

How Transit Agencies Can Improve the Public Involvement Process to Deliver Better Transportation Solutions



A Real-Time Application of Public Engagement Strategies

Submitted by

Brandi M. Childress

*A Thesis Quality Research Project Submitted in
Partial Fulfillment of the Requirements for the
Masters of Science in Transportation Management*

Mineta Transportation Institute,
San Jose State University

Table of Contents

Acknowledgements	4
Executive Summary	5
Chapter 1: Introduction	6
The Public Participation Mandate	6
Chapter 2: Defining the Public Involvement Process	8
Benefits of Public Involvement.....	8
Objectives of Public Involvement.....	9
Guiding Principles for a Successful Public Involvement Effort.....	10
Chapter 3: Phase I Research –	
A Review of Existing Studies and Best Practices	14
Tools for Designing a Public Involvement Program.....	14
Measurements of Success.....	14
A Successful Public Involvement Experience.....	15
Chapter 4: Phase II Research –	
Discovering Successful Public Involvement Processes	18
Research Design.....	18
Transportation Agency Questionnaire.....	18
Realizing the Need for Public Involvement – How and When?.....	20
Identifying Communication Tools.....	22
Identifying Effective Public Engagement Strategies.....	24
Measuring Success.....	25
Learning from Successes.....	27
Advice from Colleagues.....	27

Table of Contents (cont.)

Chapter 5: Phase III Research – A Real-Time Application	29
Setting the Stage – BART Extension to Silicon Valley.....	29
A Problem in Need of Resolution.....	31
A Failed Public Involvement Process.....	32
The Assessment.....	33
Moving Towards a Successful Public Involvement Plan.....	35
Coyote Creek Community Outreach Action Plan.....	35
Beginning with the End in Mind.....	36
CWG Tour of Existing Ventilation Facilities.....	37
Comments from the Tour.....	38
Preparing for the Next Milestones.....	40
Chapter 6: The Real-Time Application Assessment	42
Chapter 7: Research Evaluation	45
Bibliography	47
Appendix A: Transportation Agency Surveys	48
Appendix B: List of Individuals Interviewed for Real-Time Application Research	49
Appendix C: San Jose Mercury News Article	50
Appendix D: Ventilation Structure – Above vs. Below Ground Comparison Matrix	51
Appendix E: Ventilation Structure – Site Location Comparison Matrix	52

Acknowledgements

A special thank you to the following individuals that provided valuable information that contributed to the study:

Brent Pearse, Public Communication Specialist, Santa Clara Valley Transportation Authority

Ed Everett, City Manager, City of Redwood City

Eileen Goodwin, Principal, Apex Strategies Consulting Firm

Eric Naprella, Assistant Manager of Operations/Facility Security Officer, Port of Redwood City

Henry Servin, BART Program Liaison Manager, City of San Jose Department of Transportation

Janice Spuller, Assistant Transportation Planner, City of Milpitas Engineering Department

Jayne Kunz, Public Information Officer, San Mateo County Transit District

Jody Littlehales, Transportation Planner, Santa Clara Valley Transportation Authority

Kat Mereigh, Management Analyst, Santa Clara Valley Transportation Authority

Kevin Connolly, Transit Planning Manager, Santa Clara Valley Transportation Authority

Khanh Bui, Staff Director, City of San Jose, Office of Councilmember Sam Liccardo District 3

Larry Orcutt, Division Chief, Research and Innovation, Caltrans

Molly McArthur, Community Relations Manager, BART

Pete Peterson, Executive Director, Common Sense California

Peter Skinner, Senior Analyst, City of Mountain View Public Works Department

Randy Rentschler, Director of Legislation and Public Affairs,

Metropolitan Transportation Commission

Ray Salvano, Regional Project Manager, City of San Jose Department of Transportation

Rod Diridon, Governor's Appointee to the California High Speed Rail Authority

Therese W. McMillan, Deputy Executive Director of Policy,

Metropolitan Transportation Commission

Thomas Reeves, Marketing/Customer Service Manager, San Joaquin Regional Rail Commission

A very special thank you to those who mentored and/or supported me through this exceptional, educational experience:

Mineta Transportation Institute, Professors and Professional Staff

Norman Y. Mineta, Former Secretary of Transportation, U.S. Department of Transportation

Rod Diridon, Executive Director, Mineta Transportation Institute

Dr. Peter Haas, PhD. Educational Director, Mineta Transportation Institute

Viviann Ferea, Program Administrator, Mineta Transportation Institute

Christopher Lamar Childress

Doug, Ronda, Jamie, Ashly and Hannah Hall

Executive Summary

As we move forward into the 21st Century, transportation issues will become more difficult to solve while technical solutions will evolve and improve. Funding for transportation projects may or may not increase but revenue will undoubtedly become more competitive to acquire. The insistence for improved air quality, economic vitality and better transportation solutions will intensify, and the demand of public involvement will become more persistent.

Although legislation has mandated the public involvement process, government and transportation agencies have realized that the public involvement process is a crucial part of an agency's project development process when striving to build better transportation solutions. The question then becomes how can transit agencies improve their public involvement process to deliver better transportation solutions?

Three phases of research were conducted in this study to help answer this question. The first phase defined the public involvement process, the benefits, objectives, guidelines and tools through a literature review of existing studies and best practice guides. The second phase of research was conducted for the purpose of addressing the challenge of successfully engaging the community in the public involvement process. This was accomplished through a questionnaire and interview process of transportation agency personnel who had experienced success in engaging the community and achieving a desired outcome. The findings from the first two phases were then adapted into a real-time application. An assessment was made on a public involvement process that was unsuccessful and then proven techniques and engagement strategies were applied to improve the process and produce the desired result.

The expectation in this research progression was to document a well-conceived, public involvement experience that would ultimately overcome some of the more common challenges faced by transportation agencies desiring to maximize the benefits of a meaningful public involvement process with the purpose of building better transportation solutions.

CHAPTER 1: Introduction

Public involvement is the process of two-way communication between citizens and government. This process allows public transportation agencies to notice, inform and include the public while using the feedback received to develop relationships within the community and build better transportation projects. In the past decade, a transformation of the public involvement process has emerged with continuous refinements to be expected. Today, the involvement of public input into the assessment of transportation needs and solutions has become a key factor in the decision making process.

It has been made clear through recent legislation and studies in past practice and policy that early and continuing public involvement allows the project sponsor to be aware of the problems and impacts as seen through the eyes of various communities. This provides the agency the opportunity to address the issues and incorporate the feedback into early planning and design phases of a project. Therefore, energy and discussion should focus on how to assess the needs of the project and what strategies to use, not whether or when to involve the public.

Although the public involvement process has been identified as a crucial part of an agency's project development process, the challenge lies in successfully engaging the community in this process to achieve public support and better outcomes. Much has been published concerning the public involvement process, but government and transportation agencies still seek out the most effective strategies to engage the public. *The question then becomes how can transportation agencies improve their public involvement process to deliver better transportation solutions?*

The Public Participation Mandate

First, the history of legislative mandates must be discussed to realize how the public involvement process has evolved. In response to expanding federal government power following the Great Depression and World War II, the federal Administrative Procedures Act (APA) of 1946 was enacted to govern the procedures agencies must use in the performance of their function.¹

Today, this is the law under which federal regulatory agencies create rules and regulations necessary to implement and enforce legislative acts. The APA is said to have four basic purposes: (1) to require agencies to keep the public currently informed of their organization, procedures and rules; (2) to provide for public participation in the rule making process; (3) to prescribe uniform standards for the conduct of formal rule making and adjudicatory proceedings, i.e., proceedings which are required by statute to be made on the record after opportunity for an agency hearing; and (4) to restate the law of judicial review.²

1 Hall, Daniel. *Administrative Law: Bureaucracy in a Democracy* (Second Edition). May 2001.

2 *Attorney General's Manual on the Administrative Procedure Act*. U.S. Department of Justice Tom C. Clark, Attorney General, 1947. <http://www.law.fsu.edu/library/admin/1947i.html>

Since the Federal-aid Highway Act of 1950, the U.S. Department of Transportation (DOT) has worked to ensure that all interested persons have the opportunity for a voice in how the transportation system is developed. In conjunction with the National Environmental Policy Act of 1969 (NEPA), the opportunity for public involvement has been extended to one of the earlier phases of transportation projects, the design phase. A general environmental statute in the Code of Federal Regulations, Highways (23 U.S.C. 128), ensures adequate opportunity for public hearings on the effects of alternative project locations and major design features; as well as the consistency of the project with local planning goals and objectives.³

The emphasis on early, proactive and sustained public involvement in the planning process of a transportation project was introduced in 1991 with the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA). This new legislation required opening up the existing planning process conducted by the national network of metropolitan planning organizations (MPOs) to increase participation from regional and local stakeholders and the general public as a condition for receiving federal transportation funding. Subsequent legislation continued to broaden and improve the public participation process involving transportation decision-making. These opportunities were provided in the Transportation Equity Act for the 21st Century (TEA-21) in 1998 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005.³

In the last 30 years, the transfer of power from the federal and state governments to regional and local levels has contributed to empowerment of groups and individual citizens to have a voice in policy decisions that affect them and their communities. It seems then that learning the viewpoints and soliciting feedback from stakeholders about transportation projects has essentially become a good guiding principle and not just a policy mandated by law.

³ *Environment, Public Involvement*. Federal Highway Administration, U.S. Department of Transportation. <http://www.fhwa.dot.gov>

CHAPTER 2: Defining the Public Involvement Process

This chapter summarizes the benefits, objectives, and guiding principles of public involvement.

Benefits of Public Involvement

Any project that transportation agencies develop, design and build will affect a community in one way or another. Whether that project is being built in their neighborhood or their local tax dollars are funding the construction of that project, constituents desire to have a say or, at the very least, be kept informed about how their community is going to be affected.

With the risk of jumping too far ahead into public involvement techniques, providing one example at this juncture can help emphasize the benefit of public involvement by pointing out the outcomes that agencies do not want to experience.

Most agencies have adopted the public meeting as the primary means to gain input from the public as it meets the requirements set forth by NEPA. However, enhancing the public meeting experience to be more effective and better attended not only provides useful information to the agency, but it gives the community an opportunity for early involvement in the decision making process. While transportation agencies are complying with the minimum public notification requirements, it is not common to see results such as small or insignificant public turnout, little or no meaningful discussion with the public and even confusion of what the public process is trying to accomplish.

This lack in public participation can cause many hardships for the agency, including minimal community support, resistance from stakeholders and elected officials, and outcries from the public that could end up in costly project delays or even lawsuits. Worse, a project may not even come to fruition without the support of the community. With the increase in popularity of self-help counties to raise much-needed revenues to fund local transportation improvements, a project not supported by the citizens is very likely to result in a sales tax measure not supported by the citizens. It is the responsibility of the congestion management agencies and MPOs to seek public input and support to a degree that satisfies governing boards and decision makers to deliver the best transportation solutions possible. Even if an agency can overcome these hurdles, the project could still lack significant public input that could have resulted in a better deliverable.

