

Public Involvement

In Access Management



Access Management Can Be Controversial

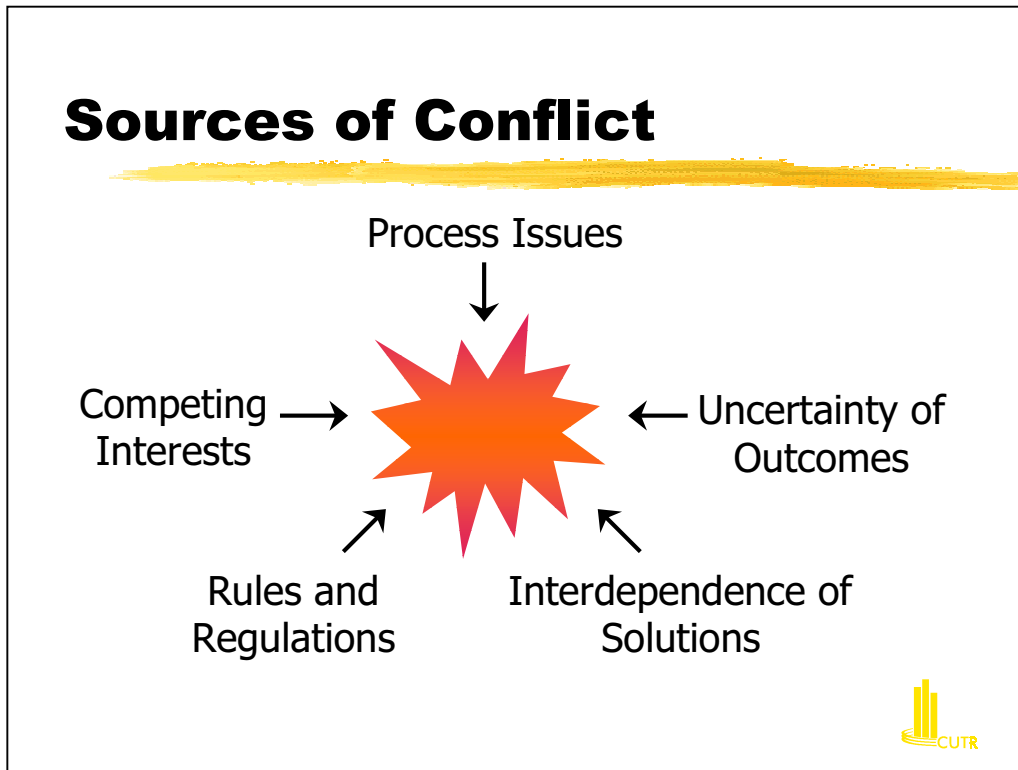


- We need strategies to:
 - foster public trust
 - minimize conflict
 - create positive outcomes



Government actions that affect property access tend to be controversial. People will get involved in these decisions, whether or not they are offered a formal opportunity. The challenge is to involve the public in a way that is productive and meaningful for them and for your agency.

The objective of this course is to assist planners and engineers in working with the public on controversial access management issues. The principles presented in this course help to minimize conflict, foster public trust, and safeguard projects against arbitrary or undesirable changes. The strategies are designed to facilitate open communication with affected parties and adequate public involvement at key steps in the decision making process.



Conflict in access management may arise from a variety of sources, including:

Uncertainty: Complex issues or projects create uncertainty that can lead to conflict. Objective analysis of potential outcomes, open discussion of pros and cons, and contingency measures can all reduce concern over negative impacts.

Interdependence: Access management decisions cross divisions, agencies, and jurisdictions. Differences in procedures, standards, or objectives across these groups can lead to conflict. Coordination mechanisms and frequent communication reduce misunderstandings and administrative problems.

Rules and Regulations: Lack of clarity, inconsistent administration, and inadequate administrative flexibility can all lead to conflict.

Competing interests: Not everyone is affected equally by projects and access decisions. Some are inevitably impacted more than others. Tension between public and private interests raises the importance of clear public policy and consistent administration.

Process issues: Conflict may also revolve around the way decisions are made. Without a fair and open process for responding to public concerns, planners and engineers will likely face intense pressure to concede to demands for unrestricted access.

Typical Problems

- Suspicious public
- Rumors and misinformation
- Explaining access management
- Silent majority
- Private interests over the public good
- Perceived negative economic impacts
- Resistance to change
- Political pressure



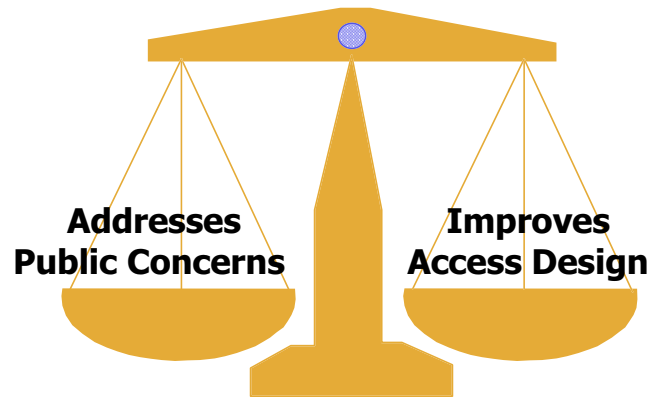
Transportation planners and engineers have noted a variety of obstacles to working with the public on median projects and access management issues.

