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10-1-1994

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**PUBLIC INVOLVEMENT IN
MEDIAN PROJECTS**

Prepared for the
Florida Department of Transportation
Systems Planning Office

by

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October 1994

INTRODUCTION

Improvements that affect access, such as restrictive medians or closure of median openings, can be highly controversial. Because they restrict accessibility, median projects may be perceived as a threat to the continued viability of corridor businesses. The safety of U-turns, the potential for cut through traffic in neighborhoods, and adequate access for trucks are among the other issues that may arise in relation to median projects. Without a process for raising and responding to public concerns, project engineers will likely face intense political pressure to concede to public demands for unrestricted access and traffic signals. The result may also be increasingly forceful opposition to future projects.

Median projects have been impeded because the public was not involved in the decision process or was involved too late for meaningful debate. Excluding the public from median decisions fuels suspicions and increases the likelihood of public opposition. This can suspend or delay production, increase the prospects for costly litigation, and reduce the potential for a successful outcome. Alternatively, an effective public involvement program can ultimately safeguard the project against arbitrary or undesirable changes. As end users of the proposed project, affected groups may also provide information that results in better solutions.

These issues have come to the forefront as the Florida Department of Transportation implements state access management objectives related to design and spacing of median openings. A recent review of access management issues by the FDOT Roadway Design Office concluded that the lack of a uniform process for communicating access management decisions to the public has constrained access management efforts in Florida.¹ The report recommended development of a statewide procedure for communicating access management decisions to the general public—including affected commuters as well as adjacent property owners.

A statewide workshop with representatives from each District was held in June of 1994 to discuss current practices related to median openings and public involvement for median projects. At this time, District representatives acknowledged the importance of a public involvement process for resolving public concerns related to medians and other controversial projects. Options discussed included initiating public involvement during the design phase of production and the open house meeting format. It was suggested that training and more specific guidance on public involvement be developed by the central office.

Initial recommendations call for a tiered public involvement program during production, with more extensive public involvement for complex or controversial projects.

¹ Florida Department of Transportation, Roadway Design Office. *Access Management During the Production Process*, 1994.

An open house meeting format was recommended for this purpose, supplemented by meetings with local government officials, civic associations, and others as warranted. The importance of clear graphics, adequate traffic engineering analysis prior to the public meeting, and thorough documentation of public involvement activities and communications were also emphasized.

A continuing problem cited by many Districts has been inadequate local government support and coordination on access management initiatives. A public outreach program for informing local governments and the general public about access management and identifying opportunities for mutual collaboration would be beneficial.

This paper reviews principles for managing public involvement on controversial projects, state and federal requirements for public involvement in the transportation production process, and public involvement programs currently underway in FDOT Districts IV and V. It concludes with an overview of new directions for public involvement in median projects.

EFFECTIVE PUBLIC INVOLVEMENT

The traditional public involvement process relies on public hearings, both to inform the public and to elicit public reactions. Although public hearings are useful for establishing an official record on project decisions, they are not an effective forum for resolving public concerns related to controversial issues. Instead, they require the public to react to decisions and therefore tend to be highly adversarial—especially where affected persons have otherwise been excluded from the decision process.

Typically, the public has developed misconceptions about the project through rumors or incomplete media reports. Those most affected by the project—usually those with the most to lose—are more likely to invest time and energy in attending the hearing. Frustration grows due to procedural formalities, such as limits on the length of comments, that interfere with their ability to express their concerns. They may feel intimidated by the polished presentations or by having to speak into a microphone in front of a crowd.

Often unaccustomed to the public spotlight, many become emotional or even militant, using uncompromising and inflammatory language. A vocal opponent may use the hearing as an opportunity to obtain public sympathy and rally opposition. Suspicious of agency intent or assumptions, the public may be easily swayed. This "mass effect" can cause a public meeting to deteriorate into an arguing match.

