

CITIZEN PARTICIPATION AND THE ROLE OF THE PUBLIC HEARING

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## ABSTRACT

The study sought a detailed description of the public involvement techniques embraced in the public hearing strategy of each of the nation's state transportation agencies. In addition, it examined the status of the public hearing as a principal technique within the citizen participation process of each agency to determine how strong or weak a role the public hearing is playing within the transportation decision making process nationwide. Presented is an evaluation of the pre-hearing and post-hearing procedures being utilized by transportation agencies. Information for the study was obtained through interviews with the public hearing officer, or his equivalent, in each highway and/or transportation department. Each officer was also asked to submit to the researcher written copies of his agency's public hearing strategy along with any other pertinent material regarding public hearings or citizen participation. The document most often received was the Action Plan.

The study found that basically the nation's state transportation agencies utilize either one of two administrative operations for conducting public hearings. In 29 agencies the programs have centralized administrations whereby the majority of mandates emanate from the central office. In the remaining 21 agencies the responsibility for hearing administration is delegated to district or regional offices. The study also showed the existence of a growing trend for agencies to utilize independent moderators at public hearings, especially if the hearings are likely to produce controversy. Also it was found that the most efficient and widely used pre-hearing technique is the informal pre-hearing meeting.

The specifics of hearing/meeting notification and hearing structure and content are discussed in the report. The information gathered suggests that the nation's state transportation agencies are continuously striving to achieve meaningful public participation in transportation decision making through countless innovations and much experimentation.

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## PREFACE

The information presented in this report is based upon verbal and written descriptions supplied by representatives of the nation's 50 state transportation agencies in response to inquiries regarding their public hearing procedure. The author assumes that these accounts are factual and that the procedures described are being used except where otherwise noted.

The author expresses sincere appreciation to each agency that cooperated by providing the information utilized in this report. It is hoped that the findings, conclusions, and recommendations from the study can be of benefit to those agencies as well as to the Virginia Department of Highways and Transportation.

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## SUMMARY AND CONCLUSIONS

Since the Virginia Department of Highways and Transportation employs formal public hearings as a principal public involvement tool, it is important that it keep abreast of any new and innovative hearing techniques which are being used successfully in other parts of the country and may prove useful in Virginia. Toward that end, this study examined the public hearing strategies of each of the nation's state transportation agencies as well as various other public involvement techniques being tested or utilized by them. The study both examined the relative role of the public hearing within the overall public involvement process of each state transportation agency and sought detailed descriptions of all the public involvement techniques embracing the public hearing strategy of each agency.

Basically, the nation's state transportation agencies utilize either one of two administrative operations for the conduct of public hearings. In 29 agencies the programs have centralized administrations whereby the majority of mandates and the guidance for public hearings emanate from the agency's central office. In 21 agencies the responsibility for the administration of public hearings and the general public involvement program is delegated to district or regional offices. In 14 agencies the division charged with conducting environmental studies also has charge of the public hearing and general public involvement program. Many of the agencies exhibiting a district oriented operation have placed personnel in those offices who have expertise in the field of public speaking and diplomacy as well as a full knowledge of departmental policy to act as liaison between the agency and the citizens of the district.

Twenty-two state transportation agencies have a designated public hearing officer or the like. In only 11 of the agencies does this individual act as the moderator at public hearings. In 22 agencies the moderator is usually the district or resident engineer. The remaining 17 agencies use a variety of moderator types ranging from radio announcers and newspaper editors to mayors and state senators. There appears to be a growing trend to utilize independent moderators, especially if the hearings are potentially controversial in nature.

Every state transportation agency representative interviewed agreed that the public involvement procedures utilized prior to the formal public hearing were crucial to the success of both the public hearing and the entire public involvement program. The degree of thoroughness with which the pre-hearing strategy is administered also affects any subsequent attempts at public involvement. For this reason all agencies constantly upgrade and improve existing pre-hearing public involvement methods. The most popular of the newer pre-hearing techniques is the informal pre-hearing international meeting. The nationwide trend appears to be to make these meetings the key activity in the public involvement program. Nearly every agency currently holds at

least one informal meeting prior to the formal public hearing. Twenty agencies report an extensive multiple meeting program prior to public or major projects. The national average appears to be between one and three informal meetings per hearing, depending upon the nature of the project. The timing of these meetings also depends upon the nature of the project but they normally occur anywhere from 1 1/2 years prior to the formal hearing up until the day of the hearing. Most agency officials interviewed agreed that if a systematic series of informative public meetings are conducted which resolve most of the problems normally surrounding transportation projects, the role of a formal public hearing can be reduced to that of a formality and may even cease to be a necessity except in extreme cases.

Communication is the key to an effective public involvement program. Pre-hearing communication between agency and citizens is vital. Sixteen agencies send letters to all property owners adjacent to a proposed project notifying them of any upcoming hearing or meeting. Many more agencies report being in favor of trying this process but have not yet done so. The majority of agencies rely on the various media forms to communicate with citizens. In many cases this practice does not reach the majority of the project area's population. Some type of personal contact is definitely more favorable.

All state transportation agencies report that all public hearings and meetings are held as near to the project as possible. Thirty-nine agencies hold these hearings/meetings after 6:00 p. m. without exception. Certain agencies reported various public hearing/meeting hours dependent upon the living and working habits of the project population. In 13 agencies a court reporter is used exclusively to record public hearing proceedings. This technique is favored by these agencies over the normal tape recorder on the grounds of improved credibility and dependability and less public intimidation caused by the required use of microphones. In 12 agencies a recess is held at the point in the hearing immediately following the departmental presentation. This allows citizens the opportunity to seek answers to specific and personal questions from the appropriate agency official. The interviewees stressed however, that the presence of legible graphic material in the form of plans, aerial photos of the project area, etc. is critical to the usefulness of the recess. Where such a program has been used, the result has been shorter hearings and a better overall relationship with the public.

The information gathered by this study indicates that, on the whole, the nation's state transportation agencies are continuously striving to achieve meaningful citizen input into the transportation decision making process. The information seems to suggest that, as is the case within the Virginia Department of Highways and Transportation, the public hearing is and will continue to be a useful public involvement tool. The data gathered, in the opinion of the author, suggest that while the public hearing has indeed not outlived its utility, it may be in need of a role change. It is necessary and desirable that two-way communication between transportation decision makers and the community be established throughout the entirety of the transportation planning process through

forums, informal meetings, citizen advisory groups and the like. However, somewhere in the process a summary, or roundup of information, is necessary to assure both transportation planners and citizens that they both fully understand all prior decisions. The instrument to serve that purpose, and which already exists in usable form, is the formal public hearing.

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## RECOMMENDATIONS

1. The Department should consider placing a staff member in each district highway office who would act as liaison between the Department and the citizens of that district. Such a person could be given the title of district citizen participation specialist, public relations specialist, or the like, and should be well trained in public speaking, diplomacy, and Department policy. It is likely that this specialist would greatly aid the Department in keeping a positive, meaningful relationship with the citizenry of the district through his thorough familiarity with their beliefs, ideas, and goals concerning transportation projects. This staff member could also act as moderator at most informal meetings and formal hearings within his district.
2. So that an early indication of the general public attitude concerning a certain project can be gained, the Department should consider sending a questionnaire containing general questions about the project to all citizens residing within a certain radius of the project. Such a questionnaire should contain the name and phone number of the appropriate Department staff member to call to get answers to specific questions. This same questionnaire should also be distributed to those citizens attending meetings and hearings who have not received one.
3. The Department should consider establishing a toll free phone number by which the public could contact the appropriate Department staff with relative ease. This system could either be operated on a district basis or strictly from the central office. The number should be included in all written correspondence between the Department and the citizens as well as in news releases, public notices, and public hearing advertisements. Naturally, the Department would find it necessary to provide a person who possesses a thorough knowledge of the Department's workings to take calls from the public. This could very possibly be the person recommended in Item 1.
4. A method of giving a personal notification of all pre-hearing and hearings to all landowners adjacent to a proposed project should be established. All individuals who will lose property, provide construction easements, or be inconvenienced in any way should be personally contacted by the Department sometime prior to the initial public hearing or meeting. Mailing of letters of notification to citizen groups 60 days in advance of the initial public hearing or meeting is also recommended.

5. The Department should examine the feasibility of erecting large signs at both ends of a project denoting the hour, date, and location of the upcoming meeting or hearing. The relative expense to the Department could be minimized by utilizing signs which would be reusable.
6. The Department should experiment with independent moderators at public hearings which are controversial so that any potential bias on the part of the presiding officer can be eliminated.
7. Self-addressed stamped envelopes should be provided at all public hearings for those individuals who wish to submit written statements to the Department.
8. The number of Department representatives present at public hearings should be kept to a minimum. In no instance should the number of Department officials present outnumber the citizens present. Also, all Department presentations by those officials should be brief, informal and nontechnical.
9. The Department should consider the use of a court reporter and/or a highly sensitive, centrally positioned microphone where feasible to record hearing proceedings. This measure would help to reduce audience confrontation with microphones. Also, the use of a court reporter may add a measure of credibility and dependability to the business of recording hearing proceedings.
10. Immediately following the Department's presentation at formal public hearings a brief recess should be held which provides citizens with the opportunity to address questions to the appropriate highway officials present on a one to one, semi-private basis. This procedure can be successfully utilized only if adequate visual aids have been placed in the hearing room.
11. A letter from the district or resident engineer should be sent to all persons attending the public hearing to inform them of the Highway Commission's final decision on the project. In addition, in any instance where a question raised by a citizen cannot be adequately answered at the hearing, a letter should be sent to that citizen to give him an answer as soon as one can be ascertained.
12. Every effort should be made to schedule public hearings and meetings at the time it is the most convenient to the greatest number of individuals living within the impact community.

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## INTRODUCTION

For several years the public hearing has been the predominant and, at times, the only instrument of public involvement programs of state highway and transportation agencies. Public hearings originally were employed to inform communities of proposed highway projects and to provide an opportunity for those interested to express their viewpoints on the location and design of specific highway projects and improvements. However, because of the increasing complexity of today's transportation systems it appears that meaningful citizen participation cannot be achieved through the hearing process as it was conceived in the early days of highway construction. Today, citizens realize that in order to have an improved transportation system that complements their community, they should have some meaningful type of input during the total planning process--not just at the public hearings. If citizen participation is to be truly effective and useful, methods must be sought to draw individuals and community groups into closer and more meaningful relationships with the transportation planning process beyond that of merely being a listener and adversary at location and design public hearings.

Countless articles, books, and various other types of publications have been written decrying the use of the public hearing as the major citizen participation technique within the highway planning process and suggesting that new and challenging procedures be added to it. Social critics have suggested that the public hearings be eliminated from the participatory process in highway planning. The majority of the publications which address problems inherent in the public hearing process suggest that the public hearing is not a process and that it has outlived its utility and should be replaced or at least fortified with more effective, up-to-date procedures.

The Virginia Department of Highways and Transportation currently utilizes, and will most likely continue to utilize, the public hearing as a citizen participation technique within its planning process. Judging from the fact that many location and/or design hearings are held every year, it behooves the Department to make these hearings as effective and meaningful as possible and, where necessary, to provide changes in the hearing procedures. It is the opinion of this researcher that the public hearing will be a part of the citizen participation program in Virginia's highway planning procedures for a long time to come. It appears beneficial then to learn all that can be learned about public hearing procedures as they exist

elsewhere in order to enhance Virginia's programs. The questions that need to be answered are how efficient, useful, and up-to-date the Department's public hearing procedures are and what types of changes, if any, need to be made to ensure that hearings serve a useful role within the public hearing process. One way of gaining insight into this problem is to study the procedures which work successfully and efficiently in the other state highway and transportation departments. By examining the hearing procedures being utilized in all of the nation's state highway and transportation departments the writer intended to provide the Department with several new ideas for consideration. The examination of the successes and failures of the public hearing strategies of those agencies and their relationship to the other public involvement techniques which surround them will hopefully aid the Department in making the public hearing a more meaningful and effective tool with which it can gain public participation within the total transportation planning process.

### OBJECTIVES AND SCOPE

The study had two objectives. The first was to provide a detailed description of many of the public involvement techniques embracing the public hearing strategy of each of the nation's state highway and transportation departments. It was anticipated that analyses of the separate strategies in terms of their administration as well as the various stages of each strategy (i. e. pre-hearing procedures, hearing procedures and post-hearing procedures) would provide valuable ideas, techniques and methods which would be of use to the Department. Secondly, the study sought to examine the status or role of the public hearing within the citizen participation process of each state highway and transportation department to determine how strong or weak a role the public hearing is playing within the decision making process nationwide. The study also uncovered many new procedures currently being tested in the other highway agencies, and while these procedures are reported here, an evaluation of most of them is not feasible at this time because of their newness. Many new and interesting public involvement procedures being successfully employed throughout the nation's highway planning processes were uncovered during the course of the study. While this report focuses mainly on public hearing techniques, it also presents many of these processes and practices for the Department's consideration.

The text of this report is divided into three sections: 1) Agency Organizational Structure for the Administration of Public Hearings, 2) Pre-Hearing Strategies, 3) Hearing and Post-Hearing Strategies. Each section includes a discussion of the methods and techniques utilized by various states during each of these three stages, followed by an analysis of those methods and techniques. The appendices include various documents which are representative of public involvement procedures being utilized in several state transportation agencies. Recommendations regarding the possible implementation of some of those processes within the Department's current public hearing strategy are given.

## METHODOLOGY

The public hearing officer, or his equivalent, in each state highway and/or transportation department was contacted by telephone and asked to give a detailed account of his agency's public hearing strategy. To guide the interview, the researcher asked a set of questions regarding all aspects of the public hearing strategy for that state. The interviewees were also asked to submit to the researcher written copies of their public hearing strategy, where they existed, along with any other pertinent data regarding public hearings or citizen participation in general. In addition, each was asked to submit a copy of his state's Action Plan. Fifty public hearing officers were interviewed, written procedures were received from over half, and Action Plans were received from 29 states. The procedures verbally reported by interviewees were cross checked with the written procedures and Action Plan guidelines they furnished and only in a very few cases was any disparity noted.

### AGENCY ORGANIZATIONAL STRUCTURE FOR THE ADMINISTRATION OF PUBLIC HEARINGS

In the opinion of this writer, one of the most important aspects of public participation programs is the manner in which they are administered. The effectiveness of such programs is dependent upon administrative structure as well as the competence of the staff responsible for carrying out the tasks called for by the administration. It was appropriate then that this study first examined the manner in which public hearing strategies and procedures are administered by the nation's state highway and transportation departments. During the course of the study several administrative approaches and techniques were identified. Obviously the administrative units vary widely with respect to the type and number of personnel involved, degree of centralization, and divisional responsibility.