Inadequate information and public involvement prior to the public hearing can give rise to rumors, misinformation, and heightened anxiety about the project or action. This is compounded by the difficulty project managers experience in communicating the concept of access management and the technical basis for their decisions.

The ultimate beneficiary of access improvements, the traveling public, is often a silent bystander. Those that do get involved are typically those who feel they will be adversely affected. They tend to be less receptive to the potential public benefits and instead focus on how the project will affect them individually - through traffic in their neighborhood, the development potential of their property, or the accessibility of their business. Therefore it appears as if the project has little public support.

Adding to these problems is a general human resistance to change. This stems from uncertainty about the outcome and anxiety about potential negative impacts. The result is pressure for variances or to stop the project entirely as affected parties actively appeal their case to elected officials and agency management.

Achieving Balanced Solutions



Clearly, the challenge in access management relates as much to public involvement, as to technical issues.

Agencies must ask themselves: How do we build a process that enables us to say we have made sound choices? How do we achieve solutions that are consistent with the principles of good access design and that address public concerns or objectives?

Benefits of Public Involvement

- Builds trust and enhances relationships
- Strengthens agency credibility
- Increases likelihood of public acceptance
- Reduces delays and costly litigation
- Leads to better projects



Effective public involvement helps safeguard your access management project or program and elicits information that can result in better designs and decisions.

It is wise, if you're investing several million dollars in a reconstruction project, not to leave public acceptance up to chance. Be as diligent with the public involvement process as with the technical decisions.

Ultimately, selecting a preferred course of action is a policy decision. Difficult trade-offs need to be brokered. Although the outcome is not always ideal, this does not necessarily mean that the public involvement process was a failure. Even if you are not successful today, you are building the foundation for future success. You are building relationships with decision-makers in your region and strengthening the credibility of your agency as one that makes responsible decisions that incorporate public input.

Principles of Public Involvement

Communicate Clearly

Listen
Listen

Satisfy Process Values

Tell the truth

Be Inclusive



Just as the principles of access management guide project and permitting decisions, so should the principles of public involvement guide interaction with the public.

These principles and techniques help minimize conflict, foster public trust, and achieve broad based support from the public and policy makers for access management decisions.

Understanding Opposition

- Opposition becomes active when:
 - people feel the decision process is unfair
 - people feel the outcome will be much worse than doing nothing

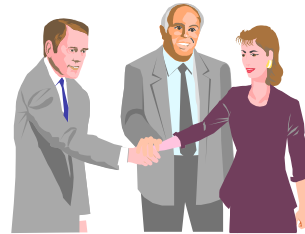


Ultimately, the success or failure of an agency program or project often lies more with its ability to *prevent vetoes*, than with its ability to generate support.

Consensus may be unrealistic on controversial projects. When working with opponents, sometimes the best outcome that can be expected is “a grudging willingness to go along”.

Gaining Public Acceptance

- People are more likely to *oppose* a project or action they feel is being imposed on them.
- People are more likely to *accept* a decision if they have been fully informed, treated fairly, and involved in decision- making.



What can we do to reduce the likelihood that people will exercise their veto power?

First, never try to slip a controversial project or decision past the public. Even if you can get away with it, your project, and perhaps your entire access management program, *will be living on borrowed time*.

This is because you have created resentment and a desire for future retaliation. Those that have been treated unfairly may do more than oppose future projects.

People are much more likely to accept the project or action if they have been fully informed and feel that their concerns have been considered. Appeals can also be managed more effectively if you can demonstrate that there is a process for responding to public concerns and that these concerns have been carefully weighed.

Satisfy Process Values

- Begin early and parallel decision process
- Prove to the public their concerns will be considered
- Achieve clear resolution and provide prompt feedback



Procedures, rather than actual decisions, are the source of most people's perception of legitimacy. Even if a median project or access management decision is contrary to the position of some participants, they may still accept it *if the process that produced it is legitimate*. They are much less likely to accept it, if they feel that there were problems with the decision-making process. Typical problems include:

- the agency did not follow its own procedures
- the public was not involved early enough
- affected parties were not adequately informed
- response times were inadequate

Public involvement is not a discrete task, but rather an ongoing process which should parallel the technical decision making process and be integrated into the entire work program. Provide for public involvement at each key decision point.

The earlier you involve the public or affected property owners, the more likely you will be able to incorporate reasonable changes in response to their concerns. This reduces the potential for delays.