Early and Continuing Involvement

The preferred alternative is to involve affected groups early and often in the project planning process so their concerns can be considered in proposed solutions. Edison

Electric Institute, which relies on public involvement techniques when siting electric utilities, advises the following:

"An effective public participation program must be instituted early in the project planning process to obtain meaningful input from interested parties. Project developers must *prove to the public* that their concerns and ideas will be given serious consideration."²

Even where a project is contrary to the position of a participant, he or she may still accept that project *if the process that produced it is legitimate*. Says Ervin, et al., for controversial development issues: "Procedures, rather than actual decisions, appear to be the origin of most people's perception of political legitimacy."³ The public involvement process should begin early and parallel the design and production process so public concerns can be addressed in project solutions. Not only will this increase the legitimacy of the process, it will also avoid unnecessary production delays.

It is helpful to prepare a brief public involvement plan for each project to establish the appropriate level and sequence of public involvement activities. Large controversial projects, such as retrofitting an entire corridor, require the most extensive public involvement program and public involvement should be carefully integrated into the decision-making process. Projects affecting only a few property owners may require little involvement beyond notification. The plan would also identify who in the agency should be involved; whether outside expertise will be needed to assist with the public involvement activities; major issues to be addressed in the decision process; and who should be notified.⁴

PRINCIPLES OF PUBLIC INVOLVEMENT

Providing an opportunity for public involvement is not sufficient. Department representatives must also develop skills for managing the differences that arise when diverse interests are given a voice in the process. Dealing with diverse interests requires strong communication skills and an understanding of the limits and objectives of the public involvement program. Knowledge of the following principles is useful for managing public opinion on controversial projects. Several of these principles are also applicable to dealing with applicants in permit situations.

² Bruce McClendon, Ray Quay. *Mastering Change: Winning Strategies for Effective City Planning*. Chicago: Planners Press, American Planning Association, 1988, p. 119.

³ Donald Hagman, *Public Planning and Control of Urban Land Development*, 2nd Edition, West Publishing Company: American Casebook Series, 1980, p. 224.

⁴ James L. Creighton. *The Public Involvement Manual*. Cambridge: Abt Books, 1981. p. 82.

Consensus is unrealistic. It is generally unrealistic to expect consensus for decisions related to controversial projects. Instead, project managers should strive for consent—defined in this context as "a grudging willingness to go along." Affected parties should be able to acknowledge that the project is needed or at least that the proposed action is better than doing nothing.

Establish a fair and open process. Consent is most likely to be achieved when the process values of affected parties have been met. In other words, participants should generally agree that the decision-making process is fair and reasonable, that they are being heard, and that their concerns are being considered. Affected parties will be much more likely to accept hardship, if they have had a fair hand in the decision making process. Alternatively, people will be less likely to accept a project or decision if they feel it is being imposed on them or that the process that produced it is not legitimate. For controversial projects, opponents may contact their elected Representative or upper management within the Department for assistance in influencing project outcomes. Political pressure can be much more effectively managed if it can be demonstrated that a fair and open process has been established for public involvement, and that the complainant's concerns are being adequately considered.

Start early and minimize the number of steps. It is important to involve interested parties early to provide for meaningful involvement and allow enough time for assisted problem solving. At the same time, avoid dragging out the process. Encourage early resolution of issues and minimize the number of steps required for achieving a decision.

Build trust and enhance relationships. Relationship-building is crucial to long term success. Get to know the local decision makers and community leaders. Help participants better understand and respect each other's interests and strive for the best possible mutual solution. This will help reduce resentment that can lead to future retaliation. It is helpful to conduct public outreach activities on noncontroversial issues to establish the foundation for trust.

Establish need. Establish *why* the project is important as well as *what* must be done. An audience that disputes the need for a proposed project will be less receptive to proposed design plans and less willing to compromise. Present a convincing argument using data on accidents, injuries, property damage, or increases in traffic volumes to demonstrate need. Do preliminary traffic engineering analyses prior to the proposed design to demonstrate how change has negatively affected the corridor and why the changes are justified. Use *before* and *after* studies of other similar projects to demonstrate project benefits.

