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Promoting Community Involvement in Freight Decision-Making:

A Resource Guide for the Port Region of New York and New Jersey

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This report is the final product of a graduate fellowship sponsored by the New York Metropolitan Transportation Council (NYMTC) and the University Transportation Research Council (UTRC)'s September 11th Memorial Program. It is not fully comprehensive with every imaginable case study and example and as such, is meant to be a living document constantly updated with new ideas and information.

The Planning and Regional Development Department within the Port Authority of New York and New Jersey (PA) requested research to examine the problems facing local communities due to freight planning and management. The following is a guidebook for the General Public, Public Agencies and the Freight Industry highlighting ways to prevent and mitigate conflict.

This report is a full document but each section can be read as an independent stand-alone document. All are encouraged to read beyond their specific section to learn about the other sectors. Because much of the information overlaps, parts of the guidebook are repetitive. There is an appendix with additional resource information (some referred to within the body of this document).

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I. MAIN SECTION

I.I INTRODUCTION

When local communities face plans involving “freight” they often respond with opposition, anger, frustration, and confusion. At the same time, the freight industry largely views the prospect of working with the public as a low priority or un-meaningful practice. Much of this is due to a lack of freight knowledge and understanding of its importance as well as experience with previous plans that may have negatively affected local neighborhoods. The desire to rid streets of trucks, backyards of rail lines and private space of airplane noise is often directed at both freight service providers, shippers and the government due to a misunderstanding of each player’s role and the presumption that freight cannot be effectively integrated within the community. Adding to this issue, residents may often feel left out of the decision-making process, or that their views are not incorporated into a plan. In the middle of this conflict lie public agencies, which all too often are playing defense to both sides. There is great need for collaboration between the general public, government sector (through public agencies) and the private freight industry.

One of the greatest challenges in ensuring proper communication between these sectors is that members of the public (and even government transportation employees) do not truly understand how goods move. This is, in part, because the freight industry and public agencies have not provided necessary education on the issue, thus, the community is exposed to, or only perceives, the negative impacts of goods movement. Additionally, the freight industry often views community involvement as adding cost to their operations and delay to their facility development. Therefore, there is often a lack of safe, contextual and aesthetically pleasing design resulting in neighborhood frustration. Finally, public agencies seek to develop a healthy freight network while maintaining neighborhood character; however, government responsibilities are centered on providing the link between the public and private sectors, leaving the government in a constant state of defense. How can all three sectors work together to help prevent potential conflict and ensure that goods move efficiently?

There is a need to create mechanisms through which local residents can readily voice their concerns and engage in a mutually productive dialog with public agencies and the freight industry. There is also a demand for better freight facilities and uses using safe and creative contextual design and integrating additional amenities for a community. This guidebook is intended to provide background information on the importance of freight mobility and to offer examples on how to lessen community conflict faced during all stages of a project’s implementation in order to effectively integrate freight facilities, goods movement, and community concerns.

A common challenge faced by each sector is “what’s in it for me”? Each sector must be convinced that they have some work to do and why they need to do it. The challenges and solutions discussed within this guidebook are very broad and meant to touch upon various

issues. Moreover, while not every freight company, public agency or even neighborhood has these challenges; it happens frequently enough that we can call these the common problems.

It is important to note that this guidebook states few new ideas. Each sector is familiar with the problems and even some solutions. This document's focus is on taking the information that we already know and getting different sectors to talk to one another about why creative solutions are not used and if they are, what is not working. We will never be able to avoid conflict, but the discussion that should follow should focus on healthier conflict with better relationships and trust. The three sectors need to work together to ensure that the public involvement process, while necessary, is run effectively, without becoming a burden.

Research and interviews have highlighted barriers to good freight planning within each sector: some are more technical concerns based on the physical conditions that are inevitable when moving freight while other issues deal with communication, which includes participation and lack of information-sharing between agencies, the freight industry and local residents.

MAIN POINTS

***The General Public needs to be better educated on freight issues (by local community organizations, public agencies and freight companies)**

***Public Agencies need to adjust public outreach strategies and be more creative with formats for the public involvement process and public meetings**

***Freight Companies must become more involved in community participation in order to be a better partner while educating local residents and designing safe and aesthetically pleasing facilities.**

I.2 WHAT IS FREIGHT and WHY IS IT IMPORTANT?

A major area of concern surrounding freight is the misunderstanding around its necessity and process. All goods that we purchase, whether in a store or online, must be transported in some way. Goods travel from manufacturers to distributors and then to stores or directly to a home. Items that are needed for everyday tasks are part of the goods movement and require freight transportation.

It is important for individuals to understand the necessity for good freight management. Unlike some other planning areas, goods movement affects all people, and understanding its importance and how it works will help to prevent some conflict.

Unfortunately, there is limited freight data available. One of the major issues in goods movement is that we have little information on exactly what ships where. As a result, we have forecasted data and presumed information. Below is a list of a few quick facts available on freight in the U.S. and the region with a more detailed account in the Education Section of this guidebook beginning on page 60.

United States

- The industries that rely on freight transportation (Agriculture, Manufacturing, Mining, Retail, Wholesale, Construction, etc.) account for over 75% of the revenue generated in the US.¹

New Jersey

- Northern New Jersey has the largest container port on the Atlantic seaboard, with traffic reaching over one third of the U.S. population.
- In 2003, freight rail moved 25 million tons of goods in New Jersey.
- Trucking in New Jersey moves 309 million tons of freight.²

New York

- In 1998, 333 million tons of freight moved daily through the New York Metropolitan Transportation Council (NYMTC) region³ with an expected 47% increase in volume (tonnage) through 2025.
- Freight transportation in the NYMTC region supported 1.2 million construction-related transportation jobs in 2002.⁴

With forecasted growth in the region it is clear that we need “...a systems-based and multimodal agenda for the nation’s freight needs, involving regional coordination, public-private partnership, and federal funding recognition [in order] to maintain America’s competitiveness and economic well-being.”⁵

¹ National Cooperative Freight Research Program. *Public and Private Sector Interdependence in Freight Transportation Markets*. Rep. no. 1. Transportation Research Board, 2009. Print pg. 3.

² *Freight Planning at the NJTPA*. Web. <<http://www.njtpa.org/Plan/Element/Freight/default.aspx>>.

³ NYMTC is the region’s Metropolitan Planning Organization. For detailed information, see the Education Section.

⁴ *The Basics of Freight Transportation in the New York Region*. Rep. New York Metropolitan Transportation Council, 2007. Print. Inside Cover.

⁵ Strauss-Wieder, Anne, and Martin E. Robins. *Principles for a U.S. Public Freight Agenda in a Global Economy*. Rep. The Brookings Institution, Jan. 2006. Web. <http://www.brookings.edu/reports/2006/01transportation_robins.aspx>. pg. 1.

I.3 CONFLICTS AND SOLUTIONS

Both physical and communication problems surround goods movement. Technical concerns are based on some of the physical conditions that are inevitable when moving freight while the theoretical issues deal with miscommunication and lack of information sharing between public agencies, the freight industry, and local residents.

The Transportation Research Board (TRB) highlights the key public concerns surrounding freight and categorizes them into these six areas:

1. Safety and Security
2. Economic Development
3. Air Quality
4. Noise and Vibrations
5. Land Use and Value
6. Communication⁶

This report also breaks down concerns by freight type:

Trucking

- Lack of available truck parking and rest stops resulting in trucks parking on shoulders and along roads, potentially causing safety concerns
- Noise and vibrations generated by trucks
- Inadequate road geometries, turning radii, and turning lanes to accommodate trucks

Rail Freight

- Facility shut or rail line abandoned, resulting in the area being deprived of service and economic development opportunity
- Undesirable odors from rail yards
- Conflicts with commuter/passenger rail service on rights of way

Maritime Cargo

- Concerns with potential terrorist activity

Air Cargo

- Criminal and terrorist activity⁷

⁶ National Cooperative Freight Research Program. *Integrating Freight Facilities and Operations with Community Goals*. Rep. Transportation Research Board, 2003. Print. Pgs.9-10.

⁷ Ibid., pg. 10-12

Other “General Concerns” cited by numerous reports include:

- Environmental Justice (the citing of undesirable land uses such as a garbage facility in predominantly low-income and/or minority neighborhoods)^{8, 9}
- Hazardous Materials Spills¹⁰
- Community Culture¹¹
- Accessibility¹²

Freight companies also face their own concerns:

- Poor truck routes with awkward warehouse and distribution locations
- Lack of rest stops
- Negative stereotypes of those working in the freight sector
- Tolls
- Long process for permits, high fees, etc.

PHYSICAL CONCERNS

Examples of technical concerns that have been mitigated with sample prevention tactics:

TRAFFIC/NOISE



Source:
www.merail.com

Morristown and Erie Railway (M & E) and Toys ‘R’ Us Distribution Center (mid 1990s)

Morris County, NJ purchased two abandoned rail lines that led to land zoned for industrial use. The government encouraged the development of businesses that can utilize the rail for freight movement. The rail lines were abandoned; therefore, many people had purchased homes along the right of way without any conflict. When the lines were to be reactivated and distribution centers built, there were community concerns.

Surrounding these rail lines was 4,500 acres to be transformed into industrial development. Toys ‘R’ Us was to build a 750,000 square foot distribution center that would receive products by rail, thus reducing the number of trucks being used.

Community Concerns:

- Truck traffic from industrial development
- Noise

⁸ *Atlanta Regional Freight Mobility Plan Executive Summary*. Rep. Atlanta Regional Commission. Web. <http://www.atlantaregional.com/File%20Library/Transportation/Roads%20and%20Highways/tp_ARFMP_exec_summary_5-30-08.pdf>.

⁹ “Integrating Freight”

¹⁰ Ibid (Atlanta)

¹¹ *A Freight System Design for Urbanized Milwaukee*. Rep. University of Wisconsin Milwaukee, May 2006. Web. <<https://pantherfile.uwm.edu/horowitz/www/FreightSystemDesignMilwaukee.pdf>>.

¹² Visser, Johan, Arjan Van Binsbergen, and Toshinori Nemoto. *Urban Freight Transport Policy and Planning*. Proc. of First International Symposium on City Logistics, Australia, Cairns. Print.

- Safety
- Value of adjacent properties

Some Solutions:

- Distribution Center prohibits truck traffic between 10:00pm and 7:00 am
- Build sound walls or create buffer zones
- M & E hosts historical rail equipment in the Whippany Railway Museum
- M & E runs “seasonal excursion trains, such as a Santa Claus express”¹³

NOISE



Source: “Integrating Freight”

Louisville Quiet Zone (1990s)

In Louisville, Kentucky there was great concern over the noise train whistles make within a local community at inconvenient times of the day. Some communities tried banning trains from whistling but studies found that “highway-rail incidents are 62% more likely to occur at grade crossings where train horns are not sounded”. As a result, Congress passed the Swift Rail Development Act in 1994. This legislation mandated

“that a locomotive horn be sounded while each train is approaching and entering upon each public highway-rail grade crossing”.¹⁴ In that same year, the Kentucky General Assembly passed legislation authorizing the development of “quiet zones” after residents and neighborhood groups complained about the disruptions caused by train whistles.

In 1998, city officials along with CSX and the Federal Railroad Administration visited every household and business within a block of both sides of the proposed zone to get signatures for the closing of streets and alleys. In 2000 the quiet zone was completed.

Community Concerns:

- Noise
- Safety

Some Solutions:

- Eliminate whistle noise (except in dangerous cases)
- Close streets and alleys to traffic (reducing grade crossing)
- Upgrading bells and lights, installing curbs and barriers and a gate system that will prohibit cars from crossing when the train is approaching.

This was the first project of its kind in the United States. Now, The Federal Railroad Administration (FRA) recognizes a “quiet zone” as: “a section of a rail line where alternative

¹³“Integrating Freight” pg.33

¹⁴ Ibid., pg. 34

safety measures have been put in place waiving the requirement that locomotives blow their horns when approaching grade crossings. This does not preclude the use of horns at times when safety dictates their use”.¹⁵

Unfortunately, as of June 25, 2010, the Louisville Quiet Zone is no longer in effect. The railroad companies claim that the prior zone was outdated because it was created before federal regulations and the community has failed to make the necessary improvements for a new one.¹⁶

EMISSIONS/AIR POLLUTION

The Netherlands (mid 1990s)

Urban Distribution Centres are a large focus of freight development in Europe. These are areas where a centralized terminal is created to help with the distribution of packages within a city.

Community Concerns:

- Accessibility
- Environmental problems

Some Solutions:

- Use special electric vehicles
- Require 30-60% of vehicles within inner-cities to use lpg (liquefied petroleum gas) or lng (liquefied natural gas) as fuel¹⁷

Los Angeles

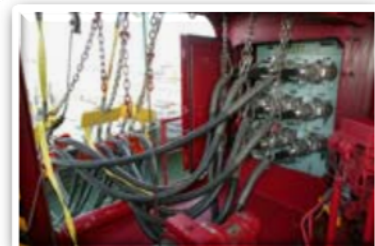
The emissions created from idling marine vessels are not always an obvious issue. However, there are some residential areas, located next to a port or cruise terminal, that are directly affected from this type of air pollution.

Community Concerns:

- Environmental problems
- Health risks

Some Solutions:

In 2004, the Port of Los Angeles and China Shipping Container Line opened the world's first container terminal to use "cold-ironing". This process, also referred to as "Alternative Maritime Power™", uses electricity from the land grid (by literally plugging in) to power idling marine vessels instead of using the ships' own



Source: www.portoflosangeles.org

¹⁵ *Quiet Zone Designation in New Jersey: An Informational Guide*. North Jersey Transportation Planning Authority. Print. pg. 1

¹⁶ <http://www.courier-journal.com/article/20100618/ZONE02/6180348/CSX-spikes-quiet-zone-at-five-rail-crossings>

¹⁷ "Urban Freight" pg. 23-24

diesel systems, ultimately reducing emissions.¹⁸ On the east coast, the Port of New York and New Jersey's Brooklyn Cruise Terminal is looking into the use of cold-ironing for the ships docked in Red Hook.¹⁹

THEMES

For the few community/freight cases studied in various publications there seem to be limited information on how the community was actually involved. In fact, some websites referred to in the literature do not exist anymore. While some reports may allude to a frustrated neighborhood as the initiator for change, there is little detailed information as to the process through which the change occurred.

With less documentation, there is less to learn. It is important to learn from mistakes, but only with proper evaluation can we prevent errors. This illustrates the need to assess plans and keep records of community involvement and to continue the conversation and planning process even after a plan has been implemented.

For more examples of freight issues with prevention and mitigation methods see the "Best Practices Table" in the *Atlanta Regional Freight Mobility Plan Community Impact Technical Report*, section 2 pg. 89-97 and "Mitigation Case Studies", section 3 pg 98-104:

<http://www.atlantaregional.com/File%20Library/Transportation/Roads%20and%20Highways/t%20community%20assessment%20report%208-16-07.pdf>

Other Freight Management Strategies:

One example of freight management embraced across the globe is the "Freight Village". This is a way for public and private entities to come together and improve freight management in a more compact and efficient way.

"A freight village is a defined area within which all activities relating to transport, logistics and the distribution of goods, both for national and international transit, are carried out by various operators"²⁰

In such villages, two or more modes of transportation are used (rail, road, air and water). The actual warehouses and distribution centers are located directly next to these modes, usually with no container storage. A traditional freight village also has several amenities that service the employees and local residents: including rest areas, office space, hotels and retail. While there may be a few different operators using the facilities, these villages are usually managed by one entity.²¹

¹⁸ The Port of Los Angeles: Environment http://www.portoflosangeles.org/environment/alt_maritime_power.asp

¹⁹ A Clean Air Strategy for The Port of New York & New Jersey <http://www.panynj.gov/about/pdf/CAS-FINAL.pdf>

²⁰ *Feasibility of Freight Villages in the NYMTC Region*. Rep. Center for Advanced Infrastructure & Transportation, 18 June 2006. Web. <http://www.nymtc.org/project/freight_planning/frtvillage/FrtVillage_files/Final%20scopewithoutbios.pdf>.

²¹ Strauss-Wieder Inc., A. "Freight Villages and Integrated Logistics Centers in the US." 2008. Web. <http://www.fhwa.dot.gov/freightplanning/talkingfreight11_19_08asw.ppt>.

Freight Villages are just one example of a type of freight development that also faces similar issue areas already discussed.

