

# KYOVA Interstate Planning Commission

## Participation Plan

*(For the Huntington, WV-KY-OH Urbanized Area\*)*

**September 30, 2025**

**KYOVA Interstate Planning Commission**

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*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 FY 2026 Participation Plan was available for the required 45-day comment period from XXXXXXXXXX to XXXXXXXXXX as advertised by newspaper, MPOs website, social media, and presented to the KYOVA 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*

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**INSERT RESOLUTION ADOPTING THE  
UPDATE TO THE KYOVA PARTICIPATION  
PLAN**

# 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 a total population equal to or greater than 50,000. A Transportation Management Area (TMA) is defined as an urbanized area with a total population equal to or greater than 200,000.

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly require 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 that are consistent with the planned development for the area and are in compliance with federal air quality standards. In addition to the MTP, a Transportation Improvement Program (TIP), Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan), and Unified Planning Work Program (UPWP) are required planning documents. If an MPO is a designated Transportation Management Area (TMA) they are required to complete a Congestion Management Process (CMP) which shall be developed, established, and implemented as part of the metropolitan planning process that includes coordination with transportation system management and operations activities. The CMP addresses 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.

These products are required to follow the "3C" (Continuous, Cooperative, and Comprehensive) planning process that are consistent with the objectives of the metropolitan area. To receive funds, any federally-funded transportation project for the region must be included in the KYOVA Metropolitan Transportation Plan (MTP), the Transportation Improvement Program (TIP), and the relevant state Statewide Transportation Improvement Program (STIP).

## KYOVA Overview

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.

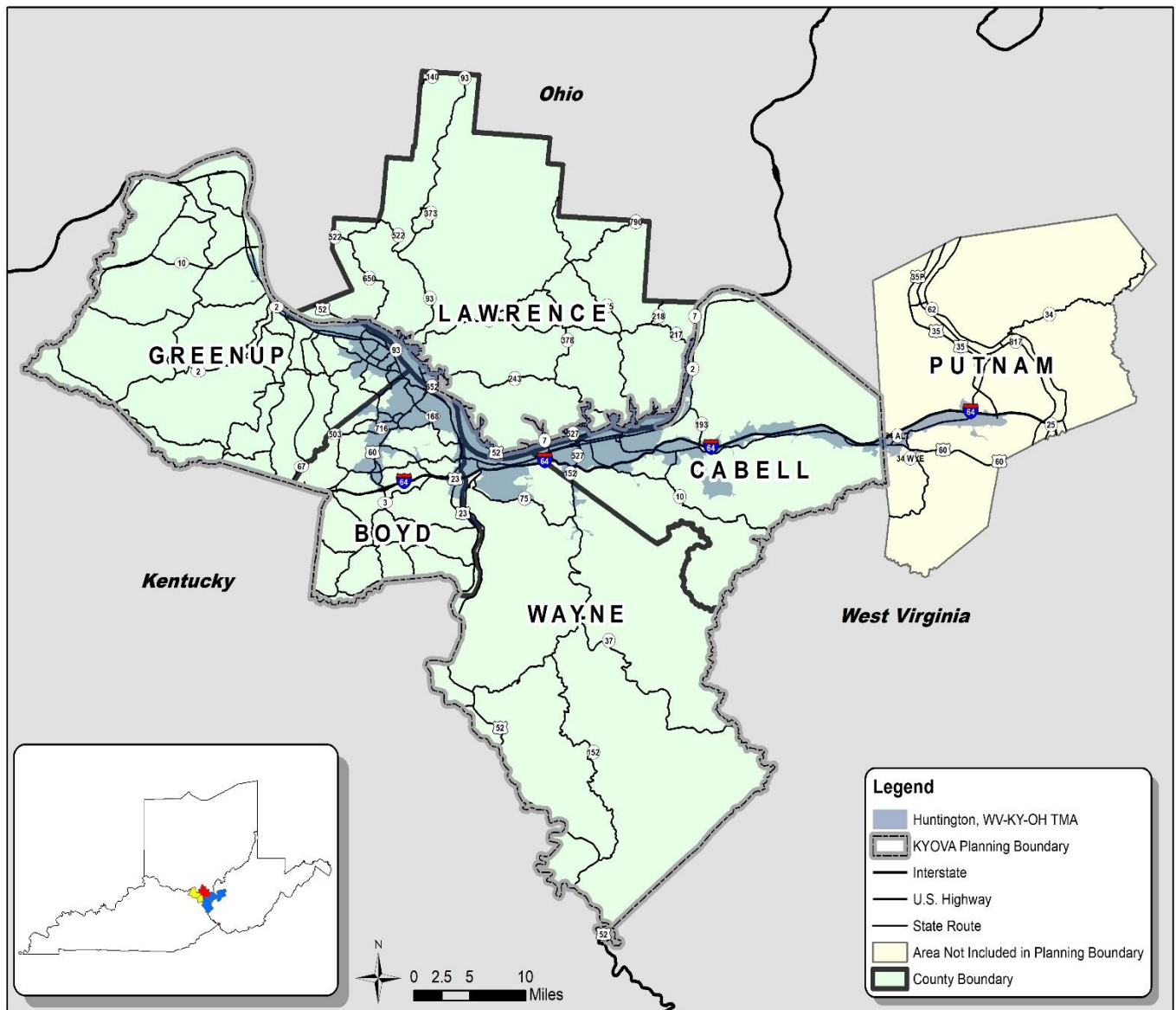
The TAC is comprised of planners, engineers, community representatives, and professional staff from various departments and agencies throughout the KYOVA planning area. The TAC is directly responsible to the PC. Citizen Advisory Committees or Project Steering Committees may be organized to assist and/or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

