

KYOVA Interstate Planning Commission Participation Plan December 2019

For the Huntington, WV-KY-OH Urbanized Area*



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This report was funded in part through grants from the Federal Highway Administration, the Federal Transit Administration, West Virginia Division of Highways, Kentucky Transportation Cabinet, and the Ohio Department of Transportation. The views and opinions of the authors expressed herein, do not necessarily state or reflect these agencies.

In accordance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, familial, or income status. It is a priority of the MPO that all citizens in the KYOVA Planning Area be given the opportunity to participate in the transportation planning process, including low income individuals, the elderly, persons with disabilities, and persons with Limited English Proficiency. You may contact the MPO, Title VI Coordinator at (304) 523-7434 if you have any discrimination complaints.

The Draft 2020 Participation Plan was available for the required 45-day comment period from August 28, 2019 to October 11, 2019 as advertised by newspaper, MPO's website, social media, and presented to the MPO's Technical Advisory Committee and the Policy Committee. Comments on the Draft Plan were incorporated throughout draft development.

**The KYOVA Planning Area within the Huntington, WV-KY-OH Urbanized Area includes the West Virginia counties of Cabell and Wayne, the Kentucky counties of Boyd and Greenup, and the urbanized area of Lawrence County, Ohio.*

TABLE OF CONTENTS

Resolution	iii
Section 1: Introduction and Overview	1
Section 2: Federal Guidance.....	5
Section 3: Public Participation General Guidance.....	6
Section 4: Outreach Strategies and General Outreach Methods.....	9
Section 5: Title VI, Environmental Justice, and American with Disabilities Act	11
Section 6: Targeted Outreach Methods and Focus Areas	14
Section 7: Transportation Committees	19
Section 8: Demographics of the KYOVA Planning Area for the Huntington, WV-KY-OH TMA	21
Section 9: Proactive Public Involvement Methods	22
Section 10: Participation Guidelines for KYOVA Interstate Planning Commission	24
Section 11: Grouped Projects and Projects Not Required for Public Review	32
Section 12: Measuring Effectiveness of the Participation Plan	33

LISTING OF TABLES

Table 1: Huntington, WV-KY-OH Planning Area – Land Area.....	3
Table 2: KYOVA Public Participation Strategies	9
Table 3: Public Participation Summary Table	30
Table 4: KYOVA Participation Procedures Summary Table	31
Table A-1: County and Regional Averages for Targeted Outreach Determination	A-2
Table A-2: Focus Areas for Targeted Outreach	A-4
Table B-1: Exempt Projects - Title 40 CFR 93.126 (Table 2)	B-2
Table D-1: Huntington, WV-KY-OH TMA Interagency Consultation List (October 1, 2019).....	D-2

LISTING OF FIGURES

Figure 1: KYOVA Planning Boundary for the Huntington, WV-KY-OH TMA.....	2
Figure 2: Potential Disadvantaged and Focus Areas by Census Tract	15
Figure A-1: Potentially Disadvantaged and Potential Focus Areas by Census Tract.....	A-5
Figure C-1: Participation Plan Public Notice	C-2

APPENDICES

Appendix A: Targeted Outreach Analysis
Appendix B: Projects Not Requiring Public Review and Grouped Project List
Appendix C: Participation Plan Public Outreach Activities and Documentation
Appendix D: Interagency Coordination/Consultation Contact List
Appendix E: Regulatory Requirements
Appendix F: Title VI Complaint Process and Complaint Form

**RESOLUTION ADOPTING THE UPDATE TO THE
KYOVA INTERSTATE PLANNING COMMISSION
PARTICIPATION PLAN**

WHEREAS, the United States Bureau of Census on March 27, 2012, defined the Huntington, WV-KY-OH Urbanized Area with a population of 202,637; and

WHEREAS, the United States Secretary of Transportation, on July 18, 2012, designated Huntington, WV-KY-OH Urbanized Area as a new Transportation Management Area (TMA); and

WHEREAS, KYOVA Interstate Planning Commission adopted the federally prescribed new Transportation Management Area (TMA) boundaries as defined by the United States Bureau of Census as Cabell, Wayne and a Portion of Putnam county, West Virginia, Boyd and Greenup counties, Kentucky, and the urbanized area of Lawrence County, Ohio; and

WHEREAS, KYOVA Interstate Planning Commission was designated as the Metropolitan Planning Organization (MPO) by the Governors of West Virginia, Kentucky, and Ohio for the West Virginia counties of Cabell and Wayne, the Kentucky counties of Boyd and Greenup, and the urbanized area of Lawrence County, Ohio; and

WHEREAS, the KYOVA Policy Committee has responsibility for the KYOVA policy functions; and

WHEREAS, 23 CFR 450.316 and the Fixing America's Surface Transportation (FAST) Act require that the metropolitan planning process provide for proactive public involvement that provides complete information, timely public notice, full public access to key decisions and supports early and continuous involvement of the public in developing plans; and

WHEREAS, the KYOVA staff has developed a Participation Plan that meets federal requirements; and

WHEREAS, the KYOVA staff has incorporated the most current data and processes to deliver an effective program; and

WHEREAS, the Participation Plan has completed the 45-day public review and comment period which began August 28, 2019 and concluded October 11, 2019; and

WHEREAS, KYOVA Interstate Planning Commission has adopted a Participation Plan that meets the planning regulations of Fixing America's Surface Transportation (FAST) Act at all levels as part of a comprehensive public/community outreach; and

NOW, THEREFORE BE IT RESOLVED that the KYOVA Interstate Planning Commission Policy Committee, at its regularly scheduled meeting on XXXXXXX, 2019 endorses the KYOVA Interstate Planning Commission Participation Plan, dated October 2019.

Robert Pasely, Chairman

Christopher Chiles, Executive Director

Date: TBD

Section 1

Introduction and Overview

Purpose of the Participation Plan

KYOVA Interstate Planning Commission's Participation Plan serves as the official policy for the provision of meaningful participation in the transportation planning and related activities. The participation activities in this document represent a comprehensive program intended to provide public impact on the transportation planning process and in transportation decision making. This document is guided by federal regulation and is intended to fulfill the obligations set forward in that legislation. Public participation is about giving the public a meaningful opportunity to influence and shape decisions that reflect community values.

MPO Overview and Planning Process

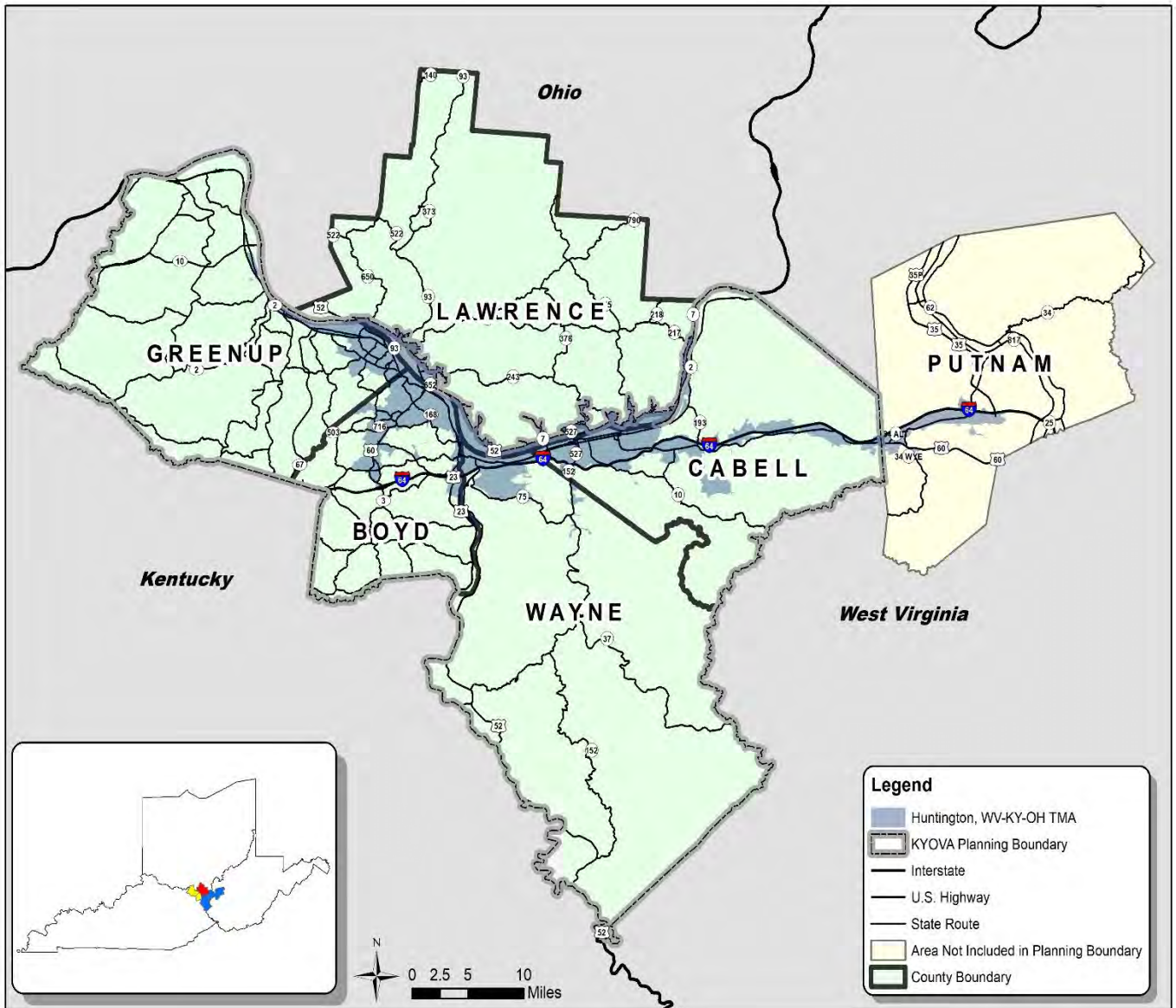
Metropolitan Planning Organizations are the designated entities which coordinate and direct transportation planning efforts in the nation's urbanized areas. An urbanized area is defined as an area with the total population equal to or greater than 50,000. A Transportation Management Area (TMA) is defined as an urbanized area with the total population equal to or greater than 200,000.

The total population for the Huntington, WV-KY-OH Urbanized Area exceeded 200,000 with the 2010 Census. As a result of the population growth with the 2010 Census, the Huntington, WV-KY-OH Urbanized Area was designated a Transportation Management Area (TMA). The geographical boundaries include: West Virginia counties of Cabell, Wayne, and a portion of Putnam¹, Kentucky counties of Boyd and Greenup, and the urbanized portion of Lawrence County, Ohio. **Figure 1**, below, illustrates the TMA planning boundary for the KYOVA Huntington, WV-KY-OH Urbanized Planning Area.

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly require that every urbanized area, as a condition to the receipt of federal transportation funding, have a planning process that results in a transportation plan, which KYOVA refers to as the Metropolitan Transportation Plan (MTP). The MTP analyzes current and future transportation needs and provides long-range plans/solutions for the urbanized area that are consistent with the planned development for the area and in compliance with federal air quality standards. In addition to the MTP, Transportation Improvement Programs (TIP), Coordinated Public Transit Human Services Transportation Plans (Coordinated Plan), and Unified Planning Work Programs (UPWP) are required and to base these products on the "3C" (Continuous, Cooperative, and Comprehensive) planning process. Any new federally-funded transportation project for the region must be included in the KYOVA MTP and TIP and the relevant state Statewide Transportation Improvement Program (STIP) to receive funding.

¹ Putnam County's transportation planning activities fall under the responsibility of Regional Intergovernmental Council (RIC) located in Charleston, WV.

Figure 1: KYOVA Planning Boundary for the Huntington, WV-KY-OH TMA



TMA's are also required to develop a Congestion Management Process (CMP) that address congestion management through a process that provides for safe and effective developed and implemented metropolitan-wide strategy, or new and existing transportation facilities eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53 through the use of travel demand reduction and operational management strategies. The congestion management process shall be developed, established, and implemented as part of the metropolitan planning process that includes coordination with transportation system management and operations activities.

The basic mission for the local MPO/TMA is to meet the federal requirements for both product and procedure, while focusing its efforts on the attainment/conformity of area highway, pedestrian/bicycle, and transit system needs.

Table 1 depicts the land area of the counties and the largest cities within the KYOVA Planning Area of the Huntington, WV-KY-OH TMA. Based on the 2010 U. S. Census, KYOVA’s Planning Area totals approximately 1,756 square miles.

Table 1: Huntington, WV-KY-OH Planning Area – Land Area (Square Miles)

West Virginia		Kentucky		Ohio	
Location	Land Area (Square Miles)	Location	Land Area (Square Miles)	Location	Land Area (Square Miles)
Cabell County	281.02	Boyd County	159.86	Lawrence County*	453.37
Huntington (City)	16.20	Ashland (City)	10.74	Ironton (City)	4.16
Wayne County	505.98	Greenup County	344.40		

Source: 2010 U.S. Census Bureau Quick Facts / *Depicts the whole county – KYOVA planning boundary includes the Urbanized Area only

KYOVA Interstate Planning Commission (KYOVA) is an association of local governments in southwestern West Virginia, northeastern Kentucky, and southern Ohio that serve as a forum for assessing and acting upon regional transportation issues. KYOVA’s goal is to promote cooperation among members, the governments closest to the people, and to maximize their capabilities for solving problems that cannot be solved by any one jurisdiction.

A Policy Committee (PC) and Technical Advisory Committee (TAC) guide and assist KYOVA in its planning activities. The PC is the body responsible for policy formulation, project guidance, and administrative coordination. This includes delegation of and review of work activities for the MPO Staff. Official actions taken by KYOVA Interstate Planning Commission require approval by the PC. Policy Committee membership includes elected and/or appointed officials from each local government within the planning area, as well as representatives from the Federal Highway Administration, the Federal Transit Administration, West Virginia Department of Highways, the Kentucky Transportation Cabinet, Ohio Department of Transportation, and regional Transit Providers.

The TAC is comprised of planners, engineers, community representatives, and professional staff from various departments and agencies throughout the KYOVA planning area. The TAC is directly responsible to the PC. Citizen Advisory Committees or Project Steering Committees may be organized to assist and/or advise the staff concerning various planning concerns and activities.

In accordance with federal requirements, the MPO planning process involves the development of a Metropolitan Transportation Plan (MTP), a Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan), Transportation Improvement Program (TIP), and a Unified Planning Work Program (UPWP). TMAs are also required to complete a Congestion Management Process (CMP). The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly require that every urbanized area, as a condition to the receipt of federal transportation funding, have a planning process that results in a transportation plan consistent with the planned development for the area and in compliance with federal air quality standards. The transportation plan analyzes current and future transportation needs and provides long-range plans/solutions for the urbanized area. Any new federally-funded transportation project for the region must first be included in the KYOVA MTP and TIP and the relevant state Statewide Transportation Improvement Program (STIP) to receive funding.

MPO Planning Functions, Products, and Funding

The Metropolitan Transportation Plan (MTP) is a minimum 20-year plan that provides local leaders with guidance in making transportation investments. The Transportation Improvement Program (TIP) is a short-range document that serves as a tool to implement projects from the MTP, as well as informing the public about regional projects. Projects included for funding in the TIP must be consistent with the adopted MTP.

