

## **Public Outreach and the Section 106 Process: A View from the Connecticut Department of Transportation**

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**Abstract:** The Section 106 process requires that the input of the public be included in the decision making process, but what about sharing information after the Section 106 process is complete? Archaeological data recoveries and historic resource surveys completed as part of MOAs and signed off by the SHPO shouldn't be shelved away in the dark recesses of agency storage repositories. What can be done to share research information with the public broadly? The Connecticut Department of Transportation is struggling to find creative ways to meet the higher standards of public outreach by the SHPO. A view of where CTDOT is coming from and where we can go along new avenues of public outreach and engagement will be discussed.

This paper is something of an exercise to explore what drives public engagement and outreach at the Connecticut Department of Transportation (Department). As a "new" employee (of two years) I am still trying to navigate the process. My motive for participating in this session is to find out what other transportation departments do in regards to public outreach. In the last two years the Department has increased their cultural resources staff, which may enable the Department to do more when it comes to engaging the public in the planning and identification process and informing (and exciting!) the public about historic properties.

The Section 106 process, as prescribed in 36 CFR 800, requires the views of the public be considered in the decision making process, however, how that takes place is left open for interpretation. The Department has three cultural resource staff members, two archaeologists and one architectural historian, who review projects, identify historic properties within the project areas, and assess the impacts to the historic properties in coordination with involved federal agencies, the State Historic Preservation Office (SHPO), and other stakeholders.

The Department does have a *Public Involvement Guidance Manual* (2009; [http://www.ct.gov/dot/lib/dot/documents/dpolicy/pigm\\_final\\_11\\_16\\_09.pdf](http://www.ct.gov/dot/lib/dot/documents/dpolicy/pigm_final_11_16_09.pdf)) and a *Public Involvement Procedures Manual* (December 2009; <http://www.ct.gov/dot/lib/dot/documents/dplans/PIP.pdf>). The Department recognizes projects are supported by public funds and aims to have a proactive public involvement process that addresses issues early in the planning stages and continues throughout the duration of the project. This is not limited to issues with historic properties, but with all types of project impacts. The Department engages stakeholders in a number of ways including public information meetings, websites, and the formation of advisory committees. Stakeholder involvement is not always limited to specific projects, but also to the Long Range Plan, Statewide Transportation Improvement Program, and feasibility and planning studies. Public outreach is largely a part of the NEPA/CEPA process (National Environmental Policy Act and Connecticut Environmental Policy Act).

During the preliminary design phase of a project public meetings are held by the Department. The scale of those meetings often reflects the scale of the project. Small projects, like paving and traffic signal installation, may only include town officials, while large projects, like new road alignments and bridge replacements, may include all interested members of the public. Meeting information is available on the Department's website, local newspapers, and in flyers mailed to residents in proximity to the project area. For larger projects or projects impacting any number of environmental variables, a scoping notice is posted in the State's *Environmental Monitor* online (<http://www.ct.gov/ceq/Monitor>) where comments are solicited from other state agencies and the public.

A project-specific public meeting discusses all aspects of a project from purpose and need to design and construction. Meetings are planned and organized by the project engineers. Cultural resource and historic property impacts may be only a minor part of the discussion depending on the interest of the audience and level of impact, though impacts under Section 106 of the National Historic Preservation Act and Section 4(f) of the Department of Transportation Act are required to be discussed.

Stakeholders concerned with cultural and historic resources may not always attend general meetings and must be sought out by cultural resources staff employed by the Department. The SHPO also makes recommendations of who the Department may contact, though it is not the SHPO's responsibility to identify and contact project stakeholders.

For federally funded and permitted projects federally recognized tribes must be consulted to determine if there are any sites of religious or cultural significance to them within the project area. The involved federal agency sends project information compiled by the Department to the tribes. Depending on the location and scale of the projects the tribes may be actively involved in project planning or may comment that there are no significant sites associated with the tribe within the project area. Since the majority of the Department's projects require a federal action and/or involve federal funds, tribes are considered stakeholders for a majority of the Department's projects.