COMMUNICATION CONCERNS

A lack of communication and understanding between the sectors (the general public, public agencies and the freight industry) can cause conflict. This is often due to an ineffective public involvement strategy, which consists of several steps including citing a facility, outreach to the community, public meetings and evaluation.

“Communication to the general public about the value of the goods movement system and the changes it is undergoing has not been adequate.”²²

One of the biggest issues is the lack of education. The general public is largely unaware of how freight affects everyday life. If there is awareness, many times it is focused on the negative impacts of freight, and not on the necessity and importance of goods movement. Limiting freight can severely limit the goods you can consume (the clothing you wear, the food you eat, etc). When there is a lack of understanding, major conflicts can result.

Education/Outreach

Safety Education

The New Jersey Motor Truck Association (NJMTA) developed a brochure for senior citizens and young adults to learn how to “Share the Road Safely” with trucks. This is a variation of a federal program that has been adapted for New Jersey. It complements a program they created for senior centers and driver education classes throughout the state to put a face on trucking. NJMTA allowed average citizens to meet with actual truck drivers in order to allow people to develop a direct relationship with these individuals.²³ For more information, see the Federal Motor Carrier Safety Administration at: www.sharetheroadsafely.org or contact NJMTA at www.njmta.org.



Source: www.apl.com/boomerangbox/

The Importance of Freight

In 1997 APL, part of a global transportation and logistics company, developed an education tool to teach schoolchildren about international trade.²⁴ By using a shipping container as a mobile classroom, the company educated students in multiple schools. An interactive website was created to provide resources for teachers and students but it can also be used by the general public as a basic guide to the shipping

²² Strauss-Wieder and Robins pg. 9

²³ Toth, Gail. Personal interview. 17 Mar. 2010. New Jersey Motor Truck Association

²⁴ APL History - Working With Kids. Web. <www.apl.com/history/topics/prosper/partner.htm>.

industry: www.apl.com/boomerangbox/.

The Freight Industry

Companies, like APL, use websites as a platform for transparency and information on community relationships and general company practices:

http://www.apl.com/about/html/community_affairs.html

CSX Transportation: <http://www.csx.com/?fuseaction=responsible.community>.

For more company websites, links to industry work in the community and online resources dedicated to particular projects see the Appendix of this guidebook.

Community Planning

The Federal Highway Administration created a guide to help professionals properly plan for transportation strategies while keeping communities in mind. The resulting guidebook is titled “Community Impact Assessment: A Quick Reference for Transportation” and can be found online at: www.ciatrans.net/CIA_Quick_Reference/Purpose.html. Within this document is a comprehensive network of ideas for appropriate public participation and general planning methods.

In order for education outreach and planning strategies to be truly effective, public agencies and the freight industry need additional bridges to the local community. Other than government agencies, there are groups of organizations that are ideally suited for this role. Examples of these organizations are: local, community, or economic development corporations. These community-based organizations (CBOs) exist to advocate and assist neighborhoods. These non-profit groups often represent a community more directly than elected or appointed individuals and serve residents with programs and services that will improve community development. Most organizations focus on housing, economic development, general programming for youth and even workforce training. However, few of these groups focus on transportation and even fewer on *freight* transportation. Unless there is a potential conflict, local community organizations have little time and resources to proactively research and advocate for appropriate freight uses in their neighborhoods.

Clearly, freight affects every community and local groups should be more aware of freight’s impact. By studying these issues, CBOs can help bridge the gap in education and understanding of freight transportation issues between the public agencies and freight companies and the general public.

TOOLS FOR EFFECTIVE PLANNING

EDUCATION

It is the public agency and freight industry's responsibility to educate the public.

The disconnect between the essentials of our daily personal and business lives and how we get it can color our thinking about freight movement. Despite the value to our lives, goods movement is less tolerated. Examples, illustrated in numerous news articles, include aversion to sharing the road with trucks, complaints about noise from loading docks, and opposition to increased rail freight movements on light-density lines or where service had been discontinued. The reduced public familiarity with freight is a critical issue when considering the development of a public freight agenda. Elected officials and the general public need to be comfortable and supportive of public investments in the freight transportation system. This requires a clear, consistent, and frequent message to the public.²⁵

As much as public agencies and the freight industry need to do a better job of educating the public on what freight is and how the planning process works, it is also the local residents' responsibility to become an informed citizen and work as an important partner in the planning process.

In order to do this successfully, public agencies and freight companies can collaborate with local community organizations (as mentioned earlier).

These groups can help link the general public to a particular plan by educating residents on the issues and making freight a policy area for research.



Source: www.plannersweb.com

****Even public agencies need better freight education.** While agencies may view the general public as being undereducated in the topic of freight, even government representatives often have limited knowledge. From within government and the freight industry, agencies need to be better kept in the loop by meeting not only with “intergovernmental” representatives from freight companies, but those actually involved in planning.

²⁵ Strauss-Wieder and Robins pg. 9

Citing the LOCATION with respect to the community:

The freight industry must work with support and guidance from public agencies.

With assistance from local government agencies, freight companies should research the neighborhood and understand past developments and environmental justice concerns. It is important to understand the history of a location to see if the community has faced similar conflicts.

It is important that when citing locations, freight facilities do not end up only in minority neighborhoods. Environmental justice is an important concern for this strategy. Locally undesirable land uses need to be shared equally and Fair Share plans ensure that city facilities are equally distributed throughout an area.

Fair Share

New York City: "In December 1990, the City Planning Commission unanimously adopted *Criteria for the Location of City Facilities*, commonly known as the Fair Share Criteria, which became effective July 1991." For more information see: <http://www.nyc.gov/html/dcp/html/pub/fair.shtml>.

Environmental Justice

There are several environmental justice concerns in various cities. For more information on local practices in New Jersey see: <http://www.state.nj.us/dep/ej/>. For New York State see: <http://www.dec.ny.gov/public/333.html>.

Brownfield Development

Neighborhoods with formally industrial or commercial sites that have become neglected hope that these vacant areas can be turned into something of value to the local economy. Brownfields provide a great opportunity for a freight facility location. For more information see: http://www.nyc.gov/html/planyc2030/html/plan/land_brownfields.shtml.

PUBLIC PARTICIPATION

There are several government regulations that explain the degree to which citizen participation is carried out.

The adoption of the federal surface transportation bill (SAFETEA-LU Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) in 2005 required new provisions for public involvement.

The SAFETEA-LU Environmental Review Process Final Guidance on coordination and schedule provides information on how lead agencies should establish a plan for coordinating public and

agency participation and comment during the environmental review process.²⁶ It also provides guidance on updating public involvement procedures to help state Departments of Transportation determine if they need to update their public involvement procedures.²⁷

www.fhwa.dot.gov/safetealu/legis.htm

NEPA (The Federal National Environmental Policy Act)

“Requires agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions (when using federal funds).”²⁸ This is true for all plans, not just transportation or freight.

www.epa.gov/compliance/nepa/

SEQR (New York State Environmental Quality Review)

“SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment, and, if it is determined that the action may have a significant adverse impact, prepare or request an environmental impact statement.” “Environment means the physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health.”²⁹

www.dec.ny.gov/permits/357.html

Determining this requires an Environmental Impact Assessment, which is also important to CEQR:

CEQR (New York City Environmental Quality Review)

“is a process by which agencies of the City of New York review proposed discretionary actions to identify the effects those actions may have on the environment.”³⁰

*It is also important to look into the public agency’s particular policy. There may be explicit instructions on how to develop a public involvement plan or even how to run a public meeting. These should be examined and updated over time.

www.nyc.gov/html/dcp/html/env_review/env_review.shtml

General

Public involvement is the process by which public agencies prepare for any freight plan: Work with the freight industry, cite a location, research the community, involve relevant stakeholders and open the process up to the broader public.

²⁶ *SAFETEA-LU Process Management*. FHWA. Web. <<http://www.fhwa.dot.gov/hep/section6002/2.htm#Toc148770607>>.

²⁷ *NEPA and Transportation Decision making*. FHWA. Web. <<http://www.environment.fhwa.dot.gov/projdev/tdmpubinv2.asp>>.

²⁸ *National Environmental Policy Act*. U.S. Environmental Protection Agency. Web. <<http://www.epa.gov/compliance/nepa/>>.

²⁹ *617: State Environmental Quality Review*. NYS Department of Environmental Conservation. Web.

<<http://www.dec.ny.gov/regs/4490.html>>.

³⁰ *City Environmental Quality Review FAQ*. Mayor's Office of Operations Office of Environmental Coordination. Web.

<http://www.nyc.gov/html/oec/html/ceqr/ceqrfaq.shtml#q_one>.

“Informing citizens of their rights, responsibilities, and options can be the most important first step toward legitimate citizen participation. However, too frequently the emphasis is placed on a one-way flow of information – from officials to citizens – with no channel provided for feedback and no power for negotiation...The most frequent tools used for such one-way communication are the news media, pamphlets, posters, and responses to inquiries.”³¹

Because there can be conflict related to transportation planning projects, public involvement is a required part of the process. It is important to educate the local community and to have an active dialogue with residents who will be directly affected by a project. Engaging the public and connecting them to the freight industry is necessary to ensure success and limited conflict.

It is important to bring in important stakeholders, including: key members of the Community Boards, Tenants Associations, etc., elected officials and local community organizations. As the plan progresses, open up the dialogue to the greater community. It is important to make an appropriate timeline for public involvement. The earlier the public is involved, the better. However, early and active community involvement must be balanced with project expectations.

Frequently, small sets of pre-formed options are prepared in advance by consultants or engineers and then presented at public forums. Feedback on these options is then gathered in some random verbal form and used in some generally unspecified way to determine which one should be built. This limited involvement and restricted-choice paradigm, which we term Decide, Announce and Defend (or DAD), reinforces the suspicion that many stakeholders exhibit toward public planning processes.³²

The US Department of Transportation, Federal Highway Administration provides technical and theoretical assistance and suggestions for citizen participation in their “Public Involvement Techniques for Transportation Decision-Making” which can be found here: <http://www.fhwa.dot.gov/REPORTS/PITTD/contents.htm>.

“Public participation is more than just a hearing, or one meeting near the end of the project development process. Public involvement needs to be an early and continuing part of the transportation and project development process. It is essential that the project sponsor knows the community's values in order to avoid, minimize, and mitigate impacts, as well as to narrow the field of alternatives (for planning) and alignments (for projects). The community also needs to understand the constraints and tradeoffs of the

³¹ Arnstein, Sherry R. “A Ladder of Citizen Participation,” JAIP, Vol. 35, No. 4, July 1969, Section 3.3

³² Bailey, K. and T. Grossardt. 2006. Addressing the Arnstein Gap: Improving Public Confidence in Transportation Planning and Design through Structured Public Involvement (SPI). pg.337-341 in Schrenk, M. (ed) *Proceedings of the 11th International GeoMultimedia Symposium*. CORP2006. Vienna, Austria. pg. 337

transportation planning and project development process and to ‘buy-in’ to the transportation needs and purpose”³³

Advantages:

“(C)onstruction delays are minimized, and consequently more time and money are spent on building projects that the public supports.”³⁴

Disadvantages:

Many see the public involvement process as solely a requirement, rather than as an active and useful input into a project. Often, public agencies are perceived as organizing public involvement only because it is a procedural and regulatory step. How does the public sector ensure that the public comment process is not done simply because it is required but because the organizers understand its importance, value, and necessity? This process must be used as an opportunity to *TRULY* educate the public and be educated *BY* the public (sometimes those participants not involved in the day-to-day activities and tasks of a plan may provide an approach or perspective that has been overlooked).

Public involvement may be a required government process, but it can be an interesting, inclusive, and successful experience.

Evaluation

Community concerns and examples of conflict often go undocumented. Local residents, agency employees and freight companies may remember several instances where freight and community conflict occurred but those moments and stories are merely anecdotal. Evaluations of the planning and public involvement processes must be conducted. Not only will this help from repeating failed practices, but it will also provide factual information when there is dispute over past events.

CREATIVITY

It is important that public agencies and the freight industry use creative strategies, not only for public participation plans but for technical design as well. Some conflict can be prevented or mitigated through the use of creative planning. For example, the physical appearance of freight facilities can lead to a conflict between the local community and a freight company. By using context sensitive approaches and more clever design strategies, private companies can reduce unsightly equipment and minimize noise and odor, etc. preventing potential conflict.

³³ *Public Participation/Public Involvement*. FHWA. Web. <<http://www.fhwa.dot.gov/environment/pubinv2.htm>>.

³⁴ Bailey, K., T. Grossardt and J. Brumm. 2002. Integrating Visualization into Structured Public Involvement: A Case Study of Highway Improvement in Central Kentucky. *Transportation Research Record* 1817: pg. 50

I.4 SECTOR ROLES AND RESPONSIBILITIES

Barriers to Success

A mutual understanding of needs is critical to identifying and implementing appropriate solutions. It is the purpose of this guide to address these in order to reduce conflict and promote better freight transportation planning in the region.

Local Residents

Barrier: For many in the public and private sector, there is a belief that the general public lacks an awareness of freight and its importance.

Responsibility: It is the public's role to be informed citizens and stay abreast of plans affecting their community. While staying vocal, these residents must balance what is best for their community, while also understanding what is best for the region as a whole.

Public Agencies

Barrier: Must realize the power and influence they have for organizing public involvement and working with industry. Public agencies often find themselves in the middle of conflicts between the community and the freight industry.

Responsibility: It is the role and responsibility of public agencies to work with the freight industry and local residents to ensure safe and efficient freight transportation. They must act as a bridge, effectively linking stakeholders together and providing appropriate development opportunities and an affective public involvement plan.

Local jurisdictions have an important role to play in both recognizing the needs of a growing and increasingly important element of [the] economy, i.e., goods movement, and in reconciling those needs with maintaining and promoting an attractive quality of life in ... communities. The logistics industry is an important and robust aspect of [our] changing economy. An acknowledgement of industry needs by local jurisdictions is important to the industry's future growth and prosperity with implications for the state's economy. Simultaneously, those needs have to be reconciled with the maintenance and promotion of an attractive quality of life to which local public officials are acutely attuned.³⁵

Industry leaders suspect that in the future one overarching freight governing body might exist for the New York and New Jersey area.³⁶ If this does happen, the creation of such an organization will require the cooperation of many public agencies.

³⁵ *The New Jersey Turnpike 8A Area Transportation & Land Use Study*. Rep. The Municipal Land Use Center @ The College of New Jersey, Spring 2007. Web. <<http://www.tcnj.edu/~mluc/transportation/documents/Exit8A07.19.072ndPrinting.pdf>>. pg. 48

³⁶ Ward, Christopher. *Freight and Our Region's Future: A Call to Action*. Baruch College. 23 June 2010.

Freight Industry

Barrier: The community perceives that the freight industry lacks transparency. The freight industry is often criticized for not listening to resident concerns or looking into better alternatives or methods of conflict prevention.^{37, 38, 39}

Responsibility: It is the freight industry's responsibility to move goods efficiently and reduce the impact to the physical and built environment, while working as a good neighbor, understanding and truly responding to the concerns of local residents, and respecting the planning process by partnering with local public agencies.

I.5 MODELS

This guidebook only touches upon some of the main issues surrounding freight and community involvement by highlighting only a few examples (many more exist). While there is a growing need for public agencies to be more of a leader in bringing all three sectors together, some cities are currently excelling in this area:

Freight Quality Partnership (FQP) is a public/private partnership in London working to bring together members of the freight industry, local government and the community. The city has realized that there is a great need to bring freight to the forefront of transportation planning. The partnership provides a comprehensive website that details the city's freight plan, project descriptions, meeting information, detailed publications on freight, contact information and more: www.londonsfqps.co.uk/Home.aspx. This is a wonderful model for public agencies to use when developing a freight plan and public involvement plan.

London appears to be ahead of the game as they have a detailed freight plan in place. General regional freight plans are only beginning to develop in the United States. In the past, Metropolitan Planning Organizations (MPOs) worked on generating reports that were integral to freight planning. These organizations are federally mandated and required to develop particular transportation plans for a region. The freight documents they have created provide valuable information on the background of freight and why it is important. Now, public agencies are working to make freight plans more comprehensive by including goals for a particular city or region, accountability measures, discussing funding sources, agency responsibilities and actual implementation strategies.