A well-conceived, well-implemented public involvement program can bring major benefits to the transportation policy process and lead to better decision outcomes. Efficiently illustrated in a white paper titled *State of the Practice* by the Committee on Public Involvement in Transportation in June 2000, benefits of public involvement result in:

- **Public ownership of policies/sustainable and supportable decisions:** By involving citizens in the assessment of needs and solutions and identifying troublesome issues early, public involvement can promote citizen “ownership” of policies. Although most transportation projects have some negative effects, citizens are more willing to accept these when they accept the need for the policy or project, participate in developing the alternatives, and understand the technical and regulatory constraints. To the extent that citizens are involved in the decision, their support will be sustained over time.

- **Decisions that reflect community values:** The public involvement model involves consultation with many segments of the community. Because this is a more collaborative process, decisions inevitably are more reflective of community values.
- **Efficient implementation of transportation decisions:** Decision makers understand the concerns of the public and can be more sensitive to those concerns in the implementation process. The model strives to reduce the risks of litigation and avoid revisiting decisions, which can significantly reduce costs.
- **Enhanced agency credibility:** The process of public involvement often transforms agency culture by forcing agency decision makers to interact with their constituents. As a result, transportation stakeholders develop a better understanding of agency operations, and agency officials have a better understanding of public thinking. This mutual education improves the agency's relationship with the public.

Objectives of Public Involvement

The ultimate reason to incorporate public involvement into the decision making process is to improve outcomes. For a transportation agency, a desirable outcome would be a successful transportation solution that incorporates good planning and engineering practices, results in efficient use of resources, and reflects the interests of stakeholders. Additionally, other desirable results would be improved transparency and accountability in decision-making, increased public confidence, and reduced conflict.

One misconception to the process of public involvement is that an agency must build total consensus within the community. Any person who has ever been involved in this public process will attest to the fact that not everyone will agree on one preferred solution. There will be conflict in individual interests and various differences of opinions. However, it is assumed that in exchange for the opportunity for public participation in a fair and open process, citizens are more willing to support the outcome of the process even if their preferred alternative is not selected. This result, sometimes referred to as “informed consent”, allows projects to move forward even though all stakeholder desires are not accommodated.⁴

Another misconception is outlined by author Cary Coglianese in *Is Satisfaction Success? Evaluating Public Participation in Regulatory Making*. He notes that many public agencies and researchers use level of satisfaction obtained through interviews, questionnaires and other means to evaluate whether or not stakeholder participation in policy and regulatory processes is successful. Coglianese goes on to state that perceived satisfaction is a poor indicator of success, citing several examples where the public NEPA process indicated high satisfaction but resulted in poor policies, programs and projects.⁵

⁴ *State of the Practice: White Paper on Public Involvement*. Committee on Public Involvement in Transportation. June 2000.

⁵ Coglianese, Cary. *Is Satisfaction Success? Evaluating Public Participation in Regulatory Making*. Paper presented at the Workshop on Evaluating Environmental and Public Policy Dispute Resolution Programs and Policies, Washington, D.C. March 8-9, 2001.

To achieve the objective of improved outcomes, transportation agencies must first get the public to the decision-making arena. Focusing on relationships and bettering the public notification process is essential to acquiring public engagement and acceptance. Getting the public involved requires the use of solid engagement methods and continuous community building.

The U.S. Department of Transportation (DOT) has published a very comprehensive guide to public involvement techniques. The DOT claims that the key to a purposeful and productive public involvement effort is good organization and well-planned outreach to insure that all stakeholder groups are represented. In initiating public involvement, agencies must begin with clearly-defined, project-related goals that focus on the specific issues to be addressed, the specific kinds of input needed, and the specific public that needs to be involved.⁶ The more specific a public involvement plan, the greater its chances of producing input an agency can actually use in decision-making.

Guiding Principles for a Successful Public Involvement Effort

A collective list of ten guiding principles to improve the public involvement process has been gathered from the transportation industry and outlined by the Committee on Public Involvement in Transportation. Each principle has been discussed in this section to emphasize their individual contribution to achieving a successful public involvement effort.

In designing public involvement programs, an agency must first **distinguish between public information, public relations, and public outreach**. Although the three are linked, their purposes are quite different. A public information campaign is a form of one-way communication between the agency and the public, generally striving to inform the public about ongoing issues or developments. A public relations campaign usually involves the dissemination of information, but their emphasis is on the promotion of a particular policy or solution.⁴ A government agency may mail out an informational piece on the benefits that will be achieved if they support a new sales tax measure in the upcoming election.

Public outreach or involvement programs include elements of both public information and public relations, but they add another dimension. The Committee states that essential to a good public involvement program is dynamic two-way communication, which promotes public feedback and uses that feedback to transform the decision process and outcome.⁴

⁶ *Public Involvement Techniques for Transportation Decision-making*. Federal Highway Administration, Federal Transit Administration, U.S. Department of Transportation, Sept. 1996.

⁴ *State of the Practice: White Paper on Public Involvement*. Committee on Public Involvement in Transportation. June 2000.

Sarah Katz, author of *As We See It – Don't Confuse Marketing With Public Participation*, states that while marketing activities and stakeholder participation share complementary goals, they have distinctly different natures. The essential difference is the one-way communication seen in marketing versus the two-way dialogue between an agency and its public required for stakeholder participation. Katz reports that one should not be relied upon to perform the function of the other.⁷

Public involvement programs should be inclusive, including as many groups and individuals in the community as practicable. Interested parties will surface easily because they want to be a part of the decision outcome. Some groups and individuals are more difficult to reach because of cultural or economic isolation. Transportation agencies structure public involvement opportunities around public meetings, often leading to the overweighting of the voices of activists and the distortion of community voice.

Coglianesse states that obtaining representation from all stakeholders is rare and decisions are skewed when only a subset of stakeholders collaborates. He provides an example where a public involvement process for a mass transit agency in California failed to include representation from poor, inner city neighborhoods and cut bus service unacceptably in those neighborhoods. A major lawsuit by a bus riders union pursued and prevailed, costing the agency millions in damages.⁵ The good practitioner of public involvement knows the community and is proactive, seeking out groups and individuals, particularly those who will be affected significantly.⁴

William Leach in *Surveying Diverse Stakeholder Groups* corroborates Coglianesse's view that failure to include broad representation yields inaccurate and incomplete understanding of stakeholder partnership dynamics and success. In his research, Leach finds the failure to include broad representation yields inaccurate and incomplete understanding of various stakeholder categories and excluding individual members resulted in a rosier view of performance than warranted. Leach strongly states the purpose of stakeholder participation is to aid in the development and implementation of policy and regulations that achieve the highest level of public benefit perceived by various groups and perspectives.⁸

Public involvement activities should be proactive, beginning early and maintain throughout the project development phases. The temptation to save time and resources by initiating public involvement activities midway through the process should be avoided at all costs. Beginning the process of public dialogue early will help to earn the public's trust and make them feel included in important transportation decision-making arenas.

⁷ Katz, Sara M. *As We See It. Don't Confuse Marketing With Public Participation*. Journal American Waterworks Association. Vol. 94, p. 38, 2002.

⁴ *State of the Practice: White Paper on Public Involvement*. Committee on Public Involvement in Transportation. June 2000.

⁵ Coglianesse, Cary. *Is Satisfaction Success? Evaluating Public Participation in Regulatory Making*. March 2001

⁸ Leach, William D. *Surveying Diverse Stakeholder Groups*, Society & Natural Resources, Vol. 15 (7), 641-649. (2002)

Earning the public’s trust and focusing on relationships has become essential to building solid and sustainable civic capacity. FOCUS is a program partnership of four regional agencies in California – the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (Air District), the Bay Conservation and Development Commission (BCDC), and the Metropolitan Transportation Commission (MTC).

In March 2008, a conference series sponsored by the FOCUS partnership program was devoted to community engagement strategies, applying solid civic engagement methods and community building to encourage real public participation. Councilmember Desley Brooks from the City of Oakland stated, “It’s not just about building infrastructure, it’s about building community. Engage the communities; give them a sense of participation, ownership and pride.”

Civic engagement is seen to be more sustainable when coupled with community building, a practice that has served the City of Redwood City well. During his tenure, former City Manager Ed Everett focused a great deal of research and study on the concept of community building – bringing people together for a common goal which then keeps them together long after initial civic engagement has ended. During the workshop, he stressed that people need a feeling of belonging, a sense of pride, and a feeling of not being alone. He encouraged attendees to tap into the community’s visceral side and make them feel that they are a part of something great.⁹

The remainder of the following guiding principles for a successful public involvement effort are not only defined in the *State of the Practice*, but also confirmed and supported by the panel of speakers during the FOCUS on Community Engagement conference series.

The decision process should be well-defined, structured, and transparent. Members from the public can become better participants if the process is made clear to them, making them aware of the critical decision points they can influence. Executive Director Pete Peterson of Common Sense California – a multi-partisan group of civic leaders committed to helping address some of the serious problems facing local, regional, and state entities – described this methodology of citizen engagement. Polling community opinions before they know the issues can help an agency evaluate current involvement. Next, citizens should be informed of the transportation issues, projections, the planning process, and budgetary and engineering constraints. A follow up poll of opinions can then be taken to make sure the group understands the task at hand.⁹

Another integral part in the complex decision process, and one that should not be taken for granted, is **communicating to the public that their involvement is only one part of the process.** Transportation officials remain the decision makers. Decisions should be structured, however, so that the desired outcomes reflect public input.

Incorporation of citizen input into **the decision process must be open and clear and reflect the input that is received.** Soliciting feedback and not responding to or incorporating those ideas into the decision making process also creates distrust and deters public involvement in future decision-making arenas.

⁹ *Focus on Community Engagement*. Presentation by panel speakers during the 2008 Regional Best Practices Conference Series, Oakland, CA. March 27, 2008.

Agencies should also provide appropriate leadership to public outreach efforts. Whereas agencies should ensure that public involvement programs are structured with no predetermined outcomes, they also **must give appropriate leadership to the process.** An agency staff or spokesperson must be available to articulate agency policy, perspectives, and operating procedures throughout the process. Another key to fostering a productive, public engagement process is to have a professional, **neutral-party facilitator** to help with the flow of communication. If not, people will acknowledge the bias and it will impede the process. Pete Peterson of Common Sense California advises agencies to “step back and take their hands off the steering wheel.”

