A. INTRODUCTION

The purpose of the Access to the Region's Core project (ARC) is to increase trans-Hudson commuter rail capacity to: accommodate projected ridership growth from rail lines west of the Hudson River; enhance passenger convenience via a one-seat ride; and improve system safety and reliability between Frank R. Lautenberg Station in Secaucus, New Jersey and midtown Manhattan. The proposed Build Alternative would meet these project needs through the provision of additional tunnel capacity into midtown Manhattan, increased station capacity in midtown Manhattan, and the use of new dual-power locomotives. This additional capacity would be provided by constructing new track connections from Frank R. Lautenberg Station to two tunnels under the Palisades (a natural geologic formation running north–south through New Jersey and New York from just west of the Hudson River and extending to the Hackensack Meadowlands) and the Hudson River, and connecting them with New York Penn Station Expansion (NYPSE), a new station to be constructed under West 34th Street between Sixth and Eighth Avenues in midtown Manhattan. New dual-power locomotives and added tunnel capacity into midtown Manhattan would create the opportunity to provide one-seat ride service into Midtown on five existing NJ TRANSIT rail lines that currently operate only diesel service to Newark, Secaucus or Hoboken, New Jersey.

Consistent with the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) guidelines, this Final Environmental Impact Statement (FEIS) provides full and open disclosure of social, economic, environmental, and transportation issues and alternatives to achieve major project goals and objectives, while avoiding or minimizing adverse impacts. The project area evaluated in the FEIS is defined as the 7.6-mile-long area from Frank R. Lautenberg Station in New Jersey to West 34th Street and Fifth Avenue in Manhattan, generally including a 200- to 250-foot buffer on either side of proposed Build Alternative infrastructure. Potential air quality, noise and vibration impacts directly related to the operation of Build Alternative service with dual-power locomotives were assessed at locations beyond the project area. In addition, indirect and cumulative Build Alternative impacts, some of which would occur beyond the project area, have been evaluated.

The FEIS process is intended to provide comprehensive development and evaluation of a broad range of alternatives that meet the purpose and need of the "proposed action." This FEIS has been prepared in accordance with the policies and procedures of NEPA (42 U.S.C. 4321 et seq.), as amended by CEQ regulations (40 C.F.R. 1500-1508), and Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) Environmental Impact and Related Procedures (23 C.F.R. 771). It has been prepared also in accordance with the requirements of Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470), as amended; Section 4(f) of the 1966 U.S. Department of Transportation Act (49 U.S.C. 303) as amended; the Clean Air Act of 1990 (42 U.S.C. ss/7401 et seq.), as amended; the Clean Water Act (33 U.S.C. ss/1251 et seq.) as amended; Executive Order No. 12898 on Environmental Justice, Executive Order No. 11988 and USDOT Order 5650.2 on Floodplain Management, and Executive Order No. 11990 on Protection of Wetlands (33 U.S.C. 1344); New York State Environmental Quality Review Act (SEQRA) (6 NYCRR Part 617); and New York City Environmental Quality Review Act (CEQR) (Title 62 Chapter 5); and other applicable environmental laws, regulations, and executive orders, as noted in this document. The New Jersey Department of Environmental Protection (NJDEP) administers Executive Order 215, which provides regulations and procedures for preparing environmental documents that are funded by the State or by private means. For federally funded projects within New

Jersey that need to follow NEPA guidelines, EO 215 guidelines and procedures are waived, in deference to the federal regulations.

B. BACKGROUND

MAJOR INVESTMENT STUDY AND DRAFT ENVIRONMENTAL IMPACT STATEMENT

The ARC Major Investment Study (MIS) was completed in 2003. One-hundred and thirty-seven alternatives were assessed. Several alternatives were identified and reviewed with the public in the scoping phase of the Draft Environmental Impact Statement (DEIS) in late 2003. These alternatives were then screened, and one Build Alternative was selected for detailed analysis in the DEIS. The DEIS addressed the No Build Alternative and the Build Alternative. Transportation Systems Management (TSM) alternatives included expanded express bus service, expanded ferry service and fare policies. While some of the TSM initiatives were incorporated into the future No Build conditions, the TSM alternatives were eliminated early in the DEIS process because they did not meet the ARC project goals and objectives of providing increased rail capacity and reliability across the Hudson River and enhancing opportunities for one-seat rides.