In the New York region, NYMTC has created a Freight Transportation Working Group to improve goods movement as part of the Regional Freight Plan Project: <http://webservices.camsys.com/nymtcfreight/>. Its mission is to "expand and to enhance the freight planning process in the NYMTC region to meet the needs of shippers, receivers, and ultimately the general population through less congest roads, less pollution, and less expensive

³⁷ Strauss-Wieder, Anne. Personal interview. 22 Dec. 2009. A. Strauss-Wieder, Inc.

³⁸ Zerk, Allen. Personal interview. 7 Jan. 2010. Rudin Center for Transportation Policy and Management.

³⁹ Conte, Elena. Personal interview. 9 Dec. 2009. Pratt Center for Community Development.

products and services.” This group is comprised of members from the freight industry, NYMTC and related MPOs and community stakeholders.⁴⁰

I.6 CONCLUSION

In order for freight mobility and economic growth in the region to be supportive of community livability requirements, there must be responsive public policy, and all stakeholders and community groups must be kept informed and participate in the planning process.

We must remember that:

Going beyond ... identified private stakeholders and including entities such as shippers and receivers ... freight transportation service providers, owners and operators at freight facilities, and the neighborhoods and communities impacted by freight traffic, is another important step to improving the freight planning process.⁴¹

It is important not to personalize disagreements. Public involvement is not easy, and conflict must be understood as part of the public participation process. Not all disagreements are preventable, but with proper coordination and participation among the community, government, and freight sectors, many issues can be resolved before they become larger problems.

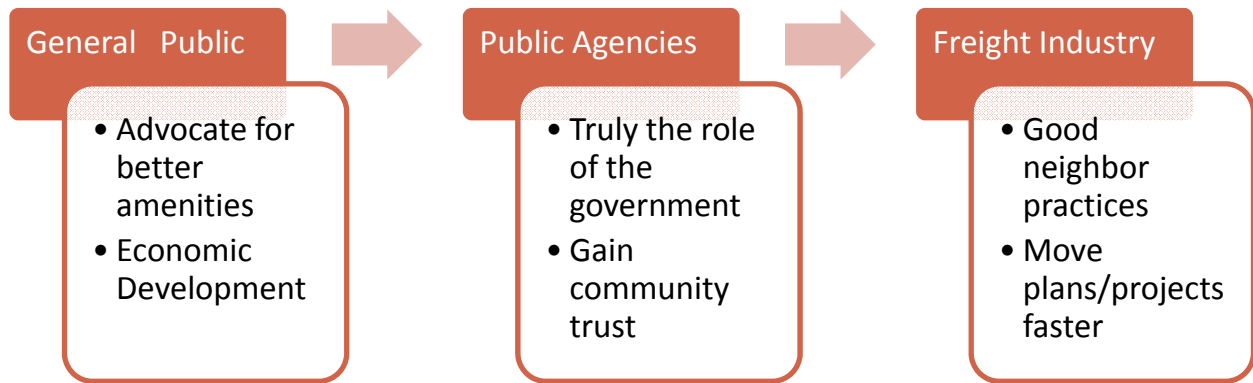
Creative mitigation/prevention techniques are also necessary when designing and physically planning any freight use. A healthy process is one in which all affected players are involved and can give opinions and suggestions for a particular plan while using each area’s experience and expertise.

As a complement to this main section, the next three sections are specifically tailored to the three sectors involved in freight planning: the General Public, Public Agencies and the Freight Industry. Each section contains information on the roles and responsibilities of that particular group as well as an understanding of the other two and ways and opportunities for them to help prevent future conflict.

Importance by Sector:

⁴⁰ <http://webservices.camsys.com/nymtcfreight/documents/missionstatement.htm>

⁴¹ Young, Erika, and Jeneé Kresge. *Building Planning Capacity Between Public and Private Sector Partners in the Freight Industry: A Resource Manual*. Rep. The National Association of Regional Councils. Web. [http://narc.org/uploads/FreightResourceManual\(1\).pdf](http://narc.org/uploads/FreightResourceManual(1).pdf) pg. 23-24



2. GENERAL PUBLIC SECTION



Source: <http://blog.seattlepi.com>

Main Issue: The General Public needs to be better educated on freight issues

Roles and Responsibilities:

Members of the public need to be educated citizens in order to have more success in the public participation process. Through better education and information, the public can state their views more effectively, so that public agencies and the freight industry can better respond to their concerns. Local residents can avoid misunderstanding and miscommunication by understanding of freight, consumption, economic growth and the process by which local goods are delivered.

Local residents are generally unaware of the importance of freight, and many times are not engaged by the public and private sector, and even local community organizations when it comes to freight issues. Residents are often only included when potential conflicts arise. They must be informed citizens and take the initiative to stay abreast of plans affecting their community. While staying vocal, these residents must make sure to do what is best for the community, but also recognize the importance of freight to the region.

It is important for local community development organizations and related non-profits to use this guidebook as a tool to help educate the general public before a conflict arises.

Additionally, these organizations must also take a more active role in freight research to help better educate the communities and residents they represent. It is these organizations, along with the public and private sectors, to take the initiative.

PARTNERS

Local residents need to work with local community organizations, public agencies and the freight industry in order to prevent conflict. Poor planning, miscommunication and misunderstanding often lead to unnecessary argument. It is important to learn the roles and responsibilities of every sector including your own.

2.1 Working with PUBLIC AGENCIES

What to know about Public Agencies' roles and responsibilities:

Public agencies are working in the public interest and want to support the local community. It is the government's responsibility to regulate land uses and support the environment and safety and security of citizens. Public participation opportunities are primarily under the jurisdiction of the government through these agencies, which often act as a bridge between the freight industry and general public. The public are their constituents.

While public agencies work on behalf of the general public, residents may also be perceived as a potential impediment. When local residents challenge a plan, they can disrupt the process, causing it to take even longer or preventing it altogether. Protesting a proposal is often due to

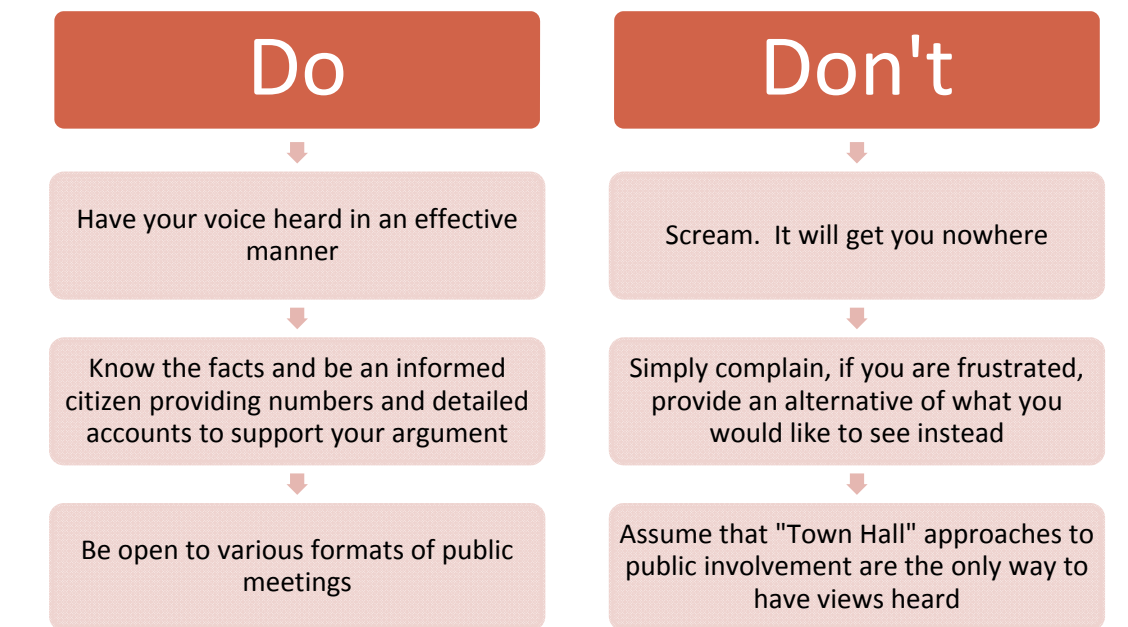
misinformation and miscommunication between the government, freight industry and general public itself. It is important to understand the facts and for the general public and public agencies to interact in a healthy manner. Conflict can be prevented with every side understanding the other and having a conversation. Work WITH public agencies and not against them.

How to work with Public Agencies:

Agencies often have public participation plans. After identifying a study area (requested from the community, elected officials, or freight industry), agencies bring in stakeholders as representatives of the community (from local organizations, elected officials and selected residents). Then the plan is opened up to the broader community.

Not every individual may be a part of the discussion from the very beginning, which is reasonable. Having too many people involved can make things too complicated and overwhelming. It is important to utilize time effectively and have the right people involved at the right times in order to be respectful of the public's time constraints. This is why many public agencies first bring together community stakeholders to begin the conversation. These representatives will help the agency determine an appropriate plan for involving the greater community.

How to effectively utilize the public involvement process:



It is important to note that sometimes the amount of work necessary cannot be handled by a public agency alone. Often a consultant or group of consultants is brought in to work on a project. These private companies serve as an expansion of a public agency, acting on their

behalf but with more resources and capacity to work on the project. Sometimes these consultants will be running public meetings, events, etc. It is important to learn as much as possible about both the public agency and the consultants. Public agencies often use consultants to provide additional technical support or other resources. Many times consultants are very visible on projects, including leading meetings and discussions, as well as serving as project contacts. However, although there may be consultants working on a project, a government official or agency representative must be identified as the key agency contact managing the consultants. This representative is the liaison to the community, not the consultant.

It is also important to reach out to local community based organizations for help identifying the real concerns and issues around freight in the neighborhood. These groups can help clarify the work that consultants and the public agency are working on while providing a voice on behalf of the residents. If a local organization does not already work on transportation or freight issues, they should explain the importance of this work and explain how vital their research and partnership is. It is especially helpful to utilize these groups when working with the freight industry.

Public agencies know that there is room to improve community relationships. Agencies may show up at regular community meetings or neighborhood events in order to improve relations. More and more agencies will do this just as introductions and not because they have a plan in mind for your community. Use these opportunities as a way to learn more about government and freight companies and teach them about your concerns and needs.

Advocacy

It is important for the public to encourage a good public involvement process. Let the public agencies and freight companies know the neighborhood background. Educate these groups on what meeting formats work best, what days and times meetings should be held and what the community truly wants.

2.2 Working with the FREIGHT INDUSTRY

What to know about the Freight Industry's roles and responsibilities:

Freight affects everyone. Regardless of socio-economic status, background, race or gender all people are impacted and rely on goods movement. Remember that the freight industry needs to do its job. If they are unable they cannot provide milk, clothing, cars, etc. that are necessary for daily life.

The freight industry wants to minimize cost while not affecting customer service, hoping to pass the savings on to the general public. Thus, residents and the community are viewed by the

freight industry as the customer. However, in some cases residents can also be viewed as a barrier to a project's progress. Transportation companies are trying to minimize the negative impacts of their work, such as noise, congestion, safety, etc. It is important to realize that they do not benefit from these issues and they certainly do not want any unsafe conditions or potential for conflict. The freight industry is responsible for providing local consumers low cost access to a wide variety of goods in a safe and healthy approach.

The freight industry deals with its own challenges. While freight may seem like a nuisance to the average citizen, the public can often be a problem for freight companies. Some railroad companies are fighting these issues and have identified them through the term: BAT.

Blight Annoyance Threat (BAT)⁴²

Blight:

- Right of way (open)
- Dumping
- People congregating on the tracks
- Occupancy on property (when people set up camp under overpasses)

Annoyance: *Most difficult*

- Actual trains
- Blowing horns
- Idling
- Movements at night

Threat:

- Public is misinformed on freight facts
- Level of hysteria fueled by the media
- Need a strong education effort

This example brings out the major ways that the general public can help.

What the public can do to improve freight:

- Be an educated customer
- Let the freight industry know your concerns
- Understand that freight is necessary
- Abide by posted signs, and rules
- Do not play by tracks, or potentially dangerous areas
- Report unsafe conditions

There are examples of freight companies partnering with local communities for the better. CSX transportation helped build a park in North Carolina for a community it was working in.⁴³ Its

⁴² Goetz, William. Personal interview. 18 Nov. 2009. Resident Vice President, NYC-NJ-Philadelphia, CSX Transportation

⁴³ Goetz, William

website provides more information on how the company gives back to local residents:
<http://www.keeponliving.org/giving/>.

Being an active and effective company requires more than education and giving back. It requires transparent information and openness on a company's endeavors. Industry information is available on some company websites:

The Burlington Northern and Sante Fe Railway (while not directly servicing the New York/New Jersey region area) provide good information for local residents on its website: <http://www.bnsf.com>. Under the "Community Outreach" section, there are lists of community issues and frequently asked questions to help educate and explain the workings of a railway company: <http://www.bnsf.com/communities/outreach/index.html>.

It is important to research freight companies by looking through their websites. More information on the particular companies that work within the port region can be found in the Port Guide from the Port Authority: <http://www.seaportsinfo.com/panynj/alphabetical.cgi>. There are also organizations that serve as umbrella groups for local companies. To learn more about these groups see the Education Section of this document.

Some websites provide limited amounts of information. Make sure to request any relevant information from these companies and show that others are providing it to the public.

How to work with the FREIGHT INDUSTRY:

Public agencies and communities have worked with freight companies to develop physical opportunities to prevent and/or mitigate conflict. Examples of areas of concern and industry solutions are identified in "Integrating Freight Facilities and Operations with Community Goals":⁴⁴

Traffic Flow and Congestion – replacing at-grade rail crossings with grade separations, motivating customers to switch from truck use to rail use, and scheduling truck appointments to pick up or deliver shipments.

Safety and Security – Undertaking public education programs ... creating highway watch programs to leverage the presence of trucks into an added security net for all motorists, and strengthening cargo inspections.

Economic Development – Combining economic and transportation system development, retaining existing industrial areas, redeveloping brownfields, job training and hiring locally for freight transportation project construction and ongoing operations.

⁴⁴ "Integrating Freight" summary

Air Quality – Implementing Green Ports practices, such as electrifying gantry cranes and using alternatively fueled equipment, reducing the need to idle trucks and locomotives, and promoting beneficial reuse of dredged materials.

Noise and Vibrations – Modifying the hours of freight operations to coincide with time when residents are not at home, installing sound walls, limiting the hours of loading dock operations, installing hush kits on cargo aircraft, and creating whistle-free quiet zones.

Land Use and Value – Developing buffer zones to transition between freight/industrial uses and residential uses, creating neighborhood investment funds, and requiring developers to make the necessary highway access improvements for trucks.

