

**Appendix P1                      Agency and Public Coordination Plan**

**Western Rail Yard Infrastructure Project**

**FINAL AGENCY AND PUBLIC COORDINATION PLAN**

**September 8, 2020**  
**(Updated: February 24 2021)**

**Prepared by:**



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## Chapter 1:

## Introduction

WRY Tenant LLC (an affiliate of The Related Companies, LP)<sup>1</sup> and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through loan programs administered by the U.S. Department of Transportation (USDOT). The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (see **Figure 1**, Project Location).

The Proposed Action consists of:

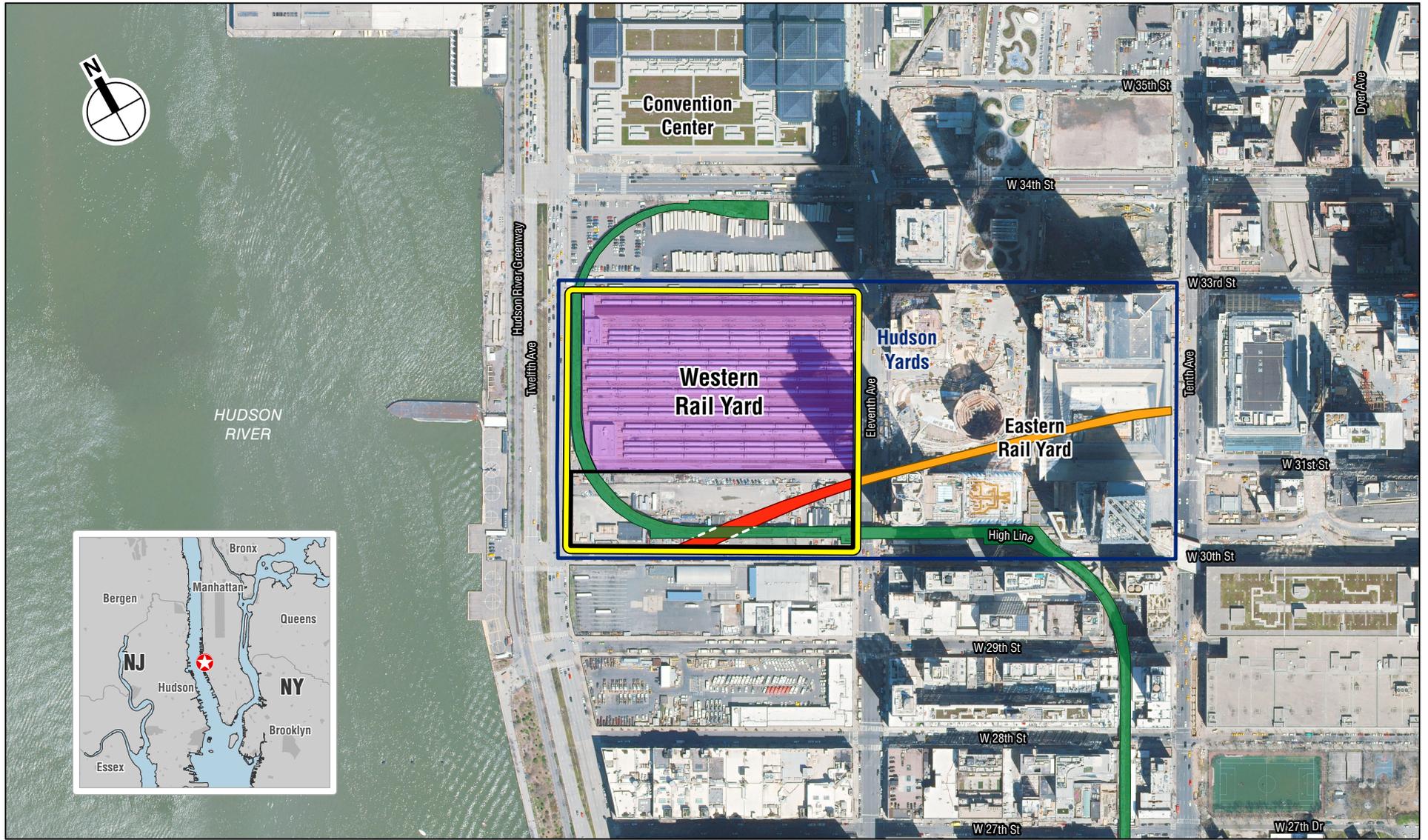
- A new approximately 9.8 acre structural steel and concrete Platform spanning the Western Rail Yard, including deep footings and a concrete slab to cover the active rail yard below, and reinforced building foundations. Platform construction would also include reconstruction and upgrades to railroad staff facilities and other LIRR support services including existing emergency electrical equipment, and rail car cleaning services, and a new approximately 20,000 square foot electrical substation building. The Platform would house critical life safety and mechanical, electrical, and plumbing support services for the yard, including new lighting, sprinklers, and an extensive platform ventilation system. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Platform would allow for vertical development above the railyard.
- A right-of-way preservation Tunnel Encasement constructed under the *terra firma*<sup>2</sup> area of the Project site, which would be 605 feet long, between 50 and 65 feet wide and between 27 and 38 feet high. The Tunnel Encasement in Western Rail Yard would extend underground from the recently completed concrete casing under Eleventh Avenue and the Eastern Rail Yard. Together, the encasement below both rail yards (Western Rail Yard and Eastern Rail Yard) would preserve a total right-of-way (ROW) of approximately 1,400 feet. No permanent operational components, such as tracks, lighting, ventilation, or electrical system, would be constructed within the Tunnel Encasement as part of the Proposed Action.

The Proposed Action would allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel. The Tunnel Encasement would preserve the right-of-way for new rail infrastructure to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

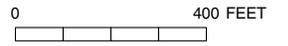
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<sup>1</sup> The Related Companies, LP (Related) was the successful bidder of a competitive bid issued by MTA for the long-term ground leases with option to purchase severed fee parcels (for the development air rights over the Hudson Yards from MTA). Related is a privately-owned, American real estate firm headquartered in New York City, with offices and major developments in Boston, Chicago, Los Angeles, Las Vegas, Miami, San Francisco, Abu Dhabi, London, São Paulo and Shanghai. Related has more than 3,000 employees and is the largest landlord in New York City with over 8,000 residential rental units under ownership.

<sup>2</sup> The *terra firma* area indicated in Figure 1, refers to the portion of the Project site that is solid ground at street level, which is not part of the below grade railyard.



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



**WESTERN RAIL YARD INFRASTRUCTURE PROJECT**

Project Location  
**Figure 1**

## 1.1 PURPOSE AND NEED

The purpose of the Proposed Action is to (1) cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive Platform ventilation system, and (2) preserve a right-of-way (ROW) through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

In the EIS, FRA will evaluate the direct, indirect and cumulative changes to the human and natural environment resulting from the operation and construction of the Platform and Tunnel Encasement.

Consistent with the purpose and need for the Proposed Action, the objectives of the Western Rail Yard Infrastructure Project include:

- Maintain safe, continuous, and uninterrupted LIRR operations, construct critical life safety and ventilation systems, and modernize the operational facilities within the Western Rail Yard;
- Support the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard;
- Provide support for the economic, social, and recreational life of the Hudson Yards area and the City; and
- Preserve opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

The Federal Railroad Administration (FRA) is conducting the environmental analysis to ensure compliance with the National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et seq.) and will prepare an EIS in compliance with NEPA, 23 U.S.C. § 139, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508).<sup>3</sup> After release and circulation of a Draft EIS for public comment, FRA plans to issue a single document consisting of the Final EIS and a Record of Decision (FEIS/ROD) pursuant to the Fixing America's Surface Transportation Act (Pub. L. 114-94, section 1304(n)(2)) (FAST Act) unless statutory criteria or practicability considerations preclude issuing.

The EIS will also document FRA's compliance with other applicable environmental laws and regulations, including Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. § 306108); the Clean Air Act (42 U.S.C. § 7401 et seq.); the Endangered Species Act (16 U.S.C. § 1531); Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f) 49 U.S.C. § 303) and FRA's implementing regulations at 23 CFR part 771<sup>4</sup> and 774; U.S. DOT Order 5650.2 on Floodplain Management; the Coastal Zone Management Act; and Executive Order 12898 on Environmental Justice. The EIS will provide FRA, participating agencies, and the public with information about alternatives that meet the Proposed Action's purpose and need, including their environmental impacts and appropriate measures to avoid, minimize, and mitigate those impacts.