The agencies exhibited four basic organizational structures for administering their public hearing strategies, three of which can be classified as highly centralized operations in that they are localized within the main office of the department and all procedures and directives regarding public hearings emanate from that office. These basic structures differ in that for one the public hearing unit exists as an autonomous division within the agency; in the second the public hearing unit exists as a subsection of one of the main divisions, and in the third the public hearing strategy is administered by personnel representing two or more divisions. The fourth type of organizational structure is a decentralized operation. In this type of operation the administration of the public hearing strategies is the responsibility of each highway district or regional office. The pros and cons of decentralization versus centralization warrant discussion.

Centralized Administration

Twenty-nine agencies reported having a centralized operation for the administration of public hearings. Five of these contain a separate division having the sole responsibility for administering the total citizen participation strategy including public hearings. These divisions are generally quite small and are staffed with persons having considerable experience with department procedures as well as in public speaking and diplomacy. These five agencies report that this type of operation works very well, principally because by being self-contained the division can give careful attention to every detail pertaining to public involvement. The staffers are concerned only with public involvement considerations and the result is a very thorough and effective administration of the program. In spite of the apparent desirability of this type of administrative structure, however, most of the other agency representatives interviewed felt that with the current reevaluation of the role of public hearings as well as the emergence of new public involvement techniques to supercede or supplement them, a separate public hearing division within the agency is not warranted. In 24 of the 39 agencies having centralized operations, the staff people charged with the administration of public hearings are assigned to one of the major divisions of the agency. This unit often exists as a subdivision of the major division and contains a small autonomous staff. In 14 of these 24 agencies, the division containing the unit is the one charged with conducting environmental studies. Each of the interviewees representing these 14 departments felt that it was of primary importance that the public hearing operation be administered by those individuals who conduct the environmental studies or persons working very closely with them. When asked to name the division they felt had the greatest role and responsibility in the administration of the public involvement program for their total planning process, 18 of the 50 respondents (36%) singled out the division which conducted environmental studies (this number includes the 14 agencies previously mentioned). The most recurring remark was that public involvement and environmental work go hand in hand and that the individuals having these areas as their primary responsibilities should be placed close together physically within the organizational structure of the agency.

In three agencies the responsibility for the administration of public hearings is handled by more than one division. Very little information could be obtained from these agencies with respect to this type of structure, except that in each case one division has the major responsibility for hearing administration. It is felt that this type of structure appears so infrequently it does not warrant an in-depth discussion at this time.

### Decentralized Administration

Twenty-one agencies exemplified decentralized operations in that the administration of the public hearing strategies of each is the responsibility of the highway district or regional offices. In several states individuals from the central office act as administrative monitors of the project while the district people go about the business of conducting public hearings and other public involvement measures. Six of the agencies having this type of operation have a central office staff member who is designated as a hearing officer or specialist, but as a rule this individual does not actually attend or moderate the hearings. The interviews revealed that many transportation departments are beginning to staff their district offices with personnel who have expertise in public relations. The titles of these individuals are varied (Community Liaison Officer, Community Values Specialist, Public Affairs Officer, District Public Involvement Coordinator), but basically they have the same responsibility: to maintain a continual and effective relationship between their agency and the public throughout the total transportation planning process. These individuals, according to both agency officials and written requirements appearing in departmental documents, have a thorough knowledge of the districts' public attitudes and maintain a continued, conscientious and comprehensive liaison between the communities in their districts and the state transportation agency. Also, these individuals provide the central agency office with up-to-date information on grass roots feelings so that the central office can make necessary adjustments to changing local sentiments and community concerns.

### Hearing Moderator

A very important component of the public hearing, whether it is administered at the central office or district level, is the moderator. Sixteen of the agencies with centralized operations have a staff member who is designated as a public hearing officer or specialist. While the responsibilities of these individuals vary widely among the agencies, it was found that in only ten agencies do these individuals act as moderator at every hearing. Six of those agencies exhibiting a decentralized structure contain such an individual and in only one instance is he the hearing moderator. In 22 state transportation agencies (Virginia included) the public hearing moderator is usually the district or resident engineer. Eight of these agencies are those having a highly centralized public hearing operation. An in-depth discussion of these occurrences and their ramifications is included in the analysis portion of this section of the report.

Nine of the nation's state transportation departments report that they have used independent moderators at their public hearings. These types of moderators usually are used when the hearing is of a controversial nature. Many of the agency representatives interviewed related that their agencies had at some time considered utilizing an independent moderator. The rationale for utilizing an independent moderator on controversial hearings is obvious (see Analysis) and the practice has met with great success in those states employing it. Examples of individuals who have been utilized as hearing moderators in those nine states are radio announcers, local news personalities, members of boards of supervisors, state representatives, senators, the editor of the local newspaper, and board of education administrators. In the state of California a mayor sometimes presides. According to those agencies who have utilized this procedure, the basic requirements to look for when considering using independent moderators for local hearings is that they be experienced in handling large audiences and have a sincere interest in transportation but not be employed by the transportation agency sponsoring the hearing.

### Analysis

As was earlier mentioned, 29 state transportation agencies use a centralized procedure for administering public hearings in which they are conducted via the agency's central office personnel. The desirability of this type of structure stems from the fact that the staff is daily involved in departmental policy and procedures as well as public contact work and thus can become immediately aware of any changes in policy or project development which may occur. It was also noted that in 14 of these agencies, the responsibility for the administration of the public hearing strategy lies within the division charged with conducting environmental studies. According to the agencies currently using it, this setup definitely has merit since environmental statement and public hearing record evaluation are so closely tied together, especially from the standpoint of location and design approval and final ratifications. The major drawback to this type of administrative structure is the tendency to achieve public involvement from behind a desk rather than on a face-to-face basis. For this reason, this writer favors the more decentralized approach to conducting public hearings and gaining overall public involvement. Twenty-one agencies currently use this type of administration whereby the conduct of hearings is the responsibility of each highway district or regional office. The major problem with a decentralized operation is its lack of program uniformity among all districts. The obvious consideration here is whether or not uniformity among the districts is necessary to achieve the goals of the program. Indeed districts may vary greatly with respect to population distribution and characteristics, economic structures, educational opportunities, etc. Probably more often than not, those individuals working in the respective district offices will possess a keen sense of awareness as to the needs, attitudes and general characteristics of the people within their own area of responsibility as a result of their daily contacts with the population. It

appears quite appropriate then, that district office personnel should structure their public hearing program to meet the needs of their constituents and not merely to conform with some set of written procedures handed down by the central office. Any challenges as to the adequacy and efficiency of the programs among districts can also be virtually eliminated by the placement of a community relations or public information specialist in each district office to act as overseer of the total public involvement program, public liaison and sometime hearing moderator. In this manner the programs would be in the hands of specially trained persons whose daily tasks would involve public participation only rather than a multitude of other facets of highway construction. Under this arrangement as local community anxieties arise, they could be met immediately in a dialogue between the district public relations staffer and the local community. It is the opinion of this researcher, then, that if the public hearing strategy is the responsibility of the district offices, those offices should be staffed with at least one individual who has expertise in public relations, community and citizen liaison, and their application to transportation projects. Such a setup would enhance the operation considerably by providing a means of direct communication between the Department and the public.

The use of a moderator is another feature of the public hearing programs of the nation's transportation agencies which varies a great deal. In both centralized and decentralized operations one question which the transportation agencies are currently addressing is "Who should moderate public hearings?" As was mentioned earlier in this report, public hearing officers assume this function in 11 states. In every case these individuals possess a thorough working knowledge of departmental policy as well as an ability to effectively communicate with the public, either individuals or groups. However, it should be noted that while the average number of formal public hearings held in 1973 was 38 per state, the average number held in these 11 states for the same year was 28. In states holding considerably more hearings yearly (such as Virginia, which in 1973 held 92 hearings) the utilization of the public hearing officer as moderator at every hearing may not be feasible. In 22 states the moderator is usually the district engineer. There are both advantages and disadvantages to this arrangement. The district engineer will no doubt possess a very thorough knowledge of both the physical and population characteristics of his particular district. In some cases he may indeed know what types of presentations and programs will be the most effective with respect to those characteristics, but in some cases he may not. Several state agencies reported that a certain number of their district engineers were not effective communicators nor were they particularly interested in citizen participation. Often these individuals perceive hearings as being a necessary step in the procedure for getting roads under construction. The problem of uniformity again arises but in the case of the disinterested moderator it is more serious than it was for the decentralized versus centralized operation. The use of a disinterested moderator most certainly has a deleterious effect on a particular district's public hearing program in that his attitude would be obvious to the public through his presentation. The result is that the public has little faith in the sincerity of the agency's program -- and sometimes only because the representative which the agency chose to preside at a hearing was

disinterested and insincere in his efforts. This should never be allowed to occur. The establishment of a public liaison staffer in each district office who would assume the responsibility of serving public hearing moderator within his district, along with the rest of his duties, would certainly help to reduce the possibility of the public detecting any disinterest or apathy on the agency's part. In short, part of his job would be to be interested and sincere regarding both the public involvement program as a whole and presiding over public hearings. The nation's transportation agency representatives interviewed collectively espoused this same opinion by agreeing that it behooves transportation departments not to use technical personnel to moderate public hearings and to instead utilize district public relations or central office public information staff with public relations experience. The moderator is a key figure in the public hearing process and it is crucial that he be the person who can best present the program to the public. In selecting the best person or persons for the job, transportation agencies must certainly take into consideration the amount of controversy surrounding the project as well as the degree of centralization with which the public hearing strategy is administered within the agencies. In this respect, the selection of a moderator is made on a project-by-project basis and according to the dictates of the situation he may be a member of the central office staff, district staff, or even a non-agency employee. Several agencies report that their choice of moderator is indeed based upon the nature of the project. Many large controversial hearings employ non-agency persons as moderators. The South Carolina State Highway Department for example, utilizes some 25 different individuals to moderate its hearings. In the Tennessee Department of Transportation, lawyers are often moderators; and in two states, Utah and Wisconsin, road commission members act as moderators. The point to be made here is that there is no one answer to the question of who should moderate public hearings. Selections should and will vary widely among states and among individual projects. However, it should be reemphasized that just as the nature of certain projects will vary, so should the nature of their respective hearings. The moderator who is chosen should be experienced at running a large meeting. In the opinion of the author he should be a disinterested party, especially in the case of large, potentially controversial hearings and meetings. Such a move would help to eliminate the bias which in fact often exists on the part of the presiding officer, a bias which almost invariably tends to set the stage for undesirable confrontation. Such an individual would be a moderator in the truest sense because he would take no position on alternatives which were discussed.

#### PRE-HEARING STRATEGIES

The success and effectiveness of any agency's public hearing strategy are to a large degree dependent upon the public involvement activities which precede the formal public hearing. These activities include such items as public or informational meetings, the formation of citizen advisory groups, formal notification to owners of properties abutting or adjacent to the proposed project, publicity techniques utilized to advertise hearings,

and pre-hearing public viewing practices. The implications of each of these pre-hearing techniques will be discussed with respect to the importance of sequencing as well as the potential contribution of each to the overall process.

### Public Meetings

All of the nation's state transportation agencies conduct some form of public meetings prior to the formal public hearing. They are basically informal in nature and provide an opportunity for citizens to discuss alternatives before lines are inked on maps. These meetings are usually smaller than public hearings and have proven to be a more effective and important way of communicating with interested groups or gatherings of independent citizens than have formal public hearings. Many agencies feel that they can more easily provide detailed information on their activities and obtain opinions from the public at these types of meetings than at more formal meetings. Many states are testing procedures to establish a system whereby these meetings can eventually comprise the major portion of their citizen participation program. Informal public meetings are considered by many of the nation's transportation planners as the most efficient method with which to achieve meaningful citizen participation. Such meetings are designed to facilitate participation in the decision making process and to assist the public in gaining an informal view of the proposed project at any level of the planning process. The meetings are scheduled at very early points in the transportation planning process and continued until the time of the public hearing. At such meetings planners and public officials not only get negative community attitudes (as is often the case at formal public hearings) but they get positive feedback. Public meetings serve to reduce the possibility of citizens not becoming aware of a highway project until it reaches a location or design hearing stage. Frequently, in the past individuals have attended public hearings possibly wishing to express their viewpoints, but not being accustomed to public speaking they are reluctant to get up in front of a large group and express themselves. Therefore, they merely sit silently through the formal proceedings and may feel they have been denied the opportunity to provide any input into the process. Many transportation planners feel that the implementation of a systematic series of informal, pre-hearing informational meetings or workshops helps to eliminate this possibility.

Twenty of the agency representatives interviewed reported that their agencies utilize a very extensive pre-public hearing meeting program. Eight of the agencies reported that pre-hearing meetings are optional or are held only if requested or if a specific problem arises which warrants a special called meeting. In the remaining 22 state agencies there is at least one pre-public hearing meeting held on most significant projects.

As can be ascertained from the foregoing, the numbers of informational meetings held differ among the states and also vary according to the significance attached to the project. Seven agencies were found to hold three such meetings at various stages in the planning process up to the time of the public hearing, while others simply hold as many meetings as are necessary to achieve the goals of their public involvement program on a project-by-project basis. One representative related that his agency had conducted as many as 15 preliminary meetings on a particular project while another stated that his agency had only one information meeting per year for any given project. Most of the individuals interviewed, however, agreed that one informal meeting of some type should be held prior to each public hearing on projects of major significance.

How far in advance of the public hearing these meetings should be held is still another consideration. The nationwide variance on this point is anywhere from the same day of the hearing to 1 1/2 years prior to the hearing. This consideration again depends on the nature of the project. The greatest number of respondents felt that if a single meeting is held and it is to be truly meaningful, it should be 2-6 months prior to the initial formal public hearing. In the case of multiple meetings, the first meeting may be held 1 1/2 years prior to the hearing and the last one may even occur one week prior to or even the same day as the formal hearing. There is obviously no way to determine a national average for number of meetings held.

Several state agencies are currently testing a program that contains a series of informal meetings capped by a public hearing, while some have been successfully utilizing it for some time. Many of the representatives of agencies already emphasizing this approach indicated that their agencies envision the day when formal public hearings will be necessary only in rare instances. These states intend to relegate the role of the formal public hearing to that of a mere formality. The consensus of these individuals is that if a systematic series of informative public meetings are conducted which resolve most of the problems normally surrounding transportation projects, formal public hearings will eventually cease to be a necessity except in extreme cases.