Additional Solutions:

- More human scale construction: move masses of trucks to areas of warehouses not visible by the main thoroughfares or community
- Build in a style of the surrounding neighborhood (context sensitive)
- Hire locally and ensure that economic value goes back into local neighborhood
- Use electric vehicles, preventing large trucks from entering a city center

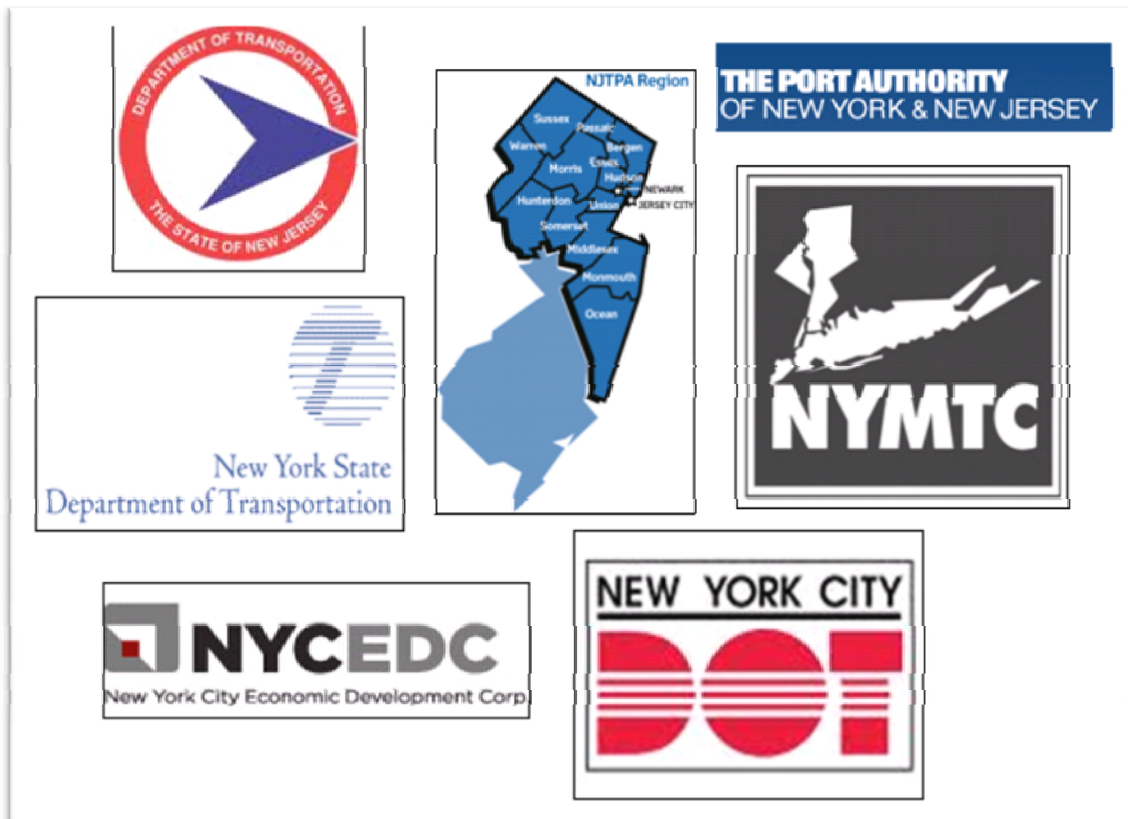
Main points/lessons learned, etc.:

-Work with public agencies and the freight industry (the better your relationships are the better plans you will end up with)
-Become educated in general freight and the issue at hand
-Make sure that your voice is heard and that those in charge of a project take you seriously
-Learn these examples and use them as alternatives to plans that might negatively impact your neighborhood

Other Partners

The general public should also turn to community organizations and request they be an educator and coordinator on issues surrounding freight. These organizations should study freight along with your other research areas. This will help bridge the local community to public agencies and to the freight industry.

3. PUBLIC AGENCY SECTION



Sources: www.nyc.gov/dot, www.nysdot.gov, www.nysdot.gov, www.nymtc.org, www.state.nj.us/transportation, www.nyc.gov/edc, www.njtpa.org, www.panynj.gov

Main Issue: Public Agencies need to adjust public outreach strategies and use creative formats for the public involvement process and public meetings

Roles and Responsibilities

It is the role and responsibility of public agencies to work with the general public and freight industry to ensure safe and efficient freight transportation. The better all three sectors work together, the less conflict and resistance there will be. This will result in better freight transportation that benefits all.

The Center for Corporate Citizenship's 7 Standards of Excellence can be formatted for public agencies⁴⁵:

1. Leadership – Senior executives demonstrate support, commitment, and participation in community involvement efforts.
2. Issues Management – The [agency] identifies and monitors issues important to its operations and management.
3. Relationship Building – [Agency] management recognizes that building and maintaining relationships of trust with the community is a critical component of company strategy and operations.
4. Strategy – The [agency] develops and implements a strategic plan for community programs and responses that is based on the mutual issues, goals, and concerns of the company and the community.
5. Accountability – All levels of the organization have specific roles and responsibilities for meeting community involvement objectives.
6. Infrastructure – The [agency] incorporates systems and policies to support, communicate, and institutionalize community involvement objectives.
7. Measurement – The [agency] establishes an ongoing process for evaluating community involvement strategies, activities, and programs and their impact on the company and community.

Before a freight facility plan enters the planning phase, public agencies can make their internal relationships and processes more streamlined. Transportation planners need to ensure a relationship with the government relation's staff in their agency. Future processes can be streamlined if these liaisons are established. Agencies need to take in community information more effectively and continue to share information with other freight agencies on best practices. More information on these skills can be found through links in the Appendix.

⁴⁵ "Standards of Excellence in Corporate Community Involvement." Dec. 2001. Web.
http://www.creatingloyalty.com/story.cfm?article_id=183

PARTNERS

Public Agencies need to work with local community organizations, residents, and the freight industry in order to prevent conflict. Poor planning, miscommunication, and misunderstanding often lead to unnecessary argument. It is important to learn the roles and responsibilities of every sector including your own.

3.1 Working with the GENERAL PUBLIC

Public agencies need to provide opportunities to educate the public about freight in general and any specific projects proposed for a particular community. It is then the agency's responsibility to introduce the plan to the community for feedback.

What to know about the General Public:

The general public often views public agencies as the bridge between freight and local residents. However, these agencies are often seen as lacking in this effort. In order to be effective, agencies need to advocate for a project while protecting the ideals of local communities. The government is often perceived by the general public as an advocate of only the freight industry or project sponsor and not of local community interests. One result of this perception is that residents often resort to NIMBYism (Not In My BackYard) due to a feeling of being inundated by plans, but being unable to have their voices heard.

How to work with the General Public:

When working with the community, it is important to have a clear plan outlined ahead of time. This should include methods for citing facilities (to suggest to the freight industry), research on the local community (background, history, population), and a public participation plan with a timeline for outreach. Outreach and public involvement should be done in partnership with the freight industry.

Additionally, due to staff turnover, it is critical that several project employees are aware of the agency's public involvement plan. This provides a level of continuity in the agency's public participation plan, and minimizes the impact of one staff person being the sole source of this knowledge. It should be a known part of the agency's culture. For more information on what public participation plans look like, review the samples linked in the Appendix.

Good Neighbor Practices

It is important to follow these guidelines when planning freight uses:

- Be prepared, proactive, and anticipate community concerns.
- Prevent conflicts by avoiding unnecessary development of any kind.
- Conduct **research on the area** and see what other land use, transportation, etc. plans have come through the community. The neighborhood will be more resistant if similar plans that were insensitive to the community were previously completed, particularly if there was poor public involvement. Additional research is especially critical in those communities that have a poor relationship with the private or government sectors.
- Plan with the community in mind. Develop **creative** technical designs that can provide economic opportunity, as well as provide an aesthetically pleasing facility and use for a community. (Use creative strategies for design, construction and use, while limiting disturbances to local neighborhoods when possible.)
- Be **Transparent**. Have important information readily available to the public by website, phone hotline, etc. Have an answer or response to each of the key complaints/disadvantages - CEQR (NYC), SEQRA (NYC), NEPA (Federal) rules (as mentioned in Main Section of this document), you can anticipate what you will need to cover in a public meeting.
- Planners should **propose alternatives** or creative solutions to each anticipated issue area. They need to show the public that they are aware of the problems and have taken an interest in fixing it. Additionally, planners should also be open to the opportunity for the public to provide their own solutions through public involvement (discussed below). Finally, **utilize the solutions found in other cases** as a way to ensure that there is little community backlash (don't wait for there to be a problem before using good design, community benefits agreements, and noise/emissions reducing plans - explained further in the following Public Involvement portion of this guidebook).
- Develop better public involvement techniques

3.2 The PUBLIC INVOLVEMENT PROCESS

Public Involvement Plan: developed in partnership with consultants and freight companies involved in the project. Examples and resources for developing a plan can be found in the Appendix.

Outreach

Outreach with help from stakeholders (local non-profits, Community Based Organizations [CBOs], Business Improvement Districts [BIDs], elected officials, etc.)

Mailing lists – Can be snail mail or e-mail to households and/or individuals.

Phone calls – Can be an automated service calling those affected or a phone tree.

Media outlets – Use general media outlets plus the ethnic, local and independent media where many residents get their news. The New York Community Media Alliance has a list of some of these resources: <http://www.indypressny.org/nycma/members/directory/>.



Source: www.loc.gov

It is important to understand your audience before outreach. Has this community dealt with freight issues before? Are they currently dealing with any major land use issues? What is the history of public agencies in dealing with this community? Asking these types of questions will help prevent assumptions that can lead to grave errors and thus prevent a plan from advancing. Public agencies should look to local media (local newspapers, blogs, etc.) to see how local residents feel.

Elena Conte of the Pratt Center for Community Development notes the importance of relating to communities when going through a public involvement plan:

Introduce, Educate, Create

Introduce: public agency, industry

Educate: public agencies with community outreach

Create: public input into design, charrette with freight⁴⁶

Stakeholders

After initial discussions between the private sector and public agencies about a potential project, it is now time to get local stakeholders involved. Be targeted with your stakeholders and invite the right people. Who actually represents the community? Do not only include

⁴⁶ Conte, Elena

those who support the project. This group can include elected officials, members of a community board or local neighborhood associations, etc.

- It is important to engage a small but key group of stakeholders early in the process. Once appropriate, involve the greater community with the beginning of the public involvement process.
- Use the CBOs as a bridge to help educate the public on basic freight issues (make sure that the local organizations have an understanding of freight and how it works and inform them and suggest they develop a certain basic knowledge of freight transportation). The more the public understands freight, the less potential conflict. If people understand that freight is necessary and local facilities can provide advantages to a local community, they will be more willing to support a project. By educating the public BEFORE there is a problem conflict can be minimized. Many non-profits throughout the region work to advocate on behalf of residents. Many focus (or have a department or staff member) dedicated to various areas such as mass transit, health, education, housing, etc. Why not freight? Public agencies need to reach out to these organizations and get the conversation started so that more research can be conducted on freight at the local level. CBOs cannot only act as public educator but as an advocate for good freight management.

The *Traditional* Public Meeting?

"Large public meetings ironically pose serious access questions for the majority who attend. The typical open microphone "Town Hall" arrangement allows accomplished public speakers to dominate the meeting, effectively excluding others. Conversely, a series of smaller meetings consume so much of participants' free time that it excludes many with jobs or children."⁴⁷

All too often, public agencies hold public meetings where local residents are offered the opportunity to speak at a microphone to a table of officials in front of the room. Instead of there being dialogue it is often a one-way conversation that does not result in constructive discussion. It is generally understood that this is not the best way to hold a public meeting. Many of these meetings run for hours with little progress. Additionally, public agencies are often criticized when complaints and suggestions heard from the public during these meetings are not incorporated into decisions. Perceptions of inattentiveness by public officials during these meetings help add to this criticism.

⁴⁷ Grossardt, Ted, and Keiron Bailey. "Justice and the Public's Involvement in Infrastructure Planning: An Analysis & Proposal." *Practicing Planner* 5.1 (2007). Web. <<http://www.planning.org/practicingplanner/2007/spr/index.htm>>. pg. 5

It may seem old fashioned but poor planning and outdated formats for public hearings still exist. At an MTA public meeting on fare reductions in early 2010, an attendee spoke saying,

When I came here, I was angry, but now that I'm here I'm outraged...The first thing that I see when I come in here is people sleeping, people texting, people calling, people speaking to each other, people reading the newspaper. How dare you sit up there and do all of those things while these people here took the time to come and listen to you?"⁴⁸



Source: http://manhattan.ny1.com/content/top_Stories/114627/mta-to-hold-final-public-hearing-in-manhattan

This “traditional” format may be easier to organize, but it can be detrimental to success because it often provides a stage for a distracting media event with emotions running high. Often times these meetings provide a platform for the most vocal residents who do not necessarily represent the broader community views. It is hard to find any positive outcomes from this format.

It is also unclear what the results of these meetings will be. What will be done with the public comment? The public is often times told that agencies are listening and that the responses to the comments will be incorporated in the final document. It is important that public agencies demonstrate this, such as by providing a summary of the meeting and displaying the records of speakers and their comments online on a website dedicated to the project.

This is a low cost, easy format. There seems to be an inherent fear of meeting with the public. The belief may be that regardless of what type of meeting it is, the community will still be furious. For some it seems pointless to invest the time and energy into a creative public event if the outcome will still be negative. Because of poor involvement strategies and a negative outlook, agencies miss the chance to bring the freight industry and local communities together.

⁴⁸ Spitz, Rebecca. *MTA Holds Final Public Hearing In Manhattan*. NY1, 5 Mar. 2010. Web. <http://www.ny1.com/5-manhattan-news-content/top_stories/114627/mta-to-hold-final-public-hearing-in-manhattan>.

What are the laws that govern public hearings? What does NEPA, SEQRA and CEQR actually say and what are the rules for public involvement at your particular agency? Take the time to learn it because there may be room for creativity in public participation and a chance to avoid the *traditional* “public hearing”. In addition, remember that a court order for a public meeting may not dictate the format or structure.

Alternative Meeting Formats

Public agencies can avoid the traditional *microphone in audience, table of officials in front* set up. There are multiple opportunities to gather information by using different formats for public participation. For additional guides providing help in this area see the resources Appendix.

Given these concerns, the public agencies should look for an appropriate format for their particular plan. Everything is issue specific and therefore each plan should have a specific public involvement implementation strategy. Some formats include (but are not limited to):

Focus Groups – These can identify how and why participants view the subject matter. Participants screen criteria while a moderator helps focus the discussion in small to medium group settings. Focus groups can lead to the establishment of an ongoing Stakeholder or Working Group that includes members of the community.

*Case: Guild’s Lake Industrial Sanctuary in Portland, Oregon 1995

The plan for this area was focused on preserving existing land uses and creating a strategy for the future that mixes industrial with community uses. The Northwest Industrial Neighborhood Association (NINA) formed the Northwest Industrial Sanctuary Task Force in order to provide recommendations for area. A year later, NINA held a workshop to bring together many surrounding neighborhoods on this issue. This resulted in the formation of the Northwest Industrial Sanctuary Working Group (SWG).⁴⁹

Charrettes – Often used as an opportunity for residents and professionals alike to discuss physical plans through visualization. Charrettes in and of themselves have their own variation of formats. Generally, these are similar to focus groups in that they involve a small group of individuals but bring in maps and other visual support materials and offer an opportunity for individuals to add their design ideas to the project in a “hands on” way.

*A combination of focus groups and charrettes can be used where a presentation is made and a group is divided amongst tables to have a deeper conversation. A representative from the public agency, freight industry and local community organization should be present at every table.

Surveys – Although written 40 years ago, Sherry Arnstein’s “A Ladder of Citizen Participation” is still used as advice regarding the public involvement process.

⁴⁹ “Integrating Freight” pg. 36-37

“ Residents are increasingly unhappy about the number of times per week they are surveyed about their problems and hopes. As one woman put it: ‘Nothing ever happens with those damned questions, except the surveyor gets \$3 an hour, and my washing doesn’t get done that day.’”⁵⁰

*Community participation can be strengthened if survey results are shared with the community.

Social Networking Tools – Public agencies should avail themselves to current technologies and formats for communication. Using such tools as Twitter, Facebook and MySpace, and specialized project smartphone applications will provide an alternative venue for communication.

Community Benefits Agreements (CBAs) – These contracts (usually between a neighborhood organizations and a developer) acknowledge the benefits that the community will get from a development. NYC examples include the Atlantic Yards project in Brooklyn and the Bronx Terminal Market. However, it is important to note that some local residents criticize this practice. Some see it as a way for a developer to protect themselves from lawsuits and avoid a formal land use process.⁵¹ More information on CBAs can be found in the Appendix.

Community Tours – Members of the public agency and/or freight company can tour a proposed facility site and allow local residents to have a hands on experience with the plan. Agencies can also ask residents to lead a tour and ask *them* to guide the government and private sector employees throughout the neighborhood explaining what is important to them. This can be viewed as a charrette in the field.

Religious Institutions – It is important to utilize these resources for reaching out to local residents. Whether addressing a congregation directly or through its leader, religious institutions hold a great opportunity for disseminating information.

An expert on conflict negotiation and public participation, Allen Zerkon notes, “The best public forum is the one that no one shows up to. It means that you have done a good job and no one is opposed to the plan.”⁵² However, it can also be an indication that the outreach was not aggressive enough. An outreach strategy that uses multiple formats (a public meeting and a survey, etc.) is the best way to get the public involved. Develop the most appropriate format for your city, agency and proposed plan.

⁵⁰ Sherry Arnstein Section 3.4

⁵¹ Weblog post. *Community Benefits Agreements*. Web. <<http://communitybenefits.blogspot.com>>.

⁵² Zerkon, Allen. Personal Interview. 7 Jan. 2010. Rudin Center for Transportation Policy and Management

Tips for Running a Public Event

*Agencies should create a checklist for public meetings based on the particular issue, format and lessons learned in the past. Below are examples of what can/should be included. More detailed ideas from this list should become part of the public involvement plan, catered specifically to a particular project. Other helpful tips and guides can be found in the resources listed in the Appendix.

