

5.0 INTRODUCTION

This chapter describes the public participation requirements for Environmental Assessments (EAs) under the National Environmental Policy Act (NEPA), summarizes the agency coordination conducted for this EA, and outlines the public involvement program, which builds on outreach methodologies established for the Hudson-Bergen Light Rail (HBLR) Route 440 Extension Alternatives Analysis. The chapter also provides contact information to obtain additional information on the project.

As outlined in Chapter 4 of this EA, “Environmental Justice,” the Proposed Project would be located within an area that is an environmental justice community, and therefore public outreach related to the Proposed Project is particularly important. Public outreach initiatives have been conducted for this project from its inception during the Alternatives Analysis phase and are continuing through the environmental analysis, in accordance with the principles and guidance set forth in the Federal Transit Administration’s (FTA) Circular FTA C 4703.1, *Environmental Justice Policy Guidance for Federal Transit Administration Recipients*, August 15, 2012.

New Jersey Transit (NJ TRANSIT) actively sought input from agency officials and local stakeholders through a formal Technical Advisory Committee (TAC). NJ TRANSIT also held public open houses to inform residents and other interested individuals, including targeted outreach to property owners in the area of the potential alignments, about the progress and findings of the study. NJ TRANSIT continues to build on this outreach program in soliciting agency and public involvement in this NEPA review.

5.1 REGULATORY PROCESS

A NEPA EA is prepared to evaluate and document the anticipated impacts of a given project on the environment. The EA analysis helps to decide if a proposed action has any adverse impacts on environmental resources. If the EA analysis determines that the proposed action will not result in any adverse impact the federal lead agency will issue a Finding of No Significant Impact (FONSI). If the proposed action results in a significant impact, an Environmental Impact Statement (EIS) must be prepared.

Upon its approval by FTA, this document will be made available for public inspection at the office of the project sponsor (NJ TRANSIT), FTA, and at local repositories. A notice will be placed in local newspapers advising the public of the availability of the EA document for review and comment, indicating where the EA information may be obtained, and inviting comments from interested parties. Comments must be provided within thirty (30) days of the availability of the EA. Upon the completion of the comment period, FTA, in consultation with NJ TRANSIT, will respond to any comments received.

5.2 AGENCIES CONSULTED

As discussed in the EA, NJ TRANSIT has consulted with state and federal resource agencies in the preparation of the environmental analysis, including the U.S. Fish and Wildlife Service (USFWS), New Jersey Department of Transportation (NJDOT), New Jersey Department of Environmental Protection (NJDEP) Division of Parks and Forestry Natural Heritage Program (NHP) and the NJDEP State Historic Preservation Office (HPO).

5.3 PUBLIC INVOLVEMENT PROGRAM

The purpose of the public involvement program is to maintain and foster communication, cooperation, and interest with project stakeholders, beyond the public participation required for NEPA. Continued public involvement is particularly important for this study because the area is an environmental justice community, and because of the extensive public involvement that has already been conducted for various studies in the area including the Bayside Vision Plan, Bayfront Redevelopment Plan, the New Jersey City University (NJCU) West Campus Plan, and the Route 440/Routes 1&9T Multi-use Urban Boulevard and Through Truck Diversion Concept Development Study (Route 440 Study). Public involvement for the EA has aimed to solicit input from the community that may be affected by these various undertakings.

The involvement program has made extensive use of the results of previous and ongoing outreach to the public and to elected officials. Throughout the study, NJ TRANSIT has used individual meetings, project literature, electronic notification, and other means to keep the public informed about the project's status and to provide an opportunity to raise issues or ask questions prior to the study's completion.

The basic public involvement approach has included:

- Development of a mailing list of interested parties;
- Targeted meetings to coordinate information sharing of prior and ongoing studies in the western waterfront area of Jersey City;
- Targeted meetings with residents near the Preferred Alternative alignment to gather any public concerns;
- Technical Advisory Committee (TAC) meetings to gather input from affiliated agencies and local institutions on potential impacts from the Preferred Alternative; and
- General information provided through the project website and e-mail notifications.

5.3.1 DEVELOPMENT OF MAILING LIST

At the initiation of the project's Alternatives Analysis, a mailing list was developed of key stakeholders who might be interested in the study and its outcome. This list was updated and expanded throughout the Alternatives Analysis and EA phases of the project.

