

32. Public Outreach

32.1. Introduction

This SDEIS document is a direct result of the outreach plan, conducted pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, codified at 42 U.S.C. § 4332; the Council on Environmental Quality's regulations implementing NEPA at 40 C.F.R. Part 1500; the environmental provisions of 23 U.S.C. § 139 and 49 U.S.C. § 5323(c); the joint Federal Transit Administration and Federal Highway Administration Environmental Impact and Related Procedures Rule at 23 C.F.R. Part 771; and related laws, regulations, and guidance as amended by the Fixing America's Surface Transportation (FAST) Act. Typically, the process adheres to the following six steps:

1. **Notice of Intent (NOI)** – The sponsoring agency posts the NOI in the Federal Register. The NOI provides some basic information on the proposed action. The public and interested agencies are invited to submit comments and questions regarding the NOI.
2. **Scoping** – The sponsoring agency and study team hosts a public meeting or meetings (depending on the size of the proposed project) to define the scope of issues to be addressed in the DEIS. Public contribution during this period helps to identify areas of concern to the local community.
3. **Interim Outreach** – While NEPA does not require additional outreach between the Scoping and Draft EIS phases, most agencies have found that additional outreach to the affected community is beneficial in identifying and resolving a variety of local concerns regarding the project.
4. **Draft Environmental Impact Statement** – The DEIS document is developed based on an examination of the study area and analyses concerning the potential impacts of the proposed project. The DEIS is published for public review and comment for a period of no less than 45 days. The Notice of Availability (NOA) of the DEIS is published in the Federal Register and in newspapers circulated in the study area. Copies of the DEIS are made available in local libraries and/or at municipal buildings. During the public comment period at least one public hearing is held. During this time, members of the public are invited to raise questions about DEIS content to the sponsoring agency and study team. The answers to the questions are not given during the hearing, but are incorporated in the Final Environmental Impact Statement (FEIS). Written comments are also accepted during the comment period. Attendance at the hearing is not required to submit a comment for consideration in the development of the FEIS.
5. **Final Environmental Impact Statement Development** – The comments submitted by the public and agencies during the DEIS comment period are reviewed and incorporated in the FEIS. The FEIS details the preferred alternative and any changes made to the project as a result of the comments raised during the DEIS review period. Although not required by regulation, additional outreach may be conducted during the FEIS phase to clarify issues and concerns raised by the public and agencies during the DEIS comment period.

A response to comments document is also drafted during this time. The response to comments document itemizes all comments received and notes how the comment, question, or recommendation was addressed. Not all comments submitted are necessarily relevant to the project or require modification of the DEIS. Comments that warrant a change to the document are noted. The response to comments document becomes part of the FEIS.

When the FEIS is complete, another NOA is published in the Federal Register. While the public is welcome to comment on the FEIS, comments received during the FEIS review period typically are not incorporated into the document. The FEIS review period, which requires a minimum of 30 days, is intended to allow the sponsoring agency and partners time to consider the FEIS and the implications of the proposed project.

6. **Record of Decision (ROD)** – The agencies involved in the development of the FEIS issue a statement that summarizes the alternatives considered, mitigation plans, monitoring commitments, and how to proceed with the proposed project. The ROD is available for public review.

NJ TRANSIT held two public hearings on the Northern Branch Corridor DEIS in January 2012. During the hearings and the subsequent public comment period, more than 1,300 comments were submitted by the residents of the study area, elected officials, public agency representatives, and other stakeholders with interest in the project. The majority of the comments focused on the extension of service into Tenafly, with most of those comments expressing strong opposition. To address these comments, the Preferred Alternative was reassessed to consider whether the project continued to meet the Purpose and Need described in Chapter 2 without providing service to Tenafly. The study team found that the ridership projected for service terminating at the Englewood/Tenafly border continued to justify the project.

The new Preferred Alternative, however, was not assessed in the DEIS in its entirety. The alternative to the DEIS Preferred Alternative would have terminated service at an Englewood Route 4 Station, and would not have provided service through downtown Englewood or to the Englewood Hospital and Medical Center. This “in-between” section resulted in ridership and traffic considerations not specifically studied. A supplemental analysis was determined to be the most appropriate way to present the implications of these revisions.