One final note on public meetings. Most state agencies seem to agree that the most difficult period to achieve public involvement in the planning process is the systems phase. Several agencies are testing a method whereby the responsibility of getting involvement in this phase is that of the individual state planning district or regional planning commissions. In the state of Virginia these are called Planning District Commissions. It is the responsibility of these organizations to hold public meetings at times which they feel are appropriate during the process of developing and evaluating alternative plans. Very often at least one public meeting is held for each plan revision considered to be a major one by the policy boards of various committees. In the Massachusetts Department of Public Works, for example, public involvement in the systems planning phase has been turned over to the twelve Regional Planning Agencies (RPA's) in each of the twelve regions of the state. Transportation

Policy Advisory Groups (TPAG's) are also established in each of the planning regions in the state. The TPAG's convene meetings on all substantive transportation planning issues, ensure that the planning process is open and locally participatory, and serve as a forum for discussing all transportation issues. These meetings are open to any person or group. Memberships are made up of local representatives, interest groups, interested citizens and representatives of state agencies, RPA's and the Department of Public Works. Each TPAG is responsible for providing the Bureau of Transportation Planning and Development its regional priorities for transportation improvements. The RPA's are funded with Highway Planning Research funds (see Massachusetts Action Plan for more detail) which allow each to hire at least a minimum core staff to focus on transportation planning. Some Urban Mass Transportation Administration money is also being utilized. The planning work is carried out in accordance with a unified transportation work program developed for each of the 12 planning regions. It covers a five-year period and identifies both long-and-short range issues. The planning staffs study the problems and make recommendations to the TPAG, which then makes a final recommendation for implementation. In this manner decisions on transportation issues that are local in nature are made at the local level and issues that are regional are resolved at a regional level.

#### Citizen Advisory Groups

In addition to public meetings, another public involvement technique being utilized or tested by several state transportation agencies during the pre-hearing stage is the citizen advisory group, or the citizen advisory committee. Such a group is usually composed of representatives of service organizations, businesses, professional groups, etc. representing all geographic areas within the boundaries of the area through which the proposed facility is to pass (see Appendix I). Its primary functions are to formulate the goals and objectives of the community and relate them to the transportation agency as well as to contribute in the social, economic, and environmental areas of the study of the proposed project. These committees serve both review and input functions while promoting responsiveness to community goals. In this way liaison between the transportation agency and citizen groups is provided. Selection to these committees is usually made by another committee comprising transportation agency managers and local or regional political representatives (see Appendix II). In at least 17 of the nation's state transportation agencies such a committee is included in the various stages of planning as both an aid to planning for the community and a method of obtaining public input into transportation decision making. In at least three other states the option for the establishment of such committees on a project-by-project basis is outlined within the respective Action Plan guidelines.

### Additional Pre-Hearing Techniques

One of the most important aspects of maintaining a good relationship with the public throughout the decision making process is the manner in which they are informed of upcoming projects, decisions and/or public contact points--namely hearings and meetings--and the amount of information furnished. Close contact with those citizens who are to be directly affected by a project should be maintained from the beginning, especially with abutting landowners and individuals who will lose property. There are several approaches to maintaining such a relationship. Only 13 state transportation agency representatives indicated that their pre-hearing involvement with citizens owning property abutting or adjacent to projects is extensive. Eighteen reported only a nominal degree of pre-hearing contact while six indicated that their agencies have very little or no pre-hearing contact with abutting landowners. This information could not be ascertained for the remaining 13 agencies. In 16 states, a letter is always sent to owners of property abutting a proposed project which notifies them of the upcoming public hearing or meeting. The questions most often asked about this approach are; Within how wide a radius from the proposed project are individual property owners considered to be abutters? and, How far in advance of the hearing should these persons be sent notifications? The practices vary. The most frequently mentioned interval of time recommended for notification of a public hearing is 30-40 days. Several of the agencies mail letters of notification at this time to all landowners and occupants of properties within one-half mile (0.8 km) of the proposed project. Information as to the identities of the property owners can be obtained from the local tax rolls. In one state agency, letters are sent to all such abutting landowners at the time of the field survey. This letter includes a questionnaire (see Appendix III) as well as an invitation to an informational meeting to be held one month prior to the initial public hearing.

A notification process utilized by the West Virginia Department of Highways is worthy of note. It is a mailing list concept and was conceived because several unique features of the state nullify the flow of communication within it: 1) the topography is rugged, 2) its population centers are widespread, and 3) most of the state is rural. A list of individuals to receive all department communications is developed from comment cards and requests by individual and regional groups for specific projects. These cards are available in various places throughout the state such as at every public meeting hearing held by the Department, regional council offices, local planning commission offices, Department of Highways county and district offices, and county government offices. In addition, a clip-out version is printed twice a year in all daily and weekly newspapers throughout the state. This mailing list concept has several uses. It helps the Department obtain citizen input, informs citizens of the use of that input, and notifies interested parties of the social, economic, and environmental effects of a project in all phases. Utilizing this list, the Department can extract names as needed for contacting people.

There are other measures which transportation agencies utilize to inform the public of impending projects and their respective public hearings or meetings. Federal law requires that the first notice of the intent to hold a public hearing be published in newspapers 30-40 days prior to the hearing. Heretofore, most state agencies have published this notice in the legal section of the newspaper. However, ten agency representatives report that they currently utilize a display ad located in other than the legal section of the newspaper (see Appendix IV). According to those individuals whose agencies use this practice, such placement greatly increases the number of persons that will be exposed to the notice, and these ten representatives felt that this type of notice was instrumental in getting the word out and thus increasing attendance at meetings. Walton and Saroff<sup>(1)</sup> found that a legal ad in a newspaper ranks a poor fourth out of six devices for informing the public of upcoming hearings. A newspaper story headed the list followed by an organization, friends, legal ad, radio and TV. Another method of publicity is that of posting notices in and around the hearing or meeting site. This practice may be effective in rural areas where communication is sometimes difficult. An example of such locations can be seen in Appendix V. Several agency representatives indicated that they also supply news releases to local radio and television stations but unless the projects are of a highly controversial nature, coverage is negligible. Appendix VI illustrates an example of a news release utilized by the Virginia Department of Highways and Transportation. In five states a large sign is erected at one or both ends of a project indicating the time, date and location of the upcoming hearings or meetings. Such signs are usually reusable and are thus not costly to erect. These states' representatives indicated that this technique assisted in publicizing projects located on the periphery of populated areas and in rural areas where individuals are not exposed to newspapers on a daily basis.

Many transportation agencies are currently finding it necessary and desirable to locate a pre-hearing public viewing of plans and alternates being considered in the area of the proposed project. It is not sufficient that project plans be available only at a city or county engineer's office which is open only while John Q. Public is working. In ten states, a preliminary public viewing is held on the same day as the formal public hearing. This viewing is usually in the form of a split session at which the viewing is held an hour or more (sometimes even for the entire day) preceding the formal hearings. In three states, for example, the informal session and public viewing is held from 2-5 in the afternoon and the formal hearing is held at 7:30 p. m. In other states these viewings are held the day before the formal hearing, while in still others the public viewings are conducted anywhere from one to 30 days prior to the formal hearing. There are too many variations to permit a discussion of all of them here but a few are worthy of mention as illustrations. Several of these viewings are in the form of meetings one to two weeks

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(1) Walton, I. E., Jr. and Saroff, J. R., Citizen Participation in Public Hearings in Virginia, May 1971, p. 10.

prior to hearings. Most are held at the site of the upcoming public hearing and displays which are used often remain until the hearing has been held. In a few states, the transportation agency holds these viewings in conjunction with its informal informational meetings. In still other states, the transportation agency often sets up an exhibit (plans, maps, etc.) in the form of an information center either at the site of the upcoming hearing or as near to it as possible, such as in an old store or abandoned dwelling. This information center is staffed (most often until 9 or 10 p. m.) with persons to answer any questions the public might have concerning the proposed project and or the upcoming public hearing. The feeling in many highway agencies is that the more the doors are opened to the public the more help it will be to the overall transportation decision making process. There is a consensus on certain items involving such a preliminary exhibit or display. 1) It should definitely be a part of the overall citizen participation process, especially on large, potentially controversial projects, 2) It should be held at least one day prior to the hearing, 3) If exhibits and/or information centers are established several days or weeks prior to the public hearing, it is highly desirable to staff them with qualified persons from the agency who can adequately field any questions the public might have. Such an operation greatly reduces the number of questions which normally arise at the public hearings and thus expedites the decision making process.

### Analysis

As has been previously mentioned, every state transportation agency includes some sort of pre-hearing public meeting in its public involvement program. The number and frequency vary widely. The question of how many or at what point in the planning process these meetings should be held is not one which can be answered by this research. There is no standard answer to this question which will be applicable nationwide. This is not to say that timing is not important, however. Initial meetings should be held early enough to provide citizens the opportunity to meaningfully comment on the scope of the study as well as alternatives and impacts suggested by the transportation agency. The point is that the experiences of most transportation agencies have shown that the inclusion of informal informational or preliminary meetings or the like is an important feature of a public involvement program which can enhance the program considerably. The consensus of those agencies interviewed is that pre-hearing meetings expedite the decision making process. Such meetings provide a means of direct interaction with the community - an ingredient which is critical to achieving effective community participation. It is only through this direct interaction, which is often absent at formal public hearings, that knowledge can be gained about what the community concerns are and where study efforts should be aimed. Informal meetings should not resemble formal public hearings in any way if possible. Their purpose should be communication and all efforts should be made to eliminate potential

impedances to achieving that purpose. The meeting room should be arranged so that all participants sit at a table or in a circle rather than being divided into two "teams" of speakers and audience. Experience has shown that if a sufficient number of these types of preliminary meetings are held throughout the planning process where such two-way communication between transportation decision-makers and citizens occurs and where specified problems can be ironed out on an informal, face-to-face basis, the controversy often present at many public hearings can be sharply reduced. One of the most obvious results of this is that formal public hearings can be greatly reduced both in number and in time. This is not to say, however, that formal hearings should be eliminated altogether (as some individuals have implied). This process will merely relegate the formal public hearing to a smooth operation whereby a formalized summary of all that has gone before (i.e. in informal meetings) can be presented. So used, the hearing serves as a forum at which agreements worked out informally in previous meetings can be formally ratified. While assuming this summary role the formal hearing can also assume other duties, provided an adequate degree of preliminary work has been completed. For example, it can act as a formal milestone--a signal to public and private participants that a decision is about to be made and a move made to a new stage in the planning process. In addition, it can be a forum for community leaders to be seen and heard by their constituents and make the points in public that they made in previous working sessions. In short, such a program consisting of a series of informal meetings capped by a formal public hearing holding no surprises for anyone appears to be a sound basis upon which to build an effective public involvement program.

This research did not probe deeply into the nationwide usage of citizen advisory groups as a means of gaining public involvement, because in most state transportation agencies this technique is either being tested or is mentioned in the respective Action Plan as an "optional" means for eliciting involvement. Such groups or committees ideally add continuity to citizen participation programs and provide members with the opportunity to become more informed about transportation than the average citizen. There are two items concerning citizen advisory groups which warrant mention here. First, the method for choosing the membership of such groups must be a sound one so as to not arouse suspicions of favoritism or the like on the part of the public. Often advisory committees are selected because of their special expertise and thus, in most cases, are not representative of the community. If advisory committees are appointed by local officials there may be resentment on the part of those individuals not selected. The best method will probably vary among the states and most likely will not be discovered without much experimentation. Secondly, when meetings between citizen advisory groups and transportation agency officials are held, every effort should be made to issue news releases to that effect and to assure that these meetings are open to the public. In some cases there has been a tendency to establish these committees as the only means for soliciting public opinion. Not only have the members of the community been under the false impression that they were well represented

but these meetings have been poorly publicized and in many cases closed to the general public. This should never be allowed to occur. While several transportation agencies specifically endorse the extensive use of citizen advisory committees as a means of gaining citizen participation, this author tends to agree with the findings of Manheim et. al., in that citizen advisory committees should be used only if requested by a community, and, if used, that membership be open to all those desiring to work in the committee. Furthermore, all meetings should be public and while the agency should be responsive to suggestions, no particular authority should be given to committee recommendations and opinions. (2)

Mass notification of pertinent meetings or hearings to all landowners having property adjacent to a project is another of the techniques currently being tested by many highway and transportation departments. This is either done via personal letter or telephone. There is some concern within the transportation fraternity, however, that if this method of notification is used there is the possibility that some landowners might be mistakenly omitted, which would lead to accusations of favoritism and inconsistency on the part of the agency. It is the opinion of this researcher that if the agency makes a sincere effort to notify abutting landowners located within some established radial termini, these types of accusations will eventually disappear. Once the agency has established the fact that a good faith effort is being made (and this may take a while in some cases) it is reasonable to assume that the public will respond positively. One of the best methods to establish good faith and to initiate positive pre-hearing relations is for the agency to send a public relations staffer into the project neighborhood in advance of the survey crew to explain to the citizen what is being done. He should offer them a card containing a toll free telephone number and the names of individuals within the agency who can answer specific questions. It would benefit transportation agencies to have one or two people located either in district offices or in the central office to field these questions. In short, establish a direct line of communication between the public and the public and the agency in the form of a complaint department. A few state agencies are currently utilizing this operation and report that it works quite well. It serves several purposes: first,

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(2) Manheim, Marvin L., Suhrbier, John H., Bennett, Elizabeth D., Neumann, Lance A., Colcord, Frank C., Reno, Arlee T., Transportation Decision-Making: A Guide to Social and Environmental Considerations. Urban Systems Laboratory, Massachusetts Institute of Technology, July 1974.

it relieves the top officials of using their time on such calls; secondly, it helps to avert hot tempers of exasperated citizens trying to reach the right man in the bureaucracy and finally, it offers consistency in answering the questions of interested citizens.

## HEARING AND POST-HEARING STRATEGIES

The importance of both the administrative and public involvement activities which precede the formal public hearing have been emphasized in the preceding pages. Indeed, that which transpires at the formal public hearing is a function of the preparatory efforts which precede it. This is not to say, however, that the procedures utilized at the formal hearing itself are not also very important to the overall public involvement program. On the contrary, such items as hearing location, time of day, registration and recording techniques, meeting organization, visual aids, and methods of departmental response to public inquiries are extremely important to the success of the total public involvement process. The implications of each of these hearing components will be discussed with respect to nationwide transportation agency trends.

### Location and Hour of Hearings

The location and hour of the hearing are very important to the success and effectiveness of a public hearing. Obviously, the ease with which participants can get to a hearing will greatly affect the attendance. For this reason, each state transportation agency holds its hearings as near to the project site as is feasible, depending on the availability of an adequate meeting facility. Thirty-nine of the agencies reported that hearings were held after 6:00 p.m. without exception. Three states reported that hearings were held between the hours of 12 noon and 6:00 p.m., and three states held them sometime prior to 12 noon. Two agencies reported that their hearings were held either in the morning or the afternoon and two reported holding hearings either in the afternoon or at night. In one state, hearings are held at three different hours (10:00 a.m., 2:00 p.m., 7:30 p.m.) depending upon the type of community the project traverses. This state contains a large retirement age population as well as a large contingent of agricultural and industrial workers. The time of day when it is convenient for each of these groups to meet with the transportation agency is often quite different, thus the reason for the flexibility in the time of day hearings are held. The four states which set aside two different hours of the day to hold public hearings also indicated that quite often they hold the pre-hearing meeting at the earlier hour and the formal hearing at the later hour, all on the same day. One state agency even indicated that its public hearings are held on weekends if necessary.