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<sup>3</sup> CEQ issued revised NEPA regulations that became effective September 14, 2020 at 40 CFR parts 1500-1508. Because FRA issued the Notice of Intent (NOI) for this project prior to the effective date of the revised regulations, on June 15, 2020, FRA permissibly prepared this EIS in accordance with the CEQ NEPA regulations that were effective at the time of the issuance of the NOI. All citations to CEQ regulations (40 CFR parts 1500-1508) in this EIS are to the previous version of the regulations.

<sup>4</sup> FRA has determined that this Project does not qualify for consideration under the 2017 Executive Order (EO) 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects (EO 13807), aka "One Federal Decision." EO 13807 was revoked on January 20, 2021.

On June 15, 2020, FRA issued a Notice of Intent (NOI) in the Federal Register (see: [www.federalregister.gov/d/2020-12851](http://www.federalregister.gov/d/2020-12851)), informing the public of the upcoming EIS and describing how they can become involved in the EIS process. The NOI formally began the agency and public scoping process. Comments received during the scoping comment period (July 1, 2020 through July 31, 2020) from agencies and other stakeholders regarding recommended or required coordination have been incorporated into this plan.

## **1.2 PURPOSE OF THIS COORDINATION PLAN**

The FAST Act of 2015 requires FRA to apply the environmental review process outlined in 23 U.S.C. § 139 to railroad projects to the greatest extent feasible. This Coordination Plan (CP) has been prepared to comply with the requirements of 23 U.S.C. § 139, which established procedures for efficient environmental reviews. The purpose of this CP is to describe the process and communication methods that will be followed to disseminate information about the Western Rail Yard Infrastructure Project, as well as to solicit and consider input from the public and other agencies, this includes identifying Federal, District, state, regional, and local agencies that have a role in the Project EIS and describe their responsibilities.

The Coordination Plan will be in effect throughout the NEPA process, beginning with the issuance of the Notice of Intent (NOI) to prepare an EIS for the Proposed Action and ending with the Record of Decision (ROD). The plan is a flexible, “living” document that can be amended as needed during the NEPA process. Throughout the NEPA process, the CP will be amended as needed to include updates to engagement plans for agencies and the public. Changes and updates to the plan will be documented in Section 5, “Revision History.”

## Chapter 2:

## Lead/Cooperating/Participating Agencies

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### 2.1 LIST OF AGENCIES, ROLES, AND RESPONSIBILITIES

Lead agencies include the U.S. Department of Transportation (DOT), or any operating administration thereof designated by the Secretary, and any project sponsor that is a state or local governmental entity receiving Federal funds for the purpose of preparing any environmental document under NEPA (23 U.S.C. § 139(a)(1)). For this Project, the FRA is serving as Federal lead agency. Lead agencies are responsible for providing an opportunity for public, cooperating, and participating agency involvement. It is the responsibility of the lead agencies to identify, invite, and involve cooperating and participating agencies.

Lead agencies are responsible for ensuring that the environmental review process is conducted properly and in accordance with all applicable environmental regulations. Lead agencies have the authority and responsibility to take proper and necessary actions to facilitate the expeditious resolution of the environmental review process for the project; and to prepare or ensure that any required EIS or other NEPA document is completed in accordance with applicable Federal laws (23 U.S.C. § 139 (c)(6)).

Cooperating agencies are Federal agencies other than the lead Federal agency that have jurisdiction by law, or special expertise with respect to a particular environmental issue involved in a particular project (40 CFR 1501.5). Cooperating agencies may also be state or local agencies of similar qualifications or Indian tribal governments (40 CFR 1508.5), if agreed upon by the lead agencies. Federal agencies that are required to make an approval or take an action for a project must cooperate with the lead agencies to ensure that the cooperating Federal agency can reference the Project EIS to make their own NEPA determination for project actions within their jurisdiction (23 U.S.C. § 139(d)(8)).

Cooperating agencies have the responsibility to:

- Provide input on defining the Proposed Action’s purpose and need, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Identify issues that could substantially delay or prevent granting of permit/approval;
- Participate in coordination meetings and joint field reviews;
- Provide timely review and comments on pre-draft or pre-final environmental documents; and
- Prepare mitigation recommendations.

“Participating agencies” are those Federal, state, or local agencies or Federally recognized tribal governmental organizations with an interest in the Project. The standard for participating agency status is more encompassing than the standard for cooperating agency status. Therefore, cooperating agencies are, by definition, participating agencies, but not all participating agencies are cooperating agencies. As lead agency, the FRA considers the distinctions noted above in deciding whether to invite an agency to serve as a cooperating agency or as a participating agency.

The role of participating agencies is to:

- Provide input on defining the purpose and need for the Proposed Action, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Participate in coordination meetings and joint field reviews, as appropriate;
- As requested by FRA, provide timely review and comments on pre-draft or pre-final environmental documents; and
- Provide timely comments on unresolved issues.

Cooperating agencies are participating agencies, but not all participating agencies are cooperating agencies; therefore, cooperating agencies share the responsibilities of participating agencies. Cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process than participating agencies. A cooperating agency with jurisdiction may adopt an EIS without re-circulating the EIS as the lead agency when, after an independent review of the EIS, the cooperating agency concludes that its comments and suggestions have been satisfied. This provision is particularly important for permitting agencies that, as cooperating agencies, routinely adopt environmental documents prepared by USDOT. Cooperating agencies also share the responsibilities of participating agencies.

**Table 1** lists FRA as the lead agency and the agencies that have been invited to serve as participating agencies, with their applicable area of jurisdiction or expertise. While no cooperating agencies have been identified for this Project, CEQ regulations (40 CFR § 1501.6) state that an agency may request the lead agency to designate it a cooperating agency. Public agencies should advise FRA if they anticipate taking a major action in connection with the Proposed Action and if they wish to cooperate in the preparation of the EIS.

**Table 1**  
**Lead and Invited Participating Agencies**

| Agency  | Role  | Accepted or Declined Invitation | Responsibilities  |
|---|---|---------------------------------|---|
| <b>Lead Agencies</b>  |   |                                 |   |
| Federal Railroad Administration (FRA)                         | Federal Lead Agency   | Accepted                        | Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement; arbitrate and resolve issues |
| <b>Federal Agencies</b>                                       |   |                                 |   |
| Federal Transit Administration (FTA)                          | Participating Agency  | Accepted                        | Consultation related to NEPA  |
| U.S. Department of Interior (USDOI)                           | Participating Agency  | Accepted                        | Consultation related to Section 4(f) of the U.S. Department of Transportation Act   |
| U.S. Environmental Protection Agency (USEPA)                  | Participating Agency  | Accepted                        | Consultation related to NEPA; Section 309, Clean Air Act  |
| Federal Emergency Management Agency (FEMA), Federal Region II | Participating Agency  | Declined                        | Consultation related to resilience and floodplain issues  |
| Bureau of Indian Affairs Eastern Region                       | Participating Agency  | Declined                        |   |
| U.S. Geological Survey  | Participating Agency  | Declined                        |   |
| U.S. Department of Homeland Security (DHS)                    | Participating Agency  | Accepted                        | Consultation related to security  |
| Advisory Council on Historic Preservation (ACHP)              | Participating Agency, possible Section 106 Consulting Party | Declined <sup>5</sup>           | Consultation related to Section 106 of the National Historic Preservation Act; possible participation in Section 106 process                                |

<sup>5</sup> In September 2020, ACHP indicated it preferred to postpone accepting or declining the invitation to serve as a Section 106 Consulting Party, awaiting FRA's Effect Determination.

**Table 1 (cont'd)**  
**Lead Agencies and Invited Participating Agencies**

| <b>Agency</b>   | <b>Role</b>  | <b>Accepted Invitation</b> | <b>Responsibilities</b>   |
|---|--|----------------------------|---|
| <b>State, Regional, and Local Agencies</b>  |  |                            |   |
| Metropolitan Transportation Authority (MTA)   | Participating Agency                               | Accepted                   | Consultation  |
| MTA Long Island Rail Road   | Participating Agency                               | Accepted                   | Consultation  |
| New York State Department of Environmental Conservation, Region 2 (NYSDEC)  | Participating Agency                               | Accepted                   | Consultation and various reviews  |
| New York State Department of State (NYSDOS)   | Participating Agency                               | Declined                   | Coastal zone consistency review   |
| New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHPO)  | Participating Agency; Section 106 consultation     | Accepted                   | Concurrence under Section 106, National Historic Preservation Act   |
| New York State Department of Transportation (NYSDOT)  | Participating Agency                               | Accepted                   | Consultation related to potential impacts to State roadways and associated mitigation in New York City  |
| New York City Department of City Planning (NYCDCP)  | Participating Agency                               | Accepted                   | Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.  |
| New York City Department of Environmental Protection (NYCDEP)   | Participating Agency                               | Accepted                   | Consultation related to various potential environmental impacts in New York City  |
| New York City Landmarks Preservation Commission (NYCLPC)  | Participating Agency; Section 106 Consulting Party | Accepted                   | Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City  |
| New York City Department of Transportation (NYCDOT)   | Participating Agency                               | Accepted                   | Consultation related to potential transportation system impacts and associated mitigation in New York City  |
| New York City Department of Parks and Recreation (NYCDPR)   | Participating Agency                               | Accepted                   | Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation                          |
| New York City Mayor's Office of Environmental Coordination (NYCMOEC)  | Participating Agency                               | Accepted                   | Consultation related to potential environmental impacts and associated mitigation in New York City. MOEC will coordinate all of the comments on environmental review documents for the Project from all NYC agencies. |
| <b>Note:</b><br>Any Federal agency that is invited by the lead agency to participate in the environmental review process for a project shall be designated as a participating agency by the lead agency unless it declines in writing; state and local agencies must accept in writing. |  |                            |   |

## 2.2 AGENCY CONTACT INFORMATION

**Table 2** lists the primary point of contact for each of the participating agencies for the Western Rail Yard Infrastructure Project.

