

# Public Involvement Plan



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# 1. Introduction

The Federal Transit Administration (FTA), as lead federal agency for the National Environmental Policy Act (NEPA), and the Niagara Frontier Transit Metro System, Inc. (Metro), as local project sponsor and joint lead agency for the New York State Environmental Quality Review Act (SEQR), are preparing an Environmental Impact Statement (EIS) for the Metro proposed Buffalo-Amherst-Tonawanda Corridor Transit Expansion project (the Proposed Project).

## 1.1 PURPOSE OF PUBLIC INVOLVEMENT PLAN

The environmental provisions in 23 USC § 139 require that lead agencies establish a plan for coordinating public and agency participation and comment on the environmental review process for a project. Accordingly, the FTA and Metro have prepared this Public Involvement Plan (PIP) for the Proposed Project to describe the process and communication methods for disseminating information about the Proposed Project and for soliciting input from the public and agencies. The PIP complies with the current federal surface transportation law, Fixing America's Surface Transportation Act (FAST Act).

The PIP will be in effect throughout the environmental review process, ending with the Record of Decision. The plan is a flexible, "living" document that can be amended as needed during the process.

## 1.2 PROJECT OVERVIEW

Metro is proposing to expand high quality transit from its current terminus at University Station on the University at Buffalo (UB) South Campus, along Kenmore Avenue, Niagara Falls Boulevard, Maple Road, and Sweet Home Road, through the UB North Campus to John James Audubon Parkway and Interstate 990 (I 990). The build alternatives being considered include a light rail transit (LRT) extension and a bus rapid transit (BRT) system. Both alternatives would essentially follow the same alignment and would be primarily at-grade. Ten stations, with two park & ride facilities and an overnight storage facility are proposed for both alternatives.

High-quality transit service in the Greater-Buffalo region has been considered for over 50 years. The concept for Metro Rail evolved in the 1960s and 1970s as one segment of a proposed 43-mile network of rapid-transit rail lines across the region. Plans were developed for a 14-mile rail line running between downtown Buffalo and Amherst to north of the planned UB North Campus. The rail line was scaled back to a 6.4-mile line terminating at the UB South Campus. This line opened in 1985 and continues to operate as the existing Metro Rail.

The existing Metro Rail serves a diversity of activity centers and land uses, ranging from the waterfront to the urban center of downtown Buffalo and the Buffalo Niagara Medical Campus (BNMC), to the large and expanding UB campuses and other colleges, to older established residential neighborhoods and emerging commercial and employment centers.

In 2010, the Niagara Frontier Transportation Authority (NFTA) updated its 2001 Strategic Assessment. The review examined available rights-of-way and major arterial corridors as possible locations for major transit investments. The study identified four corridors as candidates for future major investment. The Buffalo-Amherst-Tonawanda Corridor Transit Expansion corridor was recommended as a candidate for further study.

An update to NFTA's Strategic Assessment gave priority to the task of expanding high quality transit through the Northtowns to the University at Buffalo North Campus. NFTA initiated an Alternatives Analysis (AA) to determine the best means of linking key activity centers in Downtown Buffalo with education and employment opportunities in the Towns of Amherst and Tonawanda via high-quality transit service. The AA narrowed a long list of 36 Tier 1 options (including different routes and modes of transit like bus and Bus Rapid Transit) down to 15 Tier 2 options. Of those 15 options, just 7 were deemed worthy of deeper evaluation and these Tier 3 screenings resulted in the recommendation of a LPA by NFTA in January of 2017.

With the establishment of an LPA, the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) kicked-off a Transit-Oriented Development (TOD) study to bring current riders, community members, businesses, developers, and local officials together to shape growth and the built environment around station areas and along the transit corridor.

Metro, as the lead agency, initiated the environmental review process for the Metro Rail Expansion in 2018 and undertook a review of the environmental, socio-economic, and fiscal impacts in accordance with SEQR. The LPA was further refined at the outset of the development of the SEQR EIS. The SEQR DEIS was released in January 2020 and two public hearings were held in February 2020 to provide an opportunity to reach the public and solicit input in response to the DEIS. During the comment period for the SEQR DEIS, FTA requested lead agency participation, requiring that the environmental review be conducted pursuant to NEPA. The findings of the SEQR DEIS, the written and oral comments received during the SEQR public hearing, and comments received during the SEQR DEIS document public comment period that ended on March 24, 2020, will inform the development of a new DEIS prepared pursuant to NEPA.

