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TRANSPORTATION SOLUTIONS

COLLABORATIVE PROBLEM SOLVING
for STATES and COMMUNITIES

★ National
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The **National Policy Consensus Center** assists public leaders and state dispute resolution programs in establishing and strengthening the use of collaborative practices to address difficult public policy issues.

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FOREWORD

John A. Kitzhaber, M.D
Governor of Oregon, 1995 – 2002
Chair, Board of Directors
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Addressing difficult transportation issues is one of the most critical concerns facing state and local governments today. During my tenure as Governor of Oregon, I worked hard to encourage and facilitate collaborative approaches to

transportation challenges. By helping diverse interests work together to find common ground, we were able to create solutions to shared transportation problems in a way that addressed economic, environmental and community objectives.

Increasingly, conflicts over all aspects of transportation planning and development raise concerns about growth management, economic development, neighborhood quality of life, environmental justice and a range of other issues. The inability of state and local officials to successfully deal with these concerns weakens government credibility at a time that we can least afford to have this happen. As government leaders, we need tools and governing models that can help us work in new and innovative ways to successfully address these multiple perspectives and regain the public trust in our ability to solve problems.

This report highlights successful collaborative practices and governing approaches to transportation that can assist state leaders and their local government counterparts. The report is an outgrowth of a recent transportation colloquium that brought together practitioners with on-the-ground experience in the application of collaborative problem solving to transportation issues.

Drawing on the extensive experience of the colloquium participants, this report examines the state-of-the-art in transportation collaboration, including successful practices and lessons learned. It includes case examples that demonstrate how collaborative approaches can be applied to all phases of transportation work, from planning to project streamlining. The report also includes recommendations on what states can do to increase the use of collaborative problem solving as a compliment to more traditional approaches.

I believe that collaborative approaches to transportation deserve more attention and encouragement. We will make more progress and develop better and more sustainable solutions to what have been considered intractable problems if we move in this direction. To the extent we can involve people more directly in the problem solving process, and give them ownership, investment and a stake in the solutions, the more successful we will be. Such methods, I believe, are the governing tools for the 21st century.





EXECUTIVE SUMMARY

In April 2003, the National Policy Consensus Center (NPCC) hosted a colloquium for people involved in transportation collaborations—federal and state agency representatives, consultants, dispute resolution professionals and representatives from professional associations and local planning organizations. The colloquium was co-sponsored by the Federal Highway Administration, the U.S. Institute for Environmental Conflict Resolution, the American Association of State Highway and Transportation Officials and the Florida, Oregon, and California Departments of Transportation.

This report summarizes lessons learned about transportation collaborations and offers recommendations for governors and state transportation officials on ways to enhance the use and effectiveness of collaborative problem solving around transportation issues. The report also identifies areas for additional research that will help fill our knowledge gaps and address existing barriers to effective collaboration on transportation issues.



The following is a *summary of the recommendations* to governors and state transportation officials:

Provide Leadership

- Use the authority of the governor’s office to convene collaborative processes on key transportation issues, bringing all essential players to the table.
- Energetically promote and support collaboration on transportation issues and policies.
- Articulate policy support for the use of collaboration through a general or targeted executive order that sets an expectation that state agencies will consider and use collaborative models.
- Demonstrate a commitment by budgeting new resources or reallocating existing funds for collaborative processes on transportation issues.
- Seek people with knowledge, skills, and experience in collaborative problem solving for key appointments and staff positions.
- Establish innovative collaborative practices that involve state agencies working together across traditional boundaries to solve transportation problems.

Build An Infrastructure for Collaboration

- Provide training for agency administrators, policy makers, and other personnel.
- Develop policies and procedures that encourage and support collaboration in transportation planning and development.
- Support development of the best technologies and tools for decision-making.
- Build community capacity for collaboration.
- Promote partnerships among state agencies, federal agencies, and associations of governments to address transportation issues.

Promote Collaborative Decision Making Systems

- Adopt and promote existing collaborative governing models.
- Develop structures for collaborative decision-making within state government.

- Promote effective linking of transportation public involvement programs with collaborative processes.

Foster Education, Outreach, and Communication

- Help the public understand when and how they can be most influential in the transportation development process.
- Educate stakeholders on the concept of collaboration and effective ways to participate.
- Promote successful projects and programs that have used collaborative techniques.

Support Research and Evaluation

- Encourage and support efforts to research and document the value-added and cost-effectiveness of collaborative approaches to transportation initiatives.
- Support research on developing technical and informational tools that will improve collaborative transportation processes.
- Develop collaborative strategies to enhance the work of existing university transportation research centers.





WHAT IS TRANSPORTATION COLLABORATION?

Increasingly, state departments of transportation are experimenting with new approaches to solving transportation problems. In partnership with the Federal Highway Administration (FHWA), the American Association of State Highway and Transportation Officials (AASHTO), conflict resolution organizations and transportation consultants, state departments of transportation (DOTs) are using collaboration to improve transportation planning, complete the National Environmental Policy Act (NEPA) process, site new facilities or expand the capacity of existing transportation infrastructure. DOTs are discovering that successful business practices must include collaborative problem solving and innovative models for decision making.