Ensuring provision of adequate resources for public involvement, including staff time and budget for information materials and other outreach expenses, is also an essential aspect of agency leadership. The commitment to community building must exist at the elected official and upper management level, and be widely endorsed and embraced throughout the organization. If agencies fail to buy-in to this commitment, the public process suffers and neither the public nor the agency is well served.

The last guiding principle should really go without saying but it serves as a good reminder that **communication with participants should be respectful.** The attitude of public involvement practitioners, agency officials, and members of the public should be one of mutual respect. Practitioners should perfect the art of listening to constituents. All opinions should be given serious consideration, and input always should receive prompt and respectful replies.

The benefits, objectives, and guiding principles of public involvement have been presented through a review of existing studies and supported by current themes at attended workshops and transportation conferences. This next section goes a step further by identifying the program’s success based on implementation and evaluation.

CHAPTER 3: Phase I Research – A Review of Existing Studies and Best Practices

This chapter evaluates the tools to design a public involvement program and the measurements by which to appraise the success of the program. A case study example of a well-conceived, well-implemented public involvement program has also been provided to illustrate the benefits to the transportation policy process and how it helped to deliver a better outcome.

Tools for Designing a Public Involvement Program

After a transportation agency has accepted the objectives and guiding principles of a good public involvement plan, the agency must design their program based on their audience. This plan should take into account the differentiation within the audience and consideration should be given to the appropriate level of detail.

A comprehensive, best practice guide titled *Public Involvement Techniques for Transportation Decision-Making* was published by the Federal Highway Administration and the Federal Transit Administration in 1996. Although published twelve years ago, the guide insightfully details the many tools that can be applied to implement a successful public involvement program. Each communication tool and public engagement strategy is described by their usefulness, their benefits and in some cases their drawbacks. As extensive as this guide is, time would not permit for a complete review to be included in this study. However, it is without doubt that this is one of the better guides that have been published over the past decade, offering transportation agencies an array of effective tools to use in developing their programs. Agencies should creatively utilize these tools to engage their audiences while following the guiding principals defined in Chapter 2.

Measurements of Success

In Peter Drucker's *The Five Most Important Questions You Will Ever Ask About Your Organization*, the themes of progress and achievement are appraised in qualitative and quantitative terms. Drucker explains that these two types of measures are interwoven and both are necessary to illuminate in what ways and what extent lives are being changed.

Qualitative measures address the depth and breadth of change within its particular context. They begin with specific observations, build towards patterns, and tell a subtle, individual story. Qualitative appraisal offers valid, "rich" data and can be in the realm of the intangible. Qualitative data, although sometimes more subjective and difficult to grasp, are just as real, just as important and can be gathered just as systematically as the quantitative.¹¹

11 Drucker, Peter F. *The Five Most Important Questions You Will Ever Ask About Your Organization*. Leader to Leader Institute, 2008. Third Edition

Quantitative measures use definitive standards. They begin with categories and expectations and tell an objective story. Quantitative appraisal offers valid “hard” data. Quantitative measures are essential for assessing whether resources are properly concentrated for results, whether progress is being made, whether lives and communities are changing for the better.¹¹

In their research, Leach and Coglianese conclude that the most significant measure of stakeholder participation effectiveness can be realized by evaluating the benefits provided to society as a whole resulting from implemented transportation programs. Stakeholder participation is successful only if the programs are successful.⁸

The next section applies the theories of Drucker, Leach and Coglianese to provide an ideal example of qualitative versus quantitative measurements, and program evaluation to determine the success of a desired outcome.

A Successful Public Involvement Experience

The Gilroy Community-Based Transportation Program was a transportation study funded by the Metropolitan Transportation Commission (MTC) to identify transportation needs of low-income communities in the City of Gilroy. The \$60,000 program featured an extensive public involvement plan (PIP) during which the Santa Clara Valley Transportation Authority (VTA) used new public outreach strategies to discuss and compile transportation issues with the target communities. The public outreach component occurred in May through October 2005.

The purpose of the program was to identify transportation solutions to address the needs identified during the PIP. Those solutions/new projects were then further evaluated to determine appropriate and realistic implementation schedules, existing and new funding sources, and the agency or agencies responsible for their implementation. The MTC mandated the guidelines for the study, which included a PIP that was specific for the target communities identified by census data. The six month PIP began after the initial research phase, during which specific neighborhoods were identified and agency partners were contacted. An outside non-profit agency known as the South County Collaborative helped VTA target communities in Gilroy, Morgan Hill, and many communities in unincorporated areas of southern Santa Clara County.

Tools that were used to notify and communicate to the diverse community members included news articles, press releases, fact sheets, posters and fliers. The collateral was produced in English, Spanish and Vietnamese. Tools that were used to seek out community involvement and feedback included advisory committee meetings, working groups/task forces, formal presentations, and workshops. Workshops were considered the most successful, attracting diverse participants ranging from youths (21%) to seniors (30%). Hispanics made up 80% of the participants which mirrored the demographics of Gilroy, while most participants claimed to live in low-income households.

¹¹ Drucker, Peter F. *The Five Most Important Questions You Will Ever Ask About Your Organization*. Leader to Leader Institute, 2008. Third Edition

⁸ Leach, William D. *Surveying Diverse Stakeholder Groups*, Society & Natural Resources, Vol. 15 (7), 641-649. (2002)

Participants completed surveys during the workshops, providing anecdotal accounts of how transportation "gaps" affect their daily lives while giving specific recommendations. VTA staff established a goal to have 1,000 surveys completed. The outcome was 1,086 completed surveys that identified needs in the target communities. During the workshops, staff members were able to speak candidly to participants and document specific issues that VTA had not gathered in past public involvement processes.

Following the public outreach period, a Project Working Committee participated in a brainstorming activity to create a list of proposed actions to address the transportation issues heard during the public involvement process. The committee assembled and evaluated transportation proposals and made recommendations to remedy specific lifeline barriers.

Proposals that could address the most prevalent community issues were placed in near-term (less than three years) to mid-term (three to six years) timeframes for implementation. The committee also took a support position for policy-relevant proposals advocating smart growth and policy-level decisions that positively benefit transportation service delivery.

In interviewing VTA staff who participated in the PIP, success was measured by these factors:

- **Quantitative results:** The goal to complete a number of surveys and exceeding that goal allowed staff to receive input from diverse community members from a fairly large pool of participants. Feedback was solicited in a number of creative ways (advisory committee meetings, working groups/task forces, formal presentations, and workshops) to meet the goal of over 1,000 completed surveys.
- **Qualitative results:** The most successful aspect perceived by staff was the openness achieved during the conversations with the community members, receiving input that was unadulterated. This process allowed VTA to understand the concerns of the public, enabling the agency to be more sensitive to those concerns in the implementation process.
- **Program evaluation:** From the outreach process, transportation and planning professionals developed a list of recommended transportation solutions for the issues determined in the PIP. VTA evaluated the solutions generated later in the process by whether the intended result addressed issues uncovered in the PIP.

An example of one near-term solution that came out of the PIP was to provide an express transit service between Gilroy and San Jose to serve working families commuting long distances by car to their job sites. In January 2008, VTA Express Bus Line 168 was implemented. By April, more buses had to be added to the route due to overcrowding of the buses. The service continues to grow ridership and provide commuters with a service that is competitive in time travel savings to not just the driving commute, but also the Caltrain commuter rail service out of Gilroy.

The public involvement model involved consultation with many segments of the community. Because of this collaborative process, decisions were inevitably more reflective of community values. This public involvement process also helped community members develop a better understanding of agency operations, while agency officials developed a better understanding of

public thinking. This mutual education improved the agency's relationship with the Gilroy community. This positive experience has contributed to VTA's commitment to complete another community-based plan for east San Jose in early 2009.

* * *

To this point, the public involvement process has been defined, and the benefits, objectives, guidelines and tools have been identified through the literature review of existing studies and best practice guides. This review has supported the earlier statement that the public involvement process is a crucial part of an agency's project development process.

Illustrated in the subsequent chapters is the research that was conducted for the purpose of addressing the challenge of successfully engaging the community in the public involvement process to achieve public support and better outcomes. As government and transportation agencies seek out the most effective strategies to engage the public, the question still remains – ***how can transit agencies improve their public involvement process to deliver better transportation solutions?***

CHAPTER 4: Phase II Research – Discovering Successful Public Involvement Processes

This chapter describes the research implemented to identify successful public information processes experienced by transportation agencies and the findings of that research.

Research Design

After conducting the literature review, the second phase of research sought to identify successful public involvement techniques that helped to achieve desired outcomes perceived by both the community and the transportation agency or project sponsor. Questionnaires and interviews were conducted with transportation and/or congestion management agencies, municipalities, and consulting firms that had experienced success in a public involvement process in the transportation decision-making arena.

Determinations of success for the exercise were based on one or more of the following criteria outlined in the white paper published by the Committee on Public Involvement in Transportation:

- 1) A transportation project was designed with the inclusion of public input that reflected community values.
- 2) A transportation policy or tax was supported by the community, resulting in a ballot measure passing by the required two-thirds majority vote.
- 3) Early and comprehensive public involvement reduced the risks of litigation and avoided revisiting decisions, significantly reducing the cost of the service, program and project.
- 4) The public involvement process transformed agency culture. Community stakeholders developed a better understanding of agency operations and agency officials had a better understanding of public thinking, improving the agency's relationship with the public.

Although there is much to learn about public involvement processes that were perceived as failures rather than successes, the purpose of this research was to focus on the positive, more successful techniques that are implementable. Evaluating failed public involvement programs (although it is important for the transportation agencies that experience them to do so) would have not allowed enough time for the third phase of research, the real-time application.

Transportation Agency Questionnaire

The agency questionnaire consisted of 20 questions designed to gain knowledge about one successful public involvement process based on the criteria mentioned earlier. It was distributed to transportation professionals in the community outreach, public relations, or customer service field within their agencies, and who were known to have implemented a public involvement process and able to provide input on this subject.

Out of 32 distributed emails, 14 questionnaires from 11 agencies were returned from the following agencies*:

- 19 -

- 1) Apex Strategies Consulting Firm (Apex)
- 2) Bay Area Rapid Transit District (BART)
- 3) California High Speed Rail Authority (CHSRA)
- 4) California Department of Transportation (Caltrans)
- 5) City of Milpitas (CoM)
- 6) City of Mountain View (CoMV)
- 7) City of San Jose (CoSJ)
- 8) Port of Redwood City (Port)
- 9) San Mateo County Transit District (SamTrans)
- 10) San Joaquin Regional Rail Commission (SJRRRC)
- 11) Santa Clara Valley Transportation Authority (VTA)

**abbreviated agency names have been provided in parenthesis and are used in the remainder of the study*

After the first four questionnaires were returned, initial feedback from the participants was positive and encouraging. Participants liked the easy-to-use form created in an Adobe Portable Document Format (PDF) that allowed them to provide input into text fields without changing the look of the form no matter how much information was typed into the form. This provided a clean, easy-to-read document that would aid in the tallying of information.

