and vehicle components and the provision of good paying jobs throughout the EV ecosystem.

New York State's initial focus is to achieve broad geographic coverage of publicly accessible EV charging infrastructure to reduce range anxiety and promote near-term EV adoption while minimizing electric grid impacts and upgrade costs. Achieving these goals will improve conditions for sustained private investment in EV charging infrastructure to support long term EV adoption. At the same time, New York supports and encourages MHD vehicle and bus electrification through MHD EV charging.

New York State interagency activities include:

- Aligning available funding programs and identifying new funding opportunities to match proposed investments to the requirements of the funding source.
- Coordinating data reporting across programs to centralize collection and analysis.
- Developing a strategic work plan for project development.

Vision:

As stated in the 2022 NYS NEVI Plan, through the NEVI Formula Program, New York State will identify opportunities to support the creation of a safe, reliable, convenient and equitable fast charging electric vehicle infrastructure network. The network will meet the needs of EV drivers and provide infrastructure so EV drivers can safely travel throughout the state and into adjacent states and Canadian provinces to reach interstate, regional, and long-distance destinations.

Goals:

The goals for New York State's NEVI Formula Funding Program are to participate in implementing statewide EV charging strategies where appropriate:

⁹ as described in the 2022 NYS NEVI Plan to support a fair and equitable movement from fossil fuel-based economies toward achievement of carbon neutral future envisioned by the NYS CLCPA

- to build LD EV charging infrastructure that will support the acceleration of near-term ZEV adoption to meet the state’s ambitious ZEV adoption goals,
- to enable full ZEV transition in the longer term, and
- to support MHD vehicle and bus electrification through MHD EV charging.

Objectives:

To achieve these goals, the NYS NEVI plan objectives include:

- Aligning project scopes and objectives with the level of oversight required to maintain compliance with federal highway funding and NEVI regulations and requirements.
- Optimizing opportunities to partner with private industry where project scopes and site locations offer greater opportunity for self-sustaining operation and return on investment beyond the end of the subsidized operation and maintenance period.
- Capitalizing on the extent of the state’s existing EV charging station infrastructure that meets the NEVI geographic and capacity standards along the New York State designated EV AFCs to build out New York’s designated corridors as efficiently as possible. This will help to reduce range anxiety for travelers and incentivize more New Yorkers to purchase EVs in support of the state’s ambitious ZEV adoption goals.
- Managing resources, streamlining contract processes, optimizing timelines, and reducing risk to ensure successful outcomes by leveraging the NYPA EVolve NY program’s expertise and resources to facilitate construction, operation and maintenance outcomes.
- Leveraging the Department of Public Service (DPS) electric vehicle infrastructure Make-Ready Program funds for the utility-side and customer-owned Make-Ready equipment and infrastructure to serve new NEVI funded EV chargers.

Strategies:

The focus of New York State’s initial NEVI investments will be to complement current state efforts and to build, operate and maintain NEVI compliant DCFC within 1 travel mile of existing FHWA designated EV Alternative Fuel corridors to fill gaps along the corridors throughout the state and provide a connected network to border states and Canadian provinces.

New York’s NEVI Formula Funding Program strategies include:

- New York will capitalize on the extent of the state’s existing EV charging station infrastructure that meets the NEVI geographic and capacity standards along the designated EV AFCs and fill the remaining gaps by partnering with NYPA to leverage the EVolve NY program’s existing vendor pool to build NEVI compliant hardware and utility infrastructure. As described in New York’s prior approved NEVI Plans, New York’s designated EV AFCs contain approximately forty (40) existing EV charging stations throughout the state.¹⁰

¹⁰ Locations on the AFC Corridor identified by the Joint Office are presented as being NEVI-compliant via the Alternative Fuels Data Center at <https://afdc.energy.gov/>, as of July 17, 2023. Such EV charging stations, already in operation and publicly available, substantially comply with the requirements of 23 CFR Part 680, including, but not limited to meeting the core functional requirements of NEVI, such as location, charging capacity, number of ports, and universal connectivity.

Leveraging these existing EV charging stations narrows New York’s EV AFC gaps to 23 identified locations (reference our planned and proposed charging station tables in the EV Charging Infrastructure Deployment section of this Plan) will allow New York to achieve EV AFC corridor built-out status much more quickly, while maximizing NEVI Formula funding for future planned phases beyond corridor built-out. NYSDOT will use its FY22/23 NEVI formula funds to fund the software installation for these charging stations as well as up to 5 years of operation and maintenance expenses.

- New York will support the creation of EV charging for MHD vehicles along the New York State Thruway I-87 corridor from NYC to Albany. NYSTA intends to install MHD EV chargers at up to five locations in this corridor. Additional locations beyond this corridor are also being evaluated for the future installation of MHD and LD EV chargers. These locations are all on the Thruway system in close proximity to other major roadways, neighboring states, and Canada. This strategy is informed by the recommendations Electric Highways: Accelerating and Optimizing Fast-Charging Deployment for Carbon-Free Transportation study¹¹ jointly prepared by National Grid, CALSTART, RMI, Stable Auto and Geotab. New York State Thruway Authority’s engagement with the industry organizations and utility providers, as well as efforts to analyze their system and assess opportunities to build MHD EV charging infrastructure, further inform this strategy. Please note NYSTA is seeking a grant from the Charging and Fueling Infrastructure (CFI) Program to establish an initial MHD EV charging network at seven service areas along the I-90 Freight Corridor (the I-90 Medium and Heavy-Duty Vehicle Charging Network Project) that extends from Pennsylvania to Massachusetts and connects to the I-87 freight corridor to New Jersey/New York City, and Montreal Canada. This corridor also serves the connecting I-190 to Toronto Canada and I-81 Pennsylvania to Ontario Canada freight corridors.
- New York will support the build out of LD EV charging infrastructure along select New York State roadways beyond the designated AFCs, once our designated AFCs are fully built out, to further the state’s focus on broad geographic coverage of publicly accessible EV charging infrastructure.
- New York will leverage NYSERDA’s existing public private partnership activities for building EV charging infrastructure by sub-allocating a portion of its formula program funds to NYSERDA for programming and implementation. NYSERDA will leverage the private market to help build out New York’s charging infrastructure and focus on additional corridor and community DCFC stations and any other gaps needed to accelerate the deployment of electric vehicle adoption as well as workforce development activities.

To supplement this EV charging infrastructure construction, NYSDOT will ensure that all new station locations include MUTCD-compliant wayfinding signs to help drivers navigate to charging stations from the AFC and assess existing station locations along the AFCs to identify any opportunities to provide additional MUTCD-compliant wayfinding signs to ensure all locations are clearly signed.

By creating these partnerships among the NEVI state partner agencies (i.e., NYSDOT,

¹¹ <https://calstart.org/electric-highways-study/>

NYSERDA, NYSTA and DPS), New York will leverage years of existing data collection activities, providing equitable access for EV charging, workforce development and network reliability.

Resolving gaps in rural areas along interstate EV AFCs will be important to provide more certainty to EV drivers that the state's extensive interstate network can be traveled safely with opportunities for publicly available, accessible charging. A number of gap areas pass through disadvantaged communities.

These strategies will maximize the benefits of the NEVI Formula Funding Program and ensure that funding can be made available as efficiently as possible, while complying with the rules of Title 23, United States Code (USC), as required by law.

As mentioned above and noted in the 2022 NYS NEVI Plan, New York will engage Disadvantaged Community (DAC) liaisons within the state to identify opportunities to provide benefits from the expenditure of NEVI funds, including opportunities for workforce training and education to support a clean energy job pipeline, job training, and enterprise creation. NYSDOT anticipates working with its state partner agencies, as well as the State University of New York, the Empire State Development Corporation and the New York State Energy Research and Development Authority, to leverage their experience and existing state programs that achieve such worker training and education goals.

Through the New York State designated AFC corridor build out strategy, New York will open new NEVI compliant corridor charging stations throughout 2024 on a rolling basis and expects to achieve nearly 'fully built-out' status by the end of 2024. NYPA staff are working to ease bottlenecks in the fast charger development process such as contracting with host sites, solving for potential supply chain issues (primarily electrical switchgear and transformers) and local permitting challenges.

Contracting

As noted in our 2022 NYS NEVI Plan, NYSDOT anticipates engaging state partner agencies and the private industry to site, construct and/or operate and maintain NEVI compliant DCFC EV charging stations to build out New York's EV AFCs and maximize the effective use of the NEVI formula funds.

Status of Contracting Process

In support of New York's first NEVI strategy to build out its designated AFCs, NYSDOT is in the process of executing a Memorandum of Agreement (MOA) with NYPA for the NEVI funded project scope of installing the software required to network NEVI-eligible charging stations and report data. Through this MOA, NYPA will be responsible to acquire and install the necessary software comply with all applicable regulations.

Additionally, NYSDOT is in the process of executing a MOA with NYPA for the NEVI funded project scope to support up to 5 years of operations and maintenance expenses associated with

those station where the software was acquired and installed with NEVI funds.

NYPA's EVolve NY program goals are to make EVs easy to own and operate in New York State and reduce the carbon footprint of the state's transportation sector. New York has committed to being a leader in EV infrastructure to build fast, affordable and reliable charging stations throughout the state so New Yorkers can drive electric with confidence. By leveraging this program to implement New York's NEVI Formula Funding Program goals, the New York state partner agencies benefit from NYPA's experience and expertise along with its existing vendor relationships with experience installing, operating and maintaining EV charging infrastructure in New York, to ensure NEVI program and AFC build out success expeditiously.

Through this contracting strategy, New York State achieves all its program goals and objectives and will ensure that the AFC EV charging infrastructure is delivered in a manner that will result in efficient and effective deployment that meets all applicable NEVI requirements to allow New York State to achieve fully built-out status.

