



# PUBLIC INVOLVEMENT MANUAL

Project Development Manual - Appendix 2

JANUARY 2004



New York State Department of Transportation

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# Public Involvement Manual

## Chapter 1 Introduction

### 1.1 Why Public Involvement?

Why is Public Involvement (PI) necessary for transportation projects? The NYSDOT mission statement sets forth the need to serve the public good:

“It is the mission of the New York State Department of Transportation to ensure our customers -- those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system.”

The traveling public expects and depends on highways, bridges, transit systems and airports for mobility. At the same time, transportation facilities affect the communities and the natural environment where they are located. Projects can impact the natural, cultural, and scenic resources of a community as well as its cohesion and economic viability. Effective public involvement can help make that impact positive.

NYSDOT has the responsibility to plan, design, build and maintain this network of highways and bridges. Obtaining input from the full range of stakeholders affected by projects, and using that input is key to making transportation decisions that benefit society. The success of our mission depends on identifying and addressing stakeholder needs, in coordination with transportation partners - other government agencies, municipalities, community residents, special interest organizations and facility users.

The benefits of meaningful public involvement include:

- Better problem identification and solving - Effective public involvement fosters sound project development decisions. It promotes fuller exploration of the needs of both facility users and adjacent communities. It allows for better communication regarding project objectives, consideration of a full range of objectives and possible trade-offs. By communicating with stakeholders, NYSDOT gains a better understanding of their needs and desires. This helps to ensure that planning and engineering judgement are properly applied to fully defined problem and objectives, thus increasing the likelihood of project acceptance.
- Effective use of limited financial resources - Public involvement provides opportunities for partnerships with other agencies, which may include joint funding or other means to maximize the value of limited finances. Stakeholder communication allows for better identification of needs and the development of cost effective solutions, which reduce potential project delays and changes.
- Reduced project delays - When people feel their concerns are not addressed they may take legal action, potentially resulting in expensive re-designs or possible project cancellation. Procedural delays increase project costs while safety and congestion problems remain unsolved. On the other hand, effective public involvement helps bring about public buy-in to the process.
- Knowledge - The need for projects, and how they are planned, designed and built, is not always clear to the public. Before stakeholders can support a project, they must understand it. We need to be able to explain the project development process, our understanding of project needs and our responsibilities to the community. NYSDOT designers, too, can be educated by outside

stakeholders familiar with the project area and community.

- Public Expectations - Stakeholders rightfully expect that their voices will be heard during every stage of project development.
- National and State Policy - Federal and New York State regulations require public involvement in transportation project development.

## **1.2 NYSDOT Public Involvement Policy**

NYSDOT policy is that public involvement is an integral part of the project development process. The 1998 Environmental Initiative encouraged designers to go beyond project environmental mitigation requirements. Soon afterward, NYSDOT instituted Context Sensitive Solutions - the planning, design and construction of transportation facilities that meet service and safety needs while at the same time meeting environmental, natural resource, cultural and community needs.

Current policy as stated in the Project Development Manual (PDM) is that:

- Projects developed by the Department reflect the principles of CSS.
- Department projects incorporate Public Involvement (PI) Plans.

NYSDOT public involvement procedures are governed by the Federal and New York State regulations listed in Appendix B. Refer to the following sources:

- PDM Chapter 4 Project Design Stage Procedural Steps
- PDM Appendix 2 Public Involvement Manual (this guide)
- PDM Appendix 3 NEPA and SEQR Official Notices and Document Distribution

## **1.3 Using this Guide**

This Manual is primarily a guide for planning and conducting public outreach in project scoping and design development. It may also be useful to Department staff not directly involved in scoping and design, as well as municipalities and other transportation partners.

This manual is Appendix 2 of the PDM, and is intended to provide guidance for PI techniques when used in conjunction with the project development procedures described in the PDM. It may also serve as a stand-alone reference for PI activities that are non-project related.

### **Refer to this PI Manual for:**

- Public Involvement (PI) Plan guidance (Chapter 2).
- The role of PI in various stages of project development (Chapter 3).
- Specific PI and communication techniques (Chapters A1 to A5 in Appendix A).

**Refer to the PDM for:**

- Project development procedural steps including public involvement required by Federal and State regulations (PDM Chapter 3 and 4).
- Format and content of project scoping reports, design approval documents, and required notices. (PDM Appendices 3 and 7).

## **Chapter 2**

### **Public Involvement Plan**

The Public Involvement Plan is a tool to identify appropriate ways to conduct public outreach. It serves both to plan and document public outreach actions. Like any other project development task, public outreach needs to be well planned to effectively communicate with stakeholders and gain useful feedback with limited project resources. The PI Plan is developed before project scoping, and updated during design and construction. Use this outline as a framework for PI Plans:

#### **2.1 Review current project Information and previous PI activities**

#### **2.2 Context identification**

- **Identify stakeholders**
- **Identify potential concerns**
- **Community Impact Assessment**

#### **2.3 Plan PI objectives**

- **Anticipated level of PI**
- **Structured decision making**
- **Effective communication methods**
- **Public education and outreach**

#### **2.4 List specific action steps**

- **Responsibilities**
- **Purpose and expected outcome**
- **Schedule**
- **Resources**

#### **2.5 Implement, monitor and update PI Plan**

- **Implementation and monitoring**
- **Documentation and updates**

## 2.1 Review current project information and previous PI activities

List background information, including:

- Identification - PIN, Route no. and description (including local name), municipality and county
- Current project phase, preliminary schedule and cost estimate
- Basic scope information - Initial Project Proposal (IPP) and other relevant data
- Preliminary NEPA and SEQR environmental classification

Review the files for previous public involvement stakeholders and issues, such as:

- Metropolitan Planning Organization (MPO) public outreach during long range planning or corridor studies.
- Initial contacts with local officials or others during development of the IPP.
- Public outreach done for projects previously deferred due to budgetary reasons, environmental controversy or lack of community support.
- Previous emergency construction or maintenance work

## 2.2 Context identification

To successfully define project problems and needs, it is necessary to identify the project context: the environmental, natural, cultural and community characteristics of the project area along with associated regional corridor characteristics. This information is as important as the technical traffic studies, accident analyses and pavement evaluations.

Effective public involvement requires first awareness of, and then understanding the social, economic, physical and historic attributes of the project area. For most projects this is not a major undertaking. Chapter 2 and 4 of project design reports contain much of the relevant transportation and environmental information. The Public Involvement Plan guides the Project Team in

completing this context identification process by specifically considering who the project stakeholders are, how to identify them, and how they will be involved in the project development process. Public involvement helps define this aspect of project context.

### **What is the Project Context?**

- **Urban, Suburban, Rural, City, Village?**
- **Commercial, Residential, Mixed Use?**
- **Nearby Parks, Schools, Hospitals, Senior Citizens?**
- **Waterbodies, Recreation, Historic Resources?**
- **Pedestrian and Bicycle accommodations?**
- **Stable, expanding, or declining community?**
- **Local business concerns or regional issues?**

## Identify Stakeholders

Who are the stakeholders? Any person or group who could be affected by a transportation project, or who perceive that their interests could be affected, is a stakeholder. For NYSDOT to have meaningful dialogue and address concerns, the stakeholders must be identified.

Stakeholders include both external parties as well as functional groups within NYSDOT. Chapter 2 of the PDM discusses structuring the Project Team to involve external stakeholders:

- Residents of the project area.
- Community organizations - churches, service groups, civic and neighborhood associations, fraternal organizations
- Municipal officials - city, town, village or county officials and planning departments
- Transportation organizations - FHWA, Metropolitan Planning Organizations (MPO), transit providers, commercial users and freight carriers.
- Traveling public (commuters, commercial users, tourists, etc.) using all modes - vehicular, transit, bicycle, pedestrian.
- Advocacy and environmental groups - representing bicycle/pedestrian, clean air, disabled persons, transit, minority and/or low income interests.
- State and Federal environmental and economic development agencies
- Chambers of commerce and business interests
- School districts and colleges
- Groups with a specific interest in the project area.

### Project Stakeholder List:

- **will expand as the project unfolds and public involvement progresses.**

Potential stakeholders are identified in several ways:

- NYSDOT Project Team - Base on team knowledge of stakeholder involvement and interests in other communities on similar projects.
- Input from other NYSDOT sources - Regional Maintenance staff, Public Information Officers (PIO) and others with community contacts.
- Community identification - In consultation with community members, the team should ask if there are other individuals who should be involved in public outreach. There may be people without formal positions of authority, but who still are influential within their community. Local papers or other language media may also be information sources.
- Self identification - Anyone who has contacted NYSDOT on a concern or potential project may have an interest. These general contacts in the community should be recorded so that they can be included on project mailing lists.

## Identify potential concerns

The PI Plan should outline the potential issues affecting project development. Some concerns may already be known to the Project Team. Others become known when stakeholders are contacted and meetings held.

As the project advances and NYSDOT interacts with the community, new issues may come to light. What's important is to find out community concerns early, and to learn why these issues matter, rather than assume we know why. Then the issues can be addressed openly.

Public outreach to identify concerns should begin early enough in project scoping to have a meaningful effect on problem identification, project needs and objectives. People are concerned not only about issues NYSDOT thinks are important, but also perceptions and the manner in which NYSDOT previously interacted with the community, including:

- Safety and accident history, speeding.
- Traffic flow, congestion, intersection delays.
- Business and residential access.
- Pedestrian and bicycle accommodation.
- Economic impacts, loss of tax base, elimination of parking spaces.
- Traffic noise and air quality impacts.
- Environmental concerns, wetlands and recreational access to streams.
- Historic buildings, community ambience.
- Potential to isolate an existing neighborhood.
- Pavement widening for capacity and/or turning lanes vs. increased crossing lengths for pedestrians, and loss of on-street parking.
- Vehicle mix, percent truck traffic.
- Unresolved issues from a previously delayed project.
- Environmental permits and resource agency coordination.
- Disproportionate effect on minority or low income neighborhood and the need to fully and fairly identify, address, and document them for Environmental Justice.
- Sovereignty issues - NYSDOT has eminent domain powers and is not bound by local noise ordinances or zoning regulations (e.g. cell towers), but tries to satisfy local procedures where feasible.
- Concerns that NYSDOT may have already decided the solution and is just “going through the motions”, without allowing for community influence.
- Unfavorable experience with NYSDOT on previous projects.

**Sins of the past.....**

**Sometimes NYSDOT should acknowledge to stakeholders that not all projects were context sensitive**

## Community Impact Assessment

The community impact assessment is a process to evaluate the effects of a transportation action on a

community and its quality of life. Use this process, when appropriate, for complex projects with the potential to significantly affect the community. The approach is outlined in the FHWA publication Community Impact Assessment (PD-96-036, September 1996). There are six steps involved, which should be incorporated into the project development process. Public involvement is an integral element throughout community impact assessment:

- Define the Project and Study Area - Define project purpose and need, and identify the potentially affected communities. If analysis shows social consequences beyond the immediate geographical area, then adjust the community study area.
- Identify Community Context - The characteristics of the affected area are determined in a formal way, using data on political jurisdictions, neighborhood boundaries, demographics, and land use. Locations of businesses, residences and community facilities are identified. Utility infrastructure, public service facilities, historic districts and parklands are shown. The community's historical background, education, employment and economy are researched. Meet with members of the public, local officials and community leaders to supplement this research. This community context information is summarized with maps, narrative and supporting tables. (Note: FHWA refers to this step as a community profile; the NYSDOT term is context identification.)
- Analyze Impacts - Project impacts are identified and investigated. Anticipated future conditions, both with the project and no-build conditions, are analyzed. Impacts may be both positive and negative, temporary or long-term and may result in secondary or cumulative effects. The extent of analysis depends on the magnitude of impacts, public perceptions of those impacts and community goals. Potential impacts include physical (barrier effects), economic (businesses moving in/out of the area), mobility (access to public transit), and displacement (type, number of residences).  
Environmental Justice (Executive Order 12898) apply where minority and/or low income residents may be affected. The analysis examines project impacts on these groups and identifies means to avoid or mitigate disproportionate impacts to them.
- Identify Solutions - The project team develops solutions which seek to avoid impacts while meeting project objective as the highest priority. If not possible, they seek to minimize, then mitigate impacts. Enhancements may be considered to make projects more compatible and increase community acceptance.
- Public Involvement - Feedback and communication with members of the community is essential at each step of the process.
- Document Findings - Document this outreach in the project approval record, e.g., Scoping Report, Design Report, Environmental Impact Statement (EIS) or Environmental Assessment (EA). The description must be in clear, understandable language for public review, either in the text or as appendices.

## 2.3 Plan PI objectives

What are the objectives of project Public Involvement? The objectives should consider the anticipated level of public involvement, the types of decisions to be made, and what communications can help effectively involve stakeholders.

### **Anticipated level of PI**

Generally, simple projects in communities with limited potential for stakeholder impacts require less extensive PI Plans, whereas more complex projects, or those with greater public interest warrant a more extensive, in-depth PI Plan. Deciding on the appropriate extent of public involvement depends on the project and its unique context. Factors include:

- Size and scope of the project - Usually simple projects such as “maintenance by contract”, 1R and element-specific work need only a few simple PI tasks. They may consist of informing residents and users of the project in a timely way, through local officials, and making sure that construction impacts are minimized on the community and the traveling public.  
When there are issues surrounding a project area that are above and beyond a programmed simple project, the community needs to be involved and informed when evaluating whether and when these issues can be addressed.  
Moderate and complex projects as defined in Chapter 2 of the Project Development Manual (PDM) require a more structured PI Plan for maximum effectiveness. Simple projects may also require a project specific PI Plan if substantial issues arise.
- Community level of interest - Are there significant concerns (real or perceived) - such as changes in traffic operations, access, or environmental issues? Issues of community importance require greater attention in the PI Plan because stakeholders feel strongly about them. Project opposition may exist even if it has not yet surfaced.
- Extent to which project decisions will be affected by PI - These may include refining the problem definition, determining project objectives, developing alternatives, selecting the preferred alternative, and design feature input.
- Stakeholder characteristics - A community that just wants to be kept informed may need a less extensive outreach than one where stakeholders want to participate in every step of planning and design development, or where there are conflicting interests. Non-resident stakeholders (traveling public and environmental groups) need to be reached.
- Environmental Justice - the need to formally identify and involve low income or minority stakeholders who may otherwise be overlooked.

### **Structured decision making**

Before obtaining public input, the project team needs to decide how it will be used. To best use public involvement, a systematic process is needed to gather, analyze and incorporate this input into project decisions. Structured decision making is one concept to integrate public involvement into the overall management of the project. It defines the technical milestones and related opportunities for public

involvement, before starting project development, and ensures that stakeholder dialogue affects the project decisions.

Stated simply, structured decision making is planning, in advance, how decisions will be made, what opportunities the public will have to influence them, and how stakeholders will be kept informed of decisions. Structured decision making determines:

- The decision points in the process.
- Who will be consulted.
- Who will make decisions.
- How will recommendations, comments and feedback be given to stakeholders and how iterative is the process.

This process recognizes that there is no “one decision” to make in project development. There are a series of intermediate decisions that start early in scoping and continue through construction. Some decisions are collaborative, and others are to be made by NYSDOT alone. Refer to Appendix Chapter A5 for information on structured decision making.

The PI Plan considers how public input will be used and communications maintained in project decision-making including such issues as:

- Is there consensus on the project needs and objectives?
- In what areas is it feasible to incorporate community proposals, what are the cost or other limiting factors, and what tradeoffs are involved?
- If actions are not feasible, how will that be discussed with stakeholders?

For example, a citizen’s advisory committee may provide input on features for a downtown street reconstruction project - type and location of parking, crosswalks, sidewalks, and landscaping. NYSDOT needs to establish, with the stakeholders, mutually agreeable ground rules before work begins. Will they be selecting actual design elements, and if so, within what budget limits? Will they make binding choices, or serve in an advisory role?

### **Effective communication methods**

Use appropriate means to communicate with stakeholders. Refer to the Appendices of this guide for descriptions of outreach techniques. The PI Plan outlines methods to obtain input and keep the public in the loop with timely communications. Several communication methods can be used, including:

- Individual meetings with municipal officials, community leaders, individual citizens, advocacy groups and affected business.
- Public information meetings.
- Formal public hearings.
- Direct communications including newsletters, e-mail, project web site or telephone hot lines.
- Advisory committees, charrettes workshops and collaborative task forces for structured input on specific issues.
- Non-traditional means to identify and reach low-income, minority or other under-represented communities, such as an open house in conjunction with a church or community fair.

- Means to reach commuters and transient stakeholders such as print and electronic media advertising.

Effective principles of public outreach include:

- Input opportunities are needed before all major project decision points (i. e., problem definition, alternative development screening), followed by communication to inform all stakeholders.
- Project documents need to be kept current. Web sites and newsletters discuss what has happened recently. Public meetings and workshops summarize ongoing work and new developments.
- When public input guided the process or affected the project, acknowledge that fact. People need to know that their input counts. Keep the feedback as simple and timely as possible - e. g., where the sidewalk limits have been changed, discuss it at the next public meeting and promptly show the changes.
- Clearly explain “why” when stakeholder input was not followed. NYSDOT has a responsibility to keep an open mind and consider all legitimate stakeholder issues in developing context sensitive solutions. If an action is infeasible for safety, cost or other valid reasons, people are more likely to accept that fact with clear, unambiguous explanations.
- Record and track the disposition of all stakeholder-raised issues from each meeting or contact. Write up meeting notes accurately and distribute them promptly. Correspondence and e-mails should be tracked and classified according to subject if the volume warrants it.
- Community proposals always need a response, and some need further study to assess their impacts. After public concerns are evaluated at NYSDOT internal meetings, communicate the resulting decisions promptly back to stakeholders.

### Public education and outreach

The NYSDOT project development process is long and occasionally complex. Project decisions involve many technical issues. Evaluate if the PI Plan needs to include educational elements to help the public stakeholders be informed participants.

Depending on the project and the community, it may be necessary to explain topics such as:

**Be sure to inform stakeholders:**

**which decisions must be made early in the process (e.g., alignment options)**

**versus**

**those that can be made later (e.g., gateways, signage)**

- Regulatory procedures such as 4(f) parkland impact evaluations that govern NYSDOT actions.
- The sequence of decision making in project development should always be made clear. Communicate the schedule and the logical sequence of problem definition before development of alternatives, followed by evaluation and selection, and detailed design.
- Engineering concepts such as level of service, intersection signalization,

accident analysis and analytical tools like air quality analysis.

Sharing knowledge with stakeholders starts early by explaining why a proposed action is necessary, and obtaining consensus on the problem to be solved. Where there is vocal opposition, it help to try to find out as much as possible about their concerns, so that informational material can be tailored to try to respond to these issues.

Educational materials include clear and well written summaries oriented to the non-technical reader. A question and answer format is useful, with photos and graphics to help illustrate the point. Department experts can provide a presentation on "Air Quality 101" or other topics at the beginning of a public meeting, or provide a Power Point presentation. Many of these resources can be used again.

The PI Plan needs a strong information and knowledge sharing component when a design solution may be unfamiliar to the community, such as a modern roundabout. If there are no roundabouts in the vicinity, the safety benefits of a roundabout and proper driver behavior may need to be explained. Educational components can include resources such as informational brochures, videos at public meetings, flyers or placemats at local businesses, and web site animations.

## **2.4 List specific action steps**

### **Responsibilities**

The PI Plan identifies specific communication techniques, how they will be implemented, and who will be responsible for implementation. The PI Plan preparer may be the project manager or design squad leader, and may have some or all of these duties. For projects where a high degree of public involvement is anticipated, a Public Involvement Team may be set up to develop a comprehensive approach. This team must include the Regional Public Information Officer (PIO) and other functional area representatives in addition to the project manager and/or design leader. The individual or team PI Plan preparer identifies tasks and responsible staff to ensure that:

- Planned PI actions occur and that outcomes are documented.
- Public involvement information is shared with all project team members.
- PI Plans are updated to suit changing circumstances and as projects advance from scoping through construction.

A designated contact person handles most of the coordination tasks with project stakeholders. This person becomes familiar with the community by virtue of attending public meetings, working meetings with local officials and neighborhood groups, receiving and responding to letters and e-mails, and participating in special task forces. Ideally that person remains involved throughout project development, to maintain continuity with the community.

On projects where the public involvement activities are not extensive, the community contact person may be the same as the PI Plan preparer. Projects with a higher degree of public involvement may require a separate contact person and support staff. Consultant services may be used to assist with very large and complex projects.

## Purpose and expected outcome

Prepare a brief statement of each activity's purpose and expected outcome. A general description may suffice - "Coordinate bicycle usage issues by meeting with representatives of user group during project scoping" A more specific task would be "Meet with business owners in the 1500 block to address parking and driveway access".

In projects with limited potential for community interest, the statement of purpose and outcomes is optional, so long as public involvement opportunities are provided and outcomes are documented. Community issues may be identified and resolved with one or two public information meetings and individual stakeholder contacts.

Other PI activities require more description. A collaborative task force may be proposed for a downtown street reconstruction to provide community input to pedestrian access, median treatments, parking modifications and landscaping.

The purpose and expected outcome for this activity must identify: how the group will be selected, scope of work for the task force, who will facilitate, what resources will be provided, schedule and logistics. Task force outcomes are also described: What design features will be addressed? To what extent will the recommendations be binding on NYSDOT? What will be the budgetary limit for group-proposed features?

## Schedule

List the scheduled dates and duration for public involvement activities. Coordinate PI activities with project development milestones, so that opportunities exist for input prior to all major project decisions, and that feedback to the public occurs soon after project milestones.

PI activities which are required under the National Environmental Policy Act (NEPA) or the New York State Environmental Quality Review Act (SEQR), such as formal public hearings, or issuance of a draft EIS for public comment, must follow the procedures and time lines noted in Appendix B.