On February 9, 2007, FTA and NJ TRANSIT issued the ARC DEIS. Public hearings were held in Newark and North Bergen, New Jersey on March 13 and 14, 2007, respectively, and in New York City on March 27, 2007. In addition, public information meetings were held in Rockland and Orange Counties, New York on March 20 and 22, 2007, respectively. The 60-day DEIS public comment period closed on April 10, 2007.

Based on the comments received at the public hearings, information meetings, and through an extensive public outreach program, NJ TRANSIT refined the ARC Build Alternative. This Refined Build Alternative also had the benefit of incorporating findings from Preliminary Engineering, which was occurring concurrently. These refinements, which to some extent, would avoid, minimize, or mitigate project impacts without sacrificing project benefits, resulted in the need to prepare a Supplemental Draft Environmental Impact Statement (SDEIS) where the environmental impacts and benefits of the Refined Build Alternative could be vetted with the public.

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

The SDEIS was issued on March 14, 2008. This document described the proposed physical and operational refinements to the Build Alternative, environmental findings resulting from the refinements, and reasons for the refinements. Public hearings on the SDEIS were held in Newark, New Jersey and New York City on March 31 and April 1, 2008, respectively, and the 45-day SDEIS public comment period closed on April 28, 2008.

FINAL ENVIRONMENTAL IMPACT STATEMENT

The FEIS responds to the comments made during the public comment periods for both the DEIS and the SDEIS and reflects refinements to the project design made since publication of the SDEIS. The FEIS identifies the comments received and provides responses in a new chapter, Chapter 18. In addition, where appropriate, the text of other chapters of this FEIS is revised in response to comments received. The FEIS includes updates, additional analyses, and mitigation for the Build Alternative. Additional analyses were also undertaken to meet New York City agency requirements to comply with its local environmental guidelines. Changes and additions to the document since publication of the DEIS and SDEIS are indicated by double-underlining.

The analysis year for assessing future No Build and Build Alternatives in the DEIS was 2025. The analysis year was updated to 2030 in the SDEIS and this FEIS to conform to current FTA requirements (issued May 2006), and for consistency with ARC Section 5309/submittals to FTA. The analysis year for assessment of construction-related environmental impacts is 2012, when construction activity relative to the Build Alternative would likely have the greatest environmental impact due to the magnitude of construction of the Build Alternative and other nearby projects in New Jersey and New York.

Existing conditions data contained in this FEIS ranges from 2000 census demographics to 2008 pedestrian volumes. Existing conditions data in the DEIS and SDEIS have been reviewed and updated as appropriate. Since the ARC EIS process began in 2004, pre-2004 data that is still relevant has been retained; in several cases, new existing conditions data was obtained to reflect changed project area conditions or to conduct new or additional analyses.

This FEIS identifies project benefits and potential environmental impacts and their associated mitigation for a wide range of environmental issue areas and resources, both with and without the Build Alternative. Impacts during construction (Section 3.6 and Chapter 5) and operation (Sections 3.1-3.5 and Chapter 4) have been assessed and documented. Factors such as costs, public/agency acceptance and performance of the mitigation measures also have been assessed. Cost effectiveness of the Build Alternative relative to the investment required and the benefits accrued is evaluated in Chapters 9 and 10.

C. SELECTION OF THE LOCALLY PREFERRED ALTERNATIVE

The NJ TRANSIT Board of Directors, at its July 2005 meeting, selected the ARC Locally Preferred Alternative (LPA), which is examined and evaluated in this FEIS as the Build Alternative.

Since the Build Alternative would be located within two states, two metropolitan planning organizations—the North Jersey Transportation Planning Authority (NJTPA), and the New York Metropolitan Transportation Council (NYMTC)—adopted the Build Alternative as the LPA. NJTPA adopted it on September 12, 2005, and NYMTC adopted it on March 15, 2006. The LPA was subsequently included in their respective fiscally-constrained long-range regional transportation plans. NJ TRANSIT is coordinating with NJTPA and NYMTC to update their respective long-range plans to address the refinements to the ARC Build Alternative, as reflected in the SDEIS and this FEIS, and to demonstrate that the project containing these refinements achieves the ARC goals and objectives set forth in the ARC MIS.

