It has been almost two years now since I joined the State government. Before coming to the Highway Department I spent 15 months in the Governor's Office. I have now been in the Highway Department, serving as Executive Assistant to the Commissioner, for approximately nine months, in which time I have seen many of the problems which face the agencies of State government. One problem is particularly worrisome, the matter of communications. It is currently vogue to call this situation a "communications gap." I am certainly not going to call it a crisis, a term used loosely by public officials in describing many present day issues, however, I do want to assert that communications between officials in the departments of State government on the one hand and the citizens of Kentucky on the other, is a very real problem. That it is a real problem facing the Highway Department is illustrated by a letter written recently to the Louisville Courier-Journal from a doctor who lives in Louisville. Part of that letter read as follows:

"The people of Kentucky do not receive a fair return for their hard-earned tax dollar. There was no good reason why we had to wait for that new, safe highway which replaced that old, dangerous US 42 connecting Louisville with Cincinnati. The New England States had super highways fifty years ago. As long as we sit and look and act like scared sheep, our highways and schools and hospitals will always be below the nations' average."

I felt obligated to reply to such a letter, to advise the writer that there are good reasons why the Highway Department could not build Interstate 71 between Louisville and Cincinnati more rapidly, reasons relating to design criteria, public hearings, consulting engineering agreements and work, federal government participation in financing and review of the project, etc.

It is obvious from the letter that there existed a communications gap between the Highway Department and this particular doctor. It is an example of the communications gap which exists between the Highway Department and the citizens of Kentucky in general. It reveals the necessity for the Highway Department to put forth a greater effort to communicate with the citizens of this State, in order to foster a better understanding of our highway programs.

Why is this communication so necessary? Aside from the fact that such communication breeds confidence in government, and confidence in government is the key to any kind of orderly society, there also remains the fact that citizens of Kentucky will be more willing to invest their tax dollars in their highway programs if they understand not only where those dollars are being spent, but also the process of how they are spent.

One of the ways that the Highway Department can communicate with the general public and inspire confidence in the personnel and programs of the Highway Department is through public hearings on the projects which have been planned by the Department. These public hearings are required on all federal-aid projects, which make up the bulk of significant major work of the Department, and they are currently an integral part of the process of building a federal-aid highway.

The Federal Highway Act of 1956 first required only a single hearing on proposed projects. This hearing later came to be known as a "corridor hearing," the purpose of which was to invite comments from the general public and interested citizens concerning alternate locations for a proposed new highway or highway being built. Last year, in 1968, the Federal Highway Administration instituted a new program which required in addition to the "corridor hearing" a "design hearing" which would give citizens a chance to comment on the design aspects of a proposed project.
Policy and Procedure Memorandum 20-8, dated January 14, 1969, published by the Bureau of Public Roads, defines a "corridor public hearing" as one which:

1. Is held before the route location is approved and before the State Highway Department is committed to a specific proposal;

2. Is held to insure that an opportunity is afforded effective participation by interested persons in the process of determining the need for, and the location of, a federal-aid highway; and

3. Provides a public forum that affords a full opportunity for presenting views on each of the proposed alternative highway locations and the social, economic and environmental effects of those alternate locations.

By contrast, a "highway design public hearing" is defined by the same memorandum as a public hearing which:

1. Is held after the route location has been approved, but before the State Highway Department is committed to a specific design proposal;

2. Is held to insure that an opportunity is afforded for effective participation by interested persons in the process of determining specific location and the major design features on a federal-aid highway; and

3. Provides a public forum that affords a full opportunity for presenting views on major highway design features, including the social, economic, environmental, and other effects of alternate designs.

It is interesting to note that this same memorandum goes on to define "social, economic, and environmental effects" as "the direct and indirect benefit or losses to the community and to highway users." Effects which can be considered include fast, safe and efficient transportation, national defense, economic activity, employment, recreation and parks, aesthetics, public utilities, public health and safety, residential neighborhood character and location, noise, air and water pollution, property values, and replacement housing.