Use clear visual aids. Visual aids, including slides and bold graphics or charts, are much more effective than words for communicating the need for and benefits of a proposed project. Portray existing conditions and project changes so they can be easily interpreted

by a lay audience with a minimum of explanation. Use conceptual drawings rather than construction plans to communicate proposed median changes. A few *before* and *after* slides showing the transformation into a more attractive, functional corridor can be highly effective in selling the project to the public and are worth the effort to produce.

Involve the stakeholders. The objective of public involvement on controversial projects is to bring public concerns to the forefront so they can be debated and resolved. Seek out major stakeholders and actively solicit their involvement. Those that refuse to participate in the problem solving process, only to become vocal opponents late in the process, tend to lose credibility.

Know your audience. Learn as much as possible about the concerns and values of your audience and speak to those needs. Begin by identifying the influential groups and their basic position toward the objective. If you don't know or understand their position, then ask them to explain it. Says planning strategist Jerome Kaufman, "whatever the concerns of the target groups, strategists should know about them in specific terms so they can anticipate or lesson perceived negative aspects."⁵ This will also aid in identifying perceived positives of the project. Community character, for example, is a leading public issue related to corridor widening and median retrofit projects. Although aesthetic appearance may not be a priority of the roadway reconstruction project, it is a high priority of the public. An otherwise controversial project could become much more acceptable with the potential for corridor beautification.

Tell the truth. Consistent responses and clear communication are essential to credibility. Be forthright, negotiate in good faith, and request the same of your audience. Vague or inconsistent responses erode public confidence and can lead to harmful misunderstandings. Also avoid abstractions and jargon, including acronyms. Instead, translate technical material into everyday language and present the information in such a way that people can clearly understand how it affects their lives. Not only does this establish a common understanding of the purpose and intent of the project, it also shows your confidence in the potential for reaching common ground.

Practice tolerance. It is difficult to keep cool under fire, but it is essential for obtaining and maintaining public respect. The resolution of conflict requires us to offer personal acceptance to the other side—to acknowledge each individual's value and importance to resolving the issues at hand. It is a basic human need to feel accepted and valued. If acceptance is withheld, then that often becomes the primary source of contention. Avoid aggressive posturing and do not behave as if you have all the answers. Instead, respectfully explain your position, listen carefully to public concerns, and ask their help in devising a better solution. If the audience is emotional, then strive to be reasonable

⁵ Jerome Kaufman, "Making Planners More Effective Strategists," in Barry Checkoway, ed. *Strategic Perspectives on Planning Practice*, Univ. of Michigan: Lexington Books, 1986.

notified or contacted, each meeting, and any issues discussed or decisions made. Keep thorough notes, put as much as possible in writing, and maintain everything related to the process on file.

STATE AND FEDERAL REQUIREMENTS

Public involvement has long been a federal requirement for highway projects. In early 1969, the Federal Highway Administration (FHWA) established a two-hearing process for highway projects to provide an opportunity for citizen involvement prior to completion of project design. The hearings included: 1) a corridor hearing to allow citizen involvement in decisions related to the need for and location of a proposed highway; and 2) a design hearing, to focus on specific location and design features.⁶ This policy also required consideration of social, economic and environmental effects prior to submission of a project for federal aid. This two hearing process is reflected in Florida's statutory requirements and procedures for the Project Development and Environment (PD&E) process.

In 1987, USDOT revised its environmental regulations related to public involvement, requiring states to develop their own public involvement procedures. These procedures were to provide for early public involvement in project development, maintain it continuously, and integrate public involvement with the process established by the National Environmental Policy Act (NEPA).⁷

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) sets forth the most extensive public involvement mandate for transportation to date. Rules for state transportation planning specify that:

"Public involvement processes shall be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement." See § 450.212(a)⁸

Federal rules also require states to provide for:

- early and continuing public involvement throughout planning and programming;

⁶ Federal Highway Administration, USDOT, "Public Hearing and Location Approval," Policy and Procedure Memorandum 20-8, 1969.