Both the MTP and TIP are required to be updated every four years, or more frequently, if the MPO elects to update more frequently in the case of: any area being designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 USC 7407(d)) or any area was nonattainment and subsequently designated to attainment in accordance with section 107(d) of that Act (42 USC 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 USC 7505(a)). In the case any other area required to have a transportation plan in accordance with the requirements of this subsection, the MPO shall prepare and update such plan every 5 years unless the MPO elects to update more frequently. (Source: 49 U.S. Code 5303 Metropolitan Transportation Planning & 23 CFR part 450)

KYOVA Staff regularly performs detailed studies to identify challenges and opportunities to enhance the transportation system. These activities include, but are not limited to the Congestion Management Process (CMP); corridor and engineering studies; safety studies; bicycle, pedestrian and transit related studies; and planning activities. KYOVA staff regularly reviews and provides comments of how transportation affects new development in the Huntington, WV-KY-OH Urbanized Area. Local officials also rely on KYOVA for guidance in developing safe and efficient transportation systems. One example of how KYOVA provides assistance is by monitoring the local transportation system through field observations and surveys. Information produced as a result of these activities, such as traffic counts and planning documents, are available to the public through the KYOVA office and the KYOVA website (www.kyovaipc.org).

KYOVA is responsible for programming transportation improvements that utilize federal and state funds and to work closely with representatives from the federal government, the states of West Virginia, Kentucky, and Ohio, and local jurisdictions to manage and program funding for needed improvements and programs. The Surface Transportation Block Grant (STBG) program, where funds are suballocated to KYOVA for transportation related projects, is a program that KYOVA utilizes to provide oversight and coordinate funding.

Section 2

Federal Guidance

Guiding Legislation: FAST Act

The Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) was signed into law on December 4, 2015. The FAST Act continues the previous transportation acts (SAFETEA-LU, MAP 21, and TEA-21) requiring a MPO to develop a participation plan in consultation with interested parties that provides reasonable opportunities for all parties to comment. To carry out the Participation Plan, public meetings are to be:

- conducted at convenient and accessible locations at convenient times;
- employ visualization techniques to describe plans; and
- make public information available in an electronically accessible format, such as on the Web.

Representatives of pedestrian walkways, bicycle transportation facilities, and the disabled were specifically outlined in the transportation acts as parties/individuals to be provided with the opportunity to participate in the planning process.

As with the earlier transportation acts, the FAST Act encourages MPOs to consult with other planning officials responsible for other types of planning activities that are affected by transportation in the area (including state and local agencies, economic development, environmental protection, airport operations, and freight movements) via Section 134(a) U.S.C. In addition, the MPOs transportation planning process will serve to promote consistency between transportation improvements and state and local planned growth and economic development patterns as part of the Metropolitan Transportation Plan (MTP) update.

Section 3

Public Participation General Guidance

Public Participation General Guidance

Public participation is a key component of the transportation decision-making process that allows the public the opportunity to voice concerns, offer suggestions, and make recommendations regarding transportation related issues and specific projects. It is designed to inform and educate the public about the technical facets of transportation planning. Public participation affords transportation professionals and decision-makers the opportunity to see multiple perspectives of an issue that may be missed when considering a project from a technical viewpoint. Meaningful dialogue among technical professionals, local decision-makers, and general stakeholders formed through a public participation process is vital to achieving consensus, which is desired before moving a transportation project or program forward. Additional benefits of public participation include:

- Developing a sense of community and ownership;
- Identifying issues and concerns that matter most to the citizens;
- Fostering trust in the decision-making process and with decision-makers;
- Ensuring accountability;
- Encouraging cooperation and compromise;
- Preventing and/or mitigating future conflict.

KYOVA's goal is to provide an open planning process with various opportunities for public participation and input. This process will be outlined in this Participation Plan and will include proactive public involvement methods targeting those who are traditionally underserved by existing transportation systems, such as low-income and minority households. Opportunity will also be provided for public comment of draft plans which will be available in accessible formats while utilizing appropriate visualization techniques available to KYOVA.

The public participation process must be proactive and provide complete information, timely public notices, full public access to key decisions, and the opportunity for early and continuing participation. The MPO is thus required to implement strategies that ensure there are no barriers to citizen participation and that minority and low-income populations are engaged in transportation decision making.

To determine the targeted populations an analysis of the Huntington, WV-KY-OH TMA demographics must be undertaken. These populations can be identified by various statistical abstracts (U.S. Census Bureau, Kentucky State Data Center, etc.) and a customized plan to maximize the impact of KYOVA's efforts. The data included in this report denote the diversity of the populations. This data is compiled from the 2012-2016 American Community Survey and the 2010 U. S. Census and does not reflect population changes occurring since that time. Efforts have been made to ensure that it provide the best coverage for the expenditures made to contact people concerning projects. *See Appendix E for detailed description of the Regulatory Requirements.*

KYOVA's transportation planning activities will comply with the Federal laws relating to nondiscrimination. These laws include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d-1): prohibits discrimination on the basis of race, color, or national origin;
- Section 504 of the Rehabilitation Act of 1973 – as amended (29 USC 794): prohibits discrimination on the basis of handicap;
- Age Discrimination Act of 1975 - as amended (42 USC 6101 et seq.): prohibits discrimination on the basis of age;
- Federal-Aid Highway Act of 1962: created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas.
- Americans with Disabilities Act: prohibits discrimination on the basis of disability; and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, handicap, age, or disability excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the transportation planning process.

Involving the public is a major challenge, especially in the metropolitan planning process. Metropolitan transportation planning has a lengthy time-frame and is focused on transportation system-level planning rather than actual project design and construction. Therefore, to help meet these challenges, the primary purpose of the KYOVA Interstate Planning Commission Participation Plan is to explain to all transportation system stakeholders how they can participate in the transportation planning process. Stakeholders include first and foremost citizens, but also include other interested parties.

This Participation Plan explains how KYOVA disseminates as well as receives information. The provision of information is essential for active participation in the transportation planning process. Active participation is keeping in line with the federal element of "Cooperative" of the federal "3C" planning process. The three C's stand for Continuous, Comprehensive, and Cooperative.

The Participation Plan is an evolving document and will be continually reviewed for possible revisions. This document replaces KYOVA Interstate Planning Commission Participation Plan dated October 15, 2015 and will serve as the public participation procedures for the KYOVA Planning Area beginning October 15, 2019.

The public involvement activities for KYOVA's Participation Plan are documented in **Appendix C**. The Plan is coordinated with the stakeholders on each project's individual Outreach Contact List, KYOVA Transportation Committees, Interagency Consultation List, and current Statewide Transportation interested parties. The Interagency Consultation List can be found in **Appendix D**. The KYOVA Transportation Committee membership may be viewed at the KYOVA website (www.kyovaipc.org) under the **About Us** tab.

Providers of Public Transportation

The KYOVA Interstate Planning Commission consults with public and private transportation agencies and non-profit agencies that receive federal transportation funds. The Tri-State Transit Authority (TTA), the Ashland Bus System (ABS), and the Lawrence County Transit (LCT) are voting members of the KYOVA MPO's Technical Advisory Committee (TAC) and the Policy Committee (PC) and serve as planning partners who are involved in KYOVA's transportation planning activities.

Other transportation service providers were identified during the development of the *KYOVA TMA Coordinated Public Transit-Human Services Transportation Plan*. The *Coordinated Plan* was prepared in accordance with federal guidelines that require KYOVA to assess all transit options for the region. The *Coordinated Plan* is used to justify and support funding for new and innovative transit programs that serve people with disabilities, increase access to employment and economic opportunities and provide transit access in rural areas. Transportation providers, in addition to TTA, ABS, and LCT, such as private and non-profit transportation and human services providers, as well as, the general public were invited to participate and to be involved throughout the development of the *Coordinated Plan*. As the Human Services process evolves, more providers are expected to be added to KYOVA's consultation process.

Section 4

Outreach Strategies and General Outreach Methods

Outreach Strategies

KYOVA maintains an effective participation program by applying the best suited outreach techniques to a given transportation plan, program, or project. Public participation may be seen as a spectrum with several strategies that provide different degrees of public impact. **Table 2** outlines the public participation “spectrum” and four distinct strategies, which KYOVA may utilize for coordinating public participation in planning activities. The level of public impact on the decision-making process increases from left to right. From information to collaboration, KYOVA will attempt to select appropriate strategies, techniques, and procedures to achieve the desired public participation goal for an activity. Specific techniques are described in more detail beginning on page 24. A participation procedures summary for particular planning activities and actions are designated on pages 29 and 30.

Table 2: KYOVA Public Participation Strategies

	INFORM	CONSULT	INVOLVE	COLLABORATE
Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
Example Techniques to Consider	<ul style="list-style-type: none"> • Fact Sheets • Websites • Open Houses 	<ul style="list-style-type: none"> • Public Comment • Surveys • Public Meetings 	<ul style="list-style-type: none"> • Workshops • Charrettes 	<ul style="list-style-type: none"> • Citizen Advisory Committee • Technical Committee

General Outreach Methods

KYOVA planning documents, information regarding past and future meetings such as minutes and agendas, and KYOVA activities in general are available to the public through the KYOVA website or at the KYOVA Office. The public may call, visit, or email KYOVA staff at any time to voice concerns, opinions, or ideas. A variety of outreach techniques are used to proactively engage the general population and traditional stakeholders in the KYOVA planning area according to the desired participation goal for a particular activity. Consideration is given to selecting the most appropriate outreach, and to clearly convey the planning activity to the public. The techniques and resources that KYOVA will utilize in its general outreach activities may include, but not limited to:

- Websites/Newsletters/Bulletin Boards/Other Displays (notices, articles, flyers);
- Public Meetings and Forums (listening, presentations, committees);
- KYOVA Policy and Technical Advisory Committee meetings which include recorded Policy Committee Meetings;
- Press Releases (print media, radio, television to include notifications and announcements);

- Announcement Letters (to key stakeholders);
- Questionnaires (opinion surveys or other surveys);
- Citizen Advisory Committees (development of alternatives, other tasks);
- Social media such as Facebook, Twitter, and Instagram; and
- Calendar of upcoming events on KYOVA website (www.kyovaipc.org).

Targeted Outreach Methods and Focus Areas

Outreach efforts will make every effort to involve as many people in the community as possible, paying particular attention to the identified individual groups and to make them aware of the process as well as encourage their input. At a minimum, KYOVA will utilize the outreach processes listed below.

KYOVA will:

- Attempt to seek-out and engage the low-income, disabled, and general populations to solicit feedback on projects, plans, etc.
- Provide public comment information on the KYOVA website (www.kyovaipc.org).
- Meetings and documents and/or projects under review will be posted on the KYOVA website (www.kyovaipc.org).
- Utilization of the KYOVA Twitter, Facebook, and Instagram pages to publish information and to monitor comments.
- Solicit and accept comments from all parties electronically, hand-written, or verbally for documents and/or projects under review.
- Employ reasonable visualization techniques (maps, graphs, photos, presentations, drawings, etc.) to better clarify KYOVA's plans and programs under review.

Section 5

Title VI, Environmental Justice, and Americans with Disabilities Act

Environmental Justice Considerations of Title VI of the 1964 Civil Rights Act (42 U.S.C. 2000d-1) states that *“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”* Title VI bars intentional discrimination, as well as, disparate impact discrimination (i.e. a neutral policy or practice that has a disparate impact on protected groups).

The *Federal Executive Order (#12898)* pertaining to the Environmental Justice (EJ) further amplifies Title VI by providing that *“each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”* KYOVA pledges to adhere to and advance the principle of Environmental Justice and integrate this concept into the participation process.

The *Americans with Disabilities Act (ADA) of 1990* prohibits discrimination on the basis of disability by public entities in service, programs and activities. Public entities are required to make programs accessible to individuals with disabilities including conducting meetings and hearings in ADA-compliant buildings. Special accommodations must be provided to ensure communications are equally effective for persons with disabilities in order to participate in meeting, planning and program activities. KYOVA pledges to adhere to and advance the principles of the Americans with Disabilities Act of 1990 and integrate this concept into the participation planning process.

Other mandates prohibiting the discrimination of those served by federal programs include:

- *Section 49 Part 25 of the Federal Aid Highway Act*, the enabling legislation of the Federal Highway Administration, prohibits discrimination based on sex.
- *The Uniform Relocation Assistance and Real Property Acquisition Act of 1970* prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with Federal financial assistance [23 CFR 200.7 (2)].

To ensure full compliance with Title VI and the EJ Order, KYOVA developed a strategy and will strive to engage the identified minority, low-income, and other negatively affected populations in the transportation decision-making process. The strategies may include:

- Using data developed by the U. S. Census Bureau to identify areas with high concentrations of low-income and minority populations and other negatively affected populations that may be identified;
- Consultation with and respond to the organizations representing low-income and minority populations;
- Routinely evaluate the participation process to develop options for better reaching the identified populations;

- Utilize media (such as print, television, radio, newspaper, Facebook, Twitter, Instagram) targeted to low-income and/or minority populations;
- A process to review and/or request additional information and a process to file complaints regarding discrimination.

KYOVA's Fiscal Assistant/Title VI Environmental Officer will serve as the coordinator for Title VI, ADA and Section 504 as they pertain to transportation issues in the Huntington, WV-KY-OH Urbanized Area. The Fiscal Assistant/Title VI Environmental Officer may be contacted by phone at (304) 523-7434, Fax (304) 529-7229, or by writing to KYOVA Interstate Planning Commission, 400 Third Avenue, Huntington, WV 25701.

KYOVA Title VI Complaint Procedure

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with KYOVA. KYOVA's Title VI complaint procedure can be found in the current *KYOVA Title VI Implementation Plan and Limited English Proficiency Language Assistance Plan* which can be viewed on the website (www.kyovaipc.org) under the Title VI/EJ Tab. The Title VI complaint process and form are also available for review in **APPENDIX F**. Any such complaint must be in writing and filed with KYOVA's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

Public Review and Comment

Draft documents (TIP, MTP, Participation Plan, Coordinated Public Transit-Human Services Transportation Plan, Congestion Management Process (CMP), etc., and amendments to these documents will be made available for public review in advance of any public meeting as stated in the following pages. KYOVA will post public review notifications on the KYOVA website (www.kyovaipc.org). All comments received prior to the scheduled public outreach meeting will be available at the public outreach meeting(s).

ADA Requirements

All draft plans will be available in accessible formats during the review period. Individuals requiring alternative formats must provide a written request at least ten working days prior to the public meeting. All public meetings will be conducted at sites that are handicapped accessible.

Public and Open House Meetings

Meetings conducted will be in the format of Public Meetings or Open Houses and will be held at convenient times and accessible locations on all required transportation plans and programs. Meetings may be advertised using:

- Legal Advertisement: A legal advertisement will be placed in the newspaper with the largest circulation within the project area at least one week before the scheduled public meeting;
- Flyers: Flyers will be distributed to county/city libraries and other public places;
- KYOVA Website: Electronic format – Information may be accessed through the KYOVA website – www.kyovaipc.org.
- Social Media: Facebook, Twitter, Instagram, or other sources of social media.

Visualization Techniques

Visualization techniques may be utilized to illustrate the project(s) or program(s) seeking public comment. This may include maps, charts, models, displays, slide shows, PowerPoint presentation, photographs, etc.

Public Events and Other Methods for Notification

Additional notification of planning efforts and public meetings may be used as determined by KYOVA to encourage citizen, stakeholder, and agency involvement. This includes, but is not limited to notices mailed through the U. S. Postal service, e-mail notices to the KYOVA Participation List, neighborhood associations, community organizations, civic groups and other interested parties, newsletters, website notices, and flyers. KYOVA will strive to incorporate as many of the above elements as possible when developing plans or project documents.