For ongoing activities such as a citizen's advisory committee or collaborative task force, set a realistic time schedule. These groups are made up of volunteers from outside NYSDOT. Members need enough time to conduct business, evaluate issues and formulate decisions, while also providing recommendations to NYSDOT in a time frame that does not adversely affect the project schedule.

## Resources

Budget and staffing requirements affect the resources available for public involvement techniques, but not the principle of early, open and continuous communications. Common techniques such as public meetings, simple newsletters and individual stakeholder meetings, can be considered part of the cost of doing business. These practices are relatively low cost and are used for most projects. The availability of digital cameras and computerized slide shows also allows the use of some visual aids for minimal cost.

With more extensive outreach measures (such as advisory committees or collaborative task forces), the PI Plan should provide a budget estimate of resources: direct expenses (printing and mailing costs), staff resources (in-house or consultant facilitators and technical experts) and clerical assistance (either in-house

### Resources Needs:

- **Identify as soon as possible so that time/funds can be allocated**

or consultant) and facilities (meeting room location, custodial service, visual aids). If consultant services are needed, define the scope early, since consultant acquisition is a lengthy process.

Visualizations and dedicated project web sites are other NYSDOT resources that can require significant time and staff resources to prepare. When preparing the PI Plan, coordinate these elements with involved staff, including the Regional Web Content Coordinator, Regional Public Information Officer (PIO) and the Visualization Section of the Landscape Architecture Bureau (LAB).

## **2.5 Implement, monitor and update PI Plan**

### **Implementation and monitoring**

The PI Plan is implemented during scoping and remains in effect throughout design and construction. Tasks may change as the project evolves, but the focus remains on meaningful communication with project stakeholders. Periodically evaluate and monitor the PI Plan:

- Are the right stakeholders being reached? - PI should reach a broad cross section of the community. Are project opponents involved? Conflicts can be addressed more productively when opponents are involved in the process. See Chapter A5 for information on conflict resolution. If there is a formal Environmental Justice component, are the intended communities being reached?
- Are people participating in the public outreach? Attendance at meetings and newsletters response give some indication of effectiveness and level of interest.
- Do people feel that their concerns are being addressed? One way to find out is to ask. Meeting participants can be asked to fill out comment sheets, and NYSDOT staff can get feedback in stakeholder meetings. Periodically ask community members on advisory committees if they feel that the group is reaching consensus on their tasks. Also monitor project-related news articles .
- Do stakeholders (external and internal) feel that the public input influences and improves decision making? What specific decisions were affected by public input? Debriefings after community meetings are opportunities to review what was learned. Did the community receive sufficient information to provide knowledgeable input, did NYSDOT listen to stakeholders, and was the community kept informed on how input was used for project decisions? If not, how can communications be improved?
- Are environmental and procedural documentation requirements satisfied?
- Are new issues not originally anticipated being addressed? If information is not being fully exchanged, stakeholders are not involved, or issues are not being resolved, then it's time for a mid-course correction. An effective PI plan provides flexibility to adjust to new issues as they arise.
- Simple projects using newsletters, community contacts and one or two public information meetings may only need informal conversations with stakeholders and the project team to judge the effectiveness of the PI Plan.
- Use more formal evaluations, surveys, and de-briefings for complex projects employing task forces, advisory committees and extensive outreach.

## Documentation and updates

PI Plan outreach activities must be documented throughout project development in order to:

- Ensure that post-design activities, such as value engineering, do not make changes to previous NYSDOT commitments without considering impacts to stakeholders.
- Comply with Federal and New York State regulatory requirements.
- Fully document for the project record how and why decisions were made.

Maintain a Public Involvement file or other readily retrieved system to document activities. The folder records all PI activities, and serves as a reference when project team members change over time. Commitments made during preliminary design phases are documented for reference in subsequent final design and construction phases of the project.

There is no prescribed format for Public Involvement Plans. Format is a function of the extent of Public Involvement and Regional preferences:

- Simple projects may use a one page checklist or outline.
- The PI Plan checklist presented in Appendix C or the topic outline in this chapter can serve as a model.
- Major projects with many stakeholder issues, and specialized techniques need sufficient narrative to adequately discuss the PI Plan.

A matrix or tabular presentation may be helpful to summarize which public involvement techniques will be used for different project phases, and for different stakeholders.

Update the PI Plan as the project advances through project development. Some PI activities occurring later in design may not be fully defined at scoping. Re-examine the PI Plan to ensure that the tasks outlined are still relevant, or whether new activities or stakeholders need to be addressed.

## Chapter 3 Public Involvement for the Project Process

### 3.1 Using Public Involvement Effectively

Public involvement is a key element throughout project development, by providing the public and interested parties opportunities to be involved in the process. From the initial identification of project need, through scoping, design, construction and maintenance, effective communications with project stakeholders ensures that the project:

- Meets the transportation purpose and need.
- Is suited to its physical, environmental and community context.
- Satisfies NEPA and SEQR environmental requirements.
- Has a budget and schedule that can be implemented.

Public involvement also applies for maintenance projects, as these are frequent and visible Department functions. Local input and notification of maintenance projects ensures good community relations.

Different techniques are suitable for various phases and levels of complexity of project development. In all cases, following these basic principles helps to ensure meaningful and effective public involvement:

#### **Effective public involvement:**

- **Establishes who the stakeholders are and gets them involved.**
- **Builds credibility through honest and open communication.**
- **Seeks community perspective of problems, issues, and trade-offs.**
- **Provides feedback to help maintain a good working relationship.**
- **Helps identify right project for community acceptance and project success.**

**Early, open and frequent communications** - Honesty and openness build credibility. We want the public to understand that NYSDOT acts responsibly to address a serious transportation problem, and consults with the involved community in a dialogue to help create the best solution. Issues can be identified and addressed more easily in the early stages of project development, rather than later in design when changes and delays are costly.

Early public involvement does not mean premature commitments to certain alternatives or design features. Instead, outreach in scoping and early design helps to fully identify and share information with the public on project conditions, context, transportation needs and community concerns.

Early input from local officials is valuable for coordinating, planning, scoping, designing, and maintaining projects, especially where a project may affect facilities not owned by the State.

**Listen and be responsive** - When the public, local officials and involved agencies have access to information, and input into the project, then better decisions are made and the likelihood of

community support is greater. Information needs to be shared, and community input willingly accepted. Being a good listener helps to defuse potential conflicts.

Stakeholders may propose ideas that seem unrealistic, but rarely should these be dismissed without study. A better approach is to look into the specific suggestion, and provide feedback to the proposer. Some ideas may be infeasible; yet others may provide the basis for solutions to improve operations, safety or the technical design.

**Establish who the stakeholders are** - The Project Team may know who some of the interested parties are, but should also ask known stakeholders to help identify others with potential interests in the project. Everyone in the community should have the opportunity to find out about the project and get involved. Obtaining input from the full range of affected stakeholders, and using that input is key to making transportation decisions that benefit the public.

**Establish what the problems are before developing solutions** - NYSDOT has the transportation agency perspective, but the public also has first hand knowledge of the project area. Community residents and highway users can give us their perspective on congestion, safety, environmental and access deficiencies. These issues need to be brought to light and agreed upon by stakeholders.

**Go where the people are** - Not all contacts with the community need to be evening public meetings. Arrange to meet at a convenient time and place for the community, such as school athletic events, shopping malls, church/community groups, or neighborhood stores.

**Involve potential project opponents** - If there is opposition or controversy, it's better to have opponents communicating and involved in the process. When NYSDOT tries to address their concerns honestly and fairly, it reduces the likelihood of litigation and delaying tactics.

**Speak simply for the non-technical audience** - Strive for clarity in speaking and writing. The public is quite capable of following technical discussions, so long as material is presented in clear, understandable fashion. Use a conversational style and limit the use of technical terms to the minimum necessary. Where technical terms are needed, define them. An education and information component may be needed to help both external stakeholders and NYSDOT better understand a problem.

Where a sizeable percentage of the community speaks a foreign language, consider translations of some materials.

**Use visual aids extensively** - Pictures are effective in presenting project information. Visualizations can show the roadway, bridges and landscaping will look when complete, and from several perspectives. They can be readily changed to show the "what ifs" of an alignment shift. Visualizations help not only the public, but also environmental and cultural resource agencies to understand the differences between alternatives.

Traffic simulation software can demonstrate the effects of alternatives on existing congestion areas, and also illustrate traffic circulation at roundabouts or intersections. An enlarged aerial photo is easily recognizable, and can serve as a base to show overlays of site constraints (wetlands, historic properties) and alternative alignments.

Consider audience expectations in selecting visual aids. Sometimes computerized simulations are appropriate; other situations may call for a simpler, less polished presentation. Refer to Chapter A2 for visual aids information.

**Clarify how public input will be used** - Make it clear to stakeholders what NYSDOT will do with public comments. Will input affect specific design elements, or will opinions be advisory, and how will the public be kept informed?

**Discuss tradeoffs** - Tradeoffs are always involved with project development. NYSDOT weighs many factors in arriving at the “best fit” design, including safety, capacity, mobility, community and traveling public impacts, and environmental issues. If safety or other significant considerations cannot support an action favored by the community, NYSDOT should discuss the reasons with project stakeholders. This exchange of ideas helps focus attention on alternative solutions that can be implemented.

For example, the scoping and community outreach for a capacity improvement project may conclude that it is not feasible to add an extra lane due to excessive community and environmental impacts. A scaled back or “no build” alternative may result, where both NYSDOT and stakeholders decide that congestion is acceptable.

**Document what was said** - Clear notes are needed to coherently follow-up any meeting, whether with an individual landowner, or a public information meeting. Every meeting needs a written summary - what was said by who, what NYSDOT will do or study as the next step, and how and when this information will be communicated back to the stakeholders.

**Follow through with feedback** - The communication process is not completed when NYSDOT has identified stakeholders and obtained their input. The results of analyses and decision-making must be communicated back to the group who raised the issues.

Addressing the public’s concerns in project development, gives people a sense that the process has been worthwhile. When people ask questions for which NYSDOT doesn’t have the answers, it’s important to say so, then find out and report back. Sometimes a community proposal cannot be implemented, but the public needs to know that it has been considered with an open mind. This ongoing exchange of information and concerns maintains trust and a productive working relationship.

### **3.2 Project initiation stage**

#### **Planning and Programming**

Both the Metropolitan Planning Organization (MPO) and NYSDOT have transportation planning responsibilities. Within each metropolitan area, the MPO develops a 20 year Long Range Transportation Plan. Individual projects are identified from the Long Range Plan (LRP) and then placed on the MPO Transportation Improvement Program (TIP). Typically the TIP is a five year plan.

In rural areas of New York not within a metropolitan planning area, NYSDOT conducts transportation

planning, and develops lists of specific projects to be advanced. In all areas, NYSDOT Regional offices conduct outreach activities with local officials and the public, which may include a Transportation Advisory Committee for a particular area.

The Statewide Transportation Plan (the Plan) is developed and updated by NYSDOT. It incorporates the planning input from rural areas and each MPO's Long Range Plan into one document. The Statewide TIP, also developed by NYSDOT, includes all highway and transit projects in MPO TIPs (metropolitan areas) as well as NYSDOT-developed candidate projects in rural areas.

After opportunities for public review and comment, the STIP is forwarded for Federal approval. Once approved, Federal aid projects can become part of the NYSDOT capital program. State funded projects may be part of the program without Federal approval.

#### **Project Planning and Programming:**

- **Planning begins identifying potential issues and external requirements.**
- **Programming continues the transportation planning work.**
- **IPP is programming tool to select projects based on program goals.**
- **Early PI ensures Transportation Plans realistically reflect citizen's goals.**
- **Ongoing PI benefits project coordination in later phases of project development.**

#### Public Involvement for Planning and Programming

Public participation early in regional planning and project development has two benefits:

- Transportation plans realistically reflect citizen's goals.
- Individual projects proceed more smoothly through project development.

Each MPO develops, implements and periodically updates its own Public Involvement procedures for planning to ensure citizen participation. NYSDOT also uses public involvement during planning and programming for:

- Making citizens aware of, and seeking public input on transportation planning in rural areas of the state not part of a MPO.
- Providing Updates to the Statewide Transportation Plan.
- Public review and comment on the Draft Statewide TIP (Draft STIP).

Public involvement steps are prescribed in Adopted NYSDOT Public Involvement Procedures for Transportation Planning and Programming, August 1994, which include the requirements for Federal Aid projects under 23 CFR 450.212 (Statewide Planning). These procedures foster greater community involvement, including holding public meetings and making plans, project lists and supporting documents available for public review and comment. Refer to the 1994 Adopted NYSDOT Public Involvement Procedures for detailed requirements.

Public involvement in the early project initiation phase includes these considerations:

- Projects are not always clearly defined or visible to the public at this stage. Part of the

outreach is to make the public aware of the planning process and the opportunities for citizen input.

- Frequently the MPO has done initial identification of stakeholders and issues, and conducted public meetings. NYSDOT project-specific Public Involvement should build on the MPO's early work to retain valuable information and give the public a greater sense of continuity.
- During planning NYSDOT seeks out and considers the needs of those people (low-income, minority, elderly or disabled citizens) traditionally under-served by existing transportation systems. Regions compile a mailing list of organizations and individuals representing these groups, and use this list to solicit their input.
- Other options are available to reach the public and obtain input, besides the traditional news release and public meeting. These may include 1-800 phone line, or a local call-in TV/radio show. Any method should be periodically reviewed for effectiveness and revised as necessary, as part of a concerted effort to improve public outreach, especially in rural, non-MPO areas.

### **Initial Project Proposal (IPP)**

The Initial Project Proposal (IPP) is a planning and programming document used to select projects for the Department's capital program, based on program goals. It briefly outlines the problem, objectives, possible solutions and costs at a conceptual level of detail. It summarizes operational, physical, financial and environmental requirements. IPP information is sufficiently defined to place the project on the capital program, including:

- Preliminary project and problem description, location, limits.
- Preliminary objective of project and relation to program goals.
- Preliminary outline of project scope, including
  - elements such as bridges, pavement, traffic control.
  - applicable design criteria for the functional class and work.
  - characteristics such as level of service, safety improvements.
- Preliminary estimate of construction cost.
- Preliminary schedule.
- Anticipated NEPA and SEQR classification.
- Summary of special circumstances, potential community issues (if known) and external requirements, such as system coordination, etc.

From the list of IPP's, the Regional Planning and Program Manager (RPPM) evaluates, prioritizes and selects IPP's for recommendation to the Regional Director. The Regional Director-approved IPP's form the Region's capital program. Refer to the NYSDOT Procedure for Managing Projects, Third Working Draft (September 1991) for IPP guidance.

### **Public Involvement for the IPP**

Public involvement in the IPP stage helps guide subsequent project scoping and design. Early contact begins to develop a partnership with the community and NYSDOT. The IPP is the first stage where a concept and

budget are defined, so some level of public involvement helps shape the project scope.

A realistic project scope lessens the chances for significant changes later in design with their attendant budget and schedule impacts. If a project to increase capacity by adding a though lane may encounter significant community opposition, then the IPP cost and schedule should be based on the most probable alternative, and not solely on a road widening concept.

The RPPM, in coordination with other project team members, determines the appropriate extent of public involvement. Initial PI should be at a level commensurate with the project complexity and anticipated level of public interest.

- Public involvement at this stage does not resolve issues, but can identify them.
- NYSDOT meets with local officials and community leaders to share information on transportation and community needs relating to proposed projects. This prioritization may start useful discussions on how to advance community and NYSDOT goals, within financial constraints.
- In metropolitan areas, public outreach continues the work started by the MPO. Partnering with the MPO builds on public involvement already done, such as identifying interested stakeholders and conducting informational meetings.
- Project objectives identified through the MPO process should be carried throughout all project phases; review any needed changes with the MPO.
- Where project importance merits it, an initial public meeting at the IPP stage may be useful to supplement preliminary contacts with local officials.

### **3.3 Project scoping and design**

#### **Overview of project development stages**

The project development steps summarized below are described in more detail in Chapter 2 of the Project Development Manual (PDM). At every stage, public involvement is a key element to successfully identify problems and create effective transportation solutions that benefit the community.

#### **Project Scoping**

During Scoping, the IPP conceptual scope items are more fully defined:

- Transportation deficiencies and needs
- Project objectives
- Community and environmental context, and potential constraints
- Appropriate design criteria and feasible alternative(s)
- Appropriate environmental process
- Estimated project costs

An inter-disciplinary project team is selected to provide seamless coordination throughout project development. Project scoping is the appropriate time to consider all elements which will have an effect on

project scope, scale, cost, and schedule. The scoping process results in a clear understanding of what the project is to accomplish. Where project scoping becomes input to an environmental impact statement (EIS), public involvement in scoping forms the initial steps of public outreach which continues through the required environmental and socio-economic studies, and design stages.

Developing and/or refining the PI Plan at scoping assists the project team to:

- Identify stakeholders and issues, and plan how to obtain that information.
- Select the appropriate combination of public involvement techniques.

Initiating outreach and public involvement early in scoping encourages participation that improves the likelihood of project success. This feedback helps develop the NYSDOT understanding of community context and project needs, provide for public input to help shape project decisions, and formulate effective transportation solutions for community and stakeholder acceptance.

### Project Design

At the conclusion of scoping, the project needs and constraints have been identified: safety, mobility, infrastructure, community and environmental factors. The Project Team has identified objectives, feasible alternative(s), design criteria and preliminary costs. Preliminary design then builds on project scoping as additional information is obtained and data collected. Alternatives are developed and analyzed, leading to selection of the preferred alternative.

The Project Team includes all involved Regional and Main Office functional units having project involvement. The FHWA provides policy guidance on Federal transportation funding and permit issues and the NEPA process. Other external stakeholders (MPO, regulatory agencies, local governments and other public stakeholder representatives) have an advisory role, as determined by the PI Plan.

Design development and public involvement occur throughout the six formal phases of project design identified in Chapter 2 of the PDM. Gathering information to fully define the project context (public input, resource data and technical studies) also continue in preliminary design. Because design and PI are continuous processes, the functional tasks listed below overlap with the six design phases:

- Stakeholder Input and Development of Alternatives - The project team gathers and shares information on transportation needs, environmental and community context and stakeholder interests. NYSDOT informs the public, obtains community and agency input on the project, develops alternatives, and begins assessing the alternatives.
  - Design Phase I - Develop Feasible Alternatives, Identify and Assess Impacts
  - Design Phase II - Advisory Agency Review
  - Design Phase III - Public Hearing or Information Meeting
- Alternative Evaluation and Selection - Alternatives are weighed and decisions made as to how each alternative meets objectives and fits into the project context, leading to selection of the preferred alternative. Stakeholders are kept informed and involved.
  - Design Phase IV - Final Evaluation, Recommendation and Design Approval
- Detailed Design - Construction plans for the preferred alternative are prepared, ensuring

that the approved concept is built, construction impacts are minimized, and the traveling public and community remain informed.

Design Phase V - Advance Detail Plans (ADP)

Design Phase VI - Plans, Specification and Estimate (PS&E)

### Environmental Process Classification

In Design Phases I-IV the project's environmental classification is confirmed, and necessary environmental documentation is completed. Project PI Plans must include required Federal and New York State public notices and procedural steps.

Under the New York State Environmental Quality Review Act (SEQR) (17 NYCRR Part 15), NYSDOT projects are classified as one of the following:

- Type II - actions that do not have a significant effect on the environment.
- Non-Type II (Environmental Assessment - EA) - actions for which the significance of environmental impacts is not clearly established. An EA is required.
- Non-Type II (Environmental Impact Statement - EIS) - actions which may have a significant effect on the environment. An EIS is required.

All Federally funded projects, and those which involve a Federal action (such as FHWA approval for an Interstate highway access modification, or a Corps of Engineers wetland permit) are classified as one of the following classes of actions, per Federal Regulation 23 CFR 771.115:

- Class II (Categorical Exclusion) - actions that do not individually or cumulatively have a significant environmental effect.
- Class III (Environmental Assessment - EA) - actions in which the significance of environmental effects is not clearly established. An EA is required.
- Class I (Environmental Impact Statement - EIS) - actions that may significantly affect the environment. An EIS is required.

Both the environmental classification and the level of community interest affect PI Plans. EIS projects usually require a more extensive public outreach effort than Categorical Exclusions. On the other hand, a NEPA Class II project for urban highway reconstruction may warrant a more extensive public involvement program than a Class I (EIS) project on a rural section of Interstate highway.

A NEPA public hearing is required for all Class I (EIS) projects, and may be required for other Federal Aid projects. A NEPA EIS may be used to satisfy the requirements for a SEQR EIS. Where a public hearing is required for right of way acquisition under the New York State Eminent Domain Procedure Law (EDPL), a NEPA public hearing may be used to satisfy this requirement. For Federal and New York State regulatory requirements, refer to these sections:

- PDM Chapter 4 - Project Design Stage Procedural Steps
- PDM Appendix 3 - NEPA and SEQR Official Notices and Document Distribution
- PI Manual Appendix A, Chapter A2 - Public Meetings and Hearings
- PI Manual Appendix B - Federal and NY State PI Regulations

### Design phases - Simple Projects

Simple projects have limited scope, one feasible alternative and involve the following work:

- Element-specific projects
- Maintenance projects
- 1R (resurfacing) projects.
- Minor bridge rehabilitation projects.

The design process is streamlined to reflect the routine nature of the work. The Initial Project Proposal (IPP) is modified by adding information during design development. The resulting combined scoping and design approval document (IPP/FDR) receives scope approval and design approval simultaneously.

Simple projects are classified as SEQR Type II, and if Federally funded, NEPA Class II - Categorical Exclusions (Automatic or Programmatic).