People often feel that only powerful interests will be represented. Show there is a process for considering changes in response to valid public concerns. Follow up is essential. Letters or other feedback help to demonstrate that their concerns were considered in shaping the project.

Maintain Continuity

- “Publics” may change
- More people get involved as a project progresses
- Establish linkages with past decisions and commitments




One of the difficulties of lengthy projects is that the “publics” often change over time.

People tend to not get involved unless the issues are clear, they feel the issues are significant, and they feel they have a contribution to make. This means that more people will become involved as the project is defined and people can more clearly see how it will affect them.


For a lengthy process, consider how you are going to link with past decisions. One option is to prepare and distribute a summary report of decisions and commitments that have been made to date.

Document decisions and commitments that have been made and the process through which they were reached. This “history” of the public’s influence on the project is an essential part of the project documents. It is important that commitments are carried through into construction. Affected parties will need to be apprised of any changes that are desired during design, right-of-way, or construction.

Median Projects



<u>Problems</u>	<u>Solutions</u>
■ Median issues “fall through the cracks”	■ Involvement in PD&E and again early in Design
■ Reliance on public hearings	■ Public involvement and open house format
■ Inconsistent decisions	■ Median Opening Procedure



Research on public involvement in median projects in Florida indicated that conflict over median decisions was highest in Districts that lacked a clear public involvement process for medians. Median issues would often “fall through the cracks” until it was too late to provide the public a reasonable opportunity for involvement. Specific changes were often not identified until the design phases of production and affected parties sometimes were not aware of median changes until the public hearing. This problem was exacerbated by project changes and lack of continuity and public follow-up as the project proceeded from PD&E to design, right-of-way, and construction.

Districts with a public involvement process for median decisions reported greater success in achieving their objectives and fewer appeals to management or requests for administrative hearings on access management issues than those who relied on public hearings.

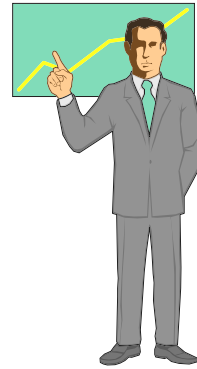
An open house meeting format was reported to be less contentious and more conducive to constructive dialogue than the public hearing format. It was suggested that preliminary traffic engineering analysis of access issues be accomplished prior to this meeting and that the meeting be held early in the design phase. The proposed Community Awareness Plan Directive calls for a project management approach to improve continuity and commitment compliance proposed throughout the decision process.

Communication Strategies



Effective Communication

- Who is your audience?
- What is the purpose of the communication?
- Can you answer all the questions?
- What message or facts need to be conveyed?



Use practical examples and everyday language. If you are unsure, try developing prototype scenarios that include questions, issues, or tactics that you are likely to encounter. In this way, agency representatives can practice communicating access management concepts and responding to potential questions in a non-threatening atmosphere.

Slides and videos are available from the Systems Planning Office on access management to assist in communicating concepts to the public. Prepare additional charts or graphics to illustrate the importance of the project. For example, the accident history along the corridor could be compared with areas of poor access design to illustrate the relationship between access management and safety.

Be sure to convey information in a timely manner. Withholding key information or providing it so late that affected parties cannot organize a response, are sure to create conflict.

Active Listening

Listening is the most important skill in conflict management.



- Summarize, don't judge or editorialize
- Acknowledge, don't agree or disagree
- Be aware of body language



Effective listening is more difficult than you might think. It is necessary to avoid judging or filtering what is being said in light of preconceived notions. Instead, the listener should attempt to summarize and restate what is being said to assure accuracy.

Periodically acknowledge what is being said, but avoid agreeing or disagreeing. For example, instead of saying "I don't know why you think people can't get in and out of your business," try saying "You are concerned about customers getting in and out of your business."

Body language conveys emotions and feelings, rather than facts or ideas. Be aware of your facial expressions, gestures and posture.

Active listening, careful communication, and attention to body language all help to reduce the potential for conflict to develop.

Managing Diverse Interests

- Seek clear understanding of public concerns
- Tell the truth
- Avoid hasty commitments

Try translating interests into evaluation criteria



Create opportunities for people to express their concerns. Sometimes simply talking through the concerns of those involved will lead to discovery of an acceptable solution. Be a good listener. When soliciting public comment, avoid defending or selling your point of view. This can cause positions to harden. Instead try to gain a clear understanding of public concerns. Move participants beyond position statements (i.e., “I want a center turn lane and not a median”) to identify their specific concerns (i.e., “I don’t think I can get delivery trucks in and out of here.”).

