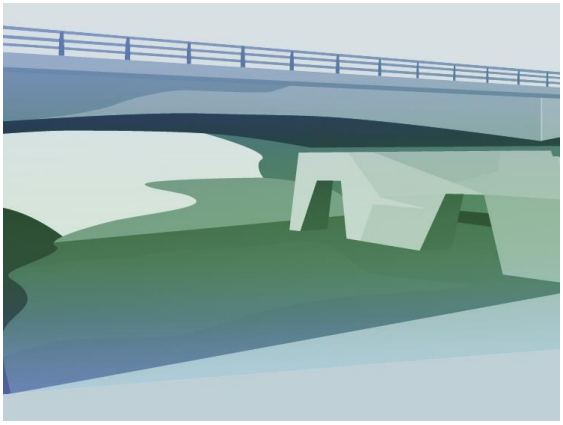
Eco-Logical Free Bridge Area Congestion Relief Project: Report on the Facilitated Stakeholder Process



Eco-Logical Pilot Project

Free Bridge Congestion Relief

Prepared by the University of Virginia Institute for Environmental Negotiation for the Thomas Jefferson Planning District Commission

Thomas Jefferson Planning District Commission

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Report of the Facilitated Stakeholder Process

The facilitated stakeholder process was the core of the project. TJPDC contracted with the Institute for Environmental Negotiation, University of Virginia to support the facilitated stakeholder process. This process, which was known as the Free Bridge Area Congestion Relief Project, included the following components:

- formation of a representative stakeholder team;
- identification of key resources in the study area;
- development of a prioritization process for ranking these resources;
- facilitating stakeholders in the review and assessment of potential project alternatives using the criteria ranking system;
- facilitating stakeholder input to identify and prioritize actions to mitigate the expected impacts and develop a benchmark system for tracking these mitigation efforts;
- facilitating public meetings where community members would have an opportunity to review the work of the stakeholders.

A consensus-building process may be thought of in three phases: conceiving, conducting, and completing the process. This report will describe the stakeholder process using these three phases. Completing the process includes conducting an evaluation, and this report concludes with an assessment of the strengths as well as thoughts about improving the process.

Phase One: Conceiving the Process

Consensus as the decision process

The TJPDC determined at the beginning of the project that this effort would seek consensus from members of the Stakeholder Team about any set of recommendations. In this case, consensus was defined as follows:

- Everyone can live with the final agreements without compromising issues of fundamental importance;
- Individual portions of the agreement may be less than ideal for some members, but the overall package is worthy of support;
- Participants will work to support the full agreement and not just the parts they like best.

The facilitators emphasized during the initial meeting that a consensus solution does not mean giving up individual goals. Rather, it requires listening and understanding in order to develop solutions that seek to meet all member needs and that are based on the highest quality

information possible.

Consensus as the decision mode was selected primarily in order best to achieve the first of two overall goals for the project (note that these overlap with, but are not the same as, the goals of the grant itself):
1) To develop viable options for improving congestion issues at US 250 Free Bridge area.
2) To enhance and improve the Regional Eco-Logical Framework (REF) tool.

The issues of traffic congestion in this area have been challenging for a long time. Solutions have been elusive. There are a number of reasons for that, including the following specific to this case:

- Two independent jurisdictions (the City of Charlottesville and Albemarle County) have jurisdiction over the area. While they share the core interest in allowing traffic to flow safely and freely, various options for solutions impact other of their interests differently.
- The area is growing and changing rapidly, making planning difficult.
- The area has been studied many times and a variety of project alternatives have been considered. Many stakeholders have found themselves fighting over other transportation issues, in some cases making productive working relationships difficult to achieve.
- There are well-organized business, environmental, and community interests who have different needs and concerns, and all of whom are able to exert considerable influence over solutions that affect their constituencies.