**Table 2**  
**Primary Contacts at Participating Agencies**

| <b>Agency</b>  | <b>Name</b>               | <b>Address</b>  |
|--|---------------------------|---|
| <b>Lead Agencies</b>   |                           |   |
| Federal Railroad Administration (FRA)  | Andrea Poole              | Office of Railroad Policy & Development<br>1200 New Jersey Avenue, SE<br>Washington, DC 20590                           |
| <b>Participating Agencies: Federal Agencies</b>  |                           |   |
| Federal Transit Administration (FTA), Region II  | Donald Burns              | One Bowling Green, Suite 428, New York, NY 10004  |
| U.S. Department of the Interior (USDOJ), Office of Environmental Policy and Compliance | Andrew Raddant            | Region 1, 5 Post Office Square, Boston, MA 02109  |
| U.S. Environmental Protection Agency (USEPA), Region 2                                 | Mark Austin               | 290 Broadway, 25th Floor, New York, NY 10007  |
| Federal Emergency Management Agency (FEMA), Region II                                  | Michael Audin             | 26 Federal Plaza, Suite 1311, New York, NY 10278  |
| Bureau of Indian Affairs Eastern Region  | David Saunders            |   |
| U.S. Geological Survey   | Michael Norris            | 331 Commerce Way, Pembroke, NH 03275  |
| U.S. Department of Homeland Security   | Stephen Cauffman          |   |
| Advisory Council on Historic Preservation (ACHP)                                       | Sarah C. Stokely          | 1100 Pennsylvania Avenue, Washington, DC 20004  |
| <b>Participating Agencies: State, Regional, and Local Agencies</b>                     |                           |   |
| Metropolitan Transportation Authority (MTA)  | Lawrence Lennon, PE, AICP | 2 Broadway, New York, NY 10004  |
| MTA Long Island Rail Road (LIRR)   | Linda Messina, Esq.       | Jamaica Station,<br>144-41 94th Avenue, MC 1913, Jamaica, NY 11435  |
|  | Donna Betty               |   |
| New York State Department of Environmental Conservation (NYSDEC), Region 2             | Stephen Watts             | 47-40 21st Street, Long Island City, NY 11101   |
| New York State Department of State (NYSDOS)  | Matthew Maraglio          | One Commerce Plaza, 99 Washington Ave, Suite 1010, Albany, NY 12231   |
| New York State Historic Preservation Office (NYSHPO)                                   | Daniel Mackay             | NYS Office of Parks, Recreation and Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, NY 12188 |
| New York State Department of Transportation (NYSDOT), Region 11                        | Uchenna Madu              | 47-40 21st Street, Long Island City, NY 11101   |
| New York City Department of Environmental Protection (NYCDEP)                          | Terrell Estes             | 59-17 Junction Boulevard, 11th Floor, Elmhurst, NY 11373  |
| New York City Landmarks Preservation Commission (NYCLPC)                               | Gina Santucci             | 1 Centre Street, New York, NY 10007   |
| New York City Department of City Planning (NYCDCP)                                     | Olga Abinader             | 120 Broadway, 31st Floor, New York, NY 10271  |
| New York City Department of Transportation (NYCDOT)                                    | Naim Rasheed              | 55 Water Street, 9th Floor, New York, NY 10041  |
| New York City Department of Parks and Recreation (NYCDPR)                              | David Cuff                | The Arsenal, 830 Fifth Avenue, New York, NY 10065   |
| New York City Mayor's Office of Environmental Coordination (NYCMOEC)                   | Hilary Semel, Esq.        | 100 Gold Street, 2nd Floor, New York, NY 10038  |

## **Chapter 3: Agency Coordination and Public Involvement**

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### **3.1 COOPERATING AND PARTICIPATING AGENCY COORDINATION**

FRA will collaborate with the participating agencies and any later identified cooperating agencies in defining the purpose and need for the Proposed Action, range of reasonable alternatives to be examined in the EIS, and methodologies for documenting environmental conditions, assessing impacts, and use in supporting any future permit applications. While consensus is not required in the development of impact assessment methodologies, FRA must consider the views of the agencies with relevant interests before making a decision on a particular methodology. FRA will host agency coordination meetings to gather feedback from the agencies on the Proposed Action and proposed methodologies. After collaboration has taken place, FRA will make the decision on the methodology and level of detail to be used.

FRA will notify the participating agencies of the availability of the key Project documents, including the Scoping Document, Scoping Summary Report, DEIS, and FEIS/ROD, and will provide comment opportunities within specified time frames (which will vary depending on the documents being reviewed). Following issuance of the FEIS/ROD, FRA will consult with the agencies with permitting jurisdiction, to complete any necessary permits for the Project.

### **3.2 SECTION 106 CONSULTATION**

Section 106 of the National Historic Preservation Act (36 CFR § 800) requires Federal agencies to take into account the effects of their undertakings on historic properties that are listed or meet the eligibility criteria for listing in the National Register of Historic Places. The Section 106 process has a specific public involvement component. In particular, regulations require that FRA, in consultation with the NYSHPO and Tribal Historic Preservation Offices (THPOs), as applicable, identify appropriate points for seeking public input and for notifying the public of the proposed undertaking. The regulations also require that the Federal agency seek and consider the views of the THPOs, SHPOs, and the public in a manner that reflects the nature and complexity of the project and its effects on historic properties.

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 and provides the degree of thorough, consultative outreach that is required for the Section 106 process. FRA has involved the public in the Section 106 process in coordination with the NEPA process. During the scoping process, FRA made a presentation available on the Project website that included Section 106 information, which remains available. The public was given the opportunity to provide FRA with comments on the Section 106 process during the comment period for the scoping process. Public meetings (or their virtual equivalents, depending on the status of the ongoing public health emergency) for the Project will be advertised as opportunities for public involvement in the NHPA Section 106 process. The public will also be given the opportunity to provide FRA with comments on the Section 106 process during the public comment period on the DEIS. FRA invited members of the public with a demonstrated interest in the Project (due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties) to participate as Section 106 Consulting Parties.

In July 3, 2020, FRA initiated consultation with the NYSHPO and Federal recognized tribal organizations to invite them to participate in the process. In accordance with Section 106 regulations, FRA consulted with the SHPO to identify other Consulting Parties to participate in the Section 106 process. FRA invited public agencies, preservation groups, other non-Federal recognized tribal organizations and other stakeholders to

participate as Consulting Parties, in August 2020. In addition, FRA subsequently provided information regarding the Preferred Alternative's proposed Area of Potential Effect, identification of historic properties, assessment of the Preferred Alternative's potential effects on historic properties, and measures proposed to avoid, minimize and/or mitigate adverse effects to historic properties to Consulting Parties. The Consulting Parties have had an opportunity to provide their views on these items. Consultation with SHPO on Section 106 resources was completed in March 2021. A complete description of the consultation process will be outlined in the Draft EIS.

Copies of *A Citizen's Guide to Section 106 Review*, published by the Advisory Council on Historic Preservation (ACHP), and other information about the Section 106 process will be made available at future public meetings and on the Project website.

### 3.3 SECTION 4(f) COORDINATION

In accordance with Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f) 49 U.S.C. § 303) and FRA's implementing regulations at 23 CFR § 774.5, FRA must provide opportunities for coordination and comment to the official(s) with jurisdiction over any Section 4(f) resource that may be affected by the Project as well as to the USDOJ, and as appropriate, the Department of Agriculture and the Department of Housing and Urban Development. Resources protected under Section 4(f) include public parks, wildlife refuges, and historic resources. Section 4(f) historic sites, parks, and wildlife refuge properties will be identified through the Section 106 process and NEPA process, in consultation with NYSHPO, and any other relevant Consulting Parties or resource agencies. Stakeholders and the public are provided an opportunity to review and comment on the Project's Section 4(f) evaluation in coordination with the NEPA public review periods.