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) and was redesignated with the 2020 Census. The geographical boundaries include: West Virginia counties of Cabell, Wayne, and a portion of Putnam<sup>1</sup>, 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 Area.

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<sup>1</sup> 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**



## MPO Planning Functions, Products, and Funding

The Metropolitan Transportation Plan (MTP), at a minimum, is a 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 do so. A few reasons to trigger a more frequent update may be if 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 improve the transportation system. These activities include but are not limited to the previously mentioned Congestion Management Process (CMP); corridor and engineering studies; safety studies; bicycle, pedestrian, and transit related studies; along with various planning activities. KYOVA staff frequently 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.

KYOVA is responsible for programming transportation improvements that utilize federal and state funds and works 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. KYOVA developed and manages the Surface Transportation Block Grant (STBG) program where funds are suballocated to KYOVA for transportation related projects.



# Section 2

## Federal Guidance

### **Guiding Legislation: Infrastructure Investment and Jobs Act (IIJA)**

The Infrastructure Investment and Jobs Act (IIJA) was signed into law on November 15, 2021. As with the earlier transportation acts, (FAST Act, SAFETEA-LU, MAP 21, and TEA-21) the BIL 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. The MPO transportation planning process strives to promote consistency between transportation improvements, state and local planned growth, and economic development patterns as part of the Metropolitan Transportation Plan (MTP) update. Title 23 Section 450.316 specifies the public participation plan requirements – see *Appendix E*.

# Section 3

## Public Participation General Guidance

### Public Participation General Guidance

KYOVA's Participation Plan outlines the processes to ensure proactive public involvement methods targeting those who are traditionally underserved by existing transportation systems, such as low-income and minority households and to provide information, timely public notices, full public access to key decisions, and the opportunity for early and continuing participation. It also outlines how KYOVA will disseminate information for projects and programs within the planning area. KYOVA's processes are 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.

To accommodate a variety of public outreach techniques, KYOVA's Participation Plan includes a variety of strategies that ensure there are no barriers to citizen participation and that minority and low-income populations are engaged in transportation decision making. This process is designed to inform and educate the public about the technical components of transportation planning and allows the public the opportunity to voice concerns, offer suggestions, and make recommendations regarding transportation related issues and specific projects. 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. 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. 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 transportation planning activities 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.

To identify individual 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 2023: American Community Survey 5-Year Estimates Data Profiles and the 2020 U. S. Census. This report does not reflect population changes occurring since that time. Efforts have been made to ensure that the data is accurate to provide the best coverage for the expenditure made to contact people concerning projects.

The public involvement activities for KYOVA's Participation Plan are documented in **Appendix C**. The Plan is coordinated with the stakeholders on individual project 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](http://www.kyovaipc.org)) under the **About Us** tab.

The Participation Plan is an evolving document and will be continually reviewed for possible revisions. This document replaces KYOVA Interstate Planning Commission's Participation Plan dated January 2023 and will serve as the public participation procedures for the KYOVA Planning Area beginning October 1, 2025.

## **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 1** 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 23. A participation procedures summary (**Tables 2 and 3**) for particular planning activities and actions are designated on page 29.