D. PUBLIC AND AGENCY OUTREACH

Public and agency outreach has been an important part of the ARC EIS process. Scoping meetings were held on December 8 and 10, 2003 in New Jersey and New York, respectively. Over 600 meetings with elected officials, affected and interested communities, transit passengers, property owners, business groups, and transportation and other government agencies in New Jersey and New York were held. These meetings were held to provide information, identify coordination issues, obtain public input, and build project consensus to implement the project. Details on the outreach activities are in Chapters 12 and 13 and in Appendix 12.

E. FEIS ORGANIZATION

The Executive Summary provides an overview on the purpose and need, project goals and objectives, description of the Build Alternative, and environmental impacts and mitigation.

Chapter 1 describes the purpose and need for the ARC project, including identification of significant issues and prevailing/projected transportation deficiencies, and related project goals and objectives.

Chapter 2 summarizes the various project alternatives developed and evaluated through the MIS and EIS processes, their screening relative to achieving project goals and objectives identified in Chapter 1, and the No Build Alternative and Build Alternative that have been assessed in detail in this FEIS.

Chapter 3 documents the long-term assessment of the Build Alternative relative to public transportation, rail stations and parking, roadways, pedestrians, freight movements, and impacts to each of these resources during construction.

Chapter 4 documents the long-term assessment of key environmental elements that would be affected by, or would have an effect on, the Build Alternative, including:

- Land Use, Zoning and Public Policy
- Demographics, Neighborhoods and Community Facilities
- Environmental Justice
- Visual and Aesthetic Conditions
- Air Quality
- Noise and Vibration
- Ecology
- Water Resources
- Parklands
- Soils and Geology
- Contaminated Materials
- Safety and Security
- Economic Impacts
- Energy
- Electric and Magnetic Fields
- Utilities
- Indirect and Cumulative Effects

Each section of Chapters 3 and 4 describes existing conditions, forecasts those conditions to 2030 both with and without the Build Alternative, and identifies the beneficial and adverse effects (if any) of the Build Alternative on the environment. The sections also identify possible mitigation measures, where applicable. Methodologies and assumptions that underlie the technical analyses and findings are summarized in Section 4.1, and appear in complete form in each appendix per respective discipline.

Chapter 5 reviews the methods of construction and accompanying environmental impacts during construction of the Build Alternative.

Chapter 6 describes the assessment of potential effects on archeological resources as a result of proposed construction and operation of the Build Alternative.

Chapter 7 describes the assessment of the potential effects on historic resources as a result of proposed construction and operation of the Build Alternative.

Chapter 8, Section 4(f) Evaluation has been moved to the Appendix. Appendix 8 identifies and evaluates potential use of parks and recreation areas, wildlife refuges and historic and archaeological resources by the Build Alternative. Although this evaluation is located in the Appendix of the FEIS, Chapter 8 remains reserved for Section 4(f).

Chapter 9 describes the Evaluation of Alternatives in terms of the project's overall effectiveness in meeting project goals and in terms of the criteria that FTA uses to evaluate proposed New Starts projects for discretionary funding.

Chapter 10 summarizes the costs of the Build Alternative and the means of financing those costs.

Chapter 11 identifies permits and approvals that would be required from federal, state and local agencies to advance the Build Alternative.

Chapter 12 summarizes the FEIS interactive public and agency participation program.

Chapter 13 identifies resource agencies and other parties that have been consulted during the preparation of the FEIS, such as the Technical Advisory Committee and Regional Citizens Liaison Committee.

Chapter 14 identifies the preparers of the FEIS.

Chapter 15 cites references used to prepare the FEIS.

Chapter 16 is a glossary of terms used in the FEIS.

Chapter 17 identifies parties that have received a copy of the FEIS or a notification of its publication.

Chapter 18 identifies comments received on the DEIS and SDEIS and provides responses.

A Programmatic Agreement located after Chapter 18 sets forth procedures and processes for further consultation/coordination with the New Jersey and New York State Historic Preservation Offices and the Advisory Council on Historic Preservation. It also defines procedures for mitigation to identified historic and archaeological resources, and to other historic and archaeological resources identified during subsequent project stages.

Appendix Volume I and Appendix Volume II, comprised of supporting technical documentation, are bound separately.

Separate technical reports dealing with air quality, noise and vibration, contaminated materials, electric and magnetic fields, and historic and archaeological resources are available from NJ TRANSIT upon request. Persons interested in obtaining copies of these reports may submit a written request to Mr. Tom Schulze, ARC Project Director, NJ TRANSIT, One Penn Plaza East, 8th Floor, Newark, NJ 07105-2246.