

Section 4: Public Involvement and Agency Coordination

4-1 INTRODUCTION

Public involvement is an integral part of the transportation planning process. Accordingly, the goal of the public and agency involvement program for the Tappan Zee Hudson River Crossing Project is to ensure open, collaborative, and meaningful public and agency participation throughout the environmental review process.

The public and agency participation efforts for this project have been developed in compliance with legislation and policies that guide public involvement in project development, including but not limited to the following:

- National Environmental Policy Act of 1969 (NEPA), which requires federal agencies to conduct the environmental review process in coordination with the public and with other agencies;
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, which broadened public and agency involvement guidance set forth in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and the Transportation Equity Act for the 21st Century (TEA-21);
- Section 106 of the National Historic Preservation Act (NHPA) of 1966, 16 USC § 470(A); and
- Executive Order 12898 of 1994 (“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”).

4-2 SAFETEA-LU AGENCY COORDINATION

4-2-1 PURPOSE OF COORDINATION PLAN

Section 6002 of SAFETEA-LU increases opportunities for the public and federal, state, and local agencies to have active and early involvement in the NEPA process and to get input on the project’s Purpose and Need, environmental study methodology, and alternatives under consideration. Section 6002 requires the development of a coordination plan for all highway and transit projects for which an Environmental Impact Statement (EIS) is being prepared under NEPA. Accordingly, the lead federal agency (the Federal Highway Administration [FHWA]) and the state sponsors, the New York State Department of Transportation (NYSDOT) and New York State Thruway Authority (NYSTA), have prepared this coordination plan to describe the process and communication methods they will follow to disseminate information about the project, as well as to solicit and consider input from the public and other agencies. The coordination plan will be in effect throughout the environmental review process, beginning with scoping and ending with the Record of Decision. The plan is a flexible, “living” document that can be amended as needed as the project progresses.

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FHWA *has identified and invited* appropriate federal agencies and NYSDOT and NYSTA *have identified and invited* New York State agencies to participate in the Section 6002 process by serving as cooperating or participating agencies. According to Council on Environmental Quality (CEQ) regulations (40 CFR § 1508.5), “cooperating agency” means any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. “Participating agencies” are those federal, state, or local agencies or federally recognized Native American tribes (Tribal Government Organizations; TGOs) with an interest in the project. Cooperating and participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding the project’s potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval. Meetings will be held with the agencies throughout the environmental review process to update them on the status of the project and discuss other topics as appropriate.

4-2-2 PROJECT HISTORY

See Section 1, “Purpose and Need,” of this *Scoping Summary Report* for a detailed history of the project.

4-2-3 KEY RESOURCE CONCERNS

As discussed previously in Section 3, the EIS will contain an analysis of the project’s potential impacts on a wide range of social, environmental and economic considerations. The following topics have the potential to affect the project schedule:

- Hudson River Ecology;
- Water Quality;
- Navigable Waters;
- Historic and Archaeological Resources;
- Air Quality;
- Noise and Vibration; and
- Construction Impacts.

4-2-4 METHODOLOGY

Section 3, “Environmental Analysis Framework,” of this *Scoping Summary Report* provides an overview of the methodology of the environmental analyses to be conducted for and documented in the EIS.

4-2-5 LEAD/COOPERATING/PARTICIPATING AGENCIES

As described above, SAFETEA-LU provides for enhanced coordination of public and agency participation in the NEPA process. **Table 4-1** lists the agencies that *have been* invited to be involved in the SAFETEA-LU Section 6002 process for this project as a cooperating agency, along with the reason for their requested involvement. These tables will be updated as necessary upon receipt of confirmations *from* the invited agencies.

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**Table 4-1
Lead and Cooperating Agencies**

Agency	Role	Responsibilities
Federal Highway Administration (FHWA)	<i>Federal Lead Agency</i>	Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement, arbitrate and resolve issues
New York State Department of Transportation (NYSDOT)	<i>Joint Lead Agency</i>	Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement, arbitrate and resolve issues
New York State Thruway Authority (NYSTA)	<i>Joint Lead Agency</i>	Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement, arbitrate and resolve issues
New York State Department of Environmental Conservation (NYSDEC)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation New York State environmental permits
United States Coast Guard (USCG)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Section 9 Bridge Permit; Responsible for navigation in the Hudson River
United States Army Corps of Engineers (USACE)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Section 103 of Marine Protection, Research and Sanctuaries Act; Section 404 Permit; Section 10 Rivers and Harbors Act Permit
US Fish and Wildlife Service (USFWS)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Participate in the federal review of the Section 404/10 USACE Permits.