After one week had passed without further responses, I followed up with other recipients who had not yet returned the questionnaire. A few made mention that the length of the questionnaire was a bit tedious and there was some confusion caused because a PDF usually meant that information could not be inputted into the form, deterring them from trying to use it. The questionnaire was immediately scaled down from 20 questions to 15 and was provided in a Microsoft Word document with less formatting. Both versions of the questionnaire have been provided in Appendix A as the instruments used in this research phase.

The first few questions were designed to receive more information on the agency, the staff person responding to the questionnaire, and their role with the agency. Agency personnel were then asked to provide the foundation of their project, program or service that was implemented with the inclusion of public participation.

The remaining questions were designed to determine when and how the program was implemented, and to establish what tools, strategies and techniques were applied to obtain feedback and support from the public.

Answers from these agencies have been compiled in the subsequent sections to show consistency in responses with the aspiration of finding common and effective public involvement techniques that could be applied in the next phase of research, the real-time application.

Realizing the Need for Public Involvement – How and When?

After the respondents identified the public involvement process (PIP), they were asked to explain when their agency realized that a PIP would be a factor in the project study process. In other words, did an environmental study process mandate the PIP or was it optional for the agency?

In their own words, transportation professionals expressed that whether it was mandated, optional or both, the need for public involvement was not only necessary but an important element to the project development phase. The more concise comments have been provided below to demonstrate the variety in assessing the need for such a process.

“The process was **a little of both, mandated and optional**. It turned out to be a highly beneficial process for the project and the community.” – CoSJ

“As a public agency, PIP is an important aspect of any project we encounter. Our board has **mandated public involvement** in capital projects where appropriate.” – SJRRC

“Mountain View strives to include the public in all major City funded improvement projects. Because Stevens Creek Trail has a direct affect on nearby residents and businesses, they were **involved at the very beginning of project development** and have been included in the feasibility study, environmental, project approval and design processes.” – CoMV

“Elements are **required in the environmental review process**. As a public agency, there are necessary requirements that are also followed: public comment, hearing, newspaper ads, etc. From past experience, the Port has identified the importance of engaging the public as much as possible to ensure concerns and opinions are heard and responded to adequately.” – Port

“From the **beginning of the process**, there was a concerted effort to involve stakeholders and the general public at each phase of the project. It was **optional but necessary**.” – VTA

“PIP was always considered a **crucial element of the reauthorization process and was mandated** as part of the original authorization for Measure A in the 1980’s. Educating tax payers and soliciting their input in the spending of the half-cent sales tax was crucial to successfully continuing the tax.” – SamTrans

“The Transit Planning Manager led the effort to do outreach in the beginning of this project as he felt that planning should be working with the community **at the beginning of projects, instead of only during the mandated public outreach process for the EIR/EIS** or during construction. He felt that if we could get community support in the beginning of the project, we could address issues related to the project in the beginning as well as gain support as the planning process moved forward.” – VTA

“The Metropolitan Transportation Commission (MTC) **mandated the guidelines for the study**, which included a PIP specific to the target communities identified by the census data.” – VTA

From these responses (along with the others captured in the survey but not conveyed above), the research shows a mixed approach of how the agencies came to realize that the PIP would be a factor. Most PIPs were mandated by law or oversight agencies, like the MTC for example. Other agencies went beyond the mandate and started the PIP long before the environmental review process made it a requirement.

- 21 -

Out of the 14 surveys, ten agencies began their PIP during the early planning and project development stages to be as early and proactive as possible. One agency claimed that “things got serious during the design phase” while three agencies did not start their PIP until concerns and issues began to surface with the community, resulting in outcry from the public. All three agreed that the process had not reached a point where the agency could not address community concerns or make changes that incurred a significant cost to the project. However, they also admitted that starting the PIP earlier would have avoided community protests, earning them more credibility and trust with the community in the long run.

Identifying Communication Tools

The next set of questions was geared toward learning about how the agencies began the process of community outreach and/or public education. The survey requested agencies to identify the communication tools used during the PIP to notify the public about the project, service or program to be implemented. The list of communication tools were derived from the guide, *Public Involvement Techniques for Transportation Decision-Making*. The results are listed in Figure 4-1 showing the most common tools used to communicate to the public.

**Figure 4-1
Results showing commonalities in
communication tool usage among agencies**

# out of 14 surveys	Communication Tool Used to Notify
11	newsletters
11	mailed notifications
10	fliers
10	fact sheets
10	website home page
9	news articles
9	press releases
9	business community or stakeholder announcements
8	emailed notifications
8	public service announcements (paper, radio)
8	brochures
7	community group or homeowner association newsletters
6	advertisements
6	display boards
6	legal notices
5	newspaper inserts
3	posters
2	on-line advertisements
2	commercials (ad space paid for)
1	utility bill stuffers
1	car cards
0	billboards

Over 75% of the agencies used newsletters, mailed notifications and fliers to increase awareness of the project, service or program. To support the educational component, fact sheets and website pages were created to inform the public about the project's purpose, features, benefits, costs and schedule. Emailed notifications were used 57% of the time. Agencies that did not use email notifications were asked why this was not an implemented communication tool, especially in an era of increasing needs for fast information and paperless notification.

The common roadblock was obtaining email addresses from members of the public. Those agencies that used email had already solicited email addresses through a public meeting or workshop. However, they first had to mail notifications or door drop fliers by hand to generate interest of a public meeting. Staff then asked for other contact information (email addresses) as attendees signed into the meeting.

One respondent advised to work with local municipalities and other community organizations to share email lists. Other agencies indicated that they used their websites to solicit contact information, allowing visitors to sign up for specific updates they wish to receive electronically.

Language barriers will always be a challenge for public transportation agencies. To better communicate to the many diverse community members, 11 out of the 14 survey respondents claimed to translate their communication materials in Spanish. Six of the 14 translated the information in Vietnamese while one agency also translated a flyer in Mandarin Chinese.

Most agencies stayed away from paid advertisements and the more expensive media options such as billboards, car cards on transportation vehicles, on-line ads and newspaper inserts. However, over half of the agencies used media relations as a way to spread the word. News releases, interviews with reporters to generate news articles, and agency written articles submitted to neighborhood or business association newsletters (often free of charge) were popular vehicles of communication.

Public Information Officers or agency spokespeople are integral in this element of relationship building. These staff members are tasked with building a good rapport with media outlets and their reporters by being responsive to media inquiries, providing well-written news releases or statements, and conducting good interviews.

Identifying Effective Public Engagement Strategies

Techniques to increase awareness differ in those techniques seeking public participation. Agencies were asked to identify the tool and/or strategies that were used to seek out community involvement, public engagement and feedback. The results are listed in Figure 4-2 showing the most common strategies used to engage the public.

**Figure 4-2
Results showing commonalities in
effective engagement strategies among agencies**

# out of 14 surveys	Communication Tool Used to Solicit Participation
12	public meetings (no formal comments)
11	formal presentations
10	advisory committee meetings
10	workshops
9	hearings (formal comments documented)
9	open houses
7	working groups/task forces
5	brainstorming sessions
3	tours
2	conferences
2	charrettes
1	table discussion with a facilitator (other)
1	home visits (other)
0	retreats

Twelve out of 14 respondents, or 85%, identified public meetings as one of the best tools to solicit community participation, followed closely by formal presentations (78%) and workshops (71%). Hearings that include a formal public comment period are standard in a mandated public involvement process which occurs during the environmental study phase. Sixty-four percent of the agencies indicated that this meeting format is an effective strategy to solicit feedback from the community. Fifty percent of the survey results showed that working groups and task forces were also useful in soliciting feedback.

I found the results presented by this research question compelling. The less formal, open house style meetings received the same amount of votes than the more formal process. I asked a few respondents to give some insight on the reason for this observation. The majority agreed that although the formal public hearing achieved the goal to receive comments from the public, the formal hearings are not usually well-attended and can be confusing to those who have never participated in the process before.

Agencies are finding that conducting informal meetings or open house style meetings prior to the more formal process allows community members to ask questions to help them better understand the project and the process, before they are asked to provide formal comments.

One strategy (not originally listed) that was implemented by BART staff and said to be quite effective was home visits. BART staff explained that they made sure they dedicated enough staff resources to the PIP so they could personalize their outreach to this extent. Staff offered one-on-one meetings with homeowners, business owners, and other stakeholders who could not necessarily free themselves from their busy schedules to attend a public meeting or workshop. Home visits were also made to community members that were challenged in other ways such as accessibility, language or cultural barriers, or even those that were not comfortable in a public setting. One woman was visited at her home on a regular basis and provided project updates as she was agoraphobic and could not leave her house, not even for groceries.

Out of all the techniques, agencies reported that the most successful were public meetings, open houses and workshops. Face to face communication, working with neighborhood leaders, and attending existing neighborhood meetings also worked well for these agencies.

Measuring Success

Just as Leach and Coglianese mentioned in their research, participation can be viewed as a success if the program or project is a success. To discover how the agencies who participated in the research felt about their public involvement process, the survey asked how they qualified success.

All fourteen responses have been included in this section as this was perceived as one of the most important questions asked in the survey. Respondents used both qualitative and quantitative measurements to determine success, whether they based it on crowd turnouts or changes in public perspective.

“**Crowd turnout**, comments received, and the **position of the public changed** from opposed to neutral to actively supporting the project.” – Apex

“Success was informally measured by **crowd turnout** and whether there was **more or less confusion or controversy** regarding the issues to be discussed.” – CHSRA

“**Crowd turnout** and **productive discussion** and feedback. – CoM

“**General acceptance** of the designs, City staff **buy-in and support**, crowd turn-outs and verbal encouragement.” – SJRRC

“**Crowd turn out** and **positive response** to proposals.” – SamTrans

“Our planning group established a goal of 1,000 surveys completed for success. **We completed 1,068 surveys!**” – VTA

“We were looking for a wide audience and our **meetings were well-attended** (between 60 and 100) compared to other transportation workshops in the past. Also, the **web site and designated email address generated substantial traffic.**” – VTA

- 26 -

“The **community provided input that is being used** to update or advise the Traffic Calming policy for the City of San Jose.” – CoSJ

“The success of the PIP is primarily based on the fact that **many residents and interest groups who were initially opposed to the project sent emails and letters of support for the project** to the City at the conclusion of the PIP.” – CoMV

“A warm hand shake and a thank you from the community was all we needed. We received **several postcards of appreciation** from the neighborhood.” – CoSJ

“From the public meeting, **a noise abatement plan was created** and immediate action was taken. The meeting was **intended to field concerns and address those concerns**, just as we did.” – PORT

“The **tone of the meetings was more positive** as people understood we were coming to them at the beginning of the project and planned to involve them in the planning as it moved forward rather than coming to them with a fully developed project. – VTA

A Caltrans staff member stated that **a survey that had been administered both before and after project construction showed a more positive public perspective of the project** only after the public information process had been implemented. The education and outreach component really helped the public understand what impacts may occur during construction but how they could be avoided.