The checklist items within the following boxes are in no particular order:

Before a Meeting

- Conduct research on the area (go in the field to explore and experience a neighborhood). Attend community meetings and neighborhood events in order to improve relations and develop a better understanding of the area.
- Prepare facts beforehand.
- Do proper outreach and ensure that residents know about any public event.
- Develop a timeline to be shared at the meeting.
- Prepare further outreach materials, and any web materials and an up to date, transparent website.
- Establish a public participation plan.
- Start a campaign to host education meetings with communities before a project is ever proposed. If there is any suspicion with this the public agency can hold a “competition” for local communities to request a meeting or information session on freight (should work with local community organizations).
- Develop a small stakeholders group to meet before a larger public meeting or event. Make sure to include community based organizations and elected officials.
- Be active early and do not wait until a plan is underway.
- Ensure that you have proper relationships with multiple public agencies and the freight industry and have worked together on your public involvement plans moving forward.

Preparing a Meeting

- Provide multi-lingual, and other resources when necessary.
- Host the meeting in a neutral space (that is ADA compliant).
- Determine an appropriate date and time for the meeting. Be mindful of the community’s work hours and time constraints. Can offer multiple public meeting opportunities on different days of the week at different times to capture as many people as possible and make sure not to conflict with other important community events.
- Check the sound system and other technology (computer, screen, light switches) and physical layout of the location. It is important to be familiar.
- Use visual aides to help. These can include maps, aerials photographs, and neighborhood pictures.

During a Meeting

The way a presenter carries him/herself is important. Ensure that the person representing the project has good presentation skills and does not merely read from a report. Remember to keep promises. This will help future meetings run well.

It is important to understand the difference between the physical concerns and the communication concerns that a plan creates. Be sure to discuss the value matter as this is often overlooked or grouped into technical jargon.

If there is a particular concern on the table say so and admit that it is an issue and not going away until a new plan is in place (enabling the community to understand they have a key role in the change).

Make sure to listen AND hear the community.

Never say anyone is wrong (use facts to make the point while remaining courteous). You can politely state the facts in order to refute any incorrect claims.

Clearly explain your jurisdiction; what are you responsible for. And, if something is brought up that you have no control over, explain this and provide information to the residents to help them find more information on that issue.

Explain exactly how the meeting is going to run.

Openly discuss the topics that can be changed, not those that cannot. For example: if there is a budget crisis and services must be cut, do not waste time on arguing if there is a crisis but rather, what to cut. If an issue is not open to questions, do not offer the opportunity.

Use a community impact assessment which, "allows for a community's concerns (mobility, safety, employment effects, relocation, isolation, etc.) to be addressed in transportation decision-making":

http://www.ciatrans.net/CIA_Quick_Reference/Purpose.html

Introduce the key stakeholders from the general public, public agency and freight sectors along with their roles and responsibilities.

Ask what the residents want. By doing so in a calm and appreciative manner and by showing that the information they provide is being documented, the general public will have more trust in the plan and the process.

End of Meeting

Get contact information from residents for future outreach.

Offer an opportunity for involvement suggestions (what about the meeting worked and what did not?).

After the Meeting

Follow up with thank yous (notes, emails, phone calls) and future information from the contact information you received.

Figure out a plan for using the feedback from the meeting and do not let it simply sit on a shelf.

Throughout the Process

- It is important that through the process the public believes in the project. In order for this to happen agencies and the freight industry must remain transparent about their past work and future intentions. Think about the ways to incentivize the project for the public (economic opportunities, etc.)
- Remember that some conflict can be good. It often brings about good discussions and new ideas. Sometimes the public can see something that the agency or freight industry does not.
- Try to respond to issues when they crop up, and not wait until a formal meeting.
- Use creative ideas:
 - Propose better facility design (green roof, sunken yard with a park on top, more attractive building materials).
 - Allow residents to get a tour of the area.
 - Have the residents lead a tour of the area.
 - Offer education classes, workshops or presentations to communities before any proposal is in place. (It is important that residents are not suspicious of an agency coming to the community. If this is a concern, the government group can hold an RFP, except in this case it is a “Request for Presentation” that comes from the community). Can host a booth at local fairs and have a generic traveling education table that makes its way around the region.
- Continue to have meetings.
- Ensure follow up with residents to show that comments and information derived at previous meetings have been put to use.
- Even after a facility is built, continue the relationship by asking what is working and what is not. Remain a stakeholder in the community and provide a point person that local individuals can connect to.
- Offer opportunities to tour an area, before, during and after construction.
- Remain transparent with vital information available online, by phone, through contacts.

ADVOCACY

Public Agencies need to work with local, state and federal legislatures to ensure that freight transportation and land use laws and regulations ensure the best possible outcomes for local residents. Advocacy is a good method through which agencies can work with community-based organizations. Strengthening these relationships will improve government's "good neighbor" image. Additional advocacy goals include:

- Legislative advocacy with the public in order to streamline freight issues to prevent future conflict and reduce negative externalities on local residents.
- Work for stricter emissions standards across the country. Fight for more fuel efficient vehicles that are less noisy and have fewer odors. (Advocate for similar campaigns to improve the general environment.)

Make freight an important policy area. Non profits, research organizations, CBOs, and planning, engineering schools need to focus work on freight (much like bicycling has come to the forefront of transportation policy, so must freight). This is one of the few, if not the only, transportation area that affects everyone.

3.3 Working with the FREIGHT INDUSTRY

What to know about the Freight Industry:

Freight companies are, obviously, in business to maximize profitability. Thus, they must balance profitability with community impacts.

The difference between public involvement in general and public involvement with freight is dealing with the private sector. In many cases, involvement is just between the government sector and local communities and in this case, there is a third party involved. The public agencies need to convince the freight industry that being involved and actively participating with the community is a good thing. **This may very well be the most difficult issue surrounding freight management and community conflict. Why should a company partake in the public involvement process and design with the community in mind when they can steamroll a project and deal with a small lawsuit after the fact?

Goods movement is similar (in a way) to real estate and land use developments. Both involve local communities, public agencies and private companies. Many of those similar projects prove that a company can still make a profit while being sensitive to the community. It is important that the freight industry realize that this is an important component to any freight plan.

How to work with the Freight Industry:

There are various long-term strategies to create mutually beneficial operating guidelines for street operations and community safety. Examples of policies and practices that optimize the capacity and safety of streets with truck mobility needs include:

1. Prohibiting trucks larger than 30 feet in length from the downtown core between 6:00 A.M. and 7:00 P.M. on weekdays.
2. Reserving some on-street parking for “commercial vehicles.”
3. Requiring permits for all over-dimension (over size and over weight) trucks.
4. Requiring new developments to provide off-street loading areas for trucks.
5. Retaining alleys for truck deliveries and garbage/recycling collection.
6. Providing signage for truck drivers to note truck prohibitions and appropriate routes.
7. Providing businesses information about construction closures and detours with enough lead time that the business can change operations or delivery schedules if needed.
8. Providing real-time information about incidents that disrupt normal traffic operations.⁵³

This list highlights the need to include receivers and not just shippers in a freight transportation plan.

How the freight industry views public agencies:

Public agencies can sometimes be perceived as a difficult partner by the freight industry. An example includes public agencies not being helpful with advocacy on behalf of industry and advocating solely for the public’s side. One particular issue is the industry’s frustration with the public agency permitting process. The freight industry is critical of a process that many times is difficult to follow, inconsistent, and lengthy. However, agencies are also a necessary partner. Without good relationships with the government, the freight industry will have great difficulty pursuing their plans, having them approved, and maintaining a good relationship with the community afterwards.

Not only does the general public need to be educated but public agencies as well. As mentioned earlier, government employees themselves often have limited knowledge of freight.

⁵³ *10 Best Practices in Freight Movement*. Rep. Web.

<<http://www.seattle.gov/transportation/docs/ump/10%20SEATTLE%20Best%20Practices%20in%20Freight%20Movement.pdf>>. pg. 10A-2

Public Agency Responsibilities:

- Work well with the freight industry but make sure to have the public's best interest at heart.
- Help educate the freight industry about the public: What does the public know or not know? What does the freight industry know or not know? How does the industry work with the public for a successful outcome (education and public involvement).
- Develop preventative/alternative measures with freight industry in order to minimize the impact on local residents. Agencies should encourage creative, technical prevention/mitigation strategies. Examples of strategies include assisting the freight industry by developing better design techniques and by educating the community about economic opportunities. Other examples can be found in the Appendix.
- It is important to develop strategic relationships. Agencies need to work not only with a freight company's community and intergovernmental affairs unit but also with the appropriate engineers, planners, and managers that are actually working on a particular project. Relationships with universities, research centers, etc. are also vital for public agencies in order to better work with the freight industry as they can assist in research and community outreach.
- In order for public agency employees to better relate to the freight industry there are several classes and online venues established by US DOT to help hone skills:
<http://ops.fhwa.dot.gov/publications/fhwahop09020/capacity.htm>

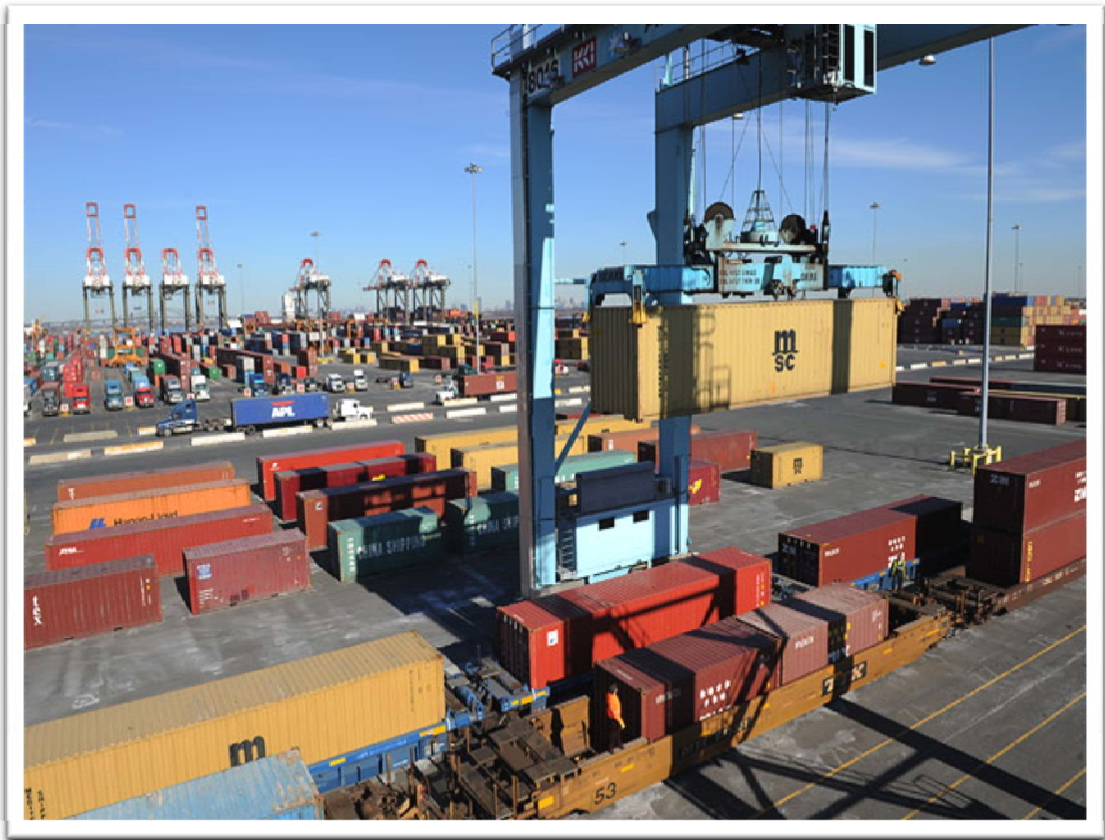
Advocacy

Freight trucks are often blamed for accidents that are not their fault. Companies want to use facts to prove they are not the "bad guy". Agencies can help by talking on behalf of these groups. The freight industry fears officials who will politicize the process and potentially prevent or disrupt any planning effort. Politicians avoid the term "truck" etc. because it is a bad word. There is a need to turn the meaning around.⁵⁴

- Make freight an important policy issue on behalf of the freight industry. Help improve permitting processes and lessen unnecessary fees in order to ensure a more efficient freight system.
- Work with (and without) the freight industry to make state and federal processes less complex and incomprehensible. This partnership can also work towards better legislation that relates to specific freight initiatives.
- Continue to have a conversation with the freight industry to learn what new issues they are advocating for or against.
- Improve data collection (freight data is limited, see Education Section).

⁵⁴ Toth, Gail

4. FREIGHT INDUSTRY SECTION



Source: www.panynj.gov/about/year-in-review.html

Main Issue: Freight companies must become more involved in community participation in order to be a better partner while educating local residents.

For many in the freight industry, involving a company in community involvement may seem pointless. Developing good relationships with local residents may seem impossible and conflict inevitable. A lawsuit resulting from a problem may seem like an easier issue to deal with versus actually working together with the community.

Goods movement is similar (in a way) to real estate and land use developments. Both involve local communities, public agencies and private companies. Many of those similar projects prove that a company can still make a profit while being sensitive to the community. It is important that the freight industry realize that this is an important component to any freight plan.

Roles and Responsibilities

Once a plan for a local neighborhood is conceived, a freight company has now become a part of the community and it is that organization's responsibility to be active in the public involvement process.

It is important to work effectively with local communities and public agencies because with the public's trust and support from agencies, a project has greater chance of success.

The Center for Corporate Citizenship's 7 Standards of Excellence:⁵⁵

1. Leadership – Senior executives demonstrate support, commitment, and participation in community involvement efforts.
2. Issues Management – The company identifies and monitors issues important to its operations and management.
3. Relationship Building – Company management recognizes that building and maintaining relationships of trust with the community is a critical component of company strategy and operations.
4. Strategy – The company develops and implements a strategic plan for community programs and responses that is based on the mutual issues, goals, and concerns of the company and the community.
5. Accountability – All levels of the organization have specific roles and responsibilities for meeting community involvement objectives.
6. Infrastructure – The company incorporates systems and policies to support, communicate, and institutionalize community involvement objectives.
7. Measurement – The company establishes an ongoing process for evaluating community involvement strategies, activities, and programs and their impact on the company and community.

⁵⁵ "creating loyalty"

PARTNERS

The freight industry needs to work with local community based organizations (representing the general public) and public agencies in order to prevent conflict. Poor planning, miscommunication, and misunderstanding often lead to unnecessary argument. It is important to learn the roles and responsibilities of every sector including your own.

4.1 Working with the GENERAL PUBLIC

What to know about the General Public:

Local residents often feel overwhelmed with information, and fear a lack of transparency, from agencies and companies when plans are proposed. The general public can often feel manipulated and taken advantage of when private companies provide benefits in exchange for freight uses in a local community. There is a question as to whether the benefits provided to a community by a particular project are outweighed by its negative impacts. When deciding what community to work with there are several areas to consider.

Citing the location with respect to the community AND agency

- Be prepared, proactive and anticipate community concerns.
- Prevent conflicts by avoiding unnecessary development of any kind.
- Provide multiple design options and think outside the box.
- It is important that when citing locations, freight facilities do not end up only in minority neighborhoods.
- Learn about the neighborhood.

Honesty and Transparency are vital to success. Provide information on your website dealing with:

- Environment
- Local communities
- Giving back (a company cannot simply provide financial resources to an underserved area in the community and expect to be welcomed. While this sometimes is reasonable, it should not be relied on).
- Examples of successful relationships with other communities (bring someone from another community to a public meeting, who can testify to your commitment).

Communities need to be better educated on what freight means. It would benefit the freight industry to teach local residents with the help of public agencies but most importantly with local community organizations. Companies can reach out to local community organizations to help in this effort.

Physical

Offer physical alternatives (ancillary concerns like requests for job opportunities, affordable housing, economic development on or near your site). Be open to compromise and thinking outside of the box.

*Remember the most common points of conflict:

- Noise
- Emissions/air pollution/smog
- Traffic/accidents

Anticipate concerns and offer possible solutions to some of these more physical concerns. For more information, see the Appendix.

Even with work, background research, and preventative measures, there are still opportunities for conflict. NIMBYISM (Not In My BackYard) will always exist but it is still important to prevent as many conflicts as possible, but also to be prepared for new ones that have not come up. Not all conflict is bad; it can be healthy to have a conversation and debate.