Across the country, state and local government leaders are learning how to develop multi-modal transportation solutions that involve the public more effectively, incorporate the interests and perspectives of a variety of stakeholders, and build projects more quickly—all while meeting important economic, environmental and community objectives. Many different models of collaboration have been used,

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Transportation Collaboration in Florida

In the 1990s key stakeholders in the Orlando urban area lined up both for and against a proposed expressway project included in the Metropolitan Planning Organization's (MPO's) Long-Range Transportation Plan. The parties soon reached a "mega-impasse," with disputants engaging in litigation, administrative hearings, and legislation to either build or eliminate a proposed surface transportation corridor.

Under the leadership of the MPO and the Florida Conflict Resolution Consortium, the disputing parties engaged voluntarily in a 10-month collaborative process to reach agreement on the Orlando Urban South-Central Corridor. The process ended a long and bitter battle among the polarized disputants, and resulted in a consensus agreement on the Corridor. The MPO subsequently accepted the agreement and included it in its Year 2020 Long-Range Transportation Plan.

Page 16 of this report lists this and ten other case examples of transportation collaboration. Together, the cases illustrate the myriad ways collaborative practices can be applied within the transportation field.



resulting in an impressive record of accomplishments and lessons learned.

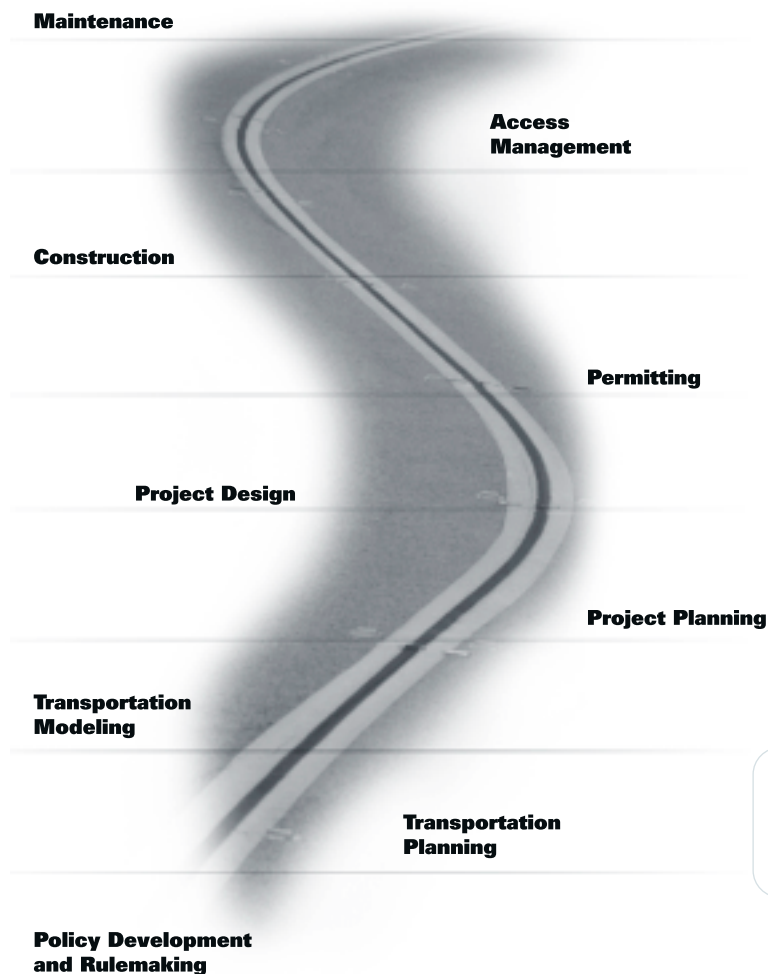
In the field of transportation, collaborative approaches take many forms and can be applied at different points in a variety of ways. These processes are helpful for dealing with problems and issues at the local, regional, state, and national levels. They can be used throughout the entire sequence of transportation decision making, from transportation planning to project development to NEPA review and impact mitigation. Different combinations of stakeholders—public, private, and community—participate in collaborative processes at different decision making points. The diagram to the right illustrates the many points of entry for collaborative practices in transportation.

Initiatives like FHWA's *Context Sensitive Solutions* and *Environmental Streamlining and Stewardship*, as well as agency coordination within and across levels of government, are making a difference. As states learn from these initiatives, a growing body of knowledge and expertise is emerging about how to improve the effectiveness of these efforts. State and local governments, along with their federal and nongovernmental partners, can use this knowledge to achieve better outcomes, including more efficient and cost-effective transportation systems.

In the last 10 years, a great deal of attention has been focused on the importance of improving transportation decision making through well-designed public involvement processes. The goal has been to make decisions that truly reflect community values, increase public ownership of transportation solutions, and enhance agency credibility. Collaborative approaches and conflict resolution techniques can compliment and enhance traditional public involvement processes and should be considered part of the “tool kit” that transportation planners and decision makers have available to them.