Lastly, a comment received from BART Community Relations Manager Molly McArthur, nicely summarized their success on a similar situation that VTA is currently trying to achieve. This scenario is discussed during the real-time application presented in Chapter 5.

“Success was based on **building a vent facility for the BART tunnel in a neighborhood that incorporated the look and feel of that community**, resulting from a **united front** by both the public and the public agency.” – BART

Generally, the survey respondents qualified success using both quantitative and qualitative measures. Crowd turnout and completed surveys provided the agency with numbers, while comments from those meetings or surveys added substance, helping to support the assumption that the community is involved and interested in the process.

Learning from Successes

The last two questions of the survey were asked to understand if the agencies that were surveyed had learned from their success in implementing a public involvement process. One question asked: “Does your agency now implement similar PIPs in other decision-making arenas?” Eight surveys, or 57%, stated ‘yes’ they had and three agencies stated that they implement similar PIPs ‘more often than not.’ Two agencies stated that they do not implement PIPs as much as they should while one agency has yet to implement other PIPs.

The reason the agency gave for not implementing more PIPs was that it was dependent on the potential impacts of the projects to be implemented. They felt that if the project did not impact the community, that it was unnecessary to seek their input. Assuming that a project will not impact a community can not only be detrimental to the success of that project, but it also establishes bad policy for the agency as this research study will show.

Another reason for not implementing the PIP ‘as much as they should’ for one agency was that the process was time-consuming and not economically viable unless mandated by the oversight agency. In this particular respondent’s case, the MTC supplied the necessary funding to implement the public involvement process, allowing them to contract an outside consulting firm. Otherwise, limited staff resources would not have made the PIP viable. Oddly enough, this PIP became one of the greater success stories used in this research. This not only supports the importance and worth of a well-implemented PIP, but it also speaks directly to one of the guiding principles of public involvement, ensuring provision of adequate resources.

The last question in the survey asked if the respondents believed that the agency culture had changed or improved the agency’s relationship with the public. Over 70% (or 10 out of 14) of the respondents said ‘yes.’ Two agencies responded that they were ‘getting there’ while only two agencies said that there was ‘still more work to be done’. Not one agency responded ‘no’ to the question.

Advice from Colleagues

At the end of the survey, agencies were asked informally to share a word of advice to other transportation agencies that may need to implement a public involvement process (PIP). This was optional to the research but it was interesting none-the-less, showing the breadth of opinions and capturing very candid results.

“Agencies need to be willing to genuinely change plans if you ask for community feedback. Projects have been dropped as a result of this process so you must be prepared to implement the desires of the community.” – Apex

“It is common to be disappointed by low turnout at public meetings, but this is pretty normal. The best way to reach out to the community is to utilize community organizations to assist with spreading the word.” – CoM

“Spend as much as you can possibly afford for PIP so the public feels that they have designed and approved the project and will vote to support the next funding measure.” – CHSRA

“Start the PIP process early. You don’t want to give the public the impression their opinion was an afterthought. They should feel like they are included from the beginning and that their opinions matter and will help shape the decision making process. – CoMV

“Respond quickly, leave no questions unanswered, be honest and be creative.” – CoSJ

“The public is a vital piece to any project. Though environmental reviews, project plans, work scoping, etc. are thorough, they may not always address every element that should be considered. The public is a key stakeholder and input should be requested to ensure that every impact, project component, mitigation, procedure, etc. fits the communities’ needs and objectives. – Port

“PIP has allowed for an excellent relationship with the neighbors and City staff. The residents are supportive of us and we are supportive of them. The public watches out for vandalism, crime, etc. and helps keep the neighborhood safe.” – SJRRC

“As Stephen Covey says, ‘begin with the end in mind.’ Do not assume that the normal public process will yield true success. You may just get more of the same if you choose to do more of the same. Instead, begin with the target audience and give serious consideration to the type of information you’re looking for. This perspective shift may create a new PIP strategy that breathes new life in the agency and inexplicably alters the agency’s public presence. Once that shift happens, let it permeate the agency. Take that opportunity to change the culture while the momentum is present and the purpose is clear.” – VTA

“I am a firm believer in participation and the process of involving stakeholders in decisions. It ultimately makes agencies more accountable to the public they serve. While there is a consequence in time and expense to do it effectively, those considerations should be built into project work and not seen as potential obstacles to project completion. Also, I think the agency should approach outreach with a philosophy in mind and not as a requirement.” – VTA

“I think that beginning the public involvement process early in the project helps to create community investment in the project as well as address potential issues. Identifying issues in the beginning helps to address them as the planning process unfolds, rather than waiting until the end when they can delay the project. – VTA

Feedback received from the contributing agencies was eye-opening but not necessarily surprising. It was refreshing to hear the enthusiasm of agency staff who wanted to lend their experiences to improve the public involvement process. The agency interview process not only supported the research from the literature review, but it provided creative, current and proven strategies to be carried forward in the real-time application. The experiment that pursued was implemented based on the knowledge gained through the first and second phases of research.

Chapter 5: Phase III Research – A Real-Time Application

A real-time application (or experiment) using the Phase I and Phase II research findings were applied to an existing public involvement process that had failed to produce the desired outcomes involving a multi-billion dollar commuter rail project, the BART Extension to Silicon Valley. The situation, to be described in the following section, created a wedge between the community, City officials, private landowners, developers, and the local congestion management agency and project sponsor, the Santa Clara Valley Transportation Authority (VTA). The failed attempt to involve the community in the project development phase resulted in wasted staff time, community strife and the ultimate need to analyze the existing public involvement process.

Setting the Stage – BART Extension to Silicon Valley

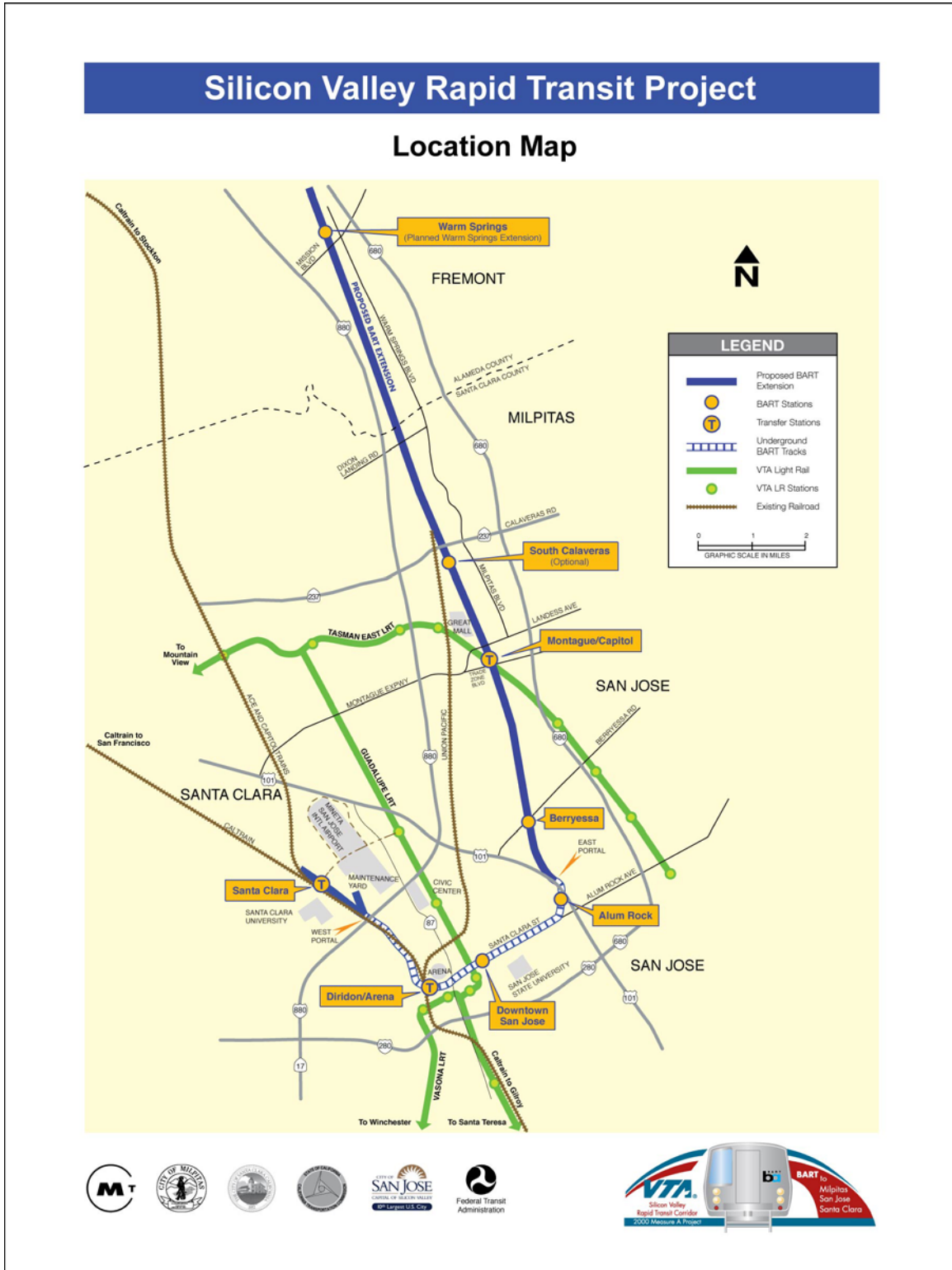
VTA is currently developing a project to extend the Bay Area Rapid Transit (BART) service from the San Francisco and East Bay Areas to the Silicon Valley. The commuter rail system would extend to the Cities of Milpitas, San Jose and Santa Clara, connecting the South Bay to the rest of the Bay Area.

The project has significant benefits related to traffic congestion relief; improved regional mobility; interconnectivity with light rail, bus, Caltrain and Mineta San Jose International Airport; and enhanced access to employment, education, medical, cultural, entertainment and retail centers. The project boasts to enhance the community and be responsible to the environment by shortening travel times along congested corridors and reducing air pollution by taking cars off the road with an expected approximately 90,000 daily riders. The project would also support the economy with local and regional transit-oriented development around station areas, creating an additional 10,000 jobs per year, 75% of which will be local to Santa Clara County.