### **1.3 POTENTIAL KEY RESOURCE AREAS**

The EIS for the Proposed Project will include an evaluation of the potential social, economic, and environmental effects resulting from the Proposed Project. The potential key topics of concern include the following:

- Environmental topics, including traffic, noise, cultural and historic resources, visual resources, hazardous waste and contaminated materials, and wetlands
- Social considerations, including environmental justice
- Economic considerations, including property acquisition and potential effects on local and/or regional businesses
- Construction-related effects.

## 2. Environmental Review Process

The purpose of the environmental review process is to promote informed decision-making by considering the potential environmental and social impacts of the Proposed Project. Metro will engage federal, state, and local agencies with a defined interest in the Proposed Project, as well as the public that could potentially be affected by the Proposed Project. The environmental review process includes opportunities for agencies and the public to provide input. Table 2-1 provides an overall project schedule with key coordination points. Anticipated completion dates are included for informational and resource planning purposes. Timeframes and review periods are established in accordance with the CEQ regulations implementing the NEPA (40 CFR parts 1500-1508) and FTA's environmental regulations (23 CFR part 771).

**Table 2-1 Coordination Points**

Coordination Point	Originating Agency	Receiving Agency/Agencies	Task	Approximate Date
Notice of Intent (NOI) to prepare Draft EIS	FTA	EPA	Develop NOI FTA publishes NOI in Federal Register	August 2021
Scoping Process	FTA with Metro	Public, Participating and Cooperating Agencies	Publish Draft Scoping report to allow public and agencies to comment on purpose and need, alternatives, and environmental issues. Metro prepares Scoping Summary Report.	August - October 2021
Identification of Cooperating and Participating Agencies	FTA with Metro	Cooperating and Participating Agencies	Invite agencies; agencies accept or decline in writing within 30 days.	September 2021
Coordination Plan including Schedule	FTA with Metro	Public, Participating and Cooperating Agencies	Prepare draft Agency Coordination Plan and Public Involvement Plan; recipients review and comment; Metro finalizes plan based on comments.	September 2021
Purpose and Need	FTA with Metro	Public, Participating and Cooperating Agencies	Prepare draft purpose and need, consider comments during scoping and refine purpose and need using these comments.	October 2021
Assessment Methodologies	FTA with Metro	Participating and Cooperating Agencies	Discuss methodologies with permitting, Cooperating and Participating Agencies.	September - October 2021
DEIS	FTA with Metro	Public, Participating and Cooperating Agencies	Develop DEIS document.	October 2021 – August 2022
DEIS Circulation	FTA with Metro	Public, Participating and Cooperating Agencies	Publish NOA of DEIS in Federal Register for 60-day public review and conduct 2 Public Hearings	September – December 2022
FEIS	FTA with Metro	Public, Participating and Cooperating Agencies	Complete FEIS document.	January – April 2023
ROD	FTA with Metro	Public, Participating and Cooperating Agencies	Metro to send FTA a draft Notice of Availability (NOA) for FEIS/ROD to be released for public review.	April 2023
Combined FEIS/ROD Circulation	FTA with Metro	Public, Participating and Cooperating Agencies	Circulate combined FEIS/ROD document.	July 2023



## 3. Groups and Committees

### 3.1 STEERING COMMITTEE

A Steering Committee consisting of internal staff from NFTA and GBNRTC will continue to provide oversight and guidance for the project. The Steering Committee has met five times throughout the process to review station locations, the LPA, operations, and review comments from various outreach efforts in order to provide guidance. The Steering Committee will meet up to three times to review and discuss the DEIS, draft responses to DEIS public comments, and the FEIS. The three meetings will be scheduled to take place:

- Prior to releasing DEIS and NFTA Board action
- After the DEIS public hearing
- Prior to releasing FEIS and NFTA Board action

Should conditions necessitate a virtual meeting format, the Steering Committee can use Zoom Meeting videoconferencing software to conduct its business.