But collaboration in transportation or other fields doesn't happen without leadership. Often, the path of least resistance is to continue doing transportation planning and development using traditional approaches. These traditional ways of doing business are sometimes the right choice, but increasingly, they are failing to produce the best results.

Collaborative Process Opportunities in Transportation Decision Making



Projects often fall through or go over budget, and stakeholders—including neighborhoods, business, and environmental groups—feel angry or betrayed by the outcomes.

Governors and other state and local leaders can make a difference by promoting and even requiring a collaborative, consensus-based approach be used in appropriate situations. Such leadership will be the catalyst for more extensive and effective use of collaborative approaches and for improved outcomes.





WHY SUPPORT TRANSPORTATION COLLABORATIONS?

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- 1. Cities and states face a range of transportation issues and problems that are difficult to address with traditional approaches.** Some of these problems are becoming more intractable and are undermining government credibility. They include:
 - Traffic congestion that significantly undermines the quality of life in urban areas
 - Costly delays in project development and construction
 - Inadequate funding to maintain and enhance the quality and capacity of roads and bridges
 - Negative impacts on the natural and human environment
 - Land use conflicts in and along rights of ways
- 2. Transportation collaborations can save time, money, and staff resources.** State and metropolitan highway, bridge, and transit projects can face major delays when impasses are reached among the various interested parties and transportation partners. Proven techniques for collaboration and consensus building can, in many instances, expedite resolution of problems and issuing of permits. Collaborative approaches can also help avoid costly litigation. A recent study by the General Accounting Office indicated that establishing early partnerships and coordination among all project stakeholders is very important in reducing project completion time.
- 3. Consensus-building processes can supplement and enhance more traditional public involvement efforts.** Although they play an essential role in educating and soliciting input from the public, standard citizen involvement processes such as public meetings and surveys may not provide sufficient opportunities for key stakeholders to be involved in the transportation decision-making process. For example, some players may be critical to a transportation project because they threaten to challenge it in court, or because it cannot be implemented without their financial support. Generally, when these key players are involved upfront, through participation in a collaborative process, their concerns are addressed early and they are more likely to be supportive.
- 4. Collaborative approaches bring together people with diverse perspectives and areas of expertise, resulting in better solutions.** The solution to a transportation problem often requires creative problem solving. Collaborative approaches encourage participants to think in new ways about a problem and can generate ideas for multi-modal solutions. A more effective design for a highway may emerge from a collaborative process involving citizens living in the affected neighborhood. Or, the best way to finance a proposed transit facility may come to light when local and state government officials brainstorm with property owners and businesses that stand to benefit from the improvements. A collaborative process, with many interests represented, can facilitate the development of innovative approaches to old problems.
- 5. Consensus building enhances interagency cooperation and problem solving.** Collaborative approaches can help to integrate scarce agency resources, avoid duplication, and build trust among stakeholders. Collaborations also can turn apparently inflexible federal or state mandates and procedures into new opportunities.

6. **Effective implementation of transportation project planning is more likely when there is shared ownership of the approach.** Doing the planning for a transportation facility is only half the battle. If key decision makers do not really support the project design, they may find ways to sabotage its implementation. A consensus process can help stakeholders agree not only on the plan, but also on the steps that each will take to ensure effective, on-the-ground implementation.

Improving Communication in South Carolina

In South Carolina, the Department of Transportation has taken a distinct approach to improving interagency communication by hosting workshops that bring together federal and state agencies to build relationships and agree on common objectives. The workshops are unique; rather than focusing on the specific projects or processes confronting them, the participants share perceptions and understanding, then work from general coordination issues to specific action items.

The workshops have resulted both in better working relationships among agency personnel, and in new institutions and procedures that make the state more efficient in reaching environmental and transportation goals.

One action item agreed upon at the last retreat was establishment of an interagency task force to serve as a project team on large transportation design-build projects. The task force discusses regulatory issues early on and identifies possible sticking points. Together they reach decisions on the best ways to expedite projects. For example, when plans changed on the construction of the \$650 million Cooper River Bridge, the interagency task force avoided bureaucratic snarls and saved time and money for agencies by strategizing on the best way to permit the modified elements of the plan.



7. **The needs of disadvantaged groups, such as low-income residents or minority businesses, are more likely to be acknowledged and supported when collaborative models are used.** When all affected interests take part in a collaborative process, the voices and concerns of traditionally disadvantaged groups can be incorporated in the planning and design of transportation solutions.
8. **Collaboration can result in more sustainable transportation solutions.** When many interests are integrated in a collaborative process, the decision making is more likely to meet multiple objectives. By addressing economic, community, and environmental needs together, future conflicts can be averted and solutions that benefit all aspects of the community will be longer lasting. Moreover, the conflict management skills and relationships that are often built in collaborative processes can help assure that future transportation-related disputes are addressed and resolved effectively.