The proposed 16-mile extension of the BART system would operate along the existing Union Pacific railroad corridor between the two I-680 and I-880 freeway corridors. The fully grade-separated project includes six stations: one in Milpitas, four in San Jose and one in Santa Clara. A 5-mile long subway tunnel is featured in the greater downtown San Jose area, generally located below Santa Clara Street and Stockton Avenue. The proposed BART alignment is illustrated in Figure 5-1 on page 30.

A newly updated cost estimate based on the preliminary engineering phase of the project is approximately \$6 billion in year of expenditure dollars. More than 80% of the funding will come from local and state revenue sources. VTA is seeking to fund the remainder of the project through the federal New Starts Program. Preliminary engineering was completed in 2006 and the project is under environmental review. The VTA Board of Directors approved the state Environmental Impact Report (EIR) in 2004 and a supplemental EIR in June 2007 to comply with CEQA. By the end of 2008, project design will approach 65% engineering levels and circulation of the federal Environmental Impact Statement (EIS) to comply with NEPA will begin. Project construction could begin as early as 2010 with the start of passenger service beginning in 2018.

Figure 5-1
Map of the BART Extension to Milpitas, San Jose and Santa Clara



Map courtesy of the Santa Clara Valley Transportation Authority

A Problem in Need of Resolution

The BART alignment design presented in the 2004 EIR included a subway tunnel along Santa Clara Street and under the bridge foundation for the Coyote Creek Bridge. As part of the developing geotechnical studies for the project, the VTA and its consultants concluded that the current plan created an extraordinary risk to the project budget, the project schedule, the safety of construction workers, and the safety and livability of the adjacent community.

For these reasons, VTA actively pursued design options that offset the tunnel alignment to either the north or south of the Coyote Creek Bridge. In addition, VTA needed to locate a mid-tunnel ventilation facility that would operate primarily to exhaust air in and out of the tunnel in case of an emergency. The facility would include an above ground structure, or head house, that houses the ventilation equipment and an underground vent shaft that connects the structure to the tunnel.

The desired outcome was (and still is) to design and construct a portion of the underground tunnel and a ventilation facility needed for the proposed BART project that does the following: 1) meets project design and safety standards within project cost limits; 2) steers clear of a 100-year old bridge structure that contains creosote soaked bridge piles that the City of San Jose would rather not disturb; 3) incurs little impact to the surrounding historic neighborhood and its residents; and 4) avoids gross limitation of future development in the area.

To continue progress on the design of the BART project, policy direction was needed on the two design issues. In August 2006, Cindy Chavez, then Chairperson of the BART Policy Advisory Board (PAB) and City Councilmember representing downtown San Jose, insisted that policy direction on these two design decisions would be postponed until an adequate public outreach effort had been implemented. The PAB asked staff to remove premature design alternatives near Coyote Creek Bridge and it was dropped from the EIR while design continued through 35% engineering levels. One year later, advanced design on the project was beginning and still no outreach to the community had been actively pursued.

To better understand the delays to the public outreach effort, project design elements and community issues, interviews were conducted with VTA and San Jose City staff, stakeholders, and elected officials who had been involved in the process.¹¹ I also spoke with a sample of community leaders that had been involved in the public involvement process that was not only failing to produce the desired outcome, but it was creating distrust and public protest.

¹¹ A list has been provided in Appendix B of agency staff and community stakeholders interviewed in the process.

A Failed Public Involvement Process

In July 2007, VTA staff had intended on meeting with a few neighborhood association leaders and city stakeholders to brainstorm how the agency and community might pursue the public outreach effort and address the design issues. This original group meeting of 12 turned into a larger group of 56 community members upset by the perception that meeting with the intended smaller group was leaving them out of the process. Since the design issues of the tunnel alignment had not been communicated to the community in almost a year, the community was under the impression that VTA was going to engineer the original alignment as the EIR had intended and an offset alignment was no longer an issue. Needless to say, the community was in an uproar when they found out that the design discussion was back on the table and no outreach had been done.

Not only were community members upset at the approach to outreach, but there was much confusion on how this shift to the tunnel alignment would impact their property. The southern offset from the bridge proposed to tunnel under a historical neighborhood of residents. The northern offset would tunnel under a former medical center site that had been condemned and developers and land owners were looking into future development potential. It was now up to VTA and the City of San Jose to address the concerns by educating the public on the design decisions that had to be made.

Staff regrouped after the experience to discuss what next steps should be taken with an already inflamed community. There were plenty of comments to address and questions needing a response. It was painfully obvious to staff that they would need to do more homework on the history of the community issues and have a more organized approach for the next meeting.

A public meeting was set for September 2007 in the City Council Chambers to address the concerns and questions raised by the public in July. Staff invited the public through emails and invitations dropped on doorsteps in the community where the tunnel and ventilation facility were being proposed. An open house with VTA and City staff was held prior to the formal presentation so attendees could review exhibits, ask staff questions, and read over the facts sheets and response handouts to community questions designed from the last meeting.

A formal PowerPoint presentation was shown on a large screen in front of the chamber room and staff addressed the current design issues of the tunnel alignment, presented alignment options and discussed ventilation facilities. A hired court reporter formally entered public input into the record. A few of those comments have been captured below to express the tone of the meeting:

- “One big challenge for me with all of this is simply trust.”
- “I don’t see any process in place to come to these decisions.”
- “What is staff taking into account?”
- “What are your criteria for making this alignment decision?”
- “How is our participation impacting that decision, or is it not at all?”

Even after VTA staff had presented what they thought was adequate information, comments such as the ones above still proved that the participants did not understand their role in the process. They felt that their input would not matter and decisions would continue to be made without their input being included. They also felt that the neighborhoods north and south of Coyote Creek were being pitted against each other because neither side wanted the tunnel and argued for it to be constructed on the opposing side.

- 33 -

San Jose Mercury News reporter Barry Witt also attended the public meeting and painted a very interesting picture in the article *BART Battle Pits Neighborhood vs. Neighborhood in San Jose* (Appendix C). This also helped spur more controversy in the neighborhood and made transportation officials and policy-makers apprehensive about the design decisions to be made.

In October, VTA staff reported the community meeting results to the SVRT PAB and asked for design direction on one of the alternative alignments at the Coyote Creek Bridge. With input from the community, land developers, stakeholders and city officials in hand, the PAB directed VTA staff to design the northern offset (nearest the former medical center site) at risk, or with the understanding that this could ultimately change with future inputs and assessments. In the meantime, VTA was directed to study all three alignment options during the Federal EIS process. As impacts and benefits are realized and the public has had more opportunity to learn and comment through the environmental public hearing process (to commence early 2009), VTA would only then be able to carry one preferred alignment through the remainder of the environmental study process.

At this juncture, one of the desired outcomes to design a portion of the underground tunnel that met the criteria (explained on page 47) was more-or-less underway. VTA engineers began to design the tunnel on the north side. To even get to this point however, VTA had to pursue one desired outcome at a time.

After lessons were learned from the earlier public involvement process, VTA staff made the decision to pursue the second desired outcome (the location of the ventilation facility) along a separate decision-making track. First, staff needed to assess the failures of the earlier public involvement process so not to make the same mistakes with the community.

The Assessment

Out of the ten guiding principles to public involvement, VTA failed at nine of them.

- 1) **VTA did not make the distinction between public information, public relations, and public outreach.** The initial public outreach process failed to stay true to its definition. VTA staff referred to the process as outreach but did not quite enable public feedback to be a part of the decision making process as it appeared that staff had already made their decisions. Therefore, it became more of a public information campaign affording only a one-way communication to inform the public on the issues that has surfaced during the 65% design phase.

- 2) **Public involvement was not inclusive.** The first community meeting with 12 members failed to include members from many different groups and individuals in the community. The insistence of the community leaders eventually helped VTA achieve greater attendance during the remainder of the process by spreading the word through neighborhood associations and helping VTA staff grow their contact list.
- 3) **Public involvement did not begin early nor was it proactive.** The public involvement process went ignored until decisions were at a crucial juncture in the project. Outreach activities did not begin early or maintain throughout the project development phases causing staff to drop the alignment decisions that should have been made earlier to be included in the EIR. This resulted in wasted staff time, more than a year delay in the project development process, and only postponed the inevitable – public outcry.
- 4) **VTA failed to earn the public’s trust and focusing on the relationships** essential to building solid and sustainable civic capacity. Beginning the process of public dialogue during the first EIR phase, or even earlier, would have helped to earn the public’s trust and make them feel more included in the decision-making process.
- 5) **The decision process failed to be well-defined, structured, and transparent.** Members from the public were not made aware of how their participation would impact or influence the decision of staff and policy makers. This was made obvious in the comments received at the public meetings.
- 6) VTA failed to establish that **staff did not communicate to the public that their involvement was only one part of the process.** Even though it is important to receive input from the public, it remains one element to the decision making process. Transportation officials and policy-makers would remain the decision makers on the tunnel alignment but that was not made clear from the beginning. It is even more important, however, that the decisions should have been structured so that the desired outcomes honestly reflected public input.
- 7) Because the process had started too late, incorporation of citizen input into the decision **process did not seem open and clear**, with the community feeling that their **input did not reflect in the decision.** Soliciting feedback and not responding to or incorporating those ideas into the decision making process created further distrust and would appear to negatively affect public involvement in future decision-making arenas.
- 8) **VTA failed to provide appropriate leadership during the public outreach campaign.** VTA and City staff was available to articulate agency policy, perspectives, and design procedures throughout the process. However, the community members felt that the process was structured with predetermined outcomes and they did not fully trust the leadership or the process at that point. Additionally, a neutral-party facilitator to help with the flow of communication was not present. VTA staff ran the public meetings and community members acknowledged the bias, furthermore impeding the process.

- 9) **VTA did not ensure the provision of adequate resources for public involvement.** Staff resources and budget for information materials and other outreach expenses were not adequately established. Insufficient resources severely handicapped the early and proactive public involvement process.
- 10) **Communication with participants and the attitude of agency staff and members of the public were, for the most part, of mutual respect.** Staff listened to constituents and opinions were given serious consideration. Input from the public usually received prompt responses with the exception of the more technical and laboring research questions staff had to undertake.

Once the failed public involvement process was analyzed, it was time to apply what was learned in the research to a future public involvement process. The experiment, or real-time application, started in January 2008. With the second design decision to locate a ventilation facility in a neighborhood that already felt disparaged from the past public involvement process, the question became – *how could VTA improve their public involvement process to achieve the second desired outcome?*”

Moving Towards a Successful Public Involvement Plan

After the BART Policy Advisory Board provided policy direction on the design of the tunnel alignment, one design issue remained. The location of the ventilation facility still needed to be placed and it was crucial to implement a solid, public involvement process.