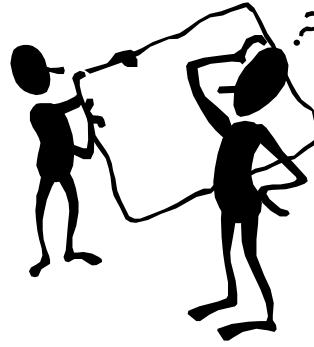
For major projects, consider translating specific interests and objectives into evaluation criteria to rank alternatives. These criteria should include objectives of the Department, as well as affected parties. Examples might include:

- provide convenient access to businesses
- minimize through traffic in the neighborhood
- avoid median openings across storage lanes
- improve pedestrian safety
- minimize exceptions from median opening standards
- provide opportunities for landscaping

Some try to appease others by making hasty concessions. Hasty commitments that management is unable or unwilling to fulfill can put you and your agency in an awkward position. Instead, advise them that you will look into the matter and follow up.

Addressing Concerns

- People want to know how the project will affect *them*
- Pinpoint their specific concerns
- Evaluate actual impacts in light of their concerns



In discussions with affected property owners, talk them through how the median will affect traffic operations in their area. Demonstrate how they will get in and out of their property or neighborhood and how the project will improve safety.

If additional questions arise that require further analysis, do the analysis and follow-up with them on the results. If changes are warranted then indicate the changes. If no changes are warranted, clearly explain why.

Use Networks

- Get to know the key players
- Build relationships
- Keep the lines of communication open

Don't forget to brief elected officials.



It is often hard for large agencies to interact effectively with the public. Networking is one way to overcome this problem. Develop a network of key players from various interest groups, neighborhood associations, community leaders, elected officials, and so on, or use stakeholder interviews to identify the network.

This helps solidify relationships and keep information flowing.

Keep elected officials in the know and brief them early about the project and your program for addressing public concerns. Then if they are contacted by concerned citizens, they will already have some knowledge of the project and how you are working with the public.

Working with the Media

- Meet with the local editorial board
- Prepare a press kit
- Simplify your story



When introducing a new access management program or project, consider meeting with the editorial boards of the local newspapers to brief them. This provides them with some context for future reporting and an understanding of the agency's objectives.

Press kits with crisp graphics are appreciated by reporters, who are always under tight deadlines.

Reporters tend to report what is said by those involved, rather than to interpret the response. When responding to a reporter's questions, keep your responses short, simple, and direct. The longer the answer, the greater the chance of being misquoted. Long complicated explanations are likely to go unreported or worse yet, reported inaccurately. To prepare for an interview, think about how you would explain your message to a friend or relative.

Make time to speak with reporters. Otherwise, your side of the issue will not be told. The paper will read that you refused to comment or could not be reached. This can create public suspicion about the credibility of the agency's actions.

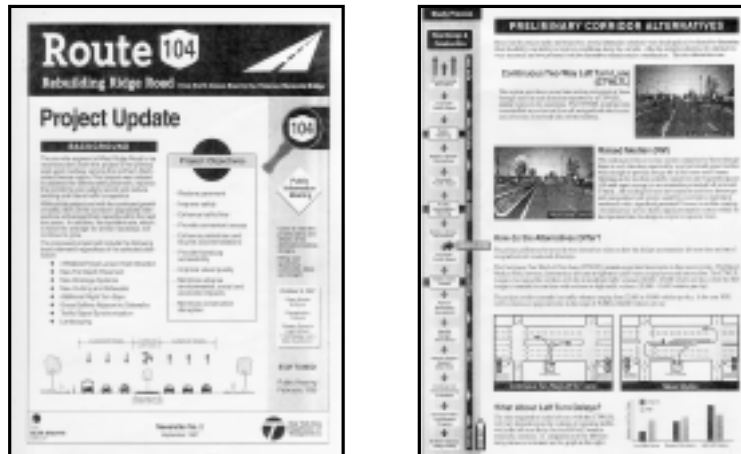
Informing the Public



- Press Releases & Feature Stories
- Radio and TV
- Newsletters, Fliers & Brochures
- Briefings at Community Meetings
- Exhibits and Displays
- Forums of Affected Parties
- Mass Mailings
- Symposiums
- Internet



Project Newsletters



Newsletters are effective in maintaining open communication with stakeholders for lengthy or complex projects. They can also be used to describe complex issues to the public. This newsletter from Rochester, New York, for example, illustrates the benefits and potential impacts of median alternatives. It also notifies the public of future meetings and public hearings and how to get involved.

The Internet



With more people having access to personal computers, the Internet has become an invaluable tool for public involvement. The Oregon Department of Transportation, for example, uses the Internet to regularly update the public about corridor projects underway, new policies, and other issues. ODOT has posted several access management “issue papers” on their web site to keep interested parties apprised of their progress in developing a new state access management policy. The FDOT web site provides an opportunity for the public to comment on high speed rail proposals and information on attending public workshops.