By using a consensus process, individual participants who might be skeptical of working with opponents or those they don't know were reassured by having effective veto power over any decisions. Group members also knew that they needed to attempt to satisfy the needs of all participants, which changes the room dynamics from one of majority/minority to one of inclusion. Minority views that may have been summarily dismissed were all given real consideration as the norm of group responsibility became enhanced. And, finally, given the broad distribution of power, decisions with consensus-based support are more likely to be implemented than those found by a process of simple voting.

Diverse stakeholder selection
Effective consensus-building processes include representatives of all relevant and significantly different interests. At the same time, it is important to have the right mix of participants to ensure compatible personalities and a diversity of skills and resources. The number and type of representatives makes a difference in the following elements:

- The types of issues raised;

- The amount of time spent considering various issues;
- The weight given particular options;
- Group dynamics.

Balanced and inclusive representation is important for many reasons:

- Legitimacy - a representative group will have legitimacy that a group that is seen as excluding interests will not have, and decisions may be less likely to be attacked;
- Equity - balanced and diverse representation is inherently fair independent of any practical reasons attached to that representation;
- Diversity of interests and ideas - diversity of representation can bring broader knowledge and new ideas and innovation;
- Accountability – the ability to confer with, and report concerns of, a variety of organizations and constituencies is important for implementation of decisions; and
- Group dynamics - too many like-minded people can cause many problems, including an "us vs. them" attitude and insular thinking.

For this process, the TJPDC determined three guiding criteria for selection of members:

1) Representation between the City of Charlottesville and Albemarle County must be as balanced as possible.

2) Representation between resources (environmental, social and cultural) must be as balanced possible.

3) All stakeholders must be connected to the study area either physically or be resource engagement. Meaning all stakeholders must have a vested interest in determining a viable solution to this issue.

In addition, MPO Staff reserved the option to ask certain organizations to submit nominations for stakeholder representation. Each organization was allowed only one representative; however MPO staff and MPO Policy Board can allow additional representation from the same organization in an effort to keep representation equal and balanced.

In addition to various interests groups, the TJPDC invited community member representatives who live within the study area, half from the City and half from the County. These citizens filled out a basic application form in order to participate (see in the Appendix). Representatives were chosen based on geographic, demographic and mode diversity when compared to the rest of the applicant pool.

A final category of members was that of Resources Representatives. These members had expertise regarding environmental, social and cultural resources in the study area or representatives who do not represent the key resources but are essential for transportation planning, including local staff, VDOT, FHWA, Army Corps of Engineers and so on.

All stakeholder groups contributed fully to the consensus-building process.

For more details, the Stakeholder Application and Guide for Selection can be found in the Appendix.

Phase Two: Conducting the Process

Bimonthly Stakeholder Team meetings were held from November 2013 to November 2014, on November 18, January 15, March 19, May 21, July 16, September 17, and November 19. The meetings were three hours long, from 4:00-7:00 pm. Two additional field trips were held during non-meeting months during which participants walked around the area while discussing issues.

A public forum was held on October 23, 2014, during which the public was able to look at and provide feedback on the seven alternatives. During the final meeting on November 19, stakeholders reviewed all of the remaining alternatives, and by consensus provided recommendations on alternatives (Section D). All meeting summaries can be found in the Appendix.

The meetings closely followed this plan set out at the beginning of the process:

MEETING ONE: Discuss the issues at Free Bridge, history of planning in the area, and demonstration of the Regional Eco-Logical Framework Tool (committee input will contribute to the diversification of this tool).

MEETING TWO: Identify resources within the study area and rank these resources. The resources and rankings will be added to the Regional Eco-Logical Framework Tool.

MEETING THREE: Demonstrate the updated Regional Eco-Logical Framework Tool, showing new and improved best alternative. Discuss results and consider what other alternatives are available. Staff will complete preliminary Eco- Logical Assessment of Alternatives.

MEETING FOUR: Present preliminary assessment of alternatives and determine which alternatives should be assessed further with the aid of Engineering Firm (TBD).