### Design phases - Moderate and Complex Projects

Moderate and complex projects have the greatest potential to affect the community and traveling public. They frequently involve permitting agencies and often more than one feasible alternative. They range from 3R projects, bridge rehabilitation and minor highway reconstruction, up to construction on new alignment and reconstruction of major urban bridges and expressways. These projects use the Design Report format for a design approval document. Refer to Chapter 2 of the PDM for guidance on project complexity, environmental classification and project documents.

**All moderate and complex projects need a project-specific Public Involvement Plan.** The PI Plan includes actions needed for meaningful community involvement, but should have no more detail than necessary. The extent of the PI Plan depends on:

- Project scope, complexity and cost.
- Potential for impacts on the community and other stakeholders.
- Incorporating required environmental procedures under NEPA and SEQR as part of effective outreach.

#### **Public involvement for scoping and design**

Because Public Involvement is the cornerstone of successful project development, the start of scoping (or earlier) is the time to ensure outreach to the public and project stakeholders. Early outreach allows issues of concern to be raised, given ample consideration and discussion, and to help shape project solutions. A project PI Plan guides public outreach by identifying these Project Team tasks:

- Identify stakeholders.
- Determine those stakeholder interests likely to be affected by the project.
- Set up and maintain channels of communications with stakeholders.
- Develop an understanding with the public on transportation problems, the need for

corrective action, and potential solutions.

- Establish feedback that will:
  - bring stakeholder concerns into play for decision making.
  - communicate the results of decisions back to the public.
  - inform the community on the proposed actions and tradeoffs.

The extent of public involvement depends on project location, scope and complexity. Regions may choose a standard approach for those project types where similar stakeholder concerns occur frequently. In other situations, a Public Involvement Team may be formed to prepare the PI Plan. The Team may include the involved regional functional units (Planning, Design, Construction, Maintenance and the Public Information Officer), and develop consensus on the extent of public involvement to be used. The FHWA is involved with NEPA projects to ensure that 23 CFR 771 public involvement requirements are satisfied. The PI Plan includes the specific techniques for that project's outreach. As circumstances change or new issues arise, the PI Plan is modified as necessary.

The PI Plan should be signed by the Project Manager and kept in the project file throughout project development. Revisions to the PI Plan should first be discussed with the appropriate Project Team members, and the revised PI Plan initialed by the Project Manager. An information copy of the PI Plan should be provided to the Regional Director (or designee) at the Scope Approval and Design Approval milestones.

#### **Project Scoping and Design:**

- **PI is cornerstone of successful project scoping and design.**
- **PI brings stakeholder input and community values into decision making process.**
- **PI helps formulate sound alternatives that suit the community context and meet transportation needs.**
- **PI encourages participation to shape project for community acceptance.**

In project scoping, the goal is to define and get consensus on the problems, needs, objectives, design criteria, feasible alternative(s) and preliminary costs. Project scoping provides an opportunity for stakeholders to raise concerns, suggest changes and have them considered early when the project scope is not yet finalized. Also, early stakeholder communication helps in developing well formulated alternatives. Scoping PI should focus on:

- Identification and outreach with stakeholders.
- Articulating community values and project context.
- Developing consensus on the needs and objectives.
- Beginning dialogue to formulate and shape solutions for community acceptance.

In preliminary design Phases I-IV, effective communication continues with stakeholders with an emphasis on shared decision-making. The input from community and public stakeholders, as well as advisory agencies, is incorporated into the series of design decisions leading to definition of alternatives and selection of the preferred alternative for design approval. Alternatives are developed in more detail, evaluated and trade-offs are weighed among the various possible solutions.

Each Public Involvement Plan take into account project complexity, community characteristics potential project effects, and the level of interest. The following section discusses core techniques for PI that should

be used on most projects. Where projects are straightforward, the stakeholders and their issues are easily identified, and there is low potential for controversy, the core techniques may constitute most of the PI outreach. Routine activities may include a press release and letter to the local officials advising them of the project, or meeting with community leaders and attending a regular village/community board meeting to discuss project scope and schedule.

With more complex projects (more potential impacts and/or greater community interest) use additional techniques to provide effective public input into the design process, such as multiple project meetings, advisory committees, newsletters, etc. Select the combination of techniques best suited to meet project and community-specific needs.

Refer to the Appendices of this Manual for information on PI techniques:

- Chapter A1 - Public Outreach and Feedback
- Chapter A2 - Public Meetings and Hearings
- Chapter A3 - Additional Outreach Techniques
- Chapter A4 - Special Needs
- Chapter A5 - Moving from Conflict to Consensus

Resources include the Regional Public Information Officer (PIO) and the publication Public Involvement Techniques for Transportation Decision-Making, FHWA HI-00-025, June 1999.

## **Public Involvement Plan for Simple Projects**

Why is PI necessary for simple projects?

- The public should always be informed about NYSDOT projects.
- Even limited public involvement may uncover unanticipated issues important to the community.

Simple projects may not warrant an individual PI plan if there is a standard approach for public outreach during scoping and design development. The level of public interest is influenced by the project scope, the community context and the public's perception of the work.

The Project Team evaluates the project context and community factors in judging whether to use the simplified PI approach. For example, can a village's concerns about maintaining traffic during the summer tourist season be resolved with one or two meetings with the Mayor and local businesses? If so the simplified approach may be appropriate. Where significant issues arise, a project-specific PI plan should be developed.

Regions may choose to set up a standard template of actions for Public Involvement, including the public notice and contact with local officials. A "standardized" PI Plan for simple projects can incorporate both public involvement needs and Regional practices.

For simple projects, public outreach may be done in coordination with other similar projects. For example, the RPPM or other designated Regional contact could present a list of such proposed projects to appropriate local officials. The local officials have an early opportunity to review and comment on the projects with regard to traffic impacts or any other issues that may affect the community.

PI for simple projects may include:

- A press release or public notice describing the project. This notice can also be a simple brochure to hand out to affected property owners. A clear description lets the community know the proposed project is and what it will accomplish. The project scope, limits of work, duration, schedule and effects on traffic or adjoining properties are described.

- A meeting or call to the local officials to inform them of the project.
- Attendance at a regularly scheduled local government public meeting to describe the project and answer questions.

### **Public involvement plan for moderate and complex projects**

PI Plans for these projects should start community outreach using the basic techniques listed below. These techniques are essential to identify project stakeholders and exchange information with them:

- Mailing list
- Initial contacts with local officials
- Meeting with individual stakeholders and/or property owners
- Public information meeting(s)

### **Additional PI techniques for moderate and complex projects**

One or more of the following methods should be used where the project complexity, level of community interest, or potential impacts require a more extensive outreach program. Note that for Federal Aid Class I projects (EIS), formal NEPA scoping meetings are mandatory.

- Newsletter
- Radio or television
- NEPA scoping meetings
- Citizen's advisory committee (CAC)
- Collaborative task force
- Workshop or charrette
- Project web Site
- Increased media involvement
- Telephone hot lines
- Field offices
- Onsite tours

## **3.4 Project Construction**

After design, bidding and contract award, the Regional Construction Group manages the construction project and supervises the contractor. Construction phase responsibilities are identified in Section 100 of the Standard Specifications as well as guidance provided in the Contract Administration Manual (CAM) (MURK Part 1A).

Each projects's Public Involvement file must document the commitments resulting from design phase public outreach. These commitments should be discussed with the Main Office Construction Division to maintain

continuity as project responsibility is passed to them.

## **Construction Activities and Public Involvement**

### Community Outreach

By the nature of the construction process, Construction has always interacted with the traveling public and neighboring residents. During construction, the same principles apply for successful public involvement - early, frequent and meaningful communications.

Early outreach includes the Preconstruction Conference, held soon after contract award to discuss project scope, work plan and schedule. Participants include the Contractor and NYSDOT staff (Design and Construction), and local officials, utilities, NYSDEC and other environmental agencies.

Beyond the formal public involvement process, the Engineer in Charge (EIC) takes a pro-active approach to build community relations. The EIC may go out and introduce himself to the adjacent property owners and residents, and make himself available to answer questions and address concerns.

The project Public Involvement Plan (implemented in scoping and updated during design) should be reviewed again in construction. It can identify how, when and what methods will be used to notify the public of construction activities. Construction staff should review the Public Involvement file for specific commitments made during design.

Projects with major impacts and high levels of community interest may warrant a greater level of community outreach, for example:

- A community liaison office to provide timely updates to the public and the media for all significant construction activities.
- A network for distributing periodic newsletters and public information to libraries and municipal offices, emergency services, transportation providers, etc. The mailing list allows for direct mailings.
- Periodic public information meetings with presentations on the project status.
- Regional Public Information Officer (PIO) coordination with the news media.
- An internet web page with current updates on project progress.
- Responses and action logs of calls, letters and comments from the public.

The scope and responsibilities for extensive public outreach are identified in the PI Plan, with input from Construction staff. Public notices issued by the Construction office should have prior coordination through

#### **Project Construction:**

- **Construction PI maintains continuity of commitments from Design stage.**
- **Early, frequent and meaningful public outreach continues.**
- **EIC takes proactive role to build community relations.**
- **Safe public movement requires coordinated stakeholder notification.**
- **PI Plan aids in public notification of construction activities.**

the Regional Public Information Officer (PIO). Consultant resources may be used to assist with some community outreach tasks.

### Maintenance and Protection of Traffic (MPT) and Highway Users

NYSDOT and FHWA policy require that construction projects provide for the safe maintenance and protection of traffic in highway work zones for all users - motorists, pedestrians, bicyclists, construction workers, inspection staff and the general public. A sound maintenance and protection of traffic (MPT) plan ensures safety while providing the balance between maintaining highway use and allowing the contractor site access.

Key to the success of any MPT scheme is providing public information on project construction well in advance of the start of work. Timely and accurate news releases on construction activities are proven effective communication methods. Describe the schedule and nature of the work clearly, as well as alternative routes if available. Municipal officials should be informed in advance of media outlets. Press releases and media contacts can be supplemented with information provided directly to major traffic generators such as night shift employers, shopping centers and sports facilities.

Highway signage provides work zone information, such as construction dates, locations and alternate routes. Supplement these with variable message signs (VMS) on specific traffic or incident management and short term MPT activities. Public meetings and newsletters can disseminate project information and inform the traveling public. Additionally there should be coordination with transportation groups such as the American Automobile Association (AAA). All signs and pavement markings must be current and correct. Refer to Chapter 16 of the Highway Design Manual (HDM) for MPT details.

Highway advisory radio (HAR) may also be used to provide drivers with specific work zone information. When not operational, signs alerting drivers to HAR availability must be removed or covered up.

### Adjacent Property Owners

Where highway construction affects adjacent property, EIC responsibilities include supervising contract work, and maintaining good relations with adjacent property owners and addressing their concerns. This work includes:

- Grading and restoration plans.
- Land mining permits for borrow or spoil sites located outside the right of way.
- Re-establishing existing driveway entrances, sidewalks and stairs.
- Owner's consent for trees and shrubs to be planted on private property alongside the highway right of way.
- Disposition of existing structures (stairs, signs, etc.) found to encroach within the highway right of way, either by removal or allowing to remain under permit if not interfering with safe traffic flow.

## News Media

If the press seeks information about a project, or if NYSDOT needs to inform the public, the PIO handles all press calls. When an interview is requested, the EIC should refer the request to the PIO, and notify the PIO and Regional Construction Office.

Interview decisions will be made by the PIO, or the Office of Public Affairs (OPA) in their absence, who will coordinate with the Regional Director, Division Director and project staff. If an interview is agreed to, plan out the key points to be presented, and be sure to use the resources of the PIO for help. In the interview, short concise answers, clearly stated in a relaxed manner help establish credibility. Interview guidance is in Chapter A1 of the Appendix.

## Regulatory /Public Agency Contacts

Ongoing coordination is required with outside agencies involved in the project:

- Cooperating agencies that provide funds, land or other real interest for project construction, such as a village with a water line betterment, a town agreeing to maintain landscape elements, or a utility with relocated facilities.
- Permitting agencies including NYSDEC, the US Army Corps of Engineers and the US Coast Guard for bridges over navigable waterways. Agency approval is required after completion of permit work.

## ECOPAC

To assist in tracking environmental permit requirements and other commitments, Engineering Bulletin EB 99-055 instituted the Environmental Commitments & Obligations Package (ECOPAC) for Construction in July 1999. This form provides a standardized tool to document project-specific environmental requirements as well as facilitating post-construction audits, and enhancing environmental awareness. The ECOPAC identifies specific permit requirements and required public agency contacts, and transmits this information from design to construction staff.

### **3.5 Operations and Maintenance**

The Transportation Maintenance Division (TMD) operates and maintains NYSDOT facilities. These responsibilities are divided among four program areas: Snow and Ice Control, Bridge Maintenance, Pavement Maintenance and Roadside Maintenance.

Each county is served by a Maintenance Residency (more than one for some larger counties). Under the direction of the Resident Engineer, Maintenance staff monitor the condition of the facilities, perform maintenance and winter snow removal activities, and implement paving and related capital projects. The Resident Engineer issues driveway permits and utility permits for work within the right of way, coordinated

with approvals by the Regional Traffic Engineer. Maintenance staff are usually the first to be called to respond to floods, storms and other emergencies to restore and maintain transportation functions.

Community relations is a major responsibility for the Resident Engineer and Regional Maintenance staff. To local officials, residents and the traveling public, Maintenance staff are the most visible NYSDOT presence. They are in the community every day, observing and maintaining the transportation system. The Resident Engineer knows and meets frequently with local mayors and supervisors, county officials and highway superintendents. Maintenance is the early warning system - the first to hear of transportation concerns from localities or affected property owners, ranging from the presence of road kill to major highway deficiencies.

#### **Public Involvement for Maintenance Projects**

Besides maintaining facilities, the Maintenance Division also undertakes capital projects for pavement overlays and improvements to guiderail, signs and drainage facilities. Project design may be done either by the Residency or by Regional Design. Work may be done as Maintenance by Contract or vendor placed paving projects. These projects are simple in scope - no extensive pavement widening is done or right of way acquired. They can be sizeable (up to 7 centerline miles of 1 ½ inch overlay), so there may be community impacts.

Public Involvement for maintenance projects should be appropriate for the scope and expected level of interest based on past experience. The principles of effective, early and frequent communications with involved stakeholders apply to maintenance project as well as to the capital program. The community and traveling public see only a NYSDOT project, regardless of whether a project involves a half mile pavement overlay or a major structure replacement.

The PI Plan may document what the Residency is already doing for public outreach. For example, a pavement overlay is discussed with the Mayor or Town Supervisor to inform them of project limits, scope and construction schedule. Some projects may only warrant this meeting plus personal contacts with a few adjacent property owners. Others require a meeting with local business owners to help plan maintenance of traffic during construction to minimize impacts on them.

One or more public meetings may be advisable to present the project, get community input, and address public concerns. When feasible, local concerns can be incorporated into the scope of the maintenance project. Other requests may not be feasible at this time, and are communicated to Planning and Program Management and to Design for consideration in future projects.

#### **Operations and Maintenance:**

- **Maintenance phase is both an end and beginning of project development.**
- **Maintenance functions can be the most visible NYSDOT community presence.**
- **Maintenance is the first to hear of community transportation concerns.**
- **Residency staff are in the forefront of public outreach with daily community involvement.**

## Coordination with Planning and Design

The maintenance phase represents both the end and the beginning of the project development process. Safety and infrastructure needs identified by Maintenance help in planning capital projects. The Resident Engineers and staff may live and work in the community, and have first-hand knowledge of capacity problems, safety deficiencies, and deteriorated pavement, bridges, etc. Because of this familiarity, Maintenance should have an active input to the Project Team during project scoping and design. This participation helps to:

- Identify Stakeholders and Community Context - Maintenance is in the community – working with highway users, local businesses, and adjacent property owners. Since identifying the project context (the physical, environmental and socio-economic characteristics of the project area) is necessary for good design, Maintenance’s knowledge is invaluable.

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- Identify Needs - Maintenance has information on documented problems such as deteriorated drainage, persistent slope failures, or safety deficiencies. When a community has an identified request, Maintenance may not be able to provide the requested solution, but is usually the first program area to hear of it and can relay the request to Planning and Design.

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- Evaluate Operation and Maintenance Factors in Project Designs - Input should be provided on operation and maintenance requirements for design solutions including: traffic signals or ITS facilities, roadside/median landscape plantings, durability of decorative pavements, or snow removal at roundabouts.

Where a local municipality agrees to maintain a landscape feature, Maintenance should be consulted. Increased maintenance costs should be identified early in design, not as an argument against using these elements, but as part of the informed decision making. If a locality requests a landscaped median, Maintenance staff can speak from experience on the commitments needed, which may aid local decision-making. In addition, the early exchange of information with Maintenance and other team members may result in innovative ways to manage or mitigate these concerns.

## Other Public Involvement Opportunities

Maintenance Residencies are frequently in the forefront of Public Involvement for the Department. These efforts may not be project related, but a valued part of NYSDOT ongoing involvement in the community. These initiatives by Resident Engineers and other Maintenance staff enhance the Department’s reputation with the public as well as provide public service opportunities. Some examples include:

- Membership in Kiwanis, Rotary and other service organizations.
- Adopt-a-Highway program.

- County Fair participation.
- Support and traffic control for local events such as road races and concerts.
- Coordination of activities with local and county highway superintendents.

Residencies have conducted Open Houses to highlight the goal of reducing preventable accidents, and to inform the public about the dangers involved in snow and ice operations. For example, the South Erie Residency held an open house and partnered with law enforcement agencies and the American Automobile Association (AAA). Information was presented on defensive winter driving techniques and awareness of NYSDOT snow removal operations. Snow removal equipment was displayed for visitors. Advance publicity was arranged with the Chamber of Commerce, and a follow-up questionnaire was used to get feedback on other Maintenance activities. As an added benefit, the event received favorable media exposure from local TV and newspapers.

## **Appendix A**

### **Public Involvement Techniques**

#### **Chapter A1**

#### **Public Outreach and Feedback**

The PI Manual discusses Public Involvement Plans for project development. This appendix presents recommended practices for public outreach:

- Chapter A1 - Public Outreach and Feedback
- Chapter A2 - Meetings and Hearings
- Chapter A3 - Additional Outreach Techniques
- Chapter A4 - Special Needs
- Chapter A5 - Moving from Conflict to Consensus

#### **A1.1 Communicating with the Public**

##### **Mailing List**

The mailing list is the basis for issuing newsletters, meeting notices and other communications. It contains names and addresses of anyone who should receive project information, and supports other public involvement techniques:

- Document public outreach program under NEPA and SEQR .
- Asssist Environmental Justice efforts to help reach as many people as possible in affected groups, and to record outreach.
- Solicit participation for Citizen’s Advisory Committees or other special forums.
- Catagorize and analyze public comments received. On major projects, comments can be sorted by type, and also correlated to the respondents’ location, affiliation, household size, commuting status or other relevant feature.
- Identify a group of stakeholders for surveys. If a survey is to “take the pulse” of the community, then use the mailing list. If a scientific survey is needed, however, it must be properly designed to select a random sample that is statistically representative.

##### **Key points for public communications:**

- **Updated mailing list is essential.**
- **Newsletters should be informative yet brief.**
- **Use individual meetings whenever needed for timely information exchange.**
- **Web sites enhance, but don’t replace traditional techniques.**

In creating the mailing list, begin with local officials, nearby property owners, those affected by potential detours, resources agencies and people who have already contacted NYSDOT with concerns in the project area. Other sources include specialized business directories, advocacy groups, agencies serving low-income groups, and community organizations. When interviewing community stakeholders,

ask them to identify additional names to add to the list. Keep the list current and add names as the outreach continues - phone calls, personal contacts, meeting and workshop sign-in sheets and e-mails. If the purpose of the list is simply to track who receives project mailings, it needs only names and addresses. Where more extensive outreach is planned, expand the list to a database. Data can include residence location (may be different from mailing address), phone or fax number, group affiliation, committee membership, comments or statements received.

The PI Plan should identify any special purpose for the mailing list - what kind of information is to be gathered, what will be done with it, and what staff resources are required. Staff time required for mailing lists varies. Creating the initial list may take only a short time. For example, one region uses ArcView GIS to generate project mailing lists. On the other hand, projects with many stakeholders, special outreach efforts, and more sophisticated data base functions will require more effort. Time requirements may be extensive to gather, verify and update data.

## **Newsletters**

Newsletters keep large numbers of people informed using the mailing list. Some projects may need one, while projects with greater public outreach will use a continuing series published at regular intervals. They can be issued as frequently as needed. Often they are sent to announce an upcoming public meeting and give a brief summary of current project issues.

Newsletters include all necessary information, yet should be as brief as possible. Newsletters can be one page, or brochures with a map and easy to read graphics that support the text. Newsletters have clear and simple writing for the lay audience. Factors to consider for a newsletter include:

- Target audience - It may be the general public, or specific stakeholders. If Environmental Justice is involved, evaluate the need for special communications. Will a different language be required? Will an alternate distribution method be more effective than mailing?
- Type of information - The first newsletter should answer the question: "Why is this project planned?" Topics can include general planning and environmental process topics, or discussions of specific problems and possible solutions.
- Frequency - Project with less extensive public outreach needs may only require 1 or 2 newsletters summarizing existing conditions and proposed alternatives. On larger projects, consider updates quarterly or other regular intervals. Issue newsletters in advance of major milestones, such as before a public meeting to narrow down the number of alternatives.
- Distribution - Most newsletters are mailed, but other means can be used. Handing out flyers at the neighborhood grocery, or providing restaurant placemats may help reach a specific audience. Where NYSDOT is working with community groups, a project-related article can be placed in the neighborhood or civic group newsletter.

Newsletters should be well written and produced to convey the desired message. If it is too technical, people will not make the effort to read and comprehend it. If it is too "slick" - excessively glossy packaging with little real content - it will be viewed as a public relations piece, and a waste of taxpayer money. Follow these tips in preparing newsletters:

- Orient the readers by relating current activities to the overall process. Make the

newsletter as brief as possible.

