Texas Department of Transportation
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Final Report
Assessment of Public Involvement

Report 0-6662-1
Project 0-6662

Prepared by

Carol Abel Lewis, Ph.D.
Gwendolyn C. Goodwin, M.S.
Sascha Sabaroche, Graduate Student

TSU
TEXAS SOUTHERN UNIVERSITY

Center for Transportation Training and Research
3100 Cleburne
Houston, Texas 77004

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16. Abstract The Texas Department of Transportation (TxDOT) employs a range of methods and strategies to incorporate Texans in the many aspects of planning, project implementation and partnerships. This public involvement process is supported by TxDOT specific, state of Texas and federal legislative codes, which define involvement and cover basic requirements for meetings, hearings, inclusion of underrepresented groups and environmental processes. In addition, TxDOT designed guidelines, manuals and other materials to assist staff in conduct of public involvement activities. Because public involvement is a core component of transportation planning and project implementation, the public's expectation is that their values and opinions will be included in each phase of the transportation process. The Texas Sunset Advisory Commission's 2009 report recommended that TxDOT develop a more meaningful, consistent public involvement process, along with a policy statement reflecting the agency's philosophy. With that objective, several key tasks were undertaken to strengthen TxDOT's liaisons with the public. This project analyzed several meetings held by TxDOT, reviewed TxDOT's literature and regulations, and assessed documents from other states. Also, interviews with representatives of governments that worked with TxDOT, TxDOT staff, and representatives of the Texas Sunset Advisory Commission were conducted. These synthesized findings led to the development of a policy statement and recommendations for consideration by TxDOT staff.			
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Prepared by

Carol Abel Lewis, Ph.D.
Director
Center for Transportation Training and Research

Gwendolyn C. Goodwin, M.S.
Senior Researcher
Center for Transportation Training and Research

Sascha Sabaroche
Graduate Research Assistant
Center for Transportation Training and Research

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Texas Southern University
Center for Transportation Training and Research
3100 Cleburne
Houston, Texas 77004

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The contents of this report reflect the views of the author(s), who is (are) responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official view or policies of the Federal Highway Administration (FHWA) or the Texas Department of Transportation (TxDOT). This report does not constitute a standard, specification, or regulation.

ACKNOWLEDGMENTS

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Chapter 1. Introduction and Purpose of the TxDOT Public Involvement Policy

Public involvement is a core component of transportation planning and project implementation. Expectations are that communities proximate to projects will have their values and opinions included in each phase of the transportation process. Ideally, officials and residents share in the desired outcome that citizen perspectives are not merely voiced, but are incorporated into decisions. From the public perspective that ideal state is often not achieved, many times leaving citizens feeling isolated, unheard and not a part of the process. The reasons are numerous and causes vary by locale and by project. Transportation professionals sponsor meetings and conduct dialog; their opinions about public involvement range from considering the requirement perfunctory and something that must be done to genuine listening and respect for the citizen participants. Numerous chapters in the Texas and US Codes and the Code of Federal Regulations address requirements for public hearings and public involvement. Also, Texas Administrative Codes cover public access to the Commission, public hearings and public involvement. The Texas Department of Transportation (TxDOT) has guidelines and documents available to assist the transportation professional in conducting public involvement. These include, but are not limited to *Title VI Review of the Transportation Planning and Programming Division, Public Involvement Plan (February 25, 2010)*, *Texas Department of Transportation Public Involvement Plan: Talking with Texans (July 2008), Environmental Manual (Revised October 2004).* In addition, districts often develop public involvement plans or statements for their area in compliance with federal and state guidelines. This report is an analysis of TxDOT's public involvement processes and practices designed to enhance the organization's implementation and communications with stakeholders.

1.1 Synthesis of Current Involvement Process and TxDOT Guidelines and Procedures

TxDOT's current process cites numerous codes delineated below as establishing the guidelines for public involvement. It names a number of categories of plans and projects, as well as citizens and organizations that will have access to early, continuous and timely opportunities for involvement. Mentioned specifically are the Statewide Transportation Improvement Plan and the long range statewide plan. The current public involvement plan commits to hold meetings in accessible locations and times, make technical and policy information available, and use the internet as a method of information dissemination. A process is to be developed that seeks inclusion of those traditionally underserved, such as low-income and minority households. The plan advocates periodic review of the effectiveness of the public involvement process.

A variety of techniques are named as appropriate communication methods to include newsletters and mailers, public notices, community meetings and use of TxDOT and Metropolitan Planning Organization websites. The plan recommends use of visualization and Geographic Information Systems (GIS) tools to improve understanding of concepts and increase outreach.

A review of TxDOT's documentation and manuals shows well-developed, in-depth materials in line with federal and state guidelines and state-of-the-art as compared to documents prepared by other state departments of transportation. Therefore, the policy statement is prepared to set the tone for application of the agency's philosophy from the highest level of leadership and address potential gaps identified through the Sunset Advisory Committee report, meetings attended and interviews.

1.11 Rules and Regulations

TxDOT receives the charge for public hearing, public meetings and public involvement from four major sources:
- Texas Transportation Code
- Texas Administrative Code (TAC)
- United States Code (USC)
- Code of Federal Regulations (CFR)

Highlights of each code are presented below. For detailed information, refer to the legal document for that code.

Texas Transportation Code
Under the Texas Transportation Code, TxDOT follows Title 3 Aviation, Title 4 Navigation, and Title 6 roadways. Title 3 Aviation (§21.11 Public Hearing and §21.1115 Emergency Loan or Grant) describes the process for public hearings and financial assistance. Title 4 Navigation (§51.006 Hearing Required Before Participation in Property and §51.011 Hearing Required Before Participation in Project) describes the need for public hearing for the purchase of Gulf Intercoastal Waterway and a public hearing to participate in the project.

Title 6 Roadways provides procedures as follows:
- §201.602 Project Selection Hearings - establishes public hearing regarding environmental review.
- §201.604 Environmental Review filing complaints with the department - provides access to the Commission and Department programs.
- §201.801 Information About Department: Complaints - establishes public hearings for the modernization of state highways and controlled access highways.
- §201.802 Public Access to Commission and to Department Programs - provides access for the public to address the Commission. Non-English speakers or persons with disabilities are also granted access to the department's programs.
- §203.021 Public Hearings - establishes notice and associated procedures for public hearings for highway projects going through or bypassing a county or municipality.
- §203.022 Rules Governing Notice and Comment - gives notice to owners of adjacent property and local governments and public officials when lanes are increased on existing highway or when new highway is constructed.
- §227.005 Public Access to Commission and to Department Programs - provides rules governing notice and comment periods and offers public access to information regarding Trans-Texas Corridor.

- **§**228.203 Public Hearing - requires public hearings on state highway toll projects.
- **§**286.048 Hearing - provides for public hearings for property abutting roads in specific counties.
- **§**370.037 Transfer of Ferry Connecting State Highways - requires public hearings prior to transferring ferries that connect state highways.
- **§**371.153 Hearings - authorizes public hearings for comprehensive development agreements for highway toll projects.
- **§**458.005 Public Hearing on Creation of Rural Transportation District- notice calls for a public hearing when a new rural transit district is established.
- **§**460.52 Hearings - requires a public hearing for creation of coordinated county transportation authorities.

Texas Administrative Code (TAC)

The Texas Administrative Code consists of 16 titles covering rules that each state agency receives. TxDOT falls under the governance of Title 43 Transportation Part 1. Listed below are key components from the TAC relevant to TxDOT and public involvement.

43 TAC Part 1 Chapter 1 Subchapter B. Public Meetings and Hearings
- **§**1.4. Public Access to Commission Meetings.
- **§**1.5. Public Hearings.

43 TAC Part 1 Chapter 2 Subchapter A. Environmental Review and Public Involvement for Transportation Projects Rule
- **§**2.5. Public Involvement.
- **§**2.6. Public Involvement – Meeting with Affected Property Owners (MAPO).
- **§**2.7. Public Involvement – Public Meeting.
- **§**2.8. Public Involvement – Opportunity for Public Hearing.
- **§**2.9. Public Involvement – Public Hearing.

43 TAC Part 1 Chapter 27 Subchapter B. Transfer of Department Toll Projects and Conversion of Non-toll State Highways
- **§**27.13. Transfer of Toll Projects.