Contracts between NYSDOT and NYSTA and NYSERDA are planned to execute New York's remaining three NEVI strategies. These will be negotiated over the coming months and will reflect New York State NEVI Formula Funding Program goals and federal NEVI program requirements.

For all NEVI Formula Funding Program strategies, the NEVI state partner agencies will conduct community engagement to share planned station locations publicly once site host agreements are fully executed. This may include public meetings, social media, NYS NEVI program webpage and agency webpage updates, as appropriate.

Awarded Contracts

The MOA between NYSDOT and NYPA that is in progress as noted above will be our first awarded contract.

Scoring Methodologies Utilized

NYSDOT's initial contract (MOA) with NYPA will be a single source procurement, leveraging NYPA's existing competitively procured contracts. NEVI funded projects undertaken by the NYSTA and NYSERDA that consider competitive procurement will be included in a future year plan update.

Plan for Compliance with Federal Requirements

NYSDOT will work with NYPA, NYSTA and NYSERDA for their funded projects to ensure compliance with all applicable federal requirements in accordance with federal guidance, as provided, amended and updated..

Civil Rights

As noted in the 2022 NYS NEVI Plan Supplement (Supplemental Information on New York State's National Electric Vehicle Infrastructure Formula Program Plan, dated September 9, 2022), it is the policy of NYSDOT to prevent and eliminate discrimination in all of its operations and services as well as all aspects of employment. NYSDOT plans, develops and implements its programs and activities so that no person is subjected to unlawful discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status or Vietnam era veteran status. As referenced by this policy, NYSDOT actively promotes and enforces actions that protect the Civil Rights not only of its employees but those that are directly impacted by NYSDOT projects. NYSDOT includes Civil Rights requirements within its contracts with consultants, contractors, vendors and others and will do so, as appropriate, in the contracting opportunities executed for New York State's NEVI funding.

Existing and Future Conditions Analysis

New York's 2022 NEVI Plan provides a comprehensive analysis of the State's existing and future conditions, including the following:

- Page 9-18: Land Use & Demographics/Economy/Climate
- Page 18-22: New York State's Approach to Extreme Weather and Climate Change & Page 47/Appendix A
- Page 56-57/Appendix C: Existing Locations of Charging Infrastructure Along AFCs
- Page 43-44: Risks and Challenges

The information below updates the 2022 NYS NEVI Plan content on Pages 23-26: New York State Context for NEVI as well as Appendix B: NYS Electric Vehicle Supportive Programs, Laws and Regulations.

New York State Context for NEVI

As noted in the 2022 NYS NEVI Plan, the NYS Public Service Commission had several initiatives that are relevant to the current plan: the EV Make-Ready Program, the DCFC Per-Plug Incentive Program, and a proceeding in which Commercial Tariff for Electric Vehicle Charging was under development. There have been a number of advancements in those efforts which are summarized below.

- New York State's EV Make-Ready Program: a utility-funded make-ready incentive program that is designed to stimulate the development of enough public EV charging infrastructure across the state to support the EV charging needs of an estimated 850,000 zero emission vehicles on the road in New York by 2025. On March 1, 2023, Department of Public Service (DPS) staff proposed several modifications to the program following an extensive midpoint review process, and include:
 - Increasing the budget from \$701 million to \$1.108 billion and updating the plug targets to a total of 43,122 L2 plugs and 6,302 DCFC plugs;
 - Extending the deadline of the Make-Ready Program beyond January 1, 2025, if plug

- targets are not met;
- Creating a \$25 million micro-mobility make-ready program targeting Disadvantaged Communities (DACs);
- Modifying the DAC tier for L2 plugs to use premise-specific eligibility criteria for stations located in multi-unit dwellings (MUDs) and the addition of curbside charging as an eligible use case;
- Modifying the Medium- and Heavy-Duty (MHD) Pilot to increase the total budget to \$54 million as well as expanding eligibility to customer-side make-ready costs; and
- Creating a stakeholder process to address problems with the interconnection queue.

Written comments were filed by stakeholders on May 15, 2023, followed by reply comments on May 30, 2023. DPS has several technical conferences planned during the summer of 2023 to allow stakeholders to expand upon their written comments in advance of a Public Service Commission decision. NYSDOT and state partner agencies continue to engage with DPS and the Joint Utilities to ensure a coordinated approach to the design and implementation of the EV Make-Ready program, additional utility-specific EV programs, and the NEVI Formula Program.

- Commercial Tariff for Electric Vehicle Charging: Public Service Commission adopted three operating cost relief measures for commercial EV charging which the investor-owned utilities are now in the process of implementing.
 - Demand Charge Rebate: the utilities are developing a demand charge rebate that provides a 50 percent demand charge credit for all commercial EV charging-use cases in the Upstate utilities. The Downstate utilities (Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. for the purposes of this Order) will provide use-case specific incentives.
 - Commercial Managed Charging Programs: the utilities are developing commercial managed charging programs that provide value-based bill credits for EV charging stations that are able to avoid charging during the costliest times for the grid. The value-based bill credits in the managed charging program can be combined with the Demand Charging Rebate. The Downstate utilities filed the commercial managed charging implementation plan for Public Service Commission consideration on March 21, 2023 and the remaining utilities filed implementation plans on July 18, 2023.
 - EV Phase-In Rate: begins as a time-of-use rate, and blends in a demand charge as charging station utilization increases. The EV Phase-In Rate provides much needed operating cost relief in the near-term when station utilization may be limited, while gradually transitioning the station to a more sustainable and cost reflective rate design in the long run. The EV phase-in rate is expected to result in utility charges that are at least 30 percent less expensive than the equivalent cost of gasoline, using prices at the time of the Order (January 2023). The Demand Charge Rebates will sunset once the EV Phase-In Rate is fully implemented.
- DCFC Per Plug Incentive Program: it should be noted that the DCFC Per Plug Incentive Program was canceled in the January 19, 2023 Order, allowing existing program participants a one-time option to complete the remainder of the program's seven-year incentive payments

or to transition to the newly created Demand Charge Rebate and Commercial Managed Charging Programs. The Public Service Commission directed the utilities to redeploy the DCFC Per Pug Incentive budget to fund a new program to incentivize demand management technologies such as energy storage, advanced load management technologies and software.

- Medium- and Heavy-Duty and Proactive Planning Proceeding: initiated by the Public Service Commission on April 20, 2023. Initial comments from stakeholders were filed June 5, 2023 and reply comments were received on June 26, 2023. The proceeding has two primary objectives:
 - Examine potential barriers to medium- and heavy-duty electric vehicle charging infrastructure deployment and propose a program, or programs, that support the electrification of medium- and heavy-duty vehicles, with a focus on communities that bare a disproportionate burden of pollution from trucks and buses.
 - Develop a proactive utility planning process for transportation electrification that will identify high priority utility infrastructure upgrades before issues stemming from grid capacity needs arise.

Alternative Fuel Corridor (AFC) Designations

Below is an updated list of New York’s designated AFC that was corrected to include two of our AFCs that were inadvertently not listed in the 2022 NYS NEVI Plan on pages 26-27. New York’s currently designated corridors include Interstate and state routes that are important for interstate and intrastate connectivity and, when built out, will allow New York to achieve the greatest reduction in greenhouse gas emissions.

SR-13 I-86 interchange (Horseheads) to I-81 interchange (Cortland)

SR-25 I-495 interchange (Queens) to Riverhead

SR-27 I-278 interchange (Brooklyn) to Montauk

I-81 Pennsylvania border to Canada border

I-84 Pennsylvania border to Connecticut border

I-86/SR-17 Pennsylvania border to I-87 interchange (Woodbury)

I-87 Canada border to New York City

I-88 I-81 interchange (Chenango) to I-90 interchange (Rotterdam)

I-90 Pennsylvania border to Massachusetts border

I-95 New Jersey border to Connecticut border

I-190 I-90 interchange (Cheektowaga) to Canada border (Lewiston)

I-278 New Jersey border to I-95 interchange (Throggs Neck)

I-287 New Jersey border to I-95 interchange (Rye)

I-390 I-86 interchange (Avoca) to I-490 interchange (Rochester)

I-490 I-90 interchange (Victor) to I-90 interchange (Le Roy)

I-495 entire length (Queens to Riverhead)

I-678 I-95 interchange (Bronx) to southern terminus at JFK Airport

I-684 I-287 interchange (White Plains) to I-84 interchange (Brewster)

Figure 23-1: New York Designated EV Alternative Fuel Corridors (AFC)



Figure 23-1 shows the New York designated EV Alternative Fuel Corridors.