- Use simple, non-technical language, and avoid acronyms and jargon if possible. Explain important technical issues clearly and define any necessary terms. Test for comprehension - ask a non-technical person to read it and tell if the material is understandable; then revise.
- Graphic information should be included to illustrate the text. They can range from simple maps and diagrams to more detailed plans, colored photos.
- Provide for feedback - there should at least be a name and phone contact. Where appropriate, provide a comment section to cut out and mail back, or postcard enclosure, or web address.
- If an item serves as a formal environmental document under NEPA (such as a Notice of Intent), write it informally, not in bureaucratic style.
- Acknowledge problem issues - the project's environmental and community impacts, and what's being done to mitigate concerns.
- Check for proper grammar and spelling.
- Consider a translated version if many in the community speaks a foreign language.

A disadvantage of newsletters is that they are interactive only to the extent that people mail back or call in with responses. They are not a substitute for open discussion at a public meeting.

To be effective, newsletters must be widely distributed. The mailing list needs to be current and as complete as possible. With larger projects, postage and printing costs can be substantial. Consider staff resources required when developing the Public Involvement Plan. Costs and staff time need to be budgeted to support an ongoing series of newsletters, or extensive use of graphics.

### **Individual meetings and briefings**

Individual meetings or interviews are an opportunity to meet face to face with stakeholders. They help NYSDOT understand potential project impacts on a neighborhood or local scale. Individual meetings promote information exchange in a relaxed, informal setting. Initial meetings should always be held with local elected officials and affected property owners, and may be warranted for other interested stakeholders.

Topics for early meetings with local officials include: project area transportation and community needs, local perspective on who is likely to have an interest in the project, and alternative concepts (if developed). These meetings help focus the PI effort by identifying other stakeholders. Likewise, meeting with individual property owners and others serve to gather information and explain the project in an informal setting.

Briefings are similar to early meetings, and include a presentation by NYSDOT. They may be initiated either by NYSDOT or community representatives, and are often used at project milestones - at project startup, and to give advance notice to the community before important events. They provide a forum to present information to a small group or individual stakeholders, and may also be used to provide feedback on the presentation.

Who should be contacted for meetings? The PI Plan should identify local officials, individuals or groups most affected by the project (both actual and perceived effects), and those whose consent is needed. Local officials and other initial contacts can assist in identifying key persons. If the project has a previous history with the community, review the project files for likely contacts.

Effective interviews follow these principles:

- Meet at a time and place that's convenient for the people involved.
- The tone of the meeting should be informal, unlike a public hearing.
- Explain the purpose of the meeting to the participants at the start.
- Have an agenda, including both information that NYSDOT needs to find out, and aspects of the project to explain. A list of prepared questions can be helpful.
- Bring supporting maps and plans to help illustrate project concepts.
- Encourage feedback and listen to people's concerns and ideas. Don't discount suggestions, and also be willing to explain NYSDOT decision making factors.
- Take notes for an accurate record of what was discussed, and exchange phone numbers for follow-up contacts.
- Where a question needs more investigation, tell the participants how and when NYSDOT will respond with answers, and then follow up. Participants need to know how their views will be taken into account.

Followup meetings may be useful to keep the parties updated and maintain good communications. Also, several people representing different community segments may be interviewed. An interview can be used for feedback on the Public Involvement Plan itself - is it effective? Is it reaching the right stakeholders?

Interviews are useful to exchange information with individuals or small groups, but are not a substitute for open public meetings. Too much reliance on briefings, especially with elected officials, or groups known to be influential, can create the perception of "backroom deals".

### **Telephone hot lines**

Telephone hot lines allow anyone to call with input and questions about the project. There are different degrees of telephone service available to broaden the public outreach, depending on the likely usage.

For many projects it's sufficient to have a contact person to answer calls during business hours, and an answering machine to take messages during off hours. Talking to a "real person" is also preferred because callers feel that NYSDOT is more responsive.

Where the level of community involvement or project complexity require, recorded messages can provide explanations for frequently asked questions. Recorded messages should be changed as needed to reflect the project status and current topics. Use these messages as well to notify callers of upcoming public meetings or other project milestones.

A telephone hot line should have these features:

- Contact phone number, either the project engineer's or another designated contact office phone. If substantial activity is anticipated, an 800 number may be used for toll free calling.
- Publicity for the phone service. List the number on every news release and brochure, and mention it frequently at interviews and public meetings.
- Designate a knowledgeable person to answer questions. The contact person doesn't need

to know everything, but should have a list of other staff persons who can help answer specialized questions. One region finds a “Caller Information Sheet” to be useful. This is a one page summary of the project and public meeting information that is left at each phone in the project design squad and with every secretary in the design and executive offices. This reference allows anyone to be able to give the caller essential information about the meeting and project. Only detailed information requests then need to be forwarded.

- Review project information regularly to make sure that it is consistent and current, and relay any new public concerns to the project team.
- Have a written policy on telephone etiquette, responding to questions, and timeliness of call backs. Evaluate performance periodically.
- Provide an answering machine for after hours calls, followed by timely call backs.
- Provisions for telecommunications device for the deaf (TDD capability), for the use of people with hearing impairments, to allow messages to be typed rather than spoken.

The Public Involvement Plan should address the need for a telephone hot line, and what type of information it will provide. Telephone hot lines don’t require significant staff resource, and are a low-tech option that doesn’t depend on Internet access. Budget needs may be minimal for a system using the office phone and an answering machine for off hours. Once set up, the system will require some staff time to answer questions. Costs increase with added features such as an 800 number and the ability to choose multiple options.

Telephone hotlines can be a useful element of a public outreach program. They do not, however, offer the full participation and variety of opinions expressed at face to face public meetings.

### **Internet and E-mail**

For projects with sufficient community interest, a dedicated project web site can be created to facilitate information exchange. Adding an e-mail address provides the public with a means to communicate with NYSDOT and ask questions.

Detailed information on NYSDOT Internet policy is available at the Information Services Bureau (ISB) Intradot site, at the Web Central Area, and from each Regional and Main Office functional unit Web Content Coordinator (WCC). Following is a brief overview of web site creation. The first step is project definition and management approval to create a new Internet site. The text is then submitted to the Office of Public Affairs (OPA) for review. After OPA approval, the responsible project team member performs the design and coding with assistance from the WCC. Materials are reviewed by both the WCC and Web Central for technical quality and ADA compliance. After final reviews by the submitting office and OPA, Web Central places the material on the production site for public access.

Like any public information, web site content must be well-organized. Evaluate what material to present, and what graphics and visual aids to use. These are possible topics:

- Area transportation problems and needs
- Project history
- Description of existing conditions and community context

- Design criteria, goals, objectives constraints
- Announcements of upcoming meetings and project milestones
- Public meeting reports
- Possible alternative solutions
- Analysis of alternatives, advantages and disadvantages
- Environmental and community concerns
- Estimated costs
- Project development schedule
- Links to related sites
- “Frequently asked questions” to help send a consistent message and reduce the number of questions needing individual responses.

Graphic materials can be used several ways. One technique employs color aerial photos as base maps. Overlays can show site constraints such as wetlands, cultural resources and neighborhoods in the project area. When alternative alignments are developed, they can be overlaid on the photo. Visualizations and Power Point slide shows from public meetings can also be available.

Links to the project web site need to be easily located - usually from the Region’s home page, or the main NYSDOT home page. To help encourage use of the web site, every public notice and project newsletter should list its internet address, and it should be mentioned at all stakeholder meetings.

Include all relevant documents on the web site, but avoid information overload - keep descriptions concise. Text for the web site should be written in the same clear style used for any public information. Information needs to be kept current, and out of date material promptly removed. Maps, plans and graphics must be clear and easy to understand. Contact the ISB Web Content Coordinator for assistance in ensuring ADA compliance for all NYSDOT web content.

One disadvantage of the Internet is that not everyone in the community has ready computer access, or is comfortable with using computers. Lower income households may be less likely to have Internet service than the population as a whole, so a web site should be viewed as only one of a number of techniques to reach the community. Any material on the web site should be available for public review by alternate means - at public meetings or via brochures and newsletters for example.

The main costs for a project web site are the staff time needed for the Project Team and ISB to prepare materials for the site, and to maintain all information up to date.

## **Speakers bureaus**

Speakers bureaus are trained people who can speak knowledgeably about the project with community groups. They listen to feedback, answer questions from the audience, and relay information back to the Project Team.

This technique offers another way of exchanging ideas with the public. Talking with neighborhood associations or civic groups shares project information with a wider audience than at a public meeting. Speakers may explain other aspects of NYSDOT’s work besides the project (such as congestion management or planning issues) and help the community to a greater understanding of the Department’s mission. By bringing issues back to the Project Team, speakers also increase NYSDOT’s community knowledge.

Speakers bureaus may include knowledgeable, interested volunteers outside of the Project Team.

Partner agencies such as FHWA, county highway superintendents, local officials, or members of a Citizen's Advisory Committee may be candidates. Volunteer speakers may have expenses paid, or it may be agreed to pay them a nominal sum.

In organizing a speaker's bureau, it is important to identify a pool of volunteers willing to serve and provide continuous training for speakers. People from non-technical experience may need background on engineering issues, and all volunteers may need public speaking training. With outside volunteers who are not Department employees, make sure that the message is what we want to present.

Develop presentation and supporting material such as slide shows and handouts. Foreign language or other elements may be modified for certain audiences. Include staff support to accompany the speaker to take notes and assist with the presentation, and help with the written record of the discussion.

Speaker's bureaus may have several useful roles. Where community volunteers participate, they help bring the local perspective to the project discussion. Volunteers and staff speakers may help facilitate discussions at open forum public hearings, which require significant amounts of staff support. They can also assist at non-project related open houses and transportation fairs. Community and business organizations can be contacted to offer the speakers as a public service. Volunteers who are multi-lingual may be able to help with translation where there is a substantial percentage of the community that does not speak English.

Remember that speakers bureaus are for information exchange, and are not a forum to resolve community issues. Volunteers give presentations but are not a "shield" for the Project Team, and are not responsible for resolving conflicts or fixing problems.

Speakers bureaus require a time commitment to select and train interested speakers, and for administrative support. Don't expect volunteer speakers to put in the same travel and evening hours as project staff.

## **A1.2 Communicating with the Media**

### **Basic concepts**

News coverage of transportation projects helps public involvement by conveying information to a wide audience. The Department can build credibility by clearly explaining transportation needs, possible solutions, and can work with the community to meet these needs. On the other hand, unfavorable press stories make the project development process more difficult.

In our free society the press can report on any subject, and reflect any viewpoint in that coverage. NYSDOT cannot dictate how transportation project news will be covered. Sometimes the facts are inaccurate, or the media may appear to devote greater attention to vocal project opponents than to NYSDOT's position as a government agency. Nonetheless, a productive relationship with the media helps NYSDOT to present a clear, accurate and responsive message.

The Communicators Guide (Federal Communicators' Network, December 2000) has a useful discussion of government agency media relations. Some important principles include:

- **Available** - Provide the PIO with project data so that they can provide information to reporters and the public, and keep this information up to date. Willingness by NYSDOT to provide information increases opportunities to convey the points we believe to be important.

- **Credible** - Information must be accurate and reliable, and facts clearly separated from opinions. Credibility also means acknowledging differences of opinion and not hiding information on controversial issues.
- **Informative** - The public perceives transportation problems from their own personal experience, but may not know how NYSDOT's planning and design process will work to resolve them. Background materials helps explain the issues and increase public awareness.

The positive aspects of NYSDOT projects - that are sometimes taken for granted -can be emphasized. Where safety and capacity problems exist, NYSDOT can address them, with full involvement by the public. Solutions that are innovative in solving transportation and community needs can be news worthy.

- **Concise** - Keep messages simple and use plain language. Explain technical terms where it is necessary to use them. Use several shorter communications instead of one big one to discuss complex issues.

**Key points for media communications:**

- **Consult with Regional PIO for media assistance.**
- **News coverage can increase public outreach.**
- **Credibility and availability essential for productive media relations.**
- **News releases allow NYSDOT to highlight important information.**
- **Interviews are communication opportunities; need solid preparation.**

In developing the Public Involvement Plan, consider likely news media coverage and how it can be used to help public communications. Is the project simple enough, both technically and in the scope of community issues, that a few press releases will be sufficient? Does the project have complex technical problems, numerous stakeholders or the potential for controversy, which call for additional steps?

The PI Plan should identify the approach to use in communicating with the news media, how the project team will work with the PIO as the primary news media contact, what materials will be presented in news releases and how frequently project information will be provided.

**Role of the Public Information Officer (PIO)**

The Regional Public Information Officer (PIO) will handle all media contact. Their responsibilities include preparing news releases and advising the project team on public involvement issues. Project developers should contact their Regional PIO early in the scoping process to discuss the project and the desired PI outcomes. The PIO should be a project team member and always be kept well informed of project issues.

One benefit of PIO participation in developing the PI Plan is improving internal communication, since the PIO can work with several Project Teams and across a wide variety of Regional projects. From this Region-wide perspective, the PIO can see what is working effectively and assist the Project Team in focusing the PI Plan effectively. In addition, the PIO can be an serve as a sounding board by reviewing written materials for clarity and the appropriate level of technical detail.

## **News Releases**

News releases can be issued whenever there is any project event worth discussing. News releases can provide project background and status reports, and should be used to announce major milestones, such as public meetings and decision points. Write news releases in the same clear, concise language and use understandable graphics (maps, plans, sketches ) to add interest and clarify the message.

Provide the PIO with draft press releases for editing and distribution, including both text and graphics. For all projects the PIO will determine all of the news media outlets that cover the project area. These include not only daily papers and TV and radio stations, but also weekly and community based journals. A press kit, prepared with the PIO, can be sent to newspapers and stations to make them aware of the project. This kit should include an advisory, meeting notice, press release, general project information and the name and phone number of the PIO as the media contact for the Department. It establish that NYSDOT is interested in sharing information about the project with the media throughout the development process.

## **Additional Media Actions**

For high visibility projects, a coordinated media campaign may be appropriate. This may involve use of several resources: newspapers, TV/radio, static message signs, video, and preparation of materials for paid TV air time or newspaper advertising.

Infrequently an editorial board meeting with the newspaper(s) may be warranted to provide project information and context early in the process. Requests for editorial board meetings shall be coordinated in advance with the Director of OPA. These meetings offer the opportunity for NYSDOT to present background on the project history, needs and community context, and for editors and reporters to ask questions and gather information in a more relaxed setting than at the end of a public meeting when reporters are facing deadlines.

More extensive background articles can help NYSDOT to explain unfamiliar issues, such as safety benefits of modern roundabouts. In other situations, access management may be proposed as part of a suburban four-lane arterial reconstruction. The public (and property owners) may get useful information from a well-illustrated piece on the principles, practices, advantages and disadvantages of access management, published in a widely circulated newspaper.

## **Interviews**

Frequently reporters covering a story want to conduct an interview with NYSDOT staff. All interview decisions will be made by the PIO or OPA in their absence, who will coordinate with the Regional Director or Division Director as appropriate, and project staff. An interview is different from the exchange of technical information within NYSDOT, and requires attention to some basic principles:

- Practice and prepare - Become familiar with the project, its history and clippings of previous news reports. Have fellow employees ask questions, including difficult ones, and practice responding positively.
- Be responsive, with agreed-upon ground rules - After finding out the subject and scope

of the interview, agree to meet in a timely fashion. Set the time, place and length allotted for it. Shorter times force both parties to stay focused on the main topic. Ask the reporter who else he/she will talk with in preparing the story.

- Prepare the message - An interview is not only an opportunity to answer questions, it's also the chance to communicate what NYSDOT feels is important. Have three positive points to make during the interview. If you get the opportunity to recap at the end, review them again.
- Keep responses simple - Talk in short sentences, using plain, non-technical language, and when you've made your point, stop talking. Relate the message to the audience and avoid technical jargon.
- If you don't know the answer, say so - Offer to get the answer later (if it is a question that can be answered).
- Correct misinformation - If a reporter uses inaccurate or erroneous information, correct the error right away, but don't pick up the reporter's negative phrasing. Simply state the correct facts.
- Have visual aids - These may be simple, such as a chart or simplified plan, or they may include a video, or visualization suitable for TV. The reporter may or may not use NYSDOT-provided materials later, but they may be useful during the interview.
- Nothing is off the record - Reporters strive for balance as they perceive it, however they will tell the story from their perspective after talking to a variety of parties. Don't be drawn into arguments or allow the pace to accelerate. Simply repeat the facts that you know, presenting accurate information and emphasizing the positive aspects of the project. Avoid giving opinions.

## Chapter A2 Meetings and Hearings

### A2.1 Public Meetings

#### Initial public information meetings

It is important to consider an initial public meeting as soon as the project has been identified and a team has been established. The purpose of this meeting is to provide an opportunity for an open dialogue with potential project stakeholders as a means to discuss not only identified transportation issues and needs, such as safety, congestion, deteriorated pavement, etc., but to identify for further exploration, community and environmental issues such as pedestrian facilities, integration with comprehensive planning activities or other community concerns. Sometimes referred to as the “blank sheet of paper” meeting, it facilitates getting input into related problems that communities may have a better awareness of and prevents focusing prematurely on preconceived solutions. Detailed alternatives are not presented to avoid the impression of a “done deal”.

The aim of early meetings is to fully identify and agree on the extent of problems to be solved, and possible performance measures for successful solutions, before identifying specific solutions. In the first meeting:

- NYSDOT presents information on the transportation infrastructure needs.
- The community has the opportunity to tell NYSDOT what they feel the needs are.
- NYSDOT obtains information about unique circumstances or community resources that should be taken into account in design alternatives.
- There is informed and open discussion on all identified needs.

Does a “blank sheet of paper” mean no visual aids? On the contrary, some graphics are needed - certainly clear maps of the study area, or perhaps an enlarged aerial photo. Photographs of identified problem areas help to generate discussion.

How much data to present is a judgement call based on the specific situation. Some people feel that having no plans to look at is too nebulous. It may help some in the audience to view alternative concept sketches, so long as they don't look like finished designs. At a downtown street reconstruction, for example, people may want to see preliminary cross sections showing total street widths using

#### Public Meetings and Hearings:

- **Are participative - both communicate with, and listen to stakeholders.**
- **Initial meetings help identify problems and opportunities, and engage stakeholders.**
- **Public *information meetings* can use variety of formats.**
- **Public *hearings* follow requirements for: notification, content, comment opportunity and transcripts.**
- **Visualization techniques effectively communicate design concepts.**

dimensioned combinations of travel lanes, parking lanes, sidewalks and medians.

The National Environmental Policy Act (NEPA) requires formal scoping for Federal Aid Environmental Impact Statement (EIS) projects. This should be incorporated into the initial public meetings through the early coordination process specified in 23 CFR 771.111. EIS scoping requirements of NEPA regulations 40 CFR 1501.7 include inviting the participation of affected Federal, State and local agencies, as well as interested members of the public. Scoping should:

- Identify those issues to be addressed in depth in the EIS.
- Identify and eliminate from detailed study those issues which are not significant or which have been covered by prior environmental review.
- Identify the range of alternatives and impacts to be addressed.
- Identify other environmental review and consultation requirements so that they may be prepared concurrently with studies for the EIS findings.

In addition to early public meetings, NEPA scoping meetings are required for EIS projects, and may be held for any project with substantial environmental agency involvement. Federal agencies with permitting responsibilities (cooperating agencies), and state permitting agencies are contacted for early input, to insure that the EIS scope addresses environmental issues and potential impacts.

Formal scoping meetings are held with NYSDOT and cooperating agencies. These agency working meetings are by invitation only, but they are coordinated with the public input into EIS scoping.

Meetings are held to:

- Determine the information and regulatory requirements of the agencies.
- Allocate responsibilities among the lead agency and cooperating agencies for preparation of the EIS or EA.
- Identify environmental and technical studies requiring further analysis.
- Identify necessary permits.
- Hold discussions to gain consensus on issues.
- Review the NEPA and design process schedule.
- Identify action items and due dates, and set the date for the next meeting.

These agency working meetings continue during the EIS preparation. Meetings are chaired by NYSDOT, and attended by staff familiar with their agencies' procedures. NYSDOT provides agendas, notes from previous meetings and coordinates presentations and handouts.

### **Presentation format**

With this format there is a formal presentation by NYSDOT, followed by a question and answer session. This is the traditional format used for public meetings. With this format, NYSDOT presenters are at the front and the audience is seated.

Some people prefer the familiarity of presentation format, but others do not feel comfortable asking questions or expressing opinions in front of a crowd. The separation of the presenter's area from the audience may be perceived as "us vs. them". The open house format (described below) may be preferable in these cases.

Public meetings often attract project critics, so it is important to demonstrate that NYSDOT is listening and taking public opinions into account. Public meetings attract people with the time and inclination to attend, so the full cross section of the community may not be present.

One or more meetings are held early in project development, and may be held at any time during design. Public meetings are also advisable just prior to major decision points, such as selection of preferred alternative. Refer to Section A2.3 of this Chapter for setting meeting agenda.

There should be a written summary for every public meeting included as a Design Report appendix, and maintained in the Public Involvement file. Copies may be sent to all meeting attendees.

### **Open house format**

This format features an informal display of project information, with the opportunity for the public to ask project team members questions on an individual basis. These meetings may omit a formal audience presentation, or have it scheduled after the open house portion, or in a separate room.

Benefits of an open house include the opportunity for individual feedback between the public and project team members. People can ask detailed questions and have them answered by knowledgeable technical staff. With one on one discussions, people may focus more on issues, and be less likely to play to the audience by staking out a position.