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**Table 4-1 (Continued)
Lead and Cooperating Agencies**

Agency	Role	Responsibilities
National Oceanic and Atmospheric Administration (NOAA) , National Marine Fisheries Service (NMFS)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Consultation on Endangered Species Act and Essential Fish Habitat; Incident Take Statement; Participate in the federal review of the Section 404/10 USACE Permits
US Environmental Protection Agency (EPA)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Section 309 of the Clean Air Act; Participate in the federal review of the Section 404/10 USACE Permits.
New York State Office of Parks, Recreation and Historic Preservation (SHPO) (<i>Section 106 Consulting Party</i>)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Responsible for Section 106 review pursuant to National Historic Preservation Act and Section 14.09 review pursuant to the New York State Historic Preservation Act
New York State Department of State (NYS DOS)	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Responsible for review pursuant to the Coastal Zone Management Act.
New York State Office of General Services	Cooperating Agency	Provide comments on: <ul style="list-style-type: none"> • Purpose and Need • Range of Alternatives • Methodologies • Level of detail for analysis of alternatives • Identification of issues that could substantially delay or prevent granting of permit/approval. • Opportunities for collaboration • Mitigation Responsible for Grant of Lands Under Water.

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In addition, as part of the coordination plan, FHWA and the project sponsors *have invited* agencies to become participating agencies. In accordance with SAFETEA-LU Section 6002, participating agencies are defined as any federal, state or local agency or Native American tribe that has an interest in the project.

In accordance with SAFETEA-LU Section 6002, cooperating agencies are also participating agencies. Any agency that is invited to be a cooperating or participating agency but does not respond will have the opportunity to provide comments with the public. The participating agency list will be developed and updated as needed throughout the duration of the project. In addition, a cooperative agreement will be drafted and signed by all cooperating agencies.

4-2-6 COORDINATION POINTS AND COMPLETION DATES

SAFETEA-LU establishes milestones within the environmental review process for involvement and review opportunities. **Table 4-2** summarizes key coordination points and project milestones. Anticipated completion dates are included for informational and resource planning purposes. Timeframes and review periods are established in accordance with SAFETEA-LU unless covered under existing agreements (i.e. review periods established in the NYSDOT/FHWA/SHPO Section 106 Agreement). Note that this table documents activities related to the release of the revised NOI and SAFETEA-LU compliance. It does not document historic project activities.

**Table 4-2
Coordination Points**

Coordination Point	Anticipated Completion Date
Notice of Intent Publication	October 12, 2011
Scoping Information Packet Publication	October 13, 2011
Development of purpose and need	November 15, 2011
Identification of the range of alternatives.	November 15, 2011
Collaboration on methodologies	November 15, 2011
Completion of the DEIS	January 2012
Identification of the preferred alternative and the level of design detail	June 2012
Completion of FEIS	July 2012
Completion of the ROD	August 2012
Completion of permits, licenses, or approvals after the ROD.	August 2012

4-3 SECTION 106 COORDINATION

Section 106 of the National Historic Preservation Act (NHPA; 36 CFR § 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 (NRHP). The Section 106 process has a specific public involvement component. In particular, regulations require that FHWA, in consultation with the New York State Historic Preservation Officer (SHPO) and TGOs, as applicable, identify appropriate points for seeking public input and for notifying the public of the proposed actions associated with the Tappan Zee Hudson River Crossing Project. The

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regulations also require that the lead agency seek and consider the views of the TGOs, SHPO, and the public in a manner that reflects the nature and complexity of the project and its effects on historic properties. The lead agency must provide the public with information about the project and its effects on historic properties, and seek public comment and input. Public outreach for purposes of NEPA can be used to satisfy the public involvement requirements under Section 106, as long as the NEPA document contains adequate information about the project's effects on historic properties.

Furthermore, Section 106 requires that agency officials work with SHPO to identify parties to participate in the Section 106 process ("Consulting Parties"). Consulting Parties may include local governments, federally recognized TGOs, and individuals and organizations with a demonstrated interest in the project due to the nature of their legal or economic relation to the project or affected historic properties, or their concern with the project's effects on historic properties. The project will invite appropriate entities to participate in the project as Consulting Parties, in addition to NYSHPO and the Advisory Council on Historic Preservation (ACHP), and will hold project status update and other meetings as appropriate throughout the environmental review process.