### 3.4 ENVIRONMENTAL JUSTICE OUTREACH

Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, dated February 11, 1994, requires consideration of whether a proposed action would disproportionately affect minority or low-income groups (59 Fed Reg. 7629 [1994]). An environmental justice analysis will be prepared to identify and address disproportionate adverse impacts to environmental justice populations and to ensure that environmental justice populations are targeted in public outreach efforts throughout the life of the Project (during and after the NEPA process).

In addition to EO 12898, Federal concerns for nondiscrimination under Title VI of the Civil Rights Act of 1964 are applicable under the environmental justice process, and recipients of Federal aid must certify nondiscrimination on the basis of race, color, or national origin. Title VI specifically states that "no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance."

EO 12898 also requires Federal agencies to ensure public participation from communities with substantial minority or low-income populations. Each Federal agency has developed a strategy to address environmental justice, with CEQ responsible for oversight and coordination. The environmental justice analysis for the Project will follow the guidance and methodologies recommended in CEQ's Environmental Justice Guidelines under the National Environmental Policy Act (December 1997), the USDOT's Final Order 5610.2(a) on Environmental Justice (April 1997 and updated May 2012), the FTA's Environmental Justice Policy Guidance for Federal Transit Administration Recipients, Circular 4703.1, effective August 15, 2012, and relevant guidance from the State of New York.

**Minority populations** covered by the Executive Order include Native American or Alaskan Native, Hawaiian or Pacific Islander, Asian, Black and not of Hispanic origin, Hispanic, and populations of two or

more races. Minority populations should be identified where either: 1) the minority population of the affected area exceeds 50 percent, or 2) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

**Low-income populations** are any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed FRA program, policy, or activity. Low-income is defined as a person whose median household income is at or below the Department of Health and Human Services poverty guidelines.

An Environmental Justice analysis will be prepared for the Project to identify and address potential disproportionate adverse impacts to EJ populations and to ensure that EJ populations are targeted in public outreach efforts throughout the life of the Project (during and after the NEPA process). It is the intent of the EIS process to ensure that all members of the public are provided opportunities to be heard and to participate meaningfully from the outset of the Project and throughout all phases of Project development. Preliminary research has identified environmental justice communities in the vicinity of the Project. For this environmental review, the local environmental justice communities within the Project area in New York County will be included in the public outreach process, to ensure that they can participate meaningfully in review of the Project. As a general rule, the following principles will be adopted to support involvement of these local environmental justice communities in the project area:

- Documents, notices, and meetings will be made concise, understandable, and readily accessible to the public;
- When appropriate, notices and meeting materials will be provided in both English and Spanish, as Spanish is the second most common language in the study area, and is spoken by many of the members of the environmental justice communities in the study area (see Section 3.5);
- The Project website is available in multiple languages in addition to English;
- Informational material will be made available through a variety of outlets;
- Any public events will be scheduled virtually or at convenient and accessible locations and times; and
- Various community leaders and groups will be contacted to increase public participation of constituent communities.

### **3.5 LIMITED ENGLISH PROFICIENCY (LEP) OUTREACH**

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered “limited English proficient,” or LEP. Federal laws concerning language access rights and obligations include Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” was signed on August 11, 2000 and states that people who are LEP should have meaningful access to Federally conducted and funded programs and activities. The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

The Western Rail Yard Infrastructure Project is taking steps to provide meaningful access to those LEP individuals expected to be most regularly encountered. Language interpretation and translation needs in the

Project area predominantly involve Spanish-speaking individuals<sup>6</sup>. Meaningful access for these individuals includes providing Project materials and meeting notices in Spanish, advertising accommodation for LEP individuals, including the ability for LEP individuals to have language interpretation services available at public meetings upon advance request. In addition, instantaneous web-translation of the Project website is available on-line in multiple languages.

### 3.6 AMERICANS WITH DISABILITIES ACT COMPLIANCE

Should any in-person public meetings be held, they will be in locations that comply with the Americans with Disabilities Act (ADA) to assure that stakeholders who are disabled or elderly have access to meetings. Sign language interpreters will be available upon request at any in-person formal public meetings and other meetings. Public notices announcing public meetings will provide instructions for requesting accommodations.

The Project website has been designed to accommodate people with visual impairments (such as, adjustable text size, compatibility with screen readers). Website materials, including presentations posted to the Project website, will be prepared to be compliant with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d), as amended by the Workforce Investment Act of 1998 (P.L. 105-220) (Section 508).

### 3.7 OUTREACH ACTIVITIES

Throughout the development of the EIS, FRA will conduct an open, participatory environmental review process. FRA will inform and solicit early and continued feedback from the public; encourage open discussion of Project details and issues; and provide opportunities for comments and questions.

The goals of the public outreach aspect of this coordination plan are as follows:

- To provide an opportunity and a mechanism for public participants to engage in the development of the EIS and give relevant input to the Project.
- To focus public input in a structured manner that will allow decisions to be made with the maximum benefit from public involvement.
- To ensure that elected officials, agencies, stakeholders, and the general public are adequately informed about the Project and its implications for their communities, and to identify potential issues so that they can be addressed and resolved before the completion of the EIS process.

#### 3.7.1 COMMUNICATING WITH THE PUBLIC

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping process for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Party meetings, and encourages submission of scoping comments for the Project and other documents electronically.

A number of different outreach tools and activities will be employed by FRA to involve the public. These will include the following:

- **Permitting Dashboard:** The Western Rail Yard Infrastructure Project will be added to the Permitting Dashboard for Federal Infrastructure Projects, which is an online tool for Federal

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<sup>6</sup> Table C16001, PUMA Data for Manhattan Community Districts 4 and 5 [American Community Survey {ACS} 2018 1-Year

agencies, project developers and interested members of the public to track the Federal government's permitting and review process for large or complex infrastructure projects. Please refer to the Dashboard website (<https://www.permits.performance.gov/>).

- **Website:** A website ([www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com)) has been developed for the Project. This website will include information on the EIS process, project activities and progress, public participation opportunities, and project contact information. Project documents will be available for download and review. The website will be kept up to date with information on the Project alternatives, environmental review, and current and previous project documentation, and will provide a link to allow people to sign up for the mailing list or ask questions about the Project electronically.
- **Federal Docket:** Information about the Project is also available on [Regulations.gov](https://www.regulations.gov), Docket No. FRA-2020-0039. The docket can also be used to submit comments on the Project or project materials (the Project website provides a direct link to the Docket system for submitting comments electronically), and provides transparency for project documents and comments received on the Project.
- **Mailing List:** FRA has developed a mailing list of elected officials, public agency contacts, stakeholders and community groups, and members of the public with an interest in the Proposed Action. The mailing list will be updated throughout the life of the Project and used to disseminate project information and public involvement opportunities. Where email addresses are available, announcements will be distributed electronically.
- **Local government and stakeholder briefings:** FRA will brief the appropriate local government entities and stakeholders to provide information, answer questions, and receive feedback.
- **Public comment periods at specific NEPA milestones:** NEPA requires public comment periods to provide an opportunity for public input at two critical points during the environmental review: during the scoping process and when the Draft EIS is complete.
- **Other stakeholder outreach:** Project staff are available to confer with any interested parties. The communications detailed above will indicate staff availability for meetings.

### 3.7.2 PUBLIC COMMENT PERIODS

Opportunities for public input are listed in Section 4 (below) and include the following:

- **Public Scoping Process.** FRA will lead the outreach activities during the public scoping process, beginning with a scoping presentation made available on the Project website. A public scoping comment period will be held to gather input and feedback on the information presented in a Scoping Document, including the: Proposed Action's purpose and need; alternatives for consideration; issues to be addressed in the environmental review; and methodologies to be used to evaluate impacts.
- **Virtual Public Hearing and Comment on the DEIS.** Following publication of the Draft EIS, there will be a virtual public hearing and comment period. FRA will solicit public comments on this DEIS through the end of the comment period. Due to the ongoing COVID-19 public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will hold project meetings virtually, and encourages submission of comments for the project and other documents electronically. The DEIS will be available on the Federal Docket system ([Regulations.gov](https://www.regulations.gov), Docket No. FRA-2020-0039), the project website at [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com), and at the local repositories (libraries and other publicly accessible locations) listed on the project website, where possible. The virtual public hearing will involve posting an on-demand presentation on the Project website about the DEIS, including information about how to provide comments on the DEIS. FRA will

not hold a “live” hearing on a specific date. The public comment period will be open for a minimum of 45 days after the publication of the DEIS, as specified in the Notice of Availability for the DEIS. Public and interested agencies will have the opportunity to submit comments in writing, via the Docket system at Regulations.gov, Docket FRA-2020-0039, email, or US Mail to FRA.