As a result, the six-step process described above has been expanded to an eight-step process involving an SDEIS. Similar to a DEIS, an SDEIS requires a public hearing and public comment period. The comments on the SDEIS and DEIS will be addressed together in the FEIS. The revised process occurs as follows, with new steps in *italics*:

1. **Notice of Intent (NOI)**
2. **Scoping**
3. **Interim Outreach**
4. **Draft Environmental Impact Statement (DEIS)**
 - a. Public Hearing on DEIS
 - b. Public Comment Period
5. ***Interim Outreach*** – *In response to the comments received on the DEIS, NJ TRANSIT conducted a series of meetings with local leaders and agency officials to address options for resolving concerns raised during the public comment period.*
6. ***Supplemental Draft Environmental Impact Statement (SDEIS)*** – *This SDEIS was prepared to address the potential impacts associated with the revisions to the Preferred Alternative. As substantial time had passed between the development of the DEIS and the SDEIS, the SDEIS also involved an update of baseline data to ensure the accuracy of the assessment of potential impacts associated with project elements described in the DEIS.*
 - a. *Public Hearing on SDEIS* – *Public hearings will be conducted in the same manner as for the DEIS.*
 - b. *Public Comment Period on SDEIS* – *A 60-day public comment period will be held, during which stakeholders may submit comments on the SDEIS analysis. Comments*

submitted on the SDEIS will be combined with the DEIS comments and addressed together in the FEIS.

7. **Final Environmental Impact Statement (FEIS) Development**
8. **Record of Decision (ROD)**

32.2. Public Outreach Activities Conducted Subsequent to the Publication of the DEIS

32.2.1. DEIS Public Hearings and Comments

NJ TRANSIT held two public hearings in January 2012. The first hearing on January 24, 2012, was held in the Borough of Tenafly and attended by more than 550 residents and elected officials. The second hearing was held in the City of Englewood on January 26, 2012, and attended by 120 residents and elected officials. Hearings included both an informational display area and a formal presentation and hearing period. At both hearings, comments were provided through testimony given before an audience, privately to a stenographer, through the submission of hand-written comment cards, and in some cases, pre-prepared notes submitted by a concerned member of the community.

In addition to public hearing comments, NJ TRANSIT received comments through the website and via emails, letters, and phone calls. A total of 1,321 comments were received during the comment period, which ran from December 23, 2011, to February 21, 2012. As described above, while many comments were supportive of the project and found it to be a positive enhancement to the study area, residents and local leaders in Tenafly were opposed to the extension of service through Tenafly to the Cresskill border. The opposition led to the revision of the Preferred Alternative, necessitating the reanalysis in this SDEIS document.

32.2.2. Local Official Meetings

Since the publication of the DEIS, NJ TRANSIT and the study team have met repeatedly with the study area municipalities, Bergen County, and NJ Department of Environmental Protection's (NJDEP) Green Acres Program. The meetings, specifically, were held with the following agencies or administrations and addressed the described project elements:

- **North Bergen:** West Side Avenue realignment and the closure of 83rd Street, as well as compensation options for the parkland acquisition.
- **Leonia:** Development of the parking deck in Overpeck County Park and the development of the pedestrian overpass connecting Leonia High School to the athletic fields west of the Northern Branch; traffic impacts and mitigation throughout the corridor; and compensation options for the parkland easement.
- **Englewood:** Englewood Town Center Station relocation and parking deck; Englewood Route 4 co-location of VBF and deck; parking and access issues at the Englewood Hospital and Medical Center Station; traffic impacts and mitigation throughout the corridor; and compensation options for the parkland acquisition.
- **Englewood Hospital and Medical Center:** Shared use of the existing Englewood Hospital and Medical Center parking deck.
- **Bergen County:** Development of the proposed Leonia Station parking deck and parkland compensation options for the Leonia parkland acquisition.
- **NJDEP Green Acres Program:** Parkland easements/acquisitions in North Bergen, Leonia, and Englewood, as well as compensation options.

32.3. Next Steps

A 60-day public comment period will follow the NOA of the SDEIS, during which time NJ TRANSIT will hold a public hearing. The Notice of Availability of the SDEIS will be published in the Federal Register and in newspapers circulated in the study area. Additionally all those on the mailing list and all that have provided comments will be sent an email or letter notifying them of the availability of the SDEIS. Copies of the SDEIS will be made available in local libraries and/or at municipal buildings, as well as at the project website at <http://NorthernBranchCorridor.com>.

Comments will be collected and reviewed in the same manner as conducted for the DEIS. Provided that the SDEIS comments do not present compelling arguments for substantial revision to the SDEIS Preferred Alternative, an FEIS will be prepared, incorporating the SDEIS findings and unchanged elements from the DEIS. A response to comments chapter will be included in the FEIS, addressing all comments received during the prior two comment periods.