43 TAC Part 1 Chapter 27 Subchapter C. Private Toll Roads
- **§**27.35. Public Hearing (Private Toll Roads).

United States Code (USC)

The United States Code represents a codification of permanent laws governing the United States. This code is divided by major subject areas and contains 50 titles. TxDOT adheres to Title 23 Highways which contains the regulation regarding the following:

23 USC **§** 128. Public Hearings
23 USC **§** 134. Metropolitan Transportation Planning
23 USC **§** 139. Efficient Environmental Reviews for Project Decisions

23 USC § 326. State Assumption of Responsibility for Categorical Exclusions
23 USC § 327. Surface Transportation Project Delivery Pilot Program

<u>Code of Federal Regulations (CFR)</u>
The Code of Federal Regulations contains the codified general and permanent rules published in the Federal Register. These regulations are divided into 50 titles based on subject area. TxDOT follows rules found in Title 23 Highways and Title 40 Protection of Environment. Below are the regulations:

23 CFR § 450 B – Statewide Transportation Planning and Programming
23 CFR § 450.210 (B) Interested Parties, Public Involvement, and Consultation
23 CFR § 450.C – Metropolitan Transportation Planning and Programming
23 CFR § 450.316 (C) Interested Parties, Public Involvement, and Consultation
23 CFR § 771 Federal Highway Administration, Department of Transportation
23 CFR § 771.111 Early Coordination, Public Involvement, and Project Development
23 CFR § 771.119 Environmental Assessments
23 CFR § 771.123 Environmental Impact and Related Procedures
40 CFR § 1506.6 Public Involvement

Chapter 2. Definitions of Public Involvement and Selected Terminology

Successful public involvement is based on superior execution of the ideals expressed in legislation and positive engagement of citizens. Critical components required for success are explored below.

2.1 Definition of Public Involvement

Public involvement can be defined in many ways depending on the area of concern being addressed. Research done on the meaning, with the aid of various public involvement plans and policies, derived the following definitions:
  o It is aimed at informing the public via a two-way communication dialogue in the transportation decision making process.
  o It is essential that the public be included in the early stages of planning transportation projects in order to address needs, community concerns and environmental considerations.
  o US Department of Transportation, Federal Highway Administration defines public involvement as a "two way communication aimed at incorporating the views, concerns and issues of the public into the decision-making process". However, decision-makers can sometimes forget the importance of two-way communication and overlook public involvement.
  o Public Involvement is dependent on two-way communication throughout the entire phase of project development.

2.2 Public Involvement: How and When

Public involvement plays a major role in the development of a project. It is important to a project to factor in how and when the public becomes involved in the plan.

  o How to have Public Involvement:

    Public Involvement should be done in a timely fashion to fully inform and get the public involved which includes, but is not limited to property owners, tenants, business owners and operators, public officials and agencies, users of the facility, interested individuals and special interests groups during the development of transportation projects.

  o When to have Public Involvement:
    An early start is best when it comes to public involvement along with continuous provision of information which will minimize and solve potential or pressing issues or their impacts from the start which is ideal prior to the final design phase of a project.

It is also important to have public involvement activities during the project development and environmental phases.

2.3 Create an Atmosphere of Trust and Credibility

In order to get the public interested from the start and engaged to the end of a project, one of the two most important components to be considered is trust. Credibility is the other component of any public involvement outreach activity. Factors to be considered depending on the atmosphere of the public are as follows:

- Describe the process and expectations of each meeting so stakeholders will understand the sequence of activities and their role in the process.
- Include stakeholders from the outset and be direct about the information.
- Treat all stakeholders with great care and respect.
- Follow up with stakeholders and keep promises.
- Promise what can be delivered.
- Give equal attention to all groups and consider all issues of stakeholders.
- Avoid closed meetings that may arouse suspicion or imply there is something to hide.
- Foster effective communication.
- Encourage innovation.
- Be proactive.
- Respect the opinions and actions of persons involved by displaying sincerity, credibility and veracity.
- Be certain information obtained is accurate and logical.
- Enlist organizations that are reputable with the community.
- Be direct, clear and concise. Mixed messages can create confusion and contradiction.
- Employ plain language to meet the needs of the public.
- Focus on building trust as well as producing good scientific data.
- Emphasize partnering to achieve a mutual understanding of issues.
- Work as a team promoting group efforts.
- Provide appropriate public notifications.
- Use appropriate tools (graphics, maps, photos) depending on the audience at hand.

2.4 Integrated, Early, and Often

Public involvement should be addressed at different levels of a project. It is important to ensure engagement in the following manner: integrated, early and often.

- **Integrated -** The project planning process for public involvement is interdependent with comprehensive activities occurring in the community. "Objectives, activities, the level of support and the timing of public involvement are individualized to address unique characteristics and needs of the affected community" (Idaho Department of Transportation Policy). Not limiting public involvement to the community only but to

city officials, neighborhood organizations, team members, public involvement officers and consultants will create the ideal public involvement results.

- o **Early -** Public involvement needs to be addressed at the beginning stages of a project so that the public can be educated on the plan. At this stage, the views from the public on a developing project will be obtained. It is essential that stakeholders are aware of the problems and impacts so that issues can be addressed in a timely manner. This is done so that impacts can be avoided, minimized or designed to suit all parties involved. Hence, providing insight directly or indirectly to meet the community's needs. Involving the stakeholders at this stage will assist with gaining the support and confidence that is needed from the community.
- o **Often -** Public involvement consists of the introduction of a project, project planning and the development; however, it encompasses more than information from meetings and public hearings. It is essential that stakeholders are involved throughout the entire project through multiple communication mechanisms.

Chapter 3. Findings and Observations

3.1 Meeting Observations

Public involvement is achieved using several techniques. TxDOT's public involvement activities were observed during various types of interactions with the public. The three types of meetings used by TxDOT are described below.

>**Open house** meetings allow attendees to obtain information about a project or plan by examining exhibits (maps and literature) and talking with staff. There is an exchange of ideas, comments, and opinions about the project or plan. Open house formats provide an informal format without preset agendas and do not rely on formal presentations. Questions and responses occur at the individual participant level.
>
>**Town hall** meetings offer participants at the venue or at home the opportunity to discuss important community concerns and needs. The meetings may not have a formal agenda so that attendees can ask questions and get answers from key executive level administrators and local officials. Questions and answers are handled in the open public format, so all attendees hear the questions and answers.
>
>**Public meetings** are held throughout the process and provide an opportunity to present information to and gather input from the public. Generally, specific issues, projects, and plans are discussed. Meetings may be tailored to specific issues or community organizations.
>
>**Public hearings** are held before a decision is made and are more formal than a public meeting. Hearings are designed to gather comments from all interested parties as public record and input into decisions. An official hearing officer is required. This person acts as an agency representative and helps disseminate information.

TxDOT selected the open house format as the preferred method to discuss the Statewide Long Range Transportation Plan (SLRTP) and area project meetings. The SLRTP scheduled the first series of meetings in May to obtain comments and the second series of meetings in August to update the plan based on public input. A final step involves public hearings to adopt the plan in October. At the three meetings observed, all the maps and video were the same. In addition, most written materials were the same; however, each district added information regarding projects occurring in the district. Overall, meeting attendance ranged from 10 to 60, with the majority of the attendees arriving within the first hour of the meeting.

The goal of the evening town hall meetings used by TxDOT staff was to obtain specific information regarding community concerns and offer suggestions for TxDOT's consideration. During these meetings, the Executive Director and a member of the Texas Transportation Commission shared the dais with state legislators for an evening meeting with citizens. The meetings were webcast allowing people, who could not attend in person, the opportunity to participate from their home computer. TxDOT's photographer also documented the meeting by capturing photos of the audience, asking questions, and listening to the panel's responses. Notably, TxDOT maximized public outreach by preceding the town hall meetings with separate meetings for locally elected officials and government employees and round table meetings with the local business community.

Area or local project public meetings allowed residents to comment on proposed alignments, lighting, drainage, or other issues pertinent to the project. The FM 521 widening/improvements to Trammel-Fresno Road was the only project meeting attended. This meeting followed the open house format allowing citizens to examine various maps which detailed the various stages of the project. Staff and consults answered questions posed by attendees on a one to one basis. Detailed observations from this meeting are included at the end of this section.

Finally, for the I-35 Corridor project, TxDOT staff held general meetings that were open to the public. A formal committee is structured to coordinate with TxDOT regarding the I-35 Corridor project. The meetings are held for the convenience of committee members which may not correspond with convenience for the public at-large.

This section examines meetings observed from May through June 2010. Texas Southern University staff collected the following general information during the meeting: general meeting location, facility, facilitator (when applicable), presentation, attendees, method of public outreach prior to meeting.

3.11 Corpus Christi, Texas
Statewide Long Range Transportation Plan
May 6, 2010

Meeting location
The SLRTP in Corpus Christi, TX meeting was held at the TxDOT local office. To help advertise the meeting, there was a portable message sign located on the frontage road of SH Highway 358.

Meeting attendees
This meeting had very few area residents or local officials. Most attendees seemed uncertain about the meeting format. They also did not know whether to first view the video or examine maps. Most attendees opted to review maps and then watch the video.