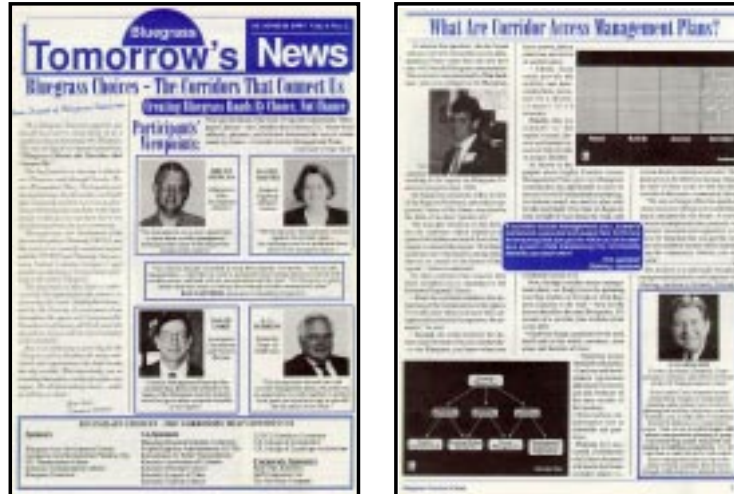
Brochures



Brochures are an outreach and educational tool that can be used to describe agency rules and procedures, access management techniques, or principles and benefits.

The brochure *Ten Ways to Manage Roadway Access in Your Community* was prepared for the Florida Department of Transportation by the Center for Urban Transportation Research and distributed to planners and elected officials across Florida. Brochures, as well as videos, are more effective than technical reports for transmitting information to elected officials and other lay audiences.

Regional Symposiums



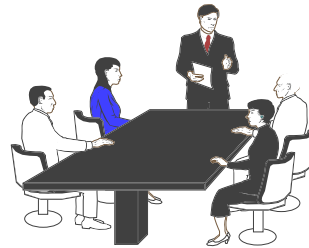
State Departments of Transportation and Metropolitan Planning Organizations can increase public awareness and support for access management through regional symposiums.

This newsletter describes a corridor access management symposium in the Bluegrass region of Kentucky. The purpose of the symposium was to describe access management to a diverse audience of stakeholders including neighborhood groups, community leaders, preservationists, local government planners, elected officials, business groups, developers, design engineers, and many others.

It was also a forum for raising awareness of planning efforts in the Bluegrass Region. Breakout groups allowed participants to have one-on-one interaction with speakers and each other. The newsletter was a follow-up to participants and helped solidify understanding of the key issues and ideas raised.

Setting Up a Public Meeting

- Assess interest level
- Define purpose
- Prepare agenda
- Background statement for media
- Advertise 2-3 weeks before, the day before, and day of the meeting



Meetings are versatile. It is possible to use a variety of involvement techniques and procedures, depending upon the objective. They can also be held throughout the life of the project.

Above are some general suggestions for setting up a public meeting. Informal meetings are also effective for some purposes. For example, it is helpful to get everyone together prior to a permit decision to hash out the basis for an agreement. First define the parameters of the permitting rules so participants do not devise an agreement that is unacceptable in light of existing requirements.

Open House Meetings

- Greeters, handouts, and sign-in
- No formal presentation
- Displays and handouts “speak for themselves”
- Project manager and specialists answer questions
- Document public comments

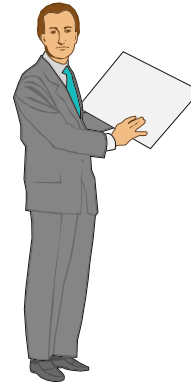


Greeters need to explain how the process works and direct people to displays. Be sure that everyone signs in and includes their address for follow-up on future decisions and meetings.

Allow participants to send in comments, fill out comment cards and leave them. Provide for court reporters where the format is being used to fulfill the requirements for a public hearing.

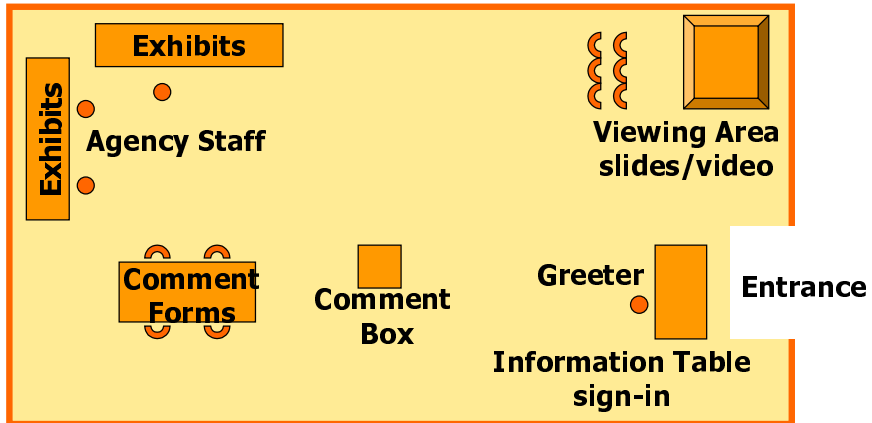
Handouts Should Include

- Welcome letter describing open house format
- Conceptual rendering of project
- Brief project description and need statement
- An overview of the process and how to get involved