I am not going to argue the merits of the new requirements for design public hearings in this address. There are some of those in the highway industry who thought this requirement was just some more red tape to slow down the highway construction program. I must admit that I find difficulty with the concept that the ordinary citizen is qualified to discuss and comment on the technical design features of a modern highway, prepared by expert technicians. But I have to admit that the federal government, in these federal-aid projects, pays 50% or more of the cost of the highways, and if that is the way that they want to run their program, then the Highway Department and its officials must go along with it.

In developing the Highway Department's hearing program, especially as it relates to the new design public hearings, the Highway Department could have taken two approaches. One would have merely been to go through only the motions of holding a public hearing, and do only the minimum amount of preparation and effort required to fulfill the federal requirements. The second alternative would be to put forth a first class effort, in which the Highway Department would make a worthwhile effort to communicate to the interested citizens and the general public the nature of the project being planned, in such a way as to promote public understanding of the process of building a modern highway. Fortunately, Commissioner Goss decided to take this second approach.

I have been working with other members of the Department to assemble a team of experts to plan and present corridor and design public hearings, not only to fulfill the requirements set
forth by the Federal Highway Administration but also to present at the same time information about the Highway Department to promote a better understanding of it and its programs. I see the public hearing as a real opportunity to sell the highway program to the people of this State and make friends for the Highway Department and the highway industry, more so than speeches before local Rotary Clubs, Kiwanis Clubs or other civic groups. Our objective in putting together this team of experts is to develop new and sophisticated ways of presenting the information necessary for a full public understanding of the project being planned. We want to present information about the new safety criteria included in any federal-aid highway project, and information which will reveal the various steps, processes and lengths of time it takes to plan, design and build a federal-aid highway. All of this must be done in laymen's language so that maximum understanding of the Highway Department's projects and programs can be achieved.

There is also another very good reason for the Department's putting forth maximum effort for a quality presentation at public hearings, and that is to reduce the chances of a project being hung up on some complaint by some citizen or group of citizens because of a lack of understanding of either the nature of the project or the processes and lengths of time necessary for the completion of the various steps involved in the project.

There are certain basic steps which the Highway Department must go through in the hearing process, both for corridor hearings and design hearings. Briefly, these steps are as follows:

1. Public Notices - the first thing that the general public or the interested citizen knows about the Highway Department's plans in respect to a particular project is the public notices which appear in local newspapers as advertisements and in flyers which are sent to various interested agencies, local units of government, and interested citizens groups. A general news release is usually sent out to local newspapers in the area of the project as an additional way of announcing the public hearing.

2. Site Selection - the team of experts, known in the Highway Department as the Coordinating Unit, select a site for the public hearing. The site is convenient to persons likely to attend the hearing. Such buildings as school buildings, local government buildings, and highway district offices, have in the past been used as sites for public hearings.

3. Pre-Hearing Conference - the team of experts and the various engineers and technicians who are to participate in the hearing conduct a rehearsal at the site of the hearing to smooth out their presentation. At the Pre-Hearing Conference local government officials are invited to confer with the officials of the Highway Department about the project and present their views and comments in advance of the actual public hearing.

4. The Actual Hearing - after all of the above steps have been completed, the hearing takes place and is conducted by the District Engineer of the District in which the project is planned.

The actual hearing proceeds as follows. After introductions, a statement of the Commissioner is read to the hearing by the District Engineer or the Commissioner's representative. There follows a general statement of the purpose of the hearing and an announcement of the extent of the federal participation in the proposed project. The District Engineer then reads an announcement which indicates to the citizens at the hearing that the purpose of the hearing is to give them an opportunity to be heard. This announcement consists of the following comments:
"When the presentation of the project details has been completed, everyone will be afforded an opportunity to submit written comments, make statements, ask questions and participate in the discussion of the project details. Individuals in the audience are encouraged to express their views as to social, economic and environmental effects that the project, as planned, will have on their property and their community. Statements will be welcomed regardless of the attitude of the individual testifying, as the purpose of the public hearing is to acquaint you with the design features of the proposed project and receive your comments, whether they indicate approval of the proposed plan, or offer constructive criticism. Persons participating in the program will be available to answer your questions during the program and will remain for further discussions immediately after the hearing."