Final Public Outreach

This outreach phase *may* be used as a means to inform the public of the comments and the outcome of the meetings. The following are some examples that may be employed during the final outreach activities.

- Issuance of press releases to the local media and follow-up contacts, as necessary.
- Request public service announcement(s).
- Direct e-mails to interested individuals and parties.
- Posting information on the KYOVA website (www.kyovaipc.org).
- Hold public open house meeting(s).
- Hold Policy Committee, Technical Advisory Committee, and Citizen Advisory Committee meetings – which are open to the public.

Open Door Policy

KYOVA maintains an open door policy. Individuals and agencies who would like to express an opinion or have questions should feel free to contact KYOVA at any time. The KYOVA office is located at 400 Third Avenue, Huntington, West Virginia, 25701. The office phone number is (304) 523-7434 and the fax number is (304) 529-7229. Each staff member can easily be reached at their designated e-mail addresses which can be found at the KYOVA website at (www.kyovaipc.org).

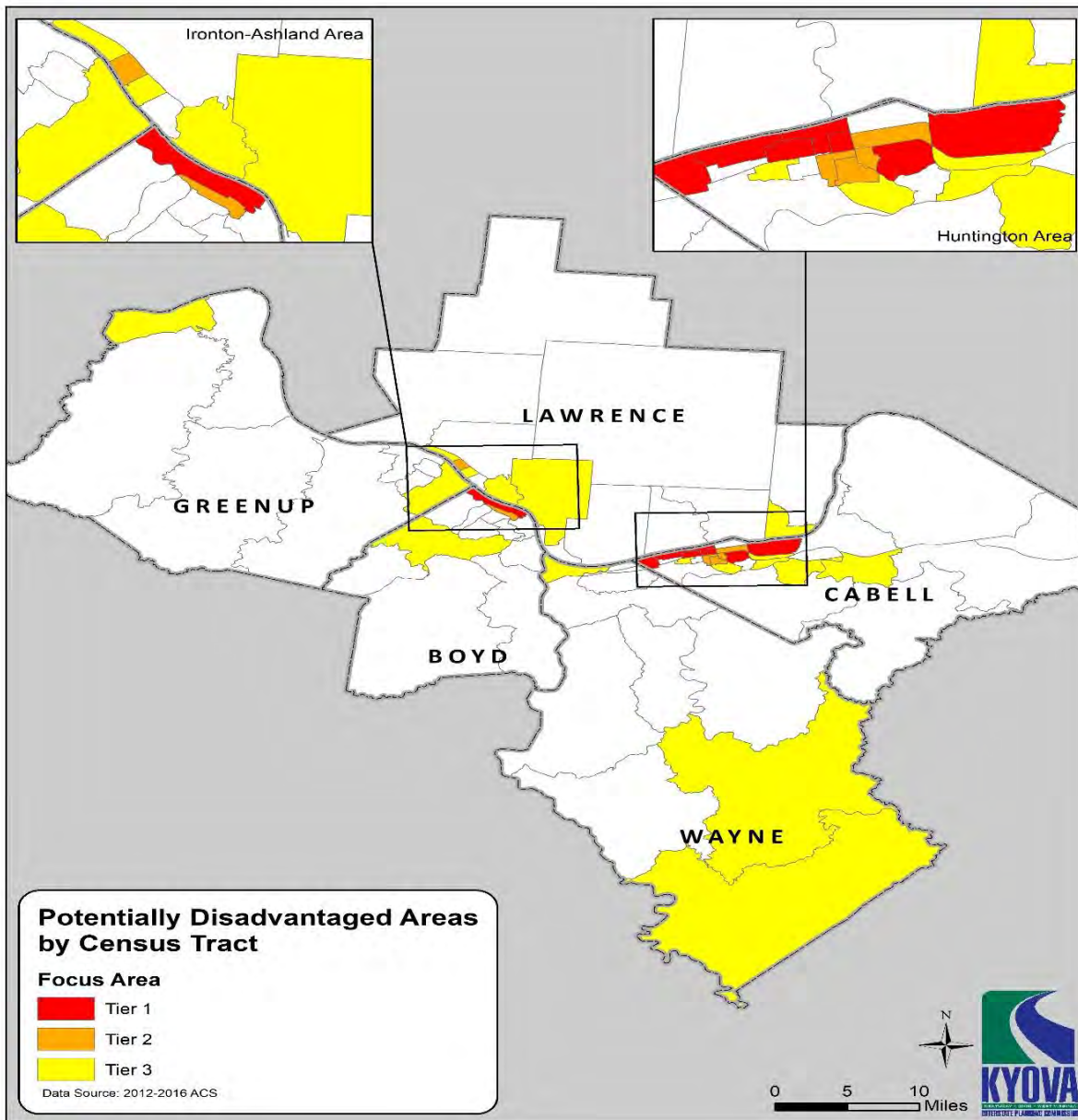
Section 6

Targeted Outreach Methods and Focus Areas

Much of the regional population can be informed of KYOVA's planning activities through general outreach methods. However, there are "traditionally underserved" segments of the population that may benefit from additional outreach activities. The traditionally underserved in the general population are considered to include those individuals, such as the elderly, disabled, minority, low-income populations, and those with Limited English Proficiency (LEP), who may have in the past been neglected in outreach activities or excluded during the planning process. Federal regulations emphasize the necessity of identifying the traditionally underserved and developing techniques and procedures to increase the involvement of these community members in the MPO planning activities.

KYOVA has included the following population groups in targeted outreach efforts for the traditionally underserved: the elderly; minorities (non-Hispanic); low-income households; and those with Limited English Proficiency (LEP). KYOVA has identified potential census tract-level targeted outreach areas based on the cumulative presence of the factors as an indicator of the potentially disadvantaged. The number of factors occurring at a rate higher than the regional average for that factor illustrates the relative potential disadvantage for a census tract. **Figure 2** demonstrates potential disadvantaged areas by Census Tracts where the data were aggregated for each of the identified factors. **Appendix A** describes the complete KYOVA process for prioritizing targeted outreach effort, and includes maps illustrating the individual factors. These areas will be targeted for outreach during Metropolitan Transportation Plan development and approval stages, and as appropriate for other planning activities.

Figure 2: Potential Disadvantaged Areas by Census Tract



The location of transportation projects is also a significant environmental justice consideration. A major reason for conducting thorough public outreach for transportation planning is to attempt to provide disadvantaged residents the opportunity to publicly voice their concerns about transportation plans and projects by offering full and fair participation in the transportation decision making process. The outreach focus areas also identify locations to review for MTP/TIP impacts, project, and funding distribution, relative to Environmental Justice and Title VI populations.

Public Involvement Tools and Techniques

The following are descriptions of the various public involvement tools and techniques that KYOVA may use, as staff and financial resources permit, to accomplish general and targeted public outreach. In each of the following categories there are several techniques that have been identified for possible outreach efforts.

- **Electronic Media (KYOVA website; Newsletter; Press Releases; Meeting Minutes; Audio; Mailings)**

KYOVA's website (www.kyovaipc.org) is used as an informational/educational tool as well as to advertise opportunities for public involvement. The website houses a wealth of information including major planning activities for the KYOVA Planning Area. It includes a multi-language translator tool that allows non-English readers to access most of the current content or at least provide enough information where they can contact KYOVA. Major agency work products are available to view and download. Products include the current Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan), Congestion Management Process (CMP), Bicycle and Pedestrian Plans, and the Unified Planning Work Program (UPWP). The website also provides numerous links to related local, state, and federal websites. Upcoming meeting schedules, meeting minutes and audio files from the Policy Committee meeting are posted to the KYOVA website following the meeting. KYOVA periodically posts a newsletter to the website which is emailed to committee members and other interested parties.

The website may be used as a portal to online surveys when specific input from the public is desired and provides a way for the public to directly submit comments to the KYOVA Staff.

Direct electronic mailings are used for meeting notices and for meeting-related communications with committee members and other interested parties.

- **Print Media (Legal Advertisements, Direct Mailings, Announcements/Flyers, Public Opinion Surveys, Comment Forms)**

KYOVA uses legal notices to announce pending major actions and, in certain required cases, public hearings. Major actions may include, but are not limited to, a scheduled or proposed Metropolitan Transportation Plan (MTP) and/or Transportation Improvement Program (TIP) updates, Coordinated Plan and the Title VI/LEP Plan. Legal notices are occasionally used to advertise other activities. KYOVA Staff attempt to minimize the use of technical and legal terminology wherever possible.

Flyers and other announcement methods are used to promote meetings and activities that are not regularly scheduled, such as an open house. They are posted at public meeting sites such as libraries, municipal offices, neighborhood activity centers such as grocery stores and churches, and in priority focus areas for targeted outreach.

Direct mailing may be used for meeting notices and for meeting-related communications with committee members and other interested parties; however, electronic mailings are the preferred method whenever possible. Letters may also be used to announce special meetings such as public meetings on projects that will have a major impact on the region.

In coordination with online surveys as discussed earlier, print format surveys may be distributed at meetings, left for later collection in public places, or actively distributed and collected (often as targeted outreach effort), or mailed. Likewise, comment forms are sometimes used when specific input from the public is desired, particularly concerning plan development or adoption. Comment forms are made available at public meetings and at the KYOVA Office.

- **Meeting and other Public Forums (Open Houses; Workshops; Small Groups; Public Hearings; Citizen Advisory Committees, Technical Advisory Committee, Policy Committee)**

The MPO holds a variety of meetings to accomplish different public outreach objectives. Open house and/or workshop format meetings are held to solicit input from the public during plan development and draft public comment stages. KYOVA is committed to holding public meetings at convenient times and locations that are accessible to all community members. KYOVA seeks to employ visualization tools that will assist staff in providing a clear explanation of technical concepts and transportation issues. Visualization tools may include aerial photographs, diagrams, before and after maps and/or drawings.

Small group meetings are held occasionally for early plan coordination or preliminary study coordination with specific stakeholders, such as economic development agencies, industry representatives, environmental agency officials, or municipal and county partners.

When federally required, KYOVA will host public hearings on public transit or highway issues. These will be legally advertised meetings in which a formal, structured procedure is used to take public comment. The proceedings are recorded and transcribed for the record.

KYOVA may utilize a Citizen Advisory Committee in the development of the Metropolitan Transportation Plan and for other special planning activities. Citizen Planning/Steering Committees are also employed to help guide plan development.

KYOVA's Technical Advisory Committee and Policy Committee meetings are open to the public. Meeting minutes and audio (via the KYOVA website) of the Policy Committee are posted as soon as possible after meetings are held.

- **Civic and Community Outreach**

KYOVA Staff and the KYOVA Executive Director attend numerous governmental and community meetings as members or interested participants of transportation-related projects. Committee and meeting participation afford KYOVA opportunities to follow the status of ongoing transportation and future transportation issues that are of interest to governmental officials, civic organization, and the community.

Use of Public Input

To connect public input into the decision-making process, KYOVA Staff provides the KYOVA Policy Committee with timely and appropriate information received from public outreach activities. KYOVA Staff will consider public input to integrate that input into the decision-making process in the most appropriate way. For processes that require a public comment period, KYOVA Staff produces a document listing comments received, which is provided to the Policy Committee prior to their taking action on the relevant process. Additionally, MPO Staff notifies the three state DOTs of comments received that may fall under their purview.

Participation Tracking

To improve upon the participation process and the use of public input, KYOVA Staff tracks public involvement activities. Part of this tracking involves the consideration of follow-up and feedback to the public. KYOVA Staff documents and tracks public participation for projects which helps create more effective public outreach efforts, as well as, serving as a means for KYOVA to evaluate the effectiveness of various participation and outreach efforts.

Updating and Evaluation of the Participation Plan

KYOVA's Participation Plan will be periodically reviewed and updated as needed (minimum every four years). Achievement of the three major objectives of the Participation Plan will serve as a big-picture answer to how well the Plan has worked. Based on the five (5) factors listed below, KYOVA Staff will seek to identify specific areas for improving public involvement.

- Participation tracking performance.
- Participant's assessments and suggestions.
- Agency judgement and expectations.
- GIS analysis of outreach activities, particularly within targeted outreach areas.
- Feedback from comment forms made available at MPO public meetings and on KYOVA's website.

Section 7

Transportation Committees

To satisfy the requirements of *Title 23 Part 450 and Title 49 Part 613*, a prospectus or bylaws address how the MPO will outline the Continuing, Comprehensive, and Cooperative (“3C”) transportation planning process for the region. The prospectus or bylaws outlines the organization of the MPO and requires a Policy Committee to be designated and established as the committee that ensures a cooperative transportation planning, decision-making and programming process affecting the metropolitan transportation planning area. The Prospectus for the Metropolitan Transportation Planning Process for KYOVA defines the roles and responsibilities of the Policy Committee (PC) and Technical Advisory Committee (TAC).

Policy Committee (PC)

KYOVA’s Policy Committee (PC) is comprised of members from within the five counties of the Huntington, WV-KY-OH TMA. The Policy Committee Membership List can be obtained from the KYOVA office or by viewing on-line at the KYOVA website under the *About Us* tab. The PC is responsible for providing opportunities for citizen participation in the transportation planning process.

The PC meets on a quarterly basis. Meetings are held at locations announced in advance. If no business is pending, such meetings may be cancelled by the Committee Chair until the next scheduled meeting. Other meetings may be called on an as-needed basis. All meetings of the PC are open to the public. Upon request, anyone can be placed on the PC mailing list for notification of meeting and activities. Notices of the PC meetings will be emailed or mailed via U.S. Mail to those on the PC distribution list at least 7 days prior to the meeting. The PC provides an opportunity at each meeting to hear any public comments in one of the following ways:

- Public comments and KYOVA’s response may be incorporated into the meeting minutes, with a copy to the commenter, or;
- The PC may instruct KYOVA Staff to respond directly to the commenter by letter or e-mail.

Acknowledgement and response to the public comment is part of the participation feedback process and demonstrates to the public that they are seriously being considered and their concerns are being addressed by KYOVA.

Technical Advisory Committee (TAC)

KYOVA’s Technical Advisory Committee (TAC) role is to advise and provide technical guidance and assistance to the PC in carrying out the goals and objectives of the MPO. The KYOVA TAC is comprised of the transportation planning professionals from the MPO staff and representatives appointed by the PC from local organizations or resource agencies. The TAC Membership List Membership can be obtained from the KYOVA office or by viewing on-line at the KYOVA website under the *About Us* tab.

The TAC meets on a quarterly basis. If no business is pending, such meetings may be cancelled by the Committee Chair until the next scheduled meeting. Other meetings may be called on an as-needed basis with meetings open to the general public. Upon request, anyone may be placed on the TAC mailing list for notifications of meetings and activities. The TAC provides time at each meeting to hear public comments regarding items discussed on its agenda. The TAC responds to any public comment at the TAC meeting in one of the following ways:

- Public comments and KYOVA's response may be incorporated into the meeting minutes, with a copy to the commenter, or
- The TAC may instruct KYOVA Staff to respond directly to the commenter by letter or e-mail.

Acknowledgement and response to the public comment is part of the participation feedback process and demonstrates to the public that they are being seriously considered and their concerns are being addressed by KYOVA.