LESSONS LEARNED ABOUT TRANSPORTATION COLLABORATIONS

Leaders across the country have increasingly recognized the utility of applying collaborative practices to transportation-related processes. As the number of pilot projects and new programs grows, an wealth of insight is emerging about these practices. Below are some of the principal lessons learned with relevance for governors and state officials.

1. Authoritative sponsorship paves the way for successful collaborative processes.
2. It is crucial to have the right people at the table—decision-making representatives from agency management as well as business and non-governmental representatives.
3. When leadership is neither at the table nor in the information loop, the results of collaboration may go nowhere.
4. Key stakeholders who are not involved in a process often challenge the outcomes in court or through the legislature.
5. A well-planned process and skilled facilitators make the difference between a process with little more than good intentions and one that results in solid outcomes.
6. Without sufficient state and federal funding to convene stakeholders and shepherd the process, collaborative transportation projects will fail to maintain momentum and may eventually dissolve.
7. Devoting sufficient time to carry out collaborative transportation processes increases the likelihood that participants will create productive agreements and move projects forward.
8. Investments in building the capacity of both communities and agencies to participate effectively in collaborative problem solving have a big pay off.
9. Blending effective public involvement techniques with the strategic use of collaborative, agreement-seeking processes produces well-informed and publicly accepted solutions.
10. Translating technical or scientific information into forms that are easy for stakeholders to comprehend and use produces better decisions.
11. Weaving collaborative practices into the fabric of government programs generates greater long-term benefits than one-time processes.
12. State dispute resolutions programs are an important source of expertise and neutrality for collaborative decision making processes.

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Cooperating on Transportation and Habitat Protection in Colorado

In April 2001, after meeting and planning for nearly a year, a group of state and federal agencies in Colorado entered into a long-term, formal agreement to combine a mitigation-banking approach to streamlining transportation projects with a large-scale habitat conservation approach to protecting declining species. The agencies included the Colorado Department of Transportation, FHWA, the U.S. Fish and Wildlife Service (FWS), the Colorado Department of Natural Resources, the Colorado Division of Wildlife, and The Nature Conservancy.

Exploring and uncovering shared interests was a crucial first step to this successful collaboration. The process helped all parties accomplish their agency's missions, and ensured enthusiastic participation. Edrie Vinson from the Colorado Division of FHWA observed, "If you can accommodate people's interests up front, everyone will work hard to pull off the project. In our case there has been almost no dissention. We look for solutions together and we find them!"

The trust the agencies built during this project led to other joint activities. For example, FHWA and FWS created the first endangered species "bank" in Colorado. Through Endangered Species Act mitigation, FHWA discovered an innovative way to protect the Prebles Meadow Jumping Mouse habitat. In cooperation with FWS, they easily complied with the Act, and created 25 acres of habitat for the threatened mouse.



Components of a Collaborative Process

- The right stakeholders at the table
- Early assessment of the situation to determine the appropriateness of a collaborative approach and how it should be designed to maximize chances of success
- Clear definition of the decision-making process, including upfront, written agreements such as ground rules and protocols
- Neutral facilitator(s) to guide the process and an appropriate match between the process and the facilitators' skills and experience
- Clear definition of "success" for the process
- Hospitable environment and convenient meeting locations, making it easy and comfortable for stakeholders to participate
- Skill building and education about the issues and the process early on
- Good integration of technical information throughout the process
- Flexibility in the process to ensure continuous focus on the key issues and involvement of the right stakeholders
- A well articulated final agreement





RECOMMENDATIONS TO GOVERNORS AND STATE TRANSPORTATION OFFICIALS

The following recommendations are directed primarily toward governors, their policy advisors, and state transportation officials. Other agency staff and those seeking to apply collaborative approaches to transportation initiatives will also find them useful.

Provide Leadership

1. **Use the authority of the governor's office to convene collaborative processes on key transportation issues, bringing all essential players to the table.** Personal invitations and requests from the governor can dramatically increase the willingness of essential stakeholders to participate. In many cases, it will be sufficient for the governor to delegate authority by appointing conveners for specific projects. The conveners can be

transportation officials or other respected community leaders. Governors also can lend convening power to existing processes by recognizing or endorsing their work.

With the support of the Florida Governor's Office, the Secretary of Transportation called together 41 distinct stakeholders to develop the first statewide Strategic Intermodal System. The leadership of the secretary, who also served as the steering committee chair, was crucial to ensuring participation of key partners in designating a new system that would fundamentally shift the way Florida views development and investment in its transportation system.

2. **Energetically promote and support collaboration on transportation issues and policies.** Create a climate and a context for collaboration within the administration by encouraging interagency coordination and cooperation, and by including collaboration as a theme in speeches to government and business communities. Treat collaboration as an effective tool for addressing complex transportation problems, and underscore the importance of participating in collaborative efforts. Provide agencies with direction about how collaborative processes work, and offer rewards and recognition for successful implementation of such processes. Promote the use of collaborative practices at various points along the transportation continuum, from planning to project development to construction.
3. **Articulate policy support for the use of collaboration through a general or targeted executive order that sets an expectation for state agencies to consider using collaborative models.** Governors should expect agency heads to use collaborative approaches whenever appropriate. They should request periodic reports on the use of such approaches, or establish other means of

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holding agency directors accountable to the executive order. State agency strategic plans, for example, should reflect a commitment to collaboration for transportation program and project decisions.