Have a presence at community events and meetings where freight facilities already exist and where one is being planned. This can help develop a constructive relationship with the local residents.

There are certain issues that can be addressed directly by the freight industry without having to go through a public agency. Having a relationship directly with the community, without help from the public agency is just as important as with working with a public agency. It is important for local residents to view a company as a standalone entity and not wholly tied to the government sector. Of course when necessary (public meetings, addressing serious concerns, changes to zoning and EIS, etc.) it is appropriate and wise to use the public agency as a partner and for local communities to see that the freight industry and the public agencies work well together.

Below are some examples of how the freight industry can work to improve community relations as identified in “Integrating Freight Facilities and Operations with Community Goals”⁵⁶:

Traffic Flow and Congestion – replacing at-grade rail crossings with grade separations, motivating customers to switch from truck use to rail use, and scheduling truck appointments to pick up or deliver shipments.

Safety and Security – Undertaking public education programs such as Operation Life-saver and the NoZone, creating highway watch programs to leverage the presence of trucks into an added security net for all motorists, and strengthening cargo inspections.

⁵⁶ “Integrating Freight” summary

Economic Development – Combining economic and transportation system development, retaining existing industrial areas, redeveloping brownfields, and hiring locally for the construction of freight transportation projects as well as ongoing operations.

Air Quality – Implementing Green Ports practices, such as electrifying gantry cranes and using alternatively fueled equipment, reducing the need to idle trucks and locomotives, and promoting beneficial reuse of dredged materials.

Noise and Vibrations – Modifying the hours of freight operations to coincide with time when residents are not at home, installing sound walls, limiting the hours of loading dock operations, installing hush kits on cargo aircraft, and creating whistle-free quiet zones.

Land Use and Value – Developing buffer zones to transition between freight/industrial uses and residential uses, creating neighborhood investment funds, and requiring developers to make the necessary highway access improvements for trucks.

Additional General Solutions:

- More human scale construction: move unsightly masses of trucks to areas of warehouses not visible by main thoroughfares or community
- Build in a style of the surrounding neighborhood (context sensitive)
- Not only hire locally but also ensure that economic value goes back into local neighborhood
- Use small electric vehicles to service deliveries within a city

Be creative: Look into better freight design (green roof, sunken yard with a park on top, context sensitive design, etc.). Think about ways to incentivize the public (economic opportunities including new jobs and an increased tax base, allow residents to help design, name certain areas). Other ideas can include words/pictures on the sides of transportation modes that show that is being shipped (when appropriate). This is a way to “personalize” and even “humanize” freight. Since education is the issue, this can turn trucks, barges, trains and planes into moving public service announcements used to educate the masses while doing their job. Additional examples can be found through links in the Appendix.

Communication

There are examples of freight companies collaborating with local communities for the better. CSX transportation helped build a park in North Carolina for a community it was working in.⁵⁷ Their website provides more information on how they give back to local residents: <http://www.keeponliving.org/giving/>.

⁵⁷ Goetz, William

However, being an active and effective company requires more than education and giving back. It requires transparent information and openness on your company's endeavors. Industry information is available on some company websites:

The Burlington Northern and Sante Fe Railway (while not servicing our particular area) provides good information for local residents on its website: <http://www.bnsf.com>. Under their "Community Outreach" section there are lists of community issues and frequently asked questions to help educate and explain the workings of a railway company. <http://www.bnsf.com/communities/outreach/index.html>.

It is important to learn from other companies that are focusing on open flows of information on their websites. More information on the particular companies that work within the port region can be found in the Port Guide from the Port Authority: <http://www.seaportsinfo.com/panynj/alphabetical.cgi>.

*Websites can often be the only method of communication between a freight company and the general public. Whether or not a plan or project is proposed for a particular location, it is still important to provide as much information as possible to avoid potential conflict.

-Show annual reports, board meeting minutes, press releases, upcoming events and more to help promote transparency. Include governmental affairs and community liaison contacts.

4.2 Working with PUBLIC AGENCIES

While there might be good "business to business" relationships between the freight industry and public agencies, good communication and collaboration between the two sectors can usually be improved.

What to know about Public Agencies:

There are various long-term strategies to create mutually beneficial operating guidelines for street operations and community safety. Examples of policies and practices that optimize the capacity and safety of streets with truck mobility needs include:⁵⁸

1. Prohibiting trucks larger than 30 feet in length from the downtown core between 6:00 A.M. and 7:00 P.M. on weekdays.
2. Reserving some on-street parking for "commercial vehicles."
3. Requiring permits for all over-dimension (over size and over weight) trucks.
4. Requiring new developments to provide off-street loading areas for trucks.
5. Retaining its alleys for truck deliveries and garbage/recycling collection.

⁵⁸ "10 Best Practices" pg. 10A-2

6. Providing signage for truck drivers to note truck prohibitions and appropriate routes
7. Providing businesses information about construction closures and detours with enough lead time that the business can change operations or delivery schedules if needed.
8. Providing real-time information about incidents that disrupt normal traffic operations.

How to work with Public Agencies:

It is important to know the public agencies, local officials, and local laws as it makes it easier to develop an appropriate stakeholder group. Additional mechanisms to help develop relationships with the public sector include:

- The private sector needs to improve their relationship with the public agency. It will take both sides to change this and be successful. Do not wait for the government to reach out and reach out to public agencies not only in times of conflict.
- Work with agencies (not just a public affairs person who is not communicating with the technical staff). The freight industry needs a relationship with the actual industry logistics planners and the people responsible for a project moving forward.
- Help educate the public agencies on what is happening in the freight industry as many government employees themselves lack knowledge on this issue.

Communication

One way that the freight industry can become more involved with public agencies is through the public involvement process. It may not seem like a natural partnership but having a stake in community outreach can help the freight industry develop relationships with the general public and prevent possible conflict.

*what are the actual laws surrounding public involvement

-work with the public agency during outreach (good neighbor practice), be present at any public forum and understand that they can be led by your organization or the public agency. Use them as your ally (especially when reaching out to the public and running public meetings, etc.).

Public participation is a group effort. You should work with public agencies and community groups when hosting any public event. Be present at all public meetings relevant to your project (and perhaps even beyond that). It is important for local residents to have a connection to your company. After citing the location, continue to work with public agencies to bring in stakeholders that actually represent the local residents. Then feel free to open up the discussion to the broader community.

After you have developed a public participation plan you can implement it and begin the public involvement process.

4.3 The PUBLIC INVOLVEMENT PROCESS

A Public Involvement Plan is developed in partnership with public agencies involved in the project. This following information is found in the PUBLIC AGENCY SECTION as well. Examples and resources for developing a plan can be found in the Appendix.

Outreach

Outreach with help from stakeholders (local non-profits, Community Based Organizations [CBOs], Business Improvement Districts [BIDs], elected officials, etc.)

Mailing lists – Can be snail mail or e-mail to households and/or individuals.

Phone calls – Can be an automated service calling those affected or a phone tree.

Media outlets – Use general media outlets plus the ethnic, local and independent media where many residents get their news. The New York Community Media Alliance has a list of some of these <http://www.indypressny.org/nycma/members/directory/>.

It is important to understand your audience before outreach. Has this community dealt with freight issues before? Are they currently dealing with any major land use issues? What is the history of public agencies in dealing with this community? Asking these types of questions will help prevent assumptions that can lead to grave errors and thus prevent a plan from advancing. Public agencies should look to local media (local newspapers, blogs, etc.) to see how local residents feel. The New York Community Media Alliance has a list of some local publications as well as TV and radio outlets: <http://www.indypressny.org/nycma/members/directory/>.

Elena Conte of the Pratt Center for Community Development notes the importance of relating to communities when going through a public involvement plan:

Introduce, Educate, Create

Introduce: public agency, industry

Educate: public agencies with community outreach

Create: public input into design, charrette with freight⁵⁹

⁵⁹ Conte, Elena

Stakeholders

After initial discussions between the private sector and public agencies about a potential project, it is now time to get local stakeholders involved. Be targeted with your stakeholders and invite the right people. Who actually represents the community? Do not only include those who support the project. This group can include elected officials, members of a community board or local neighborhood associations, etc.

- It is important to engage a small but key group of stakeholders early in the process. Once appropriate, involve the greater community with the beginning of the public involvement process.
- Use the CBOs as a bridge to help educate the public on basic freight issues (make sure that the local organizations have an understanding of freight and how it works and inform them and suggest they develop a certain basic knowledge of freight transportation). The more the public understands freight, the less potential conflict. If people understand that freight is necessary and local facilities can provide advantages to a local community, they will be more willing to support a project. By educating the public BEFORE there is a problem conflict can be minimized. Many non-profits throughout the region work to advocate on behalf of residents. Many focus (or have a department or staff member) dedicated to various areas such as mass transit, health, education, housing, etc. Why not freight? Public agencies need to reach out to these organizations and get the conversation started so that more research can be conducted on freight at the local level. CBOs cannot only act as public educator but as an advocate for good freight management.

The traditional public meeting?

"Large public meetings ironically pose serious access questions for the majority who attend. The typical open microphone arrangement allows accomplished public speakers to dominate the meeting, effectively excluding others. Conversely, a series of smaller meetings consume so much of participants' free time that it excludes many with jobs or children."⁶⁰

All too often, public agencies hold public meetings where local residents are offered the opportunity to speak at a microphone to a table of officials in front of the room. Instead of there being dialogue, it is often a one-way conversation that does not result in constructive discussion. It is generally understood that this is not the best way to hold a public meeting. Many of these meetings run for hours with little progress. Additionally, public agencies are often criticized when complaints and suggestions heard from the public during these meetings are not incorporated into decisions. Perceptions of inattentiveness by public officials during these meetings help add to this criticism.

⁶⁰ Grossardt, Ted, and Keiron Bailey. "Justice and the Public's Involvement in Infrastructure Planning: An Analysis & Proposal." *Practicing Planner* 5.1 (2007). Web. <<http://www.planning.org/practicingplanner/2007/spr/index.htm>>. pg. 5

It may seem old fashioned but poor planning and outdated formats for public hearings still exists. At an MTA public meeting on fare reductions in early 2010, an attendee spoke saying,

When I came here, I was angry, but now that I'm here I'm outraged...The first thing that I see when I come in here is people sleeping, people texting, people calling, people speaking to each other, people reading the newspaper. How dare you sit up there and do all of those things while these people here took the time to come and listen to you?⁶¹

This “traditional” format may be easier to organize, but it can be detrimental to success because it often provides a stage for a distracting media event with emotions running high. Often times these meetings provide a platform for the most vocal residents who do not necessarily represent the broader community views. It is hard to find any positive outcomes from this format.

It is also unclear what the results of these meetings will be. What will be done with the public comment? The public is often times told that agencies are listening and that the responses to the comments will be incorporated in the final document. It is important that public agencies demonstrate this, such as by providing a summary of the meeting and/or display the records of speakers and their comments online on a website dedicated to the project.

This is a low cost, easy format. There seems to be an inherent fear of meeting with the public. The belief may be that regardless of what type of meeting it is, the community will still be furious. For some it seems pointless to invest the time and energy into a creative public event if the outcome will still be negative. Because of poor involvement strategies and a negative outlook, agencies miss the chance to bring the freight industry and local communities together.

What are the laws that govern public hearings? What does NEPA, SEQRA and CEQR actually say and what are the rules for public involvement at your particular agency? Take the time to learn it because there may be room for creativity in public participation and a chance to avoid the *traditional* “public hearing”. A court order for a public meeting may not dictate the format or structure.

Alternative Meeting Formats

Public agencies can avoid the traditional *microphone in audience, table of officials in front* set up. There are multiple opportunities to gather information by using different formats for public participation. For additional guides providing help in this area see the Appendix.

⁶¹ Spitz, Rebecca. *MTA Holds Final Public Hearing In Manhattan*. NY1, 5 Mar. 2010. Web. <http://www.ny1.com/5-manhattan-news-content/top_stories/114627/mta-to-hold-final-public-hearing-in-manhattan>.

Given these concerns, the public agencies should look for an appropriate format for their particular plan. Everything is issue specific and therefore each plan should have a specific public involvement implementation strategy. Some formats include (but are not limited to):

Focus Groups – These can identify how and why participants view the subject matter. Participants screen criteria while a moderator helps focus the discussion in small to medium group settings. Focus groups can lead to the establishment of an ongoing Stakeholder or Working Group that includes members of the community.

*Case: Guild's Lake Industrial Sanctuary in Portland, Oregon 1995

The plan for this area was focused on preserving existing land uses and creating a strategy for the future that mixes industrial with community uses. The Northwest Industrial Neighborhood Association (NINA) formed the Northwest Industrial Sanctuary Task Force in order to provide recommendations for area. A year later, NINA held a workshop to bring together many surrounding neighborhoods on this issue. This resulted in the formation of the Northwest Industrial Sanctuary Working Group (SWG).⁶²

Charrettes – Often used as an opportunity for residents and professionals alike to discuss physical plans through visualization. Charrettes in and of themselves have their own variation of formats. Generally, these are like focus groups in that they involve a small group of individuals but brings in maps, and other visual support materials and offer an opportunity for individuals to add their design ideas to the project in a "hands on" way.

*A combination of focus groups and charrettes can be used where a presentation is made and a group is divided amongst tables to have a deeper conversation. A representative from the public agency, freight industry and local community organization should be present at every table.



Source: www.plannersweb.com

Surveys – Although written 40 years ago, Sherry Arnstein's "A ladder of citizen participation" is still used as advice regarding the public involvement process.

"Residents are increasingly unhappy about the number of times per week they are surveyed about their problems and hopes. As one woman put it: 'Nothing ever happens with those damned questions, except the surveyor gets \$3 an hour, and my washing doesn't get done that day.'"⁶³

⁶² "Integrating Freight" pg. 36-37

⁶³ Sherry Arnstein Section 3.4

*Community participation can be strengthened if survey results are shared with the community.

Social Networking Tools – Public agencies should avail themselves to current technologies and formats for communication. Using such tools as Twitter, Facebook and MySpace, and specialized project smartphone applications will provide an alternative venue for communication.

Community Benefits Agreements (CBAs) – These contracts (usually between a neighborhood and a developer) acknowledge the benefits that the community will get from the development. NYC examples include the Atlantic Yards project in Brooklyn and the Bronx Terminal Market. However, it is important to note that some local residents criticize this practice. Some see it as a way for a developer to protect themselves from lawsuits and avoid a formal land use process.⁶⁴ More information on CBAs can be found in the Appendix.

Community Tours – Members of the public agency and/or freight company can tour a proposed facility site and allow local residents to have a hands on experience with the plan. Agencies can also ask residents to lead a tour and ask them to guide the government and private sector employees throughout the neighborhood explaining what is important to them. This can be viewed as a charrette in the field.

Religious Institutions – It is important to utilize these resources for reaching out to local residents. Whether addressing a congregation directly or through its leader, religious institutions hold a great opportunity for disseminating information.

An expert on conflict negotiation and public participation, Allen Zerkin notes, “The best public forum is the one that no one shows up to. It means that you have done a good job and no one is opposed to the plan.”⁶⁵ However, it can also be an indication that the outreach was not aggressive enough. An outreach strategy that uses multiple formats (a public meeting and a survey, etc.) is the best way to get the public involved. Develop the most appropriate format for your city, agency and proposed plan.

Tips for Running a Public Event

*Agencies should create a checklist for public meetings based on the particular issue, format and lessons learned in the past. Below are examples of what can/should be included. More detailed ideas from this list should become part of the public involvement plan, catered specifically to a particular project. Other helpful tips and guides can be found in the resources listed in the Appendix.

⁶⁴ Weblog post. *Community Benefits Agreements*. Web. <<http://communitybenefits.blogspot.com>>.

⁶⁵ Zerkin, Allen

The checklist items in the following boxes are in no particular order:

Before a Meeting

Conduct research on the neighborhood (go in the field to explore and experience a neighborhood). Attend community meetings and neighborhood events in order to improve relations and develop a better understanding of the area.
Prepare facts beforehand.
Do proper outreach and ensure that residents know about any public event.
Develop a timeline to be shared at the meeting.
Prepare further outreach materials, and any web materials and an up to date, transparent website.
Establish a public participation plan.
Start a campaign to host education meetings with communities before a project is ever proposed. If there is any suspicion with this the public agency can hold a “competition” for local communities to request a meeting or information session on freight (should work with local community organizations).
Develop a small stakeholders group to meet before a larger public meeting or event. Make sure to include community based organizations and elected officials.
Be active early and do not wait until a plan is underway.
Ensure that you have proper relationships with multiple public agencies and the freight industry and have worked together on your public involvement plans moving forward.