### 3.2 TECHNICAL ADVISORY COMMITTEE

A Technical Advisory Committee (TAC) consisting of NFTA staff as well as key stakeholders that would provide approvals for this project, such as GBNRTC, NYSDOT, Erie County DPW, University at Buffalo, City of Buffalo, Town of Amherst, Town of Tonawanda, and municipal utility departments/ agencies will continue to meet. The TAC has met five times throughout the process to review station locations, the LPA, operations, and review comments from various outreach efforts in order to provide guidance. The TAC will meet up to three times to review and discuss the DEIS, draft responses to DEIS public comments, and the FEIS. The three meetings will be scheduled to take place:

- Prior to releasing DEIS and NFTA Board action
- After the DEIS public hearing
- Prior to releasing FEIS and NFTA Board action

Should conditions necessitate a virtual meeting format, the TAC can use Zoom Meeting videoconferencing software to conduct its business.

TAC members include:

- NFTA
- FTA – Region 2
- Metro Rail: Business Center and Rail Operations
- UB – Campus Planning and Administration
- NYSDOT – Region 5
- GBNRTC

- Erie County – Planning & Economic Development Division and Highways Division
- Empire State Development - WNY Regional Director
- Town of Tonawanda – Departments of Engineering and Planning
- Town of Amherst – Departments of Planning and Engineering
- City of Buffalo – Office of Strategic Planning

### **3.3 STAKEHOLDER ADVISORY COMMITTEE**

The Stakeholder Advisory Committee (SAC) includes representatives from a variety of community and stakeholder groups, including developers and real estate professionals, businesses, property owners, not-for-profits, housing and transportation agencies, community and economic development agencies, academic institutions, etc. The SAC has met four times to review the station locations, the LPA, ridership, and operations of the extension. The SAC will continue to review project materials and provide feedback and guidance to the Steering Committee and project team. The SAC will meet up to two times to review and discuss the DEIS and the FEIS. The two meetings will be scheduled to take place:

- Prior to releasing DEIS and NFTA Board action
- Prior to releasing FEIS and NFTA Board action

Should conditions necessitate a virtual meeting format, the SAC can use Zoom Meeting videoconferencing software to conduct its business.

### **3.4 UNIVERSITY AT BUFFALO WORKING GROUP**

The University at Buffalo (UB) Working Group includes faculty, student representatives, planning staff and NFTA staff. From the onset of this effort, the Working Group met six times to discuss the LPA alignment, operations within the UB North Campus, and station locations. The Working Group will participate in one additional meeting to review and discuss comments on the DEIS and to review and discuss the FEIS. The meeting will be scheduled:

- On an as needed basis, prior to releasing FEIS and NFTA Board action

Should conditions necessitate a virtual meeting format, the Working Group can use Zoom Meeting videoconferencing software to conduct its business.

## 4. Project Stakeholders

FTA and Metro have identified a preliminary list of key stakeholders to engage throughout the project. Key stakeholders include Metro customers, operators and staff, municipal representatives, property and business owners, and members of various advocacy groups with a vested interest in the project. The list will be modified as additional stakeholders are identified throughout the project. The table below gives an overview of the different types of stakeholders.

While the inclusion of these stakeholders in the process is not legally required, the input and potential support they can provide will be critical to the Proposed Project. Each formal organization listed will be contacted and should they wish to participate in the Proposed Project, the name, phone number and email address of a contact person at the organization will be identified. While all interested stakeholders will be emailed with updates and information on upcoming events, FTA and Metro will also seek to collaborate with stakeholders who can help promote events, provide venues for events or otherwise expand the reach of the Proposed Project's outreach efforts.