⁷ USDOT, *Urban Transportation Planning in the United States: An Historical Overview*, November 1992, p. 210.

⁸ Statewide and Metropolitan Planning Regulations, Federal Register, Vol. 58, No. 207, October 28, 1993.

- timely information about transportation issues and process to agencies, individuals and groups affected by transportation plans, programs, and projects;
- adequate public notice and time for public review and comment at key decision points, including, but not limited to, action on the plan and State Transportation Improvement Program; and
- periodic review of the effectiveness of the public involvement process to ensure full and open access to all, and revise the process as necessary.
- public comment, as appropriate, on existing and proposed procedures for public involvement throughout the statewide transportation planning and programming process. *See* § 450.212

Florida ISTEA: Public Involvement in Planning

A transportation omnibus bill, referred to as Florida ISTEA, was adopted by the Florida legislature in 1993 to implement ISTEA's new transportation planning requirements. More extensive public outreach requirements were included for development of the Florida Transportation Plan, but statutory requirements for public involvement in development of project plans remained largely unchanged.

According to Florida ISTEA, development of specific project plans must involve one or more hearings:

- prior to selection of the facility
- prior to selecting the site or corridor for the proposed facility; and
- prior to selection of and commitment to a specific design for the proposed facility. *See* § 339.155(6), F.S.

These public hearings must provide an opportunity for effective participation by interested persons in the transportation planning process, in site and route selection, and in the location and design of transportation facilities. The factors involved in the decision and any alternative proposals must be clearly presented so that the persons attending the hearing may present their views relating to the decision. *See* § 339.155(6)(b), F.S.

Public Involvement in PD&E

The statutorily prescribed public involvement process for facility location and design occurs during the Project Development and Environment or PD&E study phase. The typical process begins with an optional kick-off meeting to inform community leaders and government officials about the project. Upon analysis of alternatives, a second meeting may be held to inform the public of design alternatives and their impacts and to obtain public input. Additional workshops may be held to follow up with special interest groups regarding additional design and environmental analysis. Finally, a public hearing is required to present the conceptual design for the proposed facility and obtain public comment.

Design Hearings

Transportation planning requirements under Florida ISTEAs, prescribe the following notification procedures for design hearings.⁹ Prior to a design hearing, the Department must notify:

- a) all property owners of record within 300 feet of the center line; and
- b) those who will be substantially affected environmentally, economically, socially, or safetywise. *See* § 339.155(6)(c), F.S.

Median issues may arise during the public hearing related to the conceptual design, but the number and type of median openings or closures may or may not be addressed in detail, depending upon the District. Upon completion of the public hearing, affected parties are provided 30 days to comment. If no major objections are received, then the preliminary engineering document is submitted to FHWA for location and design approval.

Public Involvement in the Design Phases of Production

Following the PD&E process and public hearing the details of median design are determined. This involves four subphases: Phase 1 (30% design plan) documents the existing condition and preliminary improvements; Phase 2 (60% design plan) includes proposed improvements; Phase 3 (90% design plan) addresses right-of-way acquisition; and Phase 4 (100% design plan) is preparation of the final design plan.

Florida ISTEAs specifies that the opportunity for another hearing must be afforded where the design is so changed from that previously presented to have "a substantially different social, economic, or environmental effect." *See* § 339.155(6)(c)4, F.S. FHWA and the Department are to determine the need for additional public involvement based on reevaluation of project environmental documents.¹⁰ A catch-all requirement in Florida ISTEAs also provides that "the opportunity for a hearing shall be afforded in each case in which the department is in doubt as to whether a hearing is required." *See* § 339.155(6)(c)5, F.S.

Aside from these requirements, additional public meetings during the design phase are optional. For example, public involvement procedures in the PD&E manual encourage additional workshops "if there are occasions during project design or right-of-way

⁹ Although these are referred to in statute as "design hearings" they only relate to the conceptual or preliminary engineering design. Actual facility design occurs after PD&E, during the design phase of production.