*ENGINEERING FIRM: Will review alternatives to assess preliminary costs, feasibility and

impacts.

MEETING FIVE: Present the findings from the engineering firm regarding the cost, feasibility and environmental impacts (REF) of each alternative. Committee ranks the favorability of each alternative, including NO BUILD option.

Once alternative(s) are identified discussion of the mitigation options will begin to take shape, specifically, which resources are impacted and what mitigation options would be most appropriate for each alternative. If the NO BUILD alternative is chosen the MPO will complete analysis of the other alternatives, but the committee would not assess mitigation.

MEETING SIX: Report on mitigation options and choose which options are most preferred. Develop agreements regarding the preferred alternative and the identified mitigation of impacts from preferred alternative.

FINAL MEETING: Discuss and provide input about Eco-Logical Process and Regional Eco-Logical Framework Tool.

At the initial meeting, Stakeholder Team members developed a list of guidelines or groundrules for working together effectively. These included the following:

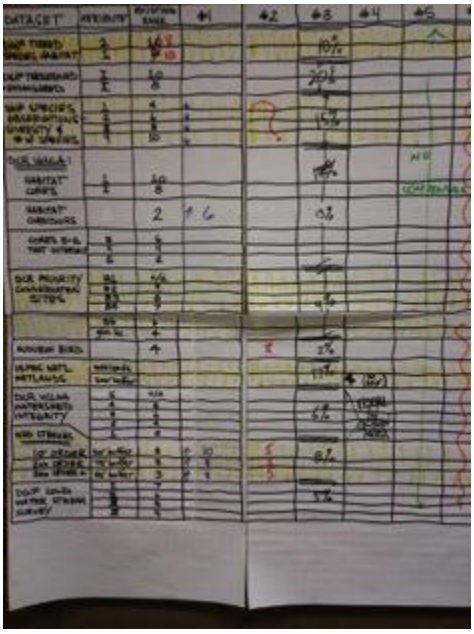
- Keep an accurate record of meeting events that is faithful to the speaker's expressed opinion.
- Respect others' ideas by actively listening, not interrupting, and offering constructive criticism to build upon.
- Ensure that members are well-prepared for meetings by having access to relevant data prior to meetings, receiving sufficient background information on relevant projects, and dispelling potential rumors or myths from facts early in the process.
- Encourage open dialogue to promote a positive group dynamic and relationship among members.
- Vary the structure of meetings for different communication styles by using small and large group activities so that members who are comfortable in different settings can express ideas and opinions.
- Members should be willing to move on to other subjects after expressing an opinion and being acknowledged by others.
- Be willing to share the floor with other members and refrain from dominating the meeting.
- Avoid put-downs of other people or of their opinions.

The second meeting consisted primarily of work within small groups that allowed members to get to know one another better and to become familiar with and talk freely about the Regional Ecological

Framework.

During the third meeting, members suggested transportation alternatives to relieve congestion in the US 250 Free Bridge study area that they would like to see analyzed using the Regional Ecological Framework (REF) tool. Much of this work was also done in small groups, which allowed for more creativity than would have been possible in the whole group.

At the fourth meeting, stakeholders discussed refinements to the alternatives developed at the last meeting to relieve congestion in the US 250 Free Bridge study area. These alternatives were to receive further study including an estimate of costs by Rinker Design Associates (RDA), the consultant to the project. Stakeholders also had an opportunity to remove alternatives from further analysis.



In the fifth meeting Rinker Design Associates presented the updated alternatives and gave a summary of their cost estimation process. Team members discussed the revised project feasibility assessments and detailed cost estimates.

In the sixth meeting, Wood Hudson of TJPDC presented the results of analysis for each of seven alternatives, analyzed using four elements: Cost, Engineering Feasibility, Regional Ecological Framework (REF) /scoring, and Potential Congestion Relief. Team members reviewed each of the alternatives based on the model results, suggested improvements for clarity of presentation of information to the public, and discussed the efficacy of the tool for this particular project.

