

CHAPTER 2B-LOCATION PUBLIC HEARING

SECTION 2B-1 REQUEST FOR ENVIRONMENTAL EVALUATION

REQUEST FOR APPROPRIATE ENVIRONMENTAL DOCUMENT

When preliminary plans are complete, the Environmental Division should be requested (Form LD-252) to prepare an appropriate environmental document. This memorandum should contain a brief description of the corridor or corridors to be presented at the public hearing and the approximate date of the public hearing. Copies of this memorandum should go to the District Administrator and Resident Engineer and other affected divisions within the Department. This is the point at which an official environmental document is requested; however, the Environmental Division is involved in environmental evaluations earlier in the location studies (See Section 2A-7).

DATA TO BE SUBMITTED

Prints of the corridor/s under consideration and copies of pertinent correspondence for each corridor should accompany the request for the preparation of an environmental document. Costs will be figured after the request, and furnished prior to the completion of the document.

In addition, it is desirable that the designer and the Environmental Team leader assigned the project meet in order to review the data submitted and assure a complete understanding of the various aspects of the project. Contact should also be made with the [Public Involvement Section](#) to discuss visual aids, statements, brochures and a [public involvement](#) program. Traffic data is requested from Transportation Planning Division by Environmental Division.

SECTION 2B-2-COST ESTIMATES

DETERMINING CONSTRUCTION QUANTITIES

Approximate construction quantities are computed at this stage for use in preparing preliminary cost estimates for the corridor/s remaining under consideration.

Upon receipt of the requested soils data, [earthwork quantities](#) (regular excavation, [borrow](#) or embankment) are computed by the cross-section average end area method using the recommendations made by the Materials Division in regard to shrinkage, swell, unsuitable materials and side slopes. When the most practical balance of earthwork quantities has been obtained, plans are to be prepared showing construction limits and proposed right of way for requesting right of way and utility estimates. These estimates are to be requested as soon as possible in order to allow sufficient time for their completion while other parts of the estimates are being prepared.

Pavement Quantities are computed from the preliminary design requested in Section 2A-7.

Drainage items are estimated after preliminary review of the drainage areas, site conditions and other related factors. The Drainage Manual prepared by the Hydraulics Section is to be utilized. Any suggestions previously made by the Hydraulics Section concerning structure size and location are to be incorporated into the estimates. In some instances, especially on large structures, a request is to be made for study/opinion as to the most satisfactory solution.

Other standard items are to be reviewed and shown, if applicable, in accordance with the Road and Bridge Standards, Instructional and Informational Memoranda, and the Road and Bridge Specifications. In the event that an unusual or unique situation arises, a request is to be made to the [Engineering Services Section](#) for preliminary design and cost.

REQUEST FOR COST ESTIMATES FROM OTHER DIVISIONS

Right of way, utility, relocation advisory assistance, and effect on the local tax base estimates and reports are to be requested on Form LD-419 or by memorandum, depending on the situation. This request is to contain the type access anticipated, a summary of the breakdown required and other information deemed important. Three copies of the proposed method/methods of development are to accompany all requests for R/W information. Request for cost estimates for items such as traffic sign illumination, signals, bridges, etc., required from other divisions, are to be requested on Form LD-419 or by memorandum. A copy of the proposed method or methods, of development is to accompany this request, if available. All contacts with municipalities in Urban funded projects, are made by the Urban Division.

COST ESTIMATES

Cost estimates for Preliminary Engineering (P.E.), Right of Way (R/W) and Construction (Const.) are to be prepared on all plans of development necessary to advance to [Preliminary Plan Review](#) stage. The estimates are to be submitted to Programming and Scheduling, Urban or Secondary Roads Divisions on Form LD-296 (copy to Location and Design Division, Administrative Support Section) for the allocation of funds and entered into the P/PMS system within ten days, in accordance with the P/PMS manual.

Any Preliminary Engineering (P.E.) cost estimates on projects in the Primary or Interstate Systems that need to be revised due to the P.E. requirements (all divisions) exceeding the estimated cost in the Six Year Improvement Program, must be brought to the attention of the L&D Administrative Support Section with a copy of Form LD-296. The current project description is to be furnished with each submittal.

SECTION 2B-3-INFORMATIONAL BROCHURE AND DATA FOR ENVIRONMENTAL DOCUMENT

PURPOSE OF BROCHURE

Informational brochures are prepared to aid those concerned with highway locations in assessing results of the location studies and to familiarize themselves with the advantages and disadvantages of the various corridors presented. For this reason, the brochure should be prepared in a manner that is easily understood by the layperson.