Existing Charging Stations

Figure 23-2: Existing NEVI-compliant Charging Stations in New York State Designated EV AFCs

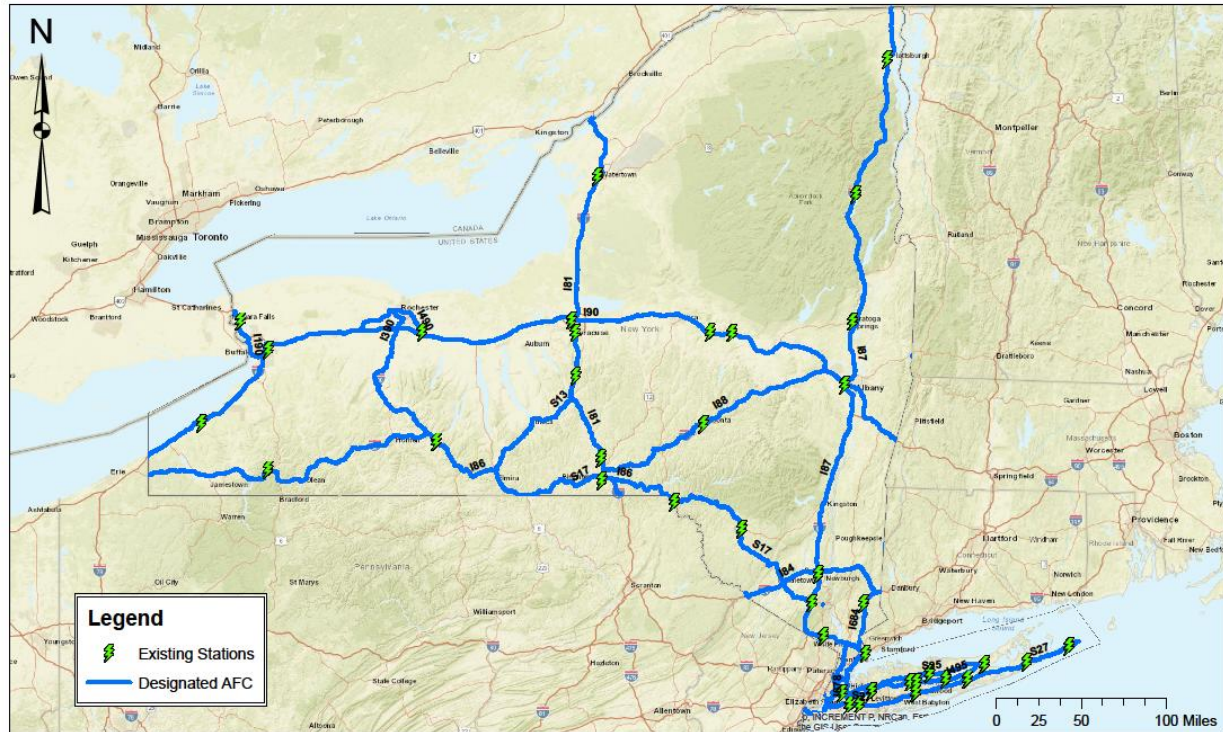


Figure 23-2 shows the existing NEVI-compliant charging stations in the New York State designated EV AFCs.

The table in the 2023 updated Appendix C lists the existing DCFC locations identified by the Joint Office as being NEVI-compliant via the Alternative Fuels Data Center at <https://afdc.energy.gov/>, as of July 17, 2023. Some existing stations were inadvertently not listed in NYS’s 2022 plan (pages 56 & 57) and other stations have been subsequently built by private sector since the publication of 2022 NYS NEVI Plan. The information in the 2023 updated Appendix C replaces the table in the 2022 NYS NEVI Plan Appendix C.

EV Charging Infrastructure Deployment

Planned Charging Stations

The information included in the 2022 NYS NEVI Plan pages 34-42 and Appendix G are updated below.

New York State Designated EV AFC NEVI Funded Charging Stations Under Construction or Planned with Signed Site Host Agreements

State EV Charging Location Unique ID	Route	Location	Number of Ports	Estimated Year Operational	Estimated Cost	NEVI Funding Sources (Choose No NEVI, FY22/FY23, FY24, FY25, FY26, or FY27+)	New Location or Upgrade
I86-EX-61	I-86 AFC	312 Broad St, Waverly, NY 14892	4 min.	2024	TBD	FY22/FY23	New
I81-EX-33	I-81 AFC	287 E. Main St, Parish, NY	4 min.	2024	TBD	FY22/FY23	New

New York State Designated EV AFC NEVI Funded Proposed Charging Stations

State EV Charging Location Unique ID	Route (note if AFC)	Location (street address, if known)	No. of Ports	Estimated Year Operational	Estimated Cost	NEVI Funding Sources (Choose No NEVI, FY22/FY23, FY24, FY25, FY26, or FY27+)	New Location or Upgrade?
NY13-MP-	NY-13	Ithaca, NY	4 min.	TBD	TBD	FY22/FY23	New
I81-EX-50	I-81	Alexandria Bay, NY	4 min.	TBD	TBD	FY22/FY23	New
I84-EX-1	I-84	Port Jervis, NY	4 min.	TBD	TBD	FY22/FY23	New
I86-EX-9	I-86	Bemus Point, NY	4 min.	TBD	TBD	FY22/FY23	New
I86-EX-31	I-86	Angelica, NY	4 min.	TBD	TBD	FY22/FY23	New
I86-EX-53	I-86	Horseheads, NY	4 min.	TBD	TBD	FY22/FY23	New
I86-EX-120E	I-86	Middletown, NY	4 min.	TBD	TBD	FY22/FY23	New
I87-EX-9-S	I-87	Bronx, NY	4 min.	TBD	TBD	FY22/FY23	New
I87-EX-20-S*	I-87	Exit 20	4 min.	TBD	TBD	FY22/FY23	New
I87-EX-X-N*	I-87	Exit 18-25	4 min.	TBD	TBD	FY22/FY23	New
I87-EX-29-N	I-87	North Hudson, NY	4 min.	TBD	TBD	FY22/FY23	New
I87-EX-34-N	I-87	Keeseville, NY	4 min.	TBD	TBD	FY22/FY23	New
I88-EX-X*	I-88	Exit 5-11	4 min.	TBD	TBD	FY22/FY23	New
I88-EX-20	I-88	Richmondville, NY	4 min.	TBD	TBD	FY22/FY23	New
I90-EX-X*	I-90	Exit 47-48	4 min.	TBD	TBD	FY22/FY23	New
I90-EX-42	I-90	Phelps, NY	4 min.	TBD	TBD	FY22/FY23	New
I90-EX-X	I-90	Exit 32-34A	4 min.	TBD	TBD	FY22/FY23	New
I278-EX-41	I-278	Astoria, NY	4 min.	TBD	TBD	FY22/FY23	New
I390-EX-5	I-390	Dansville, NY	4 min.	TBD	TBD	FY22/FY23	New
I390-EX-X	I-390	Exit 6-18	4 min.	TBD	TBD	FY22/FY23	New
I390-EX-19	I-390	Rochester, NY	4 min.	TBD	TBD	FY22/FY23	New

*This location has been identified as a remaining gap along the designated AFC where discussion with potential site hosts is ongoing. A “State EV Charging Unique ID” will be assigned once a site host has been identified.

utility infrastructure. As described in New York’s prior approved NEVI Plans, New York’s designated EV AFCs contain approximately forty-one (41) existing EV charging stations throughout the state.¹² Leveraging these existing EV charging stations narrows New York’s EV AFC gaps to 23 identified locations (reference our planned and proposed charging station tables in the EV Charging Infrastructure Deployment section of this Plan)-allowing New York to achieve EV AFC corridor built-out status much more quickly, while maximizing NEVI Formula funding for future planned phases beyond corridor build-out. NYSDOT will use FY22/23 NEVI formula funds to fund the software installation for these charging stations as well as up to 5 years of operation and maintenance expenses.

2. New York will support the creation of EV charging for MHD vehicles along the New York State Thruway-owned I-87 corridor from NYC to Albany. This strategy is informed by the recommendations from a study titled “Electric Highways: Accelerating and Optimizing Fast-Charging Deployment for Carbon-Free Transportation”¹³, jointly prepared by National Grid, CALSTART, RMI, Stable Auto and Geotab, as well as the New York State Thruway Authority’s efforts to analyze their system and assess opportunities to build MHD EV charging infrastructure.
3. New York will support the build out of LD EV charging infrastructure along select New York roadways beyond the designated AFCs, once the designated AFCs are deemed fully built out, to further the state’s focus on broad geographic coverage of publicly accessible EV charging infrastructure.
4. New York will leverage NYSERDA’s existing public private partnership activities for building EV charging infrastructure by sub-allocating a portion of the formula program funds to NYSERDA for programming and implementation.

To supplement this EV charging infrastructure construction, NYSDOT will ensure that all new stations locations include MUTCD-compliant wayfinding signs to help drivers navigate to charging stations from New York’s AFC and work to assess existing station locations along the AFCs to provide additional MUTCD-compliant wayfinding signs to ensure all locations are clearly signed.

By creating these partnerships between NYSDOT and the NYSERDA, NYSTA and DPS, New York will leverage years of existing data collection activities, experience providing equitable access for EV charging, workforce development and network reliability.

¹² Locations on the AFC Corridor identified by the Joint Office are presented as being NEVI-compliant via the Alternative Fuels Data Center at <https://afdc.energy.gov/>, as of July 17, 2023. Such EV charging stations, already in operation and publicly available, substantially comply with the requirements of 23 CFR Part 680, including, but not limited to meeting the core functional requirements of NEVI, such as location, charging capacity, number of ports, and universal connectivity.