The atmosphere is less formal, so people who are uncomfortable talking in front of a group may be more likely to interact with the project team members. Time limits are more flexible, allowing discussions to continue at length. Displays are available for continuous, close-up viewing. If the presentation is given in a separate room, then the public is free to choose either the formal presentation or to remain with the displays.

Documenting questions and answers may require more effort with the open house format since there can be many simultaneous discussions. One limitation is that a project engineer may spend a great deal of time explaining a point to someone, but the larger audience hasn't heard it. The absence of a public forum can be a drawback if it curtails open group discussions. It can be useful for people to hear views (both in support and opposition) expressed out in the open.

Enough staff with technical knowledge are needed to man the displays and answer questions, which may be in-depth and detailed. Topics to consider in planning the meeting:

- Convenient schedule and location, well publicized in advance. Open house meetings may take place over several days, running several hours each time. Late afternoon and early evening allows attendance by people who don't go out in the evening, and those coming home from work..
- Provide a concise presentation on the project and purpose of the meeting. A video, slide show or power point presentation can be repeated as necessary, and supplemented with maps and sketches. Furnish clearly written brochures.
- Make project team members and other knowledgeable staff available for discussions and questions. They can be stationed at displays and tables throughout the room. Larger projects may warrant several tables, each one labeled for different topics.
- Provide a way to record formal written comments. As a minimum provide a table with comment forms. Post cards (pre-paid to increase the chances of being used) can be circulated for people to fill out and return at their convenience. If warranted, a stenographer can be stationed at a table to record verbal comments.

## Non-traditional approaches

Consider a non-traditional meeting format or location whenever an important segment of the community isn't being reached through conventional means. What are some barriers to becoming involved in project outreach?

- Language for those who speak little or no English.
- People may not be comfortable with the give and take and open exchange of opinions at a public meeting.
- Lack of transportation - an easy 10 minute drive may be difficult for low income residents where a meeting location is not near public transportation.
- Inconvenient time, location for commuters, or those who work multiple jobs or irregular hours.
- Lack of child care for families.

Those who may benefit from the non-traditional approach include ethnic minorities, people with less education and income, residents of urban neighborhoods historically used as transportation corridors, and any community not being reached by conventional means. Environmental Justice requires special outreach where there is potential for disproportionate impact on minority and/or low income communities. Non-traditional meetings may require sizeable staff resources and expenses. The PI Plan should consider the need, costs, and potential benefits of a non-traditional approach.

What are some ways to improve attendance at meetings?

- Plan special outreach by consulting with community groups and local leaders. Meeting with an organized neighborhood association may be a good first step. If the group has a newsletter, it may be used for status reports and to announce upcoming meetings. Local churches often play an important community role, and may include a high percentage of the under-represented people to be reached.
- Posting fliers, listing meetings in community calendars, and using phone reminders to supplement newspapers and the mail are ways to reach more people.
- Feature interesting or locally well-known speakers to help spark interest.
- Offer alternative participation opportunities such as phone and internet comments.
- Provide simple but meaningful perks such as snacks and child care during a meeting.
- Follow-up by thanking people for their participation, seriously considering community ideas, and providing feedback.
- Evaluate how well meetings worked, and make improvements.

Non-traditional locations can be used effectively. Some may be more suited to a staffed display to answer questions rather than a full public meeting, but they are another communication opportunity:

- Important local stores or shopping malls.

- County fairs and neighborhood/community festivals.
- Community sports events such as local youth soccer or baseball games.
- Well-used municipal facilities like parks, transit centers and libraries.
- Coordinated with special events such as career days.

Another alternative meeting is the **site visit or walk through**. The affected stakeholders - NYSDOT, community residents, and local officials - see the project site under the same conditions at the same time. Unique local conditions can be pointed out, leading to a better understanding of existing conditions. NYSDOT can illustrate how certain areas will be affected, and discuss constraints with other participants stakeholders. Site visits can also help build media relationships by providing reporters with background and context information.

A **transportation fair** is another way to raise community awareness of NYSDOT, and may be useful as a supplement to project-specific events. Transportation fairs are one day events that feature a variety of exhibits. They are not principally for projects, but rather for general awareness and to give the public the opportunity to comment on transportation issues. They are extensively advertised and promoted ahead of time and are held in an easily accessible, central location. There may or may not be a speaker. They may have some project-specific elements but many displays are of general interest, such as maintenance and snow removal equipment, and video or traffic monitoring displays.

## **A2.2 Public Hearings**

### **Format**

Public hearings are public meetings that meet prescribed requirements for notification, meeting content, public comment opportunities and formal transcripts. Hearings occur after a draft EIS or EA has been circulated for public comment, and before finalizing the NEPA environmental process and selecting a preferred alternative. A public hearing or opportunity for one must be offered for Federal EIS projects, and any project that:

- Requires significant amounts of right of way.
- Substantially changes the layout or functions of connecting roadways or the improved facility.
- Has a substantial adverse impact on abutting property.
- Has a significant social, economic, environmental or other effect.
- Or for which FHWA determines that a public hearing is in the public interest.

Public hearings are also required under New York State Eminent Domain Procedure Law (EDPL) where NYSDOT acquires property that is more than de minimus as determined by the Regional Real Estate office. Public hearings may be held if warranted for other project environmental categories.

NEPA public hearings may be required for a Federal agency to issue a permit, for example a U.S. Army Section 404 wetlands permit. A combined hearing may be used. Information can be found in the

FHWA publication Applying the Section 404 Permit Process to Federal-aid Highway Projects.

Public hearings are only one element of public involvement. A public hearing complements, but is not a substitute for, early and continuous communication with stakeholders. Meaningful public involvement that begins earlier in project development makes a successful hearing more likely.

Public hearings may be offered using either the presentation meeting format, or the open house format. In the latter case, the formal public comment period is scheduled as the final item. For the open house format, a formal NYSDOT presentation may be omitted, provided that all attendees are provided with brochures as described below.

## **Requirements**

Public hearing requirements are summarized below and in Section A2.3 Meeting Organization. The complete procedural steps are not listed here. Refer to the following sections::

- Sequence of steps for publishing notices and conducting hearings - PDM Chapter 4, Project Design Stage Procedural Steps
- Required notices for public hearings - PDM Appendix 3, NEPA and SEQR Official Notices and Document Distribution
- Federal and New York State public hearing regulations - Appendix B of this Manual
- Checklists for meeting location and supplies - Appendix D of this Manual

### Advance notice

The draft EIS must be distributed and available for review by Federal, State and local agencies and the public at least 15 days prior to the public hearing, and for a minimum comment period of 45 days. The “Notice for a Design Public Hearing” is to be published twice, once 30 to 40 days prior to the hearing and again 5 to 12 days prior to the hearing.

Copies of the Notice must be sent to all property owners with right of way impacts from the project. Copies of the notice are also sent to all Federal, State and local advisory agencies and individuals on the mailing list.

Meeting notices should be clearly written and well publicized. So long as they contain the required content, notices should be written in plain language, easy to read and prominently placed in the newspaper. As needed, supplement newspapers with handouts, mailings, and media publicity.

### Brochure

Brochures providing a clear explanation of the project and the meeting purpose are handed out to all attendees at the registration table or entrance. Brochures must explain the information required by 23 CFR 771.111(h)(2)(v):

- Project’s purpose, need and consistency with the goals and objectives of any local urban planning.
- Brief project description, map, schedule and cost.

- Project's alternatives and major features.
- Social, economic, environmental and other impacts of the project.
- Relocation assistance program and right-of-way acquisition process.
- NYSDOT procedures for receiving both oral and written statements from the public.

### Transcript

Hearings require a public assembly session to allow comments to be made in public. Stenographic services are provided to record all comments for the hearing transcript. In addition, written comments are accepted for at least ten days after the public hearing.

The FHWA shall be provided with a transcript of each public hearing and a certification that the required hearing or opportunity was offered. Included shall be copies of all written statements from the public, both submitted at the public hearing or during the announced period after the hearing. Also include copies of all brochures, pamphlets, photos and/or depictions of displays, and presentation summaries from the hearing.

### **A2.3 Meeting Organization**

Recommended practices for public meetings and hearings are described below. Depending on regional preferences, one person may be assigned the role of Regional Public Hearing Coordinator. Duties would include locating and reviewing meeting sites, coordinating arrangements with the site owner and local authorities, and responsibility for equipment, supplies and stenographic services.

#### **Date, time and location**

Pick meeting dates that are convenient for most stakeholders. Try to avoid conflicts with Town or Village board meetings, school vacations and activities, and holidays. Friday evenings and other religious observance times should be avoided.

Evening meetings are a traditional choice for those people who get home from work and are free to attend. Afternoon meetings can be held in communities with a high percentage of elderly population who may prefer not to drive or go out after dark, or multiple times may be used.

The meeting location should be easily accessible, such as schools or municipal offices. In some neighborhoods, other facilities such as church halls may be a good choice. There should be adequate seating room for the audience and space for setting up displays and presentations. Parking and ingress/egress needs to provide for people with disabilities. Where much of the community depends on public transit, strive for a location close to a transit stop. While assessing the facility, note any signs required to direct people to parking and to the hearing room.

When a suitable meeting room is located, make arrangements with the owner for NYSDOT use. Discuss with the owner: costs, insurance, limitations on time or use of space (such as requirements for mounting materials on walls) and janitorial service. Confirm the location, date, time and other important details with a follow up letter, call, e-mail or fax. Appendix D has meeting facility and supplies checklists.

Use effective publicity to maximize meeting participation. Methods should be appropriate to the community and the scale of the project, including newspaper ads, web site, posters or flyers, letters to civic leaders, media advisories and TV or radio advertising. Coordinate advertising with legal notices issued for required public hearings. With a significant percentage of non-English speaking people, meeting notices may be published in their language.

### **Physical layout**

If the open house format is used, have enough space and tables for display stations. People need adequate room to circulate around the exhibits, where NYSDOT staff are stationed. There must be adequate lighting for viewing plans and photos.

For the presentation format, and formal presentation part of the open house, the audience needs adequate seating. The presentation area at the front of the room should be at the same level as the audience, to foster discussions among equals. Have tables and chairs for NYSDOT staff and the stenographer, but avoid using raised platforms and executive-style swivel chairs. These give an unwanted grandiose impression.

Make sure that the microphones, PA system, screens, projectors and light controls are set up and tested. Presentations should be on the laptop hard drive with a backup CD included. NYSDOT staff should locate themselves (and/or have assistants) to be able to make the presentation, operate the projector, make eye contact with the audience and not block the screen.

Provide one or more microphones in the seating area for use by members of the public when they wish to speak. Have one or more tables near the entrance for people to sign registration cards and pick up brochures. Provide adequate signs to direct people to the meeting room and orient them to the displays. If the site is not familiar to the anticipated audience, roadside signs may be needed.

Staff should be available to explain any display. NYSDOT name tags identify each person's name and title. If questions can't be answered at that time, record the person's name and question, so that it can be answered later. There should be a table available for the Regional Real Estate staff to answer questions. Many people are primarily concerned about their property and want information about the right-of-way acquisition process.

### **Meeting agenda**

Public meetings and hearings agendas should include these topics:

- Introductory remarks and orientation - how to register and comment, location of exits and restrooms, availability of staff for discussions.
- Purpose of the meeting - what will be discussed, how the public's feedback will be incorporated into decisions, and review of ground rules for speaking.
- Project background and recap of the project development process - project purpose, needs and objectives (both transportation and community related), previous work, and how the current stage fits into the process.
- Technical presentation - appropriate to the project phase, i. e., needs and objectives during scoping, specific alternatives in preliminary design. Explain relationship to

other projects. The presentation can range from a brief discussion summary with a colored sketch or map, to extensive power point presentations or visualizations.

Reviewing the development process helps orient the audience on how the project relates to local and MPO planning, how alternatives were developed, nearby related projects, and how the NEPA process works.

- Use charts and visual aids extensively. Provide handouts with graphics, covering the same points as the presentation.
- Right-of-way acquisition procedures.
- Future actions - discuss the next steps and schedule in the process. Explain how people's questions will be answered and input used in decision-making.
- Public question and comment period when people may make statements or ask questions. Those who have filled out registration cards speak first, followed by speakers from the floor. Have speakers identify themselves for the record. NYSDOT answers questions, but doesn't prematurely commit to specific actions.
- Explain that stenographic services are provided at public hearings.
- Close the meeting with a review of what was discussed, how and when NYSDOT will follow up, and for how long comments will be received. Thank the public for their participation, and provide contact names and phone numbers.

## **Brochure content**

Brochures give the audience a concise summary of the meeting topics. Text should be clear and relevant, and written in terms that everyone can understand. Have enough handouts printed and available.

Provide graphics and plans that support the text and are easy to comprehend. Where a large segment of the community does not speak English as their primary language, a translated brochure may be provided.

Additional information may be helpful. For example, if a roundabout is proposed, the public meeting may have an educational component explaining the operation of modern roundabouts. The brochure could include a discussion and diagrams of roundabouts and their important features.

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## **Meeting followup**

Send thank you notes to the owner of the meeting facility, and others who helped with the meeting process. Depending on the project and the community, letters may be sent to participants thanking them for their participation. For Federal Aid public hearings, the transcript must be reviewed and sent to FHWA along with the certification, brochure and other presentation materials.

The project team should meet to review and document:

- The substance of what occurred at the meeting.
- How the public's concerns are going to be evaluated.
- New technical or procedural issues affecting the project.
- How the meeting went in relation to its planned purpose - what went well and what could be improved for the next time.

## **A2.4 Communicating Effectively at Meetings**

### **Encouraging Open Dialogue**

#### Effective Listening

The better NYSDOT listens to the public, the better the chances of understanding issues, needs and opinions. The first step is listening, and allowing the time to understand what is being said. People may seek information, or express themselves on an issue, or advance a specific agenda.

Since good listening is essential to communication, experienced listeners pay attention both to the content (the message) and the feelings expressed (the emotions). At meetings it should be clearly stated that NYSDOT wants to hear from people, even when there is disagreement.

#### Credibility

It is critical that NYSDOT be honest and open in all dealings with the public. Credibility and trust are hard-earned qualities that can be easily lost. Even when people disagree with our opinion, they should feel that NYSDOT is willing to actively listen and consider other viewpoints in an open and fair way. The audience may not always agree with us, but people appreciate honesty and sincerity.

Do not attempt to minimize project impacts if they are real and significant. Be prepared to discuss controversial issues. When asked questions for which no one has the answer, it's best to say so, promise to find out - and then follow up with the answer later.

As a transportation agency NYSDOT has a mission to fulfill. Meeting mobility and safety goals and correcting deficiencies are vital. Sometimes these require NYSDOT to take unpopular positions that nonetheless need to be defended. Credibility is enhanced when NYSDOT is an honest advocate for transportation goals and takes the time to explain why they are important, while at the same time working with stakeholders to mitigate community concerns.

#### Natural Speaking Style

Successful meetings are conversations, not speeches. Being relaxed, speaking clearly, making eye contact with the audience, and speaking in a calm manner all help communications. The goal should be to have an open discussion that fulfills the meeting purpose, in an atmosphere of mutual respect.

It's normal to have some degree of apprehension about speaking in public. Becoming more relaxed requires practice; as it becomes easier with experience. Training classes have been offered by the Governor's Office of Employee Relations (GOER) and others help to build these skills.

Adequate preparation helps make for a more relaxing presentation. Know what topics you want to discuss, in what order, and who will do which tasks in the meeting. Have an agenda and use it as a guide to keep the meeting on track. Practice presentations ahead of time.

## Speak clearly for the non-technical audience

Clear and simple language is the best way to communicate information. Most members of the audience will not have a technical background, so engineering jargon should be avoided. Use technical terms and acronyms only when necessary, and explain them to the audience.

On the other hand, don't talk down to the audience. There are no issues in transportation projects that are too complex for the public to understand. The challenge is to explain a concept clearly, make information easy to understand and allow plenty of opportunity for questions.

Organize presentation material in a logical way that makes sense. It could be from general to specific, specific to general, most important to least important, or step by step.

## **Managing the Meeting**

### Who Facilitates

The facilitator runs the meeting, keeps it organized and helps identify areas of agreement and disagreement. In many cases the facilitator may be the project engineer.

When the project is potentially controversial, it may be a good idea to have someone else serve as facilitator. Although the project engineer may know the most about the project, he or she may have a vested interest as project advocate. It may be more difficult for that person to take on the neutral facilitator role in a contentious meeting.

Consider assigning the role of facilitator to someone not directly working on the project. On larger projects this is an effective way to share the public meeting workload and takes pressure off the project engineer. The facilitator needs some knowledge, but does not have to be a technical expert.

### Set Ground Rules

The rules for an orderly meeting need to be clearly explained at the beginning, allowing everyone to participate and the meeting to stay on track. Everyone needs a chance to speak and be heard but then to allow others to speak. Tell people in what order comments will be received and explain the use of the microphone. Usually those who have pre-registered speak first before those making comments from the floor.

If many people want to speak and time will be limited, tell participants ahead of time that they need to let others speak, and if time allows, they can comment further after everyone has spoken.

When people care strongly about an issue sometimes emotions run high and inflammatory statements get made. The audience should be reminded of the need for respectful communication.

### Explain What You're Doing

Start every meeting by stating the purpose of the meeting - is it to get input on transportation deficiencies to be scoped for improvements, or is it to obtain comment on alternatives, or is it a problem-solving meeting? Tell people what will occur in the meeting and who is going to do what.

Have a written agenda and review it with the participants. Summarize, if necessary, how the NYSDOT project development process works, and how this meeting fits into that process.

### Speaker and Recorder Work Together

Have separate people handle speaker and recorder duties. If one person tries to handle both roles its difficult to concentrate effectively on either. Both are important, full time functions.

The speaker or facilitator keeps the meeting going, introduces other speakers, acknowledges those who wish to speak, answers questions and participates in discussions. The recorder serves as more than a note taker, and should be given the chance to speak and identify him or herself.

Sometimes people wish to make statements, and the facilitator should ask questions to draw out more specific information or concerns. If people start monopolizing the conversation, the facilitator needs to keep the meeting moving. He or she can say that it's time to hear from other people, such as "It sounds like we have your concerns written down, so let's hear from some of the others, OK?"

In taking notes, the recorder strives to capture the essence of what was said using neutral language. The recorder writes speaker's comments on the flip chart, and invites feedback by asking the speaker questions like "Let me know if I have this correct."

Use a flip chart when recording comments, and print using big letters and easy to read colors such as red, blue or black. Writing with the broad tip of the marker increases visibility. It's more important to accurately get the essence of the comment than it is to have correct spelling.

### Use Reframing

Reframing is a technique that seeks to uncover the underlying interest or concern that prompts strong statements. In reframing, the facilitator tries to develop a constructive response to a highly charged or emotional statement. Once people have gotten things off their chest, and they feel that their needs are being heard, they often can switch to more productive communication.

There are four steps in the reframing process:

- Take the time to listen to the statement and demonstrate that you understand.
- Take out the unproductive parts that get in the way of problem solving - the threats or demands or position statements.
- Look for the underlying interest.
- Restate the comment, using language and tone that captures its essence, but is more neutral and affirmative, such as "So, what's important about this plan is.....?"

The reframing process is iterative. The facilitator may need to ask several questions and listen carefully before the person's underlying interests become clear. Appendix Chapter A5 has further conflict resolution guidance.

## Summarize What's Been Said

Whenever possible restate agreements as they occur. Summarize key issues to be resolved, and what has been said in terms of feelings, concerns and interests. Review what happened in the meeting and discuss what will be the next steps. Let people know what NYSDOT will be doing with the statements made at the meeting - how will the input be used?

At the conclusion of the meeting recap what happened and what comes next. Meetings should conclude by thanking the participants for their time and efforts.

## **A2.5 Visual Aids**

Visual aids help convey information in a clear and understandable way and offer improved communication value. Unlike a text description, images and other project graphics can emphasize specific issues and show the project's appearance and effect on adjacent areas. They are less affected by language barriers or the audience's level of technical knowledge.

Plan visual aids to convey a clear message, with important information easy to find and comprehend, and no extraneous data to confuse the viewer. Frequently used techniques include:

### **Printed Materials**

#### Plans and maps

Vicinity and location maps are always needed to orient the viewer. They should answer the viewer's questions: Where is the project study area? What are the project limits? Where is it in relation to residences, schools and businesses? Where do the sheets match up? Even with visualizations, people want to see plans marked to show what's important, without information overload.

At meetings early in the process, alternative concepts are developed and it may be better to show informal sketches, or hand-lettered plans marked up with a felt tip highlighter. Don't present computerized plans that look too finished. High quality plots lead some people to think that the design is already set and that the public's input is not really wanted. Later in the design process it is more appropriate to use specific plans, profiles or details if they clearly illustrate a concept. In preparing plans for public meetings:

- Use large, easy to read lettering. Label everything that needs to be identified.
- Eliminate all excess information. For example, when showing the existing and proposed edge of pavement, take out survey baselines and subsurface utilities.
- Use color and highlighting extensively to bring out what is important.
- Compare and contrast existing conditions with proposed construction. If a road is being widened to add a turn lane, people want to see where the existing curb line is, and how that relates to the proposed curb line. Place existing and proposed information near each other, labeled for ready comparison.

- Mount plans on mat boards and provide enough copies for ease of viewing.

### Photographs

Photos can show views from the highway or other perspectives. Aerial photos can be used as base maps to show alignments and site features. Photos can be combined with visualizations to show the “before and after” conditions of project improvements: a rendering of a new bridge or modified highway can be added to the photo of existing conditions. With digital photos, computer techniques can readily be used to show proposed conditions.

Aerial photos serve as an excellent base map for showing different alignments. These are normally done in black and white but can be obtained in color if needed. Color photo base maps allow the public to recognize familiar landmarks and orient themselves with ease.