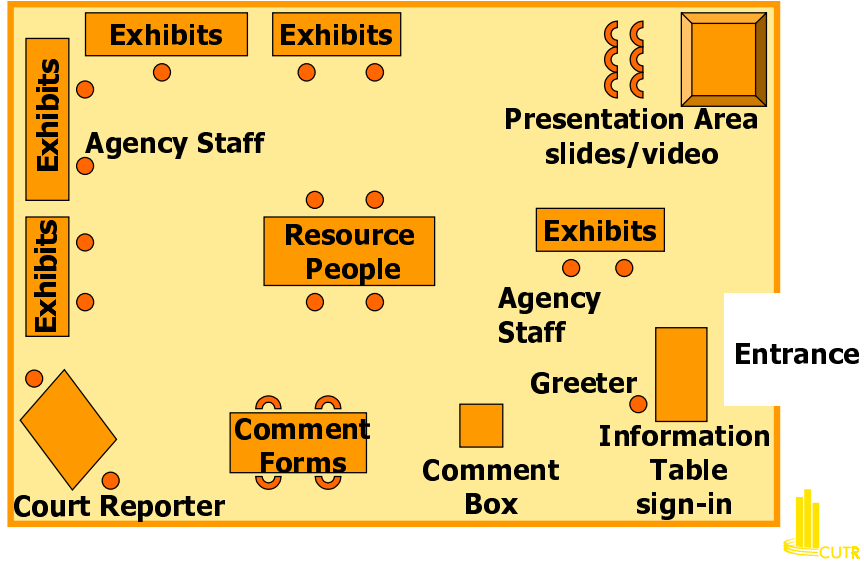


Prepare a conceptual rendering of the project or project alternatives. Engineering blueprints are difficult for the public to interpret.

Open House Meeting Format

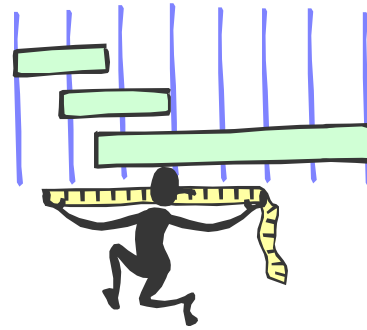


Open House Hearing Format



Open House Logistics

- Duration 3-4 hours
- Meet near project site
- Mailed invitations and newspaper notices
- Distribute and post fliers
- Consider staggering attendance



Consider staggering attendance by having different interest groups attend at different times, such as neighborhood residents and business operators. The invitation could advise each group when to attend, but note that anyone may attend at any time. Attendance of business groups could be staggered even further between tenants and owners, as they often have different concerns. This allows for more specific attention to the interests of a particular group.

Flyers

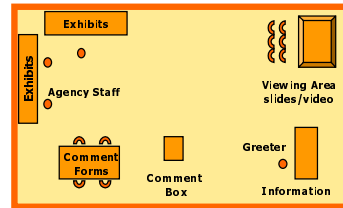
- Flyers supplement published notices
- Keep them brief
- Use everyday language



Flyers should be mailed to affected property owners, but also hand distributed along a corridor and posted in key locations, such as supermarkets, business windows, and public offices. Leave extras where possible.

Advantages of Open House

- Casual, relaxed atmosphere
- Promotes open exchange of information
- People come and go at their convenience
- No opportunities for grandstanding



The public and the project team are able to learn more through one-on-one interactions at the open house, than through the formal public hearing process.

This is also a more efficient use of everyone's time, as people can come and go at their convenience.

Meeting Follow-up

- Update the mailing list
- Analyze comments and prepare responses
- Tell them what happens next
- Respond in writing



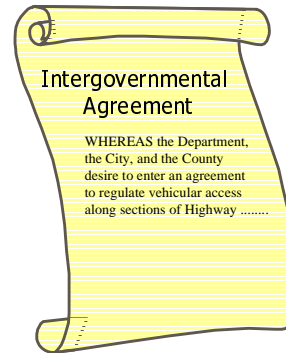
Follow-up is essential!



Follow-up is essential as it demonstrates how your agency is responding to public concerns. Send brief thank you letters to all participants in the last activity or meeting, along with a summary of comments received, actions taken or underway, and explanations of what happens next—including future opportunities to participate. Be sure to respond to specific questions or concerns.