**Table 1: KYOVA Public Participation Strategies**

	<b>INFORM</b>	<b>CONSULT</b>	<b>INVOLVE</b>	<b>COLLABORATE</b>
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"><li>• Fact Sheets</li><li>• Websites</li><li>• Open Houses</li></ul>	<ul style="list-style-type: none"><li>• Public Comment</li><li>• Surveys</li><li>• Public Meetings</li></ul>	<ul style="list-style-type: none"><li>• Workshops</li><li>• Charrettes</li></ul>	<ul style="list-style-type: none"><li>• Citizen Advisory Committee</li><li>• Technical Committee</li></ul>

### 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 by contacting 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](http://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 Title VI populations as well as other general populations to solicit feedback on projects, plans, etc.
- Provide public comment information on the KYOVA website ([www.kyovaipc.org](http://www.kyovaipc.org)).
- Meetings and documents and/or projects under review will be posted on the KYOVA website ([www.kyovaipc.org](http://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, handwritten, or orally 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 and Americans with Disabilities Act

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 disparaged impact discrimination (i.e., a neutral policy or practice that has a disparate impact on protected groups).

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:

- **The Civil Rights Restoration Act of 1987**, further clarified the intent of Title VI to include all programs and activities of entities whether those programs and activities are federally funded or not.
- **Federal Highway Act of 1973 - Gender Added (23 U.S.C. 324)** prohibits discrimination on the basis of sex.
- **Age Discrimination Act of 1975** prohibits discrimination on the basis of age in programs or activities receiving Federal Financial Assistance.
- **49 CFR Part 21** is a regulation that prohibits discrimination on the grounds of race, color, or national origin in any program or activity receiving Federal financial assistance from the Department of Transportation.
- **23 CFR Part 200** purpose is to provide guidelines for (a) Implementing the Federal Highway Administration (FHWA) Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and (b) Conducting Title VI program compliance reviews relative to the Federal-aid highway program.
- **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) (49 CFR part 21) (42 U.S.C. 4601)].

To ensure full compliance with Title VI, 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 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 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](http://www.kyovaipc.org)) under the Title VI Tab. The Title VI complaint process and form are also available for review in **APPENDIX F**. Any such complaint must be filed 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](http://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 (10) 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 may 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](http://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 citizens, stakeholders, 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](http://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](http://www.kyovaipc.org)).