¹³ <https://calstart.org/electric-highways-study/>

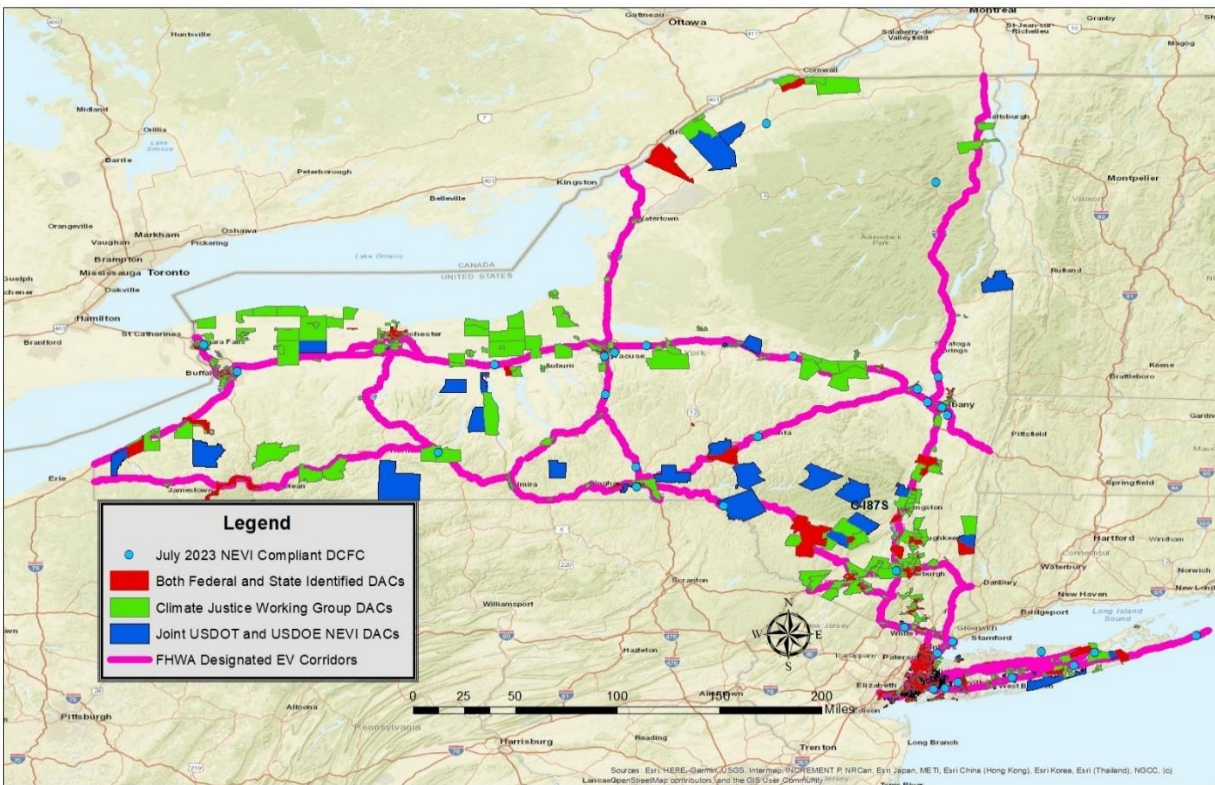
Equity Considerations

Identification and Outreach to Disadvantaged Communities (DACs) in the State

Figures 23-4 and 23-5 depict locations of disadvantaged communities in New York State in proximity to the designated EV AFCs.

Outreach to Disadvantaged Communities is discussed in the Community Engagement Outcomes Report of this 2023 NYS NEVI Plan Update.

Figure 23-4: Disadvantaged Communities in New York State in proximity to designated EV AFCs



Process to Identify, Quantify, and Measure Benefits to DACs

Benefits Category	Strategy for Tracking Benefits
Improve clean transportation access through the location of chargers	NYS will track the location of NEVI-funded stations including Justice40 and NYS-designated DACs.
Decrease the transportation energy cost burden by enabling reliable access to affordable charging	NYSERDA has been working with National Renewable Energy Lab (NREL) to use its Mobility Energy Productivity tool (https://www.nrel.gov/transportation/mobility-energy-productivity-tool.html), which measures the impact of investments on the ability to connect people to jobs and needed services and reduce the cost of travel and the amount of energy used. NYS can continue its work with NREL to examine the impact of NEVI investments on this metric.
Reduce environmental exposures to transportation emissions	NYS adopted California’s Advanced Clean Cars II (ACC II) by emergency rulemaking.
Increase parity in clean energy technology access and adoption	As part of the Disadvantaged Community requirements in VW funded EVSE projects and ACC II, NYS tracks EV adoption by ZIP code and will continue to assess the changes in EV adoption in target ZIP codes throughout the period of NEVI investments.

Labor and Workforce Considerations

In compliance with 23 CFR 680.106(j) to ensure that the installation and maintenance of chargers is performed safely by a qualified and increasingly diverse workforce of licensed technicians and other laborers, all electricians installing, operating, or maintaining Electric Vehicle Supply Equipment must receive certification from the Electric Vehicle Infrastructure Training Program (EVITP) or a registered apprenticeship program for electricians that includes charger-specific training developed as part of a national guideline standard approved by the Department of Labor in consultation with the Department of Transportation, if and when such programs are approved.

As previously noted, NYSDOT has conducted outreach with the International Brotherhood of Electrical Workers (IBEW), including Local Union 363, to discuss the need for repair technicians and workforce development and training such as the Electric Vehicle Infrastructure Training Program (EVITP) for training and certification of electricians installing electric vehicle supply equipment (EVSE). This collaboration will continue as we expand our efforts by engaging with our State University of New York educational institutions to understand their existing programs and needs.

New York state partner agencies will also collaborate with the Office of Strategic Workforce Development (OSWD) within Empire State Development (ESD), a new division charged with better aligning workforce development efforts with the needs and priorities of today's employers, as well as the Office of Just Energy Transition (OJET)¹⁴ in the NY State Department of Labor to connect businesses and workers, particularly those who are traditionally underrepresented, to opportunities for quality jobs, upskilling, and training.

¹⁴ <https://dol.ny.gov/office-just-energy-transition-ojet>

Through these outreach efforts, New York will identify opportunities to facilitate workforce development opportunities through its NEVI program implementation.

Physical Security & Cybersecurity

As noted in the 2022 NYS NEVI Plan Supplement (Supplemental Information on New York State's National Electric Vehicle Infrastructure Formula Program Plan, dated September 9, 2022), the NEVI program requires the inclusion of strategies to mitigate charging infrastructure, grid, and consumer vulnerability associated with the operation of charging stations. NYSDOT will comply with all cybersecurity related regulations and guidance that are issued by FHWA or the Joint Office with respect to funded chargers. New York recognizes the importance of cybersecurity and is incorporating such strategies in its current programs. For example, New York currently requires Open Charge Point Protocol (OCPP) 1.6 certification in its EVolve NY charging program. While OCPP 2.0.1 is available, it is not universally supported at this time. New York anticipates initially requiring OCPP 1.6 certification with a specified upgrade path defined for OCPP 2.0.1. New York supports ISO 15118 vehicle to grid communication interface capability on the charger and the network. However, ISO 15118 has not been adopted by all charger manufacturers or automobile original equipment manufacturers (OEMs). New York State will require detailed plans from any vendor on its ISO 15118 functionality and roadmap and will require vendors to implement capabilities as they become commercialized.

New York State will ensure all contracts for NEVI funded projects include provisions to ensure compliance with the provisions of 23CFR680 including those related to physical and cybersecurity.

Program Evaluation

The NEVI state partner agencies will coordinate data reporting across all New York State EV charging infrastructure programs to centralize collection and analysis. NYPA obtains regular data reporting for EVolve NY stations including number of sessions, power dispensed, and error messages. Additional information will be included in a future year plan update.

Discretionary Exceptions

NYSDOT, with collaboration from NYPA and NYSERDA, has identified the following existing DCFC stations that meet the NEVI geographic and capacity standards along our designated EV AFCs that will serve to build out our corridors but that are greater than 1 mile from the end of the AFC exit ramp. NYSDOT has prepared exceptions request for each of these locations that are appended to this plan update in Appendix I.

Exception Number	AFC	Site Address	NEVI Funded	Distance off AFC (miles)
1	I84	1201 Route 300, Newburgh, NY, 12550	No	1.2
2	I87/I287	75 S Middletown Rd, Nanuet, NY 10954	No	1.3
3	I87	106 Maple Avenue, Saratoga Springs, 12866	No	2
4	I86	2501 West State Street, Olean, NY, 14760	No	1.7
5	I86	13 East William Street, Bath, NY, 14810	No	1.4
6	I90	2500 Walden Ave, Cheektowaga, NY, 14225	No	1.4
7	NY27	1701 Sunrise Hwy, Bayshore, NY, 11706	No	1.2
9	I490	441 Commerce Drive, Victor, 14564	No	1.7
10	I87	631 Midland Ave, Rye, NY 10580	No	1.2

2023 Update Appendix A: Refer to 2022 NEVI Plan

2023 Update Appendix B: New York State Electric Vehicle Supportive Programs, Laws and Regulations

New York State has put a comprehensive set of programs in place that address a wide range of barriers to EV adoption, including high upfront vehicle prices, lack of charging infrastructure, low public awareness of EVs, and high operating costs for charging stations. Programs include regulations, legislation, financial incentives, and other policy mechanisms. Both light-duty vehicles and medium- and heavy-duty vehicles are targets for electrification. Many of these programs have been in place for more than five years and have dramatically shifted the EV landscape in New York State.

Within the subset of programs aiming to increase the amount of charging infrastructure in the state, a mix of state agencies and authorities have collaborated to cover a wide range of charging needs. NYSERDA's programs have targeted Level 2 charging statewide and DCFC in specific underserved locations; NYPA's EVolveNY initiative focuses on DCFC along travel corridors and other high-priority locations; DPS's Make Ready Program and the state tax credit support the installation of public Level 2 and DCFC stations statewide; and the NEVI funding complements these with additional resources for DCFC, especially along corridors. Importantly, the State's vehicle incentives and adoption of Advanced Clean Cars 2 and Advanced Clean Trucks will make sure the EVs are on the road to drive up usage of these stations.

Programs:

Drive Clean Rebate for EVs

<https://www.nyserda.ny.gov/Drive-Clean-Rebate>

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- **General Description:** Drive Clean Rebate is a point-of-sale rebate of up to \$2,000 for the purchase or lease of new all-electric and plug-in hybrid passenger vehicles. Participating car dealers provide discounts to their customers at the time of sale and apply to NYSERDA for reimbursement. This is in addition to the federal tax credit, which currently offers up to \$7,500 per vehicle for qualifying manufacturers.