Addressing Uncertainty

- Before and after studies
- Monitor actual impacts
- Procedural guidelines
- Agreements with contingencies
- Research and issue papers

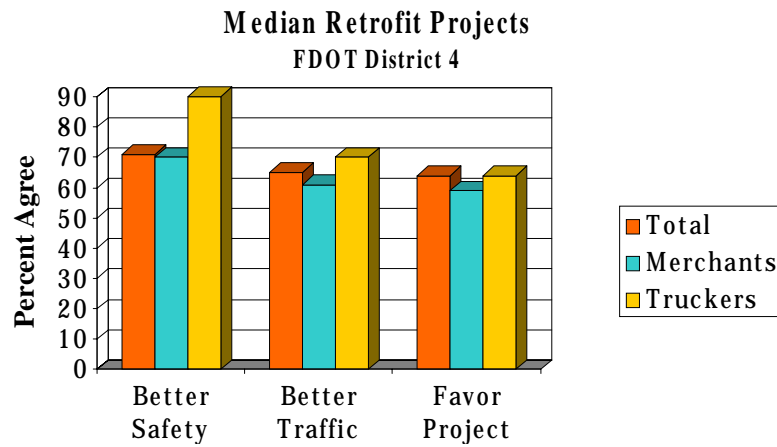


Be prepared to address uncertainty and build public confidence in the credibility of your access management program. Collect results of past studies and be able to communicate them. Conduct technical analysis and preliminary engineering studies before meetings. Before and after studies are useful for illustrating actual versus perceived impacts.

Monitor actual impacts of a project after construction to identify and resolve any unforeseen impacts. Document this information for consideration in future projects. If significant design or operational problems arise, it is essential to resolve them quickly. Otherwise the public may associate these problems with access management in general.

The future outcome of a decision or behavior of other agencies is often unpredictable. Try establishing procedural guidelines that address technical and policy criteria for access decisions (such as the FDOT Median Opening Decision Process), to enhance consistency and confidence in the end result. Interagency agreements establish roles and commitments and can include escape clauses and trial periods if participants are unhappy with the outcome. When considering new policies or rules, conduct research and prepare "issue papers" that review past studies, best practices, and issues experienced in other areas.

Public Opinion Surveys

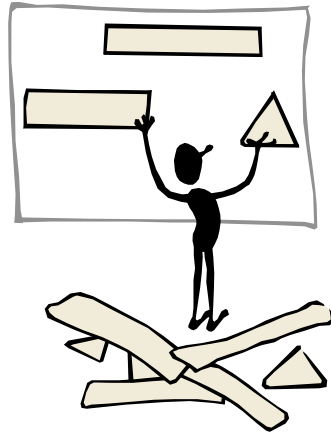


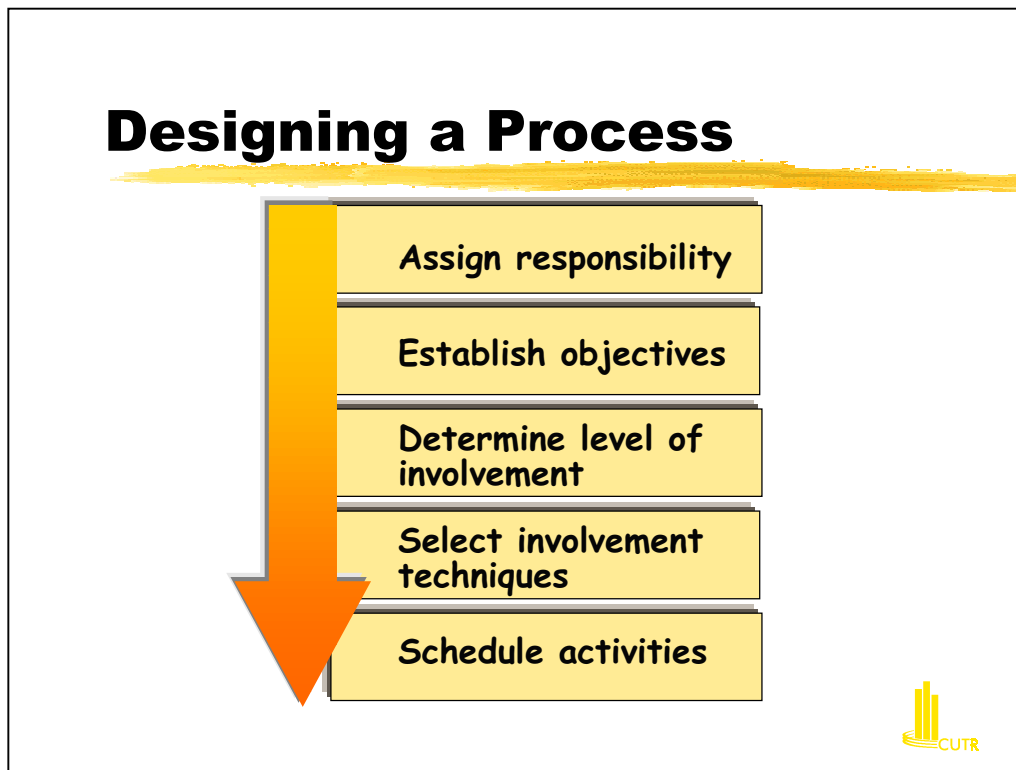
Source: FDOT District 4 Traffic Operations
Freddie Vargas



Opinion surveys can be used to obtain information on the perceptions of various groups regarding the impact of access management projects. This survey conducted by FDOT District 4 revealed that business proprietors and truck drivers were generally favorable toward median retrofit projects in the District. A separate survey found that the majority of business owners perceived no loss of profit following a median change. Results such as this can be helpful in allaying public concerns about the impacts of future projects.