### Registration and Recording Techniques

Nearly every state transportation agency has a method by which each person attending the formal public hearing enters into a registry the fact that he attended the hearing. The most popular type of registration is a small card which is given to each attendee and either collected immediately after the opening remarks or after the hearing is adjourned. In 25 states, the registration (whether a card or a tablet) is used to identify those individuals desiring to render a statement at the hearing. In 13 states this delineation is made by a show of hands whereby the hand raisers are picked at random by the moderator. In several states response forms containing ample space for the rendering of a written statement (often accompanied by self-addressed stamped envelopes) are given to each person attending the hearing. These forms can either be returned at the close of the hearing or be mailed.

By federal law, the proceedings of a formal public hearing must be recorded in some manner. Twenty-seven state transportation agencies use a single tape recorder to accomplish this requirement while three report using two tape recorders. Two recorders are used so that nothing is lost when one tape has to be turned over or in case the primary tape happens to break. Thirteen agencies report that they use a court reporter exclusively to record hearing proceedings while seven report that they use a court reporter and a tape recorder, depending on the controversy surrounding the particular hearing. Many state agencies utilizing tape recorders report that they use multiple microphones at the hearings. Aisle microphones are the rule rather than the exception at most hearings so that each speaker does not have to travel a great distance to reach a microphone. One state reports using as many as five microphones at the front of the meeting room and three or four additional ones in the aisles. Still another reports using a "cannon" type microphone which picks up sound from anywhere in the meeting room. A discussion of the relative merits of tape recorders versus court reporters in recording hearing proceedings is included in the analysis portion of this section of the report.

### Meeting Organization

The overall organizations of the formal public hearings held by state transportation agencies are basically quite similar. Hearings usually consist of a few opening remarks by the moderator concerning the purpose of the meeting followed by presentations by various officials of the transportation department. Next, an opportunity to speak is offered to local and state government officials (usually endorsements of the project), and finally statements from the general citizenry are heard. Certain transportation agencies have inserted an additional procedure into the process which seems to be working quite well. In 12 agencies, a recess is included immediately following the department's presentation. These recesses usually last around 30 minutes (although on occasion they

have been known to last for over an hour) and provide the citizens the opportunity to informally ask specific questions to the agency official present likely possessing the most knowledge relative to their specific questions. One state agency representative reported that coffee and doughnuts were sometimes served during the recess.

### Visual Aids

All state transportation agencies utilize some type of visual aids at formal public hearings. Twenty-one agencies utilize a slide presentation of some type. The Mississippi State Highway Department reports that it uses a slide presentation to present relocation assistance information at hearings. The Illinois Department of Transportation reports using a triple slide method whereby one slide shows the existing features of the area of the proposed project, one shows what the area will look like when the project is completed, and a third shows another alternative or a typical section. The three slides are shown simultaneously. Twenty-five agencies utilize aerial photos or maps to present alternatives to the public. Most agencies were in the process of upgrading the quality of visual aids to be used at public hearings at the time of the interview. Thus it appears that a realization of the importance of a quality visual aid presentation at hearings does exist. The majority of the agencies favored some type of aerial photo with the proposed route shown in color. These photos were reportedly quite effectively used during the recess periods offered at many hearings. Several agencies reported that one of the most useful and valuable visual aids is a pamphlet which contains a display of the corridor, a discussion of the pros and cons of the project, and the reason for the hearing (see Appendix VIII). Attached to this pamphlet in some states is a response card addressed to the agency which states, "I have attended the public hearing and have the following comments". Such an item aids the agency both with respect to the specifics of the project and in getting in touch with citizens at a later time to inform them of the decision made on the project.

### Response to Inquiries

Only two agencies reported that every question raised by citizens at the public hearing is answered at the public hearing. Indeed, on occasion a question will arise which cannot be answered by the transportation officials present until perhaps some future research is conducted. In four state transportation agencies questions unanswered at the formal hearing are answered in the final transcript of the hearing; no personal contact is made with the citizen after the hearing. However, in 35 agencies, questions which are not answered at the public hearing are followed up personally by someone from the district or central office staff in a visit or via the mail. Also in many transportation agencies

each person attending the public hearing is informed via a personal letter of the decisions on the project following the public hearing assessment by the appropriate officials.

### Analysis

In a 1971 study, Walton and Saroff<sup>3</sup> found that mean attendance varied by time of hearing. Hearings at night (after 6:00 p. m.) had the highest turnout; noon hearings, (12:00 p. m. -6:00 p. m.), lower; and morning hearings, the lowest. It appears that more and more transportation agencies may have heeded the advice brought about by this evidence as most are now holding public hearings in the evening. Whereas just a few years ago most public hearings throughout the nation were held in the morning, now about 71% of the agencies hold hearings during the evening hours. This practice is certainly conducive to increased participation. Very little can be expected from citizens if hearings are held during the hours when they normally must work. In certain areas of the country hearings are held at a time most convenient to the members of the community which the project involves. For example, in certain retirement communities mornings are sometimes the best time to hold hearings, and evening meetings may be inconvenient to businessmen who live in scattered suburbs. Also, since many of the members of agricultural communities have rather unstructured hours, hearings can often be held at times other than in the evening. This practice of scheduling the hearing at a time when it is most convenient to the greatest number of people is a positive move towards indicating to the public that their participation is indeed wanted.

At first glance, it would not appear that the method by which public hearing proceedings are recorded should have any effect on the effectiveness of a public hearing. The fact that 13 transportation departments use court reporters exclusively for this task influenced further questioning into this practice. It was learned that court reporters were favored over tape recorders in these 13 state agencies for basically three reasons: 1) Dependability--whereas a tape is prone to breakage or the recording machine could malfunction and thus lose part of the proceeding, a court reporter is immune to these mechanical failures. 2) Less public intimidation--it is not uncommon for citizens to be microphone shy and in some instances to refuse to submit pertinent comments due to the fact that they have to go before a microphone to render them. The presence of a court reporter eliminates this intimidation simply because microphone usage can be minimized. Thus at some hearings microphones would not be necessary at all. 3) Credibility--the presence of a court reporter represents another outside party to the hearing participants. In an age when the public is aware that taped conversations can be easily manipulated, the use of a court reporter provides the citizen

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(3) Ibid. p. 4.

the assurance that the proceedings which will be forwarded to commissioners are verbatim. A comparison of the cost differential between the two recording techniques could not be ascertained since the agencies currently utilizing court reporters exhibited a 50-50 split when asked which method they felt was the most expensive. All, however, agreed that regardless of the expense involved, the use of a court reporter was far and above a better method of recording hearing proceedings than a tape recorder. One agency, which reported to have hired its own court reporter, indicated that the reason for doing so was so that transcript uniformity could be achieved, since the same court reporter was used for all hearings. Where tape recorders are used, a single boom microphone or an extra sensitive chassis mounted microphone should be employed if possible to eliminate microphone shyness on the part of the citizens. The one agency which uses a common boom microphone reports that any hesitancy on the part of citizens to speak is virtually nonexistent. If neither of these recording mechanisms can be successfully employed, it is suggested that microphones be placed at several locations in the meeting room so as to necessitate a minimum amount of movement on the part of the citizen. The use of multiple microphones is certainly necessary at larger hearings in the event it is not possible to use any of the other recording techniques mentioned. Emphasis should be placed, however, on preventing the possibility of citizens being intimidated out of making statements. Most agencies currently using microphones recommend placing them in such a way that a person does not have to face the entire audience to pose a question or make a statement. The consensus regarding this placement is in the aisles so that the citizen faces the front when speaking into the microphone.

One of the most useful and effective hearing techniques reported by several state transportation agencies is the establishment of a recess to immediately follow the departmental presentation. Such a recess acts as an informal question and answer period. As was previously mentioned, 12 agencies reported that dividing hearings into two sections has helped to shorten the length of hearings. A recess provides an opportunity for citizens to congregate at exhibits and ask specific questions of the appropriate departmental personnel. Thus, when the recess is over and the hearing reconvenes, it is likely that only a few general questions will remain to be asked by the citizens and adjournment will soon follow. This is a definite plus since in the past hours of hearing time have been consumed by citizens asking specific questions relating to their own personal situations. In one state agency, the recess is the only point in the hearing during which questions are taken from the floor. A recess in the hearing also allows individuals whose questions have been answered during the departmental presentation the opportunity to leave without causing even the slightest disturbance. As one state agency has discovered, it may even be a nice gesture to provide coffee and soft drinks during this recess.

If the recess in the public hearing is to serve its purpose well, a clear, concise visual representation of the project must be accessible to interested citizens. Care should be taken to use plans which are easy for the laymen to understand. Most agencies use some type of aerial photograph of the project area instead of, or in addition to, engineers' drawings. Several indicated that an aerial mosaic which includes the proposed route shown in color greatly improves the citizens' orientation. The placement of multiple copies of maps around the hearing room, which highway officials refer to in their presentation, is also a very effective means of communication. This technique also eliminates the possibility of many citizens crowding a single map or drawing during the recess and thus allows the opportunity for more one-on-one communication between the agency and citizen.

As was mentioned in an earlier section of this report, often every question raised by citizens cannot be answered at the public hearing. It is almost imperative then, that transportation agencies have some standard procedure for answering these lingering questions. The easiest method is probably a letter from the District Engineer or the District Citizen Participation Specialist, if one exists. Such a procedure will most likely help to rid transportation agencies of the bureaucratic image often held of them by portions of the public. Several state transportation agencies go one step further by informing each person who attended the hearing of the final decision made upon a project following the commission review of hearing transcript. This gesture is an extremely useful means of informing citizens of the effect of their input at the hearing. In short, it makes them feel significant and in turn this may help to cement relations between the citizenry and the agency. This is important because if citizens are able to see (on paper or otherwise) that their input is indeed being used and/or has had an effect on a decision concerning the project, future involvement of the public on like projects will become more and more easy to obtain. It would be to the benefit of transportation agencies to publicize the fact that public sentiment has been used in planning transportation facilities whenever such input has a definite effect on that planning. This should be done both in the form of a letter to each hearing participant as well as a notice in the local newspaper.

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## APPENDIX I

## TENNESSEE DEPARTMENT OF TRANSPORTATION

Citizen Advisory Committee

<u>Agency</u>	<u>Member</u>
A. J. Smith	Fleming Smith
American Red Cross	Clyde Howard
Attorney-at-Law	R. B. J. Campbelle, Jr.
Browning-Scott Company	Grant Browning
Browning-Scott Company	G. T. Scott
Burkhalter-Hickerson and Association	Faulkner Hickerson
Commerce Union Bank	William Thomas Curley
Davidson County Association for Retarded Children	Miss Katherine Jones
District Advisory Council for Edgehill	Joe Kelso
Edgehill Project Area Committee	Dick Williams
Engineer	James E. Stevens, Jr.
Fair Housing Foundation, Inc.	Larry Cole
Fridrich and Hooper Realty	James A. Williams
Gordon Memorial Methodist Church	Reverend Dogan Williams
Homemaker	Mrs. Rolland Abrahams
Homemaker	Mrs. James Barbour
Homemaker	Mrs. Cecil Bransletter
Homemaker	Mrs. Frederic E. Cowden

1976

APPENDIX I (cont'd)

Citizen Advisory Committee (cont'd)

Homemaker	Mrs. Julius Jacobs
Homemaker	Mrs. E. J. Miller
Homemaker	James M. Todd
HOPE, Inc.	Lee Parkison
Meharry Medical College	Dr. Charles Walker
Morris-Bilt Homes	Albert G. Morris
Murphee Realty Company	John Murphee, Sr.
Nashville Urban League	Harley F. Birden III
Retired, Nashville Housing Authority	Gerald S. Gimre
Ross Elementary School	Mrs. George McFarland
Steinbaugh, Harwood and Rodgers	Donald F. Steinbaugh
Tennessee State University	Dr. Hubert B. Crouch
Tennessee State University	Mrs. Carl Crutchfield
Third National Bank	Thomas B. Green
Thomas R. Meyer Insurance Agency	Thomas R. Meyer
Vanderbilt University	Dr. Joseph Hamilton
Werthen Industries	Ernest Freudenthal
WLAC-TV News	Gordon E. Brown
WSIX-TV News	Lou Penuel

## APPENDIX II

## TRANSPORTATION ADVISORY GROUP GUIDELINES

## Massachusetts DOT

Whereas, it is recognized that to accomplish the objectives set out above it will be necessary to establish a special committee, whose composition and organizational form must explicitly recognize the unique responsibilities for planning and decision-making that the state, Berkshire County Regional Planning Commission (hereinafter referred to as BCRPC) and local communities possess;

Now, therefore, the Secretary, the Department and BCRPC jointly agree:

1. To establish a Berkshire County Transportation Advisory Group (hereinafter called the Advisory Group) which will:
  1. Ensure that the planning process be open and broadly participatory, so as to be consistent as possible with the policies, priorities and proposals of BCRPC, local communities, responsible State agencies and the interests of private groups and individuals in the area.
  2. Assist to develop an evaluation structure to provide the BCRPC, state and local officials, and the citizenry with procedures for evaluating public investment proposals affecting the Berkshire County transportation system. The evaluation structure shall include relevancy of a proposal to the welfare of the county and its citizens, shall be developed in terms that are understandable to lay citizenry and executive and legislative decision-makers as to the BCRPC, shall take into consideration current values as well as being responsive to changing values, shall be compatible with evaluation procedures used by the Department of Public Works and the Federal Highway Administration, and shall be applicable to alternatives (including "no-build" alternatives) developed for the region as well as to proposals made by the local citizenry, localities, state and federal agencies. The evaluation procedures shall be capable of dealing with trade-offs among environmental impacts as well as between impacts on social against environmental systems, be capable of dealing with questions of equity as well as questions of economic efficiency, and will be oriented toward addressing major issues of concern to the BCRPC, the Secretariat and the Department.
  3. Become a forum for, and an operational arm of, the transportation planning process. It will deal with substantive matters of mutual interest and make its advisory opinions available to the Secretary, the Department, BCRPC, and other organizations represented as appropriate.

## APPENDIX II (cont'd)

4. Have responsibility for advising on basic policies governing the conduct of the continuing transportation planning process in the Berkshire District, identifying policy differences and reconciling conflicting values among the participants so that the planning process may produce the most desirable and timely overall plan.
5. Where possible, advisory positions will be agreed upon and issues resolved by consensus of the Advisory Group. Where basic disagreements occur which cannot be reconciled by the Advisory Group, the Secretary, the Departments and BCRPC will be advised of this situation so that they can give the Advisory Group additional guidance or take other appropriate action.