In 1998 Governor Fob James of Alabama issued an executive order recognizing that "...ADR [alternative dispute resolution] procedures, such as such as negotiated rulemaking, collaborative problem solving, agency ombuds and consensus building, have also proven effective in making state administrative processes more cost effective and efficient while improving fairness in agency actions." The executive order also established a State Task Force to develop programs for information, education, training, coordination, and implementation of these types of procedures "to the fullest extent in agency administrative processes."

- 4. Demonstrate a commitment by budgeting new resources or reallocating existing funds for collaborative processes on transportation issues.** Develop additional funding sources at state and national levels that can be used to assist states in employing collaborative problem solving processes and hiring neutral facilitators. Support new or existing dispute resolution programs at the state level, and use existing project funds for collaboration and facilitation services. DOT budgets should include line items to support collaboration within different program areas.

The State of Washington budgeted \$3.4 million in the 2003-2005 biennium for the recently created Transportation Permit Efficiency and Accountability Committee (TPEAC). TPEAC establishes a collaborative mechanism involving state and federal regulatory and natural resource agencies, public and private sector interests, Indian tribes, local and regional governments, and the Department of Transportation. The committee will work collaboratively to establish common goals, minimize project delays, develop consistency in the application of environmental standards, maximize environmental benefits through coordinated investments, and eliminate duplicative processes in the permitting of transportation projects.

- 5. Seek people with knowledge, skills, and experience in collaborative problem solving for key appointments and staff positions.** Governors of several states have appointed people with backgrounds in collaborative processes to statewide transportation commissions or advisory committees. These appointments have resulted in productive use of collaboration in conjunction with conventional transportation policy and project development approaches.
- 6. Establish innovative processes that involve state agencies working together across traditional boundaries to solve transportation problems.** Create interdisciplinary teams at the outset of project development—teams that remain intact throughout the project life cycle. Merge land use planning, transportation planning, and environmental review to capitalize on momentum around solutions, and to avoid duplicating decision-making processes. This can help boost the credibility of state government among stakeholders who are involved in the process. Create and maintain an organizational culture that values collaboration by setting clear expectations that agency heads must work together to pursue common goals.

The Oregon Governor's Community Solutions Teams are made up of representatives of five state agencies who work together in multi-agency teams at the local level as well as the agency director and management level. This network of interconnected teams is an efficient service delivery system and an effective feedback loop for continuous improvement and streamlining state services to local communities. For example, on a project to improve the Martin Luther King Boulevard corridor in Portland, the Community Solutions Team leveraged \$21.5 million in public and private investments and 156 jobs that would not have occurred without a collaborative approach.





Build an Infrastructure for Collaboration

1. **Provide training for agency administrators, policy makers, and other personnel.** Educate state transportation officials, policy makers, local government leaders, and other state agency directors on the concept of collaboration and effective ways to participate. Provide clarity about when, where, and how a collaborative process can work, and include education on best practices. Advance the idea that collaboration can help them meet their responsibilities often quicker and more effectively than other approaches, without taking decisions out of their hands.

Enlist professional assistance to develop training modules and workshops for state transportation and environmental agencies that focus on improving communication, building relationships, and developing strategies for collaboration.

Build on and expand the ADR Collaborative Problem Solving Workshops sponsored by FHWA in collaboration with the U.S. Institute for Environmental Conflict Resolution. These workshops are currently focused on improving collaborative problem solving among federal and state transportation agencies. They should be

expanded to include more state agencies, metropolitan planning organizations, and local officials.

2. **Develop policies and procedures that encourage and support collaboration.** Write job descriptions and performance measures that reflect a commitment to collaboration, including for cabinet level positions. Use discretionary sources of funding to support collaborative processes.

Procurement systems should ensure high quality facilitation for collaborative processes. Agency directors can create a standardized process for contracting with outside consultants and experts to provide support for collaborations. Governors should direct state dispute resolution programs to provide specific resources and services in support of transportation collaborations. Publicize the availability of state dispute resolution programs' facilitation and technical assistance services.

The Florida Conflict Resolution Consortium has played an integral role in a number of Florida DOT projects and initiatives. With the support of the legislature and at the request of state executives, the Consortium staff has brought its expertise in facilitation and mediation to statewide public involvement processes and long-range transportation planning initiatives.

3. **Support development of the best technologies and tools for decision-making.** Work with other agencies to develop and maintain information and management tools for collecting socioeconomic, transportation, and natural resource data. Such data can help support collaborative processes by evaluating the viability and success of different approaches. Use collaborative processes in developing transportation models, and use modeling and other information technology tools to support collaborative processes.