Section 8

Demographics of the KYOVA Planning Area for the Huntington, WV-KY-OH TMA

The KYOVA Interstate Planning Commission, as mentioned earlier, is responsible for the transportation planning activities for the West Virginia counties of Cabell and Wayne; Kentucky counties of Boyd and Greenup, and the urbanized portion of Lawrence County, Ohio. The policies and programs of KYOVA will strive to avoid any disproportionately negative impacts on the elderly, minority, and low-income populations. Where needed, the transportation system should provide equal access to the benefits of employment, education, and community. Prior to determining the overall policies and programs of the KYOVA planning area within the Huntington, WV-KY-OH TMA, a demographic analysis was conducted to evaluate current demographics for the region. Target outreach population analysis can be found in **Appendix A**. The data utilized for the demographic data was taken from the 2010 U.S. Census Bureau and the 2012-2016 American Community Survey.

Section 9

Proactive Public Involvement Methods

Outreach efforts will strive to involve as many people in the community as possible, paying particular attention to those individual groups identified in the target outreach population analysis and to make them aware of the process, as well as, encourage their input. Newspaper advertisements, flyers in county/city libraries and announcements by local radio stations will be included in the outreach process. Additionally,

- KYOVA will seek places that cater to the elderly, low-income, minority, and disabled populations and will attempt to solicit feedback from these populations. For those who wish to receive the information electronically, our website (www.kyovaipc.org) will provide the information in a web-based format.
- Meetings and documents will be posted on the KYOVA website (www.kyovaipc.org).
- Comments (electronically, written, or verbal) will be solicited from the public.
- Invite the public to submit electronic, written, or verbal comments on the transportation plans and projects.
- Utilization of visualization technique (maps, graphs, photos, presentations, drawings, etc.) may be employed to depict KYOVA's plans and programs.

Public Transit Outreach

KYOVA Interstate Planning Commission, Tri-State Transit Authority (TTA), Ashland Bus System (ABS), and the Lawrence County Transit (LCT) wish to ensure that public concerns and issues regarding public transit are identified and addressed in an open and collaborative process. A variety of public involvement activities regarding transit are available to help KYOVA, TTA, ABS, and LCT determine what the current and potential transit markets are, what problems or issues need attention, what service improvements are desired by current and potential riders and how TTA, ABS, and LCT can better serve the needs of the KYOVA planning area within the Huntington, WV-KY-OH TMA. Public outreach may include but are not limited to:

- Public Input Forms (on-line reporting, new stops/routes, general needs)
- Public Meetings
- Public Comment Opportunities (Board/Commission meetings TTA, ABS, LCT, KYOVA, etc.)

FTA Program of Projects (POP) Participation Requirements

KYOVA is required to prepare a Program of Projects (POP) to solicit public input for all projects receiving federal transit funding from the Federal Transit Administration (FTA). The projects identified in the POP are added to the TIP through an Amendment or Administrative Modification. The KYOVA, TTA, ABS, LCT, WV Division of Public Transit, KYTC, and ODOT have agreed that the public and agency outreach procedures for the TIP Amendment and Administrative Modification process as outlined in KYOVA's Participation Plan are adequate to meet the public input requirements for the POP and meet the intent

of the federal planning regulations. All public notices issued by KYOVA for public involvement activities, such as advertisements, public review and comment, and timelines established for the MTP and/or TIP will satisfy the POP requirements for the Tri-State Transit Authority (TTA), Ashland Bus System (ABS), and Lawrence County Transit (LCT) and will state that on all announcements.

Section 10

Participation Guidelines for KYOVA Interstate Planning Commission

This section outlines specific public participation guidelines for KYOVA Interstate Planning Commission's Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan), and the Congestion Management Process (CMP).

A. *New Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)*

The Metropolitan Transportation Plan (MTP) is a long-range, twenty-year (or more) transportation investment and multimodal policy document. It serves to guide the responsible use of public funds for transportation purposes. The Transportation Improvement Program (TIP) is a short-range, four year subset of the MTP which outlines the immediate scheduling and funding of projects. The following guidance should be followed in both the development for both new and updates of the MTP and TIP.

Consultation and Coordination of New MTPs and TIPs

- KYOVA will consult with agencies and officials responsible for other planning activities within the planning area that are affected by transportation and will coordinate the planning process with such agencies.
- KYOVA will utilize current Citizen Advisory Committees (as needed) in the collaborative development of various aspects of the MTP and TIP.
- KYOVA will hold workshops and/or other public involvement meetings early within the process to solicit input from the general public.

Review of the Draft MTP and Draft TIP

- A Legal Public Notice will be published in the regional newspaper with the largest circulation not later than seven (7) days prior to the scheduled public meeting. The notice will include the meeting schedule, location, and any specifics directly relating to the MTP and/or TIP.
- The Draft MTP will be made available to the public for review (in-house and on-line at the KYOVA website [www.kyovaipc.org]) seven (7) days prior to the public meeting.
- Meetings will be publicized on the KYOVA website (www.kyovaipc.org) and may also be publicized by other means such as press releases, Facebook, Twitter, Instagram, local event/meetings, and announcement letters.
- New MTPs and TIPs will undergo a 30-day Public Comment Period which generally will end one-week (seven [7] days) prior to proposed Plan(s) adoption. If comments received during the designated comment period result in a significant proposed change to the content of the MTP or TIP, a second public comment period will be required. A significant change includes any addition, deletion, or change to the scope of a regionally significant project, and may include other changes at the discretion of KYOVA Staff.
- A public comment summary will be completed and included in the Final MTP and Final TIP.

Approval of the MTP and TIP

- The Technical Advisory Committee (TAC) will review the Final Draft MTP and/or Final Draft TIP after all comments from the public forums/meetings are addressed and will make a recommendation to the Policy Committee to adopt the Final MTP and/or Final TIP. If the TAC does not adopt the Final MTP and/or Final TIP as submitted, KYOVA Staff will address their concerns and resubmit for their approval. If there is a significant change required, an additional public comment period may be necessary. If an additional comment period is required KYOVA will begin the process with the steps as outlined above.
- After the recommendation is received from the TAC to the PC, the PC will vote to adopt the Final MTP and/or Final TIP at an Open Meeting. Open meetings may consist of a regularly scheduled meeting or an advertised special meeting. Meetings may be held in person, telephone conference, or other electronic means such as video conference which will ensure that the members can hear, and be heard by each other. If adopted, the Final MTP and/or Final TIP will move to the next phase of approval by the appropriate State DOT, Federal Highway Administration, and the Federal Transit Administration.
- KYOVA will provide a Resolution with PC approval and signature by the Committee Chair.

Federal and State approval of New MTP and TIP

- A Conformity Review and Approval by the Interagency Consultation (IAC) Group may be required. Notification of request to process along with the documentation (Resolution, Public Notice, Handouts, etc.) are forwarded to the IAC for approval. To start the IAC review process, KYOVA will request review and approval through their lead state FHWA (West Virginia). At that time, FHWA – West Virginia Division will provide the information to the other IAC members for their review. The IAC group includes individuals from FHWA (WV, KY and OH Divisions), FTA (Regions 3, 4, and 5), State Air Quality Divisions, KYTC, WVDOH/DOT, ODOT. The Conformity Review process with the IAC may be conducted concurrently with the 15-/30-day public review and generally begins at or near time the TAC begins their review. The IAC has 30 days after the signed Resolution is submitted to make a recommendation to adopt or reject the MTP and/or TIP. Once approved the information is forward to the WVDOH/DOT, KYTC, and ODOT for inclusion in the Statewide Transportation Improvement Program (STIP).
- WVDOT, KYTC-Program Management, and ODOT processes request(s) and provides Amendment/Administrative Modification number for inclusion in each of their state's STIP.
- After inclusion into the appropriate state STIP, projects will be ready to move forward.

B. Amendment Process for the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)

The MTP and TIP, as with any planning document, must recognize the potential for changes. Proposed changes must be reviewed and analyzed in a uniform manner which is achieved through the MTP and/or the TIP Amendment Process.

The Amendment Process is intended to provide the opportunity to update the MTP and TIP with unexpected needs such as ~~and~~ adding or deleting projects or to include language or other types or changes not limited to those to reflect federal guidelines, performance measures, etc.

The amendment process applies to projects that meet any of the following conditions:

- Add/Delete a project or phase(s) that requires a federal action (authorization) and is not eligible for an Administrative Modification (see below for definition of an Administrative Modification);
- Change in design concept and scope of the project;
- Change in cost estimates that affect fiscal constraint; and
- Change that affects air quality conformity.

There are times throughout the year when KYOVA is contacted by project sponsors concerning changes to projects. At that time, staff reviews the request and determines the appropriate action required to make the changes.

There are several key criteria and steps that must be met and adhered to when amending the MTP and/or TIP, which include the following:

- Projects must be reviewed for inclusion in the Metropolitan Transportation Plan (MTP).
- Projects programmed within the KYOVA planning area of the Huntington, WV-KY-OH Urbanized Area of West Virginia, Kentucky, and Ohio must be reviewed for fiscal constraint.
- KYOVA must review any addition, deletion, or change to the scope of a regionally significant project which contributes to and/or reduces transportation related emissions, requires a regional emissions analysis to be completed and a new conformity determination by FHWA and FTA. Additionally, at a minimum, Administrative Modifications for narrative or language revisions will be reviewed and approved by the KYOVA Policy Board.
- Amendments to the MTP and/or TIP shall have sufficient descriptive material to identify the project and include the total estimated cost. The amendments shall identify the location, project sponsor, amounts, and sources of funds to be obligated each year. It shall also identify attainment and non-attainment areas and conformity type.
- A 15-day public review period is required for all Amendments. During this time the public is afforded the opportunity to comment. Participation by interested citizens is sought as described within this KYOVA Participation Plan.
- KYOVA Staff will review and address and document all comments. Comments will be provided to the TAC as part of their review package.
- KYOVA is responsible for notification to WVDOT, KYTC (Division of Planning), ODOT, FHWA-WV, KY and OH Divisions, FTA-Region 3,4, and 5 offices and others as identified on the *KYTC's Routing and Information Sheet* and as directed by the WVDOT and ODOT to ensure immediate action is taken and to assure that the Amendment process and appropriate public involvement procedures have been followed. Notification may be by letter or e-mail with all appropriate documentation including a signed Resolution, an MTP/TIP replacement page, and public notice documentation.
- The Technical Advisory Committee (TAC) will review the Amendment after all comments from the public forums/meetings are addressed and will make a recommendation to the Policy Committee to adopt the Amendment. If the TAC does not recommend approval of the Amendment as submitted, KYOVA staff will address their concerns and resubmit for their approval. If there is a significant change proposed, an additional 15-day public comment period will be necessary. If an additional comment period is required KYOVA will begin the process with the steps outlined above. At a minimum, a significant change includes any addition, deletion, or change to the scope of a regionally significant project, and may include other changes at the discretion of the KYOVA Staff.

- After the recommendation is received from the TAC to the PC, the PC will vote to adopt the Amendment at an Open Meeting. Open meetings may consist of a regularly scheduled meeting or an advertised special meeting. Meetings may be held in person, telephone conference, or other electronic means such as video conference which will ensure that the members can hear, and be heard by each other. If adopted, the Amendment will move to the next phase of approval by the appropriate State DOT, Federal Highway Administration, and the Federal Transit Administration. KYOVA Staff will provide a Resolution for PC approval and signature by the Committee Chair.
- If a conformity determination is required, it will follow the same process as the new/updated MTP and TIP as outlined in the heading above, ***“Federal and State approval of New MTP and TIP.”***
- The WVDOT, KYTC, and ODOT are responsible for ensuring that the cost changes made to the STIP will be balanced during the STIP yearly update process.

C. Administrative Modification Process for the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)

An Administrative Modification may be possible in the event of a minor change to a project in the MTP and/or TIP. The following actions are eligible as Administrative Modifications to the MTP and/or TIP:

- Correcting obvious minor data entry errors.
- Splitting or combining projects without modifying the original project design, concept, scope, and funding unless such modification would qualify as an administrative modification.
- Changing or clarifying elements of a project description with no impact on fiscal constraint. This change would not alter the original project design, concept, or scope.
- Moving a project from one federal funding category to another except for STP-Urbanized funding.
- Moving a project from Federal funding to State funding.
- Shifting the schedule of a project or phase within the years covered by the MTP/TIP (with no impact to fiscal constraint).
- Adjusting corrections to funding that are determined insignificant (amount may be determined by each state process as accepted by KYOVA).
- Updating project cost estimates (within the original project scope and intent).
- Adding Planning, Design, Right of Way or Utilities “phases” to a construction project that is already included in the STIP.
- Moving any identified project phase programmed for previous year into a new TIP (rollover provision).
- Adding projects that are considered “Grouped Projects” as approved in the KYOVA Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) that do not require public review, redemonstration of fiscal constraint, or conformity determination. A listing of the “Grouped Projects” and Projects Not Requiring Public Review can be found in **Appendix B**. *Note: The “Grouped Projects” list was current at the time of adoption of this Participation Plan but may be changed through an MTP or TIP amendment without updating the Participation Plan.*

Administrative Modifications will be tracked by KYOVA staff and made available to appropriate committees through electronic communication and/or a written memorandum. As Administrative Modifications are non-action items, this notification does not have to be presented to KYOVA committees or the public prior to approval.

D. Amendment Policy Exclusion

Due to the number of amendments received in past years for minor operational improvements, local and state agencies may submit a single funding request for all years of the TIP which would provide for minor operational improvements such as: pavement markings; rail-safety projects; and resurfacing, restoration, and rehabilitation of roads. This policy will only apply to projects that are air quality exempt and not regionally significant. These projects can be listed in the TIP as “Various” with a general description of the type of improvement.

E. Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan)

The Coordinated Plan’s goal is to aid in the creation of collaborative transportation services for populations having inadequate access to private transportation. The process below outlines the procedures for adopting and modifying the Coordinated Plan. Draft and adopted documents will be available for review on the KYOVA website and at the KYOVA Office, and may be placed at select locations in the KYOVA planning area.

- **Public Involvement Meeting for Development:** KYOVA Staff (or by consultant) will hold workshops or other public involvement meetings from the early stages of plan development to solicit input from the general public.
- **Public Notice:** A public notice announcing the public comment period will be published in regional and local newspapers and posted on the KYOVA website. In addition to the published public notice for the public comment period, meetings may be publicized by press releases, social media such as Facebook, Twitter, and Instagram, in the “Local Happenings” section of the local newspaper, and announcement letters.
- **Public Comment Period:** 30-day comment period to end at least one week prior to Plan adoption.
- **Public Meeting for Draft Review:** Open house or other format meeting to solicit comments on draft plan. The meeting will be held during public comment period.
- **Public Comment Summary:** A summary of the public comments, if any, will be presented to the Policy Committee and will be included in the Appendix of the Plan.
- **Policy and Technical Advisory Committee meetings:** Public meetings at which the document will be reviewed/adopted. Policy Committee adopts the Plan or, if it differs significantly from the version made available for public comment, a revised draft Plan, in which case KYOVA Staff will provide additional opportunity for public comment following the steps above beginning with Public Notice.

F. ITS Architecture

KYOVA relies on each state’s ITS Architecture and their participation outreach efforts.

G. Participation Plan

The Participation Plan lays out the strategies, techniques, and methods used to provide public participation in transportation the planning and programming process. Draft and adopted document will be available for review on the KYOVA website and at the KYOVA office, and may be placed at other select locations in the KYOVA Planning area.