## II. Concerning Membership of the Advisory Group

As a general policy, membership of the Advisory Group will be inclusive rather than exclusive. So that it can properly meet the responsibilities described above, and execute those outlined below, the Advisory Group should be limited in size to facilitate discussion and decision-making; however, it must also be fully representative of BCRPC, the State agencies and local communities having an interest in, or affected by, projects and proposals under discussion. Its membership shall be drawn from the following sources:

1. All members of the Citizens Advisory Council of the BCRPC.
2. Representatives of the Board of Commissioners of BCRPC appointed by the Commissioners.
3. Representatives of the Department, appointed by the Commissioner of the Department.
4. A representative of the Secretary, appointed by the Secretary.
5. Representatives of other State agencies invited, as appropriate by the Secretary.
6. Representatives of public and private institutions, consumer groups and associations appointed by either BCRPC or the Secretary and the Department acting in consultation with the other signatory.

## APPENDIX II (cont'd)

III. Concerning Function of the Advisory Group

Following the execution of this memorandum and the establishment of the Advisory Group, an Operations Plan defining the scope of work and working relationships among all parties will be prepared by the Department and BCRPC staff, working with the advice of the Advisory Group. The Operations Plan will be reviewed, revised as necessary and submitted for adoption annually by the Secretary, the Department and BCRPC.

It will be the function of the advisory group to advise on the conduct of the work set out in the operations plan after its adoption and approval.

The Operations Plan will be drawn up in conformance with the objectives for the transportation planning process described in this memorandum. It will include an integrated work program for all modes of transportation developed by BCRPC and the Department and will be used to seek Federal support on that basis, in conformance with Secretary John Volpe's "Guidelines for D. O. T. Intermodal Planning Groups in the Field". As specified in Item III B of that August 1971 directive:

"A unified transportation planning program should be sought from the recipient agency or agencies within the metropolitan area, resulting in the preparation of a single annual planning program of work for the area to serve as the basis for application of Federal funds"

The Operations Plan will also respond to the guidelines set out in Federal Highway Administration Instructional Memorandum 5--4-68. "Operations Plans for 'Continuing' Urban Transportation Planning." As specified in that document, the Operations Plan will contain:

- a. An outline of the organizational structure for performing continuing planning, including related committees.
- b. An outline of the scope of the continuing planning process with a breakdown of the functional and financial responsibilities of all participating agencies.
- c. A description of the surveillance methodology to be employed in identifying changes in land development and travel demand, including assignment of responsibility for providing inputs to the various models.
- d. A description of the land use and travel forecasting procedures to be utilized, including specific information required for the various analyses.
- e. A description of any work remaining to be completed on the ten basic elements (PPM 50-9 paragraph 5) including a schedule for completion of the work.

## APPENDIX II (cont'd)

In addition to responding to Federal planning requirements the Operations Plan will emphasize those actions needed to accomplish the Governor's objective of a balanced transportation policy including:

1. Development of mechanisms for obtaining effective citizen participation at all phases.
2. The definition of responsibilities to include those dealing with technical procedures, policy guidance and decision-making.
3. The development and application of comprehensive evaluation methods.
4. The provision of technical assistance to interested local private groups and communities, insofar as practicable.
5. Concern for all modes of transportation and their integrated planning.
6. A reasonable allocation of resources between long term planning and short term planning activities such as, but not limited to:
  - a. Holding workshops
  - b. Briefing of elected officials
  - c. Creating and assisting task forces to work on special problems in the region.
  - d. Conducting legal and administrative planning
  - e. Assisting in holding public meetings and hearings
  - f. Helping prepare environmental impact statements
  - g. Carrying out special studies such as airport location and rail corridor studies
  - h. Assisting in setting up transit agencies
  - i. Working on specific transportation facility location and design problems
7. The definition of fiscal policies directed to the implementation of the balanced transportation system proposals developed at the regional level.

IV. Concerning Responsibilities of the Secretary, the Department and BCRPC in Relation to the Advisory Group

The responsibilities of the Secretary, the Department and BCRPC will be to ensure that the policy interests of all participants are effectively represented and that all important actions of the Advisory Group have the amount of involvement of key elected and appointed officials necessary to assure the success of this process.

## APPENDIX II (cont'd)

Accordingly, BCRPC, the Secretary and the Department agree to:

1. Appoint members to the Advisory Group;
2. Review and adopt the annual Operations Plan which sets the framework for the ongoing transportation planning process;
3. Recognize the Advisory Group and the mechanisms herein established as the primary means for reaching agreement and resolving differences on all transportation matters of mutual interests;
4. Cooperative work toward the joint adoption of a regionwide comprehensive transportation plan;
5. Recognize BCRPC as the Regional agency having primary responsibility for the preparation of the regionwide comprehensive transportation plan;
6. Provide policy guidance to their respective representatives on the Advisory Group so that when consensus is reached it will be consistent with the views of BCRPC, local communities and the State and thus be capable of implementation.

V. Concerning Resources for Carrying Out the Operations Plan

It is further agreed that in order to implement the agreed Operations Plan, the Secretary, the Department and BCRPC recognize the need and desirability for establishing additional transportation planning capability within BCRPC, and within the Department. Consistent with the provisions of the Operations Plan, the Department will negotiate a contract with BCRPC for performance of specific services and implementation of parts of the Operations plan. It is anticipated that the Operations Plan and the contract for services will be reviewed and re-executed annually.

VI. Concerning Mutual Cooperation

The undersigned recognize the complexity of the transportation planning process and will ensure that all personnel involved in their jurisdiction will cooperate fully in carrying out the intent and provisions of this Memorandum of Understanding.

1982

## APPENDIX III



DAVID H. STEVENS  
Commissioner

State of Maine

AUGUSTA, MAINE  
04330

Department of Transportation

PROPERTY OWNERS

Questionnaire to Aid in Evaluating Highway Locations

1. Are you aware of any old cemeteries in the immediate area of this project?
2. Are you aware of any buildings or monuments of a cultural or historical significance?
3. To your knowledge, are there any public or private bird or wildlife refuges within the limits of this project?
4. Is there any land adjacent to this project that might contain artifacts of archeological significance?
5. Do you know of any private or public park lands on or near this project?
6. Are there any unique features about this area not listed above that you feel may have a bearing on the location of this highway project and are worthy of comment?

If you have any comments relating to the above, it would be appreciated if this information could be sent to me at your earliest convenience in the enclosed prestamped envelope. If you feel any information that you have to offer would require personal contact at this time, I or one of my staff would be pleased to meet with you at your convenience.

Thank you for taking an active interest in this project.

Very truly yours,

Richard A. Coleman, Engineer  
of Location & Survey  
Bureau of Highways

APPENDIX III (cont'd)  
MAINE  
DEPARTMENT OF TRANSPORTATION

TO TOWN OFFICIALS, LOCAL PLANNING BOARDS AND CONSERVATION COMMISSIONS,  
STATE AND FEDERAL AGENCIES, SPECIAL INTEREST GROUPS,  
STATE LEGISLATORS, UTILITIES AND RAILROADS

Questionnaire to Aid in Evaluating  
Highway Locations

Many considerations must be evaluated for every project. The following questions represent a few which are felt to be of concern to town officials, local planning boards and conservation commissions in general. Some of these may not apply to this particular project; however, if you have any comments relating to any of the questions, it would be appreciated if this information could be made available.

1. Are there any existing or proposed community or regional plans which might have a bearing on this project?
2. Are there any existing or proposed community plans regarding present or future land use in the vicinity of the project?
3. Are there any natural or historic landmarks of cultural significance in the vicinity of the project?
4. Are there any public or private park or recreational lands in the vicinity of the project?
5. Are there any public or private wildlife refuges or sanctuaries in the vicinity of the project?
6. Are there any areas adjacent to the project which might contain items of archeological or paleontological significance?
7. Are there any old cemeteries in the immediate area of the project?
8. Are there any unique features about this area not listed above that you feel may have a bearing on the location of this highway project?

## DEPARTMENT OF HIGHWAYS

## INTER-DEPARTMENTAL MEMORANDUM

TO : Mr. M. E. Wood, Jr.  
FROM : C. H. Coffman  
SUBJECT: Location & Design Public Hearing

Martinsville , Virginia

December 20 , 19 73

Route 58 Proj. 0058-044-105, C501  
Henry County  
Fr: 0.078 mi. W. Int. Route 220  
To: 2.011 mi. W. Int. Route 220

In accordance with Mr. Coldiron's memorandum dated December 11, 1973, in regard to the above subject and project, we would like to advise that a copy of the public notice of the location and design public hearing was posted at the following places on December 19, 1973:

Martinsville Post Office (Main)	East of Project
Millard's Machinery, Inc.	Within Project
Mobil Service Station	Within Project
Harbour's 58 Paint & Body Shop	Within Project
Community Cloth Shop	Within Project
Texaco Service Station	Within Project
Bowman's Restaurant	Within Project
County Laundromat	Within Project
Hilltop Union 76 Service Station	West of Project
Better Builders Supply	West of Project
C.W. Ramsey Grocery	West of Project
Foushees Groceries	West of Project
Little J Drive-In	West of Project
Hop-In	West of Project
Horsepasture Beauty Salon	West of Project
Roberson's Groceries	West of Project
Henry County Courthouse	East of Project

This is being sent you for your information and files.