The Project website and meeting flyers were used to publicize the public scoping comment period and will also be used to publicize the availability of the DEIS and the public comment period. The flyers and website materials will be available in English and Spanish, and will be mailed or emailed to the Project mailing list, including community organizations with interest in the Project to assist with their distribution. Flyers (hard copy and electronic versions) will also be distributed to local libraries, community centers, and Manhattan Community Board 4 office (where the Project site is located). In addition, the public scoping process and DEIS public comment period will be advertised in area newspapers (in English, with Spanish ads in corresponding local area papers), online media serving the area, and on the Project website.

Other public involvement initiatives will be held throughout the course of the EIS. Public outreach activities will be announced on the Project website at [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com) and through mailings, public notices, and advertisements.

The Project website has been designed to accommodate people with visual impairments (such as, adjustable text size, compatibility with screen readers). Website materials, including presentations posted to the Project website, will be prepared to be compliant with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d), as amended by the Workforce Investment Act of 1998 (P.L. 105-220) (Section 508).

Local document repositories enable members of the public to examine Project documents, including EIS documents, and other informational materials. The proposed document repositories for the Project include local Community Board offices and local public libraries (to the extent possible during the ongoing public health emergency). **Table 3** lists the names and addresses of the Project’s proposed document repositories.

**Table 3**  
**Project Document Repositories**

| Attention        | Affiliation                  | Address                       | City     |    |
|------------------|------------------------------|-------------------------------|----------|----|
| Branch Librarian | Jack Brause Library          | 11 W 42nd St., #510           | New York | NY |
| Clerk            | Manhattan Community Board 4  | 330 West 42nd St., 26th Floor | New York | NY |
| Clerk            | Manhattan Community Board 5  | 450 Fashion Ave., #2109       | New York | NY |
| Branch Librarian | Mid-Manhattan Library        | 455 Fifth Ave.                | New York | NY |
| Branch Librarian | NYPL Columbus Branch Library | 742 10th Ave.                 | New York | NY |

### 3.7.3 STAKEHOLDER INVOLVEMENT ACTIVITIES

FRA will seek out the involvement of community leaders, elected officials, and other stakeholders in the Project area. It is hoped that these individuals and organizations will assist FRA in understanding and addressing local concerns, including those of the environmental justice communities that could be affected by the Project. Stakeholder involvement activities will include:

- Section 106 Consulting Party Participation. See discussion above (Section 3.2).
- Environmental Justice Outreach. Outreach efforts specifically targeted to reach environmental justice communities located in the Project area.
- Stakeholder Meetings. Meetings may be held with individuals or small groups to discuss specific Project considerations.

## Chapter 4: Coordination Points and Anticipated Completion Dates

Timeframes and review periods for the NEPA review have been established in accordance with the CEQ regulations implementing NEPA (40 CFR parts § 1500-1508), 23 CFR Part 771), and 23 USC § 139. The key coordination points are summarized below, and **Table 4** provides a schedule of key milestone dates.

- **Publish Notice of Intent (NOI):** Publication of the NOI in the Federal Register formally announces the FRA’s intent to prepare an EIS for the Proposed Action and initiates the environmental review process. An NOI was published in the Federal Register (see: [www.federalregister.gov/d/2020-12851](http://www.federalregister.gov/d/2020-12851)) on June 15, 2020.
- **Scoping:** A Scoping Document was made available on the Project website ([www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com)) on July 1, 2020. A narrated presentation providing information about the NEPA environmental review process, the Scoping process, and the Proposed Action, the Project study area, Project Purpose and Need, environmental considerations, opportunities for public input, the associated Section 106 consultation process, and how to provide comments was provided on the Project website at [westernrailyardinfrastructure.com](http://westernrailyardinfrastructure.com). During the virtual public scoping comment period, the public could review information about the Project and formally submit comments to the FRA. The presentation and Project information was accessible to persons with disabilities and available in Spanish. The scoping comment period will extend until July 31, 2020.
- **Invite Cooperating and Participating Agencies:** 23 USC § 139 requires that within 45 days of the publication of the NOI (i.e., by July 30, 2020), FRA invite any other Federal and non-Federal agencies that may have an interest in the Project to become participating agencies in the NEPA review process. Letters were distributed to the agencies listed in Table 1 above in June and July 2020 inviting them to participate in the agency scoping meeting, and inviting them to serve as participating agencies for the EIS.
- **Public and Agency Coordination Plan:** 23 USC § 139 requires that within 90 days of the NOI (i.e., by September 13, 2020), a Public and Agency Coordination Plan (Coordination Plan) be established by the lead agency. This Coordination Plan, which has been prepared in conformance with 23 USC § 139, details the plan for agency and public involvement for the Project, including the anticipated milestones for involvement. This Coordination Plan includes a proposed schedule for completion of the environmental review (see **Table 4**), and upon finalization, will have been established in consultation with and with the concurrence from each of the participating agencies. Once established, this environmental review schedule will be made available to the public and the participating agencies via the Permitting Dashboard for Federal Infrastructure projects, including any subsequent updates to the established schedule.
- **Ongoing Coordination with Agencies:** Following establishment of the Coordination Plan, regular outreach will be conducted with the participating agencies. This will include regular conference calls (typically quarterly, or more frequently depending on the level of project activity) to keep them informed of progress. Participating agency briefings will be coordinated with certain key milestones, as indicated in **Table 4** below. Federal and state agencies with a permitting role will be provided an opportunity to comment on the following project documents: the Purpose and Need as developed for the scoping process; and the Draft EIS and Draft Section 4(f) Evaluation, and the Administrative Draft FEIS and Draft Final Section 4(f) Evaluation documentation. 23 USC § 139(g)(2)(B) requires the lead agency to establish comment deadlines for agency comments at a maximum of 30 days from the date of availability, unless otherwise agreed to by the agencies.

- **Section 106 Coordination:** Outreach and consultation required under Section 106 of the National Historic Preservation Act will be conducted concurrently with the NEPA process. The approach for Section 106 coordination is discussed in Section 3, above.
- **Permitting:** Following completion of the NEPA process, the Project Sponsor will obtain the required permits for the Project. To expedite the schedule for completion of the Project, FRA wishes to coordinate the permitting process with the NEPA process wherever possible.

**Table 4**  
**Schedule of Key Milestone Dates**

| Coordination Points   | Anticipated Completion Date               |
|---|---|
| <b>Scoping</b>  | <b>June-August 2020</b>                   |
| Notice of Intent Published  | June 15, 2020                             |
| Scoping Document Available  | July 1, 2020                              |
| <i><b>Participating Agency Coordination Point: Participating Agencies Invited</b></i>   | June 26 & July 7, 2020                    |
| Public Scoping Comment Period   | July 1, 2020-July 31, 2020                |
| <i><b>Participating Agency Coordination Point: Purpose and Need</b></i>   | July 1, 2020-July 31, 2020                |
| Initiation of Section 106   | July 3, 2020                              |
| <i><b>Participating Agency Coordination Point: Draft Public/Agency Coordination Plan Provided for Agency Review</b></i>   | August 3, 2020                            |
| Adopt Public/Agency Coordination Plan   | September 2020                            |
| Scoping Summary Memorandum Complete   | September 2020                            |
| <b>Preparation of DEIS</b>  | <b>August 2020-May 2021</b>               |
| Preparation of DEIS   | August 2020-May 2021                      |
| <i><b>Participating Agency Coordination: Review of DEIS Analyses including Alternatives and Preferred Alternative (concurrent with Public Review of DEIS)</b></i> | <i><b>May-June 2021</b></i>               |
| DEIS Completed; Publish Draft EIS Notice of Availability  | May 2021                                  |
| <b>Preparation of FEIS/ROD</b>  | <b>May 2021-October 2021</b>              |
| DEIS Public Comment Period (45 days)  | May 2021-June 2021                        |
| DEIS Virtual Public Hearing   | May 2021                                  |
| <i><b>Participating Agency Coordination: Review of Response to Comments &amp; FEIS Conclusions</b></i>  | <i><b>September 2021-October 2021</b></i> |
| Completion of Section 106   | March 2021                                |
| Combined FEIS/ROD Complete  | October 2021                              |
| <b>Project Permitting</b>   |   |
| Completion of permits, licenses, or approvals   | October 2021-March 2022                   |
| <b>Notes:</b><br>DEIS = Draft Environmental Impact Statement.<br>FEIS = Final Environmental Impact Statement.<br>ROD = Record of Decision.                        |   |