TxDOT employees
The acting TxDOT district engineer, and area engineers were present. In addition, PIO Officer Francis Garza and her assistant attended. A SLRTP project manager also attended to ensure the continuity of the meeting. Paula Evans from the Austin office was present.

Materials and presentation

Materials offered for the SLRTP included SLRTP brochures, comment cards, brochures regarding wildlife, rock formations, ozone, coloring books, maps and general state facts. The presentation consisted of a looping video with TxDOT Executive Director Amadeo Saenz, Jr. explaining the department's goals for the next 24 years. Maps were used to highlight important aspects from the video.

3.12 Alpine, Texas
Statewide Long Range Transportation Plan
May 13, 2010

Meeting location

The Alpine, TX meeting was held at the Kokernot Lodge, which provided a casual atmosphere. It appeared all meeting attendees were familiar with this location. This location was ADA accessible, but the parking lot proved cumbersome because it was unpaved and contained rocks.

Meeting attendees

About 20 people attended the meeting. Most meeting attendees appeared to be elected officials from area cities and the county. U. S. Border Patrol attended with the idea to look at future TxDOT projects. Modifications to roads pose problems for Border Patrol because of smuggling issues. Representatives from Sul Ross State University also attended the meeting.

TxDOT employees

TxDOT District Engineer Chuck Berry, Area Engineer Chris Webber, and PIO Officer Blanca Del Valle were present. Peggy Thurin, SLRTP project manager, also attended. Prior to the town hall meeting, Chris Webber conducted meetings with various city councils regarding the US 67/90 ADA ramp and sidewalk upgrade project. Nonetheless, he continued to respond to questions regarding the project throughout the SLRTP meeting. He offered to review additional questions/issues raised by residents. Mr. Webber and attendees appeared to have an established relationship that implied trust and credibility.

Materials and presentation

The area engineer left US 67/90 project handouts for attendees to take home. Other materials were offered for the SLRTP including SLRTP brochures, comment cards, brochures regarding wildlife, rock formations, ozone, coloring books, maps and general state facts. The presentation consisted of a looping video with TxDOT Executive Director Amadeo Saenz, Jr. Working one on one with attendees, staff members discussed the maps associated with the SLRTP.

3.13 Houston, Texas
Statewide Long Range Transportation Plan
May 6, 2010

Meeting location
The TxDOT Washington Avenue location served as the meeting site for Houston's SLRP. Generally, the location is easy to find and most attendees were familiar with the office. The venue was ADA accessible.

Meeting attendees
Although TxDOT used an extensive database, attendance reached about 50 people. Most of these attendees represented special interest transportation groups. There were some first time attendees, who were confused about the meeting's structure; this was especially true after listening to the short video. They did not know what the next steps were, i.e. whether someone would come to speak with them prior to their looking at maps or filling out comment cards, etc.

TxDOT employees
PIO officers were present along with the TxDOT district engineer and area engineer. Employees were helpful; however, staff did not advise attendees of the flow of the meeting. Staff were not conveniently stationed by all maps and tripods.

Materials and presentation
SLRTP materials included brochures, comment cards, survey, and demographic survey. The presentation consisted of a looping video with TxDOT Executive Director Amadeo Saenz Jr. No formal presentation was made.

3.14 Seguin, Texas
Pre Town Hall Meeting with Elected Officials
May 5, 20101:30 pm – 3:30 pm

TxDOT Executive Director Amadeo Saenz, Jr., District Engineer Mario Medina, several area engineers, PIO officers and additional TxDOT staff hosted an informal meeting with officials from the city and county government levels. Officials included mayors, council members, city engineers, county judges, county commissioners and members of the state legislature. According to TxDOT staff, the goal of this meeting was twofold: 1) to provide an update on the current status and future plans of TxDOT, and 2) to hear and/or address concerns from government officials.

The meeting was held in the smaller conference room of the Seguin-Guadalupe County Coliseum. The nature of the meeting did not necessitate maps or handouts. The meeting was informal and relaxed, which yielded positive dialogue between almost 40 local governmental officials and TxDOT staff. The meeting also demonstrated that a well established relationship existed between the district manager, area engineer, and the local community.

3.15 Seguin, Texas
Pre Town Hall Meeting - Business Leaders' Roundtable
May 5, 2010 - 4:30 pm – 5:30 pm

After meeting with local elected officials, TxDOT staff, along with Seguin area business leaders, attended a meeting sponsored by Texans for Safe Reliable Transportation (TSRT). The TSRT representative made opening comments and introduced the TxDOT executive director. The purpose of the meeting was to explain to more than 40 area business leaders the financial challenges faced by TxDOT, as the agency prepares to maintain its 50-year old interstate system and other infrastructure. This meeting provided TxDOT with another opportunity to reach a segment of the community that rarely participates in public involvement. Overall feedback from area business leaders indicated that they felt positive about TxDOT solving its budgetary problems and business leaders were appreciative of the opportunity to hear the issues first hand.

3.16 Seguin, Texas
Town Hall Meeting
May 5, 2010

Meeting location
The Seguin Town hall meeting was held in the Seguin-Guadalupe County Coliseum, which serves as a focal point for meetings in the region. The location was also ADA accessible.

Meeting attendees
TxDOT employees used a large database of previous meeting attendees, community organizations, and businesses. The almost 60 meeting attendees included a mixture of elected officials from area city and county government, concerned citizens, businesses, and special interest groups. Meeting attendees appeared to be older and long-term residents of the area. Most attendees had project specific questions and others expressed concerns over environmental issues. Questions from the audience were answered by the panel.

TxDOT employees
Unlike the limited number of staff present at the SLRTP meetings, TxDOT staff included high executive level administrators and state legislators including Texas Transportation Commissioner Fred Underwood, Executive Director Amadeo Saenz, Jr., District Engineer Mario Medina, several area engineers, and PIO officers.

Materials and presentation
The district engineer served as the town hall meeting moderator. He explained ground rules and established a three-minute speaking limit. Audience members signed up to speak or were allowed to record their questions on large index cards to be read by the moderator. The questions could be addressed to a specific member on the panel or the entire panel. The panel consisted of the TxDOT executive director, a commissioner, a state representative, and a state senator. In addition, web viewers could submit questions during the live web cast.

3.17 Tyler, Texas
Town Hall Meeting
June 10, 2010

Meeting location
The Tyler meeting was held at the University of Texas at Tyler. Meeting attendees appeared to be familiar with the venue. The venue was ADA accessible.

Meeting attendees
Meeting attendance suffered due to inclement weather, which resulted in lower than anticipated public participation. While staff from the MPO and city government attended, fewer than 10 members from the public attended the meeting. Like Seguin, the town hall meeting was webcast, which proved important because TxDOT officials received and answered three questions via email.

TxDOT employees
Similar to the Seguin Town Hall meeting, TxDOT employees included Transportation Commissioner Fred Underwood, Executive Director Amadeo Saenz, Jr., District Engineer Randy Hopmann, several area engineers, and PIO officers. Mr. Hopmann served as the evening facilitator. Other elected officials and staff employees of city and county governments also attended.

Materials and presentation
Maps were available at the town hall meeting. The goal of the meeting was to provide an update on the state of TxDOT and get feedback from members of the Tyler area on their concerns and ideas for the future. Other items discussed included projects under construction, funded projects for FY 2013, projects funded with Federal stimulus dollars, and projects funded by Proposition 14.

3.18 Fort Bend County, Texas
Project FM 521 Widening/improvements to Trammel-Fresno Road
Project Meeting - Public Meeting
April 29, 2010

Meeting location
TxDOT officials and the consultant held the meeting at Hightower High School located in Missouri City, Texas. The location was ADA accessible. The location seemed optimal for the meeting because it was located adjacent to the project; however, meeting at the school posed problems because there were other signs posted in addition to the TxDOT meeting signs. This proved most problematic once attendees entered the building and tried to find the cafeteria where the meeting was being held.

Meeting attendees
TxDOT staff used public notices and mailed meeting notices to adjacent property owners. They also solicited input from homeowner associations. Approximately 50 people attended the meeting during the two-hour informal open house style meeting. The attendees included elected

officials, concerned citizens, and homeowners. Most attendees gathered information about the project and tried to determine the extent to which they would be impacted. The attendees seemed at ease talking with TxDOT officials and consultants. Worth noting is that most attendees did not understand the meeting's format. Several attendees wondered if there would be a formal presentation. Many attendees stood waiting for the meeting to "officially" start.

<u>TxDOT employees</u>
At least six TxDOT officials and four project consultants hosted the meeting. TxDOT employees approached citizens and engaged them in conversations regarding their feelings and ideas about the project. Consistently, TxDOT employees urged meeting attendees to write down their thoughts and ideas on comment cards. Staff remained calm and helpful throughout the meeting. Consultant staff seemed less engaged with the public, waiting for attendees to approach them.