Preparing a Meeting

Provide multi-lingual, and other resources when necessary.
Host the meeting in a neutral space (that is ADA compliant).
Determine an appropriate date and time for the meeting. Be mindful of the community’s work hours and time constraints. Can offer multiple public meeting opportunities on different days of the week at different times to capture as many people as possible and make sure not to conflict with other important community events.
Check the sound system and other technology (computer, screen, light switches) and physical layout of the location. It is important to be familiar.
Use visual aides to help. These can include maps, aerials photographs, and neighborhood pictures.

During a Meeting

The way a presenter carries him/herself is important. Ensure that the person representing the project has good presentation skills and does not merely read from a report. Remember to keep promises. This will help future meetings run well.

It is important to understand the difference between the physical concerns and the communication concerns that a plan creates. Be sure to discuss the value matter as this is often overlooked or grouped into technical jargon.

If there is a particular concern on the table say so and admit that it is an issue and not going away until a new plan is in place (enabling the community to understand they have a key role in the change).

Make sure to listen AND hear the community.

Never say anyone is wrong (use facts to make the point while remaining courteous). You can politely state the facts in order to refute any incorrect claims.

Clearly explain your jurisdiction; what are you responsible for. And, if something is brought up that you have no control over, explain this and provide information to the residents to help them find more information on that issue.

Explain exactly how the meeting is going to run.

Openly discuss the topics that can be changed, not those that cannot. For example: if there is a budget crisis and services must be cut, do not waste time on arguing if there is a crisis but rather, what to cut. If an issue is not open to questions, do not offer the opportunity.

Use a community impact assessment which, “allows for a community’s concerns (mobility, safety, employment effects, relocation, isolation, etc.) to be addressed in transportation decision-making”:

http://www.ciatrans.net/CIA_Quick_Reference/Purpose.html

Introduce the key stakeholders from the general public, public agency and freight sectors along with their roles and responsibilities.

Ask what the residents want. By doing so in a calm and appreciative manner and by showing that the information they provide is being documented, the general public will have more trust in the plan and the process.

End of Meeting

Get contact information from residents for future outreach

Offer an opportunity for involvement suggestions (what about the meeting worked and what did not?)

After the Meeting

Follow up with thank yous (notes, emails, phone calls) and future information from the contact information you received.

Figure out a plan for using the feedback from the meeting and do not let it simply sit on a shelf.

Throughout the Process

- It is important that through the process the public believes in the project. In order for this to happen agencies and the freight industry must remain transparent about their past work and future intentions. Think about the ways to incentivize the project for the public (economic opportunities, etc.).
- Remember that some conflict can be good. It often brings about good discussions and new ideas. Sometimes the public can see something that the agency or freight industry does not.
- Try to respond to issues when they crop up, and not wait until a formal meeting.
- Use creative ideas:
 - Propose better facility design (green roof, sunken yard with a park on top, more attractive building materials).
 - Allow residents to get a tour of the area.
 - Have the residents lead a tour of the area.
 - Offer education classes, workshops or presentations to communities before any proposal is in place. (It is important that residents are not suspicious of an agency coming to the community. If this is a concern, the government group can hold an RFP, except in this case it is a “Request for Presentation” that comes from the community). Can host a booth at local fairs and have a generic traveling education table that makes its way around the region.
- Continue to have meetings.
- Ensure follow up with residents to show that comments and information derived at previous meetings have been put to use.
- Even after a facility is built, continue the relationship by asking what is working and what is not. Remain a stakeholder in the community and provide a point person that local individuals can connect to.
- Offer opportunities to tour an area, before, during and after construction.
- Remain transparent with vital information available online, by phone, through contacts.

Freight companies should also have some relationship with the local public agency.
-generally need to have better communication and a more seamless relationship between your community affairs (or any public affairs individual) and the engineers, logistics practitioners in your company (link the technical employee to the face of the organization).

Advocacy

It is important to realize that freight companies need to play a role in the advocacy process.

Freight companies are frustrated by high fees and fines and an arduous permitting process.⁶⁶ The private sector should work with public agencies to improve this. Goals should include making state and federal processes less complex and incomprehensible; streamlining permit processes, zoning, tolls, truck rest stops, etc. It is important to continue to have a conversation with the public agencies and express what issues need support.

Encourage elected officials to take up the issue of freight management as an important policy area so they no longer look at it as an ugly issue. This will help develop better legislation that relates to specific freight initiatives.

⁶⁶ Stein, David. Personal interview. 17 Mar. 2010. NationsPort

5. EDUCATION SECTION

What is Freight?

Anything you buy must be transported in some way. Whatever the “good” is (food to eat, clothing to wear or oil to heat your home), freight is vital to everyone.

The way freight is transported, warehoused, and distributed requires many players and cooperation between the freight industry, public agencies and the general public.

Private freight companies own and operate vehicles used in goods movement and the government owns and maintains various rights of way and regulates transportation

To familiarize yourself with freight terminology, follow these links to freight, transportation and railroad glossaries:

CSX Railroad Directory: http://www.csx.com/?fuseaction=about.rr_dictionary

NYMTC’s The Basics of Freight Transportation In the New York Region. Pg. 20 at www.nymtc.org (follow the programs and projects button, then the freight planning section and scroll down).

NJTPA’s Freight System Performance Assessment Final Summary Report. Pg. 2-3 at www.nitpa.org/plan/Element/Freight/Freight_study/documents/FA_Summary_Report.pdf



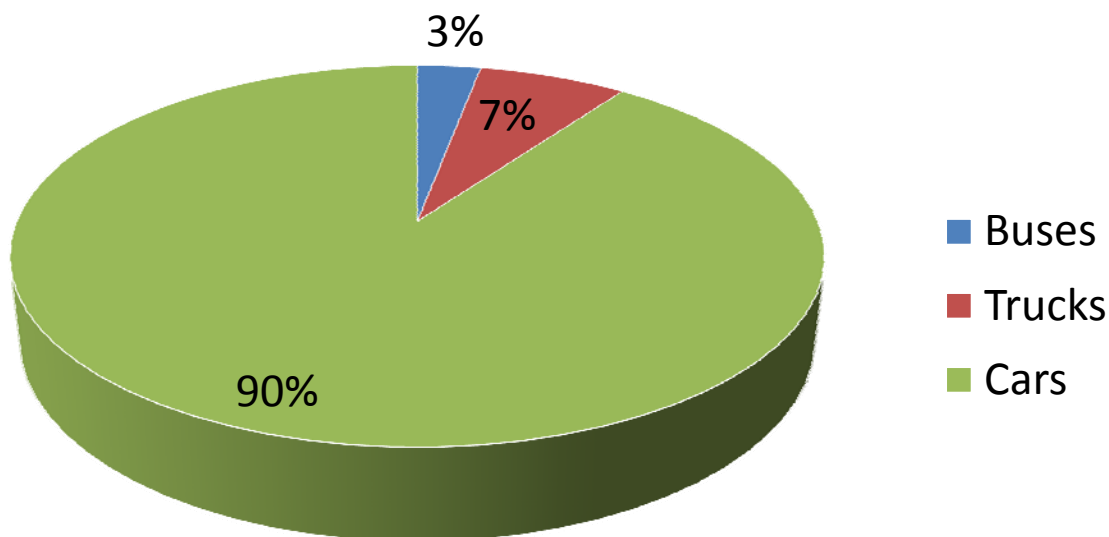
In 2008, The Center for Urban Pedagogy (an educational non-profit that uses art and design to convey important planning issues) created “The Cargo Chain”. This tool explains the basics of the goods movement network through the eyes of the corporations and workers involved: <http://www.anothercupdevelopment.org/projects/detail/55/description#description>

Unfortunately, there is limited specific data on freight in our region and across the country. Little information exists on exactly what type of goods are being shipped and consumed in various areas, exactly what route they are traveling through, combined with specific information on their value, weight, etc. This information is obtained separately by various agencies and if collected at all, is rarely shared with other government organizations without a huge hassle. Private companies charge money for freight data. This is a serious issue that needs to be address by public agencies. It is vital that there be a shift in the way data is collected and distributed. The lack of good quality data shows how important it is that freight companies and public agencies work together to improve information gathering.

Below is an expansion on the “Quick Facts” portion of the Main Section of this document. While it is not much, it does shine some light on the importance of freight and the magnitude of this issue in the area.

As of 2008, it was estimated that 17,200,000 people live in the region.⁶⁷

Eastbound NJ-NY Motor Vehicle Crossings 2008



Source: Port Authority Annual Report 2008 pg. 92. Includes data from all NJ-NY crossings: George Washington Bridge, Lincoln and Holland Tunnels, Goethels and Bayonne Bridges and Outerbridge Crossing.

In 2008 a total of 3,059,869 containers, weighing 32,817,000 metric tons were handled in all of the Port Authority’s marine terminals. In that same year a total of 2,343,415 cargo tons moved through the region’s three major airports: JFK International, LaGuardia and Newark Liberty International.⁶⁸

Freight movement in the US will increase in the future due to an increase in population and trade (both domestic and international) and with hopeful economic growth. In fact, between the years 2004 and 2035, freight transportation demand is expected to increase 90%.⁶⁹

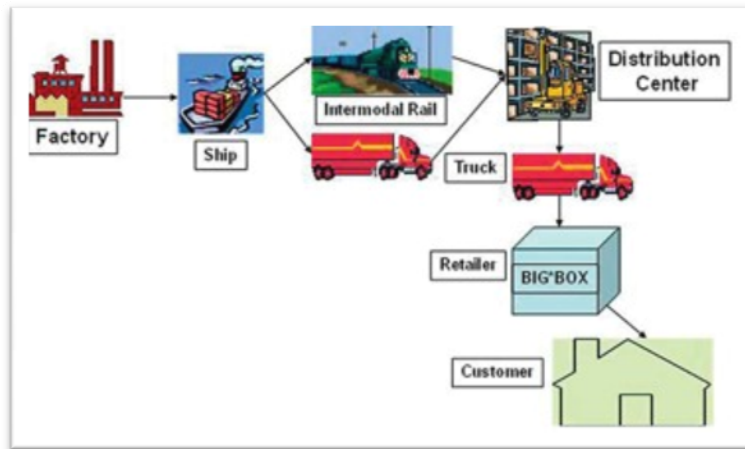
⁶⁷ *Annual Report*. Port Authority of New York and New Jersey, 2008. Print. Pg. 88

⁶⁸ “Annual Report” pg. 92

⁶⁹ “Public and Private Sector Interdependence” pg. 4

The different travel types, or modes, include marine ports, railroads, trucks, and air travel. Many goods travel via multiple modes through supply chains, which move products from the supplier to the consumer.

Global intermodal supply chains involve many businesses and transportation providers



Source: National Cooperative Freight Research Program. *Public and Private Sector Interdependence in Freight Transportation Markets*. Rep. no. 1. Transportation Research Board, 2009. Print. pg. 9

Many sectors are involved in the movement of goods. Even if the bulk of the trip is by air, rail or water, the final few miles are almost exclusively by truck because most consumers are only accessible through the road network. Therefore, goods must be consolidated at warehouses and distribution centers before they are sent out to consumer's homes or stores.

It is usually less expensive and quicker for a shipper to send goods in larger vehicles because there are fewer trips necessary. The alternative to large trucks is more, smaller trucks.

The key method to limit freight transport is to limit what we consume. The less we buy and/or the more we produce in our own home/offices, etc. the less we rely on goods being transported. Even so, sustainable goods movement strategies are necessary to transport essential materials.

Freight is both simple and complicated. It is simply the movement and distribution of goods but through a complicated mix of organizations, locations, modes, and people. It is vital to understand the basics of freight as it affects everyone.

For more information on regional freight forecasts and information see:

NJTPA Freight System Performance Assessment Final Summary Report:
http://www.njtpa.org/plan/Element/Freight/Freight_study/documents/FA_Summary_Report.pdf

NYMTC The Basics of Freight Transportation in the New York Region: www.nymtc.org

On left hand bar click “programs and Projects”. Then “Freight Planning”. Scroll down to “Freight Brochure”

The Private and Public sectors work together in moving goods:

“The private-sector freight industry provides the vehicles, rail equipment, aircraft, warehouse/distribution centers, vessels, and labor necessary to move goods. While they use infrastructure constructed by the public sector (notably highways and roadways, airports, and some rail lines developed by rail passenger agencies), private-sector businesses also provide their own infrastructure. Examples include freight rail lines, warehouse facilities, cargo facilities on and off airport, terminals, and yards. Private-sector freight providers are subject to the rules and regulations promulgated by local, state, and federal agencies. The private sector generally finances its own infrastructure, although the public sector may also invest and provide some financing.”⁷⁰

“The public sector includes metropolitan planning organizations (MPOs), regional port organizations, and various municipal, county, state, and federal entities...Some agencies provide short- and long-range planning, design, construction, operation, and maintenance of the freight system. Some finance or lobby for funding of the state’s freight infrastructure. Public agencies provide the regulatory framework and the oversight to ensure that the framework is followed and that the public’s safety is maintained.”⁷¹

Local, State and Federal Agencies for the New York/New Jersey Metropolitan Region:

USDOT (United States Department of Transportation) www.dot.gov

Within the DOT are agencies that deal with freight movement (www.dot.gov/summary):

Federal Highway Administration www.fhwa.dot.gov : “coordinates highway transportation programs in cooperation with states and other partners to enhance the country's safety, economic vitality, quality of life, and the environment.”

Federal Motor Carrier Safety Association www.fmcsa.dot.gov : Established in 2000 to prevent commercial motor vehicle-related fatalities and injuries. Administration activities contribute to ensuring safety in motor carrier operations through strong enforcement of safety regulations, targeting high-risk carriers and commercial motor vehicle drivers; improving safety information systems and commercial motor vehicle technologies; strengthening commercial motor vehicle equipment and operating standards; and increasing safety awareness.”

⁷⁰ New Jersey Department of Transportation. *The New Jersey Comprehensive Statewide Freight Plan*. Rep. 2007. Print. pg. 4-3

⁷¹ *ibid*

Federal Railroad Administration www.fra.dot.gov : ensures railroad safety throughout the nation by employing safety inspectors to monitor railroad compliance with federally mandated safety standards including track maintenance, inspection standards and operating practices.

Federal Transit Administration www.fta.dot.gov “FTA provides stewardship of combined formula and discretionary programs totaling more than \$10B to support a variety of locally planned, constructed, and operated public transportation systems throughout the United States. Transportation systems typically include buses, subways, light rail, commuter rail, streetcars, monorail, passenger ferry boats, inclined railways, or people movers.”

Surface Transportation Board www.stb.dot.gov “The STB is an economic regulatory agency that Congress charged with the fundamental missions of resolving railroad rate and service disputes and reviewing proposed railroad mergers. The STB is decisionally independent, although it is administratively affiliated with the Department of Transportation. The STB serves as both an adjudicator and a regulatory body.”
(<http://www.stb.dot.gov/stb/about/overview.html>)

NYSDOT (New York State Department of Transportation) www.nysdot.gov “Coordinating and developing comprehensive transportation policy for the State; coordinating and assisting in the development and operation of transportation facilities and services for highways, railroads, mass transit systems, ports, waterways and aviation facilities; and, formulating and keeping current a long-range, comprehensive statewide master plan for the balanced development of public and private commuter and general transportation facilities. Administering a public safety program for railroads and motor carriers engaged in intrastate commerce; directing state regulation of such carriers in matters of rates and service; and, providing oversight in matters relative to the safe operation of bus lines, commuter railroads and subway systems that are publicly subsidized through the Public Transportation Safety Board.” (from: <https://www.nysdot.gov/about-nysdot/responsibilities-and-functions>)

NJDOT (New Jersey State Department of Transportation) www.state.nj.us/transportation is the state DOT whose jurisdiction covers any state owned transportation assets. This includes bridges, the highway and public road systems as well as maritime uses. The DOT provides planning and policy assistance for rail, freight and other issues.