**Chapter 5:**
**Revision History**

Revisions to this plan are documented in this section.

| <b>Table 5</b>         |                   |  |
|------------------------|-------------------|--|
| <b>Revisions</b>       |                   |  |
| <b>Revision Number</b> | <b>Date</b>       | <b>Summary of Revisions</b>  |
| 1                      | February 24, 2021 | Updates to EPA Contact, Project Schedule, and ACHP consulting Party status. Other minor text revisions that are not substantive made for consistency with updated EIS descriptions, and revisions to DEIS public review and comment language to reflect ongoing COVID public health emergency. |
| [--]                   | [--]              | [--]   |

**Appendix P2**

**Public Outreach Materials**

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## MEMORANDUM

To: Stephen Holley

Project: Western Rail Yard (WRY)  
 Infrastructure Project

From: Maura Fitzpatrick

Date: July 9, 2020

Subject: WRY Publicity Plan Follow-Up

The WRY Outreach Team engaged five (5) online and print publications targeting west Midtown Manhattan, per the table below. Each ad invited members of the public to participate in virtual public scoping for the Western Rail Yard Infrastructure Project, noting the purpose of the project and the need for virtual public scoping due to COVID-19. The scoping date was listed as beginning July 1, 2020, and each ad encouraged the public to visit the project website to view a presentation and submit comments through July 31, 2020. For those ads that were online, a click-through to [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com) was embedded in the ad image.

Included with this memorandum are PDF copies of each media outlet's affidavit noting full circulation and ad publication date.

| Publication                           | Language | Published  | Format           | Locations                                     | Dimensions  | Cost              | Receipts/Affidavits  |
|---------------------------------------|----------|--|------------------|---|---|-------------------|--|
| AMNY/Metro (merged with The Villager) | English  | June 22, 23 & 26 (e-newsletter)<br>June 25 (print) | Print and online | Manhattan                                     | 1/4 page vertical - 4.29" x 5.65" (print)<br>300 x 250 (digital banner)   | \$2,000.00        | Receipt provided 06/15/2020. Affidavit sent 06/30/2020       |
| Chelsea/Clinton News                  | English  | June 24 (eblast)<br>June 25 (print)                | Print and online | Chelsea/Clinton neighborhood:<br>25,000 reach | 1/4 page vertical - 5.081" x 5.416" (print)<br>300 x 250 (digital banner) | \$1,475.00        | Receipt provided 06/18/2020. Affidavit sent 06/25/2020       |
| Midtown Patch                         | English  | 7 days - Monday June 22 through Sunday June 28     | Online only      | Midtown Manhattan                             | Desktop (970x250; 300x600; 300x250)<br>Mobile (320x50; 300x250)           | \$1,200.00        | Receipt provided 06/23/2020. Campaign Report sent 07/07/2020 |
| El Diario Nueva York                  | Spanish  | Thursday, June 25                                  | Print            | NY Metro Area                                 | 1/4 page vertical 4.81" x 5.42"   | \$1,477.72        | Receipt provided 06/15/2020. Affidavit sent 07/06/2020       |
| El Especialito NYC                    | Spanish  | Friday, June 26                                    | Print            | Manhattan west side:<br>15,000 reach          | 1/4 page vertical - 4.25" x 5.5"  | \$400.00          | Receipt provided 06/18/2020. Affidavit sent 06/25/2020       |
|                                       |          |  |                  |   |   | <b>\$6,553.00</b> |  |



1 MetroTech Center North 3<sup>rd</sup> Floor Brooklyn, NY 11201 • Tel: 718-260-8307 • Fax: 718-260-2549 • legal@schnepsmedia.com

STATE OF NEW YORK  
COUNTY OF KINGS, ss.:

I, Cliff Luster, the publisher of  
**am Metro New York incorporating amNewYork and Metro,**  
a newspaper, do hereby certify that the legal  
notice (a copy of which is annexed hereto)  
was published in the full circulation of the  
am Metro New York newspaper, and has appeared  
on the following dates:

To Wit: June 25, 2020

Cliff Luster

Sworn before me this 30th day of June, 2020

**Yevgeniya Pechenaya**  
Notary Public, State of New York  
No. 01PE6393208  
Qualified in Kings County  
Commission Expires June 10, 2023

Yevgeniya Pechenaya  
Notary Public, State of NY  
No. 01PE6393208  
Qualified in Kings County  
My commission expires on June 10, 2023



1 MetroTech Center North 3<sup>rd</sup> Floor Brooklyn, NY 11201 • Tel: 718-260-8307 • Fax: 718-260-2549 • legal@schnepsmedia.com

STATE OF NEW YORK  
COUNTY OF KINGS, ss.:

I, Cliff Luster, the publisher of  
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a newspaper, do hereby certify that the legal  
notice (a copy of which is annexed hereto)  
was published in the full online newsletter of the  
am Metro New York newspaper, and has appeared  
on the following dates:

To Wit: June 22, 23 and 26, 2020

\_\_\_\_\_  
Cliff Luster

Sworn before me this 30th day of June, 2020

Yevgeniya Pechenaya  
Notary Public, State of New York  
No. 01PE6393208  
Qualified in Kings County  
Commission Expires June 10, 2023

\_\_\_\_\_  
Yevgeniya Pechenaya  
Notary Public, State of NY  
No. 01PE6393208  
Qualified in Kings County  
My commission expires on June 10, 2023

# ammy

Monday, June 22, 2020

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CAREER & APPLIED STUDIES  
*Where Knowledge and Values Meet*

Universal values  
**Personal attention.**

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Weather: Partly cloudy, 71°,  
high of 88°, winds up to 8 MPH



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IMAGE: YLANITE KOPPENS ON PEXELS

[A cut above: Here's what businesses will open Monday  
in Phase 2 of NYC reopening](#)



Approximately two weeks after rolling into Phase 1 of reopening during the COVID-19 pandemic, New York City shifts into second gear Monday, June 22, for the start of Phase 2.

Please join us for  
**Virtual Public Scoping**

for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities that house critical railroad infrastructure; to preserve a right-of-way to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

**Starting July 1**, the public will be able to visit the project website at [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com) to view a presentation describing the project and to submit comments through **July 31, 2020**.

Click [here](#) to learn more and get involved!



# ammy

Tuesday, June 23, 2020

 **TOURO COLLEGE**  
NEW YORK SCHOOL OF  
CAREER & APPLIED STUDIES  
*Where Knowledge and Values Meet*

Universal values  
**Personal attention.**

[Learn more →](#)

Weather: Partly cloudy, 73°,  
high of 86°, winds up to 9 MPH



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**Pup's Books • New York**  
Pride Literature for free



IMAGE: YLANITE KOPPENS ON PEXELS

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Click [here](#) to learn more and get involved!



Western Rail Yard  
INFRASTRUCTURE PROJECT



U.S. Department of Transportation  
Federal Railroad Administration

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## [NYPD to issue more officers in neighborhoods in response to recent shootings](#)



Please join us for  
**Virtual Public Scoping**  
for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement (EIS) for the Western Rail Yard Infrastructure project in compliance with the National Environmental Policy Act (NEPA) of 1969 and other applicable environmental laws. WRY Tenant LLC and Amtrak are partnering to apply for Federal financial assistance for the construction of a Platform and Tunnel Encasement at the Western Rail Yard site, located between West 30th and West 33rd Streets and Eleventh and Twelfth Avenues in Manhattan. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard that house critical railroad infrastructure; to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development. The proposed project is subject to Section 106 of the National Historic Preservation Act. Individuals and organizations may request to participate as a Consulting Party for this undertaking.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

**Starting July 1**, the public will be able to visit the project website at [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com) to view a presentation describing the project and to submit comments. FRA invites the public and all interested parties to comment on the scope of the EIS during a 30-day scoping comment period from **July 1 through July 31, 2020**.

You can comment by filling out a comment form accessible via the Project's website and using the comment link provided, or at [Regulations.gov](http://Regulations.gov), Docket Number: FRA-2020-0039. You can also send written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. All comments will also be placed on file at [Regulations.gov](http://Regulations.gov).



PHOTO BY TODD MAISEL

Residents now have open streets in the five boroughs, including this one in Park Slope next to Prospect Park. Here, Parkside Avenue is open to pedestrians during Covid-19 crisis for social distance.

# City adds *another* 23 miles of Open Streets for summer



BY ALEJANDRA O'CONNELL-DOMENECH  
[alejandra.oconnell@amny.com](mailto:alejandra.oconnell@amny.com)

Looking to help New Yorkers beat the heat while remaining socially distant, New York City is shutting down another 23 miles of roads across the city to cars this weekend, Mayor Bill de Blasio announced Wednesday.