Prior to the seventh and final meeting, a community open house was held to share the Eco-Logical approach, review options that had been generated, and get public comment about those options. Twenty-six individuals came and reviewed documents, spoke with TJPDC staff and Stakeholder Team members, and offered their input.

During the seventh and final meeting, Wood Hudson of TJPDC presented the feedback received from the public forum. The Stakeholder Team reviewed and discussed each alternative to arrive at final group recommendations. The Stakeholder Team provided feedback on the REF tool and the overall process. This was the last Stakeholder Team meeting for this project.

Ongoing Evaluations and Improving the Process

Each of the bi-monthly meetings concluded with a "Plus/Delta" activity facilitated by IEN to share positive qualities (+) and things that could be changed for future meetings (Δ). These included the

following:

+

Meeting 1:
The meeting was civil and well-organized.
The membership of the Stakeholder Team was "impressive."
The meeting kept to a schedule and the timing was good.

2: The meeting location was great.

3: Best meeting we've had yet.
Interaction and hands on approach with other people was very effective.

4: The meeting location was great [n.b., this and subsequent meetings were held at TJPDC offices].
Interaction among participants and presenters was good.
The presentation and material on alternatives were good.

5: Agenda was flexible and worked beautifully!
Seconded all around!

6: No comments.

7: [This served as an opportunity for some members to look beyond this meeting and comment about the overall process as well] Stakeholder members appreciated the process in that it brought together diverse perspectives. They stated that the human dimension of this process was unique and important. They found it valuable to have discussions together, and appreciated the level of information, flexibility and civility allowed the group by the facilitation process. Members stated that Frank and Wood's guidance was good. One member pointed out how it was helpful that they were allowed freedom of departing from the agenda if other things needed discussion and also that they had the freedom to disagree, with no requirement to reach consensus. Members appreciated that VDOT was in the room and offered their opinion. One member identified the chart used to compare elements (traffic congestion, environmental impact, and so forth) as very helpful in its simplicity and use of high, medium, and low reductions in congestion. One member noted that in other situations the same people in the room would be throwing things at each other but this process was completely different, civil, respectful, and informative.

Δ

Meeting 1:
All materials online should be accessible from the same webpage. [a website for members was set up with materials provided online]
The location and time of the meeting needs to be better announced, and a new location should be used next time. [n.b.: a different location was found]
More information about the role of IEN can be provided. [this was done]

2: The information discussed might have been a little too complex.

3: Difficult meeting location – noisy, hard to hear (maybe Jefferson School next time).
Low participant turn out [n.b., 20 members, in addition to TJPDC and IEN staff, attended].

4: More people need to be attending the meetings [n.b. 16 members, in addition to TJPDC and IEN staff, attended].

5: No changes suggested.

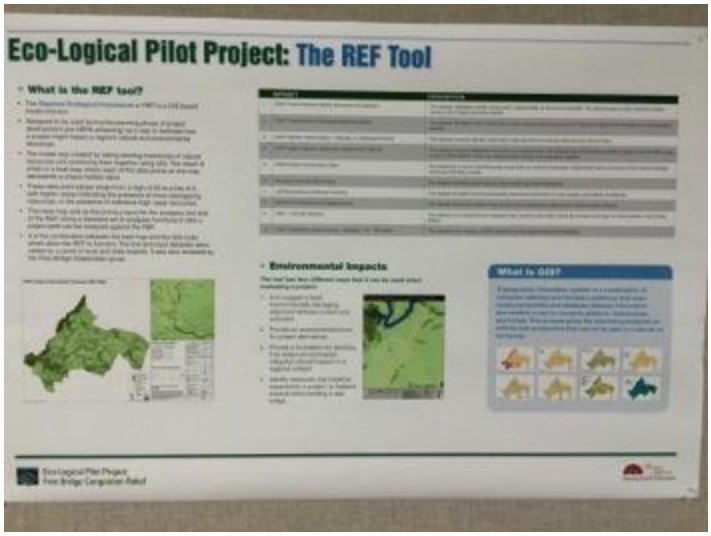
6 (comments focused on public outreach): It is important to be talking to potentially affected businesses to find out their opinion on the situation.
It is important for planners to be talking to landowners well in advance of a proposed project, if it could be a potential years down the road. A benefit of this is possibly being able to buy a right of way cheaper than waiting until the project is imminent.
There should be more parallel conversations with other people, developers, etc.