New York Truck Voucher Incentive Program (NYTVIP) (<https://www.nyserda.ny.gov/All-Programs/Truck-Voucher-Program>)

- **General Description:** NYTVIP provides point-of-sale rebates to fleets across New York State that purchase or lease new medium- and heavy-duty electric trucks and buses (weight class 3 through 8) and scrap a similar older diesel vehicle that is part of their fleet. Participating truck or bus dealers provide discounts to their customers at the time of sale for reimbursement.

New York City Clean Trucks Program (NYCCTP) (<https://www.nycctp.com/about/>)

- **General Description:** NYCCTP provides point-of-sale rebates to commercial truck owners operating within the program-approved New York City Industrial Business Zones that purchase or lease new medium- and heavy-duty electric trucks (weight class 4 through 8) and scrap a similar older diesel vehicle that is part of their fleet. Participating truck dealers provide discounts to their customers at the time of sale for reimbursement.

Charge Ready NY 2.0 (<https://www.nyserda.ny.gov/All-Programs/ChargeNY/Charge-Electric/Charging-Station-Programs/Charge-Ready-NY>)

- **General Description:** Charge Ready NY 2.0 provides incentives to public, private and not-for-profit organizations that install Level 2 EV charging stations at workplaces, multi-unit dwellings (MUDs), or public facilities that are owned and operated by municipal or state government entities. NYSERDA provides incentives at varying amounts, based on location type:
 - \$4,000 per charging port installed at a public facility (must be located within a DAC)
 - \$2,000 per charging port installed at a workplace or multi-unit dwelling location.

An additional incentive of \$500 per port may be awarded for eligible charging equipment installed at a workplace or MUD location located within a DAC.

EV Make-Ready Program

18-E-0138, Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs (issued July 16, 2020). Available at:

<https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=18-E-0138&submit=Search>

- **General Description:** This program supports the development of electric infrastructure and equipment necessary to accommodate an increased deployment of EVs within New York State. The program provides entities seeking to install Level 2 and/or Direct Current Fast Charging incentives that will offset a large portion of, or in some cases, all of the infrastructure costs associated with preparing a site for EV charger installation.

NYS Tax Credit for EV Charging Stations

https://www.tax.ny.gov/pit/credits/alt_fuels_elec_vehicles.htm

- **General Description:** NYS offers tax credits of 50% of the cost of an EV charging station, up to \$5,000, for EV charging station installations at public and workplace locations, available through 12/31/27.

EVolveNY Program (<https://evolveny.nypa.gov/>)

- **General Description** This program will provide up to \$250 million to build up to 800 EV charging stations statewide by 2025, with a focus on Direct Current Fast Charging stations along major travel corridors.

NYSERDA DCFC Program

- **General Description:** This program, administered by NYSERDA in partnership with the NYS Department of Environmental Conservation, is investing \$16 million in DCFC stations across upstate New York. Initial rounds of the program in 2021 and 2022 targeted stations in six Regional Economic Development Council (REDC) areas (Western NY, Finger Lakes, Central NY, Southern Tier, Mohawk Valley, and North Country) that at the time had fewer DCFC stations.¹⁵The program selects a charging station developer to install four plugs at three or four different locations in each REDC. The funding covers up to 80% of the capital costs of the stations. Two rounds have been completed (2021, 2022) and are expected to result in 20 sites. Round 3 proposals were due in 2023 and will be awarded shortly.

Municipal ZEV and ZEV Infrastructure Rebates and Grants

(<https://www.dec.ny.gov/energy/109181.html>)

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https://www.dec.ny.gov/docs/administration_pdf/21zevcvfs.pdf

https://www.dec.ny.gov/docs/administration_pdf/22zevcvfs.pdf

https://www.dec.ny.gov/docs/administration_pdf/22zevinfs.pdf

- **General Description:** These programs offer grants to municipalities for of up to \$7,500 per vehicle for the purchase of EVs and from 80-100% of the EV charging station costs (based on the median household income of the municipality in which the infrastructure will be installed).

NYS Thruway Discounts ([E-ZPass: Discount Plans - New York State Thruway \(ny.gov\)](#))

- **General Description:** NYS Thruway Authority offers a 10% discount on tolls to E-ZPass customers with Plug-In Electric and Plug-In Hybrid Electric vehicles, if they apply for an E-ZPass Green Discount Plan.

NYC Bridge & Tunnel Discounts [E-ZPass \(panynj.gov\)](#)

- **General Description:** The Port Authority Green Discount Plan (PA GREEN) is available to eligible Class 1 vehicles with private *E-ZPass* accounts at *E-ZPass* New York. Enrollment is required. The Port Authority Green Discount Plan toll rate is \$14.75 per peak trip and \$9.25 per off-peak trip (plus \$11.50 for each additional axle beyond two axles) for vehicles on New York's Clean Pass Program Vehicle Eligibility List that pre-register for the program

DCFC Per-Plug Incentive Program

(https://jointutilitiesofny.org/ev/dcfc_incentive_program#:~:text=The%20DCFC%20Per%20Plug%20Incentive,by%20offsetting%20electric%20delivery%20cost)

¹⁵ Additional information regarding the Volkswagen-settlement Funded DCFC program is available at: <https://www.nyscrda.ny.gov/About/Newsroom/2020-Announcements/2020-11-12-governor-cuomo-announces-11-million-in-Volkswagen-settlement-funds-to-expand-electric-vehicle-fast-charging-stations-in-New-York>.

- **General Description:** The DCFC Per-Plug Incentive Program (DCFC PPI) provides an annual declining per-plug incentive to qualifying public DCFC operators. The purpose of the incentive is to support DCFC while utilization is relatively low by offsetting electric delivery cost.

Multi-State Light –Duty Zero Emission Vehicle MOU and Action Plan

- New York State was an original signatory to the Light-duty Zero Emission Vehicle MOU (2013). The signatory states agreed to coordinate actions to ensure successful light-duty zero-emission vehicle programs and created a multi-state ZEV Taskforce. The initial signatory states agreed to the collective target of at least 3.3 million light-duty ZEVs on the road by 2025 and to establish fueling infrastructure to support this number of vehicles. The ZEV Taskforce developed a light-duty ZEV Action plan to accomplish the goals of the MOU (2014, 2018).

Multi-State Medium- and Heavy-duty Zero Emission Vehicle MOU

- New York State is one of 19 current signatory jurisdictions to the Multi-State Medium- and Heavy-duty Zero Emission Vehicle MOU (2021/2022).¹⁶ These jurisdictions in the United States and Canada have committed, through the Multi-State Medium- and Heavy-Duty Zero Emission Vehicle Memorandum of Understanding (MOU), to work to slash greenhouse gas emissions and air pollution by accelerating the market for zero- emission trucks, vans and buses.¹⁷ The signatories agreed to strive towards making at least 30% of all medium- and heavy-duty vehicle sales to be ZEVs by no later than 2030. In the United States, these jurisdictions collectively represent 43 percent of the population, 50 percent of the economy and 35 percent of the nation’s MHD vehicles.¹⁸ The ZEV Taskforce is developing a Medium- and Heavy-duty ZEV Action Plan.

Supportive Laws:

Climate Leadership and Community Protection Act (CLCPA) <https://climate.ny.gov/>

- On July 18, 2019, the CLCPA was signed into law. New York State’s CLCPA is among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050.

¹⁶ The Participating jurisdictions include: California, Colorado, Connecticut, Hawaii, Maine, Maryland, Massachusetts, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, District of Columbia and Quebec.

¹⁷ See Multi-State Medium- and Heavy-Duty Zero-Emission Vehicle Memorandum of Understanding (July 2020), available at: <https://www.nescaum.org/documents/mhdv-zev-mou-20220329.pdf/>.

¹⁸ Census Bureau, 2020 Population and Housing State Data (2020) available at: <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>; Bureau of Economic Analysis, GDP and Personal Income, available at: <https://apps.bea.gov/itable/iTable.cfm?ReqID=70&step=1#reqid=70&step=1&isuri=1> (2020 Real GDP); Atlas Public Policy, EV Hub (2020), available at: <https://www.atlasevhub.com/materials/medium-and-heavy-duty-vehicle-registrations-dashboard/#06f2a5dfc39daf9cc> (IHS market data).

Zero-emission Requirements for the Sale of New Vehicles:
<https://www.nysenate.gov/legislation/bills/2021/a4302>

- Chapter 423 of the Laws of 2021 provides that 100% of in-state sales of new passenger cars and trucks shall be zero-emissions by 2035. Sales of medium-duty and heavy-duty vehicles shall be zero-emissions by 2045, where feasible. It is a further goal of New York State to transition to 100% zero-emission off-road vehicles and equipment sales by 2035.

Commercial Tariff for Electric Vehicle Charging
<https://www.nysenate.gov/legislation/bills/2021/s7836>

- This law signed December 31, 2021, and amended March 18, 2022, directs the Public Service Commission to commence a proceeding to establish alternatives to traditional demand-based rate structures, other operating cost relief mechanisms, or a combination thereof (collectively, “Solutions”) to facilitate faster charging for light duty, heavy duty, and fleet electric vehicles. The Legislation requires the Public Service Commission to approve or modify a proposed Solution made by the Department of Public Service by the end of 2022, taking the relative costs and benefits into consideration.

Supportive Regulations:

California Light-duty Low and Zero Emission Vehicle Regulation (Advanced Clean Cars 1 regulation) – Adopted in NY <https://www.dec.ny.gov/chemical/8575.html#Light>

- The federal Clean Air Act allows New York State to adopt California's emission standards. New York State's LEV and ZEV programs are modeled after the California ACC1 program.¹⁹ It applies to all new light-duty, on-road motor vehicles, motor vehicle engines and emission control systems delivered for sale in the State. The LEV program requires all new light-duty vehicles sold in the State to meet California emissions standards. Applicable light-duty manufacturers also have ZEV sales requirements which increase by model year (MY) from 2012-2025.