In late April, the mayor pledged to close off 100 miles of city streets to vehicular traffic to give New Yorkers space to run, walk or bicycle while adhering to social distancing rules lowering the chances of spreading the novel coronavirus. After Wednesday's announcement, de Blasio will have closed off 66 miles of street space to cars so far.

De Blasio was initially skeptical of opening streets to only foot or bicycle traffic and scrapped a pilot program in late March after only 10 days arguing that the effort overused NYPD personnel. The mayor

changed his tone a few days later when the City Council introduced a bill that would open up 75 miles of street space for recreational use.

During his June 24 press conference, de Blasio referred to the open streets initiative as something "very, very good" that came out of the coronavirus crisis.

"We have to find a way to make it work, it is working and it's now a very big deal," he added.

The Department of Transportation will work with Business Improvement Districts and precincts to open up streets around parks and in the middle of communities and create temporary protected bike lanes. The city plans to connect the open streets with open restaurants with details to be announced over the next few days, de Blasio said.

The city parks that will see parks that will have streets closed off to car traffic include Henry Street near Red Hook Park, N. Elliot Place next to Commodore Barry

Park, 35th Ave close to Crocheron Park, Forest Avenue by Captain Rivera Playground, 236th Street near Riverdale Playground as well as Shore Blvd. and Ditmas Blvd. next to Ralph DeMarch Park.

New protected bike lanes will be created in Central Queens and Central Park along with parts of Broadway, Northern Blvd., 61st St., 62nd St., and 5th Ave. More protected bike lanes will pop up Harlem, Midtown, Lower Manhattan, and SoHo on 5th, 6th, and 7th Aves., Center St. and Lafayette St.

More open street space for pedestrians will be created in Ozone Park, Far Rockaway, Boerum Hill, Brooklyn Heights, Ridgewood, Stapleton, Jamaica Hills, Sunset Park, Bushwick, Greenpoint, and Bed-Stuy.

De Blasio also announced on Wednesday that the city will open 950 and 250 sprinklers, spray showers, and misting stations to help keep New Yorkers cool this summer.



Rendering may show features that vary from the standard plan. Rendering may show features that vary from the standard plan.

STARTING AT \$259,900

2474 sqft.

STARTING AT \$215,900

2026 sqft.

# RKA

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## PHASE TWO

CONTINUED FROM PAGE 1

York's viral spread). It is true that someone brought the virus here from Europe. But we have no idea if it was a tourist, a returning New Yorker or a business traveler. In any case, we should be so lucky as to have tourism as a challenge. Right now there isn't any.

Shedding these myths will help New Yorkers to see that a "return to a state of normalcy" is largely in their own hands, which they should wash frequently.

### No Magic Bullet

Vast amounts are being spent around the world to create a vaccine: A magic bullet, so to speak, to make us safer.

But for now, our safety is based on the exact opposite idea. That there is no magic bullet, but rather, a series of measures that layered one upon the other substantially reduce the risks.

Those measures fall into three categories:

- Box in the coronavirus.
- Protect yourself and the community.
- Improve treatment for COVID-19.

These categories rest on proven science developed by generations of epidemic fighters.

There is still no vaccine for HIV, the virus that causes AIDS, for example. Yet in the developed world, containment, protection and reducing the risk of the disease have transformed AIDS from fatal to chronic. There are also important examples of viruses that were stopped by combining a vaccine with one or more of these older strategies. The eradication of smallpox is probably the best known example.

### Box in the Virus

The modern science of epidemic control dates back to the mid-19th century. It turns doctors to detectives to identify how a pathogen spreads and stop it. A pump handle is the symbol of epidemiology, from when a vicious outbreak of cholera in London in the Victorian age was traced to a tainted water pump. The pump handle was removed and the epidemic stopped.

There is no pump handle for

coronavirus. The source of the virus is infected people spreading it to others. The most effective way to stop the spread is to isolate infected people and trace everyone who has come in contact with them and isolate them, too.

In theory, this alone can halt the infection. That is in theory. We are a long way from contact tracing this effective. Other countries are much more efficient in testing for coronavirus and tracing the contacts of those who test positive, said Dr. Theo Vos, Professor of Health Metrics Sciences at the Institute for Health Metrics and Evaluation at the University of Washington.

"We are a far cry away from having that properly implemented. The typical U.S. system is so dispersed — some state government, some counties. Many just flying by the seat of their pants."

Some 3,500 people have been put to work tracing infections in the five boroughs. Yet the first report from Mayor Bill de Blasio last week shows the city has a long way to go. From June 1, when the program started, 5,347 new cases of infection were identified. But only about a third of these people shared who they had been in contact with, according to the Mayor's data.

"We have no idea how/where people are getting infected in vast majority of cases," Mark Levine, chair of the City Council Health Committee, said on Sunday.

City officials have appealed for public cooperation. The more cooperation, the more the virus will be boxed in. Other countries and communities are doing better. At the same time, even this imperfect system is only the first layer of protection. Infectious cases that get past the test, trace and isolate team can still be kept at a safe distance.

### New York Smart

We know much more today than we did four months ago about how coronavirus spreads. Principally, through the air from an infected person to others. This is important. When public health officials realized this they started urging everyone to wear a mask. Dr. Vos says his team has reviewed the data and research and concludes that widespread mask wearing reduces

spread of the virus 36%.

A group of researchers in Texas and California have concluded that New York's decision to mandate masks on April 17 reduced infections "by over 66,000," about a third of the 209,000 confirmed cases in the city.

"It is rather unfortunate it has become such a politicized issue as it is one of the more effective policy levers we have," said Dr. Vos. "I'm hoping that even in this environment in the US that with mandates and increasing social pressure, the attitudes will change."

He cites Hong Kong as a good example of high proportion mask use, at 95%. New York City Transit reports 92% mask use in the subways.

Aerial transmission is also why outdoors is safer than indoors (fresh air dilutes the virus) and why better ventilation indoors reduces risk. Wiping surfaces, washing your hands frequently and maintaining a distance all also remain valuable protections.

### Better Health

Even with all these layers of tracing, isolating, mask-wearing, cleaning and distancing, some people will still become infected so long as the virus is "in the community," as public health officers phrase it. Coronavirus is a treacherous infection, having almost no effect on some and severely sickening others. More is being learned all the time about treatment. There are now two drugs, an antiviral and a steroid, approved for treating seriously ill COVID patients. These are reducing fatalities and hospital stays.

There is another step that would make a major difference. Researchers have identified a set of chronic medical conditions — high blood pressure, diabetes, asthma, obesity and deficiencies of Vitamin D and K — that increase the danger of COVID-19. All of these can be addressed by improving basic community medical services. If we are going to put our hopes on a "moon shot" effort, this is the place. Not only would a concerted push for better basic public health reduce longstanding inequities in medical care, it would reduce the fatality rate among fellow citizens who become infected despite all our other efforts to stop the virus.

## Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement (EIS) for the Western Rail Yard Infrastructure project in compliance with the National Environmental Policy Act (NEPA) of 1969 and other applicable environmental laws. WRY Tenant LLC and Amtrak are partnering to apply for Federal financial assistance for the construction of a Platform and Tunnel Encasement at the Western Rail Yard site, located between West 30th and West 33rd Streets and Eleventh and Twelfth Avenues in Manhattan. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard that house critical railroad infrastructure; to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development. The proposed project is subject to Section 106 of the National Historic Preservation Act. Individuals and organizations may request to participate as a Consulting Party for this undertaking.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

**Starting July 1**, the public will be able to visit the project website at [www.westernrailyardinfrastructure.com](http://www.westernrailyardinfrastructure.com) to view a presentation describing the project and to submit comments. FRA invites the public and all interested parties to comment on the scope of the EIS during a 30-day scoping comment period from **July 1 through July 31, 2020**.

You can comment by filling out a comment form accessible via the Project's website and using the comment link provided, or at Regulations.gov, Docket Number: FRA-2020-0039. You can also send written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. All comments will also be placed on file at Regulations.gov.