In some instances the Department can easily identify stakeholders. For projects on the National Register-listed Merritt Parkway a very vocal stakeholder is the Merritt Parkway Conservancy (MPC) (<http://merrittparkway.org>). The Department also has its own Merritt Parkway Advisory Council which meets regularly and brings the MPC and Department employees together to discuss projects along the thirty-seven mile stretch of historic road.

For projects that take place within the Quinebaug-Shetucket Heritage Corridor or the Upper Housatonic Valley Heritage Area cultural resources staff consults with these organizations on federally-funded and permitted projects. The Quinebaug-Shetucket Heritage Corridor is a designated National Heritage Corridor where "citizens, businesses, nonprofit cultural and environmental organizations, local and state governments, and the National Park Service work together to preserve and celebrate the region's cultural, historical and natural heritage" (<http://www.nps.gov/qush>). The Last Green Valley is the non-profit stewardship organization of the Quinebaug-Shetucket Corridor (<http://www.tlgv.org>). The Upper Housatonic Valley Heritage Area (<http://upperhousatonicheritage.org>) "exists to illuminate

the diverse, rich identity of the.....region and to preserve and promote its historical, cultural and natural resources.” When a project takes place within one of these heritage areas a note is made on the environmental review that they are a stakeholder and either the project manager or cultural resources staff sends project information to the appropriate heritage area Director.

In other instances it may be harder to identify potential stakeholders. Cultural resources staff often attempt to contact local historical societies and state-wide organizations like the Connecticut Trust for Historic Preservation (<http://cttrust.org>). Some historical societies are more active and easier to contact than others. To be honest, online searches are the primary tool cultural resources staff has for seeking out potential stakeholders. The Department does not have a defined system in place to identify stakeholders in the Section 106 process and to notify these stakeholders of transportation projects and the potential impact to historic properties.

After SHPO, the tribes, and other stakeholders have expressed their views and it's determined an archaeological or architectural survey is required to identify historic properties and assess the potential impacts of a project on them, the role of the public is not over. SHPO and the tribes are consulted upon completion of the survey and asked for comments. Reports are then shared with stakeholders, as appropriate, who are afforded an opportunity to comment.

A minority of Department projects result in adverse impacts to historic properties, but there are a hand-full a year. These projects require a Memorandum of Agreement between the federal agency, SHPO, the Department, and any other stakeholders who have been involved in the planning process or who are identified during the survey. In cases where avoidance of the property is infeasible, the parties work together to agree on minimization and/or mitigation measures.

In the past the Department was often tasked with ensuring completion of only state level documentation of an impacted historic structure or a full data recovery (Phase III excavation) of an impacted archaeological site. The report was filed at SHPO and the Office of State Archaeology, and

perhaps a short article would be written for a local newsletter. The reports produced by these surveys are often relegated to gray literature, and the public has limited access to them.

On some archaeological data recovery projects, SHPO required that the Department produce a public education component booklet describing the archaeological site(s). This has only been done on projects requiring a full data recovery of the site, and those have been rare in the last decade in Connecticut. A small number of thematic books have also been published on historic bridges within the State. The books were printed in limited quantities (often a run of 500). It is the Department's responsibility to distribute the books to the local libraries, schools, and historical societies in the towns in which the work was completed. The remaining books have traditionally been mailed to professionals practicing in the State and distributed opportunistically to the public.

But are these booklets reaching the public broadly? Is the public even aware of their availability? Once the books are published there are no more funds for distribution. The Department has a small communications staff whose primary responsibility is to publically address concerns about Department project and transportation safety issues. Cultural resources are rarely on their radar, nor do they often issue a press release concerning initiation or completion of archaeological work conducted by the Department. The Department does have a cultural resources website ([www.ct.gov/culturalresources](http://www.ct.gov/culturalresources)) with scant information about what the cultural resources staff does at the Department (there is a link to the Federal Highway Administration/SHPO Programmatic Agreement) and five historic properties projects that have been undertaken by the Department in the last twenty years. Many more projects have been completed in that time. Few people appear to be aware of the website, and staff within the Department has even been surprised to find out it exists.

Often it appears that public outreach following the conclusion of a cultural resources survey is an after-thought, and funds are not set aside for appropriate staff and consultant time and materials to get the word out. The outreach required by Section 106 and prescribed by SHPO for some projects can

also be difficult to schedule within a project timeline. The public outreach timeline does not necessarily jive with the project timeline of design and construction. Looking forward, how can we accommodate outreach in the future once construction is complete?