Aerial photos are available as contact prints, or enlargements on photographic paper or mylar. The standard enlargement is the same as a 1:24,000 scale quadrangle map. Procedures to request aerial photography or planimetric mapping are available on the Photogrammetry Section of Design Division’s IntraDOT site. The Photo and Mapping Index, (PMI) on that site lists the availability of existing photography and mapping.

### Statewide Digital Orthoimagery Program

Digital Orthoimagery is vertical aerial imagery that has had all distortions caused by ground elevation changes and camera distortions removed through computer processing and placed in a digital format that can be used with computer applications. A digital orthoimage combines the rich information content of an aerial photo with the accuracy and spatial registration of a map. The quality of the images makes them useful for public presentations.

Orthoimages are distributed on-line through the NYS Office for Technology GIS Clearinghouse. This program’s goal is to obtain imagery for the entire State on repeated 3-4 year cycles. Products will include 1 ft resolution natural color for urban areas, and 2 ft resolution panchromatic (black & white) for non-urban areas. For information on image availability, refer to the GIS Clearinghouse web site at [www.nysgis.state.ny.us/orthoprogram.htm](http://www.nysgis.state.ny.us/orthoprogram.htm).

### **Electronic media slide presentations**

A well-designed electronic media presentation can hold audience interest and is an effective tool. These can use traditional 35 mm photos, as well as programs like Microsoft Power Point and Corel Presentations.

Computerized slide shows make it easy to assemble the presentation, titles and text. Digital photos can be used, or good quality original photos can be scanned and digitized. These presentations require a laptop computer and projector, whereas 35 mm slides need just a slide projector. Guidelines for effective presentations include:

- Keep the presentation length short and to the point, so the audience doesn’t lose interest. Don’t display more information than people can absorb.

- The purpose is to present information with pictures, so keep the text to a minimum. Use short bulleted lists and save detailed explanations for the handouts.
- Use text fonts that are large and easy to read. Make it readable for everyone, including people in the back of the room and older audience members.
- Use color in a way that adds interest and enhance the presentation. No one wants to look at black and white text slides.
- Animation should be used sparingly and only when it enhances the material. Sliding text or dissolving photos can be a distraction.

Have the projection equipment set up and checked out ahead of time. The laptop computer and projector need to be compatible, and the presentation should be on a CD as well as the computer's hard drive.

The rest of the equipment needs to be ready - screen, microphone, laser pointer. Locate light switches ahead of time and designate someone to operate them. Have a remote control or cord long enough to reach the equipment, or employ an assistant to help run the projector.

The speaker needs to locate him/herself to not block the audience view of the screen. A good position is off to the side where the speaker can look at both the screen and the audience. Speakers may talk using the screen as a reference, or refer to printed notes. Speaker's notes must be readable in a darkened room.

## **Visualization and Simulation**

### Visualization

An effective way to communicate project conditions and needs is through the use of visualization. Visualization is useful throughout project development to support decision making, communication and project coordination. Visualization uses digital information from project data to build 3 dimensional modeling very similar to the methods of physical construction. This modeling enables NYSDOT to assess and communicate planning concepts, design features; highlight unforeseen design opportunities, identify and resolve potential conflicts or discrepancies and facilitate agency and construction coordination.

Visualization includes the following techniques:

- Conceptual imaging
- Photo simulation renderings
- Animation
- Simulation of 2 dimensional and 3 dimensional data
- Multi-media applications
- Real time / urban simulation

Visualization helps internal and external stakeholders more clearly understand complex technical information about a project's potential effects. Visualization can also help convey the design intent to potential bidders and construction staff, who often do not participate in project development.

Visualization can range from a simple photographic artistic rendering to a fully animated or real time simulation that illustrates all project features in lifelike detail. A variety of different technologies are used, such as photography, photogrammetry, digital imaging, GIS, Computer-Aided-Design, and

computer graphics to create the simulated improvements.

It is best to consider the application of visualization during project scoping and PI Plan preparation. When scoping visualization, keep in mind project scope and needs, project complexity and cost, potential impacts, potential for controversy or public concerns, and project location. Factors to consider include:

- Type of medium - Media types vary in complexity and purpose to suit project needs. The choice can affect delivery time, quality and cost. Formats include hardcopy print, digital files for presentations, multi-media, video, real time/urban simulation or on-line accessibility via the Internet.
- Clearly show the difference between existing conditions and proposed alternatives - Show all visible design features, such as number of lanes, sight distances, median and shoulder treatments. Areas adjacent to the right-of-way should show effects on residences or businesses.
- Portray the project as accurately as available data allows - Only show proposed features intended to be built. Images with preliminary or incomplete information should be clearly identified as conceptual. Avoid artistic license and representing additional features not intended to be in the project merely to enhance an image or sell an alternative. Inaccurate portrayals are misleading and biased, and may become the basis of a 'visual contract' whereby the public expects that what was illustrated will be built.
- Future conditions - If the project includes planting materials which will appear differently in the future than in the "construction" year, show all three conditions: existing, completion of construction, and future conditions at specified intervals.
- Document the process - Identify and survey the location of photographs or videos so the exact location can be re-established, and others can re-create the visualization in the future.

Because visualization is highly technical it poses some unique challenges. It uses a variety of different technologies such as photography, photogrammetry, digital imaging, GIS, Computer-Aided-Design, traffic modeling, and computer graphics to simulate the proposed improvements. When visualization includes the creation and use of 3 dimensional modeling for animation, simulation and virtual reality purposes, the degree of complexity is considerably compounded. These factors should be identified and considered during the visualization needs and scoping process.

Before public meetings, review the visualization for accuracy and consensus on the depiction of the planned improvements. When design information is not fully developed, clearly inform stakeholders that the visualizations are based on preliminary information and subject to change. Later, update the visualization with more definitive information.

In general, the cost of visualization should be in balance with project costs. The extra cost for visualization may be warranted for smaller projects when there is a high level of public interest or controversy. Contact the Landscape Architecture Bureau (LAB) Visualization Section for guidance and assistance.

## Traffic Simulation

Traffic simulation software is primarily an analytical tool for capacity analysis of highways and intersections. It can also show the public how traffic flows under existing and proposed conditions. Because the public can visualize how the system will work in real time (rather than rely on technical terminology) simulations may help the public to understand the advantages and disadvantages of alternatives.

NYSDOT standard traffic simulation models are CORSIM and Synchro with SimTraffic. These programs simulate traffic flow through isolated intersections or highway segments as well as interconnected signals and corridors. Synchro is easier to use and is generally preferred for analysis of signalized intersections which influence traffic at adjacent signals. CORSIM is often used for freeways or large arterial studies, and has greater data collection needs.

Synchro is a macroscopic analysis, based on the signalized intersection capacity analysis in the 2000 Highway Capacity Manual (HCM). Its companion program SimTraffic is a microscopic simulation model that takes into account individual driver and vehicle behaviors. These programs generate measures of effectiveness and show how traffic will flow under various design alternatives, such as lane closures, addition of turn or through lanes, signal timing changes, etc.

Paramics is a dynamic and versatile model used for microsimulation of freeways and connecting arterials. It has been used on large projects such as the Cross Bronx Expressway projects in New York City, and also to simulate traffic flow at roundabouts

When publicly presenting traffic simulations, check beforehand that the model accurately reflects existing problems and identified alternatives. If afternoon peak traffic is the concern, make sure that is what's demonstrated. Preview any "what if" scenarios to see what happens - a public meeting is not the place to run a simulation for the first time.

More information about visualization can be found on the IntraDOT at the following URL address:  
<http://intradot/design/lab/visual/vis.html>

## Chapter A3 Additional Outreach Techniques

Public meetings can record people's opinions at one point in time, but aren't necessarily the best approach for creative problem solving. Other formats are available to gain citizen input in a structured way, or to work together to resolve specific issues. These are summarized below:

### **Citizen's Advisory Committee:**

- **Consists of a cross-section of stakeholders.**
- **Members are either appointed or self-selected.**
- **Meets regularly during project development.**
- **Meeting notes, agenda and technical documents needed.**
- **Plays an advisory, not decision-making role.**

### **A3.1 Citizen's advisory committee**

#### **Requirements**

This group of people, sometimes known as a stakeholder's advisory committee, is a group of volunteers who meet periodically to exchange ideas and viewpoints on an issue of common concern. The committee serves as a forum for hearing and recording points of view about the project and advising NYSDOT. Members are a representative cross section of stakeholders who serve as links between the Department and the larger community. Individuals as well as local government leaders, civic and neighborhood groups, transportation user groups, and planning/environmental organizations may be represented.

A citizen's advisory committee (CAC) is organized early in the design process and meets regularly during project development. About 20 to 25 people is the recommended maximum for a CAC. Members

are selected in two ways: NYSDOT identifies stakeholders and invites participation, or members can be self-selected. In that case, initial meetings are publicized and anyone who wishes to can attend.

NYSDOT participates in the advisory committee as an agency member - providing information, support and opinion but not dominating the discussion. The agency role is to listen and get people's ideas and opinions.

Supporting a CAC requires commitment of agency resources. Staff time is needed to help set up and conduct meetings. Meeting notes, agendas and other documents need to be prepared and distributed. If technical experts from NYSDOT are invited to educate CAC members on a topic of interest, they need to be available and have time to prepare materials. A meeting room is needed, whether at NYSDOT offices or elsewhere.

## **How a CAC functions**

The CAC is convened by NYSDOT, and then elects its own officers. Meetings may be run informally. Meeting agendas are prepared so that all participants know what is expected. Experts may be brought in to brief the CAC about specialized topics when the need arises. A pre-meeting may be useful with the officers and agency staff to plan out topics for meetings.

NYSDOT normally provides meeting facilities, provides a structured agenda, prepares meeting notes and mails materials to CAC members. On very large, complex projects, NYSDOT may fund a community engineer to assist the CAC with their evaluations.

## **Benefits and limitations**

One benefit to NYSDOT is feedback from a diverse group of people, committed to the process and educated on the technical issues. The CAC benefits the community by demonstrating that NYSDOT takes the public's opinions seriously, and is working with the community. This early feedback is useful to monitor the community's collective opinions on project elements. Because the CAC meets regularly with NYSDOT, it's possible to get early reaction to a proposal, before positions are solidified and defended in public meetings. Controversial Issues can be discussed in a low-key, give and take atmosphere and compromises discussed. Also, feedback received over time has more continuity than one public meeting.

Because opposing viewpoints are represented, it also provides the opportunity for members to interact and learn from each other. NYSDOT participation gives members an appreciation for the technical, fiscal and policy constraints that influence project development.

Participants need to be told in the beginning that the CAC is an advisory body, not a decision-making group. It's role is to advise NYSDOT on project activities. Sometimes NYSDOT has to act based on other criteria that don't reflect the CAC's consensus. It's also possible that the CAC may become polarized and unable to reach consensus if opinions are widely divergent.

If it becomes clear after time that some viewpoints are not represented on the CAC, further outreach is needed to get participation by other stakeholders. Local elected officials should be represented on the CAC to maintain communications between political entities, and to avoid situations where the CAC develops positions not supported by local government.

A CAC can be perceived as manipulated by NYSDOT unless information is shared with the group, and technical data fully explained to participants. Like all group forums, members (both agency and public) may not participate fully if they feel that their concerns are not being taken seriously.

### **A3.2 Collaborative task force**

#### **Requirements**

A collaborative task force is a group organized to perform a specific task with a defined time limit. Like a CAC, a collaborative task force represents a broad cross section of the community, becomes familiar with the project and gives input to NYSDOT. A collaborative task force differs from a CAC in that:

- The task force is assigned a specific problem to solve.
- The task force sets a schedule and has a deadline to complete its task.
- The goal is to speak with one voice to develop a consensus recommendation.
- Prior agreement defines to what extent NYSDOT will accept the task force decisions (i. e., certain technical feasibility and cost benchmarks are met).

A collaborative task force is used with high-profile issues that have the potential to polarize the community or create an impasse, such as expressway routing in urban areas. A task force could be used to help identify locations of pedestrian crossings and integrate bicycle and transit accommodations into a downtown street reconstruction project. A successful task force requires:

- Defined scope of work and mission statement provided by NYSDOT.
- Schedule for concluding deliberations and reaching a decision.
- Prior definition of how the group’s decisions will be incorporated into the project. This requires a written statement defining specified budget and technical parameters, within which NYSDOT will abide by the group’s decision.
- A trained facilitator, support staff and office resources. Technical experts are available as needed to brief the task force.
- Policy support from agency decision makers, who believe that there are legitimate project decisions that can and should be made by an informed and representative group of citizens, and who trust in this process.

**Collaborative Task Force:**

- **Representatives are invited to participate.**
- **Assigned specific task with a defined time limit.**
- **Helpful to resolve an impasse or controversial issue.**
- **Trained facilitator and technical support needed.**
- **NYSDOT accepts decisions under established ground rules.**

**How a collaborative task force functions**

NYSDOT invites a representative cross section of the community to participate on the task force, sets the overall schedule and gives the task force the specific task to be accomplished. The assignment is structured to resolve one specific problem. The task force receives in -depth briefings on technical and environmental issues to allow for informed discussion and decision-making.

Resources are provided by NYSDOT - a trained facilitator to keep deliberations focused, support services and presentations by technical experts. The facilitator may be a NYSDOT employee, or outside

consultant, but not on the project team, to preserve neutrality.

To give volunteers an idea of what to expect, NYSDOT sets written ground rules - a clear understanding of how and to what extent decisions will be incorporated into the project. The task force selects its chairperson, sets procedural rules and meeting calendar, and develops a detailed schedule for task completion. The task force, with the assistance of the facilitator, brings in experts for technical advice, discusses the issues, monitors their own progress and develops consensus about the preferred course of action.

### **Benefits and limitations**

A major benefit is the ability to resolve an impasse or controversial issue. A representative task force with a high degree of credibility in the community is likely to make decisions that will result in broad support. The task force can successfully address high profile issues because:

- With a representative cross section of the community, people feel that they have a voice in the decision-making process.
- The task force has the resources to be educated about the technical issues, and develops an understanding of constraints and trade-offs. Recommendations are based on knowledge, not just opinions.
- The fact that people with diverse interests are participating in developing solutions can bring about greater buy-in to the collaborative process.

A collaborative task force requires a significant commitment of agency resources, and it is a long process. There is no substitute for time if a group of people are to meet, become knowledgeable on the problem, debate alternatives and forge a consensus. A trained facilitator and technical support are needed to foster informed decision making. This technique requires patience, and commitment to success, by both the task force and NYSDOT.

### **A3.3 Charrettes and workshops**

#### **Requirements**

A charrette is a working meeting to solve a specific problem in a limited time period. It brings together people from different backgrounds who share an interest in resolving the issue. With the coaching of a skilled leader, participants examine background information, discuss all aspects of the issues, generate possible alternatives and work to develop a consensus solution. It is a “hands-on” process that gets participants involved, gains community feedback and produces visible results. A charrette might be used, for example, to get community input on design concepts and develop alternatives for vehicular, pedestrian and bicycle circulation for a downtown street reconstruction project.

### **Charrettes and Workshops:**

- **Working meeting to solve a specific problem.**
- **Used to generate possible alternatives or give feedback.**
- **Format encourages brainstorming.**
- **Group leader and advance preparation required.**

Workshops, like charrettes, are small group meetings for the purpose of working on a specific task. They often are of short duration, ranging from one to three hours in length and are less formal than charrettes. The informal nature of workshops allows people to express their opinions without going on record. Workshops can be conducted at any stage of the project development process, and can be targeted to specific groups like neighborhood associations.

Workshops can be organized as part of a larger meeting, and can give participants an opportunity to do some relevant “hands on” activity. In planning an urban highway reconstruction project, for example, NYSDOT could facilitate a workshop on project area bicycle access problems and needs.

Charrettes are resource-intensive to conduct. Their requirements include:

- An experienced leader (who may be an agency employee or a consultant), and several staff members to help conduct the charrette. Staff need to be knowledgeable about the project needs, technical material and relevant policies.
- Significant advance preparation work. A steering committee selects the topic, chooses the leader and which participants to invite. Necessary ground work includes notifying participants, team preparation, logistical arrangements and preparing background information and visual aids.
- Goals and expectations are shared clearly with communicated to participants. Everyone understands which issues the charrette will or will not address.

### **How a charrette functions**

Preparations are handled by a steering committee - representatives of NYSDOT, FHWA, municipalities and community groups. Topic are selected, dates set, a meeting place chosen and potential participants identified. Participants are invited well ahead of the scheduled date. Background information is sent to members after they have agreed to participate.

An experienced leader is essential. The leader must be knowledgeable of group dynamics, have awareness of the issues facing the group, and be able to keep discussions focused to accomplish the desired goal within the time available. The leader may be NYSDOT staff or consultant, or may be from a stakeholder group or a municipal official.

The leader or facilitator ensures that all participants are heard - not just those who are always the first to speak up. The format should encourage brainstorming and a free flow of ideas without fear of ridicule.

At least one or two other staff people assist the leader. They should be familiar with the problem, and be able to provide background data and policy guidance. A charrette for a downtown street reconstruction

would require information on the project scope, accident history, traffic and pedestrian counts, and criteria for designing pedestrian crossings.

Time requirements for a charrette range from a minimum of four hours to one or more days for more substantial issues. Materials required include:

- Large base maps and/or aerial photos of the project area, site photographs.
- Overlays for sketching on the maps.
- Background information fact sheets.
- Boards for display data, flip charts and markers to record ideas.
- Handouts with the agenda, ground rules, and time schedule to complete the work.

**Workshops** may be appropriate for a wider variety of circumstances than a formal charrette due to their format flexibility and lesser scope. Workshop planning should include:

- Selection of topic; whether to be a stand-alone event or part of a larger meeting.
- Expectations for what the workshop will accomplish
- List of participants to be invited.
- Date, time and location.
- Staff and moderator resource requirements.
- Necessary background data for the participants.

### **Benefits and limitations**

Charrettes are most useful early in design when a full range of solutions is open to consideration. They can increase the level of community participation in the design process by attracting people to an interesting and useful event. They allow stakeholders to ask questions and find out the implications of alternative actions before decisions are made.

A wide cross section of the community is involved, and brainstorming is encouraged. Often new and unique solutions are generated. Creative thinking is encouraged so that all ideas can be considered, to be refined later.

If an issue is controversial and reaching consensus is difficult, the charrette will provide valuable feedback. This provides NYSDOT a better understanding of the issues and guides adjustments to design concepts.

To make these formats worthwhile, the decision expectations need to be clearly communicated, and the right stakeholders involved. Leaders must be able to facilitate useful discussions and foster full participation by all attendees. If the topic is controversial, then the leader should be neutral, not someone perceived as an advocate of the project.

Time and staff resource requirements for charrettes are extensive. Both charrettes and workshops are one-time events that explore a single issue in depth. Follow-up work is required to refine concepts and develop detailed solutions. These methods supplement, but can't substitute for other public involvement techniques with ongoing dialogue, such as public meetings and advisory committees.

## Chapter A4 Special Needs

### A4.1 Identification of Stakeholders with Special Needs

There are stakeholders with special needs which historically have not been fully addressed in the decision-making process. These include people with disabilities, senior citizens, women, children, under-educated, students, ethnic groups, Native Americans, minority and low income communities. People who share these characteristics are project neighbors, facility users, or both. Many lack a tradition of participation in government and may require additional outreach and amenities to encourage participation. Historically they have experienced barriers to participation in the public decision-making process and are therefore under represented. The barriers arise both from the nature of the system and from cultural, linguistic, and economic differences. NYSDOT should ensure that all stakeholders have full opportunity to participate in the project development.

#### **Stakeholders with special needs:**

- **Should have full participation in project development.**
- **Include people with physical disabilities (ADA).**
- **Include people in minority and low-income populations (Environmental Justice.)**
- **May include cultural, language, religion or other factors.**

In developing a PI Plan, consider if stakeholders with special needs are potentially affected by the project. If so, the PI Plan must identify steps to fully involve people in the public outreach process. The minority and low income communities in particular have been under-represented in transportation decision-making in the past. Perform a self-evaluation of the agency's public involvement efforts to determine if a cross-section of the community is responding and being heard. Decide if special techniques are necessary to increase participation or meet a need not being addressed by standard methods. A well-designed PI Plan will identify if any stakeholders with special needs are potentially affected by the project, and take steps to reach out to them. PI Plans should meet these requirements:

- Identify if there is a community or group of stakeholders with special needs, or who may be subject to the provisions of Environmental Justice.
- Determine if the community has been under-represented in the decision-making process, and what are the barriers to participation. Answering this question requires not only demographic data on the affected community, but also meetings with community leaders and local officials to develop ideas on effective outreach.
- Identify methods for public outreach to maximize the community's involvement.
- Use a variety of methods that target different groups or individuals. A single, one-size-

fit-all approach usually results in missing many people.

- Continuously monitor public outreach throughout project development to insure that the under-served community's issues and concerns are being evaluated by project decision-makers to the same degree as those of other stakeholders. Also make sure that the planned public involvement measures do result in the desired participation.

Refer to Chapter 2 for a discussion on stakeholder identification and Community Impact Assessment in developing the PI Plan. Types of stakeholder with special needs are discussed in this section.

### **Americans with Disabilities**

The Americans with Disabilities Act of 1990 (ADA) requires fully involving disabled people as part of the community in the development and improvement of services. As much as 14 % of the population has hearing, vision, or mobility limitations. In addition, many others are temporarily disabled or impaired during part of their lives - whether aged, infirm, pregnant, or recuperating from injuries. These stakeholders may include anyone with permanent or temporary disabilities:

- Visual impairment or total blindness
- Illness or age
- Partial hearing impairment or total hearing loss
- Mobility impairments requiring use of wheelchairs or crutches
- Temporary factors, such as pregnancy, child care needs recovery from injuries

### **Minority and low income population**

Executive Order 12898 and Title VI of the Civil Rights act of 1964 provide that no person shall on the basis of race, color or national origin be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Agencies must identify and address, as appropriate, disproportionately high and adverse human health or environmental effects (as defined below) of program and project activities on minority and low-income populations. Environmental Justice applies to both Federal and state funded projects. Affected communities include:

- Low income - household income at or below the Department of Health and Human Services poverty guidelines.
- Minority - including Black, Hispanic, Asian American or Native American Indian and Alaskan Native people.