<u>Materials and presentation</u>
TxDOT employees and consultants displayed aerial maps and schematics of the proposed street widening. Numerous handouts, comment cards, and other materials were available for meeting attendees.

3.19 I-35 Corridor
Segment Committee 2 Meeting
Belton, Texas
June 8, 2010

<u>Meeting location</u>
The meeting was held at the TxDOT regional office in Belton, TX, which was ideal for meeting attendees. The meeting location was ADA accessible.

<u>Meeting attendees</u>
The I-35 Corridor Committees are divided into four segments with corresponding committee members assigned based on location along the corridor. Unlike the town hall or SLRP meetings, the I-35 Corridor Segment Committee 2 meeting provided an opportunity for committee members to meet and plan for the future of the I-35 corridor. Although the room accommodated almost 40 people, the committee structured meeting did not result in large attendance by the public. Most people in attendance appeared to be committee members or people from the MPO or city and county governments.

<u>TxDOT employees</u>
Bryce Byron served as the meeting's facilitator. TxDOT staff included Gabby Garcia and the area PIO Larry Krantz. Committee members formed a close relationship with the PIO officers referring questions to them throughout the meeting. Clearly, the committee members looked to the staff and facilitator for their knowledge, expertise, and professional opinion.

Materials and presentation

The committee's agenda included a presentation by TxDOT staff regarding Segment 2's potential sites for public involvement workshops. Information on high speed rail, a discussion about an online survey, changes to the committee's proposed solutions for Segment 2, I-35 map layout were also discussed. Handouts and maps were used.

Comments made by Segment 2 committee members

The committee expressed a desire to practice responses prior to public workshops to avoid the appearance of defensiveness. The committee acknowledged the difficulties of working with an uninterested public. Committee members also indicated the need to be cautious of making promises or raising expectations that could lead to a loss of credibility. At various times during the meeting, transportation jargon was used which could confuse the general public. The meeting attendees lacked diversity in regards to race, language or persons with disabilities.

3.2 Summary of Observations from Meetings

Materials

At each meeting, TxDOT provided attendees with handouts and brochures relevant to that meeting's purpose. At the SLRTP meetings, materials consisted of comment cards, SLRP newsletter, a general demographic survey and SLRP Transportation Use Questionnaire. At the open house project meeting, materials/handouts included maps and schematics of the project, comment cards, Purchase of Right of Way by Counties and Cities brochures, and Relocation Assistance brochures. Finally, town hall meeting materials consisted of comment cards and town hall meeting speaker registration cards. On some occasions, TxDOT coloring books, maps, and travel information were also available. At all meetings attended by TSU staff, only English materials were available. TxDOT should consider making materials available in other languages when the demographics of an area indicate that non-English speakers live in the area.

Areas of consideration for TxDOT

TSU staff meeting attendance occurred approximately one year after the Sunset Advisory Commission Report. TxDOT seemed to already be in the midst of implementing the report's recommendations. TxDOT staff were friendly, open and welcoming comments and input. While the meetings were well-handled, the following represent areas that TxDOT may consider changing to further enhance public involvement.

- Provide directions to the meeting linked to Map Quest or Google to assist residents finding the location. Adding these links increases the ease of getting directions from the attendee's house directly to the meeting location.
- Announce the event time and location (address) at least a week or two in advance. Town hall meeting fliers announcing the event time and location (address) did not appear on the website until two to three days prior to the event. This does not always give the public sufficient notice regarding the meeting's location.
- Recognize that the Open House format is not self-explanatory, especially to first-time attendees. Prepare a guide that tells people where to start and provides step-wise guidance walking through the displays. If a video is used, make sure people know to move to the next station once the presentation is completed.

- Meeting attendees tended to be of a similar demographic background. TxDOT will want to work to attract more diverse audiences, representative of Texas' population. Also, seek to find ways to engage people that are a cross section of age groups.
- Have available language interpreters. As Texas' non-English speaking population continues to increase, the availability of language translation during meeting will become important. Sign language interpreters may also be needed to assist hearing impaired attendees.
- Be aware of all facility conditions. Facilities were ADA accessible, but the condition of one parking lot was difficult, potentially a concern for persons with disabilities.
- For project specific gatherings, make additional efforts to contact community agencies or persons with special needs or disabilities to see how a project will impact them.

3.3 Sunset Advisory Commission Report, Interview with Representatives from the Sunset Advisory Commission and Grant Thornton Report

Findings of the *Sunset Advisory Commission Final Report for TxDOT* (July 2009) include Issue 3, "TxDOT does Not Meet the High Expectations Placed on it to Ensure Consistent, Meaningful Public Involvement." Among the recommendations is that TxDOT develop and implement a policy that leads to more meaningful programs agency-wide. Other recommendations are for staff to share best practices, facilitate the design of the web page to make it easier to use and coordinate marketing campaigns across the agency. The Sunset Advisory Commission found differences in levels of public involvement across districts. On the one hand, there is recognition that some districts conducted successful high levels of interactive public involvement on large projects. The IH-10 Katy Freeway widening in Houston served as an example of positive public involvement. In contrast, many districts only provided minimum opportunities above the statutory requirements. The report noted that it is unclear how TxDOT incorporates citizens' comments into decisions and advised that TxDOT should make citizens aware of how input will be incorporated into decision making. Further, citizens should know the proper ways to make their opinions known about projects that affect them.

Much of the Sunset Advisory Commission research occurred during a period of high citizen discontent with the TransTexas Corridor project. Members of the public often felt that TxDOT's decisions had already been made and room did not exist for the citizens' perspectives to be incorporated. To avoid both the perception and actuality of being too late to influence the direction of planning or a project, it is critical that TxDOT begin communication at the initiation of planning and project processes. Once begun, involvement with stakeholders must occur often.

A TxDOT Environmental Manual (revised October 2004) contains extensive material for public involvement training. There was no evidence that TxDOT employees agency wide receive training about working with citizens. Attention to public involvement training is advised as is

greater participation in public involvement from TxDOT leadership[1]. The Sunset Advisory Commission indicated that TxDOT procedures, especially those associated with the environmental process are difficult to understand. Ease of understanding is also an issue with some maps and design drawings.

Stakeholders' comments in the Sunset Advisory Commission report inquired about prominently displaying the remarks for and against projects undergoing a formal environmental review to include draft or final Environmental Impact Statements. Per the National Environmental Policy Act (NEPA), the documents must summarize the scoping process, the results of any meetings that have been held and report any comments received. Further, the guidelines note the following, "the state department of transportation and FHWA must consider and respond to all substantive comments received on the draft EIS, including those from public hearings. The final EIS must include copies of the comments received and the agency's responses. If comments are voluminous, they may be summarized. If the EIS was changed in response to comments, changes should be referenced in the responses." (NEPA Documentation, retrieved 9/29/10).

The Sunset Commission Advisory Report advises TxDOT to focus on outcomes and be sensitive to local interest. Engineers and planners should seek consensus areas between the TxDOT project and community goals.

The *Management and Organization Review Final Report* of May 26, 2010 (referred to as the Grant Thornton report) confirmed findings from the Sunset Advisory Commission Report in that TxDOT should create a culture of respect for external stakeholders (governing bodies). Grant Thornton recommends improved communication leading to two-way discussion, so that TxDOT does not appear to ignore input and guidance.

3.4 Other State Department of Transportation Policy Statements

The TSU study team reviewed the public involvement materials from the fifty state departments of transportation (state DOTs). State DOTs with a direct written policy were identified and the policies examined with particular attention to words used and the message conveyed. Observations showed that some states supported their policy statement with objectives or specific bulleted detailed descriptive phrases. Other state DOTs included goals or

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[1] Since the Sunset Advisory Committee report in 2009, TxDOT has made changes in its methods of interacting with the public. TxDOT Executive Director, Amadeo Saenz Jr., P.E, attended a number of Town Hall meetings (as did TxDOT Commissioners) and made video sections for showing at Long Range Plan meetings. District Engineers also moderated several meetings attended during the course of this study.

implementation steps. Highlights of the states with the most developed policy statements, along with words and phrases used in their policy statement are shown in Table 1. Note that all state DOTs have extensive public involvement processes and documents. Many states' processes exhibited very positive positions about public involvement and implied policy, but displayed no direct policy statement. Others included policy statements on other matters. For instance one state has a policy statement about context sensitive design and another has a policy regarding Title VI.   However, the states shown in the table had written materials reflecting a comprehensive, overarching policy statement published prominently using the word *policy* or *philosophy*.   In the table, the entire policy statement is not written, just the word sequencing deemed important as the study team considered the appropriate wording for the TxDOT policy.