¹⁰ Florida Department of Transportation, Project Development & Environment Manual, Chapter 8: Public Involvement, § 8-2.11.

acquisition, traffic operations, or pre-construction prior to letting when additional public involvement and information sharing is appropriate."¹¹

Median Issues Can "Fall Through the Cracks"

The minimum requirements and activities for public involvement in the PD&E process parallel federal NEPA requirements and focus more on resolution of environmental concerns, than on specific project design. Several years may lapse between the time of the PD&E public hearing and when the project goes into production. Therefore, many of the affected property owners may not have been involved in the earlier public information process.

Rehearings are sometimes held with affected parties where median opening changes occur between the previous public hearing and design. District VII, for example, held a rehearing at the 90% plan phase to address the installation of a raised median on Martin Luther King Boulevard. Yet public hearings are rarely deemed necessary during production unless a project is particularly controversial.

In addition, District engineers interviewed for this research commented that most projects involving median changes fall outside of the PD&E public hearing process. As a result, Districts vary widely in terms of the level of public involvement provided on median projects, with some having formal public involvement procedures and others providing little or no opportunity for public involvement in median decisions.

DISTRICT PUBLIC INVOLVEMENT PROGRAMS

Recognizing the need to address public concerns related to median improvements, some Districts have initiated public involvement programs during the design phase of production. Below is an overview of two public involvement programs, one in District IV and another in District V, that were initiated to resolve public concerns related to medians as well as other controversial projects.

District IV

FDOT District IV in Ft. Lauderdale has formal Community Awareness Plan Guidelines for public involvement on transportation improvement projects. The public involvement guidelines were developed and adopted in the mid-1980s to address growing problems with public opposition during the production process. The guidelines prescribe minimum requirements for public involvement, including the development of a community

¹¹ Florida Department of Transportation, *Project Development & Environment Manual*, Chapter 8: Public Involvement, p. 8-4.

awareness plan for each project in the work program. The stated objective of the guidelines is to notify local governments and the public of proposed construction and to resolve controversial issues that arise during the design phase. Project managers are responsible for developing and carrying out the public involvement plan.

The guidelines prescribe a tiered approach for informing and involving the public. Projects are categorized as level 1-3 according to the complexity or anticipated level of controversy, and greater public involvement is required for more controversial "level 3" projects (see Table 1). Projects involving closure of median openings or construction of a restrictive median are categorized as level 3.

**TABLE 1: PUBLIC INVOLVEMENT ACTIVITY REQUIREMENTS
FDOT DISTRICT IV**

Activity	Level		
	1	2	3
Public Hearing	◻	◻	◻
Notice of access impact to owners			•
Project information workshop with local staff			•
Public information meeting			•
Comments requested from City/County	•	•	•
Plan review from City/County	•	•	•
Presentation to elected officials, MPO	○	○	○
Dear neighbor letter			•
Pre-construction notice to City/County	•	•	•
News Release	•	•	•

- ◻ Only as legally required.
- Generally only as requested.

Source: Vargas, F.A. "Access Control and Irate Public-Community Awareness." Florida Department of Transportation. *Compendium of Papers*, First National Conference on Access Management, 1993.

Generally, where only small groups of people are affected (defined as less than thirty), then these persons will be informed of the project through the mail. A general explanation is provided, along with a reduced copy of the plans and a telephone number of the contact person. A reasonable amount of time is set aside for comments and responses are handled by phone. Greater involvement may be scheduled, at the discretion of the project manager, depending upon the nature of the project.

For controversial corridor improvement projects, the process is more intensive (see Figure 1). When the engineering study is complete, a meeting is scheduled with local government staff to discuss the report. The meeting is scheduled at least 18 months before the construction letting date and local staff are provided with copies of the report for review.