**Table 4-1. Potential Project Stakeholders**

Category	Examples		
Community organizations	Allenhurst Apartments Amherst Senior Services Audubon Homeowners Association Current Metro riders Eggertsville Community Organization Eggertsville, North Bailey and Ellicott Creek Fire Districts	Hartford Estates Homeowners Holy Name Society Imagine Amherst committee members Kenilworth and Brighton Fire Districts Parkside Village Community Group Sweet Home School District	TOD participants Tonawanda Tomorrow participants University Heights Collaborative Weinberg Campus (Retirement living) Williamsville School District Willow Ridge Civic Association
Advocacy & Environmental Justice Organizations	Belmont Housing WNY The Black Capital Network (BCN) Buffalo Urban League Young Professionals Center for Self Advocacy Citizens for Regional Transit Community Foundation for Greater Buffalo	GOBike Housing Opportunities Made Equal (HOME) Local Initiatives Support Corporation WNY (LISC WNY) Mobile Safety Net Team of WNY (John R. Oishei Foundation)	People Inc. People United for Sustainable Housing (PUSH) Buffalo Seneca Nation of Indians UB students Western New York Independent Living (WNYIL)
Businesses and Business Organizations	Amherst Chamber of Commerce BNMC	Buffalo Niagara Partnership Feel Rite Fresh Market (Amherst) KenTon Chamber Tops	US Itek Wegmans Whole Foods
Higher Education	Bryant & Stratton College Buffalo State College Canisius College	D'Youville College Daemen College Erie Community College	Medaille College Trocaire College University at Buffalo
Real Estate and Development Companies	Amherst IDA Benchmark Benderson Development Co. LLC Bevilacqua & Associates Developer Buffalo Niagara Association of Relators Buffalo Niagara Enterprise CBRE Group DF Fusion Douglas Development Ellicott Development Co. Evans Bank	First Amherst Development Hamister Hospitality Hunt Realty Invest Buffalo Niagara Iskalo Development Corp. Knoer Group Krog Group Larkin Development Group LPCiminelli M&T Bank McGuire Development Co.	New Buffalo Capital Pyramid Brokerage Savarino Companies Schneider Architectural Services, PC Signature Development Sinatra & Company TM Montante Tranzon Properties Tri-Main Development Uniland Development Co. WS Development
Emergency Responders	Kenilworth Fire Department Brighton Volunteer Fire Company #5	Brighton Fire District	Amherst Emergency Services

## 5. Key Messages and Materials

Public input is far more likely to improve a project when participants are fully informed and have a strong grasp of the costs, benefits and trade-offs involved. To that end, this portion of the Plan lays out key points that must be communicated to the public to ensure members of the community can participate in discussions around the Proposed Project with a full understanding of the facts.

- **Economic Development Goals**
  - Link key activity and employment centers with efficient and high-quality transit service such as UB campuses, Buffalo Niagara Medical Campus and developments in Amherst and Buffalo
  - Spur transit-oriented development throughout the corridor, and redevelopment of key commercial areas such as Boulevard Mall and the former Northtown Plaza
  - Improve business recruitment in the area by making the Buffalo-Amherst-Tonawanda Corridor more attractive to employers through the promotion of a world-class transit system to move workers
- **Community Development Goals**
  - Help stabilize property values where they are falling and where they are already stable, help them increase
  - Give neighborhoods relief from parking overflow generated by major employers like the Buffalo Niagara Medical Campus and events like Buffalo Sabre home games
  - Better serve transit-dependent populations such as seniors and job-seekers with low incomes
- **Environmental Goals**
  - Serve increased travel demand generated by development in the Buffalo-Amherst-Tonawanda Corridor without increasing vehicle miles traveled (VMT) and the associated cost to the environment
  - Help meet sustainability goals written into regional, state and local planning documents like the Town of Amherst's Comprehensive Plan, University of Buffalo Sustainable Development Goals, and their Climate Action Plan
- **Equity Goals**
  - Provide enhanced transit connections that can allow for transit-oriented development (TOD) investments that bridge socioeconomic gaps in underinvested communities including the creation or retention of mixed income housing
  - Utilize placekeeping approach to maintain and invest in the social and culturally significant elements of the neighborhood

- Improve community health outcomes encouraging active transportation use and reducing auto-based pollution

## 5.1 OUTREACH MATERIALS AND COLLATERAL

While engagement activities may require a variety of materials, informational materials will be developed that can be used throughout the project. These include:

- Project maps (full size and handouts)
- Project brochure/overview
- FAQs document addressing issues raised by stakeholders, including but not limited to:
  - Project goals
  - Economic impact of project
  - Cost
  - Public safety concerns
  - Property values
  - Traffic and safety issues
  - Disruption from construction
  - Other environmental impacts
  - A changing technological landscape with more mobility options and the potential for autonomous/automated vehicles
- Other posters and handouts explaining technical elements depending on the stage of the project including but not limited to:
  - Station renderings
  - Surface alignment options
  - Traffic Analysis and Mitigation
  - Environmental Impacts and Mitigation
  - ROW impacts
- iPads for use with community surveys and/or project website access.