DATA FOR ENVIRONMENTAL DOCUMENT

A memo to the Environmental Division is to be prepared containing the following information: (1) a general description of the highway system in the area, (2) project description, (3) a description of the alternates considered with appropriate maps or drawings for reference, (4) design criteria and costs, typical sections and traffic data, (5) any other related information and (6) a recommendation of a particular corridor (if applicable). Each project should be considered on its merits and a deviation from the suggested information to be therein contained may be proper in many cases. Close coordination with other divisions at this stage is important. The draft environmental document must include this information and the document must be available before the [Location Public Hearing](#) can be held.

SECTION 2B-4-STUDY CONFERENCES

ARRANGEMENT

Study conferences, which are to be held prior to the formal scheduling of the Location Public Hearing, are arranged by the District Administrator or Urban Engineer (on applicable projects). They should be held in a place convenient to those attending and should include all local governing bodies, Department divisions and other State and local agencies, and the Federal Highway Administration on applicable projects. The District

Administrator or Urban Engineer notifies those expected to be represented as to the time and place of the study conference.

PURPOSE

The purpose of study conferences is to afford an opportunity for the aforementioned representatives to review the data to be presented at the Location Public Hearing and to offer comments on the corridor or corridors to be presented. At this meeting, sufficient data should be available to assist those present in determining a basis for their concurrence or opposition to the corridor(s) to be presented at the hearing, including the

detailed layouts, traffic, environmental document, etc. If those present are in agreement with the proposals as presented, the tentative time and place for the Location Public Hearing should be reviewed and discussed, including the anticipated attendance, opposition, etc. The District Administrator will arrange for the Location Public Hearing (allowing a minimum of sixty days in advance) and advise the State Location and Design Engineer, Secondary Roads Engineer or Urban Engineer who will advise the Public Involvement Section.

SECTION 2B-5-THE PUBLIC INVOLVEMENT SECTION

RESPONSIBILITY

The [Public Involvement Section](#) is responsible for the advertisement of all public hearings. This section is also responsible for the preparation of the public hearing notice map. (1) The availability of all pertinent data (including the environmental document) must be included in the public hearing notice. This requires that the appropriate environmental document be prepared and cleared for public availability prior to the preparation of the hearing notice. The distribution of the detailed drawings of the corridor or corridors to be presented at the public hearing is also made by this section in accordance with information contained in the public notice. (2) This section also reviews and assists in the preparation and coordination of all statements and visual aids for public display in all stages of project development. (See [Public Involvement Policy Manual](#) for further details).

DATA REQUIRED FROM DESIGNER

In order to fulfill their responsibilities, the Public Involvement Section is provided certain data by the designer. All necessary data shall be furnished 50 to 65 days prior to the scheduled hearing date. Normally, it is necessary to provide prints of the corridor or corridors that will be presented at the Location Public Hearing to the Public Involvement Section for distribution to the District Administrator and Resident Engineer at the time the

Public Hearing notices are posted. In many cases, prints are also provided to County and City governments to aid in the answering of inquiries prior to the hearing. A print is provided to assist in the preparation of the mosaic display. The designer is to obtain necessary mosaics and furnish them to the [Public Involvement Section](#). The original Informational Brochure must also be provided in order that copies may be made and transmitted to the District Administrator's and Resident Engineer's offices and other locations specified in the public hearing notice at the time the notice of the public hearing was posted. This report will also provide the dimensions necessary in preparing the typical sections to be displayed at the public hearing. Special visual aids (Slides, artist's conceptions, special art for booklet) must be requested 90 to 120 days prior to the expected hearing date.

SECTION 2B-6-PREPARATION OF ENGINEERING COMMENTARY

CONTENTS OF COMMENTARY

The Engineering Commentary, which is of vital importance in the public hearing process, should be written in a manner which can be easily understood by the layperson. In most instances it should contain the following information relative to the project being discussed: (1) the need for the project and the sequence of events leading up to the public hearing, (2) the corridor(s) presented and other alternatives considered, (3) a review and description of the corridor(s) presented, including approximate length and cost. A deviation from these items is sometimes necessary due to particular situations and conditions characteristic of the particular project. The [Public Involvement Section](#) should be contacted for assistance in preparing the commentary.

THE ENGINEER

The Engineer preparing the commentary should be familiar with all facets of the project and, if possible, present the commentary at the [Location Public Hearing](#). An on-site review of the corridor(s) under consideration may be necessary prior to writing the commentary. The Engineer should be proficient in his/her delivery and familiar with all visual aids used.

SECTION 2B-7-THE LOCATION PUBLIC HEARING

PRE-HEARING MEETING

Prior to the formally scheduled Location Public Hearing, an informal pre-hearing meeting should be held. These pre-hearing meetings permit the public to review and discuss with Department and municipal engineers and officials particular points of concern to them and to become generally familiar with what is to be used at the Location Public Hearing should be available at this meeting. The [Public Involvement Section](#) should be contacted for assistance and advice on displays.