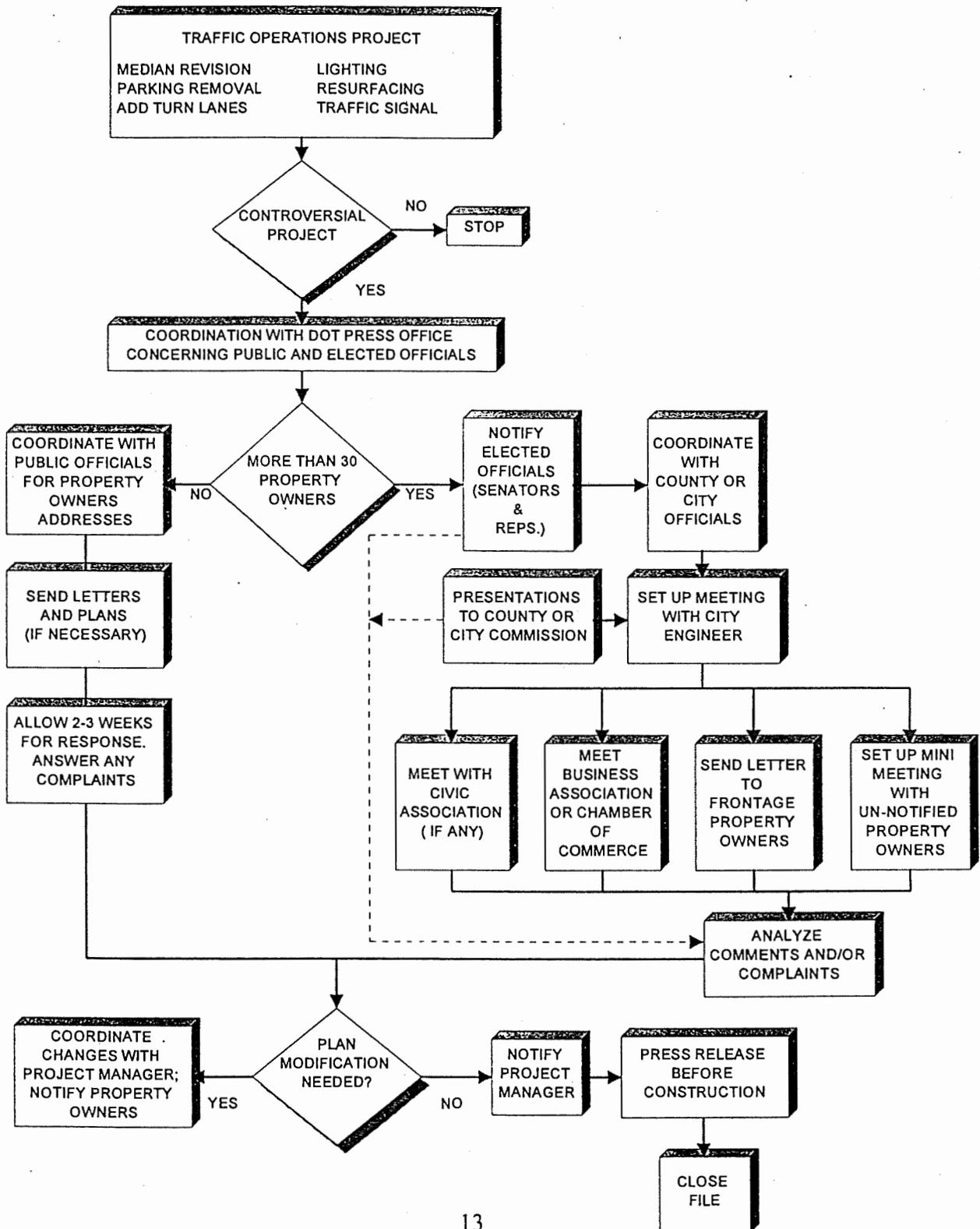
After obtaining a preliminary agreement from local engineers, the District then involves elected officials. A complete packet of information is sent to the affected local elected officials and the area state representative and senator. Elected officials may request a workshop presentation to ask questions and provide their position on the project. Typically, however, elected officials also request that the project manager hold a public meeting to obtain public reaction before stating their position.