7: [This served as an opportunity for some members to look beyond this meeting and comment about the overall process as well] Some members said that it would have been helpful to have more initial grounding at the beginning of the process, rather than jumping right in with the map work and generation of alternatives. Other members stated that a major missing piece was the traffic modeling data. The last complaint was the air handling system, which was loud at times.

Phase Three: Completing the Process

At the end of the last Stakeholder Team meeting, members were told that a draft report would be sent out to all members for comment. Comments from those who were not present at that meeting but who may submit comments later will be incorporated into the report.

An evaluation was sent out to Stakeholder Team members via email in the form of a Survey Monkey online survey. Members were welcome to voluntarily share their names on this survey; if not, comments will be anonymous.



Evaluation and Lessons from the Stakeholder Process

The REF Tool
At the last meeting, members of the Stakeholder Team offered their assessment of the Regional Ecological Framework tool. Members as a whole did not find the REF framework as

useful for this particular project as it could be for one at a larger scale. Some noted that the results of its analysis on the different alternatives did not seem accurate, showing a high environmental impact for some alternatives that appear as though their impact would be low. Part of this disparity had to do with the 200-foot buffer base that was applied for all projects, but might not be an accurate impact area for alternatives such as the intersection improvements (Alternative I) or the bike path (Alternative B). The Stakeholder Team members suggested that the REF tool would be more valuable for larger rather than relatively small geographic areas such as the Free Bridge Area. Its utility is with projects that span a larger geographic area, rather than projects whose main focus than traffic congestion at a scale of the Free Bridge area.

One member pointed out that the REF tool should not be used to compare lots of projects in different types of areas, but for comparing one type of project through multiple area options. A pipeline or highway project were given as good examples of how the tool could successfully be used to analyze different potential routes to find the one with the least environmental impact. Some observed that it is less effective in areas that are already paved or developed. Stakeholders stated that the tool could be helpful as an analytical too, but that it should never supersede any National Environmental Policy Act (NEPA) requirements.

A survey monkey evaluation was sent out to the Stakeholder Team at the end of the process. The following is a narrative of the survey results. The full survey results can be found in the Appendix of this document.

The Process

Twenty members of the Stakeholder Team filled out the survey, which is a high response rate. 95% of respondents agreed or somewhat agreed that the process improved communication among key parties, with the remaining 5% neutral. One respondent said this was the "best yet!" 68.4% of respondents agreed or somewhat agreed that the process was efficient and time and money well spent.

One member commented that meetings were long and scheduled during normal working hours (all meetings ran from 4 pm to 7 pm), which made it difficult. Another noted that there was a lot of money spent on this process and they were glad that stakeholder team members were volunteers. One member clarified that the final recommendations will likely not "include" all perspectives brought up during the process, but that all perspectives were welcomed during the process that led to final recommendations.

Information and REF tool

The most comments were received in response to the question about access to information needed to make good decisions and the REF tool. All but one person agreed or somewhat agreed, with two neutral, that participants had access to information needed to make good decisions. Members with concerns highlighted the early work on the environmental rating system, in which they suggested that participants did not have enough tools to make decisions requested of them, the need for more information on traffic projections, and the lack of information on the desires of local private property owners. One respondent would have found it helpful to have a better

definition of the problem from the beginning, and one suggested using Deterministic or a simulation tool that would have provided a better analysis of the various scenarios.