4-4 EXECUTIVE ORDER 12898, ENVIRONMENTAL JUSTICE

Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations") requires federal agencies to involve the public on project issues related to human health and the environment. The U.S. Department of Transportation's "Final Order on Environmental Justice" indicates that project sponsors should elicit public involvement opportunities, including soliciting input from affected minority and low-income populations in considering project alternatives. The Tappan Zee Bridge Hudson River Crossing Project will engage environmental justice communities through targeted media outlets and will provide special services (i.e., translation) for these communities as necessary to engage their participation in public involvement activities.

4-5 PUBLIC INVOLVEMENT ACTIVITIES

Public involvement activities for the Tappan Zee Bridge Hudson River Crossing Project will *continue to* build upon the extensive outreach efforts that were undertaken for the Tappan Zee Bridge/I-287 Corridor Project. These efforts included assembling a mailing list of more than 5,000 contacts including elected officials, public agency contacts, stakeholder and community groups, and individuals. Previous efforts also included hundreds of meetings and briefings, large and small, and the establishment of several stakeholder groups, including a Stakeholder Committee, five Stakeholders' Advisory Working Groups (focused on Environmental, Traffic and Transit, Land Use, Finance, and Bridge issues), an Inter-Metropolitan Planning Organization (IMPO), the Westchester Rockland Tappan Zee Futures Task Force, and a Bicycle Pedestrian Advisory Panel.

Continuing the commitment to an open, participatory process, the Tappan Zee Hudson River Crossing Project will solicit early and continued feedback from the public and from agencies; encourage open discussion of project details and issues; and provide opportunities for comments and questions. Tools that will be used to implement the public involvement program include:

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- **Public meetings / open houses will be held at project milestones.** The Scoping Briefings in Rockland and Westchester Counties *were* an early opportunity for the public to participate in the project development. Members of the public were able to give written and/or oral comments on the scope of the project and to suggest all reasonable alternatives for consideration in the Draft Environmental Impact Statement (DEIS). In addition to the Scoping Briefings, the public will be invited to comment during the circulation of the DEIS; at the public hearings on the DEIS, which will be held in Rockland and Westchester Counties; and during the circulation of the Final Environmental Impact Statement (FEIS). Comments raised in the public hearings and during the DEIS comment period will be responded to in the FEIS. Major meetings will be advertised in local newspapers to ensure maximum public participation in the environmental review process.
- **Targeted meetings with stakeholders will be held throughout the environmental review process.** Anticipated meetings include get-togethers with the villages and towns adjacent to the bridge, briefings with elected officials, and meetings with representatives of municipal agencies such as the planning and transportation departments of Rockland and Westchester Counties, special interest groups, community groups, and with other interested parties as appropriate. The project's Stakeholder Committee, formed during the Tappan Zee Bridge/I-287 Corridor Project and including over 500 members, and Stakeholders' Advisory Working Groups, also formed earlier, will meet as appropriate. Agency coordination meetings will include briefings of the Cooperating and Participating Agencies as well as the Section 106 Consulting Parties.
- **Project hot line.** A toll-free project phone number, 877-TZB-DOT5 or 877-892-3685, has been set up for members of the public to reach project representatives during office hours, with messages returned promptly.
- **Project website.** A project website (www.tzbsite.com) has been established so that the public can keep up to date on the project. Visitors can sign up for the mailing list on the website and submit comments via a Contact Us feature, which sends their e-mails to the project sponsors. The site will be updated regularly and will include announcements of project meetings as well as project documents, which will be posted as they become available.
- **Mailing list.** A project mailing list, totaling more than 5,000 names and addresses, was compiled during the Tappan Zee Bridge/I-287 Corridor Project. The mailing list includes elected officials, public agency contacts, stakeholder and community groups, media, and individuals. Included within the list are organizations, media, and individuals that have relevance and connections with environmental justice communities in the study area. The mailing list will be used to distribute meeting announcements and information about the project. An e-mail list is also available for "e-mail blasts" that will announce upcoming meetings and other information. Both lists will be updated continually.
- **Informational materials will be produced at key points during the project development process.** Content will include written information on the project as well as visuals (photos, maps, and charts) and contact information. Presentations, meeting handouts, and other materials will be developed as appropriate to keep the

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public fully informed about project developments. Comment sheets will be made available at public meetings to encourage public input.

- **Media outreach.** When appropriate, a media outreach effort will be conducted. This will involve contacting the media when there are new project developments to communicate, as well as issuing press releases at major milestones. This effort includes newspapers serving low-income and minority communities.
- **Repositories.** Local repositories throughout the project area will enable members of the public to examine project documents, including EIS documents, and other informational materials. The repositories will include local libraries, town halls, and other locations.

4-6 CONTACT INFORMATION

For further information on the project, please visit the project website at www.tzbsite.com or please contact:

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