CHC:vla

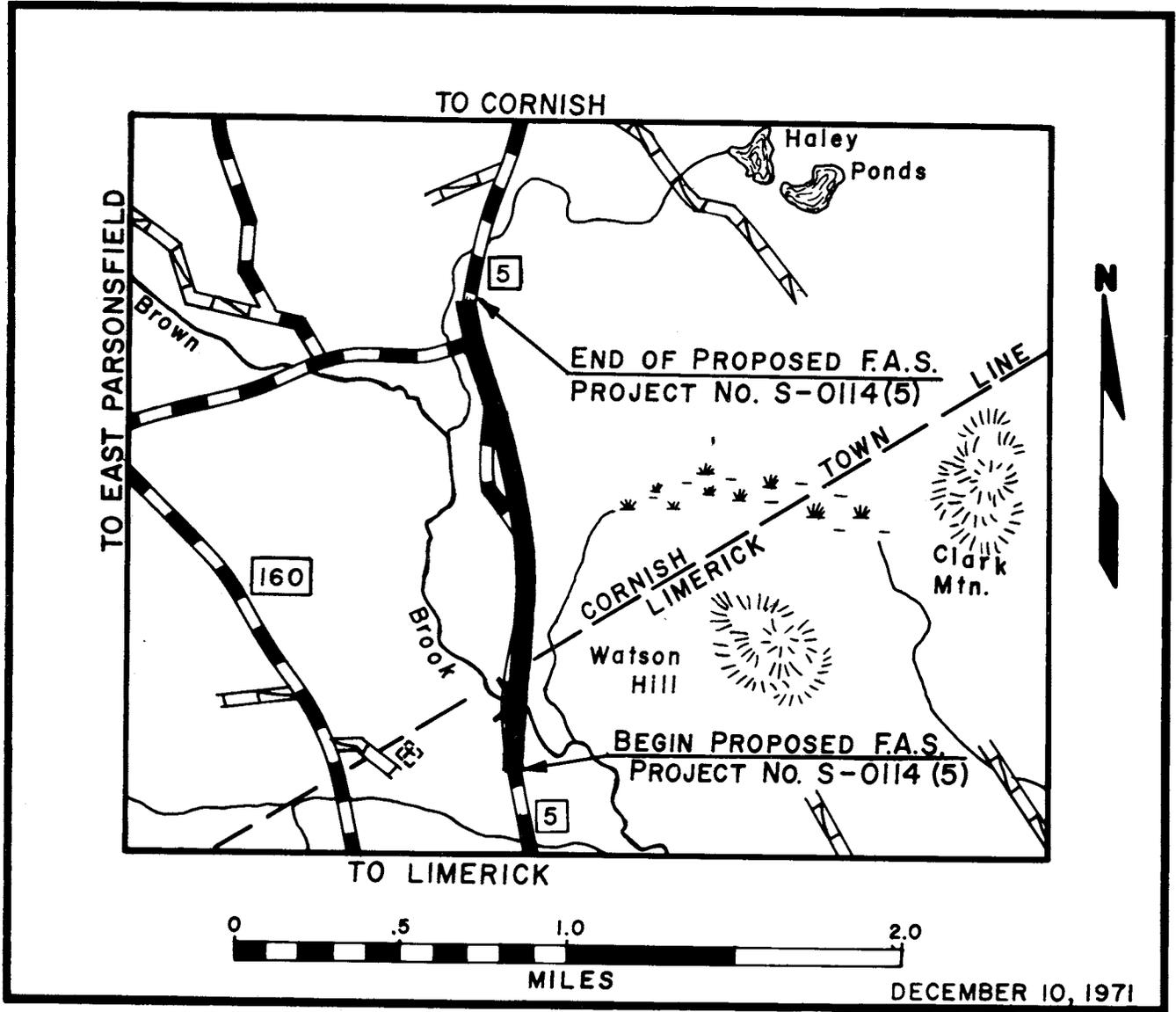
C. H. Coffman  
Resident Engineer



APPENDIX V  
MAINE  
DEPARTMENT OF TRANSPORTATION

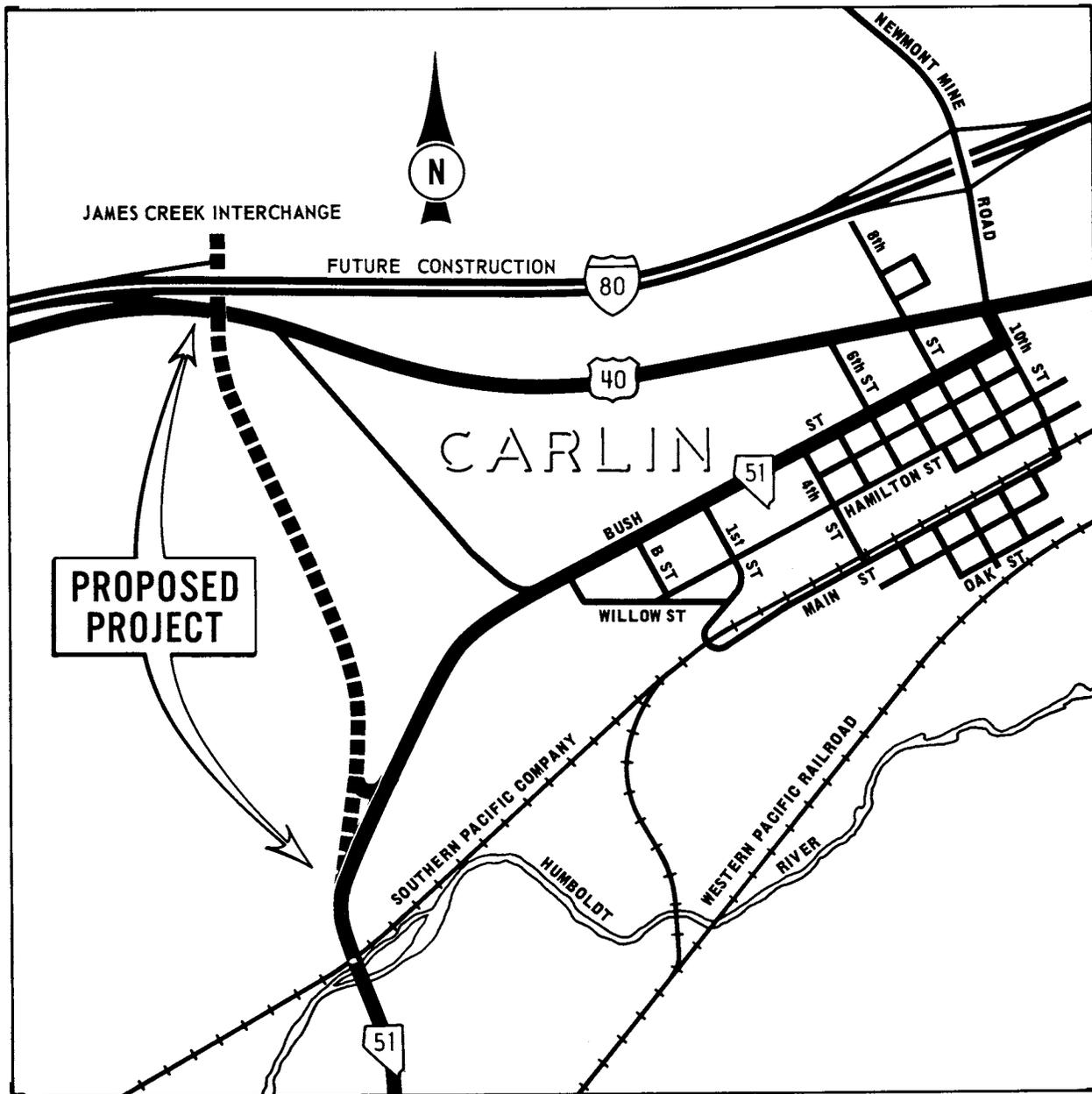
Typical Notice for an Opportunity to Request a Public Hearing

For Federal Aid Primary or Secondary Projects



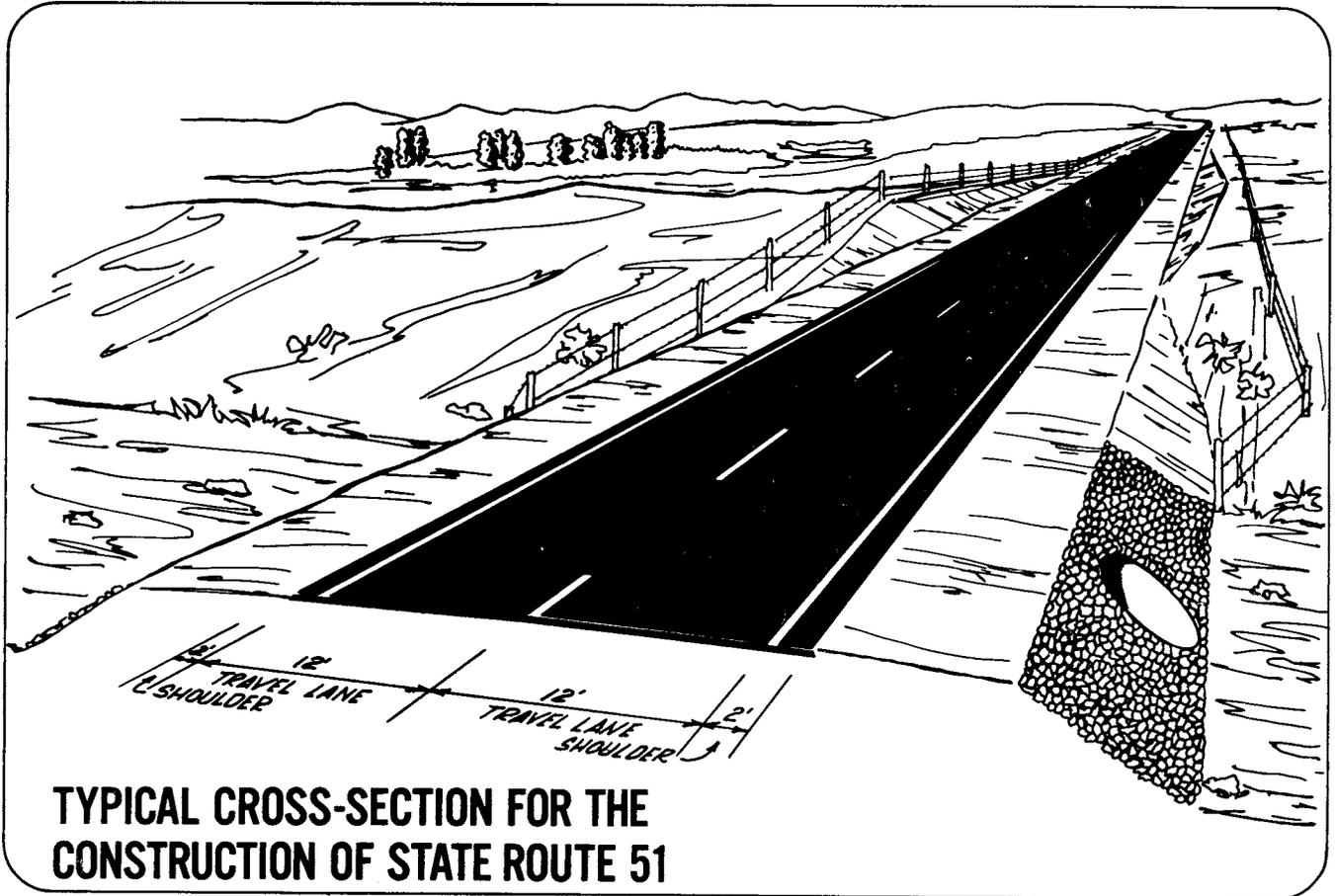
NOTICE OF PROPOSED RECONSTRUCTION AND/OR RELOCATION  
STATE ROUTE 5  
IN THE TOWNS OF  
LIMERICK & CORNISH - YORK COUNTY  
FEDERAL AID PROJECT S-0114(5)

The Maine Department of Transportation, Bureau of Highways, is planning the reconstruction and/or relocation of a portion of State Route 5 in the Towns of Limerick & Cornish, beginning about 0.3 mile southerly of the Limerick-Cornish town line in Limerick and extends northerly about 0.45 miles.



**PROPOSED REALIGNMENT OF SR 51 FROM ONE MILE SOUTH OF CARLIN TO A JUNCTION WITH US 40 AT THE PROPOSED JAMES CREEK INTERCHANGE**

**Informational Meeting**  
*to be held on* **March 5, 1974** *at* **7:00 P.M.**  
*at the* **City Hall in Carlin, Nevada**



**TYPICAL CROSS-SECTION FOR THE CONSTRUCTION OF STATE ROUTE 51**

**CONSTRUCTION PROJECT:** State Route 51: Design proposal for construction of a Federal - Aid Secondary route in Elko County, extending from one mile south of Carlin, on the existing State Route 51, to a junction with U.S. 40 at the proposed James Creek Interchange on Interstate Route 80. Project length is approximately 1.19 miles.

**CONSTRUCTION COST:** \$250,000 (estimated)

**CONSTRUCTION:** Construction will be completed in conjunction with the final stage of I-80 thru Carlin, approximately 1979.

**RIGHT-OF-WAY:** Acquisition of private rights- of-way and utility relocations will be minimal. Land required is from, Town of Carlin, U.S. Government, Southern Pacific Transportation Co. and private.

Private Land:	0.45 acres	Est. Cost	\$ 100
Town of Carlin:	12.42 acres	Est. Cost	\$1600
Southern Pacific Transportation Co.:	7.85 acres	Est. Cost	\$1200
U.S. Government:	to be withdrawn	Est. Cost	None
Previously Acquired:	5.11 acres	Est. Cost	\$ 100
<b>Total Est. Right-of-Way costs for Project</b>			<b>\$3000</b>

**FUNDING:** ALL PROJECT COSTS WILL BE CHARGED AGAINST THE SECONDARY ALLOCATIONS OF ELKO COUNTY.

1990

## APPENDIX VI

**PUBLIC  
SERVICE  
ANNOUNCEMENT**

VIRGINIA DEPARTMENT OF HIGHWAYS  
AND TRANSPORTATION  
OFFICE OF PUBLIC RELATIONS  
1221 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219 (804) 770-2715

NO. 308-A

FOR USE NOVEMBER 18 AND 19

45 SECONDS

THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION TODAY REMINDS RICHMOND RESIDENTS ABOUT THE PUBLIC HEARING TO BE HELD AT 7 O'CLOCK WEDNESDAY NIGHT IN THE DEPARTMENT'S CENTRAL OFFICE AUDITORIUM AT 1221 EAST BROAD STREET. THE HEARING HAS BEEN ARRANGED TO AFFORD AN OPEN DISCUSSION OF PROPOSED PLANS FOR REPLACING THE BRIDGE ACROSS THE SEABOARD COAST LINE TRACKS ON HULL STREET ROAD, NEAR OLD MCGUIRE CIRCLE. APPROACH ROADS TO THE BRIDGE WOULD BE WIDENED TO THREE LANES FOR EACH DIRECTION, DIVIDED BY A FOUR-FOOT RAISED MEDIAN. DETAILS OF THE PROPOSED PROJECT WILL BE DISCUSSED AT THE HEARING, WHERE YOUR COMMENTS WILL BE WELCOME. REMEMBER, THE PUBLIC HEARING TO DISCUSS PLANS FOR REPLACING THE BRIDGE ON HULL STREET ROAD WILL BE HELD AT 7 O'CLOCK WEDNESDAY NIGHT AT THE CENTRAL OFFICE AUDITORIUM OF THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION AT 1221 EAST BROAD STREET.

\* \* \* \* \*

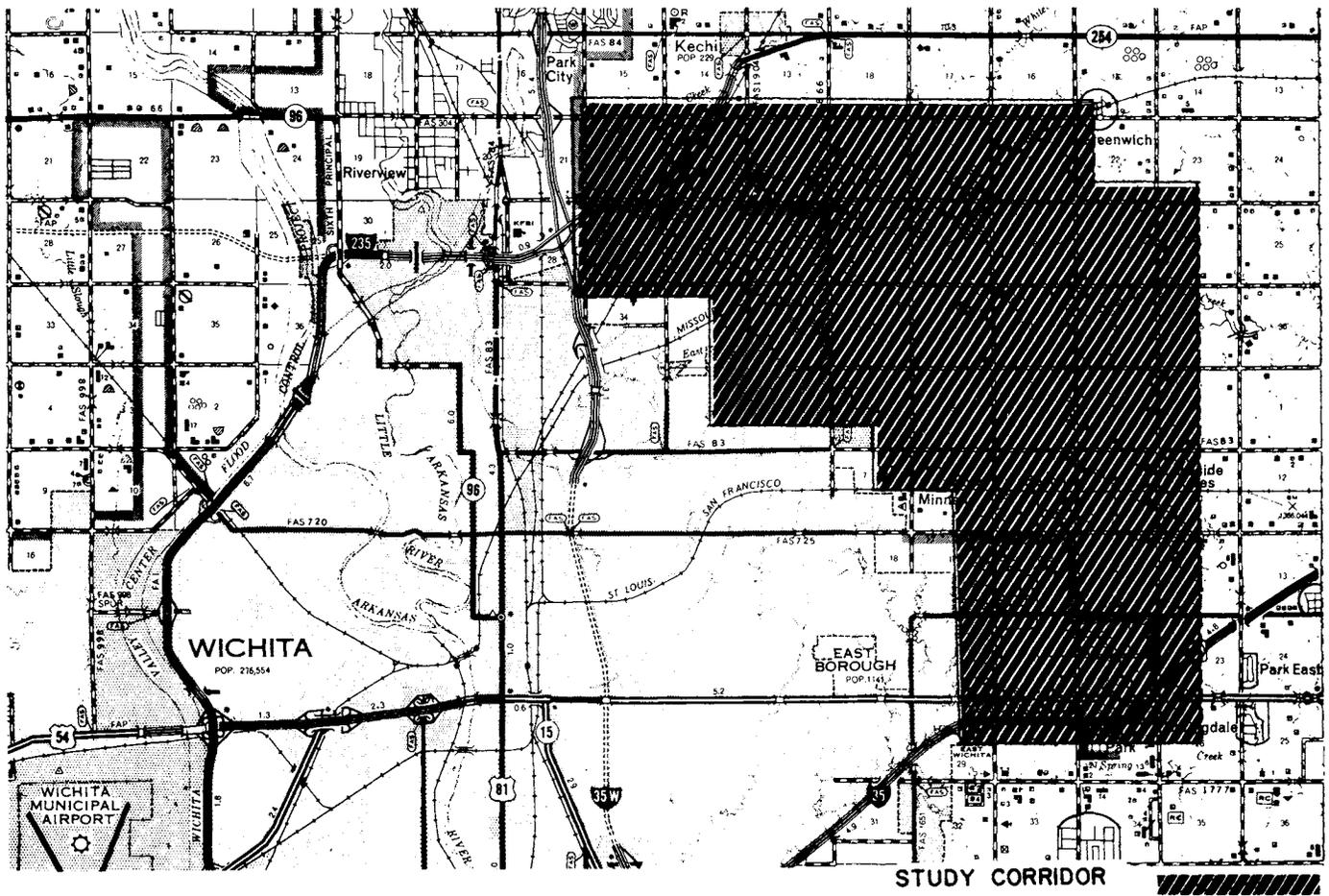
November 15, 1974



APPENDIX VII



LOCATION PUBLIC HEARING  
 K-96  
 N.E. CIRCUMFERENTIAL



WICHITA , KANSAS

DECEMBER 7, 1973

VII-1

9:30 AM

1994

APPENDIX VII (cont'd)

RESPONSE TO LOCATION PUBLIC HEARING

Project No.: (BC)96-87U-044-1(16)  
Sedgwick County

Mr. R. R. Biege, Jr., P.E.  
Engineer of Location & Design Concepts  
State Highway Commission  
State Office Building  
Topeka, Kansas 66612

I have the following comments in response to the Location  
Public Hearing held on December 7, 1973.