- Public Involvement Meeting for Development: KYOVA Staff (or by consultant) will hold workshops or other public involvement meetings from the early stages of plan development to solicit input from the general public.
- Public Notice: A public notice announcing the public comment period will be published in regional and local newspapers and posted on the KYOVA website. In addition to the published public notice for the public comment period, meetings may be publicized by press releases, social media such as Facebook, Twitter, and Instagram, in the “Local Happenings” section of the local newspaper, and announcement letters.
- Public Comment Period: 45-day comment period to end at least one week prior to Plan adoption.
- Public Meeting for Draft Review: Open house or other format meeting to solicit comments on draft plan. The meeting will be held during public comment period.
- Public Comment Summary: A summary of the public comments, if any, will be presented to the Policy Committee and will be included in the Appendix of the Plan.
- Policy and Technical Advisory Committee meetings: Public meetings at which the document will be reviewed/adopted. Policy Committee adopts the Plan or, if it differs significantly from the version made available for public comment, a revised draft Plan, in which case KYOVA Staff will provide additional opportunity for public comment following the steps above beginning with Public Notice.

H. Summary of Public Participation Policies

Tables 3 and 4 provide a summary of the documents required by the KYOVA Interstate Planning Commission for the Huntington, WV-KY-OH TMA. For each document the required notifications, comment period, and required update schedule are included. Duration of comment periods varies based on whether the document is being newly adopted or amended.

Table 3: Public Participation Policy Summary

Document Adoption			
Program or Plan	Required Notification	Comment Period	Required Updates
Metropolitan Transportation Plan (MTP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 4 years*
Transportation Improvement Program (TIP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 4 years*
Unified Planning Work Program (UPWP)	No public comment required but consultation with other state and federal agencies	N/A	Every Year
Participation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	45 calendar days	To reflect the most recent census or modification in the agency policy
Coordinated Public Transit Human Services Transportation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	30 calendar days	Every 5 years
Amendments to Existing Documents			
Metropolitan Transportation Plan (MTP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 calendar days	As needed
Transportation Improvement Program (TIP)	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 calendar days	As needed
Unified Planning Work Program (UPWP)	No public comment required but consultation with other state and federal agencies	N/A	As needed
Participation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	45 calendar days	As needed
Coordinated Public Transit Human Services Transportation Plan	Public Meeting/Open House – advertised in newspaper of largest circulation no less than 7 days prior to meeting	15 calendar days	As needed

Note: Both the MTP and TIP are required to be updated every four years, or more frequently, if the MPO elects to update more frequently in the case of: any area being designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 USC 7407(d)) or any area was nonattainment and subsequently designated to attainment in accordance with section 107(d) of that Act (42 USC 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 USC 7505(a)). In the case any other area required to have a transportation plan in accordance with the requirements of this subsection, the MPO shall prepare and update such plan every 5 years unless the MPO elects to update more frequently. (Source: 49 U.S. Code 5303 Metropolitan Transportation Planning & 23 CFR part 450).

Table 4: KYOVA Participation Procedures Summary Table

	Press Release/PSA	Website Announcement	Targeted Public Outreach	Publication of Legal Notice	Citizen Advisory Committee	Early Public Involvement Committee	Public Meeting for Final Draft Review	Policy and Technical Committee Meetings	Other Public Involvement Techniques	Public Comment Summary	Public Comment Period Duration	
√	√	√	√	√	√	√	√	*	√	30 days	Metropolitan Plan Update	Planning Activities
√	√					√	*	√	15 days	Metropolitan Plan Amendment		
√	√	√	√			√	√	*	√	30 days	TIP Update	
√	√					√	*	√	15 days	TIP Amendment		
√	√	√	√			√	√	*	√	45 days	Participation Plan	
√	√	√	√			√	√	*	√	30 days	Coordinated Transit Plan	
*	*	*	*	*	*	*	√	*	*	15 days	Other Documents*	

*Additional public comment process/techniques may be determined that go above and beyond those indicated above.

Note: Both the MTP and TIP are required to be updated every four years, or more frequently, if the MPO elects to update more frequently in the case of: any area being designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 USC 7407(d)) or any area was nonattainment and subsequently designated to attainment in accordance with section 107(d) of that Act (42 USC 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 USC 7505(a)). In the case any other area required to have a transportation plan in accordance with the requirements of this subsection, the MPO shall prepare and update such plan every 5 years unless the MPO elects to update more frequently. (Source: 49 U.S. Code 5303 Metropolitan Transportation Planning & 23 CFR part 450). KYOVA elects to the option to update the MTP and TIP more frequently.

Section 11

Grouped Projects and Projects Not Requiring Public Review

There are various highway improvement projects that are considered non-controversial and produce negligible impacts other than positive benefits for safety, traffic operations, or preservation. These projects are usually identified by category in the MTP and TIP and are generally not produced by the planning process and are usually a result of necessary traffic maintenance to correct existing problems and/or deficiencies. They may also be the result of a successful grant application by local governments or entities. Allowing additions and changes to project information for grouped projects to be processed as Administrative Modifications rather than Amendments will streamline the transportation planning process and allow projects to be authorized without unnecessary delay. **Appendix B** illustrates the recommended list of grouped projects that would allow for Administrative Modifications to the MTP and/or TIP to be approved through an expedited process without a requirement for public review. Any project listed in **Appendix B** could be subject to public involvement requirements if KYOVA, in consultation with the state DOT (West Virginia, Kentucky and/or Ohio) and/or the Federal Highway Administration (West Virginia, Kentucky and/or Ohio), determine that public review is appropriate due to a potential for controversy, negative impacts or public concern for any other reason. Justification for use of *Grouped Projects* is based on 23 CFR 450.326(h) which states:

“Projects that are not considered to be of appropriate scale for individual identification in a given program year may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. In nonattainment and maintenance areas, project classification must be consistent with the “exempt project” classifications contained in the EPA transportation conformity regulations (40 CFR part 93, subpart A). In addition, projects proposed for funding under title 23 U.S.C. Chapter 2 that are not regionally significant may be grouped in one-line item or identify individually in the TIP.”

Section 12

Measuring Effectiveness of the Participation Plan

Successful evaluation of the effectiveness of the *Participation Plan* requires tracking outreach activities and establishing initial baseline measurements. Reasonable efforts will be made to regularly evaluate the public participation process.

KYOVA continually strives for improved public involvement. Improvements should be made to increase public awareness and to improve the quantity and quality of information provided to the public. The decisions made by the MPO affect the entire population. KYOVA's success as a transportation planning agency is partially based on those decisions from the public input.

KYOVA Staff will monitor the amount of public participation resulting from each public outreach activity. This will be accomplished through various means, including:

- Keeping a record of attendance and involvement at public outreach and MPO events;
- Keeping a log of contacts with the public via phone, U. S. Postal Service Mail, e-mail, fax, in-person meetings or other means which resulted from a public outreach activity;
- Tracking the number of completed surveys or comment cards received from a public outreach event;
- Tracking distribution of public information materials, including brochures, newsletters and other publications;
- Tracking number of addresses on mailing list; and
- Other means appropriate for the type of public outreach.

The monitoring will identify any special circumstances which may have contributed to an unusually high or low attendance. It will also identify the nature of the notification process for the public outreach activity, including press releases, paid advertising, mailed notices, e-mails, phone calls and other means appropriate.

On an annual basis, the information collected through monitoring public outreach will be compiled and evaluated to assess the effectiveness of each type of outreach activity. This will include both a quantitative assessment of the number of participants, as well as a qualitative assessment of the level of interaction and information exchanged. The assessment will note the public involvement techniques used, the public's response, the public involvement objectives that were met by the meeting and any change to how the activity should be conducted in the future.

The monitoring and evaluation process will be used to determine the effectiveness of existing public involvement techniques. Each time a public involvement evaluation is performed, a list of improvement strategies needed should be identified for implementation. If improvement is needed for an ongoing public involvement task, such as the KYOVA website, a reasonable completion date should be established. If improvements are needed for one-time activities, such as corridor studies, the improvements should be

implemented where appropriate on future activities. Records of the monitoring and evaluation process will be kept on file at the KYOVA office.

a. Other Significant Activities/Products

KYOVA will consider and undertake appropriate outreach procedures on a case by case basis for other significant activities/products including but not limited to Studies (Planning, Corridor, Safety, Bicycle, Pedestrian, etc.) and Certification Reviews.

b. Coordination with the Statewide Participation Plan

Consultation with agency partners and interested parties will utilize many of the public participation tools and techniques, including electronic communication (e-mail and web-based), electronic newsletters, project workshops, small group meetings/focus groups, public hearings, comment forms, online interactive maps, surveys/questionnaires, and direct mailings. Consultation with agencies in review and comment of project and plans administered by KYOVA, at a minimum, will subscribe to the comment period stated previously.

Federal, State and Local Agencies

In developing the MTP and TIP, KYOVA Staff will consult with local and regional agencies and officials responsible for other planning activities within the KYOVA planning area located in the Huntington, WV-KY-OH TMA. This consultation may include local, regional, and/or private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movement, land use management, natural resources, conservation, and historic preservation. Ongoing coordination with these agencies will help identify effective mitigation strategies for potential impacts of projects included in the MTP. The MTP, TIP, and UPWP may be developed with consideration of other related planning activities within the KYOVA planning area, including the design and delivery of transportation services that are provided by:

- Recipients of assistance under Title 49, U.S.C. Chapter 54;
- Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation service; and
- Recipients of assistance under 23 U.S.C. 204.

Interagency agreements may be maintained between KYOVA and other local, regional, and state agencies. The agreements will describe KYOVA's role and responsibility in relation to the other agencies' work.

Interested Parties

KYOVA will provide the notice of public review meetings or review periods being held on the draft and final documents of the MTP, TIP, Participation Plan, and Coordinated Plan. Notice will be provided to known interested parties:

- Public transportation providers;
- Users of public transportation;
- Users of pedestrian walkways and bicycle facilities;

- Freight shippers;
- Providers of freight transportation services;
- Military installations;
- Private providers of transportation;
- Disabled, Elderly, Low-income and Limited English-speaking populations;
- Providers of non-emergency transportation services receiving financial assistance from a source other than Title 49, U.S.C. Chapter 53.

APPENDIX A

Targeted Outreach Analysis

Targeted Outreach Analysis

Appendix A describes KYOVA Interstate Planning Commission’s process for identifying and prioritizing targeted outreach efforts. KYOVA has included the following community members in the targeted outreach efforts to the traditionally underserved: the elderly; minorities; persons in poverty; educational attainment; the disabled; and those who speak English “less than very well”. The process of outreach to the traditionally underserved involves identifying focus areas where large numbers of these community members live. KYOVA has conducted demographic research and identified census tract-level focus areas for area residents comprising each of these categories of the traditionally underserved.

a. Demographic Analysis and Selection of Focus Areas

To identify and document where to focus outreach efforts for those as traditionally underserved, KYOVA determined that census tracts would provide the best scale for geographically locating these populations. Using the 2012-2016 American Community Survey estimates from the U. S. Census Bureau, KYOVA Staff collected data for each of the Census Tracts within Cabell and Wayne counties, West Virginia; Boyd and Greenup counties, Kentucky; and Lawrence County, Ohio in the following eight categories:

- individuals below poverty;
- individuals age 65 and over;
- minority population;
- Hispanic population;
- high school graduate or higher;
- individuals with Limited English Proficiency (speak English “less than very well”);
- individuals with a disability; and
- households with no vehicle.

Using these eight categories and data from the 78 census tracts located within the KYOVA Planning Area, the average of each category was determined. **Table A-1** shows the five-county and regional average for each category where **Table A-2** shows the detailed demographics for the five-county area by Census Tract.

Table A-1: County and Regional Averages for Targeted Outreach Determination

County Averages by Census Tracts	Cabell County, WV	Wayne County, WV	Boyd County, KY	Greenup County, KY	Lawrence County, OH	Regional Averages
% below Poverty	21.8	20.9	19.0	17.6	18.4	19.5
% Age 65 and over	17.0	18.3	17.8	19	17.4	17.9
% Minority	8.9	2.1	3.5	3.0	4.6	4.4
% Hispanic	1.4	0.6	1.6	1.0	0.9	1.1
% High School Graduate or higher	87	79.4	89.2	86.8	85.7	85.6
% who speak English “Less than very well”	0.9	0.4	0.4	1.5	0.3	0.7
% with a disability, Age 5 and over	19.8	23.7	20.5	19.1	21.5	20.9
% Households with No Vehicle	13.6	10.9	8.9	4.7	7.0	9.0

For each of the identified demographic characteristics, a regional average combining all five counties was found. This average is considered to be the Potentially Disadvantaged Threshold. If the percentage for a particular Census Tract exceed this Threshold in more than one of the eight (8) demographic categories, it may be considered to be a Potentially Disadvantaged Area or a Potential Targeted Outreach Area.

Next, the demographic characteristics were added to an Excel database for all of the Census Tracts within the five counties. For each characteristic, the 15 high/low percentages were identified, and those Census Tracts were classified as one of three Potentially Disadvantaged Area Tiers. The identified Potentially Targeted Outreach Areas based on the number of categories that exceeded the threshold are as follows:

- Tier 1: 5 to 6 Potentially Disadvantaged Thresholds
- Tier 2: 3 to 4 Potentially Disadvantaged Thresholds
- Tier 3: 1 to 2 Potentially Disadvantaged Thresholds

There are nine (9) Tier 1 Target Areas identified. Tier 1 indicates the highest potential need to provide supplemental outreach activities. There are eleven (11) Tier 2; and 36 Tier 3 Target Areas that were identified that may require additional public outreach beyond the general public notices. Outreach activities will be dependent on the type of project undertaken by KYOVA. **Table A-2** illustrates the data in tabular form.