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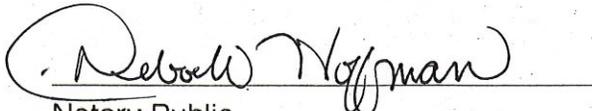
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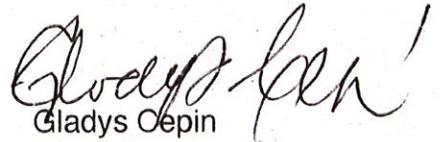
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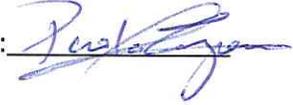
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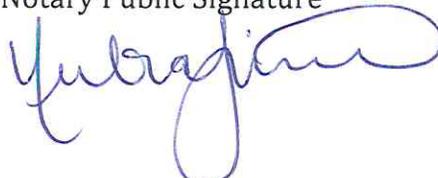
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**H.F. del Bronx.**

### Querido H.F.:

Corta 8 limones verdes por la mitad, les pones sal de mar a cada

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### Querida Sra. Migene:

Le expreso mi gran agradecimiento por toda la ayuda que nos brinda a través de su famosa columna. Le escribo para pedirle ayuda para mi hijo de 18 años. Él está muy deprimido porque su padre ha sido sentenciado a 5 años de prisión por abusar de una menor. Mi hijo es muy religioso, estudia teología y hace varios días que no come y dice que desea morir. Temo por su salud y por su vida. Por favor ayúdelo. Dígame qué hacer. **Madre**

Desesperada de New Jersey.

### Querida Madre Desesperada:

El trauma que ha recibido tu hijo ha sido muy grande, sobre todo porque es tan religioso. Pero su misma fe le va a dar la fuerza para sobreponerse a su dolor. Parte un coco por la mitad y lo vacías. Pon una mitad sobre una copa con agua de mar, agua de los ángeles y agua bendita. Debajo pones un papel con el nombre de tu hijo. Adentro del coco pones agua sedativa, agua azahar, agua maravilla, manteca de cacao, alcanfor, alumbre y azúcar. Tápalo con la otra mitad y rodea la copa con un círculo de cascarilla y 9 piedras de la luna. Al frente enciende la vela del arcángel Gabriel que rige la mente y le pides que tranquilice a tu hijo y le de paz y resignación. Cuando se termine la vela amarra el coco con una cinta blanca y lo envuelves en algodón. Ponlo en un lugar alto. Mete las piedras de la luna debajo del colchón de la cama de tu hijo.

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**Migene González-Wippler**

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### Por favor, únase a nosotros para el Proceso Pública Virtual de Alcance para el Proyecto de Infraestructura de Western Rail Yard

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Debido a la actual emergencia de salud pública de la enfermedad del coronavirus 2019 (COVID-19), y de acuerdo con la orientación de los Centros para el Control y la Prevención de Enfermedades con respecto a grandes eventos y reuniones masivas, FRA llevará a cabo un Proceso Pública Virtual de Alcance para el proyecto.

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Puede comentar por llenando un formulario de comentarios accesible en el sitio web del proyecto y utilizando enlace de comentarios proporcionado, o en [Regulations.gov](https://www.regulations.gov), Número de Caso: FRA-2020-0039. También puede enviar comentarios escritos por correo a la siguiente dirección: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. Todos los comentarios también se archivarán en [Regulations.gov](https://www.regulations.gov).



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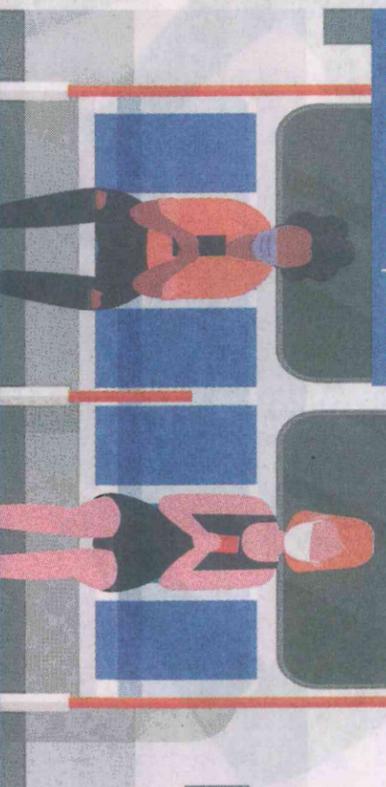


Western Rail Yard  
INFRASTRUCTURE PROJECT



U.S. Department of Transportation  
Federal Railroad Administration

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| Date range  | Jun 22, 2020 - Jun 28, 2020  |
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Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project



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Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

Starting July 1, the public will be able to visit the project website at www.westernrailyardinfrastructure.com to view a presentation describing the project and to submit comments through July 31, 2020.

Click here to learn more and get involved!

Midtown-Hell's Kitchen Arts & Entertainment

Hollywood, CA | News | 4d
The Best '90s Films To Watch This Father's Day Weekend
Celebrate Father's Day at home by watching classic '90s flicks such as "The Matrix," "Mrs. Doubtfire," "Home Alone" and many more.

Hollywood, CA | News | Jun 12
11 Nostalgic Movies That Will Transport You Back To The '80s
Take a walk down memory lane this weekend by watching classic '80s flicks like "Top Gun," "Back to the Future," "The Goonies" and more.

Hollywood, CA | News | Jun 3
What's New On Netflix: June 2020
The much-anticipated "Eurovision Song Contest: The Story of Fire Saga" and Spike Lee's "Da 5 Bloods" premiere this month on Netflix.

Hollywood, CA | News | May 28
11 Movies To Get You In The Mood For Summer
Transport yourself to the tropics by watching summer flicks including "Mamma Mia!" "50 First Dates," "Blue Crush" and many more.

Boston Magician Juggler - Interactive magic and juggling
Awesome Magic and Juggling Shows for Kids and Adults in Boston, MA robertclarkeisfunny.com

Times Square Cinema
Midtown-Hell's Kitchen, NY | 1d
Coming back to theaters this Friday! Reserve your tickets here

Times Square Cinema
Midtown-Hell's Kitchen, NY | 19h
SPECIALS ON SPECIALS!!!! Come see us ;)

Times Square Cinema
Midtown-Hell's Kitchen, NY | 20h
\$1 MOVIE OF THE WEEK!! Check out our full schedule here:

Rockettes
Midtown-Hell's Kitchen, NY | 1d
Happy Birthday, Bob Fosse! What's your favorite Fosse number?

Times Square Cinema
Midtown-Hell's Kitchen, NY | 1d
NEW MOVIE PREMIER! Reserve your tickets here

The Garden
Midtown-Hell's Kitchen, NY | 17h
Delivering 30 years of legendary moments at The World's Most Famous Arena.

The Garden
Midtown-Hell's Kitchen, NY | 19h
The beginning of something wonderful

The Morgan Library & Museum
Midtown-Hell's Kitchen, NY | 1d
Go vote! Winston Churchill with crowd outside polling place, Borough of Kensington, London.

The Garden
Midtown-Hell's Kitchen, NY | 1d
Queen's music continues to give us the power to love and inspire change

Midtown-Hell's Kitchen | News | May 20
Times Square Art Installation Raises Money For Essential Workers
The Times Square Alliance is selling prints of posters being displayed on the landmark's billboards during quarantine.

Midtown-Hell's Kitchen | News | May 15
New Yorkers Can Design Flags To Be Flown At Rockefeller Center
Rockefeller Center's 192 flagpoles will feature designs by New Yorkers

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Featured Events

Jun 25 Songs of Hope for Girls
Jun 26 Grand Opening For The Red Grill Mexican Restaurant!!
+ Add your event
See More Events Near You >

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Featured Classifieds

See this new listing with a spacious yard in Chatham!
The Drinking Face Glove (Limited Edition)
Gorgeous Home in Colts Neck NJ
+ Add your classified

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Midtown-Hell's Kitchen Community Calendar

Calendar for June 2020 showing dates from 1 to 30, with the 24th highlighted.

Latest News Nearby

- 1. Midtown-Hell's Kitchen, NY News: Manhattan Home Sales Prices Drop During Pandemic
2. Washington Heights-Inwood, NY News: State Sen. Robert Jackson Holds Primary Lead
3. New York City, NY News: Rep. Nadler Declares Victory With Votes Uncounted
4. Midtown-Hell's Kitchen, NY News: Fine Dining Staple Aureole To Become Steakhouse
5. Midtown-Hell's Kitchen, NY News: SEE: Commuters Welcomed Back To Grand Central

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Statues in Rockefeller Center were outfitted with masks to remind New Yorkers to wear the protective equipment as they return to work.

# Patch Newsletter Midtown-Hell's Kitchen

Tue, Jun 23 Humid throughout the day. High 82° Low 73°

### ADVERTISEMENT

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## TODAY'S TOP LOCAL NEWS



### SEE: Rockefeller Center Statues Don Masks As NYC Enters Phase 2

Statues in Rockefeller Center were outfitted with masks to remind New Yorkers to wear the protective equipment as they return to work.



## Consumer Reports Offers Ways To Save Time And Money Food Shopping

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[See more local news »](#)

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## FEATURED EVENTS

Jun  
23

### WIBO's Virtual 10 Week Business Building Workshop is Open

[See event »](#)