65% of respondents agreed that the REF model was a useful tool for informing analysis and decisions, and 15% were neutral on this point. Comments included the reasoning that the REF model did not give any information that was not already known, that it is not the most appropriate tool in an area with high population density, and that it was not suited to the small study area.

Utility of Public Comment
All but one participant agreed or were neutral that the general public was able to review and comment on the process and outcome. It was pointed out that there was very little media coverage. 50% of members agreed or somewhat agreed and 40% were neutral about the feedback provided by the public being helpful for the decision-making process, with 10% disagreeing. One comment was that there was very little public knowledge of the issues that were considered.

Facilitation
All respondents agreed or somewhat agreed that TJPDC and UVA IEN provided adequate leadership and facilitation through the process. It was noted that TJPDC did a good job especially considering the staff transition late in the process. Comments about IEN's role included "IEN's mediation was outstanding. They created a comfortable environment for people to share varied perspectives and ideas," and that they "worked extremely well at managing the diverse group."

Stakeholder Team
75% percent of respondents agreed and 25% somewhat agreed that the Stakeholder Advisory Committee included a diverse array of perspectives. One member pointed out that it would have been helpful to have more property owners in the geographic area as a part of the team. Someone also noted that it seems there are certain organizations that are always on every planning group and others that are never invited to participate.

100% of respondents agreed or somewhat agreed that they were able to improve their understanding about the issues and others' views and values, and at least 90% agreed or somewhat agreed that they actively sought to understand people's concerns and interests and sought ways to address the concerns and interests of other parties. 90% agreed or somewhat agreed that the Stakeholder Advisory Committee members participated effectively through the process. Some pointed out that there was a subset of very involved members who participated consistently, effectively, and respectfully, and some people who did not participate effectively. One noted the challenging meeting time, which made it difficult for good attendance. All respondents agreed or somewhat agreed that the participant questions, needs, and concerns were taken seriously.

Best parts of the process
Participants wrote that the best parts of the process were:
- dialogue and discussion between stakeholders;
- leadership and facilitation from TJPDC and IEN and;
- diverse membership on the Stakeholder Team;

- participation of members; and
- the tenor of discussions, which were civil and seeking common ground.

One noted that the best part for them was the walk along the Rivanna River, which opened their eyes to important possibilities. Another pointed out the importance of going through the environmental assessment first, before moving forward, as often this comes last and can bog down a project process.

Worst parts of the process
Participants stated that the worst parts of the process were:
- the TJPDC meeting facilities (did not specify what), which were used for the final four meetings;
- trying to implement the REF model in an urban transportation issue;
- being unable to model all requested items;
- the knowledge that results are unbinding, and there are no funds to do anything, which makes seeing the value of the process unclear;
- the fact that some team members quit through the process.

Some respondents found the time challenging, including the fact that meetings were three hours long, that they fell at a challenging time during the early evening, and that there was such a long span of time between meetings, leading to forgetting some of the preceding topics. One pointed out that eventually there will need to be an eastern connector between 29 North and Pantops, and this process did nothing for progress in that issue.

Suggestions for improvement
Respondents gave quite a few suggestions for how the process could be improved. Suggestions included the following:
- archiving audio recordings of the meetings;
- allowing more time to understand the tool;
- having more consistent participation from all members;
- expanding the transportation model to include additional protections such as historic places and neighborhood needs;
- enlarging pictures and type on the handouts so they are easier to read;
- beginning by identifying the problem with available data;
- using local experts and data rather than GIS or national data;
- the need for origin-destination studies; and
- providing more information and data on the area and all options.

Many, however said that the process was good overall and would be difficult to improve upon.

Appendices:

Appendix 1:

Stakeholder Information Handout
Community Participant Selection Criteria
Eco-Logical Citizen Stakeholder Application

Appendix 2:

Meeting summaries

Appendix 3:

Public Forum results

Appendix 4:

Survey Monkey Evaluation results