Table A-2: Focus Areas for Potential Targeted Outreach

State	County	Census Tract	% Below Poverty	% Age 65 and Older	% Minority (non-white)	% Hispanic	% HS Graduate or Higher	% Speaks English "Less Than Very Well"	% Disability	% HH with No Vehicle	# of identified areas from top 15 (blue cells)	Tier Rank (from top 15 focus areas)
West Virginia	Cabell	1.01	36.6	18.5	8.1	5.7	83.8	0.0	25.7	15.3	2	3
		1.02	25.7	17.7	9.9	2.7	87.7	0.3	26.2	10.2	3	2
		2	33.8	18.7	2.9	1.7	68.9	0.7	35.1	23.0	5	1
		3	12.2	16.2	2.7	0.7	86.1	0.7	22.7	16.9	1	3
		4	64.4	7.0	12.8	0.5	80.0	0.3	11.5	20.9	4	2
		5	70.9	0.8	22.0	2.2	97.8	3.0	10.5	22.3	5	1
		6	68.3	20.1	21.5	2.2	77.3	4.2	19.2	39.4	6	1
		9	55.6	9.5	11.3	.6	74.7	0.0	30.3	47.2	4	2
		10	36.0	14.4	5.4	2.6	87.7	1.2	27.3	22.6	5	1
		11	30.7	17.9	6.7	1.4	81.8	0.4	24.6	26.3	2	3
		12	10.7	17.0	14.9	1.4	94.9	1.6	18.3	11.3	2	3
		13	30.3	11.4	8.6	0.4	96.2	0.4	11.6	20.4	0	
		14	34.1	11.0	38.1	3.9	91.4	1.3	19.5	19.8	4	2
		15	40.7	22.2	46.3	0.0	81.3	0.4	21.7	40.2	4	2
		16	42.5	7.7	22.3	0.0	79.5	0.8	27.6	19.6	5	1
		18	44.3	10.1	21.0	0.5	85.2	1.1	30.5	31.8	5	1
		19	17.6	19.0	6.1	10.8	96.8	0.0	12.7	2.2	1	3
		20	5.7	20.6	12.2	1.2	95.0	1.1	14.0	3.2	2	3
		21	15.6	26.6	1.9	0.6	95.6	0.0	12.7	5.1	1	3
		101.02	15.4	19.2	1.2	0.3	88.3	0.2	17.1	5.8	0	
	102.01	10.6	19.5	9.5	0.4	93.0	0.9	17.2	5.8	1	3	
	102.02	11.4	21.7	5.5	0.8	93.2	0.6	19.2	1.6	2	3	
	103	7.6	20.8	2.4	0.0	88.0	0.6	19.9	8.5	0		
	104	8.2	17.2	8.0	2.4	82.9	3.8	20.7	12.5	2	3	
	105	14.5	16.2	0.0	0.0	81.0	0.0	14.7	2.8	0		
	106	10.0	18.6	1.3	0.0	85.0	0.0	20.1	4.0	0		
	107	5.8	19.4	3.4	0.4	87.0	0.5	19.7	3.5	0		
	108	20.0	19.1	1.5	0.7	90.7	0.0	18.6	6.6	0		
	109	48.3	14.1	13.7	5.6	74.5	1.5	37.0	47.8	6	1	
	Wayne	51	13.3	17.5	7.2	0.0	93.7	9.2	18.1	6.9	1	3
52		6.2	21.8	1.3	0.0	83.6	0.0	24.6	8.2	1	3	
201		14.7	16.5	3.4	0.7	87.8	1.2	18.1	5.9	1	3	
203		18.0	22.7	3.6	1.7	82.4	0.7	37.0	20.7	3	2	
204		14.3	20.1	2.8	1.4	88.4	0.3	18.6	10.6	0		
205		30.6	16.6	0.0	0.1	80.2	0.0	25.8	10.7	1	3	
206		25.2	13.3	2.9	0.5	81.5	0.0	22.1	9.3	0		
207		10.6	20.3	0.1	0.0	82.6	0.0	24.4	2.5	0		
208		28.2	15.3	1.0	1.1	70.8	0.0	29.1	12.8	2	3	
209		26.6	17.9	1.4	0.0	63.0	0.0	29.1	13.0	2	3	
210	31.1	20.6	0.8	0.0	62.3	0.0	29.1	12.5	2	3		
Kentucky	Boyd	302	47.4	12.4	13.1	2.2	76.5	1.5	29.7	42.5	6	1
		303	31.9	22.8	6.8	2.1	80.8	0.3	25.0	22.5	4	3
		304	26.7	12.3	7.1	0.0	85.3	0.4	25.0	10.1	1	3
		305	12.5	19.1	8.6	2.3	94.1	0.0	18.9	2.2	1	3
		306	8.1	22.1	1.6	1.3	94.3	0.0	18.6	7.8	1	2
		307	17.2	20.2	6.3	3.2	96.6	0.3	18.0	7.4	1	
		308	42.0	12.6	8.1	1.4	84.4	0.0	24.7	17.4	2	3
		309	20.6	20.9	3.3	0.0	92.1	0.0	21.8	4.8	1	
		310.01	17.5	21.5	4.1	0.0	88.4	0.9	24.4	6.2	2	
		310.02	16.0	15.6	11.1	5.5	89.5	1.9	19.1	6.2	3	3
	311	11.0	16.6	0.4	0.0	88.2	0.0	17.9	2.6	0	3	
	312	10.1	16.7	0.0	0.0	85.9	0.0	16.5	4.2	0	3	
	313	22.1	20.2	5.5	0.5	86.1	0.6	22.4	15.1	0	1	
	Greenup	401	11.3	21.6	4.5	2.9	94.4	5.2	17.1	5.2	3	2
		402.01	13.2	23.9	3.4	0.0	92.0	0.0	23.5	0.9	1	3
		402.02	16.1	17.0	5.5	2.1	90.9	0.3	19.3	9.2	1	3
		403	15.5	21.8	2.1	0.1	89.2	0.1	21.5	5.6	1	3
404		15.6	16.0	1.8	0.5	86.4	0.1	15.1	3.3	0	3	
405.01		17.2	14.7	1.2	1.3	86.6	0.1	23.5	4.2	1	3	
405.02		23.6	20.1	4.2	0.5	82.8	0.6	19.5	4.1	0		
406	24.0	21.2	2.3	0.4	78.0	0.0	16.9	5.4	2	3		
407	23.9	17.1	1.8	1.2	77.1	0.0	18.5	3.2	1	3		

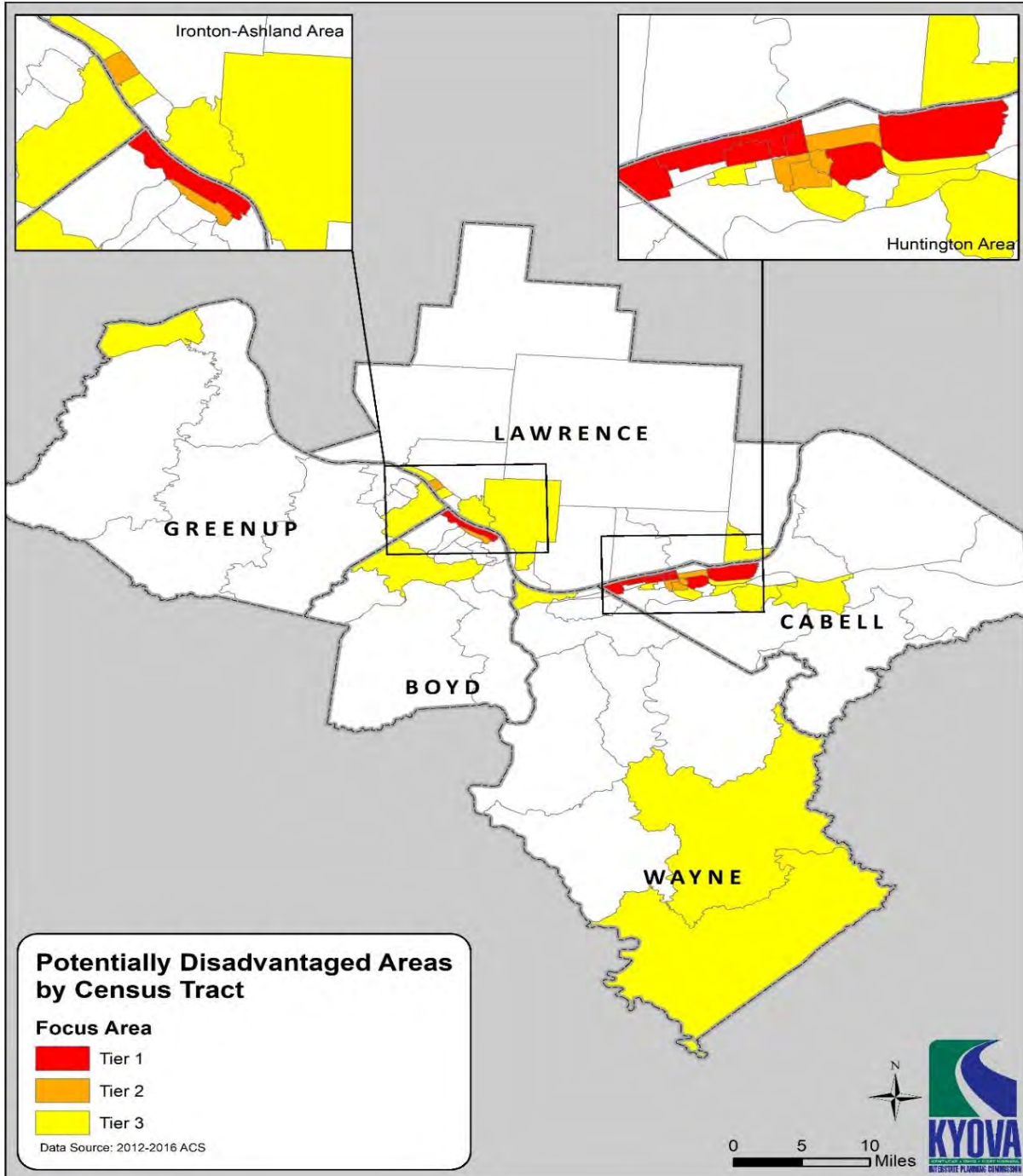
Table A-2: Focus Areas for Potential Targeted Outreach – Continued

State	County	Census Tract	% Below Poverty	% Age 65 and Older	% Minority (non-white)	% Hispanic	% HS Graduate or Higher	% Speaks English "Less Than Very Well"	% Disability	% HH with No Vehicle	# of identified areas from top 15 (blue cells)	Tier Rank (from top 15 focus areas)
Ohio	Lawrence	501	21.4	26.2	7.3	0.0	82.7	0.0	23.1	6.5	1	3
		502	14.2	16.0	2.4	0.0	90.7	0.5	25.9	11.8	1	3
		503	23.0	15.6	27.5	9.9	84.3	0.3	25.9	21.2	4	2
		504	22.9	16.7	3.7	2.5	87.3	0.5	24.9	17.9	3	2
		505	9.5	23.0	3.8	0.7	87.3	0.0	19.9	24.6	2	3
		506	13.0	18.8	2.2	0.0	80.3	0.0	22.7	3.8	0	
		507	22.3	14.5	1.0	0.0	75.5	0.3	23.3	10.8	0	
		508	33.6	14.8	4.1	0.0	86.8	0.0	22.2	4.9	0	
		509	22.5	20.3	2.2	1.0	80.1	1.5	12.1	4.2	2	3
		510.01	12.2	13.0	6.5	1.4	85.8	0.0	21.6	5.2	0	
		510.02	33.9	14.1	1.6	0.3	79.6	0.0	24.9	9.3	3	2
		511	17.2	18.6	2.8	0.0	89.3	0.7	21.2	4.8	1	3
		512	16.8	14.3	9.4	1.5	86.0	0.1	19.0	5.7	0	
		513	22.7	19.8	1.4	0.8	85.8	0.4	21.7	4.5	0	
514.01	5.5	18.0	2.4	0.0	90.0	1.1	12.6	31.4	2	3		
514.02	14.5	15.2	4.8	0.1	88.8	0.0	18.3	2.8	0			
<i>Census Tract Totals</i>			1795.0	1361.6	531.6	101.9	6661.5	50.7	1683.8	970.7		
<i>Census Tract Averages</i>			23.013	17.456	6.815	1.306	85.404	0.650	21.857	12.445		
<i>Rounded Census Tract Averages</i>			23	17	7	1.3	85	0.7	22	12		
CTs above demographic averages (CT Total divided by # of CTs)				Identified high/low possible outreach areas (Top 15 from each category averages)					CT=Census Tract			

Tier Level	# Identified Census Topics for Tier Level	Potential to concentrate outreach activities	# Identified Areas in Tier
Tier 1	5 to 6 Identified Categories	High	9
Tier 2	3 to 4 Identified Categories	Medium	11
Tier 3	1 to 2 Identified Categories	Low	36

Figure A-1 illustrates the Potentially Disadvantaged Areas and Potential Focus Areas by Census Tract for the KYOVA Planning Area.

Figure A-1: Potentially Disadvantaged Areas and Potential Focus Areas



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APPENDIX B

Projects Not Requiring Public Review and Grouped Project List

Projects Not Requiring Public Review and Grouped Project List

Amendments to the Metropolitan Transportation Plan (MTP) and/or the Transportation Improvement Program (TIP) may be processed for the listed project types without a requirement for public review. **Table B-1** are projects exempt from the requirement to determine conformity as outlined in 40 CFR 93.126 Table 2. These projects may proceed toward implementation even in the absence of a conforming MTP or TIP. Projects are not exempt, if the MPO in consultation with other agencies (93.105©(1)(iii)), and the FHWA (in the case of a highway project) or FTA (in the case of a transit project) concur that it has potentially adverse emissions impacts for any reason.

Table B-1: Exempt Projects – Title CFR 93.126 (Table 2)

Safety Projects	
Adding median	Projects that correct, improve, or eliminate a hazardous location or feature
Bridge reconstruction (no additional lanes)	Railroad/highway crossing
Emergency relief (23 U.S.C. 125)	Railroad/highway crossing warning devices
Emergency truck pullovers	Safer non-Federal-aid system roadways
Fencing	Safety roadside rest areas
Guardrails, median barriers, crash cushions	Shoulder improvements
Highway Safety Improvement Program (HSIP) implementation	Skid treatments
Increasing sight-distance	Traffic control devices and operating assistance other than signalization projects
Lighting improvements	Truck climbing lanes outside the urbanized area
Pavement markings	Widening narrow pavements (no additional lanes)
Pavement resurfacing and/or rehabilitation	

Transit Projects	
Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR part 771	Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.)
Construction of small passenger shelters and information kiosks	Purchase of support vehicles
Construction or renovation of power, signal, and communications systems	Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
Operating assistance to transit agencies	Rehabilitation of transit vehicles. <i>NOTE: In PM10 and PM2.5 nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.</i>
Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet. <i>NOTE: In PM10 and PM2.5 nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.</i>	Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way
Purchase of office, shop, and operating equipment for existing facilities	

Table B-1: Title 40 CFR 93.126 – Exempt Projects (Table 2) – Continued

Air Quality Projects	
Bicycle and pedestrian facilities	
Continuation of ride-sharing and van-pooling promotion activities at current levels	
Other Minor Projects	
Acquisition of scenic easements	Plantings, landscaping, etc.
Directional and informational signs	Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes
Emergency or hardship advance land acquisitions (23 CFR 710.503).	Sign removal
Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.	Specific activities which do not involve or lead directly to construction, such as: <ul style="list-style-type: none"> ○ Federal-aid systems revisions. ○ Grants for training and research programs. ○ Planning activities conducted pursuant to titles 23 and 49 U.S.C. ○ Planning and technical studies
Noise attenuation	Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities)

Grouped Project List included in KYOVA’s MTP and TIP Grouped Project List

Grouped Project List includes types of projects for which public review is not required. KYOVA has incorporated this list into their MTP and TIP to expedite the process for Administrative Modifications. Anticipated projects include but are not limited to:

Bicycle and pedestrian facilities	Median guardrail/cable projects
Bridge inspection	Park and Ride facilities
Bridge painting	Pavement markers and striping
Bridge rehabilitation	Pavement resurfacing, restoration, and rehabilitation
Bridge replacement	Planning and technical studies
Congestion Mitigation Air Quality (CMAQ) projects	Purchase of new buses (to replace existing vehicles or for minor expansion)
Commuter ridesharing programs	Rail crossing projects
Construction or renovation of transit facilities	Rail Crossing separation
Highway signing	Recreational Trails program
Highway safety improvements	Rehabilitation of transit vehicles
HSIP – Drive Smart Safety Corridors	Safe Routes to School projects
HSIP – high cost safety improvement	Traffic signal system improvements
HSIP – high risk rural roads	Transit operating assistance
HSIP – lane departure roadway section	Transit operating equipment
HSIP – lane departure resurfacing improvements	Transit passenger shelters and information kiosks
HSIP – older drivers	Transportation, Community, and System Preservation (TCSP) projects
Intelligent Transportation System (ITS) projects	Transportation Enhancement (TE) projects
Intersection improvements for safety or efficiency	