NAME: \_\_\_\_\_  
(Please Print or Type)

Address: \_\_\_\_\_

City \_\_\_\_\_ Zip Code \_\_\_\_\_

Organization  
Represented: \_\_\_\_\_

Title: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX VII (cont'd)

STATE HIGHWAY COMMISSION OF KANSAS  
STATE OFFICE BUILDING  
TOPEKA, KANSAS, 66612

*ROBERT B. DOCKING, Governor*

*A. J. GRAY Director of Highways*  
*H. J. ULRICH Assistant State Highway Director*  
*JOHN D. McNEAL State Highway Engineer*

COMMISSIONERS

- KENNETH J. PHELPS ..... Manhattan, Kansas
- ROBERT A. KENT ..... Salina, Kansas
- RICHARD M. DRISCOLL ..... Russell, Kansas
- KARL A. BRUECK ..... Paola, Kansas
- GALE MOSS ..... El Dorado, Kansas
- LOUIS KAMPSCHROEDER ..... Garden City, Kansas

1996

APPENDIX VII (cont'd)  
FEDERAL, STATE and CITIZEN PARTNERSHIP  
in the  
FEDERAL AID HIGHWAY PROGRAM



STATE HIGHWAY COMMISSION OF KANSAS

## APPENDIX VII (cont'd)

**CITIZEN PARTICIPATION THROUGH THE PUBLIC HEARING**

Your modern highway system is the result of a long and continuing partnership between the states and the federal government. And now YOU, as an interested citizen are being asked to become more involved in that partnership.

The Federal Government is represented by the Federal Highway Administration which was established within the Department of Transportation in 1967. However, Federal representation had its beginning as the Office of Road Inquiry, Department of Agriculture, way back in 1883. Then for many years it functioned as the Bureau of Public Roads which was founded in 1916.

Each state must be represented by a highway agency, such as the State Highway Commission of Kansas. The present highway commission in Kansas was organized in 1929. Prior to that time our main roads were constructed and maintained by the Counties.

The Federal Highway Administration does not initiate any of our road improvement projects even though Federal funding may be involved. The State Highway Commission initiates the consideration of plans for development and improvement of a traffic corridor in a particular area. The location, design, purchase of right of way, and construction are under the supervision of the states.

However, when Federal Funds are involved, the Federal Highway Administration reviews, approves, and audits these activities in accordance with policies and procedures that they establish and revise as conditions change. They are particularly concerned with a continuity of routes from state to state and a uniformity of design and signing standards throughout the United States.

The 50 states, through the American Association of State Highway Officials, recommends standards of design, construction and signing of highways. The Federal Highway Administration reviews and accepts these standards for highway improvements that are financed in part with federal funds.

Federal taxes on gasoline, tires, oil, etc., are assigned to a Federal Highway Trust Fund for distribution to the individual states annually on the basis of federal apportionment laws. The amount of federal fund participation in financing highway improvements varies by highway system. On Interstate Highways federal participation is 90 percent. On other highways federal participation is up to 70 percent. Currently about \$5.6 billion is authorized each year in federal highway aids.

The state highway agencies, such as here in Kansas, provide the matching funds from highway user revenues on motor fuels, vehicle registration, etc. Local governments provide matching funds on certain projects.

Through the years federal highway legislation has founded the present Federal Highway Administration, provided for the creation of the basic systems of roads, encouraged each state to organize a highway agency, established the Highway Trust Fund, set aside moneys for research, and acted in other related matters.

Your involvement here today is a result of the Federal-aid Highway Act of 1968. The Kansas

## APPENDIX VII (cont'd)

Highway Commission has, on its own, previously held formal and informal hearings and meetings to solicit the thinking of individuals, groups, and communities on proposed projects.

Now, in consideration of this Highway Act, you are being given more opportunities for participation in location and design activities. This act states, in part, 'A Public Hearing is held to ensure that an opportunity is afforded for effective participation by interested persons in the process of determining the specific location and major design features of a Federal-aid highway; and provides a public forum that affords a full opportunity for presenting views on major highway features including the social, economic, and environmental effects of those alternate designs.' By way of explanation let us say that the term 'social, economic, and environmental effects' means the direct or indirect benefits or losses to the area residents and the highway users. It is further intended that the study of any project involving the bypassing of, or going through, any city, town, or village, incorporated or unincorporated, shall consider its consistency with the goals and objectives of such urban planning which has been developed by the community.

Opportunities are now provided for two public hearings on all proposed new projects, which presently or in the future may involve Federal participation. The first or location hearing is offered to discuss the need for fast, safe, and efficient transportation together with highway costs, traffic benefits and public services including provisions of national defense; and to discuss the anticipated economic, social, and environmental effects of the proposal and alternatives under consideration. Then later, if the need is established and after the most desirable location is chosen, you will be given an opportunity to comment on the proposed design. Depending on the project size and complexities, the interval between hearing opportunities may be 6 to 18 months or even longer.

Preceding a location public hearing, the preparation of a Draft Environmental analysis is required by the Federal Highway Administration in which the environmental impacts of the highway improvement are evaluated. Several copies are available at this hearing or a copy may be obtained by contacting: Mr. R. R. Biege, Jr., P.E., Engineer of Location and Design Concepts, State Office Building, Topeka, Kansas 66612. Comments on the Environmental analysis may also be addressed to Mr. Biege and they will be considered in all future decisions concerning this improvement.

At location hearings, such as this, we will give you an opportunity to comment, ask questions and offer suggestions on the need for and the location of the improvement. Proceedings at all hearings are recorded on tape, from which a verbatim transcript is made. This provides a permanent record for the project study and for review by the Federal Highway Administration. If you so

## APPENDIX VII (cont'd)

desire. you may also submit written statements or comments concerning the proposed project. These written statements may be presented to us today, or they may be addressed to Mr. R. R. Biege, Jr., and may be mailed at a later date, but must be postmarked within twelve (12) days following the hearing today, to insure that they will be included as a part of the transcript of this hearing.

The transcript of the hearing and the written comments which we receive will be combined with our study to determine if the need for the improvement does really exist and which location would be most desirable and, for the design hearing, just which features the final design should include.

We will make extensive use of the news media to inform you of opportunities for hearings on new projects, of the time and place for scheduled hearings and of the location and design features on which we are requesting approval from the Federal Highway Administration.

Final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing adverse affects.

We want to thank you for taking time to come to this hearing and earnestly hope that you will give your full participation by discussing your ideas to that the individuals making the decisions will have the benefit of your thinking.

**State Highway Commission of Kansas**

ALTERNATIVE LOCATIONS  
CONSIDERED  
AND  
THEIR SOCIAL ,ECONOMIC  
AND  
ENVIRONMENTAL EFFECTS

HYDRAULIC

HILLSIDE

R1E

OLIVER

WOODLAWN

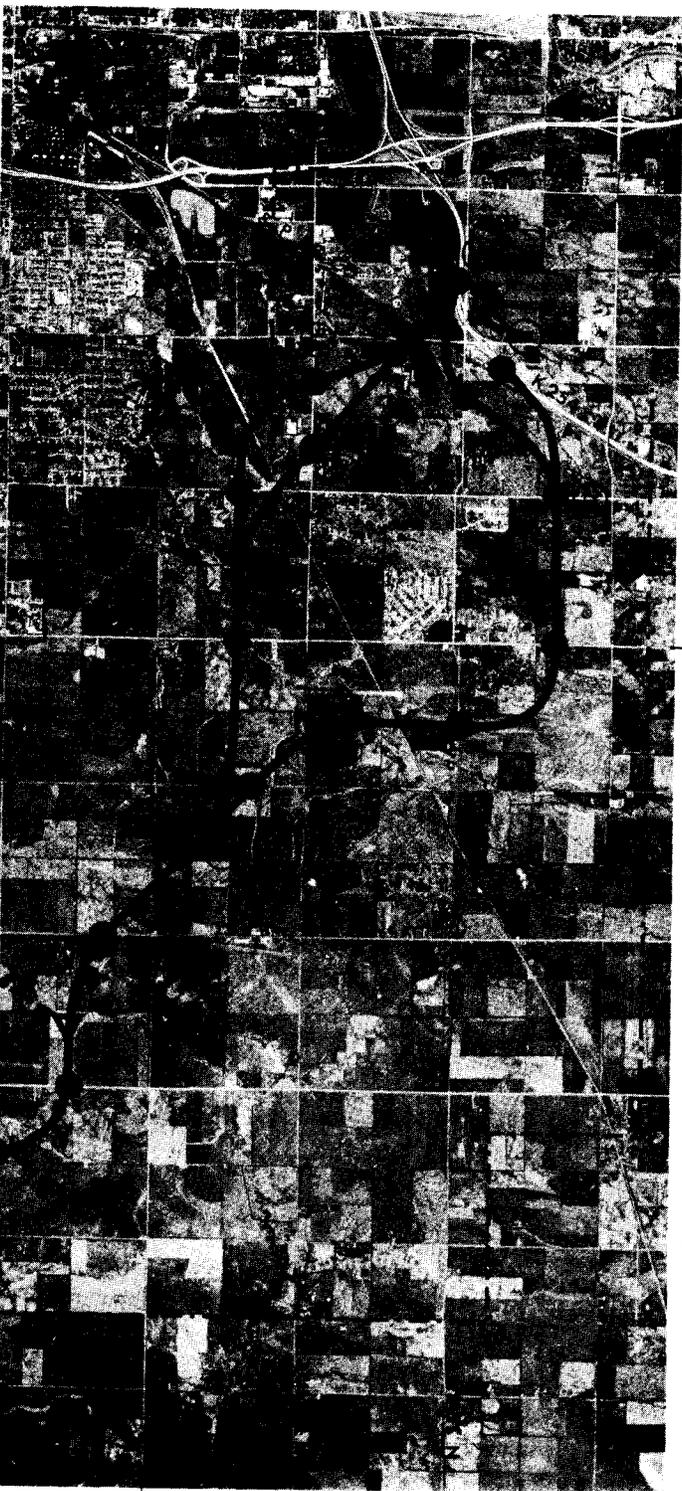
ROCK RD

WEBB RD

R2E

GREENWICH RD

127th ST N



**K-96 FREEWAY**  
 PROJECT NO. (BC)9687 U 044-1(16)  
 WICHITA-SEDGWICK COUNTY KANSAS

### ALTERNATE ALIGNMENTS

INTERCHANGE LOCATIONS



TENTATIVE

FUTURE

Scale: 1" = 2500'

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

ENGINEERS

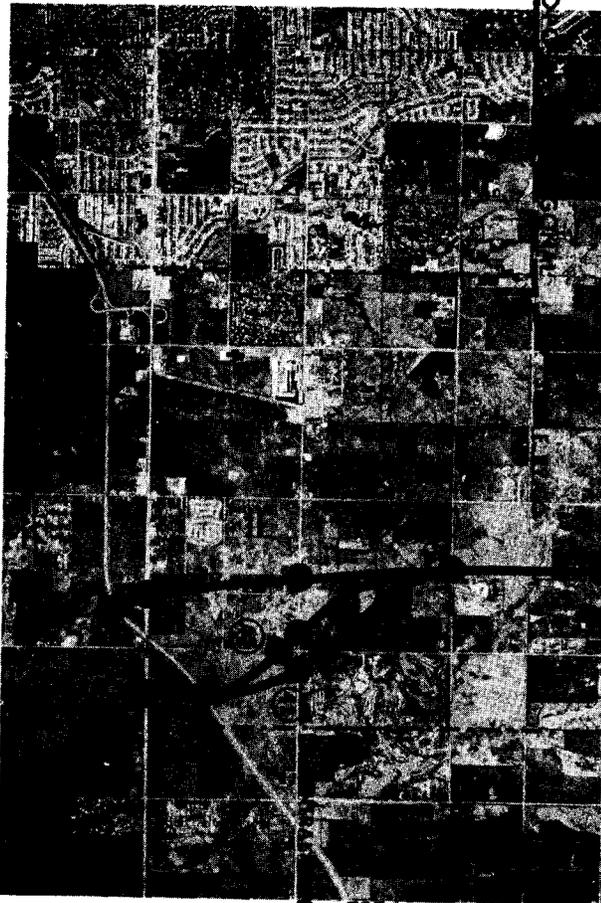
WICHITA, KANSAS

in association with

HOWARD NEEDLES TAMMIEN & BERGENDORFF

ENGINEERS & PLANNERS

OVERLAND PARK, KANSAS



T27S

T26S

FIG. 3.1

APPENDIX VII (cont'd)

SOCIAL, ECONOMIC, AND ENVIRONMENTAL FACTORS CONSIDERED

Factor	Northerly Route Segments			Middle Route Segment	Southerly Route Segments			No Improvement
	B28,11	A,28,11	A,4,32,35,11		A,4,34,35,11	11,22	22,41,P	
1. Regional and Community Growth	<p>Planning officials anticipate that nearby one-third the future growth of the metropolitan area will occur within the study corridor for the proposed project.</p> <p>Alternative segments B,28,11 and A,28,11 would have approximately 1.2 miles of adverse travel distance between common points as compared with the more direct southerly alignments. If no improvement, the vehicle travel within the study area would be less efficient with only a surface street system, (i.e., lower operating speed, greater travel distance, increased operating costs, higher accident rates, etc.).</p> <p>Only a very limited number of people and businesses would be displaced by any of the alternative routes. The three businesses displaced by segment 22,K currently employ a total of less than 10 persons.</p> <p>Any of the alternate alignments under consideration can be adjusted during the design phase to avoid conflict with active wells.</p>							
B. Operation and Use of Existing Highway Facilities and other Transportation Facilities.	<p>The present streets and highways would carry traffic during construction.</p> <p>Local traffic circulation would be preserved as the freeway improvement would be carried over or under all intersecting roadways.</p>							
C. Recreation and Parks	<p>None of the alternate alignments encroach on any proposed recreation areas or parks; however, segments A, 4, 32, 35, 11 and A, 4, 34, 35, 11 are contiguous to a proposed regional park between Oliver Street and Woodlawn Avenue. The park could experience some adverse effects from noise and light pollution.</p>							

APPENDIX VII (cont'd)

Factor	Northerly Route Segments			Middle Route Segment	Southerly Route Segments			No Improvement	
	B,28,11	A,28,11	A,4,32,35,11		A,4,34,35,11	22,41,P	22,42,P		22,K
2. Conservation and Preservation				11,22					
A. Conservation	<p>None of the alternatives would have any significant effect upon the water table of the study area.</p> <p>The Soil Conservation Service has stated that the corridor of consideration would not affect or be affected by any existing or planned P. L. 566 structural measures whose purpose is to help reduce damages of erosion.</p> <p>Soil erosion and siltation would be virtually equal in all locations.</p> <p>Provisions would be made to reconstruct any soil conservation measures damaged by construction.</p> <p>There are no significant wildlife breeding, nesting or feeding grounds of large areal extent in the study area.</p>								
B. Recreation and Parks	<p>Segment 22, 41, P crosses through land adjacent to the Crestview Country Club. Some adverse effect may result due to noise and light pollution from the proposed improvement.</p> <p>None of the alignments would encroach on any recreational areas or parks.</p>								
C. Natural and Historic Sites	<p>There are no known natural or historic landmarks within the project area and the proposed improvements will not encroach on any public parks, woodlands and wildlife refuges.</p>								
D. Borrow Material Required (1000 Cu. Yd.)	660	1,600	1,170	1,830	0	0	2,040	1,130	0
<p>Segment 11,22 will not require any borrow and will provide about 210,000 cubic yards of waste which can be used on adjacent segments.</p>									

APPENDIX VII (cont'd)

Factor	Northerly Route Segments			Middle Route Segment	Southerly Route Segments			No Improvement	
	B,28,11	A,28,11	A,4,32,35,11		A,4,34,35,11	11,22	22,41,P		22,42,P
<b>3. Public Facilities and Services</b>									
A. Fire Protection	Improved due to faster, safer travel.								
B. Public Utilities	No major adverse affect. Some adjustment or relocation will be required.								
C. Public Health and Safety	Grade separations, control of access, interchanges and other design standards would provide greater safety.								
Interchanges	5	6	5	6	4	2	2	2	0
Separations	6	8	6	6	4	4	4	4	0
	Normal travel patterns should be restored upon completion of the improvement since grade separation structures are proposed at all principal streets and crossroads.								
D. Religious Institutions and Practices	No Adverse affect.								
F. Education	No adverse affect to school bus routes in Unified School Districts 259, 375 and 385.								
	On segment A,4,32,35,11 the interchange ramp terminals would be located adjacent to the Kistler Elementary School.								