Public Involvement Plans





General steps of public involvement planning are:

Assign responsibility - responsibility should rest with the project manager to assure continuity.

Evaluate context - What major issues are likely to be encountered (past press coverage or controversy)? Who are the potentially affected parties and what are their concerns and values? For large projects, conduct stakeholder interviews to identify key issues or concerns.

Determine level of involvement - Are you closing a few driveways (notification or individualized negotiation) or introducing a new raised median (integrated into entire work program)? How many property owners are directly affected? Will the impacts be perceived as significant? Who will need to be notified?

Select techniques - Decide who will be consulted and how at each phase of the decision making process. Also establish goals and objectives of your public involvement effort. What do you need to accomplish? What information do you need to get from the affected “publics”? What information do you need to give to the public? How much will it cost?

Schedule activities - to coincide with the technical decision-making process.

Levels of Public Involvement

- Primary Stakeholders → Consensus Building and Dispute Resolution
- Interested Stakeholders → Public Involvement Tools
- General Public → Public Outreach and Information Activities



The level of public involvement will vary according to the level of public interest. Those directly affected by the project or who attach a high significance to the outcome are the primary stakeholders. Early and ongoing public involvement will be required for this group to provide for consensus building and dispute resolution.

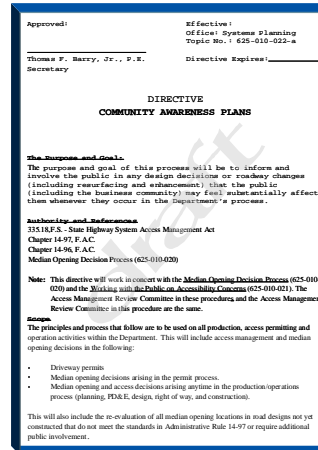
Those that are interested, but less directly affected, will need to be involved and keep apprised of the outcome. Find out how they want to be involved and their preferred method of being informed.

The general public can be kept apprised through public outreach and information. Press releases and radio announcements are some examples.

Community Awareness Plans



- Documented public involvement strategy
- Continuity and coordinated decision making
- Multidisciplinary review teams
 - Environmental Management, Access Management, Design, ROW, Legal, Construction



The directive calls for a documented public involvement strategy for:

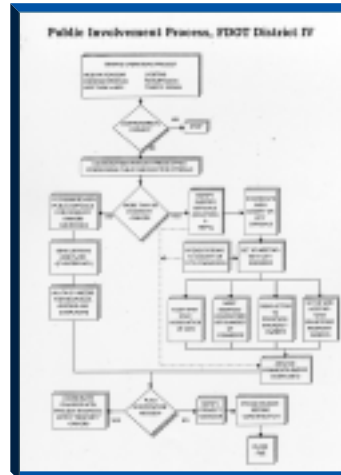
- Driveway permits
- Median opening decisions in the permit process
- Median and access decisions in planning, project development, design, right-of-way, and construction. (This includes re-evaluation of median opening locations in designs not yet constructed that do not meet standards or require additional public involvement.)

Selected highlights of the directive include the following:

- A multidisciplinary team to assure continuity of involvement and follow the project from production through construction
- Site visits in scoping to identify access problems and impacts
- Conduct full analysis of potential impacts
- Document comments and results of public meetings
- Establish single contact where feasible to minimize public confusion
- Public involvement as early as possible
- No last minute changes in Design/ROW without public input
- Design Phase 2 Community Informational Meeting on each project
- Emphasis on importance of access and maintenance of traffic plans during construction

District IV CAP

- Controversial project?
 - Contact FDOT press office
- More than 30 property owners?
 - Brief elected officials
 - Public meetings
 - Analyze comments
- Plan changes needed?
 - Notify property owners



A complete description of the community awareness process for median projects, as well as a copy of the District CAP guidelines is contained in the *Public Involvement Handbook for Median Projects*.

Overall Objectives

Legitimacy	Responsiveness	Effectiveness
...of Agency	Know the interests	Protect your credibility
...of Process	Ability to see from their point of view	Maintain 2-way communication
...of Assumptions	Identify problems and solutions	Find the basis for agreement
...of Decisions	Clarify key issues	Mediate



In evaluating your public involvement effort, consider whether it fulfilled the general objectives indicated above. If not, how could the effort be restructured in the future to enhance its overall effectiveness?

Public Involvement

in Access Management