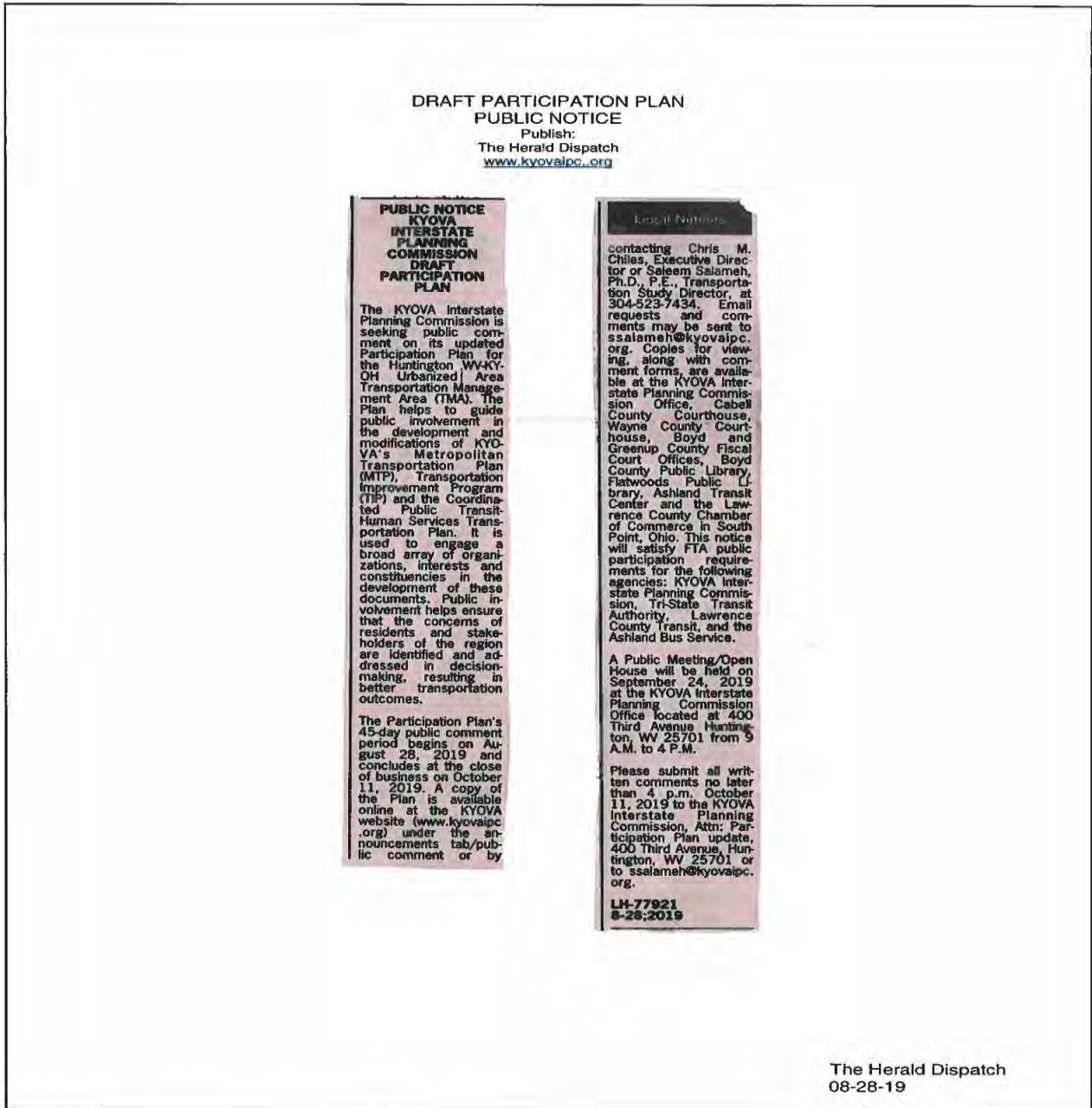
APPENDIX C

Participation Plan Public Outreach Activities and Documentation

Public Outreach Activities and Documentation

The following are copies of notices published in the newspaper the largest circulation in the KYOVA Planning area on August 28, 2019. The Draft Participation Plan was available for review at several locations as well as on the KYOVA website – see notices for locations and website link.

Figure C-1: Participation Plan Public Notices



Public Meeting/Open House

A Public Meeting/Open House was held on September 24, 2019 from 9:00 a.m. to 4:00 p.m. at the KYOVA office.

There was no public attendance during the designated time for the Public Meeting/Open House.

Public Comments

This section includes significant comments received during the 45-day public comment period from August 28, 2019 through October 11, 2019. Also included are the responses of how the comments were addressed.

No significant comments were received during the Public Comment Period.

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APPENDIX D

Interagency Coordination/Consultation Contact List

Interagency Coordination/Consultation List

Table D-1 provides the information for the Huntington, WV-KY-OH TMA Interagency Consultation List.

Table D-1: Huntington, WV-KY-OH TMA Interagency Consultation List (as of October 1, 2019)

	KENTUCKY (Boyd, Greenup Counties)	OHIO (Lawrence County)	WEST VIRGINIA (Wayne, Cabell Counties)
MPO			
Mail to	Christopher Chiles, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701	Christopher Chiles, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701	Christopher Chiles, Executive Director KYOVA Interstate Planning Commission 400 Third Avenue/P. O. Box 939 Huntington, WV 25701
Contact	Saleem A. Salameh, Technical Studies Director E-mail: ssalameh@kyovaipc.org Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director E-mail: ssalameh@kyovaipc.org Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director E-mail: ssalameh@kyovaipc.org Phone: 304-523-7434 Fax: 304-529-7229
FEDERAL TRANSPORTATION			
Mail to	Todd Jeter, Division Administrator Federal Highway Administration – KY 330 West Broadway Frankfort, KY 40601-1981	Laurie Leffler, Division Administrator Federal Highway Administration – OH 200 N. High Street, Room 328 Columbus, OH 43215-2408	Barbara Breslin, Acting Division Administrator Federal Highway Administration – WV 54 Court Street Charleston, WV 25301
Contact	Bernadette Dupont, Air Quality and Planner Bernadette.dupont@dot.gov Phone: 502-223-6729 Fax: 502-223-6735	Noel Mehlo, Air Quality and Planner E-mail: noel.mehol@dot.gov Phone: 614-280-6841	Chandra Inglis-Smith, Air Quality and Planner E-mail: Chandra.inglis-smith@dot.gov Phone: 304-347-5329
STATE TRANSPORTATION			
Mail to	Greg Thomas, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Jack Marchbanks, Ph.D. , Director Ohio Department of Transportation 1980 W. Broad Street, Mail Stop 3280 Columbus, OH 43223	Byrd White, Secretary WV Department of Transportation 1900 Kanawha Blvd E, Bldg. 5, Room 110 Charleston, WV 25304-0430
Contact	Central Office Thomas Witt, Transportation Eng. Specialist E-mail: Thomas.witt@ky.gov Phone: 502-782-5093 Mikael Pelfry, Branch Manager/Air Quality Mikael.pelfry@ky.gov Phone: 502-782-5073 Flemingsburg District Office (HDO9) Joe Callahan, Planning (Primary Contact) E-mail: joe.callahan@ky.gov Matt Dillon, Planning (Secondary Contact) E-mail: matt.dillon@ky.gov Darrin Eldridge, Planning E-mail: darrin.eldridge@ky.gov Steve Gunnell, Executive Director (HDO9) E-mail: steve.gunnell@ky.gov Phone: 606-845-2551	Dave Moore dave.moore1@dot.state.oh.us Nathaniel Brugler Nathaniel.brugler@dot.ohio.gov Sam Granato, TDF sam.granato@dot.state.oh.us Phone: 614-466-0754	Perry Keller, Planner E-mail: perry.j.keller@wv.gov Phone: 304-558-9591 Chris J. Kinsey E-mail: chris.j.kinsey@wv.gov Phone: 304-558-7419 Timothy Sedosky, Air Quality E-mail: timothy.b.sedosky@wv.gov Phone: 304-558-9575

FEDERAL AIR AGENCY			
Mail to	Scott Davis, Branch Chief – Air Planning Environmental Protection Agency, Region 4 61 Forsyth Street, S.W. , 12 th Floor Atlanta, GA 30303-8909	John Mooney, Branch Chief – Air Programs Environmental Protection Agency, Region 5 77 West Jackson Boulevard Mail Code: AR-18J Chicago, IL 60604-3507	Christina Fernandez, Director – Air Protection Environmental Protection Agency, Region 3 1650 Arch Street Philadelphia, PA 19103-2172
Contact	Dianna Myers, Environmental Scientist E-mail: myers.dianna@epa.gov Phone: 404-562-9207 Fax: 404-562-9207	Anthony Maietta, Environmental Science E-mail: maietta.anthony@epa.gov Phone: 312-353-8777 Pamela Blakley, Chief E-mail: Blakley.pamela@epa.gov Phone: 312-886-4447	Gregory Becoat, Environmental Protection Specialist E-mail: becoat.gregory@epa.gov Phone: 215-814-2036 Phone (main): 215-814-2500
State Air Agency			
Mail to	Melissa Duff, Director – Division for Air Quality KY Energy & Environment Cabinet 300 Sower Boulevard, 2 nd Floor Frankfort, KY 40601 Phone: 502-564-3999	Robert Hodanbosi, Chief – Air Pollution Control Ohio EPA – Division of Air Pollution Control 50 West Town Street, Suite 700 (P. O. Box 1049) Columbus, OH 43215 (43216-1049)	David Fewell, Technical Analyst WV Dept. of Environmental Protection – Division of Air Quality 601 57 th Street SE Charleston, WV 25304
Contact	Ben Cordes/Anna Bowman/Ashlee Whisman E-mail: ben.cordes@ky.gov Phone: 502-782-6586 Anna Bowman E-mail: anna.bowman@ky.gov Phone: 502-782-6563 Ashlee Whisman E-mail: ashlee.whisman@ky.gov Phone: 502-782-4716 Fax: 502-564-4666	Paul Braun E-mail: paul.braun@epa.state.oh.us Phone: 614-644-3734 Jennifer Van Vlerah E-mail: Jennifer.vanvlerah@epa.state.oh.us Phone: 614-644-3696	David Fewell, Technical Analyst E-mail: David.r.fewel@wv.gov Phone: 304-926-0499 Ext. 1255
Federal Transit			
Mail to	Yvette Taylor, Regional Administrator Federal Transit Administration – Region 4 230 Peachtree St., NW, Suite 1400 Atlanta, GA 30303-1512	Kelley Brookins, Regional Administrator Federal Transit Administration – Region 5 200 W. Adams Street, Suite 320 Chicago, IL 60606	Terry Garcia Crews, Regional Administrator Federal Transit Administration – Region 3 1760 Market Street, Suite 500 Philadelphia, PA 19103-4124
Contact	Aviance Webb, Community Planner E-mail: aviance.webb@dot.gov Phone: 404-865-5489	Mark Kane, Community Planner E-mail: mark.kane@dot.gov Phone: 312-353-1552	Michele DeAngelis, Community Planner E-mail: michele.deangelis@dot.gov Phone: 215-656-7246 Ryan Long, Community Planner E-mail: ryan.long@dot.gov Fax: 215-656-7051
State Transit			
Mail to	Greg Thomas, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Chuck Dyer, Administrator Ohio Office of Transit 1980 W. Broad Street, 2 nd Floor Mail Stop: 3110 Columbus, OH 43233	William (Bill) Robinson, Executive Director West Virginia Division of Public Transit 1900 Kanawha Blvd E, Bldg. 5, Room 650 Charleston, WV 25305
Contact	Eric Perez, Executive Director (Office of Transportation Delivery) E-mail: eric.perez@ky.gov Phone: 502-564-7433 Fax: 502-564-2058	Juana Hostin, Urban Transit Program Coordinator E-mail: juana.hostin@dot.ohio.gov Phone: 614-644-0304	William (Bill) Robinson, Executive Director E-mail: bill.c.robinson@wv.gov Phone: 304-558-0428

Local Transit

Mail to	Michelle Grubb, Transit Superintendent City of Ashland Ashland Bus System P.O. Box 1839 / 9915 th Street) Ashland, KY 41105	Mike Payne, Public Transportation Director Lawrence County Transit (LCT) 223 South Second Street Ironton, OH 45638	Paul Davis, CEO Tri-State Transit Authority (TTA) P. O. Box 7965 1120 Virginia Avenue Huntington, WV 25779
Contact	Michelle Grubb, Transit Superintendent /Ashland Bus System City of Ashland P.O. Box 1839 Ashland, KY 41105 E-mail: mgrubb@ashlandky.gov Phone: 606-327-2007 Fax: 606-327-2060	Mike Payne, Public Transportation Director Lawrence County Transit (LCT) 223 South Second Street Ironton, OH 45638 E-mail: mpayne@lcao.org Phone: 740-532-2269, Ext. 302	Paul Davis, CEO E-mail: pdaivis@tta-wv.com Jennifer Woodall, Assistant Manager E-mail: jwoodall@tta-wv.com Phone: 304-529-6094 Fax: 304-529-7300

APPENDIX E

Regulatory Requirements

Regulatory Requirements

The Federal-Aid Highway Act of 1962 created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas. This legislation required, as a condition attached to federal transportation financial assistance, that transportation projects in urbanized areas of 50,000 in population to develop comprehensive transportation plans to receive federal funding for road construction projects. MAP-21 and earlier transportation acts expanded and placed greater emphasis on the role of MPO's in transportation planning. As part of this legislation, public participation was stressed as a part of the transportation planning and decision making process. KYOVA Interstate Planning Commission is responsible for establishing a planning process for the Huntington, WV-KY-OH Planning Area that is Continuing, Cooperative and Comprehensive ("3C" process) in its approach to transportation planning, including maintaining a formal process for public participation.

Beginning with the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in 2005 and continued with following transportation acts (TEA-21 and MAP-21), required MPO's to develop and utilize a "participation plan" that provides reasonable opportunities for interested parties (citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled) to comment on the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and other planning documents and activities within the MPO. Further, this participation plan must be developed "in consultation with all interested parties" and the public must have input on the participation plan. Following adoption by the Policy Committee, this Participation Plan will guide the development of all transportation plans and projects and must be in place before the MPO can take action on an updated or amended MTP and TIP.

Federal requirements for the public participation activities were issued in the Code of Federal Regulations, 23 CFR Part 450 and 49 CFR Part 613, but the US Department of Transportation in 1994. SAFETEA-LU mandated that the metropolitan transportation planning process contain the following participation elements:

23 CFR 450.316

1. The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcome for:
 - i. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed MTP and TIP;
 - ii. Providing timely notice and reasonable access to information about transportation issues and processes;
 - iii. Employing visualization techniques to describe the MTP and TIP;
 - iv. Making public information (technical information and meeting notices) available in electronically accessible formats and means;
 - v. Holding any public meeting at convenient and accessible locations and times;

- vi. Demonstrating explicit consideration and response to public input received during the development of the MTP and TIP;
 - vii. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
 - viii. Providing an additional opportunity for public comment, if the final MTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from public involvement efforts;
 - ix. Coordinating with the statewide transportation planning public involvement and consultation processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce the redundancies and costs;
 - x. Periodically reviewing the effectiveness of the procedures and the strategies contained in the participation plan to ensure a full and open participation process.
2. When significant written and oral comments are received on the draft MTP and TIP (including the financial plans) as a result of the participation process or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR Part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final MTP and TIP.
 3. A minimum public comment period of 45 calendar days shall be provided before the initial Participation Plan is adopted by KYOVA. Copies of the approved Participation Plan shall be provided to the FHWA and FTA for informational purposes and shall be posted on the KYOVA's website.