APPENDIX VII (cont'd)

Factor	Northerly Route Segments			Middle Route Segment	Southerly Route Segments			No Improvement	
	B,28,11	A,4,28,11	A,4,32,35,11 A,4,34,36,11		11,22	22,41,P	22,42,P		22,K
4. Community Cohesion	<p>A. Residential and Neighborhood Character and Location</p> <p>At the present time the majority of land in the study area is used for agricultural purposes, with urbanizing development occurring primarily in the southern and western sectors. With the exception of segments 22,K and 22,42,P none of the alternatives would divide or seriously disrupt established or planned communities.</p> <p>The general character of the Study Corridor would not be altered appreciably by the project; however, construction along any of the alternative routes would probably tend to accelerate the overall development of the area.</p> <p>The project would not significantly affect any known minority group or neighborhood.</p>								
B. Conduct and Financing of Government	<p>Since a portion of segment 22,K lies within the Wichita City Limits a portion of the right-of-way costs would have to be furnished by the City of Wichita.</p>								
Approx. Required Right-of-Way (Acres)	265	323	289	305	192	162	160	181	0
C. Property Values	<p>Separations at all sideroads together with positioning of interchanges will provide easy access to the area.</p> <p>Land severences are relatively small since all alternatives follow along quarter-section lines as much as possible.</p>								
Number of Properties Severed	4	4	2	2	0	5	5	0	0
5. Displacement of Families and Businesses.	<p>Since most existing development has occurred near the southwestern portion of the study corridor most displacement of homes and businesses will occur in that area.</p>								
Displaced Residences	0	1	1	0	1	1	10	18	0
Displaced Individuals	0	3	3	0	3	4	28	51	0
Displaced Businesses	0	0	0	0	0	0	0	3	0

APPENDIX VII (cont'd)

Factor	
<p>6. Air, Noise and Water Pollution</p>	
<p>Air and Water Pollution</p>	<p>The project would not cause any increase in risk of contamination for the public water supply sources, treatment facilities or distribution system.</p> <p>None of the alternatives would have any significant effect upon the water table of the study area.</p> <p>The ambient air content of hydrocarbons, carbon monoxide and nitrogen oxide would be significantly reduced both along the surface arterial and the freeway alignment if the proposed Project is constructed.</p>
<p>Noise and Light Pollution See Page 17</p>	<p>The proposed freeway will introduce highway noise into some areas not presently exposed to high speed traffic. The noise level generated from the highway may adversely affect some existing developments within the corridor and will require consideration by future developments proposed along the freeway.</p> <p>The No-Improvement alternative, which assumes no freeway project will be constructed, would also result in increased noise levels within the corridor. As the existing arterials are subjected to increased volumes of both car and truck traffic, the operating speeds will be decreased and the noise level increased along these roadways.</p> <p>The intrusion of light from vehicle headlights and highway lighting facilities may cause undesirable effects on properties adjacent to the freeway. This condition will be most pronounced at interchange locations and will vary in severity with the different alternatives under consideration.</p>

APPENDIX VII (cont'd)

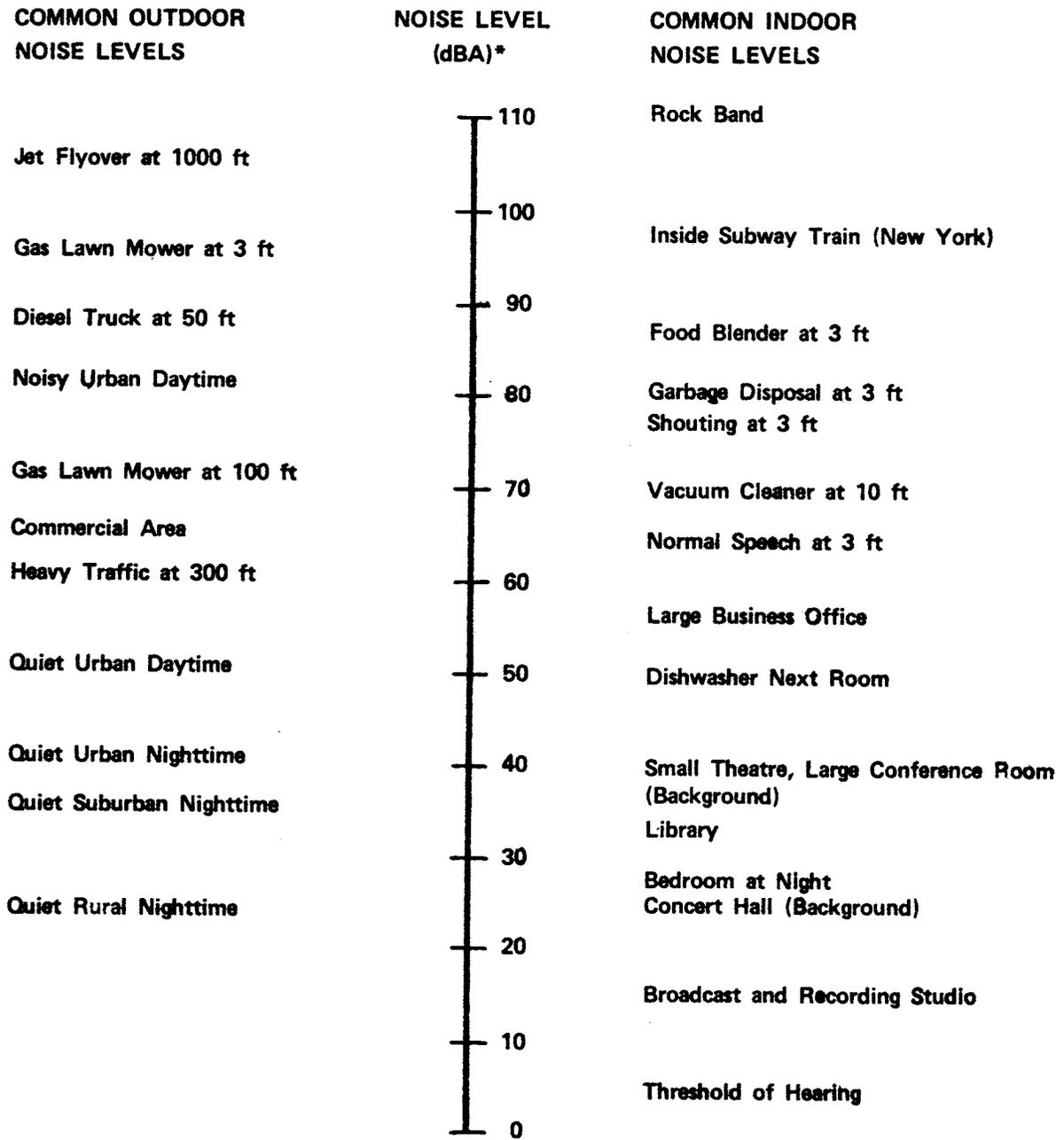
Factor	Northerly Route Segments				Middle Route Segment	Southerly Route Segments			No Improvement
	B,28,11	A,28,11	A,4,32,35,11	A,4,34,35,11		22,41,P	22,42,P	22,K	
<b>7. Aesthetics and Other Values</b>					11,22				
Aesthetics	The vertical and horizontal alignment would provide a good view of the facility and surrounding areas.								
Multiple Use of Space	No multiple use of space is anticipated.								
Joint Development	Highway embankment or borrow areas could be used to impound water.								
<b>8. Other Considerations</b>									
Length of Segments (miles)	4.6	5.7	4.5	4.8	3.7	2.2	2.2	2.0	0
Construction Cost (\$1,000,000)	16.32	22.21	20.15	21.06	10.98	10.99	14.41	13.86	0
Cost Per Mile (\$1,000,000)	3.55	3.90	4.48	4.39	2.97	5.00	6.55	6.93	0
Road Closures	None Required								
Forecasted Traffic Volumes See Page 15									

APPENDIX VII (cont'd)

FORECAST TRAFFIC VOLUMES  
YEAR 2000  
(ADT)

SECTION	ALIGNMENT									
	SOUTHERN					NORTHERN				
	A, 34, 35, P	A, 34, 35, K	A, 32, 35, P	A, 32, 35, K	B, 28, P	B, 28, K	A, 28, P	A, 28, K		
Hillside - 45th Street	-	-	-	-	-	-	10,157	10,075		
Hillside - Oliver	-	-	-	-	5,931	5,895	5,865	5,783		
Hillside - 37th Street	17,076	17,050	17,076	17,050	-	-	-	-		
37th Street - Oliver	23,709	23,484	19,995	19,998	-	-	-	-		
Oliver - Woodlawn	23,963	23,775	19,995	19,998	9,217	9,265	6,714	6,632		
Woodlawn - 45th Street	-	-	-	-	10,956	11,030	10,840	10,948		
45th Street - Rock Road	-	-	-	-	14,560	15,060	12,780	12,930		
Woodlawn - Rock Road	23,848	23,774	23,848	23,774	-	-	-	-		
Rock Road - Webb Road	19,023	19,466	19,023	19,466	14,815	15,425	15,260	15,370		
Webb Road - N.E. Diagonal	18,740	19,276	18,740	19,276	16,100	17,310	17,090	17,230		
N.E. Diagonal - Greenwich Rd.	18,325	18,166	18,235	18,166	15,534	15,980	16,105	16,860		
Greenwich Rd. - 21st Street	15,908	15,769	15,908	15,769	13,365	13,855	12,254	15,753		
21st Street - 13th Street	17,160	18,717	17,160	18,717	15,107	18,110	14,394	18,657		
13th Street - 127th Street	15,127	-	15,127	-	13,093	-	10,644	-		
127th Street - Central	10,438	-	10,438	-	8,262	-	8,414	-		
13th Street - Central	-	20,781	-	20,781	-	20,400	-	20,641		
Central - Kan. Tpk.	16,756	-	16,756	-	15,262	-	15,250	-		
Central - Kellogg	-	17,662	-	17,662	-	17,445	-	17,682		
Kan. Tpk. - Kellogg	16,103	-	16,103	-	14,967	-	15,006	-		
Kellogg - Kan. Tpk.	-	13,847	-	13,847	-	14,270	-	14,593		

**APPENDIX VII (cont'd)  
COMMON INDOOR AND OUTDOOR NOISE LEVELS.**



\* Just as 'feet' are used to measure distance, and 'degrees' are used to measure temperature, 'decibels' are used to measure sound intensity. dB is the abbreviation for decibel which is defined as the logarithmic unit which indicates the ratio between the power associated with the intensity of a particular sound as compared with power associated with the intensity of a sound that can just be heard.

(dB (A) is the sound pressure level in decibels measured with a frequency weighting network corresponding to the 'A' scale on a standard sound level meter and approximates the level of sound as detected by the human ear.) The logarithmic decibel scale is used since the ranges of sound are so great that any arithmetic measurement would result in the use of astronomic figures.

Thank you for attending the Public Hearing

We would appreciate any questions or comments you might have regarding this improvement.

Direct all questions & comments to:

Mr. R.R. Biege, JR., P.E  
Engineer of Location and Design Concepts  
State Office Building  
Topeka, Kansas 66612

*R.R. Biege, Jr.*

## APPENDIX VIII

ACTUAL COMMENTS FROM STATE TRANSPORTATION  
AGENCY OFFICIALS ON THE SUBJECT OF PUBLIC HEARINGS  
AND PUBLIC INVOLVEMENT IN GENERAL

On the purpose of public hearings...

"We are experts in the field, this is what we were hired for and we are working for the public. Since we are in the highway business it is our obligation to make recommendations because this is what we are here for. What we are really looking for from the people are things we have not considered. We go in (to the hearing) with our own recommendation but with an open mind to alternative."

"Public hearings should be the normal by-product of a good participation program. No one should be surprised."

On the effectiveness of public hearings...

"I don't feel that it (public hearing) is too meaningful anymore because if you have true citizen participation all the way through, the hearing is anticlimatic and you should not need it."

"They are nice legal mechanisms and that is about all."

"Public hearings are a very necessary part of the democratic process."

"Public hearings are necessary as an official meeting. They present the status of the project. They are something that we need and will always have."

"We plan to eliminate public hearings."

"We are getting pretty good attendance and participation at the hearings."

"Public hearings are a vital part of public relations."

On public meetings...

"The more you meet with people and the more they get the opportunity to have their say, the quicker you will arrive at some agreement."

APPENDIX VIII (cont'd)

On problems at hearings...

"Our public attitude here is to build the road as soon as possible, so we really don't have a problem."

"No problem. Our main input is 'please hurry up.'"

"Public hearings are not public hearings but are hearings for those who want to protest."

"Afternoon hearings eliminate the possibility of people coming to be entertained."

"We haven't been able to get our engineering people to empathize with the public."

On public relations...

"I think it is important that the guy who is working on a project be in touch with the public himself... I think that it is important than the district engineer himself be involved with the public."

On personal pre-hearing contact with landowners...

"Well I don't know if I am really for that--for this reason. The project isn't going to be just for the benefit or dis-benefit of the people right along the road. I don't know why we single them out. Why not contact the motorists that use the facility every day?"