California Light-duty Low and Zero-Emission Vehicle Regulation (Advanced Clean Cars 2 regulation) –Adopted in California November 30, 2022.²⁰ Emergency adoption in New York State effective December 13, 2022, available at: <https://www.dec.ny.gov/regulations/26402.html>

- Under the proposal, light-duty manufacturer will have increasing ZEV sales requirements from MY 2026-2035, leading to 100% ZEV sales in MY 2035 and beyond.
- New York State formal rulemaking adoption expected August 2023.

¹⁹ California Air Resources Board, Zero-Emission Vehicle Program, available at: <https://ww2.arb.ca.gov/our-work/programs/zero-emission-vehicle-program/about>).

²⁰ California Air Resources Board, Zero-Emission Vehicle Program, Advanced Clean Cars II rulemaking documents, available at: https://ww2.arb.ca.gov/rulemaking/2022/advanced-clean-cars-ii?utm_medium=email&utm_source=govdelivery.

<https://www.governor.ny.gov/news/governor-hochul-announces-adoption-regulation-transition-zero-emission-trucks>

https://www.dec.ny.gov/docs/air_pdf/proposed218.pdf <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>

2023 Update Appendix C: New York State Designated EV AFC NEVI Compliant Existing Charging Stations

AFDC ID	Charger Level (DCFC, L2)	Route	Location (Street address)	Number of Charging Ports	EV Network	Meets all relevant requirements in 23 CFR 680?	Intent to count towards Fully Built Out determination?
20302	DCFC	NY-25	207 Glen Cove Rd, Carle Place, NY, 11514	4	EA	YES	YES
149082	DCFC	NY-25	313 Smith Haven Mall, Lake Grove, NY, 11755	4	EA	YES	YES
152450	DCFC	NY-27	2034 Green Acres Mall, Valley Stream, NY, 11581	4	EA	YES	YES
212146	DCFC	NY-27	1701 Sunrise Hwy, Bayshore, NY, 11706	6	EA	YES	YES
207917	DCFC	NY-27	287 Wading River Rd. Manorville, NY, 11949	4	Unknown	YES	YES
236699	DCFC	NY-27	99 School Street, Bridgehampton, NY, 11937	4	EA	YES	YES
170431	DCFC	NY-27	70 S Euclid Ave, Montauk, NY, 11954	4	EA	YES	YES
255411	DCFC	I-81	1166 Castle Creek Road, Castle Creek, NY, 13744	4	EA	YES	YES
254328	DCFC	I-81	7073 NY-281, Tully, NY, 13159	4	EA	YES	YES
193813	DCFC	I-81	415 E Brighton Avenue, Syracuse, NY, 13210	4	EA	YES	YES
194292	DCFC	I-81	1290 Arsenal Street, Watertown, NY, 13601	4	EA	YES	YES

AFDC ID	Charger Level (DCFC, L2)	Route	Location (Street address)	Number of Charging Ports	EV Network	Meets all relevant requirements in 23 CFR 680?	Intent to count towards Fully Built Out determination?
224368	DCFC	I-86	768 Broad Street, Salamanca, NY, 14779	4	EA	YES	YES
TBD	DCFC	I-86	2501 West State Street, Olean, NY, 14760	4	EA	YES	YES
205276	DCFC	I-86	16 East William Street, Bath, NY, 14810	4	EA	YES	YES
203302	DCFC	I-86	33 South Washington, Binghamton, NY, 13903	4	EA	YES	YES
237869	DCFC	I-86 (NY-17)	661 West Main Street, Hancock, NY, 13783	5	EA	YES	YES
221263	DCFC	I-86 NY-17	1933-1955 NY 52, Liberty, NY, 12754	6	EA	YES	YES
168489	DCFC	I-84 I-87 I-287	1201 Route 300, Newburgh, NY, 12550	4	EA	YES	YES
256710	DCFC	I-87	498 Red Apple Court, Central Valley, NY, 10917	4	EA	YES	YES
169948	DCFC	I-87 I-90	141 Washington Ave Extension, Albany, NY, 12205	5	EA	YES	YES
200684	DCFC	I-87	106 Maple Avenue, Saratoga Springs, NY, 12866	4	Shell Recharge	YES	YES
194236	DCFC	I-87	1567 US 9, Schroon Lake, NY, 12870	4	Shell Recharge	YES	YES
202274	DCFC	I-87	25 Consumer Square, Plattsburgh, NY, 12901	5	EA	YES	YES

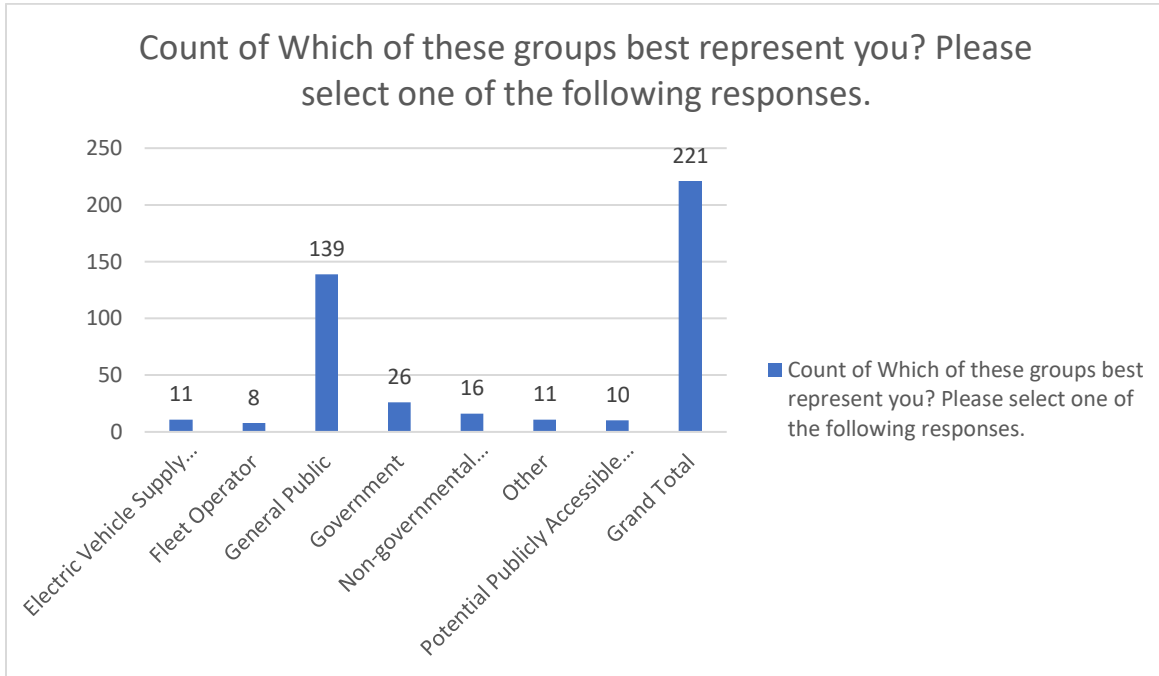
AFDC ID	Charger Level (DCFC, L2)	Route	Location (Street address)	Number of Charging Ports	EV Network	Meets all relevant requirements in 23 CFR 680?	Intent to count towards Fully Built Out determination?
185374	DCFC	I-88	4968 NY-23, Oneonta, NY, 13820	6	EA	YES	YES
168359	DCFC	I-90	10401 Bennett Road, Fredonia, NY, 14063	4	EA	YES	YES
166207	DCFC	I-90	2500 Walden Ave, Cheektowaga	4	EA	YES	YES
213986	DCFC	I-90 I-490	441 Commerce Drive, Victor	5	EA	YES	YES
199385	DCFC	I-90	414 7th North Street, Syracuse	4	EA	YES	YES
170367	DCFC	I-90	100 Marginal Road, Herkimer, NY, 13359	4	EA	YES	YES
256121	DCFC	I-90	NYS Thruway Milepost 210 Eastbound (Indian Castle Service Plaza), Little Falls, NY 13365	4	Applegreen	YES	YES
TBD	DCFC	I-90	NYS Thruway Milepost 210 Westbound (Iroquois Service Plaza), Little Falls, NY 13365	4	Applegreen	YES	YES
197851	DCFC	I-90	1811 Columbia Turnpike Schodack, NY, 12033	4	Shell Recharge	YES	YES
228809	DCFC	I-95 I-287	631 Midland Ave, Rye, NY 10580	4	EVgo	YES	YES
205468	DCFC	I-190	7200 Niagara Falls Blvd, Niagara Falls, NY	4	EA	YES	YES
228813	DCFC	I-287	75 S Middletown Rd,	6	EVgo	YES	YES

AFDC ID	Charger Level (DCFC, L2)	Route	Location (Street address)	Number of Charging Ports	EV Network	Meets all relevant requirements in 23 CFR 680?	Intent to count towards Fully Built Out determination?
			Nanuet, NY 10954				
147204	DCFC	I-495	90-15 Queens Boulevard, Elmhurst, 11373	5	EA	YES	YES
223049	DCFC	I-495	656 Commack Road, Commack, NY 11725	4	EA	YES	YES
199201	DCFC	I-495	410 Motor Parkway, Hauppauge, NY, 11788	4	EA	YES	YES
170300	DCFC	I-495	2950 Horseblock Road, Medford, NY, 11933	7	EA	YES	YES
221460	DCFD	I-495 NY-25	209 East Avenue, Riverhead, NY, 11901	4	EA	YES	YES
194919	DCFC	I-678	130th Place Between E & W Hangar Road, Queens, NY, 11430	4	EA	YES	YES