Table 1: State Department of Transportation Policy Statement Review

State DOT	Policy Clearly Delineated	Selected Key Words and Phrases	Structure
Alabama	Yes	…it will be the endeavor of the Heart of Alabama Rural Transportation Organization to actively seek comprehensive public input into our public transportation planning process…	Includes a purpose section
Connecticut	Yes	….actively engage in early and continuous public involvement efforts throughout all phases of project planning, development implementation and operation…	Supported by three delineating points
Florida	Yes	…work proactively with communities in implementing the principles, concepts, and philosophy throughout the transportation project development process….	Supporting points are delineated
Hawaii	Yes	…recognizes the value of public involvement as a programmatic measure that strengthens and solidifies its transportation programs…	Three paragraph policy supported by strategies
Indiana	Yes	…promotes public involvement opportunities and information exchange activities.	Includes benefits and implementation
Kansas	Yes	…reaches out to the citizens it serves and actively engages the public in the decision making processes…	Includes a goal statement with four descriptive points

Michigan	Yes	…we will move people and goods with safe, integrated, and efficient… transportation system that embraces all modes…equitably funded…	Accompanied with LRTP and process
Minnesota	Yes	…productively work with the people of Minnesota in public involvement that is appropriate, accessible, transparent, accountable, meaningful and inclusive of the state's diverse population	
Missouri	Yes	…will work side by side with local officials to make transportation decisions.	Accompanied with goal statement and transportation planning process.
New York	Yes	…the planning, design and construction of transportation facilities that meet service and safety needs….	Includes project process
Oregon	Yes	…meaningfully involve the public in important decisions by providing for early, open, continuous, effective public participation in, access to key planning and project decision-making processes….	Is accompanied by purpose, objectives and implementation steps
Wyoming	Yes	The policy provides criteria for using different levels of public involvement initiatives.	

It should be noted that a state department of transportation not listed above may have a stated policy that was not identified during our review and reconnaissance.

3.5 Interviews

To better understand the effectiveness of TxDOT public involvement activities, the TSU study team interviewed county and city government officials and TxDOT employees. These interviews were used for anecdotal purposes to gain an understanding of internal and external perceptions. The first set of responses is for city government officials that frequently interface with TxDOT employees to help disseminate information regarding projects and plans. The second set of responses is from TxDOT employees. A synthesis of the comments is below; verbatim responses are in Appendix 2.

Interview Responses from Representatives of County and City Government

As noted in other areas of the agency, the level of communication is inconsistent. Some local governments have frequent interface with district TxDOT staff and other districts have less regular contact. Where communication is regular, the PIO actively maintains the contact. Often citizens call the local government to learn what TxDOT will be doing. A web page that is more easily navigated is suggested. Those government staff that do not have regular contact, expressed they welcome more consistent interface. Overall, the interviewees rate TxDOT positively.

Interview Responses from TxDOT Employees

The public is more likely engaged when project specific meetings occur. Long range planning discussions tend not to draw large numbers of people. Meeting success is getting citizens to attend, being prepared and obtaining citizen input. Staff expressed they could improve their web outreach and communication through compiled mailing lists. Outreach strategies are not standardized across districts, e.g. some districts use social networking, and some do not. TxDOT employees recognize the importance of building positive relationships with the citizens.

Interview with City of Fort Worth Public Works Department

To gain additional insight on best public involvement practices, TxDOT staff requested that TSU staff examine a public involvement process undertaken by the City of Fort Worth's Public Works Department during the Mary's Creek Basin Water Recycling Center Site Selection. This project involved studying fourteen 100-acre sites and narrowed the selection down to three potential locations for a wastewater facility to be built in 2025. The City assembled a Community Advisory Committee from University of North Texas, Texas Christian University, Chambers of Commerce, environmental activists, and public health entities to help with the project. The strategy, which was considered successful, focused on communication with small groups using the open house format so citizens could work more closely with staff and committee members.

Chapter 4. Public Involvement Strategies and Guidelines for Use

Review of public involvement literature and public involvement material from other state departments of transportation provide an abundant source of ideas for innovative strategies and templates to supplement existing TxDOT methods of engaging the public. Conditions to apply each method require discretion and judgment by local TxDOT engineers and planners based on goals, potential outcomes and citizen perspectives about the plans or projects.   The most conventional method, public meetings or hearings, are valuable at certain stages.   On other occasions, innovative, non-traditional methods should be explored.

4.1 Conventional Methods

Public meetings or hearings work well at the beginning and end of the planning or project processes. It may also be desirable to have public meetings when milestone are achieved, for instance when detailed engineering drawings are complete. This method is advised when the objective is to reach a broader cross section of the community at one time. Sometimes, public meetings are erroneously called *Public Hearings*. The environmental engineers and Public Information Officers recognize that the formal public hearings are accompanied by very specific legal guidance and are very different from the public meetings, where TxDOT has more latitude in meeting structure and content.

4.2 Innovative Methods

Public involvement professionals encourage outreach that better enables citizens to understand concepts and feel as if they are heard. At times, methods beyond the public meeting best meet this objective. Examples of nontraditional outreach are shown below.

- **Outreach to Respected or Innovative Leaders:** One-on-one communication is advised with designated community leaders especially for difficult or controversial projects.

- **Internet Methods:** Webinars allow participation by people from remote locations. Those with web camera capabilities can see as well as hear.

- **Telephone Meetings:** A call-in number is arranged and people can call from home to listen to discussion about a project. Questions are rotated in, callers can be heard asking questions. Answers and discussions occur in this format.

- **Host a Citizens' Conference** - New Mexico DOT created a Citizens' Conference which educates the general public regarding transportation needs, matters, vision, and general information. Participants are introduced to various transportation professionals and experts. Citizens share their transportation concerns and ideas. After attending the conference, citizens are asked to make long-term recommendations to meet New Mexico's transportation vision.

- **Send "Thank you note" as meeting follow up** – New York DOT sends "thank you notes" to the owner's of meeting facilities. However, this method could be used for meeting

attendees or when the public submits a comment. Personal touches prove important to building relationships with the public.

- **Create a Citizen's Advisory Committee** – New York DOT created an advisory committee that contained key stakeholders appointed and self-appointed. Other suggestions include ensuring that committee members are also "regular" citizens. Ensure that persons with limited English, minority, persons with disabilities, and low income persons are included during stakeholder identification.

Chapter 5. Public Involvement Policy

5.1 Background

The Texas Department of Transportation (TxDOT) employs a range of methods and strategies to incorporate Texans in the many aspects of planning, project implementation and partnerships. One of the most common methods is the public meeting or public hearing. Targeted corridor committees, marketing-oriented outreach activities, and direct individual communication allow engagement between the public and transportation officials, in addition to large public meetings.

The public involvement process is supported by a number of TxDOT specific, state of Texas and federal legislative codes. These statutes define involvement and cover basic requirements for meetings, hearings, inclusion of underrepresented groups and environmental processes. Public involvement mandates emanated from the federal government decades ago, but still are not always a component of college and university planning and engineering curricula. For that reason, US Department of Transportation, TxDOT and other state departments of transportation have guidelines, manuals and other materials to assist staff in conducting public involvement activities. Although resources are available and staff efforts are intensive, good public involvement may be elusive for many reasons which may include, but are not limited to:

- complexity of transportation concepts and terms which may be difficult for the citizens to understand,
- inadequate explanations by transportation officials or perceived attitudes of technical superiority by transportation planners and engineers,
- lack of trust between transportation planners and engineers and the public,
- transportation solutions that are often long-term, while citizens may be more interested in imminent activities, and/or
- desire by some citizens for their community to remain unchanged when new transportation infrastructure is needed or proposed.

In spite of the preceding or other difficulties, it is imperative that transportation professionals overcome the challenges and structure their planning and project tasks to encourage collegial liaisons with the public and incorporate citizen perspectives in a meaningful way.

All Texas agencies undergo periodic review by the Texas Sunset Advisory Commission. In its 2009 review, the Commission recommended that TxDOT develop a more meaningful, consistent public involvement process, along with a policy statement reflecting the agency's philosophy. With that objective, several key tasks were undertaken to strengthen TxDOT's liaisons with the public. Attendance at statewide planning, transportation corridor, and project meetings offered an opportunity to view TxDOT's processes and interactions with stakeholders. Literature and regulations, documents from other states, a Fort Worth public works project, TxDOT manuals and TxDOT's website were reviewed. Interviews occurred with representatives of governments that work with TxDOT, several TxDOT staff, and representatives of the Texas Sunset Advisory Commission. These synthesized findings led to the policy statement and recommendations that follow.