Public meetings are held in phases. Where organized civic groups will be affected by the project, then separate small meetings are held to inform them and obtain their position before the general meeting. This could include neighborhood associations and affected businesses, which may be part of a local business association or Chamber of Commerce chapter. If a project is highly controversial, then local government staff may be contacted for advice on who to involve in the process.

After small meetings with affected groups, an open public meeting is held for all concerned parties. A logical meeting site is selected, preferably near the project site to encourage attendance. Official invitations are sent to all property owners and organized groups, and news releases are issued to publicize the meeting. A table is placed across the entrance of the room with a sign-in sheet, to obtain the names and addresses of all who attend for purposes of follow up.

The District does not use a traditional public hearing format for this meeting. Their experience with public hearings is that on controversial projects, even general acceptance can be overturned by a highly vocal minority. Instead the format is an open public forum, similar to an open house. The meeting runs about three to four hours and is staggered by having different interest groups attend at different times. The invitation advises when each group should attend, such as business operators and neighborhood residents, but states that all questions will be answered at any time. Attendance of business groups may be further staggered between tenants and owners, because they often have different concerns.

FIGURE 1: PUBLIC INVOLVEMENT PROCESS, FDOT DISTRICT IV



The format involves no formal presentations, unless specifically requested by the local government. Instead, displays of the project are exhibited and staff are available to answer questions, and note unanswered concerns. Project changes that arise from these meetings are carried out and if the changes are major, then a formal letter is sent to inform the affected citizens. This marks the end of the conceptual stage of the public information process. The last phase involves before and during construction news releases to inform motorists and others of the progress of the project.

The open house approach has reduced counterproductive confrontations in public meetings, while maximizing direct communication with affected property owners regarding their specific concerns. The number of meetings is minimized by combining several meetings into one, and thus is less expensive in terms of staff time. The result has been so successful that nearby Ft. Lauderdale has adopted this format for their public meetings.

The public involvement process has helped the District build relationships with community leaders and elected officials, and has produced information of importance to the project. "A good project is one that addresses both technical and real world considerations," says traffic operations engineer Freddie Vargas. Vargas emphasizes the importance of maintaining good written records of all meetings, as attitudes and agreements can change. He also advises project managers to obtain the opinion of elected officials, as well as local government staff, when obtaining a local government's position on a median project.

Also beneficial is a consistent procedure for handling variance requests that result from the public involvement process. District IV has established a Variance Committee, comprised of Directors of Design, Operations, and Maintenance, that meets once per month to decide on requests for variation from median standards. The Committee handles variances related to permit applications as well as those that arise during reconstruction. A formal variance review process improves internal coordination and consistency in access management decisions, and is therefore a logical complement to the public involvement program.

District V

FDOT District V has adopted a public involvement approach for median changes that occur during the design phase of production. The project manager or the design consultant is responsible for carrying out public involvement activities, which are programmed into the project budget. This helps assure continuity, as the individuals responsible for the project stay informed of the issues and decisions that emerge from the public involvement process. Consultants are asked to prepare a public information packet, including slides, graphics and other materials to demonstrate benefits of the project. A videotape on median projects is currently being developed for use in the District's public involvement activities.

Public involvement activities are initiated early in the production process—prior to completion of Phase 1 design plans. This allows adequate opportunity for the public to express concerns and for consideration of potential alternatives. If public involvement is initiated too late in the design phase, the process loses legitimacy. This also decreases the likelihood that changes may be incorporated into the project. Property owners are notified of the opportunity to review and comment on the project in two ways. A notice is mailed directly to all registered property owners affected by the project and notices are also hand delivered to tenants within the affected area.