49 CFR Part 21

Be consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C 324 and 29 U.S.C. 794), which ensure that no person shall, on the grounds of race, color, religion, sex (including gender identity), national origin, disability, or age be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving Federal assistance from the United States Department of Transportation.

Executive Order 12898

Comply with Presidential Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Environmental Justice directed federal agencies to develop environmental justice strategies to help federal agencies address disproportionately high and adverse human health or environmental effects of their programs on minority or low-income populations.

49 CFR Part 37

Comply with the Americans with Disabilities Act (ADA) and the US Department of Transportation regulations "Transportation for Individuals with Disabilities". Meetings and hearings must be held in ADA-compliant buildings and special accommodations must be made for those with disabilities to participate in meetings, and planning and programming activities.

APPENDIX F

Title VI Complaint Process and Complaint Form



Title VI Complaint Procedure

7. The Title VI Coordinator will notify FHWA's Division office within ten (10) calendar days of receipt of the allegation(s). Generally, the following information will be included in every notification:
 - a. Name, address, and phone number of the complainant.
 - b. Email address, if available.
 - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability/handicap, etc.).
 - d. Date of the alleged discriminatory act(s).
 - e. Date of complaint received by the recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or Federal) where the complaint has been filed.
 - h. An explanation of the actions the recipient has taken or proposed to resolve the issue(s) raised in the complaint.
8. Within sixty (60) calendar days from the date the original complaint was received, the Title VI Coordinator will conduct and complete an investigation of the allegation(s) and assessed on the information obtained, will render a recommendation for action in a report of findings to FHWA's Division Office.
9. The Title VI Coordinator will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race color, sex, age, national origin, disability/handicap, or income status; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigator/team feels is relevant to the complaint. The interviews are recorded either on audio tape or by taking notes. The Title VI Coordinator arranges for the complainant to read, make necessary changes to, and sign the interview transcripts or interview notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.
10. Within ninety (90) calendar days of receipt of the complaint, the Title VI Coordinator will forward the investigative report to the FHWA. Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, the disposition and date of the disposition, and any other pertinent information. If, for some reason, the investigation cannot be completed within this timeframe, a status report shall be submitted to FHWA and the report shall follow upon completion. The FHWA will review and issue the official "Letter of Findings" to the complainant.

If the complaint cannot be resolved by KYOVA to the satisfaction of all parties concerned, the party not satisfied is advised of his or her right to appeal pursuant to Title 49, Code of Federal Regulations, Part 21. The appeal must be filed, in writing no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary to:

Federal Highway Administration
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-314
Washington, DC 20590

A complaint may be filed with the Secretary, U.S. Department of Transportation, before, during, or after the complaint has been filed with KYOVA Interstate Planning Commission.

Informal Title VI Complaint Procedure

Title VI complaints may be resolved by informal means. When informal means are used, the complainant is informed of his or her right to file a formal written complaint. Any complaint received in writing is considered to be a formal complaint and is handled under the formal complaint procedure outlined above. KYOVA will periodically inform the state DOTs of all informal complaints. When a complaint has been directly filed with another federal agency, KYOVA is to be informed by the agency where the complaint has been filed and is to take whatever action is needed to resolve the complaint.



Procedimiento de denuncia del Título VI

Limadura de la denuncia

La Comisión de planeamiento de un estado a otro de KYOVA utiliza el procedimiento interno siguiente, detallado para el aviso que procesa y la resolución de todas las denuncias del título VI. Estos procedimientos incluyen, pero no se limitan:

1. Cualquier persona que crea que lo o la, individualmente, como miembro de cualquier clase específica, han sujetado a la discriminación prohibida por el título VI del acto de las derechas civiles de 1964, según la enmienda prevista, puede archivar una denuncia con el coordinador del título VI de KYOVA. Una denuncia se puede también archivar por un representante en nombre de tal persona.
2. Para tener la denuncia considerada conforme a este procedimiento, la denuncia se debe archivar no más adelante de 180 días naturales después:
 - ❖ La fecha del acto alegada de la discriminación; o
 - ❖ Donde ha habido un curso de continuación de la conducta, la fecha la cual esa conducta fue interrumpida.
3. Las denuncias serán llenadas usando el formulario de la denuncia del Título VI de KYOVA (haga clic aquí para el formulario) o entrando en contacto con al Coordinador del Título VI del KYOVA en 304-523-7434. Las denuncias serán dispuestas tan completamente como sea posible los hechos y las circunstancias que rodean la discriminación demandada. En caso de que una persona haga una denuncia verbal de la discriminación a un oficial o a un empleado del beneficiario, la persona será entrevistada con por el coordinador del título VI. En caso de necesidad, el coordinador del título VI ayudará a la persona en la reducción de la denuncia a la escritura y presentará la versión escrita de la denuncia a la persona para la firma. La denuncia entonces será manejada de la manera usual.

Las denuncias se deben dirigir a:
Comisión de planeamiento de un estado a otro de KYOVA
Atención: Coordinador del Título VI Atención:
400 terceras Avenidas/P. O. Box 939
Teléfono: 304-523-7434

4. Tras el recibo llenada el formulario y firmada la denuncia, el coordinador del Título VI abrirá una sesión la denuncia, determinará la base de la denuncia y determinará quien debe conducir la investigación. En muchos casos, el coordinador del Título VI servirá como el investigador.
5. El coordinador del Título VI revisa y determina la acción apropiada con respecto a cada denuncia del Título VI. KYOVA no procederá con ni continuará una investigación de denuncia si:
 - a. El formulario de la denuncia no es completo o firmado.
 - b. La denuncia esta, en su valor nominal sin mérito.
 - c. Las mismas alegaciones y aplicaciones la denuncia han sido abordadas en una investigación recientemente cerrado o por decisiones del tribunal federales anteriores.
 - d. La denegación del denunciante o del partido herido a cooperar (denegación incluyendo para dar el permiso para divulgar su identifica) ha hecho imposible investigar más legos.
6. Dentro de diez (10) los días laborales, el coordinador del Título VI reconocerá el recibo de la alegación, informe al denunciante la acción realizada o propuesta que se tomara para procesa las alegaciones, y aconsejan el denunciante de otras avenidas de la compensación disponibles, por ejemplo, la administración federal de la carretera (FHWA), la administración federal del tránsito (FTA), Ministerio de Justicia y el Ministerio de Transporte. La letra de la notificación contiene:
 - a. La base de la denuncia.
 - b. Una declaración breve de las alegaciones sobre las cuales KYOVA tiene jurisdicción
 - c. Una declaración breve de la jurisdicción de KYOVA sobre el beneficiario para investigar la denuncia; y
 - d. Una indicación de cuando los partidos serán entrados en contacto con.

Procedimiento de denuncia del Título VI



7. El coordinador del título VI notificará la oficina de la división de FHWA dentro de diez (10) los días naturales del recibo de las alegaciones. La siguiente información será incluida en cada notificación:
 - a. Nombre, dirección, y número de teléfono de el denunciante.
 - b. Dirección de correo electrónico, si está disponible.
 - c. Base de la denuncia (es decir, raza, color, origen nacional, sexo, edad, incapacidad/desventaja, etc.).
 - d. Fecha del alegado.
 - e. Fecha de la denuncia recibida por el beneficiario.
 - f. Una declaración de la denuncia.
 - g. Otras agencias (estado, local o federal) donde se ha archivado la denuncia.
 - h. Una explicación de las acciones el beneficiario ha tomado o propuesto resolver las cuestiones planteadas en la denuncia.
8. Dentro de sesenta (60) días naturales a partir de la fecha que la denuncia original fue recibida la denuncia recibid, el coordinador del Título VI lo va a hacer del Título VI Coordinato y termina una investigación de las alegaciones y la evaluó rendirá una recomendación para la acción en un informe de hallazgos a la oficina de la división de FHWA.
9. El coordinador del Título VI Conducirá una entrevista profundizada, personal con los denunciantes. La información recopilada en esta entrevista incluye: identificación de cada denunciante por color de la raza, el sexo, la edad, el origen nacional, la incapacidad/la desventaja, o la situación de la renta; nombre del denunciante; una declaración completa referente a la naturaleza de la denuncia, incluyendo nombres, lugares, e incidentes implicados en la denuncia; la fecha que la denuncia fue archivada; y cualquier otra información pertinente el investigador/el equipo siente es relevante a la denuncia. Las entrevistas son registradas en la cinta de audio o tomando notas. El Coordinador del Título VI arregla para que el denunciante lea, realice cambios necesarios a, y firme las transcripciones de la entrevista o las notas de la entrevista. Todo lo posible será hecho para obtener la resolución temprana de denuncias en el nivel posible más bajo.
10. Dentro de noventa (90) días naturales del recibo de la denuncia, el coordinador del título VI transmitirá al informe de investigación el FHWA. Se incluye con el informe una copia de la denuncia, copias de toda la documentación referente a la denuncia, la fecha que la denuncia fue archivada, la fecha, la investigación fue terminada, la disposición y la fecha de la disposición, y cualquier otra información pertinente. Si, por alguna razón, la investigación no se puede terminar dentro de este calendario, un informe será sometido a FHWA y el informe seguirá sobre la realización. El FHWA revisará y publicará la "letra oficial de hallazgos" al denunciante.

Si la denuncia no puede ser resuelta por KYOVA para satisfacción de todos los partidos referidos, el partido no satisfecho se aconseja de su derecha de apelar de conformidad para titular 49, código de regulaciones federales, parte 21. La súplica debe ser archivada, en la escritura no más adelante de 180 días naturales después de la fecha de la discriminación alegada, a menos que la época para la limadura sea prolongada por la secretaria a:

Oficina Federal de la Administración de la carretera
De las Derechas Civiles
1200 Avenida de New Jersey, SE
8vo piso E-81-314
Washington, DC 20590

Una denuncia se puede archivar con la secretaria; U.S. Departamento del transporte, antes, durante o después de la denuncia se ha archivado con la Comisión de planeamiento de un estado a otro de KYOVA.

Procedimiento de denuncia informal del título VI

Las denuncias del título VI pueden ser resueltas por medios informales. Cuando se utilizan los medios informales, el denunciante es informado de su derecha de archivar una denuncia escrita formal. Cualquier denuncia recibida en la escritura se considera ser una demanda oficial y se maneja conforme al procedimiento de la demanda oficial resumido arriba. KYOVA informara periódicamente a los puntos del estado todas las denuncias informales. Cuando una denuncia se ha archivado directamente con otra agencia federal, KYOVA debe ser informado por la agencia donde la denuncia se ha archivado y es tomar cualesquiera medidas son necesarias resolver la denuncia.

Note: Translation provided by www.sustranet.com/translate/

Nota: Traducción proporcionada por www.sustranet.com/transtale/

**KYOVA Interstate Planning Commission
Title VI Complaint Form**



Section I			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format	Large Print <input type="checkbox"/>	Audio Tape	<input type="checkbox"/>
Requirements	TDD <input type="checkbox"/>	Other	<input type="checkbox"/>
Section II			
Are you filing this complaint on your own behalf?		Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are filing the complaint.			
Please explain why you have filed for a third party. If more space is needed, please use the back of this form or a separate sheet.			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Section III			
I believe the discrimination I experienced was based on (check all that apply):			
Race <input type="checkbox"/>	Color <input type="checkbox"/>	National Origin <input type="checkbox"/>	Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/>
Other (explain):			
Date of Alleged Discrimination (Month, Day, Year):			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form or a separate sheet.			



KYOVA Interstate Planning Commission Complaint Form – Continued			
Section IV			
Have you previously filed a Title VI complaint with this agency?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Section V			
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, check all that apply:	Federal Agency <input type="checkbox"/>	Federal Court <input type="checkbox"/>	State Agency <input type="checkbox"/>
	State Court <input type="checkbox"/>	Local Agency <input type="checkbox"/>	
Please provide information about a contact person at the agency/court where the complaint was filed.	Name:		
	Title:		
	Agency:		
	Address:		
	Telephone:		
E-mail Address:			
Section VI			
Name of agency complaint is against:			
Contact Person:			
Title:			
Telephone Number:			
E-mail:			

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below.

Signature

Date

Please submit this form in person to the address below, or mail this form to:
 KYOVA Interstate Planning Commission
 Attention: Title V/EJ Coordinator
 400 Third Avenue
 P. O. Box 939
 Huntington, WV 25712

Formulario de Quejas del Título VI de la Comisión de
Planificación Interestatal de KYOVA



Sección I			
Nombre:			
Dirección:			
Teléfono (Hogar):		Teléfono (Trabajo):	
Dirección de correo electrónico:			
Requisitos de formato accesible	Letra grande	<input type="checkbox"/>	Cinta de audio
	TDD	<input type="checkbox"/>	Otro
Sección II			
¿Está presentando esta queja en su propio nombre?		Sí* <input type="checkbox"/>	No <input type="checkbox"/>
* Si respondió "sí" a esta pregunta, vaya a la Sección III.			
De lo contrario, proporcione el nombre y la relación de la persona por la que está presentando la queja.			
Por favor, explique por qué ha solicitado un tercero. Si necesita más espacio, utilice la parte de atrás de este formulario o una hoja por separado.			
Confirme que ha obtenido el permiso de la parte perjudicada si está presentando una solicitud en nombre de un tercero.		Sí <input type="checkbox"/>	No <input type="checkbox"/>
Sección III			
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):			
Carrera <input type="checkbox"/>	Color <input type="checkbox"/>	Origen nacional <input type="checkbox"/>	Años <input type="checkbox"/> Discapacidad <input type="checkbox"/> Estado familiar o religioso <input type="checkbox"/>
Otro (explique):			
Fecha de presunta discriminación (mes, día, año):			
Explique lo más claramente posible qué sucedió y por qué cree que lo discriminaron. Describa todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice la parte de atrás de este formulario o una hoja por separado.			



Formulario de Queja de la Comisión de Planificación Interestatal de KYOVA - Continuación			
Sección IV			
¿Ha presentado anteriormente una queja del Título VI con esta agencia?		Sí <input type="checkbox"/>	No <input type="checkbox"/>
Sección V			
¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal?		Sí <input type="checkbox"/>	No <input type="checkbox"/>
En caso afirmativo, marque todo lo que corresponda:	Agencia Federal <input type="checkbox"/>	Corte federal <input type="checkbox"/>	Agencia del estado <input type="checkbox"/>
	Corte estatal <input type="checkbox"/>	Agencia local <input type="checkbox"/>	
Proporcione información sobre una persona de contacto en la agencia / corte donde se presentó la queja.	Nombre:		
	Título:		
	Agencia:		
	Dirección:		
	Teléfono:		
Dirección de correo electrónico:			
Sección VI			
El nombre de la queja de la agencia es contra:			
Persona de contacto:			
Título:			
Número de teléfono:			
E-mail:			

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

Firma y fecha requeridas a continuación.

Firma

Fecha

Envíe este formulario en persona a la dirección que figura a continuación,
o envíe este formulario a:
KYOVA Interstate Planning Commission
Atención: Coordinador Título VI / EJ
400 Third Avenue
P. O. Box 939
Huntington, WV 25712