5.2 Purpose

Public involvement is a core component of transportation planning and project implementation. The public's expectation is that their values and opinions will be included in each phase of the transportation process. Texas Department of Transportation (TxDOT) staff commits to residents, business owners, and persons with a stake in transportation planning and projects to develop and implement a process, where citizen perspectives are respected and considered in the decision making process. The policy supplements TxDOT Manuals *{Title VI Review of the Transportation Planning and Programming Division, Public Involvement Plan (February 25, 2010)*, *Texas Department of Transportation Public Involvement Plan: Talking with Texans (July 2008), Environmental Manual (Revised October 2004)}* that provide additional guidance regarding methods and requirements. The policy, objectives and recommendations to achieve the policy are delineated below.

5.3 Policy Statement

The Texas Department of Transportation (TxDOT) commits to purposefully involve the public in planning and project implementation by providing for early, continuous, transparent and effective access to information and decision-making processes. TxDOT will regularly update public involvement methods to include best practices in public involvement and incorporate a range of strategies to encourage broad participation reflective of the needs of the state's population.

5.4 Objectives

- Ensure continued adherence to all regulatory guidelines and policies in compliance with federal and state statutes and sound public involvement practice.
- Solicit and encourage proactive public involvement that can be fully integrated into the planning process and incorporated in the various planning activities.
- Provide opportunities for accurate, timely information upon which Texas residents can rely.
- Establish and maintain TxDOT's reputation as a trusted source of information.
- Proactively seek early and continuing public input and involvement, and be responsive to inquiries and suggestions.
- Listen to stakeholders when comments are provided; be responsive and accountable to all stakeholders.
- Energetically adhere to or exceed all applicable TxDOT, State of Texas, or federal public participation requirements for planning and project implementation.
- Utilize multiple methods to explain TxDOT's processes, priorities and procedures, so the public will have a solid foundation upon which to make requests, inquires and suggestions.

5.5 Recommendations

In the year since receiving the Sunset Advisory Commission recommendations, TxDOT has begun modifying its approach to public involvement, already incorporating suggestions from the

report. Therefore, some of the following recommendations may be underway. The order does not imply priorities.

R1 **Continue to cultivate a culture of early outreach that welcomes comments and input from the public**. Strengthen the thinking within TxDOT that public involvement is always desired. Outreach will begin at the initial concept stages and continue through more detailed planning, engineering and construction stages. The use of comment cards and website interfaces should be continued. Comments from the public that are mentioned to staff during meetings should be recorded and submitted for consideration and inclusion in decision making.

R2 **Prepare a written debriefing assessment of each meeting.** Summarize the highlights or major accomplishments from the meeting or event and provide via email distribution or post on-line offering information and updates for citizens whether or not they were able to attend. Assess the communication and work to improve each subsequent citizen contact.

R3 **Develop a response mechanism.** Inform stakeholders which of the public's ideas TxDOT has incorporated into plans. Provide citizens feedback as to the TxDOT department the comment was directed to and when the citizen can expect a response. When citizen requests cannot be honored, clearly communicate why alternate decisions are required.

R4 **Create a compendium of best practices and success stories available on the TxDOT website**. Documenting success in various districts and on various projects/activities offers the opportunity for community members and TxDOT staff to learn the strategies employed in other districts. Successful and best practices may then be incorporated in other districts around the state.

R5 **Increase use of non-traditional outreach and involvement strategies.** Web-based sessions and telephone dial-in methods may attract larger and more diverse constituent pools and prove useful for citizens with less time to attend meetings. Consider new ways to improve communication. Instead of just a map, superimpose photos to show specific locations providing a stronger visual, use 3-D and other visualization tools as often as reasonable. Look for unique opportunities to dialog. For instance, attend a civic group meeting presenting TxDOT's plan or project as part of a larger agenda as a way to approach a new audience.

R6 **Develop and make widespread use of a template of meeting styles and types.** This will allow TxDOT staff to tailor the type of event to better fit the transportation need. Public involvement methods may often be implemented out of habit or convenience for the transportation professional. A normal response is to plan a meeting. Other strategies may be more effective, depending on the nature of the plans or project in question. Informal meetings with one or two constituents could also prove effective and important for relationship building.

R7   **Be careful about nomenclature and published descriptions.** Prepare for meetings and ensure that engineering terms can be explained for lay stakeholders. Also carefully edit published documents. For example, one task in Module 2 of the Introduction, page 3, of the TxDOT Public Involvement manual for staff reads, "Determine when public involvement is required and when it is recommended." Change the language here. The actual section in the manual addresses a public hearing (which has specific hold or do not hold guidelines), not public involvement, which is always desirable.

R8   **Require public involvement retooling**.   One person in each TxDOT project team should receive additional training every two years. This allows for updating of current public involvement strategies and techniques to better engage the public. Also, an updated TxDOT *Environmental Manual (Revised October 2004),* could serve as the foundation for the training and facilitate implementing this recommendation.

Appendix 1 specifically ties each aspect of the review to a recommendation and denotes strategies designed to achieve the recommendations.

REFERENCES

Executive Order 12898.1994 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," Retrieved September 10, 2008, http://www.fhwa.dot.gov/hep/execord.htm

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APPENDIX 1. SYNTHESIS OF RESEARCH FINDINGS

A.1 TESTIMONY TO THE SUNSET ADVISORY COMMISION AND GRANT THORNTON REPORT

Representatives of public agencies, interest groups and individual citizens provided direct testimony to the Sunset Advisory Commission. The most frequent comment requested TxDOT's incorporation of positive and negative input to the decision making process and clear reflection in final documents about how stakeholders' input influenced deliberations. Speakers also asked for transparency and early outreach in the planning stages to the broad base of TxDOT constituents. Successes and best practices should be shared across TxDOT's districts. In addition to the testimony as part of this process, representatives of the Sunset Advisory Committee were interviewed to confirm the perspective read in the testimony. Team members reviewed the Grant Thornton report, which complemented TxDOT staff on their loyalty and encouraged broader, more inclusive reflection of the state's broader constituent base.

Direct Link to Recommendation

Policy Recommendations R1, R2 and R3 address the primary request to improve feedback and increase stakeholder confidence that their input is taken into consideration. Early, continuous and comprehensive outreach specified in these three recommendations will create a more open environment increasing transparency. The broad base of TxDOT constituents will be reached through Recommendations R5 and R6.

A.2 FINDINGS FROM PUBLIC INVOLVEMENT LITERATURE

Advancements in technological capacity, including visualization and web-based communication offer planners and engineers a variety of options to better communicate with stakeholders beyond the traditional public meeting. Individual and small group meetings with residents or business owners can sometimes improve communication and build trust. Agencies report success in asking influential or respected community leaders to sponsor meetings, where the public agency is the guest attending to present information and obtain feedback. Non-traditional outreach methods prove particularly advantageous when target populations are younger and more diverse than the general population.

Direct Link to Recommendations

A variety of outreach methods and strategies are proposed through Recommendations R5 and R6. Expanding the methods of outreach, especially via the internet, increases the potential to reach a broader audience, who may be unable or unlikely to attend a public meeting. Going to stakeholders, in addition to inviting stakeholders to TxDOT sponsored events, shows a willingness to go beyond traditional thinking in communicating with the public.

A.3 REGULATIONS AND LEGAL BACKGROUND

The beginning of public involvement occurred with Federal Aid Highway Act of 1950, which established rules regarding public hearing requirements. Thereafter, the Federal Highway Act of 1956 required states to hold public hearings when an interstate was planned to bypass or go

through a town. By 1962, the Federal Aid Highway Act called for local officials, in areas over 50,000 in population, to actively participate in project planning. A few years later, the Title VI of the Civil Rights Act of 1964 established that no person could be excluded from participating in any program in an activity receiving Federal funds. The public's interests were further strengthened with the adoption of National Environmental Act (NEPA) in 1969, which called for the government to remain transparent and open to the general public. Under the most recent mandates from Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users SAFETEA-LU (SAFETEA-LU), government is to actively engage the public using visualization tools and is encouraged to hold meetings at convenient times for the public. Overall, TxDOT officials appear to be following the major federally mandated requirements for public meetings and public involvement. TxDOT has an annotated bibliography listing legislative codes and Executive Orders directly specifying public involvement requirements. Further guidance is outlined in "*Public Involvement Rules and Regulations – Talking with Texans: Public Involvement Plan.*" July 2008.

Direct Link to Recommendations

State and Federal guidelines require early and continuing outreach to persons affected by an upcoming project or program. Public involvement is listed in the area of stimulating the health and welfare of man in the NEPA act. Matters of civil rights, environmental justice and improving communication with limited English proficiency are also in the TxDOT Annotated Bibliography. Recommendations R1, R3, R5 and R6 address developing an atmosphere conducive to positive public engagement and considerations for inclusion of diverse constituencies.