## 5.2 COVID-19

Due to the Covid-19 pandemic, this plan recommends both virtual and non-virtual techniques that do not rely on in-person contact. FTA guidance specific to virtual public hearings is detailed in later sections of this document.

While virtual engagement techniques are available, some members of the public and stakeholders do not have access to reliable internet and/or computer equipment at home to allow for video conferencing or other digital participation. Therefore, the virtual platforms and techniques in this plan include options for participants to join by phone-only or view materials/pre-recorded presentations on their own time. As certain engagement activities will have to align with the sensitivity of the situation, approaches to public events will remain flexible throughout the project.

Should the risks of COVID-19 recede during this effort, a transition to more in-person and on-site engagement is recommended.

## 6. Public Involvement Activities

The FTA and Metro are committed to an open, participatory environmental review process. This section describes future public involvement activities as well as those conducted during the previous SEQR environmental review. Metro solicited early and continued feedback from the public and from agencies; encouraged open discussion of project details and issues; and provided opportunities for comments and questions. These efforts will continue throughout the environmental review of the Proposed Project.

### 6.1 PREVIOUS PUBLIC INVOLVEMENT EFFORTS

Efforts aimed at ensuring public participation throughout the previous environmental review process (2018-2020) are outlined below and presented in Table 6-.

- **Project Website.** The project website ([www.NFTAMetroTransitExpansion.com](http://www.NFTAMetroTransitExpansion.com)) provides current project information, including an interactive map, an overall schedule and upcoming events, a document library that includes documents related to the current effort as well as previous studies, and public meeting materials, including meeting summaries.
- **Media.** The project has used local newspapers to inform the public of upcoming events, project milestones, and opportunities to provide input. News releases and advertisements for public meetings are sent to newspapers in the Greater Buffalo-Niagara Region.
- **Preliminary Stakeholder Interviews.** To gain agency and stakeholder perspectives, eight interviews were held with community leaders to inform the creation of this plan. The purpose of preliminary stakeholder interviews is to gain an understanding of how stakeholders are likely to perceive the project and what the likely issues will be. Input from these preliminary stakeholder interviews was incorporated into public involvement efforts.
- **A Station Design & Connections Questionnaire** was administered between June 11 and August 30, 2019 (80 days) to collect input and received 457 responses. The purpose of this survey was to gather public input on elements of the proposed station designs including canopies and shelters, platform configuration, and road separators, as well as potential connections to proposed stations including bike, bikeshare and pedestrian facilities.
- **A Corridor Employer and Employee Survey** was administered between September 16 and November 27, 2019. The survey received 217 responses. The purpose of this survey was to (1) to learn about parking and transportation issues employers and employees currently face that could be mitigated by the addition of light rail to the corridor, (2) to ensure that businesses and their employees in the proposed Buffalo-Amherst Tonawanda Transit Expansion corridor, who may disproportionately benefit or be impacted from the addition of light rail to the area, are aware of the project and (3) to gather input on what kinds of



environmental impacts employers and employees are concerned about and their preferred methods for mitigating said impacts.

- **Comment Database and Mailing List.** All comments received on the project are recorded in a comment database. Comments are categorized by theme, and incorporated into the environmental review process, as applicable. Because each comment can address more than one issue, each comment submitted on the DEIS was subdivided for response. The DEIS received 68 official submissions which were parsed into 520 comments. Additionally, a project contact list, totaling more than 965 names, 731 email addresses and 529 phone numbers has been developed through the course of the project.
- **Postcard Mailing.** In January 2020, postcards announcing the release of the DEIS were sent to all properties located within the study area – a 1/4-mile from the Proposed Action alignment and 1/2-mile from Proposed Action stations. Postcards included information on the time and place of the hearings, physical and digital repositories of the DEIS, and deadlines by which to request special accommodations at the hearing (February 17, 2020) and to submit official comments.