Stakeholders included elected officials; representatives of local agencies and organizations; representatives of local institutions (e.g., New Jersey City University); civic, community, and block groups in the study area; homeowners' associations; and residents of the local community. This list was initially developed in coordination with the Jersey City Department of Housing, Economic Development and Commerce, building on outreach efforts that had already

been conducted in the western waterfront area. People who attended outreach meetings or provided questions or comments to NJ TRANSIT related to the project were added to the list as the project studies evolved. In addition, using Jersey City's real property database, all addresses within proximity of the Preferred Alternative's alignment were also added to the address list.

5.3.2 COORDINATION MEETINGS

Throughout the study, NJ TRANSIT has been in close coordination with the Bayfront redevelopment plan team, NJCU, and the Route 440 Study team. The involvement program included continued attendance and participation in one-on-one and other meetings held by these projects. Information about the HBLR project was shared, including collaborative public involvement meetings.

5.3.3 TARGETED RESIDENT MEETINGS

NJ TRANSIT has conducted targeted meetings with property owners and residents along the alignment of the Preferred Alternative to identify and address any concerns related to construction or operation of the Preferred Alternative.

5.3.4 TAC MEETINGS

As part of the targeted outreach conducted for the Alternatives Analysis, a Technical Advisory Committee (TAC) was formed. The TAC includes representation from affiliated agencies and institutions, such as the City of Jersey City, Hudson County, other local planning departments, the New Jersey Departments of Environmental Protection and Transportation, NJCU, and representatives of Bayfront. TAC meetings have coincided with major project milestones.

Three TAC meetings have been held to date, on February 18, 2010, on September 21, 2010, and on February 1, 2011. All meetings were held at the Jersey City Housing, Economic Development, and Commerce Office in Jersey City.

5.3.5 PUBLIC MEETINGS

NJ TRANSIT held public meetings during the Alternatives Analysis phase of the project. The public meeting included boards and handouts as well as a presentation by NJ TRANSIT and its consultant staff. Each meeting included an informal session that allowed review of boards and handouts, with NJ TRANSIT and its consultant team available to answer questions, address concerns, and hear comments, followed by a formal presentation related to the project. Comment forms were made available to solicit public input on the project.

To date, three public meetings have been held: on March 9, 2010, on October 20, 2010, and on February 2, 2011. All meetings were held at New Jersey City University in Jersey City. A fourth public meeting will be held to solicit comments on this EA.

5.3.5.1 OUTREACH MATERIALS

The tools and deliverables to facilitate the public involvement program for the EA have included the following:

- Database: A project outreach database has been maintained, with information on all project stakeholders, including elected officials, community groups, local businesses, public agencies, affiliated team members, project committee members, and other interested

parties. The database is updated after each public meeting to add any new attendees. The database is used to perform electronic communications with interested parties and to document correspondence and feedback received throughout the course of the study.

- E-mail/Electronic Correspondence: To distribute information to key stakeholders, email and other electronic correspondence has been used.
- Website: Project information has been provided on the project website: www.hblr440.com. The project website also has the capability for the public to provide comments by e-mail.

5.4 SECTION 106 COORDINATION

Section 106 of the National Historic Preservation Act (NHPA; 36 CFR Part 800) requires federal agencies to take into account the effects of their undertakings on historic properties that are listed in or meet the eligibility criteria for listing in the National Register of Historic Places and afford the Advisory Council on Historic Preservation (ACHP) and the HPO a reasonable opportunity to comment. Section 106 also requires that agency officials work with the HPO to identify parties to participate in the Section 106 process (“Consulting Parties”). Consulting Parties may include local governments, federally recognized Native American tribes, and individuals and organizations with a demonstrated interest in the project.

FTA, as lead federal agency for the project, extended invitations to local preservation groups, local planning agencies, property owners, and Native American tribes to participate as Section 106 Consulting Parties. **Appendix A** includes a record of the Section 106 Consultation process, including a list of agencies, organizations, and individuals invited to participate in the process. To date, no consulting parties have expressed a specific interest in participating in the project.

5.5 ENVIRONMENTAL JUSTICE

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994), requires federal agencies to involve the public on project issues related to human health and the environment. The U.S. Department of Transportation’s guidance indicates that project sponsors should elicit public involvement opportunities, including soliciting input from affected minority and low-income populations in considering project alternatives. As described in Chapter 4, “Environmental Justice,” the entire study area can be considered an environmental justice community.

Building on the public outreach efforts already conducted for the project, FTA and NJ TRANSIT have engaged and will continue to engage residents of the study area through the project website and e-mail communications. NJ TRANSIT will also continue to issue public notices in Spanish and provide translation services for these communities, as necessary, to engage their participation in public involvement activities.

5.6 CONTACT INFORMATION

For further information regarding this study, please visit the project website at www.hblr440.com or you may contact:

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