During January and February 2008, VTA staff followed up with community members who had shown interest in engaging in this decision-making process. A group of 22 members of the community with diverse expertise ranging from real estate, law, policy, engineering, and technical backgrounds joined what became known as the Coyote Creek Community Working Group (CWG). Staff learned about their concerns and preconceived ideas about what this kind of structure would look and sound like in their neighborhood. Staff researched what the community would need in terms of technical reports, existing examples of structures, federal requirements and hands-on information that would be necessary to review during the public involvement process. In March, VTA staff presented a Community Outreach Action Plan to the CWG to be implemented over the next six months.

Coyote Creek Community Outreach Action Plan

The purpose of the action plan was to introduce, educate and receive feedback from the public in City of San Jose’s District 3 communities about the placement and design of the ventilation facility along the project’s tunnel corridor.

The objectives were to:

- Inform the public on the critical decisions to be made about ventilation facility locations, as well as the decision process and timeline.
- Engage the community to receive community and stakeholder input on proposed locations and design of the vent structure.
- Incorporate community and stakeholder input into the staff recommendations to the BART Policy Advisory Board.

The strategies to achieve these objectives were to:

- Establish a Community Working Group (CWG) consisting of members from the public, local neighborhood associations, business and community organizations, property owners, residents, stakeholders and elected officials.
- Discuss the items with the CWG that need to be addressed for the ventilation structure including noise, community impacts, location, footprint and design.

The communication tools and techniques to use during the public involvement process were established with the help of community input. Members were asked how the agency should provide the information and in what format. Community outreach and education activities were then focused on the following key areas: stakeholder meetings with City staff, District 3 City Councilmember Sam Liccardo, chairpersons of community groups and business organizations; monthly CWG meetings and distribution of meeting minutes; email and mail communications with extensive neighborhood distribution lists; hand dropped meeting notices to targeted properties; and collateral production such as fact sheets, frequently asked question documents, and technical reports.

A meeting with the CWG was held to discuss and receive final input and buy-in on the action plan. The timeline was also presented to the CWG so they were aware of the decisions that had to be made by a certain time. In this case, staff desired to have the preferred ventilation facility location determined by the end of 2008, before the Federal EIS would be in public circulation.

Beginning with the End in Mind

To reach a preferred location decision by August, VTA and the CWG would need to adhere to the timeline and work production schedule. Working backwards with the end in mind, a schedule of meetings was developed with specific decisions on the agenda that needed to be reached by the end of that meeting.

The decision timeline consisted of: 1) a CWG tour of existing ventilation facilities in April to address noise concerns among community members; 2) a follow-up CWG meeting to narrow down site options for further study by staff in May; and 3) a third and final meeting to discuss the footprint and design of the facility in July.

By August, VTA's goal was to incorporate the community feedback received through this process into the staff recommendation to the BART Policy Advisory Board. A policy decision on the preferred alternatives could then be carried through the remainder of the environmental review process to continue through 2009.

CWG Tour of Existing Ventilation Facilities

VTA staff contacted BART staff to coordinate a tour of existing ventilation facilities to give the CWG a hands-on experience of what these structures could potentially look and sound like in a similar neighborhood setting. Prior to the tour, noise consultant Wilson, Ihrig & Associates (WIA) was hired to take noise readings to document the ambient noise in the downtown San Jose neighborhood that currently did not have such a structure. Noise reading equipment would also accompany the tour so that additional readings could be taken from the neighborhoods where a ventilation facility already existed.

On April 24, 2008, 19 members of the community, VTA and San Jose City staff went on a tour of two BART vent structures on the peninsula near Millbrae and San Bruno, California. The goal of the tour was to view one below ground vent structure, one above ground vent structure and experience fan noise in a real public setting.



*Tour attendees on their way to a BART vent facility.
(Picture courtesy of VTA)*

A VTA bus was provided for tour attendees (pictured left) along with a boxed lunch since the tour occurred after work hours and would last up to four hours. A neutral-party facilitator, Eileen Goodwin with Apex Strategies, was present to lead the tour rather than VTA staff.

Upon arriving on site, the tour was lead by BART staff Molly McArthur, Community Relations Manager and Duane Condit, Manager of Operations Liaison (pictured right).



*Pictured: Duane Condit and Molly McArthur
(Picture courtesy of VTA)*



Santa Paula Vent Structure (Picture courtesy of VTA)

The below ground Santa Paula vent structure (pictured left) was visited first and members of the community were given the opportunity to explore the site and listen to the surrounding ambient noise before the vent fans were turned on. Fans were turned on and tour attendees were asked to listen and evaluate the noise levels at 50 feet, 100 feet, and 200 feet away from the vent.



Inside the Herman vent structure (Picture courtesy of VTA)

Next, the above-ground Herman vent structure (pictured right) was visited. Community members were escorted into the actual ventilation room where they were able to witness the size (not the noise due to safety concerns) and construction of the fan first hand.

Comments from the Tour

Most participants stated that the tour was helpful, and would recommend it to other neighborhood groups. To capture community comments, a survey was given to the tour attendees. The following comments represent post-tour and survey responses.

- **CWG Member** stated that the structures were incredibly ugly.
- **CWG Member** stated that the fans were very quiet.
- **Land owner representative** stated that the structures were very ugly and suggested the Coyote Creek structure should have more landscaping and be more interesting.
- **Stakeholder Association President** stated that he would like to see parking for the structure and retail shared. There was a lot of agreement by other residents on this topic.
- **CWG Member** asked to have the sound level documentation emailed before the next meeting.
- **Resident** asked if we had different noise measurements for both Santa Paula and Herman vent structures.
- **Resident** wanted to know the difference in cost estimates between an above-ground and below-ground structure.

- **CWG Member** said the bus tour was most clarifying. The noise from the vent is low, and I can live with that. I would like to see a vent structure that much closer resembles the architecture of our community, materials and quality and quantity of architectural details, a building that is low to the ground, something that you could easily mistake for a family home. My biggest fear is that not enough money will be set aside for the exterior details.
- **Neighborhood Association President** said thank you for organizing a good outing to tour the vent structures. It could have been boring but turned out to be fun. Another tour at other vent locations where we can hear an above ground fan in a location with similar ambient noise to Santa Clara Street and the surrounding neighborhoods would be fantastic. Both locations we visited have a great amount of ambient noise from trains, freeways and more airport noise than we suffer from on Santa Clara Street. Plus we did not hear the above ground fan at the second location.

The following responses were compiled from eight email returned surveys:

Did the tour answer your concerns about vent noise?

Completely: 3
Almost: 5

What other information do you need to know about noise?

Frequency of vent operation: 3
Final dBA numbers for community: 2
When noise will occur: 1
Nothing more needed: 1
Other: 1

Did you think the noise of the fans would be _____ than what we heard?

Louder: 4
More Quiet: 1
About what I expected: 3

The tour's length of time should have been?

About right: 6
Did not matter: 2

The tour should have been held?

Was held at appropriate time: 8

How did the catered food meet your expectations?

Above: 1
Perfect: 6
Below: 1

Rate the following qualities of the tour (4 good, 1 bad):

	4	3	2	1
Timeliness	7	1	-	-
Organization	8	-	-	-
Agenda	6	2	-	-
Locations	4	3	1	-
Restroom	1	3	2	-
Tour Guides	8	-	-	-
Bus Ride	5	2	1	-
Meeting Point	7	1	-	-

(Only 6 of 8 used restroom)

Rank the remaining concerns that you would like discussed at the next CWG meeting (5 = Highest Priority, 1 = Lowest Priority):

- 5 Site Location
- 4 Vent Footprint
- 3 Vent Aesthetics
- 2 Vent Noise
- 1 Next Steps

Preparing for the Next Milestones

After the tour, VTA staff debriefed and brainstormed about the information to be presented to reach the next milestone at the CWG meeting in May. On the agenda, the CWG would discuss tour observations, review the noise measurement report from the consultant, review vent structure footprint diagrams, and discuss site locations.

The meeting was held on May 19, 2008 and the CWG reviewed the noise report from WIA and received the presentation on footprint diagrams from outside consultants, Bechtel Infrastructure Corporation. Eileen Goodwin, neutral-party facilitator, conducted the meeting. The two main goals of this meeting were to put to rest any additional concerns of the noise levels that would be generated by the fans in the ventilation facility, and to begin narrowing down one or two site locations in order for VTA’s Engineering Team to start designing the structure.

WIA took measurements of ambient noise in the neighborhood both long-term (24 hours for at least four full days) and short-term (15 minutes). The existing ambient noise measurements indicated that nighttime (10 p.m. to 6 a.m.) energy average noise levels ranged typically between 48 and 62 decibels. The main sources of noise were motor vehicles. At the meeting, City of San Jose staff claimed that this range was typical and well below their city mandated noise ordinance.

WIA also performed noise measurements in the vicinity of the BART Santa Paula ventilation facility in Millbrae (the under-ground structure). Noise level measurements were obtained during a nighttime routine test of the emergency ventilation fan and on the tour. Considering the higher than usual level of ambient noise from other sources such as wind and San Francisco Airport activity, WIA was able to obtain readings closest to the facility.

WIA estimated that the noise level of the emergency fans appeared to be approximately 50 to 55 decibels at 25 feet from the edge of the ventilation facility. Consequently at 50 feet, the noise level appeared to be less than 50 decibels and less noisy the further the readings were taken from the facility (at 100 feet and 200 feet, noise levels were approximately 41 decibels and 35 decibels respectively.)¹²

Members were shown footprints of each type (above and below ground structures) and were informed of the differences by a matrix that included comparisons of property acquisition, visual and noise impacts, security and emergency access, operations and maintenance, constructability, schedule and cost. The comparison matrix has been provided in Appendix D.

CWG members spoke openly and freely about the personal impacts they would encounter whether they were an owner of a historic home, a land developer, or a resident of the neighborhood. Five potential locations had been discussed in earlier public meetings and the CWG was tasked with narrowing the five options to one preferred location. A comparison matrix was also created for all potential sites which took into account current land use, future land use, proximity to housing, permanent configuration, emergency and maintenance access, construction staging, construction in Santa Clara Street and other easements that may be needed during construction. This matrix has been provided in Appendix E.

Based on the information provided at the meeting, the hands on site tour, and a good round table discussion amongst group members and staff, the CWG was able to narrow down the site options to two preferred locations. Members considered current land uses, impacts to the community and future development to choose two site locations that were furthest from homes but also met the engineering and safety requirements of the project. Staff acknowledged the tremendous progress that had been made and committed to providing footprint drawings and design simulations for the two preferred sites at the next CWG meeting.

In July, CWG members will begin to see what the structures would look like in their community and have the opportunity to discuss design options with staff. Although there are plenty of deliverables to produce and information to prepare for this next meeting, the public information process is on track. It is hopeful that the CWG will be prepared to provide their preferred site location and feedback to staff by the predetermined August deadline.

This milestone will allow VTA to report on the successes of the public involvement process and include the community's input when making the staff recommendation to the BART Policy Advisory Board in October 2008.