**Adverse effects** means the totality of significant individual or cumulative human health or environmental effects, including inter-related social and economic effects. These may include (but not limited to) bodily impairment, illness, noise, air and water pollution, destruction of aesthetic values, disruption of community cohesion or the disruption of facilities or services, displacement of persons or businesses,

increased traffic congestion, or the isolation of the minority/low income community from the wider community.

**Disproportionate** means an adverse effect that is predominately borne by the minority or low income community, or will be suffered by this population to a more severe magnitude than adverse effects suffered by the non-minority or non-low income population.

Identifying whether a minority and/or low income population is potentially affected requires some research. Program this task into the PI Plan. As a starting point use demographic data for the project area. These data can be obtained from the US Census and analyzed for income levels and racial/ethnic distribution. Once it has been determined that minority and/or low income residents (or facility users) are present and potentially affected, then outreach to this community must be planned.

In urban areas, the MPO may already have preliminary demographic data for a project area in connection with long range plans or corridor planning studies, prior to the start of NYSDOT project development. This data is useful information on project area context, and can document the need for Environmental Justice consideration. The Project Team must coordinate with the MPO staff at the initial PI stages to gather, maintain and update this information and community contacts.

Individual meetings with community leaders and religious leaders, and elected officials can help to identify minority or low income people. Project team members with knowledge of the community can help to identify the need for special outreach efforts. If there is a newspaper that serves the community (English or other language), then initial project information should be published to help build awareness and interest, and tell people how they can participate in the process.

Often the church or neighborhood civic organizations play a prominent role in the community. People who are not otherwise active in community affairs may be quite involved with their church. Initial contacts with church leaders may yield an invitation for NYSDOT to present project information and get feedback in connection with a church function, thereby reaching a broader audience.

Once the minority and low income community has been identified, outreach must continue with them throughout the project development process. Not only must disproportionate impacts be avoided under Environmental Justice, the affected community must be an integral part of the advisory process to identify, avoid and mitigate these impacts. As with all stakeholder groups, it is the responsibility of NYSDOT to fully involve minority and low income people with meaningful participation, where their input is respected and addressed.

### **Cultural and other factors**

Besides ethnicity, income levels and disabilities, other factors warrant an individualized approach to public involvement. People from ethnic or cultural groups who are not part of a formal Environmental Justice population may share characteristics different from the community as a whole. It is helpful to research an ethnic group's customs and language to have a good understanding. The Team should step back and consider what techniques may help fully involve people whose differences include:

- Language - those whose primary language is not English.
- Religious observance - these include groups who observe restrictions on travel and other activities on the Sabbath, or whose beliefs affect how they use transportation facilities, such as highway usage by Amish horse and buggies.
- Communication styles - in some cultures, it may be considered appropriate for elders to speak for the community as a whole. In others, getting constructive feedback may be difficult if there is a reluctance to criticize perceived authority.
- Sovereignty - American Indian tribes, are not only project stakeholders but also sovereign nations who deal directly with the Federal government. Tribes may have their own Historic Preservation Officer with authority over any Section 106 actions involving tribal lands.

#### **A4.2 Communicating with Special Needs Stakeholders**

##### **Meetings and hearings**

Every meeting or workshop open to the public needs to be fully accessible for people with disabilities, both to comply with the ADA, and to foster full participation. Use the following accessibility checklist:

- Has the site been visited and viewed with disabilities in mind?
- Are primary entrances accessible (doorway widths, steps), and is there an accessible route to the meeting room?
- Is there circulation space for wheelchairs throughout and at the front of the room?
- Are microphones, if used, at wheelchair height or adjustable?
- Is there an amplification system to aid hearing?
- Are drinking fountains, rest rooms, and public telephones at wheelchair height?
- Is the meeting site accessible by public transit/paratransit?
- Is there parking for persons with disabilities?
- Is there signage for an accessible route to the meeting room?

Meeting materials and services may need to be supplemented. Sight-impaired people may require materials in large print, Braille format, or cassette tape. For the general population as well, all graphics, posters and presentations should have large, clear printing that can be easily read from anywhere in the audience.

Sign language interpreters, or listening assistance devices may be provided to assist hearing-impaired meeting participants. Interpreters must be hired early, since they are in scarce supply. Two interpreters are necessary for meetings longer than one hour, to provide breaks for each other. Public notices for meeting should state that sign language interpreters will be available. For communities with a high percentage of non-English speakers, translators or interpreters are necessary to speak with the audience, relay questions back to the Project Team, and to supplement the handouts printed in the second language.

Use this checklist for meeting materials and services:

- Are meeting notices in alternative formats for deaf, hard of hearing, blind , and visually impaired people?
- Are published meeting materials available prior to meeting in alternative media: large print, computer disk, tape, or Braille?
- Are tear-off pads available saying “I need an interpreter” printed in their native language, and are sign language interpreters available if requested?

Meeting content also needs to be tailored to the needs of the stakeholders. If the project will potentially affect an Environmental Justice community, or other group with common cultural traits, meetings should be structured to accommodate their needs. Input from knowledgeable members of the community is key when striving to tailor meeting formats and presentations to their special needs. This advice should be obtained early in project development to help guide public outreach.

Schedule a meeting time and place that will be most convenient for the affected community. Meetings should be advertised in minority or ethnic news media. The announcements should be in the appropriate language. In a low income area, some people work more than one job and may find it difficult to attend meetings. Many will be dependent on public transit, so meeting locations should be convenient to transit stops. If working through the auspices of a church or other civic organization will increase participation levels, the church social hall may be an appropriate location.

Meeting times should be convenient for the local community to attend. For religiously observant communities, this includes not scheduling meetings on the observed Sabbath or religious holy days. Multiple time periods can offer working people a choice of hours.

Vary the meeting type to obtain the most effective outreach. Although the open house format is favored in most situations, some groups may find the structure of a traditional presentation style to be more reassuring. One-on-one meetings can serve as briefings for key people in the community or civic leaders. It may be useful to schedule informal group meetings to allow a comfortable setting where people can ask questions and discuss their opinions.

### **Other communications**

Under ADA, all public agencies should have a telephone communication device for the deaf (TDD) connected with a telephone such that messages are typed rather than spoken. If a telephone hot line is to be used to provide project information, make provisions for a TDD. This modem-like device connects to a telephone and displays the typed messages on a small screen.

Web sites must be ADA-compliant in terms of font and presentation so that they are readable by all users. Contact the Regional web site coordinator or Main Office ISB for guidance on web site design.

Other project documents besides Design Reports and brochures may need to be translated into a foreign

language if there is a significant community need: summaries, public notices meetings, advisory group recommendations, etc. Similarly, meeting notices may be published in large print, Braille, or other alternative media if required.

### **Non-traditional approaches**

Non-traditional approaches can include any contact with the public beyond the tried and true public meeting at the municipal building. Meetings can be held at other locations and can be more informal. The purpose of these events is to provide project information to, and obtain feedback from, a segment of population that is not normally well represented in traditional outreach programs. Suggestions should be sought from community members or key people. This can be done by interviews, focus groups, or public opinion surveys. Often it is helpful to work through established neighborhood organizations, however, **be cautious about presuming that any one group represents the entire community**. Developing relationships with groups and networking within the community is especially useful.

For more information on non-traditional approaches to public meetings, refer to Appendix Chapter A2. Good planning will help foster improved special needs stakeholder participation by considering:

- Location - the key factor is to be in the community, at a time and place that is convenient for people to visit, and likely to attract interest.
- Times - should be planned with some knowledge of the community's needs. Weekends, early evenings, or multiple times may be best to give people the flexibility to come and go at their own schedules.
- Publicity - besides newspaper ads, people can be invited to participate informally using posters at various locations or announcements made at church/social events.
- Incentives - may increase participation in some circumstances. Where families may be working multiple jobs, a licensed child care provider could be hired to provide child care in conjunction with a meeting. If accessibility is a concern, subsidized fares or assistance with transportation can be provided.
- Information - community leaders and/or citizen's advisory committee members working with NYSDOT can kick off the meeting with introductions. If using videos and simulations, also furnish materials that people can look through at their own pace. If a neighborhood meeting, keep display materials simple and low-key.
- Feedback - Comments should be collected and responded to, using comment cards or sheets to be mailed back. If necessary, provide cassette recorders so that comments may be transcribed later.
- Documentation - any meeting, formal or informal, needs a memo to the file to capture what was presented, who showed up, what their concerns were, what information was learned by NYSDOT, and what issues require further investigation. Memos also document the public outreach requirements of NEPA and Environmental Justice.

### **A4.3 Accommodating Special Needs in Project Development**

Some special needs requirements affect not only public participation, but also specific project designs. These substantive requirements include:

- Americans with Disabilities Act (ADA) compliance - sidewalks and other pedestrian facilities (stairs, building entrances) are ADA compliant. For example, ramps are provided at all intersection sidewalk transitions.
- Environmental Justice - Executive Order 12898 requires NYSDOT to avoid, minimize and mitigate disproportionately high and adverse impacts of projects on minority and low income communities. See Appendix B of this guide.

The affected community's input must be obtained in project development, and the project outcomes must reflect that input. Designs must demonstrate that disproportionately high adverse impacts are avoided. **The prescribed sequence is to avoid, minimize and mitigate.** If avoiding adverse impacts is feasible, that is the preferred action (such as a change in alignment). If avoidance is cannot be done, then minimizing is the next preferred action (such as adjusting the cross section to minimize right of way impacts) .

If neither action is possible, then mitigation is required. Keep in mind that when mitigation is needed, it is not developed solely by NYSDOT. Rather, it is a continuation of the public involvement process with the affected minority or low -income community. The community must be an active partner in developing any mitigation, with full and fair participation in the decision-making process. The FHWA must also be involved when there is the potential for Federal funds to be used for mitigation purposes.

The NYSDOT project team should identify opportunities to address special needs in the project design solutions when they enhance benefits or reduce adverse effects for these affected stakeholders. Addressing these special needs meets regulatory requirements and meets the intent of context sensitive design - using public involvement to identify stakeholder needs and incorporate them into projects which satisfy transportation, community and environmental requirements in an optimum way.

## Chapter A5 Moving from Conflict to Consensus

### A5.1 Understanding and resolving conflict

NYSDOT strives to work cooperatively with stakeholders to incorporate community and environmental values into transportation design solutions. Nonetheless, even the most context-sensitive projects can have perceived or real adverse effects on stakeholders.

#### **Understanding and resolving conflict:**

- **Opposition requires understanding all sides.**
- **Work for consensus.**
- **Build a structured decision-making process.**
- **Effectively communicate risks.**
- **Solve problems by involving the public.**
- **Get beyond positions into underlying interests.**

Some opposition is inevitable, especially on larger, more controversial projects, or those with intense community interests. NYSDOT needs to be able to work constructively with those opposed to project development to productively resolve conflicts. This section of the manual presents:

- Concepts to help understand and resolve conflicts with various stakeholders.
- Developing an organized system to clearly identify how project decisions will be made, in consultation with whom, and how will decisions be communicated to stakeholders.
- Communication principles for working in situations where people perceive that their interests will be adversely affected
- Techniques for group interaction.

#### **Working with opposition**

Successful public involvement reaches out to those opposed to NYSDOT plans. Solving complex transportation problems requires not only technical solutions, but also stakeholder consent. If potential opponents are participating in the process, it's more likely that they will consent to the outcomes.

Listening to, understanding and working with opposition is necessary because:

- It is the right thing to do, and has to be done anyway. Transportation agencies do not generally have the power to unilaterally impose an unwanted course of action.
- It may reduce lost time and costs due to project delays.

- It helps to clear up misunderstandings. Much opposition is sincere, yet based on misinformation about project impacts. NYSDOT needs to understand public concerns and communicate about problems and needs, in order to develop responsive solutions.

Working with those opposed to a project may be difficult at times, but project opponents do not go away if they are ignored. Working constructively with them to understand their concerns and resolve differences is more likely to succeed than if the opponent's only discussions are with the news media.

When stakeholders have competing objectives, not all issues can be resolved to everyone's satisfaction with a feasible solution. Vocal opposition may persist, even though NYSDOT has made good faith efforts to work with all stakeholders, including the opposition. Still, this willingness to work with everyone and try to incorporate their feedback enhances our credibility in the rest of the community. Sometimes consent, if not consensus, is enough to allow projects to advance.

Keep in mind when working with project opponents:

- Credibility matters, so the public must feel that NYSDOT is trustworthy and honest.
- Identify and address concerns early. Problems are easier to resolve when recognized before developing alternative solutions.
- Focus attention, and meet individually with those people most likely to bear the largest share of project impacts.

### **Structured decision-making**

With the advent of NEPA, and NYSDOT policies such as the Environmental Initiative and CSS, public involvement has evolved from review and comment to a more collaborative approach. Effectively using that public input is challenging in today's environment - there are multiple stakeholders, conflicting objectives, needs that exceed funds, regulatory requirements and media scrutiny.

Without a methodical approach to applying the information gained with public involvement, the project team may ask "Now that we have public input what do we do with it?" Lack of consistent approach to decision-making can cause:

- Public involvement to focus only on gathering opinions.
- Prematurely selecting a solution before fully understanding the problem.
- Putting stakeholder input into a "black box", without clearly understanding how it will shape project decisions.

Structured decision-making improves the development process by identifying project milestones and related opportunities for public involvement, and ensuring that the dialogue with stakeholders influences project decisions. It is not so much a conflict resolution technique as a tool to help avoid unnecessary conflict. It makes it less likely that stakeholders will feel that they're "out of the loop" and reduces NYSDOT uncertainty about when to get public input and what to do with it.

Simply stated, structured decision-making is planning, in advance, the decisions to be made in project development, and how the stakeholders will be included. It recognizes that there is no one single decision, but a series of intermediate decisions during this process. Structured decision-making makes

public involvement an integral part of project management, not an “add-on”, by determining:

- Decision points in the process.
- Who will make each decision.
- Who will be consulted on each decision.
- How will recommendations and comments be transmitted to decision makers..
- How will decisions and information be transmitted to other stakeholders.

Determining, in advance, these decision-making steps benefits both stakeholders and NYSDOT by clarifying how the process works, and also identifying decisions that need concurrence from internal stakeholders before going to the public. Key areas include:

- Problem definition - agree on the problems and needs before developing solutions
- Establish evaluation framework - develop criteria to measure how well the alternatives meet transportation, environmental, community and economic objectives.
- Alternative development - include a full range of feasible alternatives that reflect stakeholder values.
- Alternative evaluation - using the criteria developed above, compare alternatives, identify different magnitude impacts, and assess tradeoffs.
- Alternative selection - explain how public involvement affected decisions, discuss how the selected alternative(s) best meets the project area goals, needs and objectives.

Alternative evaluation is an area where decision-making tools can help make the best use of technical and community input. There are sophisticated models involving decision science concepts, but often all that’s needed is a simple rating system, consistently applied, to evaluate alternatives. Working collaboratively, NYSDOT and other stakeholders develop evaluation criteria and performance measures for important factors, such as acres of wetland impacted, cumulative delay in vehicle hours, or number of adequate pedestrian crossings.

A ranking system can be applied to each criteria - including both a weighting factor that reflects consensus on that criteria’s relative importance (such as assigning 20% of the total possible score to improved pedestrian access), and a rating of how well it meets the performance measure (such as a 1 to 4 scale). The total score demonstrates to all stakeholders how the alternatives rank based on these agreed-upon criteria. Ranking systems are not a substitute for judgement, but do show the logical basis supporting the higher ranked alternatives.

### **Communicating risk**

The principles for communicating about risk apply directly to NYSDOT project development. If we do not effectively communicate and address the public’s questions about project impacts (risks), then concerns can harden into opposition.

NYSDOT does not normally have to explain physical risk factors, such as exposure to low level radiation or coastal hurricane hazards. However, technical issues such as of safety, congestion, mobility,

and community impacts, need to be communicated to public stakeholders in an understandable way.

According to the Federal Communicators Network Communicators Guide, when people hear messages about physical risk, they either think about the justice of the situation, or think about the physical hazard itself. One difficulty encountered by government agencies is tending to focus on explaining the physical hazard, such as the mathematical risk of an accident hazard, whereas the public may be more concerned about the justice of the situation – what is the agency’s motivation and how credible are the spokespersons?.

To effectively communicate about risk:

- Find out what the audience is concerned about, and listen before explaining the issue. People may have inaccurate information, and think a certain risk is more dangerous or immediate than it really is. However, one needs to listen to the community carefully before explaining or correcting misunderstandings.
- Make the message easy to understand. Think about what you are trying to explain to the public, and if it contradicts what they may already believe, offer specific examples. If the message is hard to believe, acknowledge that fact.
- People often care more about trust, credibility, empathy, and agency competence than the detailed statistics.
- When communicating a message that is not intuitively obvious (i. e., that roundabouts are more safe), use the step-wise explanation process:
  - State the message.
  - State the commonly accepted theory.
  - Acknowledge that the lay theory is apparently reasonable.
  - Describe a familiar experience that makes the lay theory questionable.
  - Explain clearly the actual theory and show how it makes sense.

### **Problem solving approach**

Project development in today’s society involves a partnership with NYSDOT and the community in addressing issues and developing transportation solutions. Not only does NEPA require public involvement, but this outreach forms the basis of the context sensitive approach that strives to meet both transportation and community needs. A problem solving approach looks for win-win combinations.

Community stakeholders, local governments and the FHWA all expect consultation in project development. The problem solving approach encourages all stakeholders to contribute ideas that lead to mutually acceptable solutions. Problems are solved jointly in an atmosphere of trust, so that the resulting project has maximum benefits.

There are three levels at which the public can participate in project development:

- Being aware - There is recognition that a potential project exists.
- Being informed - People are knowledgeable about project concept and details, the transportation problems to be addressed, and how the decision-making process works.
- Being involved - Members of the community actively engage in influencing decisions.

It is at this third level that problems can be effectively resolved and where members of the public can put their mark on a project. The challenge for an effective PI program is to have stakeholders involved at this level.

## **Positions and Interests**

Conflict can occur when people oppose element(s) of a project that go against their position. In this situation, there may be a difference between people's stated positions and their underlying beliefs. Sometimes the public is more concerned with the fairness of the process, and if NYSDOT really takes into account public opinion, than with individual technical issues.

The concepts of principles, interests and the "triangles of satisfaction", developed by Roger Fisher and William Ury, in their 1981 book Getting to Yes, may help to understand this apparent discrepancy.

A position is a person's preferred alternative or favorite solution. It's the outcome or answer that is best for that person - not necessarily for anyone else. An interest, in contrast, is the underlying need or the reason why that solution is favored.

For example, some stakeholders may oppose a realignment alternative that has small parkland impacts, even though it may have traffic management and safety benefits by improving a deficient intersection. There could be a number of "interests" behind this "position". Some people may be users of the park and oppose impacts on a space they enjoy. Others may not be users but have concerns about transportation agencies taking parkland. Still others may object to shifting the alignment to minimize park impacts, resulting in significant impacts to their own neighboring property.

To address issues that the public feels strongly about, it's necessary to go beyond people's initial positions and determine their underlying interests. What are these fundamental interests? There are three areas that all need to be addressed, so that stakeholders feel that the process is fair and the solutions legitimate. Collectively these are described as the "triangle of satisfaction":

- Procedural interests - the perceived fairness and transparency of the process. Is there an opportunity for meaningful public comment? Is there adequate time for people to review information before being asked to make decisions?
- Substantive interests - the tangible and measurable needs. How well does the project alleviate safety problems? What are the wetland impacts and mitigation? How will the historic downtown area be affected?
- Psychological interests - how people are treated and how they feel about themselves and other parties. Does NYSDOT take the time to answer questions? Are suggestions taken seriously or just brushed off? If the project schedule has slipped, has NYSDOT kept in touch with the community?

If any element is lacking, consensus is more difficult to reach. Agencies could develop technical solutions on their own, with environmental and community benefits that effectively solve the transportation problem. But if solutions are developed internally ("We know what's best") without opportunity for the public to put their own mark on the problem definition and solution, then the procedural and psychological interests are not met. Stakeholders don't see a true partnership. A better approach requires effort to understand stakeholder concerns, communicate mutual needs and values, and

willingness to participate in problem solving.

Federal and New York State laws require NYSDOT to consult with the public, obtain environmental permits and follow statutory procedures. The Department has the ongoing responsibility to design, build and maintain transportation facilities that safely serve the public. This participative problem solving approach does not ignore the reality of these powers, rights and obligations.

## **A5.2 Conflict resolution techniques**

### **Facilitation**

With facilitation, a skilled leader helps a group productively discuss and resolve issues. It is useful not only for dispute resolution, but for any meeting where a group of people need to work together to accomplish a task.