Following this announcement the main part of the hearing, consisting of the explanation of the project, begins. In the case of corridor hearings, it will consist of a discussion of alternative route locations and the advantages and disadvantages of each proposed corridor. In the case of design hearings, the explanation will be made in two phases. These include:

(1) The Design Engineering Presentation, and

(2) The Right-of-Way Presentation

   (a) Acquisition of Right-of-Way

   (b) Relocation Assistance.

During the engineering presentations in both corridor and design public hearings, a qualified engineer will discuss all the engineering aspects of the proposed project. The engineering presentations will be accompanied by appropriate visual aids in the form of transparencies shown by an overhead projector, or color slides, to show corridor locations as plotted on maps and aerial photographs, technical engineering drawings showing locations of right-of-way lines and design features of the project, portions of existing roadway which are to be reconstructed or replaced which reveals faulty features of the existing facility, and design features of the type of highway which is planned as shown by examples from similar type highways already constructed in other areas of the state. These latter visual aids, usually color slides, are shown to contrast the project as planned with the highway as it exists, and include photographs of such details as the kind of median strips to be constructed, the type of guard rail to be used, sight distances and shoulder widths and types, intersections, ditching, curb and gutters, signing, and drainage and culverts.

In design hearings, a qualified right-of-way agent from the Highway Department's Division of Right of Way discusses with the audience the procedures for acquiring right-of-way for the proposed project and then presents in greater detail a discussion of the relocation assistance program available to persons whose homes and businesses will be displaced by the road construction.

Following the explanation of the project by engineers and other technicians, the District Engineer affords public officials an opportunity to present any comments or statements, and then opens the hearing to statements and questions on the part of the interested citizens attending the hearing. All comments made at the hearing are recorded on a tape recorder. After all
persons at the hearing have been afforded an opportunity to make statements, present comments or ask questions, the District Engineer closes the public hearing. Citizens are given ten days following the hearing to present additional written comments or statements to the District Engineer.

Following the conclusion of the public hearing, a transcript of it is prepared for review by Highway Department officials and officials of the Bureau of Public Roads. The project is then either changed according to legitimate objections or observations made at the hearing or approved as planned by both the Highway Department and the Bureau of Public Roads.

One final observation which should be made concerns the role of county and city officials, contractors and consulting engineers in the public hearing process. Obviously the public hearings afford a significant opportunity for county and city officials to comment on the planned project and present the official views of the local government agencies regarding the project. Their leadership roles in the community obviously give them an opportunity to present the feelings of the majority of the citizens regarding the good and bad points of the proposed project, and their comments are especially welcomed. Consulting engineers can also play a significant role in the hearing process by attending the hearing to help explain the project that has been planned and designed to date, and to discuss with individual citizens any problems which they might foresee regarding the effects of the project on their particular properties or interests. Consulting engineers, by being present at the hearing, can better understand the general attitudes of the persons in the community regarding the project, to assist them in overcoming problems when the project reaches construction stage. The same observations can be made for any potential contractors on the project, who can, through the public hearing process, obtain a better idea of not only the nature of the project, but also the attitudes of the citizens regarding the project.

The Highway Department feels that the public hearing process is a unique opportunity to span the communications gap which exists between the Department and the general public, to inspire greater confidence on the part of the citizens of Kentucky in the Highway Department's plans and programs and its personnel. Improved techniques to carry out the public hearing process will result in a better Highway Department and a better highway program for the State.