A properly conducted pre-hearing meeting will eliminate a large number of questions from being raised at the formal Location Public Hearing stage and will convey a sense of mutual concern between the Department and those present. As most Location Public Hearings are held at night, a period of approximately two (2) hours should be provided prior to the formally scheduled hearing.

If sufficient interest is anticipated, consideration should be given to a longer time period on the night preceding the Location Public Hearing. On some projects, the pre-hearing

may be scheduled a week or two prior to the Location Public Hearing. In any event, the time and place of the pre-hearing meeting should be a part of the public hearing notice.

PROCEDURE FOR THE PUBLIC HEARING

The District Administrator or his representative moderates all public hearings except in rare circumstances when the Director of Engineering determines otherwise. It is the District Administrator's responsibility to provide a suitable location for the hearing, transcribe the proceedings, and submit sufficient copies of the transcript, along with his recommendations, to the State Location and Design Engineer.

At the appropriate time, the [engineering commentary](#) (as described in Section 2B-6) is presented. This presentation is made by a representative of the Location and Design Division (on applicable projects). It is desirable to have the project designer or his representative present to assist in this presentation.

At the conclusion of the presentation, those present are afforded an opportunity to speak and present their comments. Only general questions are answered at this time. Specific questions are answered by letter subsequent to the hearing.

Department representatives with expertise in the field of right of way, environmental quality, etc., should be present and called upon by the moderator to answer pertinent questions which may arise. The moderator is to advise those attending the hearing that ten calendar days will be allowed from the date of the hearing for the submission of written statements or other pertinent information, to the Department for inclusion in the public hearing record.

SECTION 2B-8-RESOLUTION OF QUESTIONS RAISED AT THE PUBLIC HEARING

REVIEW OF PUBLIC HEARING TRANSCRIPT AND POST-HEARING CORRESPONDENCE

When the transcript of the Location Public Hearing is received, it is first reviewed by the Public Involvement Section for their determination of areas of concern which may require further investigation. It is then forwarded to the Assistant Location and Design Engineer for Location, the Environmental Engineer, the Urban Engineer or the Secondary Roads Engineer for review, comments and recommendations. The FHWA and appropriate members of the Board are furnished a copy of the transcript for informational purposes.

STUDYING ALTERNATE SOLUTIONS

Any items of concern requiring further investigation are to be studied by the engineer in charge of the project for possible solutions. All feasible solutions are to be explored, taking into consideration engineering judgment, economics, standards, policies, etc.

RECOMMENDING A SOLUTION

Upon reaching a conclusion as to the most feasible solution to an area of concern, the engineer in charge of the project will furnish his recommendation to the Assistant Location and Design Engineer for Location, Urban Engineer or Secondary Roads Engineer for a decision.

PROCESSING DATA TO PUBLIC INVOLVEMENT SECTION

When all areas of concern requiring further investigation have been explored, a letter is prepared for the signature of the Assistant Location and Design Engineer for Location to the Public Involvement Section (with a copy to the Environmental Division) outlining the proposed recommendation for the project. Secondary and Urban projects are the responsibility of those divisions.

SECTION 2B-9-PROJECT APPROVAL

BOARD APPROVAL

When all questions and recommendations arising from the public hearing have been resolved, the Public Involvement Section will prepare a memorandum to the Chief Engineer requesting consideration by the [Board](#). This memorandum is to cover the proceedings of the public hearing and the resolution of questions and recommendations. The project is then forwarded to the Chief Engineer who, in turn, forwards it to the Commissioner who arranges to have it placed on the agenda for Board Action.

When the project has been evaluated by the Board, the [Public Involvement Section](#) will advise the District Administrator of the action taken. The District Administrator will advise those who spoke at the hearing or who corresponded with the Department as part of the hearing record, of the action taken, including any changes in the proposal presented at the hearing and appropriate responses to the individuals' comments or questions. The District Administrator also will advise the appropriate local officials on the action taken.

On Federal-Aid projects, the Public Involvement Section will request that the Public Affairs Section advise the public of the Board Approval and that the approval is tentative, subject to approval by FHWA of the Final Environmental Document.

FINAL ENVIRONMENTAL DOCUMENT

When Board Approval is given for a corridor, the Public Involvement Section will advise the Environmental Division of the Board action and request the completion of the final environmental document on the approved corridor.

FHWA APPROVAL

Approval of the final environmental document is the FHWA's concurrence with the location of the project. The plans may then be advanced to the ground survey stage as outlined in [Section 2C-1](#). Public notice of such approvals shall be published in local newspapers.

DISTRIBUTION OF PRINTS OF THE APPROVED PLANS

After the public hearing has been held and Board approval received, print distribution is to be made in accordance with the current issue of IIM LD-(D) 68.