An open house meeting format is used, with no formal presentation. The open house may run from 3:00 to 9:00 pm or 4:00 to 8:00 pm and affords opportunities for interested parties to view the proposed project and ask questions or comment. The District uses graphic display boards for this purpose. The boards display an aerial photograph of the affected corridor above a simple graphical representation of the proposed median design. This enables participants to clearly see the effect of the project on access to their property. The display board costs approximately \$5000 to produce but, says District Traffic Operations Engineer George Gilhooley, "it pays for itself many times over."

All preliminary traffic engineering analyses are completed prior to initiating public involvement. This provides the justification for the proposed design and aids in explaining to property owners and their engineers the purpose of the median changes. If a concern is raised in relation to the median design then additional analysis may be done to evaluate the issue in more detail. "We have come up with a fair amount of changes that property owners like and that we can live with," says George Gilhooley.

TOWARD A NEW PUBLIC INVOLVEMENT PROCESS

Median changes must be treated as major design changes. Public opposition and political appeals are common with median projects. Yet current statutory and procedural requirements do not address the need for public involvement during the design phase when controversial median decisions are made. The PD&E public hearing may occur years before production is initiated and median projects often fall outside of the PD&E public hearing process or are considered exempt from rehearing requirements. As a result, Districts vary in terms of the level of public involvement provided for median projects. Median decisions should be considered major design changes and the public should be involved accordingly.

Public involvement related to median decisions must occur early in the production process. If public involvement is initiated too late in the design phase, it loses legitimacy. Public involvement activities should be initiated early in the production process to allow adequate opportunity for the public to express concerns and for consideration of potential alternatives.

Districts that rely on the PD&E process for public involvement report that public hearings tend to be adversarial and have not been effective in resolving public concerns related to restrictive medians for several reasons. First, the hearings are held before the median design has been developed and thus there is no closure. Second, the hearings must focus on the broad range of issues related to the project, and access issues are not adequately addressed. Third, not enough is done to explain to participants the purpose of access management and the need for the proposed median changes.

As a result, political appeals are frequent and results have been unpredictable. This problem has been compounded by inconsistencies within and across Districts in addressing deviation from access management standards. Internal coordination and consistency is crucial for effective management of the political controversy that surrounds access management projects. Other issues include the need for better ways to demonstrate the benefits of median improvements to the public—including better data on resulting improvements in safety and roadway level of service.

The public involvement process for median projects should be open, fair, and technically sound. Districts IV and V report high success in achieving access management objectives and relatively few problems with managing political appeals. According to District IV, fewer than 1% of access management issues go to the District Secretary. District V has never had to go to administrative hearing on a median decision. Both Districts advise that preliminary traffic engineering analyses be completed prior to initiating public involvement to serve as the technical basis for median decisions.

Each District attributes their success in implementing median projects and managing political appeals to their fair and open process for responding to public concerns. In the process, both Districts are building relationships that are fundamental to long term success. These findings hold promise for the initiation of similar public involvement programs for median projects in other Districts.

REFERENCES

Creighton, James L. *The Public Involvement Manual*. Cambridge: ABT Books, 1981.

Desoto, Jordan, et al. *Effective Citizen Participation in Transportation Planning*, Volumes I and II, Washington D.C.: Federal Highway Administration, U.S. Dept. of Transportation, 1976.

Institute for Participatory Planning, *Citizen Participation Handbook for Public Officials and Other Professionals Serving the Public*, Fourth Edition, 1981.

McClendon, Bruce W., and Ray Quay. *Mastering Change: Winning Strategies for Effective City Planning*. American Planning Association, Chicago: Planners Press, 1988.

Torrey, W., and Florence Mills. "Selecting Effective Citizen Participation Techniques." Federal Highway Administration, *Proceedings of the 56th Annual Meeting of the Transportation Research Board*, Washington D.C., January 1977.

Vargas, Freddie A. "Access Control and Irate Public-Community Awareness," *Conference Proceedings*, First National Conference on Access Management, 1993.

Wilson, Frank & Associates, Inc. *Public Outreach Handbook for Departments of Transportation*, NCHRP Report 364, Washington, D.C., 1994.