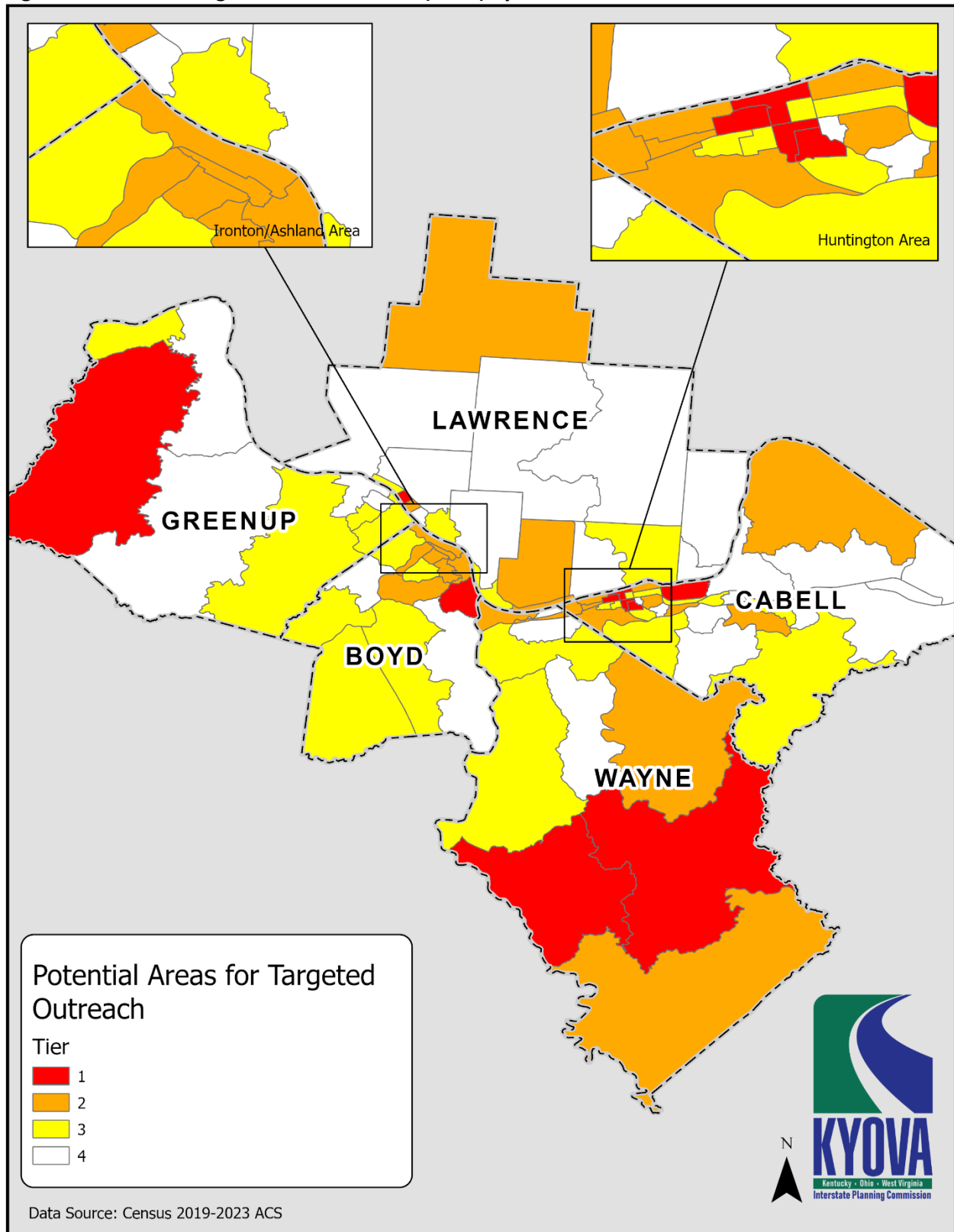
# Section 6

## Targeted Outreach Methods and Focus Areas

Most of KYOVA's regional population can be informed of the planning activities through general outreach methods. However, certain segments of the population may benefit from additional outreach activities and resources. These populations may be considered 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. Certain Federal regulations emphasize the necessity of identifying the identified populations and required agencies to develop techniques and procedures to increase the involvement of these community members in the MPO planning activities.

KYOVA has included the following population groups in enhanced outreach efforts in planning and programs: 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 for potential target outreach areas. The number of factors occurring at a rate higher than the regional average for that factor illustrates the potential for a targeted outreach. **Figure 2** demonstrates potential target outreach areas by Census Tracts where the data were aggregated for each of the identified factors. **Appendix A** describes the process KYOVA uses for targeted outreach efforts along with maps illustrating the individual factors. These areas may be targeted for extended outreach during Metropolitan Transportation Plan development and approval stages, and as appropriate for other planning activities.

Figure 2: Potential Targeted Outreach Areas (TOAs) by Census Tract



A major reason for conducting thorough public outreach for transportation planning is to attempt to provide all 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 the 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](http://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 information to the website for the 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 amendment to the 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, the Congestion Management Plan (CMP), and other special planning activities. Citizen Planning/Steering Committees are also employed to help guide plan development.

KYOVA's Technical Advisory Committee (TAC) and Policy Committee (PC) meetings are open to the public. Meeting minutes and audio (via the KYOVA website) of the Policy Committee are posted shortly following the meeting.

- **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 organizations, 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 (if any), which is provided to the Policy Committee prior to their taking action on the relevant process. Additionally, MPO Staff notifies the three (3) state DOTs (WVDOH, KYTC and ODOT) of the received comments 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 *CFR 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 accessible locations and are announced in advance. If no business is pending, the Committee Chair may cancel meetings. Other meetings may be called on an as-needed basis. All meetings of the PC are open to the public. Upon request, individuals may be placed on the PC mailing list for notification of meetings 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 the Committee Chair may cancel the meeting. Other meetings may be called on an as-needed basis with meetings open to the general public. Upon request, individuals may be placed on the TAC mailing list for notifications of meetings and activities. The TAC allocates 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 are 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; the Kentucky counties of Boyd and Greenup, and the urbanized portion of Lawrence County, Ohio. The policies and programs of KYOVA strives to avoid negative impacts on all residents within the KYOVA Planning Area to include the elderly, minority, and low-income populations. 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. Targeted outreach population analysis can be found in **Appendix A**. The data utilized for the demographic data was taken from the 2020 U.S. Census Bureau and the 2023 American Community Survey 5 Year Estimates.



# 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 are ADA compliant to better serve the elderly, low-income, minority, and disabled populations and will attempt to solicit feedback from all populations. For those who wish to receive the information electronically, our website ([www.kyovaipc.org](http://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](http://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 techniques (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) need 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. The transit agencies rely on the Participation Plan actions to meet FTA Section 5307, 5310, and all other FTA Program of Projects (POP) requirements. 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), the Congestion Management Process (CMP), and solicitation of regionally significant projects.