NYCDOT (New York City Department of Transportation)
www.nyc.gov/html/dot/html/home/home.shtml “Provide safe, efficient, and environmentally responsible movement of pedestrians, goods, and vehicular traffic on the streets, highways, bridges, and waterways of the City's transportation network; Improve traffic mobility and reduce congestion throughout the City; Rehabilitate and maintain the City's infrastructure, including bridges, tunnels, streets, sidewalks, and highways; Encourage the use of mass transit and sustainable modes of transportation; and Conduct traffic safety educational programs.” (From Freight Information: <http://www.nyc.gov/html/dot/html/motorist/trucks.shtml>)

NYMTC (New York Metropolitan Transportation Council) www.nymtc.org/ is an association of governments, transportation providers and environmental agencies that is the *Metropolitan Planning Organization* for New York City, Long Island and the lower Hudson Valley.



Source: www.nymtc.org

NJTPA (New Jersey Transportation Planning Authority) www.njtpa.org is the *Metropolitan Planning Organization* for Northern New Jersey. This includes a 13-county region that serves 6.5 million people.



Source: www.njtpa.org

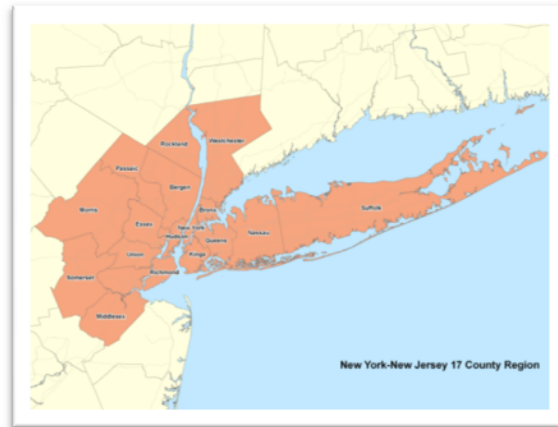
PANYNJ (Port Authority of New York and New Jersey) www.panynj.gov is a bi-state agency that serves the port district (approximately 1,500 square miles centering New York Harbor). The Port Authority operates many facilities including America's busiest airport system, marine terminals and ports, the PATH rail transit system, six tunnels and bridges between New York and New Jersey, the Port Authority Bus Terminals in Manhattan, and the World Trade Center. (<http://www.panynj.gov/about/facilities-services.html> and <http://www.panynj.gov/about/history-port-authority.html>)

The New York New Jersey Port District includes 17 counties:

NYC- Kings (Brooklyn), Bronx, New York (Manhattan), Queens and Richmond (Staten Island)

New York inner counties- Nassau, Rockland, Suffolk and Westchester

New Jersey counties – Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, Union



Source: Port Authority Planning Department

NYCEDC (New York City Economic Development Corporation) www.nyc.gov/edc is New York City's primary engine for economic development charged with leveraging the City's assets to drive growth, create jobs and improve quality of life. The EDC helps create affordable housing, parks, shopping areas, community center, cultural centers and more. (<http://www.nycedc.com/AboutUs/WhatWeDo/Pages/WhatWeDo.aspx>)

NYCDP (New York City Department of City Planning) www.nyc.gov/dcp DCP promotes strategic growth and development in the City, in part, by initiating comprehensive, consensus-based planning and zoning changes for individual neighborhoods and business districts. It supports the City Planning Commission and each year reviews more than 500 land use applications for actions such as zoning changes and disposition of City property. The Department assists both government agencies and the public by providing policy analysis and technical assistance relating to housing, transportation, community facilities, demography and public space. (<http://www.nyc.gov/html/dcp/html/subcats/about.shtml>)

American Association of State Highway and Transportation Officials (AASHTO) www.transportation.org is a nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia, and Puerto Rico. It represents all five transportation modes: air, highways, public transportation, rail, and water. Its primary goal is to foster the development, operation, and maintenance of an integrated national transportation system.

Freight Companies in the Region

The transportation system in the U.S. is incredibly complicated. There are different operators for the Infrastructure, Regulatory and Vehicular frameworks of the system as both governments

and the private sector work hand in hand in the movement of goods and people. The following graphic is a chart that looks only at the Infrastructure and vehicular frameworks while the Appendix provides tables with a more detailed view including regulatory overviews. This is not an exhaustive table. (All images are from www.panynj.gov)



ROADS

- Municipal, county, state and federal governments are responsible for public roads. Tolls, trucks and taxes help pay for their maintenance.
- Trucks are operated by private freight lines (shippers and independent owner-operators). A shipping company can own a fleet of trucks while a small company may own only one.



RAIL

- Freight rail is owned and operated by private companies. In most parts of the country, the actual rail tracks are also privately owned. However, in the NY/NJ region, some freight trains run on the same tracks as passenger rail, which is usually owned by the government.



AVIATION

- The main area airports are all operated by the Port Authority: LaGuardia, Newark, JFK, Stewart, Teterboro.
- Freight is carried on both freight airplanes and in the belly of passenger flights.



MARITIME

- The seaports in the region are predominantly owned by various government agencies (including NYC EDC and Port Authority) and leased to terminal operators including: APM, ASI, Columbia Container Terminal, Global Marine Terminal, Maher Terminals, New York Container Terminal.
- The ports include warehousing and distribution centers, shippers/receivers and crane operators.

For an example of the different responsibilities of various organizations, see the following tables from New Jersey's Comprehensive Statewide Freight Plan (<http://www.state.nj.us/transportation/freight/plan/pdf/2007statewidefreightplan.pdf>):

LEGEND

R – Railroads	DRJTBC – Delaware River Joint Toll Bridge Commission	DRPA – Delaware River Port Authority	FHWA – Federal Highway Administration
T-Trucking		SJPC – South Jersey Port Corporation	TSA/DHS – Transportation Safety Administration/ Department of Homeland Security
A - Air Cargo	BCBC – Burlington County Bridge Commission	FAA – Federal Aviation Administration	
O – Ocean Cargo (Ports)	NJTPA – North Jersey Transportation Planning Authority	MARAD – Maritime Administration	STB – Surface Transportation Board
W – Warehousing	DVRPC – Delaware Valley Regional Planning Commission	FRA – Federal Railroad Administration	USEDA – US Economic Development Administration
NJDOT – NJ Dept. of Transportation	SJTPO – South Jersey Transportation Planning Organization	FMCSA – Federal Motor Carrier Safety Administration	USEPA – US Environmental Protection Agency
NJEDA – NJ Economic Development Authority	PANYNJ – Port Authority of New York and New Jersey		
NJDEP – NJ Department of Environmental Protection			
SJTA – South Jersey Transportation Authority			
Cells with “x” in table represent agency direct action or authority to develop/operate/maintain infrastructure, regulate infrastructure development or operation, plan infrastructure systems, fund or set priorities for investments, provide customer freight services.			

Source: NJ Comprehensive Statewide Freight Plan pg. 4-6

Roles and Responsibilities of Private-Sector Businesses

Entity		Infrastructure Development, Operation, or Maintenance					Service Provider					System Planning					Funding				
		R	T	A	O	W	R	T	A	O	W	R	T	A	O	W	R	T	A	O	W
Integrated Carriers	e.g., FedEx, UPS, DHL		x	x			x	x	x				x	x				x	x		
All Cargo Carriers	BAX, Kitty Hawk, Atlas			x					x					x					x		
Airlines	All Cargo & Passenger Belly			x					x					x					x		
Freight Forwarders/ Consolidators Brokers		x	x	x	x	x	x	x	x	x		x	x	x	x	x					x
Trucking Firms			x					x					x					x			
Class I Railroads	NS, CSX, CP, and Conrail	x					x	x				x					x				
Shortline Railroads	14 in NJ	x					x					x					x				
Intermodal Carriers	Trucking and Maritime/ Port	x	x	x	x	x	x	x		x	x	x	x	x	x	x					
Shippers and Receivers	(Manufacturers, Wholesalers and Retailers)	Use the system, all modes, to best meet their needs – generate the demand and the competition																			
Warehouse Operators						x										x					
Ocean Carriers					x					x										x	x
Terminal Operators		x	x		x	x	x	x		x	x	x	x		x	x					

Source: NJ Comprehensive Statewide Freight Plan pg. 4-4

Roles and Responsibilities of Public-Sector Entities

Public Agency		Infrastructure Development, Operation, or Maintenance					Regulatory and Oversight					System Planning					Funding				
		R	T	A	O	W	R	T	A	O	W	R	T	A	O	W	R	T	A	O	W
Local	Counties/Municipalities		x	x				x			x	x	x	x	x	x	x	x	x	x	x
State	NJ DOT	x	x	x	x		x	x	x	x		x	x	x	x	x	x	x			
	NJ EDA					x					x					x					x
	NJ DEP	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
	Office of Smart Growth											x	x	x	x	x					
	NJ TRANSIT	x					x					x					x				
Toll Agencies	NJ Turnpike Authority		x					x					x					x			
	SJTA		x	x				x	x				x	x				x	x		
	BCBC		x					x					x					x			
	DRBA		x					x					x					x			x
	DRJTBC		x					x					x					x			
MPOs	NJTPA											x	x	x	x	x		x			
	DVRPC											x	x	x	x	x		x			
	SJTPO											x	x	x	x	x		x			
Port Authorities (ports and toll facilities)	PANYNJ	x	x	x	x	x		x	x	x		x	x	x	x	x	x	x	x	x	x
	DRPA		x					x					x					x			x
	SJPC	x	x			x	x	x		x	x	x	x		x	x	x	x		x	x
Federal	US Treasury/US Customs						x	x	x	x	x										
	FAA			x					x					x					x		
	MARAD											x	x		x						
	FRA	x					x					x					x				
	FMCSA							x					x								
	FHWA		x					x				x	x	x	x			x			
	TSA/DHS						x	x	x	x											
	US EDA																				x
	US EPA	x	x	x	x	x	x	x	x	x	x										x
	Army Corps of Engineers					x				x				x					x		
	STB						x														

Source: NJ Comprehensive Statewide Freight Plan pg. 4-5

6. APPENDIX

Resource List

General Freight Reports:

- “The New Jersey Comprehensive Statewide Freight Plan”:
<http://www.state.nj.us/transportation/freight/plan/pdf/2007statewidefreightplan.pdf>
- NJTPA’s “Freight System Performance Assessment Study-Final Report”:
http://www.njtpa.org/plan/Element/Freight/Freight_study/fr_study_final_rpts.aspx
- NYMTC’s “The Basics of Freight Transportation in the New York Region”:
www.nymtc.org go to “Programs & Projects”, then click on “Freight Planning”,
- NYMTC’s “Regional Freight Plan Project”:
<http://webservices.camsys.com/nymtcfreight/publications.htm>
- FHWA’s “A Guide to Transportation Decision-making”:
<http://www.fhwa.dot.gov/planning/decisionmaking/decisionmaking.pdf>

The Center for Urban Pedagogy (an educational non-profit that uses art and design to convey important planning issues) created “The Cargo Chain” in 2008. This tool better explains the goods movement network. One can understand the process through the eyes of the corporations and workers involved:

<http://www.anothercupdevelopment.org/projects/detail/55/description#description>

Freight Companies:

General websites

- The Burlington Northern and Sante Fe (BNSF) Railway: <http://www.bnsf.com>
- To find other freight companies that work within the port region see the “Port Guide” from the Port Authority: <http://www.seaportsinfo.com/panynj/alphabetical.cgi>

Specific community information

- APL: www.apl.com/boomerangbox/
- CSX: <http://www.csx.com/?fuseaction=responsible.community>
- CSX giving back: <http://www.keeponliving.org/giving/>
- BNSF: <http://www.bnsf.com/communities/outreach/index.html>

Coalition for America’s Gateways and Trade Corridors

www.tradecorridors.org is an association of over 60 members from the public, private and non-profit sectors who work to raise public and Congressional understanding of the importance of freight. Established in 2001, this group works to promote federal funding for freight in the United States.

Associations in the region include:

Organizations	Website
American Association of Port Authorities	www.nynjforwarders-brokers.org
American Short Line and Regional Railroad Association	www.njmta.org
Greater New York Chamber of Commerce	www.njchamber.com
I-95 Corridor Coalition, Intermodal Committee	www.nitl.org
Intermodal Association of North America	www.nysanet.org/index_hires.aspx
International Longshoremen's Association	www.ilaunion.org
Longshore Workers' Coalition LWC	www.lwcjustice.com
National Association of Industrial and Office Properties	www.nytrucks.org
National Industrial Transportation League	www.njchamber.com
Nation'sPort	www.intermodal.org
New Jersey Chamber of Commerce	www.nysanet.org/index_hires.aspx
New Jersey Motor Truck Association	www.njmta.org
New York/New Jersey Foreign Freight Forwarders and Brokers Association, Inc.	www.nytrucks.org
New York Shipping Association, Inc.	www.nynjforwarders-brokers.org
New York State Motor Truck Association	www.nationsport.org

Freight Projects' Websites:

CREATE (Chicago Region Environmental and Transportation Efficiency Program)	www.createprogram.org/index.html
Alameda Corridor Transportation Authority	www.acta.org/projects/projects_completed_alameda.asp
National Gateway	www.nationalgateway.org
New Jersey Route 440	www.440study.com
Puget Sound Regional Council FAST Corridor	http://psrc.org/transportation/freight/fast

Public Participation Reports:

- "Community Impact Assessment: A Quick Reference for Transportation": www.ciatrans.net/CIA_Quick_Reference/Purpose.html
- "Public Involvement Techniques for Transportation Decision-Making": <http://www.fhwa.dot.gov/REPORTS/PITTD/contents.htm>
- "Planning and Conducting Effective Public Meetings": <http://ohioline.osu.edu/cd-fact/1555.html>

- “Self Assessment Questions” on page 94 of *Building Planning Capacity Between Public and Private Sector Partners in the Freight Industry: A Resource Manual*.
[http://narc.org/uploads/FreightResourceManual\(1\).pdf](http://narc.org/uploads/FreightResourceManual(1).pdf)
- The International Association for Public Participation (IAP2) is an organization that promotes better public involvement practices: www.iap2.org. Amongst their many online resources is a Public Participation Toolbox:
<http://www.iap2.org/associations/4748/files/toolbox.pdf>
- The Partnership for Working Families is known as the national resource for organizing Community Benefits Agreements:
<http://www.communitybenefits.org/article.php?list=type&type=163>. The organization *Good Jobs First*, has published reports on the topic including “Community Benefits Agreements: Making Development Projects Accountable”:
<http://www.goodjobsfirst.org/pdf/cba2005final.pdf>. Also see “The Role of Community Benefits Agreements in New York City’s Land Use Process”:
<http://www.nyplanning.org/TheRoleofCommunityBenefitAgreementsinNYCLandUseProcess.pdf>
- “Crafting an Effective Plan for Public Participation”:
<http://www.uwsp.edu/cnr/landcenter/Publications/PublicParticipation.pdf>
- The book “Designing Public Consensus: The Civic Theater of Community Participation for Architects, Landscape Architects, Planners, and Urban Designers” is available for purchase on this blog which discusses these issues in an informal setting:
www.designingpublicconsensus.com/blog/

Government Information:

- Fair share: <http://www.nyc.gov/html/dcp/html/pub/fair.shtml>
- Environmental Justice: New Jersey see: <http://www.state.nj.us/dep/ej/> and New York:
<http://www.dec.ny.gov/public/333.html>.
- Brownfields: (http://www.nyc.gov/html/planyc2030/html/plan/land_brownfields.shtml)

Professional skills:

- Important classes and online venues have been established by US DOT to help transportation planners hone their skills:
<http://ops.fhwa.dot.gov/publications/fhwahop09020/capacity.htm>
- This includes the Freight Professional Development (FPD) Program, which provides targeted training to build the knowledge base and skills of freight transportation and planning professionals.
<http://ops.fhwa.dot.gov/freight/fpd/training/index.htm>

Outreach:

- The “Share the Road Safely” program from the Federal Motor Carrier Safety Administration at: www.sharetheroadsafely.org
- NJ Motor Truck Association’s own sharing brochure (contact at 732-254-5000 and ask for the New Jersey Share the Road Safely packet).
- The New York Community Media Alliance has a list of some local community news outlets: <http://www.indypressny.org/nycma/members/directory/>

More examples of conflict:

- For more examples see the “Atlanta Regional Freight Mobility Plan Community Impact Technical Report”. The Best Practices table (section 2 pg. 89-97) and Mitigation Case Studies (Section 3 pg 98-104) provide the best information:
http://www.atlantaregional.com/File%20Library/Transportation/Roads%20and%20Highways/tp_community_assessment_report_8-16-07.pdf