Since this process began, I have observed and participated in the changes that were implemented to VTA's public involvement process. It was not just a learning experience for the purpose of this research but it was a valuable growth experience for me as a VTA employee working in the field of public involvement and community outreach. Staying consistent with the report structure, an assessment of the real-time application has been provided in the following chapter.

¹² Wilson, Ihrig & Associates, Inc. *Ventilation Shaft Noise Measurement Report for Coyote Creek Neighborhood*. May 16, 2008.

Chapter 6: The Real-Time Application Assessment

The objective of the real-time application was to take a public involvement process that had failed and assess its weaknesses. The public involvement process that VTA initially implemented was examined to determine the lessons to be learned from the experience. Then, successful techniques and engagement strategies that were realized during Phase I and Phase II of the research were applied to a revised public involvement plan. The expectation was an improved public involvement process that could be implemented with the same community who had suffered the previous public involvement experience.

This time around, VTA succeeded at all of the ten guiding principles of public involvement.

- 1) **VTA staff established a true public outreach approach, a two-way communication between the agency and the community.** This allowed VTA to inform and include the public while using the feedback received to reach a desired outcome. VTA realized the concerns of the community and the community became better informed of the decisions that needed to be made on specific project development issues. Although a public information approach helped disseminate information to educate the community, it was the two-way communication that opened the door to resolving the issues.
- 2) **Public involvement was inclusive.** The Community Working Group was a representation of community leaders, neighborhood association members, residents, stakeholders, business and land owners, and neighbors. To better reach the community, information was often dropped on door steps and email distribution lists continually grew to include more people in the Coyote Creek neighborhood. The established relationships with neighborhood association leaders also helped to bridge the earlier communication gap as they spread the word to their neighbors and contact lists. To ensure that language barriers were not keeping people from attending meetings or participating in the CWG, letters were also translated in Spanish that captured the demographic in that neighborhood. Staff continually checked in with the CWG to see if there were additional or better ways to communicate to the neighborhood.
- 3) **Public involvement was still not as early as it should have been but it became more proactive.** No agency can turn back the hands of time. The valuable time lost during the EIR phase and the delay it caused on the project helped VTA realize that this could not occur a second time. With the goal of achieving policy direction by August 2008, VTA staff began to improve on the process in January and February to provide ample time for community participation. Outreach activities were continuous over the eight months which resulted in staying on track to reach the goal. Public involvement began more proactive not only by the agency but the community as well. More people got involved and more feedback was generated, reflecting a better representation of their community.

- 4) **VTA will continue to earn the public's trust as long as the agency continues to focus on nurturing the relationship with the community.** During this process, community meetings became more productive, and the tone of the meetings and the dialogue between staff and the community were much more positive as people began to feel more included in the decision-making process. Although there is a long history of mistrust with this particular community, VTA is making strives to improve the relationship.
- 5) **The decision process became well-defined, structured, and transparent.** Once the Action Plan was established, the purpose and objectives were defined. Structure was given to the process and strategies were determined on how the CWG and staff would reach their decision timeline. From the beginning, the process was explained and the community was made aware of how their participation would impact or influence the decision of staff and policy makers. Although some comments were made to the fairness of this process, it was made clear to the participants in the process that that would be the policy direction VTA staff would adhere to.
- 6) VTA established with the CWG that **their involvement was only one part of the process.** VTA asked for input that would be incorporated in the staff recommendation to the BART Policy Advisory Board. This process would provide the policy direction needed to continue the design phase of the tunnel alignment and ventilation facility.
- 7) During the public involvement process, each decision being made along the way was based on a substantial amount of high-quality feedback received from the members of the CWG. Consultants and experts were brought into the process to provide the community the information they needed to understand the fairly technical issues so they could make some informed conclusions. Incorporation of community feedback helped staff to engineer viable design solutions with the community's **input clearly reflecting in the decisions being made.** VTA staff also learned a great deal about the Coyote Creek community and its residents in the process.
- 8) This time around, **VTA provided the appropriate leadership to the public involvement process.** VTA and City staff remained available to articulate agency policy and design procedures throughout the process. However, this time consultants were hired speak to the technical aspects of the issues so that community members would not feel like the information being presented was biased. Additionally, a neutral-party facilitator helped keep the meetings on task and the dialogue and tone respectful and productive.
- 9) **Adequate resources were established** with the use of additional staff resources in the form of consultants. A budget for information materials and other outreach expenses was also provided which enabled staff to think more creatively about the information that could be provided. One example was the tour of existing BART facilities. Tour transportation courtesy of a VTA bus and an inexpensive boxed lunch provided a whole new dimension to public education. In the long term, VTA still suffers from insufficient resources which could handicap future public involvement processes. VTA will need to dedicate more staff and budgetary resources to this effort if they wish to gain more public support for the BART Extension Project to Silicon Valley.

10) **Communication with participants remained respectful throughout the process.**

Once the community was informed that VTA staff wanted to right the wrong of the previous public involvement process, the approach of agency staff and members of the public became much more respectful. The new approach to community outreach also earned the respect from policy makers and stakeholders of the agency. The honest attempt at improving the process was genuine and recognized.

- 44 -

Chapter 7: Research Evaluation

Three phases of research were conducted in this study to help answer the question of how transportation agencies can improve the public involvement process to build better transportation solutions. The literature review of existing studies and best practice guides provided insight into the public involvement process and the tools and guidelines that should be used and followed. During this literature review phase, workshops, conferences and public meetings were also attended to capture any new, cutting-edge strategies that were being used or to simply confirm the themes I had found through the written materials of industry standards.

One public meeting in particular stood out as the most engaging and innovative example, conducted by the Metropolitan Transportation Commission (MTC). The transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area is currently undertaking a major update to its regional transportation plan, known as Transportation 2035. This effort will define a vision for what the region's transportation network should encompass by the year 2035. Decisions are to be made on how our region grows and how our transportation network supports this growth while considering the scarce resources our nation is faced with.

Attendees were first shown a 12-minute video that provided an overview of the challenges addressed by Transportation 2035 which also set the stage for the topics to be discussed at the meeting. Then, each audience member was provided a remote control that could be used during an interactive polling presentation. Questions were asked and immediate results to the questions were provided through the interactive software so that everyone could see how the group voted. After the group had registered their answers, participants were asked to comment on why they had answered the way they did. Feedback received from participants was well presented and insightful. The meeting facilitator presented the information well, kept good time of the meeting, and was quite diplomatic in making sure everyone had a chance to be heard.

After the meeting, I had the pleasure of speaking with MTC staff, the meeting facilitator and a few meeting participants. Both the agency and the public were very pleased with how the meeting was conducted. The cutting-edge polling software was impressive, making participants feel that their opinions had really been taken into account as they witnessed their feedback tallied and presented in front of the group. MTC staff utilized additional resources to create an interesting and engaging public involvement process but by the public's perspective, it was staff time and money well spent.

The literature review of existing studies, best practice guides and the first-hand experience at public forums provided the tools and guidelines to help structure the survey instrument used in the second research phase. Experts in the transportation industry were interviewed about their experiences in a public involvement process that produced a desired outcome. Whether it was a sales tax measure that was passed by a two-thirds majority vote, a new bus service that helped low-income families get to their places of employment more efficiently, or an element of a major transportation project that incorporated the community it served, the fundamental premise was always the same. The agency had engaged the community and implemented a successful public involvement process.

Subsequently, findings from the first two phases were used to evaluate a public involvement process that the Santa Clara Valley Transportation Authority (VTA) was implementing but was considered to be unsuccessful by both the agency and the community. Design on a major transportation project was not advancing and public outcry and distrust were at an all time high. Proven techniques and engagement strategies were applied to improve the process. This research progression helped create a well-conceived, public involvement process that the VTA could implement to achieve the desired results.

The first public involvement experience that failed should forever serve as a continuous reminder that there are no shortcuts to a good public involvement process. The improvements made to the second process in the real-time application should become the blueprint for agencies, such as VTA, desiring to maximize the benefits of a meaningful public involvement process with the purpose of building better transportation solutions.

The power of this process should not be underestimated. In these times of ever increasing mobility demands and funding shortfalls, it becomes absolutely necessary that transportation agencies work in full cooperation with community members and tax payers to develop solid, civic engagement processes to deliver sustainable transportation projects, programs and services.

Bibliography

- Attorney General's Manual on the Administrative Procedure Act.* U.S. Department of Justice
Tom C. Clark, Attorney General, 1947: <http://www.law.fsu.edu/library/admin/1947i.html>
- Coglianesse, Cary. *Is Satisfaction Success? Evaluating Public Participation in Regulatory Making.* Paper presented at the Workshop on Evaluating Environmental and Public Policy Dispute Resolution Programs and Policies, Washington, D.C. March 8-9, 2001.
- Drucker, Peter F. *The Five Most Important Questions You Will Ever Ask About Your Organization.* Leader to Leader Institute, 2008. Third Edition
- Environment, Public Involvement.* Federal Highway Administration, U.S. Department of Transportation: <http://www.fhwa.dot.gov>
- Focus on Community Engagement.* Presentation by panel speakers during the 2008 Regional Best Practices Conference Series, Oakland, CA. March 27, 2008.
- Hall, Daniel. *Administrative Law: Bureaucracy in a Democracy (Second Edition).* May 2001.
- Katz, Sara M. *As We See It. Don't Confuse Marketing With Public Participation.* Journal American Waterworks Association. Vol. 94, p. 38, 2002.
- Leach, William D. (2002). *Surveying Diverse Stakeholder Groups*, Society & Natural Resources, Vol. 15 (7), 641-649.
- Public Involvement Techniques for Transportation Decision-making.* Federal Highway Administration, Federal Transit Administration, U.S. Department of Transportation, Sept. 1996.
- State of the Practice: White Paper on Public Involvement.* Committee on Public Involvement in Transportation. June 2000.
- Transportation 2035 – Change in Motion.* One meeting in a series of eight public workshops conducted by Metropolitan Transportation Commission, San Jose, CA. May 8, 2008.
- Wilson, Ihrig & Associates, Inc. *Ventilation Shaft Noise Measurement Report for Coyote Creek Neighborhood.* May 16, 2008.
- Witt, Barry. "BART Battle Pits Neighborhood vs. Neighborhood in San Jose." San Jose Mercury News. September 26, 2007: <http://www.mercurynews.com>

Appendix A:
Transportation Agency Survey
Version 1 (PDF Document)
Version 2 (Word Document)

Appendix B:
List of Individuals Interviewed for the
Real-Time Application Research

Appendix C:
San Jose Mercury News Article
September 26, 2007

Appendix D:
Ventilation Structure –
Above vs. Below Ground Comparison Matrix

Appendix E:
Ventilation Structure –
Site Location Comparison Matrix