**Table 6-1. Previous Public Outreach Meetings and Events (2018-2020)**

Event	Type	Location	Date	Estimated Attendance
Open House	Public Meeting	Sweet Home Middle School	Thursday, December 6, 2018	80
Scoping Meeting	Public Meeting	Sweet Home Middle School	Thursday, January 24, 2019	80
University Station Pop-Up	Pop-up	University Station	Wednesday, February 6, 2019	80
Kenmore Rotary Meeting	Community Hosted	Jovi's	Monday, February 25, 2019	15
Ken-Ton Networking Event	Community Hosted	Tonawanda Castle	Thursday, February 28, 2019	40
Ken-Ton Networking	Community Hosted	Hyatt Place Buffalo/Amherst	Thursday, March 28, 2019	10
UB Young Alumni Speaker Series	Pop-up	Big Ditch	Thursday, April 11, 2019	35
Tonawanda Neighborhood Watch Group	Pop-up	St. Bartholomew	Monday, May 6, 2019	50
Station Design Workshop	Public Meeting	UB South Hayes Hall	Tuesday, June 11, 2019	30
Allen Medical Campus Station Pop-Up	Pop-up	Allen Medical Campus Station	Friday, June 21, 2019	30
LaSalle Station Pop-Up	Pop-up	LaSalle Station	Thursday, June 27, 2019	30
Audubon HOA Meeting	Community Hosted	Audubon Community Center	Thursday, June 27, 2019	70
Hartford Estates Meeting	Community Hosted	Sweet Home Middle School	Tuesday, July 2, 2019	70
University Station Pop-Up	Pop-up	University Station	Tuesday, July 9, 2019	20
Route 34 Bus	Pop-up	Niagara Falls Boulevard	Wednesday, July 24, 2019	80
Willow Ridge Civic Association	Community Hosted	Ellicott Creek Fire Hall	Tuesday, July 30, 2019	20
UB on the Green Pop-Up	Pop-up	Rotary Field, UB South Campus	Friday, August 9, 2019	60
Annual Book Sale Pop-Up	Pop-up	Erie County Central Library	Thursday, August 15, 2019	10
Kenilworth Branch Library Pop-Up	Pop-up	Kenilworth Branch Library	Tuesday, August 20, 2019	10
Westminster Presbyterian Church	Community Hosted	Westminster Presbyterian Church	Sunday, September 15, 2019	5
Public Workshop	Public Meeting	Sweet Home Middle School	Tuesday, September 24, 2019	100
ITE Lunch and Learn	Pop-up	NFTA Offices	Wednesday, November 20, 2019	20
Public Hearing #1 (evening)	Public Hearing	Sweet Home Middle School	Tuesday, February 25, 2020	65
Public Hearing #2 (daytime)	Public Hearing	Boulevard Mall	Wednesday, February 26, 2020	56

## 6.2 SCOPING

Public scoping meetings for the Project were held on Wednesday, September 15, 2021 to provide information about the Project; describe the project development and environmental review processes; and obtain input from attendees. Two sessions were held – one from 1:00 to 2:30 PM and a second from 6:30 to 8:00 PM. In consideration of the Federal Government's COVID-19 Emergency Declaration dated March 13, 2020; the meetings were held virtually using Zoom webinar video conferencing.

The scoping meeting was promoted through a press release published in *The Buffalo News*, an e-blast invite to the project's existing email contact list, legal notices distributed to media outlets and local newspapers, posts shared via Metro's and the GBNRTC's social media platforms, and posting to the project website.

The daytime scoping meeting session was attended by 67 members of the public and the evening scoping meeting session was attended by 43 members of the public.

## 6.3 PUBLIC HEARINGS

Metro will hold two public hearings (one located near the southern terminus and one near the northern terminus). The locations will be determined during the course of the project. The purpose of the public hearings is to provide an opportunity for members of the public to comment on the DEIS. Comments will be recorded via a court transcriber and efforts will be made to ensure accessibility of information for populations with Limited English Proficiency (LEP). Comments received during the DEIS comment period will be summarized and responded to in the FEIS.