For example, the Pennsylvania Department of Transportation created a web-based GIS (geographic information system) that serves transportation data to its personnel and to local and regional partners on specific planning projects. This information tool is allowing stakeholders in transportation planning projects to access and update real-time data through the Internet without expensive technology or specialized expertise.



4. Build community capacity for collaboration.

Support community-based initiatives that apply collaboration to complex projects with multi-faceted community issues. Provide tailored training for local officials, public leaders, and interest groups or opinion leaders on when and where collaboration can be useful, and on effective ways to participate.

Develop strategies to ensure stakeholders are on equal footing so that they can share expertise and integrate resources more effectively. The problem-solving process should include resources for disadvantaged communities to participate at the same level as other stakeholders so that solutions are robust and more broadly supported.

The Sacramento Transportation and Air Quality Collaborative includes ethnic caucuses and neighborhood groups that are supported outside the main process. Staff of the Collaborative provides meeting space, contacts, and speakers or educators to help the caucuses and neighborhoods identify and address issues important to their communities. This has greatly increased many people's confidence and ability to participate effectively in the ongoing process.

5. Promote partnerships among state agencies, federal agencies, and associations of governments.

Implementing collaborative approaches to governing requires forming partnerships and integrating resources. State DOTs should consider funding positions within resource agencies to expand their ability to work collaboratively on processing permits for transportation projects.

The Washington State DOT recently reported to the legislature that its Natural Resource Agency Liaison Program had improved access to and communication with resource agencies, improved project turnaround time, and improved efficiency and consistency in permit review by creating transportation specialists in resource agencies. In the report, WSDOT predicted "continued improvement of WSDOT-resource agency relations and understanding, leading to increased mutual trust and respect, improved project delivery and cost savings."

Promote Collaborative Decision Making Systems

1. **Adopt and promote existing collaborative governing models.** Federal agencies and other states, in partnership with professional transportation associations, have developed a number of innovative collaborative programs that have been proven effective throughout the country. Support and expand the use of these programs throughout your state. Examples include:

- FHWA's Context Sensitive Solutions
 - FHWA's Environmental Streamlining and Stewardship
 - Oregon's Community Solutions Team
 - Federal, state, and local partnering agreements and memoranda of understanding
 - Interagency multidisciplinary teams
 - Environmental Management Systems
 - Natural Resource Agency Liaison programs
- These programs have helped make transportation planning and development more efficient and responsive to community and environmental concerns.

For example, Context Sensitive Solutions (CSS) is a new approach to transportation planning being pioneered by a number of state DOTs with support and guidance from the Federal Highway Administration. CSS involves all stakeholders in a collaborative, interdisciplinary effort to develop transportation projects that preserve scenic, aesthetic, historic, and environmental resources while maintaining safety and mobility.

2. **Develop structures for collaborative decision-making within state government.** Mechanisms for collaboration across levels of government, such as integrated decision-making or comprehensive planning, will better link transportation and land-use decisions. It is best to avoid the proliferation of special purpose agencies or districts in favor of comprehensive planning organizations. Work on both legislative and administrative paths to create collaborative decision-making structures for use by state, regional, and local officials and stakeholders during planning processes to address and avoid conflicts.



Oregon's Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) is a multi state and federal agency group formed to promote environmental stewardship and streamlining in developing and operating transportation projects. The group has outlined procedures for coordination between signatory groups at key points in the NEPA process. CETAS, which also outlines when and by whom conflicts between signatory agencies will be resolved, has greatly increased efficiencies in the project development process.

- 3. Link public involvement programs with collaborative processes.** Use public involvement techniques as part of a strategy to identify key stakeholders for collaborative processes. By having their concerns addressed through various types of collaborative processes, citizens are more likely to support proposed initiatives. In addition, leaders should use public involvement to supply ongoing collaborative processes with necessary information, education, and perspectives, and to keep the public at large informed of collaborative processes and their outcomes.

Foster Education, Outreach, and Communication

- 1. Help the public understand when and how they can be most influential in the transportation development process.** Give advice on early opportunities to provide input on transportation projects. This can be done through specially sponsored public workshops or through regular meetings of civic organizations, professional associations, and neighborhood groups. Consider ways to build transportation education into high school and college curricula in order to grow the next generation of professionals and community members.

The Utah DOT 3500 South Corridor Project—a partnership of local, state, and federal land use and transportation agencies working to apply Context Sensitive Solutions in the corridor—reached out to schools to involve students and their parents in learning about the planning process. Student and parent participants developed their own visions for what the corridor could be, and participated in creating the final outcome. The outreach and education strategy also included videos and a website.

- 2. Educate stakeholders on the concept of collaboration and effective ways to participate.** Transportation officials and dispute resolution leaders should work together to develop information, guidebooks, and other explanatory materials and messages. Such education measures will help all stakeholders (cities, counties, public interest groups, contractors, developers, etc.) understand the value and objectives of collaborative problem solving—including information on cost saving, government responsiveness, and community governance. Weave these concepts into public information campaigns.