A.4 DOCUMENTS FROM OTHER STATES

As a part of public involvement research, public involvement policies and plans were examined from most of the fifty states. States with sections, phrases and formats considered as the TSU team drafted Texas' policy were Nebraska, Florida, New Jersey, Minnesota, Hawaii and South Dakota. Lessons learned from these states' documents include the importance of reflecting the commitment to be open, engaging and responsive to stakeholders. States include the critical component of providing a clear view of how decisions are made and how citizen input influences decisions. Either in the policy statement or in the supporting goals or objectives, states use the words "early and continuing" to denote involvement in all phases of plans and programs.

Direct Link to Policy and Recommendations

The Policy Statement and objectives incorporates a number of specific words and phrases to reflect the all-encompassing nature of involvement from the beginning planning stages to project completion. The statement is devised to include all TxDOT activities and welcome involvement from the highest levels of TxDOT's leadership. In addition, recommendation R1, R2 and R3 directly support facilitation of two-way communication.

A.5 MEETING ATTENDANCE

To explain important goals, develop a long range plan and to obtain input on community needs and concerns, TxDOT held meetings in small rural, small urban and large urban areas primarily during evening hours. TxDOT selected the open house format as the preferred method to discuss

the Statewide Long Range Transportation Plan (SLRTP) and area project meetings. The second type of meeting used by TxDOT staff is the evening town hall meeting. The goals of the town hall meetings were to obtain specific information regarding community concerns and document suggestions for TxDOT's consideration on current or future projects or planning activities. For the I-35 Corridor meetings, smaller committee meetings were open to the public but not necessarily viewed as a public meeting. As a result, the meetings were conducted mid morning. Overall, meeting attendance varied from five attendees to sixty. TxDOT staff actively engaged the public and generously requested comments and input. Staff was well-prepared and meetings flowed smoothly.

In several cases, meeting attendees did not always understand the format of the open house project meeting and Statewide Long Range Transportation Plan meetings. Attendees asked other attendees if they missed the "opening comments/presentation" by TxDOT staff.   A key element to improve TxDOT's communication through public meetings includes explaining the "flow" or agenda for the meeting as participants enter. This will give the public an understanding of how the meeting will operate and help attendees determine how they fit into the meeting's purpose and/or discussion.

Direct Link to Recommendations

Recommendation R6 emphasizes the need to select the appropriate meeting format for the audience. Selecting the appropriate meeting format will improve the overall experience for the attendees and help staff obtain important feedback/comments from attendees. Sharing best practices and information internally about what works well with the citizenry can improve the conduct and communication with stakeholders per R4. Incorporation of R7 and R8 will reduce the use of transportation specific nomenclature and enable to staff to enhance their expertise, while maintaining skills that reflect innovative trends.

A.6 BROCHURES/MATERIALS

At each meeting, TxDOT provided attendees with handouts and brochures relevant to that meeting's purpose. At meetings, materials consisted of comment cards, newsletters, a general demographic survey or questionnaires. In some occasions, TxDOT coloring books, maps, travel information was also available. Noteworthy observations by TSU staff reveal that materials were easy to understand which proves beneficial when working with persons with low literacy. However, materials were only available in English, which in some environments could prove problematic. TxDOT should carefully evaluate potential audiences to determine which materials should be made available in other languages taking into consideration when the demographics of an area indicate that non-English speakers live in the area.

Direct Link to Recommendations

Recommendations found in R5 suggest the use of 3-D imaging and other visualization tools would be helpful with all persons, including those with low literacy or persons with limited English proficiency. Universal signs and graphic imaging tools remain important techniques to describe a project or activity without using words. In addition, 3-D imaging allows for instant modification of projects or scenario building compared to static conventional one-dimensional renderings that cannot be changed without being redrawn. Further, R4 encourages TxDOT staff to share material, brochures, templates that are innovative and creative.

A.7 INTERNET/WEBSITE

TxDOT used the internet as another method to reach the public. TxDOT's website offered information on public meetings and public hearings, committee meetings, and various ways for the public to stay informed of TxDOT's activities. Overall, the website proved user-friendly and offered several places for the public to leave comments. TxDOT shows a commitment to being innovative with its use of social networking. However, TxDOT should consider linking the meeting address to an internet map application, i.e. MapQuest or GoogleMaps. Using these applications, a potential meeting attendee can quickly assess where the meeting is in regards to their home or place of employment.

Direct Link to Recommendations

Recommendation R5 addresses new ways to improve communication, shows TxDOT's commitment to using the internet, offering web access, and participating in social networks. Incorporating GPS map applications will make TxDOT's website more user-friendly and convenient for potential meeting attendees. The accessibility and time-saving nature of the internet will facilitate information dissemination early and often and is available according to constituents' individual schedules as per R1.

A.8 INTERVIEWS

TxDOT staff and government representatives were asked a series of questions relative to TxDOT's meetings and public involvement efforts. TxDOT staff indicated that some meeting attendees felt confused by the open meeting format. Some staff also stated they received training but many did not. They were largely unfamiliar with TxDOT's public involvement documents. This was specifically true of area engineers. TxDOT should offer refresher courses and provide manuals for employees that do not have the title of public information officers but act unofficially as public information officers when dealing with the public during their daily job responsibilities. Regular contact between TxDOT and local officials occurred in some districts, but not in all. It is important to develop protocol to make consistent local liaisons.

TxDOT's working relationship with stakeholder governments are positively viewed through those interviewed. TxDOT staff noted the variations in how public outreach, meeting scheduling and involvement strategies differ across districts. They recognize the importance of building relationships and maintaining consistent communication with the public.

Direct Link to Recommendations

Government respondents asked for the internet to be utilized to keep them and citizens informed of updates and for general communication. Regularly scheduled meetings are also requested. R8 retooling TxDOT professionals will address the training need.

**Summary of Syntheses' Sources and
Applicable Recommendation**

Source	R1	R2	R3	R4	R5	R6	R7	R8
Testimony to Sunset Commission and Grant Thornton Report	x	x	x		x	x		
Public Involvement Literature					x	x		
Government and Legislative Requirements	x		x		x	x		
Documents from Other States								
Meeting Attendance				x		x	x	x
Brochures and Materials				x	x			
Internet and Website	x				x			
Interviews					x		x	x

APPENDIX 2. INTERVIEW QUESTIONS AND RESPONSES

The following section examines responses from government representatives and TxDOT employees interviewed by CTTR staff.

Interview Questions for Government Representatives

How would you rate the job that TxDOT does when it comes to informing the general public about projects? Explain your rating. 1 is lowest and 10 highest

Response 1:
Rating: 6 – Notice of work is not always provided. It is not uncommon for citizen calls to come in to City Hall wanting to know what is going on, and why they (TxDOT) are out there. We often have to call the local TxDOT office to gather information then disseminate the information to the media and the public.

Response 2:
Rating: 7 - The PIO has biweekly or weekly updates whether or not the public is involved - not sure if they have press release interviews on the television.

(If less than 9) What can and should TxDOT do to improve that rating?

Response 1:
They could issue press releases as projects are approaching or publish a notice in the local newspaper to keep the public informed. It would also be helpful if, on the TxDOT webpage, it was easier to navigate to projects within the county or city. Also, the descriptions on the projects webpage are not very descriptive.

Response 2:
Doing quite a bit.

How does your office communicate with TxDOT on the following:

Response 1:
   a) *Planning matters - Not very consistently. There is not a set periodic meeting with the area engineer or district engineer to openly and consistently communicate. Meetings usually occur when issues arise.*
   b) *Projects affecting your community. We have quarterly Utility Coordination meetings where TxDOT is in attendance, but not all projects are communicated.*
   c) *As it relates to public involvement -Public involvement seems to be driven by instances where it is required. Otherwise, there is minimal public involvement.*

Response 2:
   a) *Planning matters- Emails and through meetings.*

b) Projects affecting your community – The same as with the public meetings, make citizens aware.

c) As it relates to public involvement - Public information office coordinates with our public information officer directing meetings.

*What could TxDOT do to im*prove their involvement with your constituents?

Response 1:
Have periodic public meetings (yearly?)

Response 2:
Nothing comes to mind.

What resources could be altered so that the public received better public involvement opportunities?

Response 1:
Press releases to the local media and/or advertisement in the local newspaper.

Response 2:
Make available a media outlet through phone or TV to make citizens aware.

How can TxDOT better understand what you think about the future direction of transportation in Texas?

Response 1:
This question is rather vague. It seems evident that we do not have sufficient funding for appropriate maintenance levels statewide. I feel that TxDOT is aware that the citizens are not happy with the state of roads or the level of delays, but they are knowledgeable of the funding and it seems evident that we don't have sufficient funding to construct new roads without constraints.

Response 2:
To be well informed, and he says he is.

Would your answer change if you're thinking of a project near your neighborhood?