2023 Update Appendix D: - Summary of Public Survey Responses

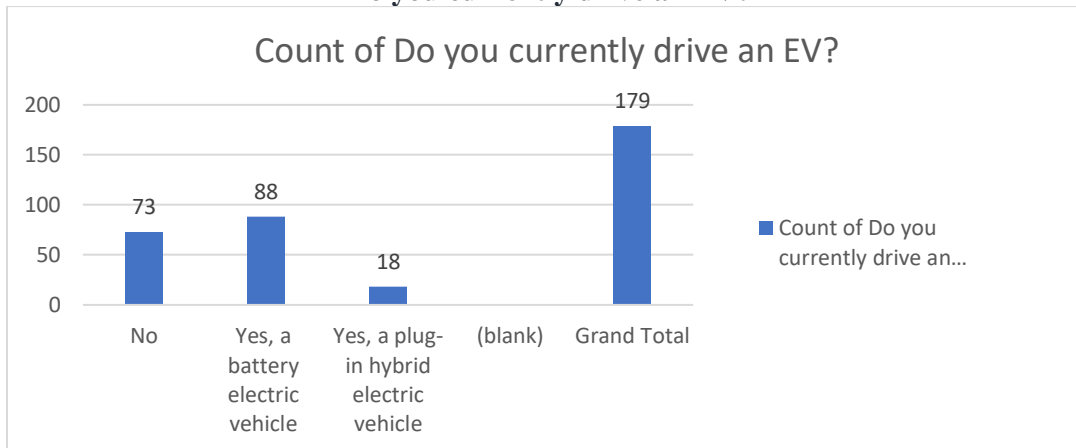
As of July 12, 2023, New York State had received 221 responses to the general survey available on its [NEVI website](#). Nearly two-thirds of the respondents identified as General Public.

Figure D-1: Groups in the Survey Response
Which of these groups best represent you? Please select one of the following responses.



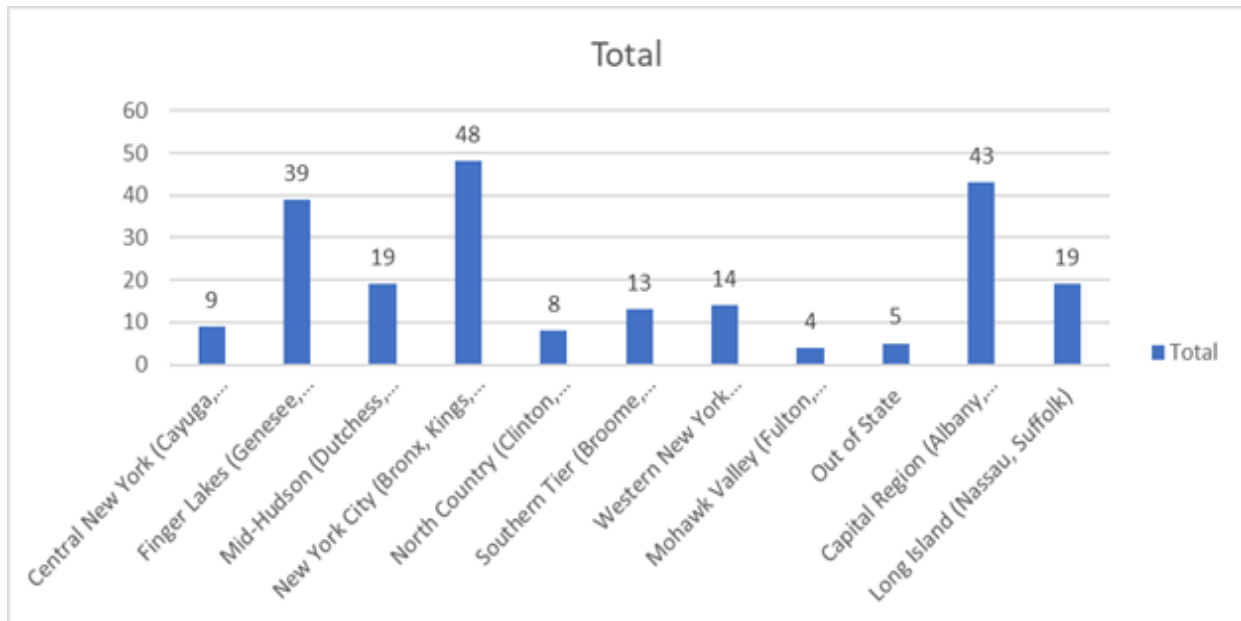
Nearly half of the respondents drive an all-electric vehicle; another 10 percent drive a plug-in hybrid EV.

Figure D-2: Distribution of Electric Vehicle Drivers/Owners
Do you currently drive an EV?



The highest participation has been from New York City and the Capital Region Economic Development Regions, although there has been participation from all regions across the State and some from out of state (See Figure D-3).

Figure D-3: Regional Distribution of Participants
Which area of the state do you live in?



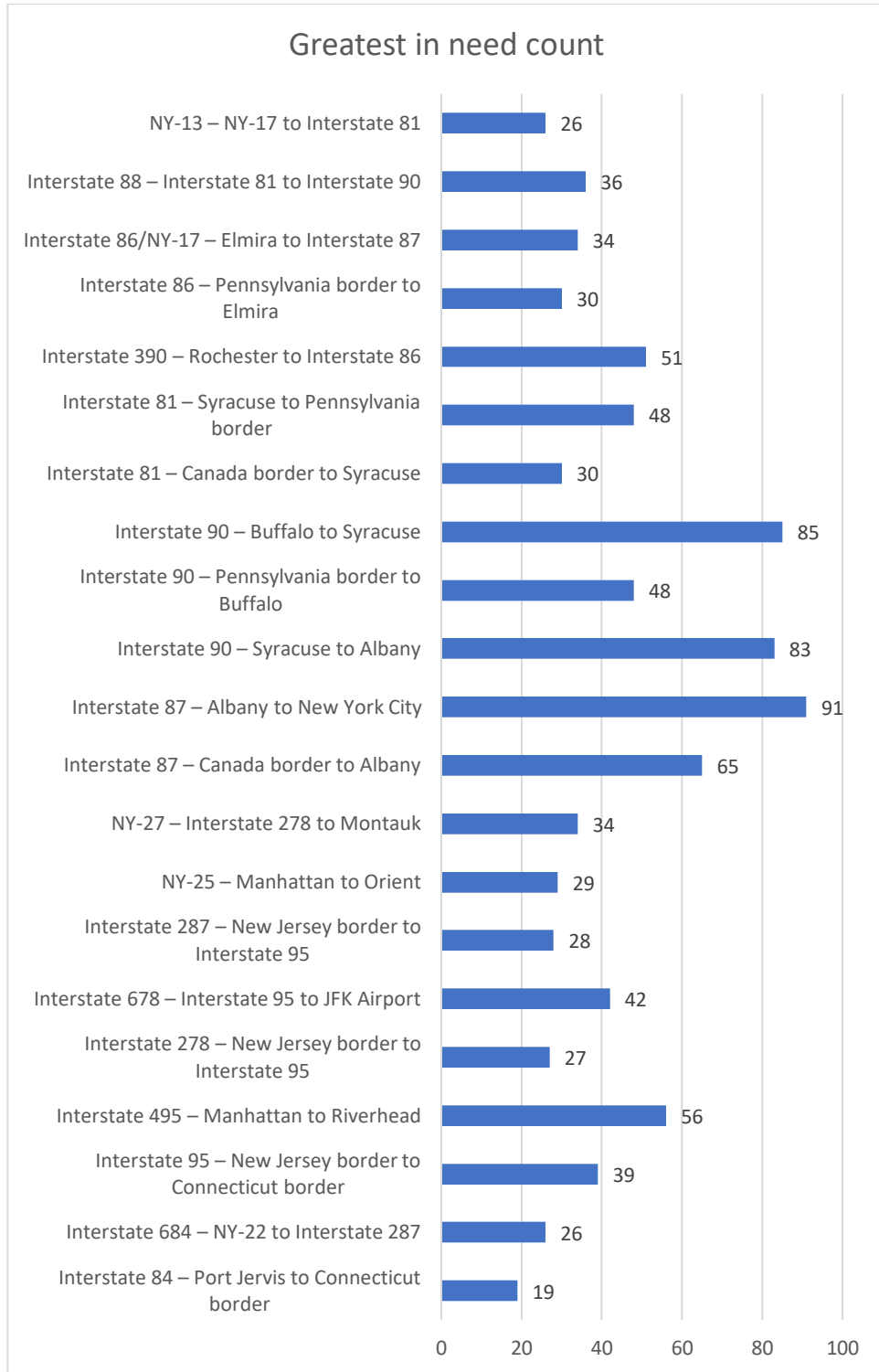
Survey respondents were asked to select up to five of the currently designated EV corridors that they felt have the greatest need for EV investment. The top five corridors identified by respondents are shown below with the count of respondents who included these in the top five:

1. Interstate 87 – Albany to New York City (91)
2. Interstate 90 – Buffalo to Syracuse (85)
3. Interstate 90 – Syracuse to Albany (83)
4. Interstate 87 – Canada border to Albany (65)
5. Interstate 495 – Manhattan to Riverhead (56)

More detail is provided in Figure D-4.