Oregon's Dispute Resolution Commission made presentations about collaboration to local government officials at annual conferences of the Oregon League of Cities and the Association of Oregon Counties. The Commission also developed a handbook on collaborative approaches to public policy decision making and distributed it widely to local government, private, and non-profit institutions.

- 3. Promote successful projects and programs that have used collaborative techniques.** Acknowledge participants and build community support for outcomes. Promote and publicize success stories and case studies, both internally in the state and externally to other states. Enlist the help of national associations like the American Association of State Highway and Transportation Officials (AASHTO), FHWA, the Association of Metropolitan Planning Organizations, the National Association of Counties, and the National League of Cities. Encourage these groups to showcase successful collaboration at conferences, in their newsletters, and generally to their constituents. Reach out to federal and local government entities to communicate opportunities for enhanced collaboration.

The FHWA publicizes "Successes in Streamlining" through its monthly newsletter of the same name. The Policy Consensus Initiative, a national non-profit, has produced a video on using collaborative practices to develop administrative rules for access management. Other states have promoted successful programs and practices through interactive CDs, awards programs, and media broadcasts.



Support Research and Evaluation

1. **Encourage and support research and documentation on the value and cost-effectiveness of collaborative approaches to transportation initiatives.** Identify or procure resources to support research and evaluation of collaborative approaches to transportation problem solving. Partner with federal agencies, non-profit organizations, educational institutions, and professional associations to develop detailed case studies and to showcase lessons learned. Join with organizations like FHWA, USIECR, and AASHTO to demonstrate empirically what works well and what does not under certain conditions and circumstances on the transportation continuum. Incorporate and build on the lessons learned, best practices, and performance measures in other models of collaborative governing, such as Context Sensitive Solutions, Environmental Streamlining and Stewardship, etc. Encourage the Federal Highway Administration to produce formal guidance on how to measure and demonstrate effectiveness in transportation collaborations.

The Arizona DOT collects annual data on its successful Partnering Section program. The program uses a collaborative teamwork approach to improve services, solve problems jointly, and achieve measurable results. The Section collects and publishes a range of information on the effectiveness of partnering, including average time and contract days saved; costs of arbitration versus litigation; final project costs compared to original bids; Partnering Section time and cost savings by fiscal year, and a number of other measures.

2. **Support research on developing the most effective technical and informational tools that will improve collaborative transportation processes.** Encourage research and development of databases, analytical models, and decision-making support technology. Seek opportunities to employ and evaluate advanced technology and tools for collaborative decision-making. Encourage transportation agencies and partners to invest in development of applied knowledge technology for

use in transportation planning and problem solving. Examples include GIS, database systems, model development, and other methods for categorizing resources and developing data.

3. **Develop collaborative strategies to enhance the work of existing university transportation research centers.** Support partnership strategies that inform the applied work of the more than 25 university-based transportation centers around the country (many of which are supported by federal and state investments). This should include developing collaborative strategies in the context of the new tools and policies being developed by these centers.

Important Areas for Research and Documentation

- What were the savings in cost and time of the collaborative process?
- Were collaborative agreements more effective than agreements reached with more traditional tools?
- Was trust built among stakeholders, and what was the effect of that trust on the effectiveness of the process?
- Did the collaborative process result in improved government credibility over that of traditional governance practices?
- What were the most effective of the various collaborative practices that were used throughout the process?
- What performance and evaluation measures were used in making conclusions about the process?
- How do the findings above relate to transportation initiatives in different modes, at different levels—state, regional, local?





TRANSPORTATION COLLABORATION CASE SUMMARIES

Full text of case studies are available online at www.policyconsensus.org.

Utah 3500 South Partnering Agreement—A collaborative effort by UDOT, West Valley City, Wasatch Front Regional Council, and the Utah Transit Authority to prepare a transportation study and Environmental Impact Statement (EIS) for 8.5 miles of state highway outside a large Salt Lake City suburb.

Interagency Workshops in South Carolina—SCDOT has taken a distinct approach to improving communication with the regulatory agencies they work with in order to streamline permitting processes and smooth the pre-construction phase of their projects. Since the mid-1990s, SCDOT has twice hosted two and a half day workshops that bring together federal and state agencies to build relationships and agree on common objectives.

Colorado's Shortgrass Prairie Initiative—A project that successfully combined the interests of state agencies and non-profit organizations to alleviate the need to list species under the Endangered Species Act by conserving large portions of shortgrass prairie habitat with CDOT and the Federal Highway Administration's desire to pursue regulatory streamlining practices that would focus their resources on results.

Florida DOT Statewide Transportation Plan—A facilitated consensus process to update the state's 2020 Transportation Plan. The complex procedure involved a number of issues, diverse interests, and multiple government agencies. The process improved coordination among the various government agencies and incorporated input from numerous stakeholders.