In my limited experience at the Department it appears that what we could most benefit from is planning not just to conduct archaeological and architectural surveys, but also to share the information with the public. By the time a site is determined National Register-eligible and triggers the need for avoidance, minimization, and/or mitigation the budget for further work should include staff and consultant time not only to write the books or articles, but to also distribute them, give public talks, and find other more robust ways of doing public outreach.

So how can information from cultural resource surveys be effectively shared with the public? Department staff is actively seeking new ways to reach out to the public. Archaeological staff from the Department participated in the 2013 Connecticut Archaeology Fair by displaying information about past and recent projects and distributing public education booklets. This outreach effort was done entirely on the staff's own time and on one staff member's own dollar. This is largely because the projects that were highlighted have long been complete and there was no particular budget to charge the time and expenses to.

SHPO is also encouraging the Department to try new approaches. SHPO now asks for "aggressive" public outreach as partial mitigation for adverse effects to historic resources, though what constitutes as "aggressive" is not always made clear. The Department is struggling to ensure outreach is accounted for in consultants' scopes of work that reflects the scale of the project and that constitutes more than just a public lecture, which was until recently the norm. SHPO and the Department want to ensure the greatest public good is achieved using public funds when adverse impacts to historic properties are mitigated.

Websites may be an effective way to engage the public and keep them up-to-date on project information. The Department utilizes websites on a project-specific basis for some of their large, complex projects like the New Haven Rail Yard Facilities Improvements (<http://www.bakerprojects.com/newhavenrailyard>), I-95 New Haven Harbor Crossing Corridor Improvement Program (<http://i95newhaven.com>), New Haven-Hartford-Springfield Rail Program (<http://www.nhhsrail.com>), and the I-84 viaduct project in Hartford (<http://www.i84hartford.com>). The projects' impacts to historic properties are mentioned on all websites along with other types of project information. Many of the projects have mailing lists through which stakeholders and the interested public can receive electronic newsletters. The I-95 project has pages within the website highlighting the mitigation of impacts to historic properties. The I-84 project is in the very early planning stages, and the website has information on how the public can get involved, whether through public meetings, advisory committees, or social media.

The Department has recently launched a website, Transform CT (<http://www.transformct.org>) to elicit comments and ideas from the public about how to improve Connecticut's transportation system. Transform CT is one of the newest projects, and uses social media significantly (Facebook, Twitter, Goodge Plus, and LinkedIn). The Department is clearly making strides toward utilizing available technology.

As a recently hired employee I have found it difficult to navigate the State and Department's bureaucracy to find ways to creatively manage public outreach. In my experience I wonder if more is possible, but perhaps it's a matter of learning how to do things within the system. I am not suggesting the Department is uninterested in or unwilling to do more public outreach; it just needs champions within its ranks to find ways to do more. By building off methods (like websites) that the Department is already using for large projects, inroads may be possible into using these ideas for any size project to gauge public opinion in the Section 106 process.

I am wondering if using a mailing list would be beneficial for eliciting stakeholder involvement. The mailing list could perhaps be comprised of historical societies, preservationists, etc. Or perhaps a website where groups and individuals can request to become a consulting party like the Kentucky Transportation Cabinet has (<http://transportation.ky.gov/Environmental-Analysis/Pages/consulting-party-projects.aspx>). Social media is pervasive in our society, and many platforms are free. Public outreach may be cost-effective and efficient through blogging, Twitter, Facebook, etc. Perhaps a Department cultural resources blog would allow the public to better understand what we do and allow for a discussion on particular projects.

I am participating in this session to learn more about what other state transportation department cultural resources staff are doing to engage the public. I am passionate about sharing the excitement of history with the public, but I do not necessarily want to re-invent the wheel to do it. I am anxious to hear how other transportation departments engage the public in the Section 106 process. My Department is on the right path, but I think there's more we could be doing. I think the buy-in by management at the Connecticut Department of Transportation will be easier if I can show them examples that have worked for other states. I look forward to the discussion in San Antonio!