Figure D-4: Corridors in Greatest Need

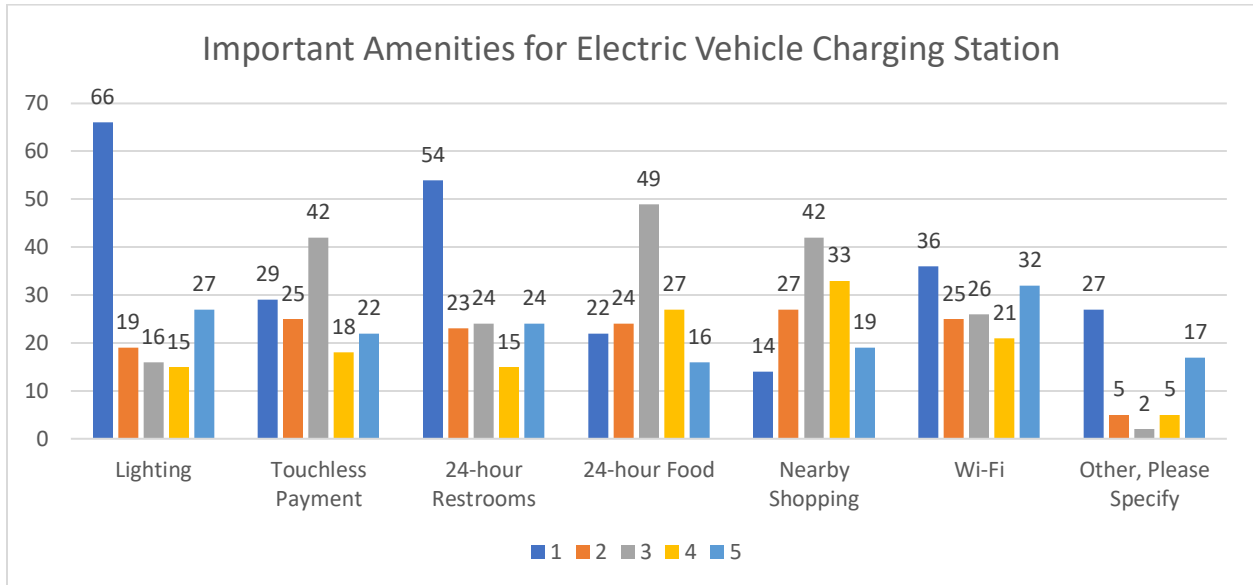
Which of the currently designated electric fuel corridors in NYS do you think has the greatest need for additional EV charging stations? Please select up to five (5):



The survey also asked about amenities important to users at DC fast charging stations.

Respondents were asked to rank these amenities from 1 (most important) to 5 (least important). Most of the participants perceive lighting at the station to be the most important, followed by 24-hour Restrooms, Wi-Fi, Touchless Payment, Other, 24-hour Food and Nearby Shopping. A summary of responses is provided in Figure D-5 below.

Figure D-5: Important Amenities for Electric Vehicle Charging Stations



There was a wide range of “other” amenities identified as important. Some of the common amenities listed are:

Safety and Security including security cameras, safety monitoring, a help button and easy location for police during emergencies

Shelter and overhead canopies to provide shelter from rain, wind, and snow for the charging stations; and climate control waiting area during Winter and Summer

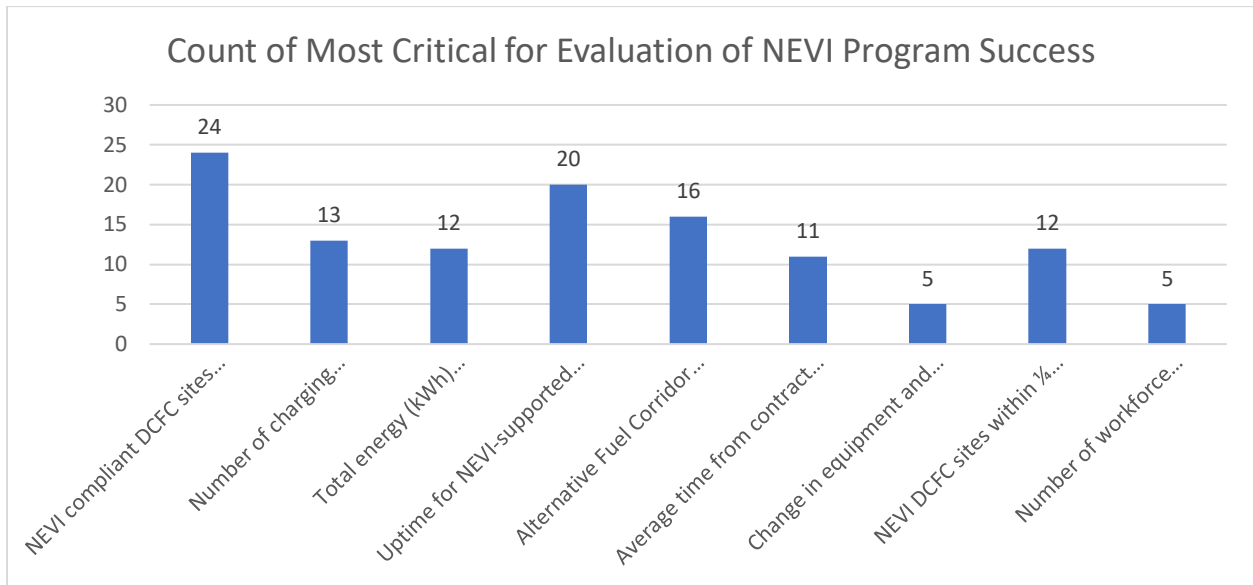
Accessibility from the main road, for people, restaurants, malls, etc. Chargers located further from buildings with amenities are inconvenient, especially for those with toddlers and babies.

Pull Through Charging Stations for towing trailers

Outdoor seating area such as picnic tables with canopies, an area for parks to keep children and pets busy while waiting.

NEVI compliant DCFC sites completed was mentioned as the most popular performance measure for evaluating the success of the program, followed closely by Uptime for NEVI-supported DCFC chargers. A summary of responses is provided in Figure D-6 below.

Figure D-6: Most Critical Performance Measures for Evaluating Success
What performance measures are most critical for evaluating the success of the NEVI program?
Please select up to three (3):



2023 Update Appendix E: Refer to 2022 NEVI Plan

2023 Update Appendix F: Deleted

2023 Update Appendix G: Deleted

2023 Update Appendix H: Refer to 2022 NEVI Plan

2023 Update Appendix I - New York State NEVI Deployment Plan Exception Requests

Summary of Exception Requests

Exception # ¹	AFC	Type ²	Distance of Deviation ³	Included in Round 6 AFC Nomination	Reason for Exception Request ⁴
1	I84	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.2 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
2	I87/I287	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.3 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
3	I87	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 2 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
4	I86	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.7 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
5	I86	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.4 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
6	I90	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.4 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
7	NY27	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.2 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
8	I490	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.7 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost
9	I87	50 miles apart <input checked="" type="checkbox"/> 1 mile from exit	__ miles 1.2 miles	Yes <input checked="" type="checkbox"/> No	Grid Capacity <input checked="" type="checkbox"/> Geography Equity Extraordinary Cost

Figure 23-6: 2023 NEVI Deployment Plan Exception Location Map



Justification for Exception(s)

New York State is requesting nine exceptions to the NEVI geographic location requirements to allow these existing NEVI capacity compliant DCFC station locations to be credited toward our AFC build out for the corridors listed in the above table as follows:

1. AFDC# 168489, 1201 Route 300, Newburgh, NY 12550 This existing DCFC station is located 1.2 miles off Interstate 84 Exit 17 on Route 300 in the Town of Newburgh. This exception request is being made to allow this existing station that includes 4, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY’s I84 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NYs analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NYs AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
2. AFDC# 228813, 75 S. Middletown Road, Nanuet, NY 10954 This existing DCFC station is

located 1.3 miles off Interstate 87/Interstate 287 Exit 14 with NY59. This exception request is being made to allow this existing station that includes 6, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I87/I287 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.

3. AFDC# 200684, 106 Maple Avenue, Saratoga Springs, NY 12866 This existing DCFC station is located 2.0 miles off Interstate 87 Exit 15 with NY9P. This exception request is being made to allow this existing station that includes 5, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I87 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
4. (No AFDC # assigned yet) 2501 West State Street, Olean, NY 14760 This existing DCFC station is located 1.7 miles off Interstate 86 Exit 35 with NY16. This exception request is being made to allow this existing station that includes 4, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I86 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
5. AFDC# 205276, 13 East William Street, Bath, NY 14810 This existing DCFC station is located 1.4 miles off Interstate 86 Exit 38 with W. Washington Street. This exception request is being made to allow this existing station that includes 5, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I86 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this

site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.

6. AFDC# 166207, 2500 Walden Ave., Cheektowaga, NY 14225 This existing DCFC station is located 1.4 miles off Interstate 90 Exit 52E with Walden Avenue. This exception request is being made to allow this existing station that includes 4, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I90 corridor build-out. The reason for this request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
7. AFDC# 212146, 1701 Sunrise Hwy, Bayshore, NY 11706 This existing DCFC station is located 1.2 miles off State Route 27 Brook Avenue Exit. This exception request is being made to allow this existing station that includes 8, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's SR27 corridor build-out. The reason for the request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
8. AFDC# 213986, 441 Commerce Drive, Victor, NY 14564 This existing DCFC station is located 1.7 miles off Interstate 490 Exit 45 with NY96. This exception request is being made to allow this existing station that includes 5, 150KW NEVI compliant charging ports that meet the NEVI capacity requirements to be counted as a creditable station for NY's I490 corridor build-out. The reason for the request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NY's analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NY's AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.
9. AFDC# 228809, 631 Midland Ave., Rye, NY 10580 This existing DCFC station is located 1.2 miles off Interstate 87 Midland Avenue Exit. This exception request is being made to allow this existing station that includes 4, 150KW NEVI compliant charging ports that meet the NEVI

capacity requirements to be counted as a creditable station for NY's I87 corridor build-out. The reason for the request is the geography of the area as it is understood that the site host selected by the developer was the willing site host and the NEVI location criteria limiting stations to within 1 mile of the designated EV AFC did not exist and as such, was not a consideration in site development. In addition, NYs analysis of the AFDC website confirms this site is identified as a NEVI compliant existing charging station. This location contributes to NYs AFC build out as part of the national network of convenient, affordable, reliable and equitable EV charging infrastructure.