Alternatives for the Orlando Urban South-Central Corridor—Orlando's Urban Area Metropolitan Planning Organization (MPO) retained facilitators to help bitterly divided proponents and opponents of a proposed expressway to negotiate a consensus recommendation for the Central Corridor. The consensus recommendation by over a dozen municipalities, agencies, and organizations was unanimously adopted by the MPO for incorporation into its Year 2020 Long Range Transportation Plan.

Florida's Strategic Intermodal System—FDOT, in cooperation with partners and other stakeholders, is developing for the first time a statewide Strategic Intermodal System. This was a new feature of the 2020 Florida Transportation Plan adopted in 2000 following an 18-month facilitated stakeholder consensus building initiative.

Bryan Park Interchange (Richmond, Virginia)—In 1997 VDOT convened a challenging two-year public involvement process to seek consensus between the agency and citizens concerned about traffic congestion, safety, and the impacts of interstate traffic on Bryan Park and adjacent neighborhoods. The process resulted in consensus recommendations by the citizen advisory committee, which were endorsed by VDOT.

Washington-Oregon Strategic Plan for I-5 Corridor—A process that brought together Washington and Oregon leaders and citizens to respond to concerns about growing congestion on Interstate 5. The I-5 Transportation and Trade Partnership produced a strategic plan for the overall level of investment needed in the corridor for highways, transit and heavy rail and for how to manage the transportation and land use system to protect investments in the corridor.

Negotiating Access Management Rules in Oregon—ODOT was beginning to see a significant increase in opposition to the department's access management decisions. Conflicts centered on issues like safety, congestion, destruction of natural habitats, and commercial and private property owners' rights. In response to legislative requests, ODOT agreed to draft new regulations to deal with the access management issue. After an unsuccessful attempt to develop these rules in the traditional way, ODOT turned to 'collaborative rulemaking.'

Martin Luther King Jr. Boulevard Revitalization (Portland, OR)—In the mid 1990s, a confluence of state and local concerns produced a collaborative effort to revitalize King Boulevard. The governor's new interagency collaborative program—Community Solutions—teamed up with the regional government and neighborhood interests to coordinate improvements to the Boulevard.

Sacramento Transportation and Air Quality Collaborative—County officials initiated this ongoing project to develop a comprehensive, long-range strategy for the Sacramento area to improve transportation and air quality within a regional context, including relevant land use and economic development strategies. Forty-eight organizations are participating in the Collaborative as representatives of business, environmental groups, government, transportation agencies, and community interests.





REFERENCES AND RESOURCES

An Online Version of this report is available at www.policyconsensus.org.

A Practical Guide to Consensus. Policy Consensus Initiative. 1999.
www.policyconsensus.org/pubs/trainingmanual.html

Building Consensus: Transportation Rulemaking in Oregon. A guide to the principles of consensus building. 2000. Video, 14 minutes. Policy Consensus Initiative.
www.policyconsensus.org/pubs/videos.html

Collaborative Approaches: A Handbook for Public Policy Decision-Making and Conflict Resolution. Oregon Dispute Resolutions Commission. 2000.
www.odrc.state.or.us/ppdrpbk.pdf

Collaborative Problem Solving: Better and Streamlined Outcomes for All—Guidance on Managing Conflict and Resolving Disputes between State and Federal Agencies During the Transportation Project Development and Environmental Review Process. Prepared by the Federal Highway Administration, Office of NEPA Facilitation, Washington, DC. In collaboration with U.S. Institute for Environmental Conflict Resolution, Tucson, AZ. 2002.
www.nepa.fhwa.dot.gov

Executive Orders on Collaboration and Alternative Dispute Resolution in States. Compiled by the Policy Consensus Initiative.
www.policyconsensus.org/pci/policytools/executiveorders.html

FHWA's *Context Sensitive Design* web site:
www.fhwa.dot.gov/csd/

Florida Conflict Resolution Consortium Transportation Projects web page includes links to reports, case studies, and best practices documents.
www.consensus.fsu.edu/transportation/index.html

Highway Infrastructure: Perceptions of Stakeholders on Approaches to Reduce Highway Project Completion Time. Report to the Ranking Minority Member, Committee on Environment and Public Works, U.S. Senate. U.S. General Accounting Office. GAO-03-398. 2003.
www.gao.gov/new.items/d03398.pdf

Second Nature: Improving Transportation Without Putting Nature Second. Patricia A. White and Michelle Ernst. Surface Transportation Policy Project. Defenders of Wildlife. 2003. www.transact.org/report.asp?id=206

Successes in Streamlining. Newsletter of the Federal Highway Administration. www.fhwa.dot.gov/environment/stmlng/

Co-Sponsor Websites

Federal Highway Administration — www.fhwa.dot.gov

The Florida Department of Transportation — www.dot.state.fl.us/

Oregon DOT — www.odot.state.or.us/home/

California DOT— www.dot.ca.gov/

The American Association of State Highway and Transportation Officials— www.aashto.org

U. S. Institute of Environmental Conflict Resolution — www.ecr.gov

CH2M Hill — www.ch2m.com

RESOLVE, Inc. — www.resolve.org/





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