The facilitator encourages all participants to express their viewpoints, maintains an orderly discussion, and assists in finding common areas of agreement. Effective facilitation includes:

- **Neutrality** - The facilitator does not express a personal opinion, or favor one alternative over another. The facilitator needs to be seen as impartial and unbiased, so that people feel that their opinions and concerns are fairly heard, and the discussion outcome is not predetermined. When opinions run strong, the facilitator should be from outside NYSDOT or a staff member with no direct project role.
- **Informality** - Meetings operate with a few simple ground rules, not parliamentary procedures. People feel free to share information, questions and ideas without criticism. A relaxed atmosphere helps to encourage open exchange of information.
- **Structured discussion** - The facilitator monitors the agenda and time available, keeps the meeting on track, and makes sure that a few do not monopolize the conversation. He or she gets the discussion started, brings out useful information, gives all participants the opportunity to speak, and assists participants in identifying areas of agreement. Topics are fully discussed and priorities established for future action.
- **Recording ideas** - All suggestions, questions or ideas are recorded on flip charts. An assistant handles the recording, leaving the facilitator free to help lead the discussion. Both the facilitator and note taker ask follow-up questions to make sure that the written summary clearly reflects what was said. Depending on the meeting, the flip charts may be transcribed and issued to participants in the meeting notes.
- **Areas of agreement identified** - The facilitator tries to uncover and articulate common points of agreement wherever possible. This may involve going through a list of

### **Conflict resolution techniques:**

- **Facilitation or mediation can resolve conflicts.**
- **Both techniques require impartiality.**
- **Perceived fairness is very important.**
- **Find common ground and reach for consensus.**

concerns with the group and asking for input on common themes. Or, the facilitator may say “What I’m hearing is.....” to wrap up or restate a point in a summary. The facilitator does not make decisions for the group, but helps them identify common ground and areas of compromise. Remaining disagreement areas are also summarized.

Effective facilitation can be done by people with technical or non-technical background provided they have the training and skills. The Governor’s Office of Employee Relations (GOER) can be contacted for the availability of facilitator training courses.

Facilitation may not work in all situations. If a group is highly polarized, they may not reach consensus. People with strongly held beliefs may refuse to listen to each other’s ideas. If the facilitator is seen as a project advocate and not impartial, people may feel that they are wasting their time. Likewise, agency staff may be reluctant to participate if they see meetings unproductively covering the same topics over and over without resolution.

Staff support is needed, including agenda preparation, note taking at meetings, meeting notes and document distribution. When a skilled neutral facilitator is not available within NYSDOT, an outside facilitator must be hired.

## **Mediation**

Mediation involves the use of a skilled, impartial person to work with parties who have substantive areas of disagreement. The mediator works with them to try to find common ground and reach consensus. Unlike facilitation which is employed for many kinds of meetings, mediation is normally used when an impasse has developed. Characteristics of mediation include:

- Parties to the dispute agree voluntarily to participate in negotiations. Stakeholders commit to the process instead of trying to dominate other parties, or go outside of the transportation development process to the political route.
- The mediator has no authority to impose decisions. The parties are encouraged, not required, to accept his or her non-binding recommendations.
- All affected stakeholders are included.
- The mediator assists in developing consensus by making suggestions for possible compromise positions and helping in negotiations.
- The parties agree to be bound by the results. Agreements are formalized in writing, along with meeting notes, memos and progress reports.
- Unlike most public involvement activities, negotiations are confidential.

Mediation planning begins with conflict assessment. The mediator and project team identify the conflict, determine if it is resolvable, and if mediation is the best way to resolve the issue. If so, then the full range of participants are identified and invited to participate.

All concerned stakeholders need to be included. The full range of interests are included - area residents, local businesses, interest groups, community organizations, facility users and local officials. Some may choose to appoint trusted representatives for them in the mediation process, such as church organizations as champions for the neighborhood community.

Mediation is arranged for by NYSDOT in cooperation with the interested parties. Parties agree that the mediator selected is impartial and fair. NYSDOT sets up the meetings, selects and pays for the mediator, and provides the meeting location and administrative support. Schedules and agendas are prepared and distributed.

Through a series of meetings, the mediator works with the parties to reach agreement. The process, ground rules and meeting schedule are identified and agreed to in the beginning, so that everyone knows what to expect. Everyone has the chance to participate and express themselves, and at the same time participants commit to listen to each other's concerns with an open mind. Use this outline:

- Introductions and review of ground rules for meeting conduct.
- Agreement on the scope of the mediations, agenda and participants's roles.
- Presentation of views and concerns by all sides.
- Restate the issues and identify points of agreement.
- Attempt to develop compromise or alternate solutions that can bridge the gap between the parties, and continue discussions to resolve differences.
- Document agreed-upon solutions when issues are resolved.
- Identify remaining areas of disagreement, if any.

Mediation is most suited for dispute resolution when there is an impasse. It can be expensive, especially if an independent mediator is hired. The cost and staff time to support multiple meetings for an extended period can be a resource drain. The consensus reached could unravel if the parties don't remain committed to implementation. Lack of agency support can be a problem if the project team is reluctant to work with competing interests.

Nonetheless, mediation has important benefits. It can provide a structured format where the parties come together and work out agreements for themselves, and not solutions imposed from the outside. If an agreement results in avoiding time-consuming litigation, the potential savings include both redesign costs and delay costs.

**Appendix B**  
**Federal and New York State PI Regulations**

**B1.1 Federal Regulations**

**Statewide and Metropolitan Planning - 23 CFR 450.212 and 450.316**

- Early and continuing public involvement is required in Statewide transportation planning. Technical and policy information must be made available for public comment, and public input must be considered and responded to in the planning process. The needs of low-income, minority households and others traditionally under-served by existing transportation systems must be sought and considered.
- Metropolitan Planning Organizations (MPO) must also have early and continuing public involvement. A 30 day public comment period is required before adopting the Transportation Improvement Plan (TIP) or other major action.

**Early coordination and public involvement - 23 CFR 771.111**

- NYSDOT has procedures approved by the FHWA to carry out a public involvement/public hearing program pursuant to 23 USC 128 and 40 CFR parts 1500 through 1508.
- Public involvement activities and public hearings are coordinated with the NEPA process.
- Early and continuing opportunities during project development for the public to be involved in the identification of social, economic and environmental impacts, and impacts associated with relocations of individuals, groups, or institutions.
- One or more public hearings (or hearing opportunity) must be provided, at a convenient time and place for any Federal aid project that:
  - requires significant amounts of right of way
  - substantially changes the layout or functions of connecting roadways or of the facility being improved
  - has a substantial adverse impact on abutting property
  - has a significant social, economic, environmental or other effect
  - or for which FHWA determines that a public hearing is in the public interest.
- Reasonable notice to the public of a public hearing or opportunity for one, indicating the availability of explanatory information.

- Explanation at the public hearing of the following information:
  - Project purpose, need and consistency with the goals and objectives of any local urban planning
  - Project alternatives and major design features.
  - Social, economic, environmental and other impacts of the project
  - Relocation assistance program and the right-of-way acquisition process
  - NYSDOT procedures for receiving the public’s oral and written statements.
  
- Submission to the FHWA of a transcript of each public hearing and a certification that the required hearing or opportunity was offered. Included with the transcript shall be copies of all written statements from the public, both submitted at the public hearing or during the announced period after the hearing.

**Notification of document and availability - 23 CFR 771.119 to 771.127**

- Environmental Assessment (EA) - Interested agencies shall be consulted through scoping or the 23 CFR 771 early coordination process. When a public hearing is held, the EA shall be available for review at the hearing and at least 15 days in advance of the hearing. Comments shall be submitted in writing within 30 days of EA availability. If a public hearing is not held, a notice of EA availability shall be published and comments shall be submitted within 30 days of the notice publication. After a Finding of No Significant Impact (FONSI) has been made, a notice of availability shall be sent to affected Federal, State and local governments and made available to the public.
  
- Draft Environmental Impact Statement (DEIS) - When the decision is made to prepare and EIS, a Notice of Intent shall be published in the Federal Register. Scoping will be done with interested agencies to identify significant issues, the range of alternatives and impacts, through the 23 CFR 771 early coordination process.
 

The Federal Register notice of DEIS availability shall establish a period of not less than 45 days for the return of comments, and where comments are to be sent. The DEIS shall be circulated to involved agencies, public officials, interest groups and members of the public know to have an interest.

When a public hearing is held, the DEIS shall be available for review at the hearing and at least 15 days in advance of the hearing. The availability of the DEIS shall be mentioned and public comments requested in any public hearing notice and at any public hearing presentation. If a public hearing is not held, a notice of DEIS availability shall be published, advising where the DEIS is available, how to obtain copies and where to send comments.
  
- Final Environmental Impact Statement (FEIS) - After resolution of comments, the FEIS shall be transmitted to any persons, organizations or agencies who made substantive comments on the DEIS or requested a copy, no later than the time the document is filed with EPA. A notice of availability shall be published. The FEIS should be available at NYSDOT offices and at public institutions such as local government offices and libraries.

- Record of Decision (ROD) - The ROD shall be completed and signed by FHWA no sooner than 30 days after publication of the FEIS notice in the Federal Register or 90 days after publication a notice of DEIS, whichever is later.

**Public Involvement (NEPA Regulations) - 40 CFR 1506.6 to 1506.10**

- Agencies shall make diligent efforts to involve the public in preparing and implementing their NEPA procedures. They shall provide public notice of NEPA-related public hearings, public meetings and the availability of environmental documents. Agencies shall hold public hearings whenever appropriate. If a DEIS is to be considered at a public hearing, it shall be made available to the public at least 15 days in advance. A comment period of at least 45 days is required for a DEIS prior to final agency action.

**Certification of Public Hearing - 23 USC 128**

Any state transportation department shall certify to FHWA that it has held public hearings or has afforded the opportunity for such hearings, and has considered the economic, social and environmental effects of the project. When hearings have been held, the State shall submit a copy of the hearing transcript together with the certification and report.

**Environmental Justice - Executive Order 12898**

This order reaffirms the principles of Title VI of the Civil Rights act of 1964 - no person shall on the basis of race, color or national origin be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. EO 12898 requires Federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority and low-income populations. Environmental Justice applies to both Federal and state funded projects.

FHWA order 6640.23, dated December, 1998 provides guidance on Environmental Justice. An analysis must determine the adverse impact potential. Using demographic information about the affected population and obtaining stakeholder involvement in project planning, the analysis determines if one group is bearing a disproportionate share of the project burdens.

To address significant individual or cumulative impacts of the project, agencies must take appropriate actions, including:

- Proposed measures to avoid, minimize or mitigate these impacts
- Provide for community input to identify potential effects and mitigation
- Consider offsetting benefits and opportunities to enhance the affected community
- Consider alternatives with less adverse effects on the population, unless those have more severe adverse social, economic, environmental or human health impacts or involve increased costs of an extraordinary magnitude.

For further information, refer to the NYSDOT Office of Engineering draft guidance on Title VI and Environmental Justice, dated September 2002.

## **B1.2 New York State Regulations**

### **State Environmental Quality Review Act (SEQR) for NYSDOT - 17 NYCRR 15**

- For actions which are not Type II, NYSDOT shall prepare an environmental assessment, or commence preparation of a DEIS or a Federal DEIS. NYSDOT shall determine whether or not to hold a hearing on the action based up the degree of interest shown by other persons and the extent to which a hearing can aid in NYSDOT's decision making process.
- A minimum comment period of 30 days is required for all DEIS's. A minimum comment period of 10 days is required for all FEIS's.
- Notices shall be filed with NYSDOT main office and regional office, NYSDEC main office and regional office, chief executive office of the municipality in which the project is located, applicant (if any) and with agencies involved with project funding or permits. Notices shall include the name and contact information for NYSDOT, a brief description of the nature, extent and location of the action, a brief description of possible significant effects identified, and information on where and how copies of the subject document may be obtained from NYSDOT. Notices are required for:
  - Determination of no significant effect
  - Determination that a proposed action may have a significant effect.
  - Notice of completion of DEIS, stating that comments on the DEIS are requested, and will be received and considered for not less than 30 days from the date of first filing of the notice, or not less that 10 days after the close of any hearing held, whichever shall occur last.
  - Notice of hearing, published at least 14 calendar days in advance of the hearing in a newspaper of general circulation in the area of potential effects.
  - Notice of completion of FEIS

### **Eminent Domain Procedure Law (EDPL) - Article 2**

- Prior to acquiring property for a public project, the condemnor (i. e. NYSDOT) shall conduct a public hearing at a location reasonably accessible to the property owners whose property might be acquired. Notice of the public hearing shall be given at least 10 but no more than 30 days prior to the public hearing.
- At the public hearing the condemnor shall outline the purpose, proposed location (or

alternate locations) of the public project and any other information including maps and property descriptions. Any person in attendance shall be given a reasonable opportunity to present an oral or written statement and to submit documents. A record of the hearing shall be kept including written statements submitted. The condemnor shall make its determination and findings within 90 days after the public hearing. The determination and findings shall specify at least the following:

- the public use, benefit or purpose of the proposed public project
  - the approximate project location and reasons for selecting that location
  - the general effect of the project on the environment and residents of the locality
- The condemnor is exempt from compliance with an EDPL public hearing when:
  - A public hearing is held or offered pursuant to other law or regulation upon notice to the public and owners of property to be acquired. (i. e. NEPA public hearing)
  - In the opinion of the condemnor the acquisition is de minimis in nature.

**Appendix C**  
**Public Involvement Plan Checklist**

**Name of Preparer:** \_\_\_\_\_ **Date Prepared:** \_\_\_\_\_  
**Preparer's Functional Area:** \_\_\_\_\_  
**PIN:** \_\_\_\_\_  
**Route/Description:** \_\_\_\_\_  
**Municipality (s):** \_\_\_\_\_  
**Current Phase** (check one)  Scoping  Phase I-IV  Phase V-VI  Construction  Other

**Project Schedule as of Date Prepared**

IPP Approved. . . . . \_\_\_\_\_  
Scoping Approval. . . . . \_\_\_\_\_ Design Approval . . . . . \_\_\_\_\_  
PS&E. . . . . \_\_\_\_\_  
Construction Begins. . . . . \_\_\_\_\_ Construction Completion. . . . . \_\_\_\_\_

**1. IPP update** (please attach approved IPP)

**List changes that have occurred since IPP:**

**2. Project Data**

**Funding.** . . . . .  Fed-Aid NHS  Fed-Aid Non-NHS  100% State  
**Check Project Type (s).**  NEPA Class I  NEPA Class II  NEPA Class III  
 SEQR Non-Type II  SEQR Type II

**Brief Description of Project Work** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NYSDOT person designated as community contact** \_\_\_\_\_

**Public Involvement prior to IPP (y/n)** \_\_\_\_\_

**If yes, describe** \_\_\_\_\_  
\_\_\_\_\_

**Attach relevant correspondence and/or meeting minutes.**

Fill out the following as appropriate to current phase:

**3. Project Scoping**

**PI Objectives in Scoping:**

1. Identify Stakeholders
2. Inform stakeholders of project and proposed project scope/needs.
3. Gather information on the project context.

### 3.1 Identify Stakeholders

**List Internal Stakeholders:** (e.g., Regional Planning; Regional Design Group; Regional Structures Group; Regional Landscape/Environmental Group; Regional Traffic and Safety Group; Regional Construction Group; Regional Maintenance Group.) \_\_\_\_\_

**List External Stakeholders:** (e.g., Municipal/County/Legislative Officials, \_\_\_\_\_ impacted/interested parties, special interest groups, local citizens, traveling public) \_\_\_\_\_

**3.2 Potential community concerns:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 3.3 Communication Methods to be Used to Inform Stakeholders (select and describe):

**Meetings with public officials:** \_\_\_\_\_

**Public information meetings:** \_\_\_\_\_

**Is a citizen's advisory committee necessary?** \_\_\_\_\_

If yes, attach description of how it will be organized, list committee make-up and affiliation, and committee objectives. \_\_\_\_\_

### Other public involvement techniques:

**Direct mailings** \_\_\_\_\_

**News releases** \_\_\_\_\_

**Media advertisement** \_\_\_\_\_

**Kiosks** \_\_\_\_\_

**Internet** \_\_\_\_\_

**E-mail or telephone hot line** \_\_\_\_\_

**Other actions** \_\_\_\_\_

### 3.4 Schedule for Public Involvement Activities (list/attach; reference to project milestones)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 4. Design

##### PI Objectives during Design:

**Preliminary Design: Summarize information gained from Scoping. Seek consensus on preferred alternative.**

**Detailed Design: Update stakeholders on progress, discuss any changes.**

##### 4.1 Information

**List Internal Stakeholders:** (e.g., Design (including Structures, Landscape/Environmental), Traffic and Safety, Construction and Maintenance) \_\_\_\_\_

**List External Stakeholders:** (e.g., Municipal/County/Legislative Officials, impacted/interested parties, special interest groups, local citizens, traveling public) \_\_\_\_\_

##### 4.2 Communication Methods to be Used (select and describe as appropriate)

**Meetings with public officials** \_\_\_\_\_

**Public information meetings** \_\_\_\_\_

**Meeting formats** \_\_\_\_\_

**Brochure** \_\_\_\_\_

**Visualizations** \_\_\_\_\_

##### **Other public involvement techniques:**

**Direct mailings** \_\_\_\_\_

**News releases** \_\_\_\_\_

**Media advertisement** \_\_\_\_\_

**Kiosks** \_\_\_\_\_

**Internet** \_\_\_\_\_

**E-mail or telephone hot line** \_\_\_\_\_

**Other techniques** \_\_\_\_\_

##### 4.3 Schedule for Public Involvement Activities (list/attach; reference to project milestones)

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#### 5. Construction Phase

##### PI Objective During Construction:

**Inform and maintain contact with affected residents/businesses/other stakeholders concerning construction activity schedule and impacts.**

**5.1 Issues requiring continued public outreach:**

**Maintenance and protection of traffic (MPT)** \_\_\_\_\_

**Public education for operational features (e. g., roundabout)** \_\_\_\_\_

**Minimizing community economic impacts during construction** \_\_\_\_\_

**Post-construction community feedback** \_\_\_\_\_

**Other issues** \_\_\_\_\_

**5.2 Communication Methods to be Used** (select and describe as appropriate)

**Pre-construction public meeting** \_\_\_\_\_

**Public meetings during construction** \_\_\_\_\_

**Informational brochure** \_\_\_\_\_

**Media advertising** \_\_\_\_\_

**Highway message signs** \_\_\_\_\_

**Internet** \_\_\_\_\_

**Other techniques** \_\_\_\_\_

**5.3 Schedule for Public Involvement Activities** (list/attach; reference to project milestones)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notes:

1. Prepare initial PI Plan in Scoping phase, and update as needed during project development.
2. PI activities should be commensurate with project's magnitude and potential effects.

**Appendix D**  
**Public Meeting Checklists**

**Checklist for Public Meeting Location**

INSPECTION DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

LOCATION: \_\_\_\_\_

DIRECTIONS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ PHONE: \_\_\_\_\_

POLICE: \_\_\_\_\_ PHONE: \_\_\_\_\_

PROJECT: \_\_\_\_\_ PIN: \_\_\_\_\_

DATE OF PUBLIC HEARING: \_\_\_\_\_ TIME: \_\_\_\_\_

ATTENDANCE ESTIMATE (DESIGNER): \_\_\_\_\_

NOTES:

- BUILDING ACCESS NEEDED APPROX.3 HRS. PRIOR TO START OF HEARING
- AREA MEASUREMENTS
- AGREEMENT REQUIREMENTS

CHECKLIST:

	YES	NO	REMARKS		YES	NO	REMARKS
FIRE EXITS _____				FURNITURE _____			
ROOM CAPACITY _____				CHAIRS, TABLES, PODIUM, ETC.)			
ACCESS(HANDICAP) _____				DISPLAY AREA _____			
PARKING _____				REGISTRATION AREA _____			
LOCATION (TO PROJECT) _____				STAGE AREA _____			
INSURANCE REQUIREMENTS _____				OUTLETS _____			
JANITORIAL _____				BATHROOMS _____			
SEATING _____				LOCATION OF MAPS _____			
AUDIO SYSTEM _____							
VISUAL AIDS _____							

## Checklist of Equipment and Supplies for Public Meeting

PROJECT: \_\_\_\_\_ PIN: \_\_\_\_\_

DATE OF PUBLIC HEARING: \_\_\_\_\_ TIME: \_\_\_\_\_

EQUIPMENT	QUANTITY	SUPPLIED BY
P.A. System and Backup		
Laptop Computer and Projector and Backup		
Podium		
Tables and chairs		
Table Microphone & Extension Cords		
Floor Microphone & Extension Cords		
Cassette Recorder and Tapes		
Plans		
Easels for Signs and Plans		
Directional signs to meeting room		

OFFICE SUPPLIES	QUANTITY	YES/NO
Tape (clear & masking)		
Stapler and Staples		
Paper Pads (5±) and Clip Boards		
Pens, Pencils and Magic Markers (thin & fat)		
Water Pitcher and Cups		
English and Metric Scales		
Gavel		
Scissors		
Stamp (Date) & Pad		
Sign in Sheet and Registration Cards		
Clear Name Tag Holders and Name Tags		
Calculators		
Fans, Lamps & Extension Cords		
Pointers		
Pre-Addressed Letters and List of Addresses		
Project Materials: Brochures, News Release, Real Estate Acquisition Brochure, Design Report, Project Fact Sheets, Photos and Visual Aids		

**Appendix E**  
**Public Involvement References**

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**Process and Techniques:**

Adopted NYSDOT Public Involvement Procedures for Transportation Planning and Programming, NYSDOT, August 1994

A Guide to Best Practices for Achieving Context Sensitive Solutions, NCHRP Report 480, Transportation Research Board, 2002

Communicators Guide, Federal Communicators' Network, December 2000

Community Impact Assessment, A Quick Reference for Transportation, FHWA-PD-96-036, September 1996

Improving the Effectiveness of Public Meetings and Hearings, FHWA and NHI, No. FHWA HI-91-006, January 1991

Public Involvement Techniques for Transportation Decision-Making, FHWA and NHI, No. FHWA HI-00-25, June 1999

**Regulatory Information:**

Applying the Section 404 Permit Process to Federal-aid Highway Projects, FHWA-RE-88-028, September 1988

FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, FHWA Order 6640.23, December 2, 1998

Guidance for Preparing and Processing Environmental and Section 4(f) Documents, FHWA Technical Advisory T 6640.8A, October 30, 1987

Questions and Answers about the NEPA Regulations, Council on Environmental Quality, March 16, 1981