Response 1:
Our City has expressed our needs and desires to the district engineer; however, we are aware of the funding constraints.

Response 2:
No.

Summary of Comments from City Government Officials
- Generally, city officials rated TxDOT public involvement positively.

Interview Questions for TxDOT Employees

TxDOT staff included public information officers, district engineers, and area engineers from the Corpus Christi, El Paso, Houston, and Tyler districts.

Do you think the public understands the difference between an Open House, Town hall and Project Meeting?

Response 1:
In some cases they do. People who frequent public involvement meetings generally do understand the difference; however, it is not something most people pay attention to in the advertisement of meetings. I think people generally only pay attention to the fact that a meeting for the public is being held no matter whether the ad specifies the format.

Response 2:
Generally speaking yes they do. It depends on the intent of the meeting. If clearly stated, Open House is much more effective. A lot of people don't ask many questions, so it works out fine. Sometimes the type of meeting is forgotten, but there is a need to tell people because TxDOT tends to forget.

Response 3:
Some of them do not.

Response 4:
No

How well do these types of meetings work?

Response 1:
Preparation and execution are the main factors that determine how well they work. They can be an excellent means of engaging the public and receiving input and feedback. However, the determination of success is based on the effectiveness of the outreach in getting people to the meeting, the content of the information being provided, and opportunities or strategies employed during the meeting to provide, receive and document information and opinions exchanged. Lack of proper planning or execution on either level can make a potentially worthwhile meeting totally ineffective.

Response 2:
It depends on the project, especially if there is a lot of facts and detail. Open house caters to the individual depending on the project. The level of complexity of the project and how controversial the project is (Eminent domain – controversial questions) are factors to be considered.

Response 3:
Works fairly well. Don't have a big turnout.

Response 4:
- *Project Specific / Issue Specific*
    - *Attract people that take the issues seriously*
    - *More participation*
    - *Becomes a priority when project affects citizens*
- *Broad / Long Range*
    - *More ambiguous*
    - *People are busy with other things so they have very little time*

What tools did you use to publicize the meeting?
1. Newspaper article
2. Newspaper notice
3. Flyers
4. Website
5. Email
6. Phone tree
7. Other_____

Response 1: All of the above and social media.
Response 2: Newspaper, radio, reach out to everyone, state, etc.
Response 3: Press release and ads in the paper
Response 4: Press (radio and TV) and legal notices
- *Better job using more electronic/ web mail*
- *Registration list placed in file*
- *Compilation list turned into a distribution list for monthly mail / meetings*

How satisfied were you with your outreach efforts?
1. Not at all
2. Somewhat
3. Satisfied
4. Not satisfied at all

Response 1: Satisfied
Response 2: Satisfied (very)
Response 3: Somewhat – Doesn't reach everybody- people interested always show up.
Response 4: Somewhat – For example, employee survey (doesn't do a good job dealing internally and externally).
Were you pleased with the turnout? Explain….

Response 1:
We generally have very good turnout for meetings sponsored by our District, however, the content of the meetings and/or strategies employed for public engagement are frequently more of a challenge when evaluating meeting success.

Response 2:
Pleased with the turnout. Open house meetings versus other meetings give people convenience and flexibility.

Response 3:
- *I thought we need to get more people.*
- *Don't have great numbers.*
- *Get people that are already interested.*
- *Depends on the meeting - if for project- no; but, if controversial yes.*

Response 4:
- *Project Specific: Yes, a lot of people come out.*
- *General /historically broad meetings/ town hall (not project specific): attracting people limited.*

What additional steps could be taken to increase the number of attendees?

Response 1:
This is generally not an issue for our District meetings. However, from the perspective of expanding the breadth of our outreach, it would be good to offer citizens a web-base mechanism to subscribe to receive email blast about information and corridors of their particular interest.

Response 2:
- *More involved when you affect their business.*
- *Being clear from the get- go to make the people aware of what is going on with the project.*
- *Positive and negative effects from the beginning will bring people out (communicate that).*
- *Steps that are going to be taken to affect the business.*
- *Past idea(s) to learn from.*
- *Always ways to improve.*

Response 3:
Unsure other than what is already being done.

Response 4:
- *Plan other meetings of the same; for meetings having a bad turn out (not sure what can be done)*
- *Project Specific: Leave format as is, but make more educational*
- *Huge freeways*

What types of tools (maps, video, etc) were used to explain the project or purpose of the meeting?
1. Maps
2. Videos

3. Presentation using (PowerPoint)
4. Handouts
5. Other_____

Response 1: All of the above

Response 2: We used the following:
- *project costs and persons*
- *pictures*
- *team interaction and flyer used mostly*
- *maps*
- *videos*
- *Not the norm type of tools at the grocery store - Spoke to different meetings rotary clubs, county meetings etc.*

Response 3:
Maps
Charts
Newsletter – depending on the purpose of the meeting

Response 4: No response

Do employees receive training on public involvement strategies and methods?

Response 1:   Not typically
Response 2: No, they don't receive any formal training - but would benefit from training
Response 3: There should be more training
Response 4: No response

Are you familiar with the TxDOT Public Involvement Manual?
1. Yes
2. No

Response 1: No
Response 2: Yes
Response 3: Yes
Response 4: Yes

How often do you use the TxDOT Public Involvement Manual?

Response 1:
To my knowledge, there is no stand-alone manual for public involvement outside of the chapter/section documentation provided within the body of Environmental Manual and the

Transportation Planning Manuals. In general, these manuals speak to the legal and federal process guidelines and requirements. Strategies for public engagement and tools to optimize the communications before, during and after are not addressed.

Response 2:
Haven't read because wasn't aware one existed.

Response 3:
Took the class, but haven't looked at the manual enough. It was read after taking the class, but that was it.

Response 4: No response

What changes, if any, should be made to the TxDOT current Public Involvement Manual to ensure better public involvement?

Response 1:
In general, PI outreach could be significantly improved if the efforts to engage the public were not handled in a vacuum with technical area practitioners attempting to design, plan and execute PI efforts and programs. Public Involvement initiatives should be managed, planned and executed with the direct oversight of communication and public affairs professionals and tailored to the needs of the entities (i.e., departments, divisions, projects) seeking to engage the public. As long as the efforts to engage the public are primarily focused on getting checks in the boxes relative to requirements needed for federal approvals and are left to the devices of engineers, planners and environmental coordinators with little to no expertise in public relations, public affairs or communications, TxDOT will likely continue to fall short of our potential to truly involve, engage and inform the public.

Response 2:
- *Try to sell a project more than we should*
- *Stepping out of the box and being down to earth and having one on one with the people*
- *Good communicator*
- *Give them a reason to read the document*
- *Get back with the people so that they can know you respect and value you their opinions*

Response 3:
It needs to be or maybe not be in the manual. Better communicate who is involved in this process.
Response 4:
- *More effort on outreach*
- *Continue dialogue with public so that they come out*
- *Improve ways of communication*
- *Greater emphasis*

Summary
- Different strategies are used to publicize meetings by different employees. For example, engineers use some methods similar to PIOs. In some cases, even the PIOs used different outreach strategies to publicize a meeting, i.e. social networking used in one district, but not another.
- TxDOT employees stressed the importance of building positive and honest relationships with constituents. They pointed to the need for frequent communication.
- The use of maps, pictures, and videos appear to be useful to constituents.

Interview with City of Fort Worth Public Works Department

Mary Gugliuzza, PIO City of Fort Worth Public Works Department, explained the Mary's Creek Basin Water Recycling Center Site Selection. This project involved a process of studying 14 potential 100-acre sites for a wastewater facility in 2025. The goal was to narrow the sites from 14 to three locations. A Community Advisory Committee of stakeholders was assembled from University of North Texas, Texas Christian University, Chambers of Commerce, environmental activists, public health business, etc. Staff educated the committee regarding wastewater/ water recycling and provided tours of various wastewater/water recycling facilities. Consultants were hired to draft a report that would identify three potential locations to site the facility. The stakeholders provided input on the site selection process and information in the study.

A general open house was held in January 2010. In April of 2010, another open house was held to discuss the findings of the study and the sites selected for additional study. During the open houses, six to eight workstations were created with two staff/consultant/committee members at each station to take notes and answer questions raised by citizens. Ms. Gugliuzza noted the project was successful because the typical large meeting format with a presentation was not used. Instead, staff utilized the open house meeting format splitting the crowd into smaller manageable groups. Staff felt this strategy would be most effective allowing citizens to interact more with staff and committee members. TSU staff asked about additional public involvement techniques employed during this process. Ms. Gugliuzza noted the use of mass emails to neighborhood groups and Public Works' database, drafting of media ready articles, and project updates noted in the Star Telegram. The Advisory Committee and staff also made presentations at neighborhood associations and other organized opposition group meetings.