Potential venues for in-person public hearings include:

- Amherst Fire Hall
- Audubon Community Center
- Ben Franklin Elementary School
- DFK Pavilion
- Eggertsville Hose Company
- Inception Buffalo
- Kenilworth Fire Hall
- North Bailey Fire Company
- Sweet Home Middle School Auditorium
- UB Campus
- Windemere Boulevard Elementary School

Should conditions necessitate a virtual meeting format, the public hearings can be conducted via Zoom webinar videoconferencing software. FTA's review of public hearing requirements under the Council on Environmental Quality's regulations for implementing NEPA (40 CFR parts 1500-1508) and FTA's environmental regulations (23 CFR 771.111) determined that virtual public meetings and hearings are a permissible and useful tool to provide for public involvement in the NEPA process. A public hearing can be held virtually when a court reporter transcribes the hearing and there are

telephone access instructions and/or other alternatives for anyone without electronic media or internet access. When selecting appropriate methods for a public hearing, FTA and the project sponsor must consider the ability of affected entities to access electronic media (40 CFR 1506.6(c)), which may require applying a combination of virtual techniques to ensure all interested parties, including environmental justice and non-English speaking (i.e., Limited English Proficient) populations and persons with disabilities, can participate effectively in the public hearing. The project team will work with the FTA Regional Office to ensure a fully inclusive virtual public hearing format in the event that one is needed.

#### **6.4 LIMITED ENGLISH PROFICIENCY OUTREACH**

Individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English are considered “limited English proficient” or LEP. In the Town of Amherst, there were between 1,863 and 4,357 individuals classified as LEP. In the Town of Tonawanda, there were between 220 and 1,526 individuals classified as LEP. Chinese, Russian and Spanish Creole were among the most frequently spoken languages or language groups among this population. During the January 2019 meeting and February 2020 Public Hearings, Metro provided language and sign language translators. LEP outreach may be necessary as the project continues to move forward and will be determined as the project proceeds.

#### **6.5 ENVIRONMENTAL JUSTICE COMMUNITY 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 and adversely affect minority or low-income groups. Among other directives, compliance with EO 12898 includes documenting the opportunities for affected minority and/or low-income communities to provide input on a project.

The study area includes communities with both minority and low-income populations. Public meetings and the hearings will be sited, scheduled, and planned to provide opportunities for participation by environmental justice populations.

#### **6.6 AMERICANS WITH DISABILITIES ACT OUTREACH**

Public meetings will be held in locations that comply with the Americans with Disabilities Act (ADA) to provide convenient access to meetings for individuals with disabilities. Sign language interpreters will be available at formal public meetings and other meetings, if requested. Public notices announcing public meetings will provide instructions for requesting other special accommodations.

#### **6.7 PUBLIC INPUT LOG**

All community and stakeholder engagement activities and input received will be documented in a public input log. In addition, a database of all interested parties, addresses, email and other contact

information will be maintained. The database will be used to facilitate mass mailings and other communication.

Comments will be recorded in the Public Input Log (PIL). The name and contact information of the commenter will be included when possible, preferably email address but phone number, home address or preferred major social media platform if email is unavailable. Comments will then be categorized for responses if warranted and kept on record.

## **6.8 POSTCARD MAILINGS**

To ensure awareness of and participation in the Proposed Project by corridor property owners, the project team will undertake a postcard mailing. The project team has developed and maintains a list of mailing addresses for properties along the corridor and mail postcards containing information about the project, opportunities to provide feedback or other pertinent information to subset of property owners as agreed upon with Metro.

## **6.9 AVAILABILITY OF PROJECT REPORTS AND PUBLIC COMMENT OPPORTUNITIES**

The DEIS and single FEIS/ROD will be available on the project website and at repositories that are accessible to the local communities. Anticipated repositories include:

- NFTA Headquarters, 181 Ellicott Street, Buffalo, New York 14203
- Buffalo and Erie County Central Library, 1 Lafayette Square, Buffalo, New York 14203
- Kenilworth Library, 318 Montrose Avenue, Tonawanda, New York 14223
- Amherst Library, 350 John James Audubon Parkway, Amherst, New York 14228
- Amherst Town Hall, 5583 Main Street, Williamsville, New York 14221
- Tonawanda Town Hall, 2919 Delaware Avenue, Kenmore, New York 14217

During the project scoping process, comments will be accepted through various means, including by email, through the project website, and by mail. Comments received during the comment period will be considered and substantive comments responded to in the Scoping Report.

A 45-day public comment period will follow the release of the DEIS to the public. Written comments will be accepted through various means, including on comment cards at the public hearing, by email, through the project website, and by mail. Oral comments, either in public or in private through a stenographer, will also be accepted at the public hearing. The written and recorded comments received on the DEIS, including those provided at the public hearing, will be considered and substantive comments responded to in the FEIS.