### **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 relating to the MTP and/or TIP.
- Draft MTPs and TIPs will be made available to the public for review (in-house and on-line at the KYOVA website [[www.kyovaiipc.org](http://www.kyovaiipc.org)]) seven (7) days prior to the public meeting.
- Public meetings will be publicized on the KYOVA website ([www.kyovaiipc.org](http://www.kyovaiipc.org)) and may also be publicized by other means such as press releases with local/regional news agencies, Facebook, Twitter, Instagram, local event/meetings, and announcement letters.
- New MTPs and TIPs will undergo a 30-day Public Comment Period which will end no earlier than 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/comment 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 TAC recommendation for approval is provided to the PC, the PC will vote to adopt the Final MTP and/or Final TIP. Both the TAC and PC meetings will be Open to the Public. 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 review and 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 begins at or near time the TAC begins their review. The IAC has 30 days after the signed Resolution is submitted with request to make a recommendation to adopt or reject the MTP and/or TIP. Once approved the information is forwarded to the WVDOH/DOT, KYTC, and ODOT for inclusion in the Statewide Transportation Improvement Program (STIP).
- WVDOH, 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 adding or deleting projects or to include language or other types or changes not limited to those to reflect federal guidelines, performance measures, etc.

In general, the amendment process applies to projects that meet any of the following conditions but each DOT state may have different requirements in addition to those listed below. For detailed change requirements for WVDOH, KYTC, ODOT see Appendix B.

- 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 as detailed by each state DOT.
- Change in cost estimates that affect fiscal constraint.
- Change that affects air quality conformity.
- Transit project that exceed established thresholds, if established, by each state DOT.

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 WVDOH, KYTC (Division of Planning and Programming), ODOT, FHWA-WV, KY and OH Divisions, FTA-Regions 3, 4, and 5 and others as identified on the *KYTC's Routing and Information Sheet* and as directed by the WVDOH 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 restart 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/Adjustments 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 administrative modification/adjustment is to meet 23 CFR 450 requirements. For detailed change requirements for WVDOT, KYTC, ODOT see ***Appendix B***. The following actions are those eligible projects most like to process as an Administrative Modifications/Adjustment 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 from the 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 conclude 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 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 within 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 is required by federal regulations and should conclude 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 2 and 3** provide a summary of the federally required documents required by the MPO – KYOVA KYOVA Interstate Planning Commission for the Huntington, WV-KY-OH TMA. Included for each document are the required notifications, comment period, and update schedule. Duration of comment periods varies based on whether the document is being newly adopted, administratively modified, or amended.

**Table 2: Public Participation Policy Summary**

<b>Document Adoption/New Documents</b>			
<b>Program or Plan</b>	<b>Required Notification</b>	<b>Comment Period</b>	<b>Required Updates</b>
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 recent census data 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			
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	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)	Consultation with state and federal agencies – no public comment required	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

**Table 3: KYOVA Participation Procedures Summary**

Press Release/PSA	Website Announcement	Targeted Public Outreach	Publication of Legal Notice	Citizen Advisory Committee	Early Public Involvement Meeting Forum	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	
✓	✓	✓	✓			✓	✓	*	✓	30 days	
✓	✓	✓	✓			✓	✓	*	✓	30 days	
*	*	*	*	*	*	✓	*	*	*	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).*

# 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 allow for Administrative Modifications/Adjustments 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

## Virtual Public Meeting Policy

To address public health officials and federal, state and local governments response, KYOVA will utilize virtual public involvement technologies and techniques for public participation activities related to metropolitan transportation planning under the applicable statutes, 23 U.S.C. 134-135, as a way to satisfy the public meetings provisions. Therefore, the following guidelines have been established for the public's engagement during times when in-person meetings are not feasible and/or when deemed the needs are best served by a web-based virtual meeting format. Web-based virtual meetings also serve as another method to encourage feedback from individuals who would not typically have the time or transportation to attend a regular public meeting; therefore, they provide an opportunity for a greater number of individuals to participate. The following provides guidelines for use with Virtual Public Meetings.

1. KYOVA may conduct any meeting through video teleconferencing.
2. The schedule of regular meetings, to include time, place, and format (in-person or video/teleconferencing or both, with specific information on how the public or media organizations can access the virtual meeting) shall be made available to the public on the KYOVA website.
3. The notice shall clearly state that the meeting will be a Video/Teleconference and precisely identify a primary location of the video/teleconference where all members can be seen and/or heard.
  - a. Kentucky KRS 61.846 requires members to be seen and heard. However, during a state of emergency, such as the COVID-19 pandemic, these conditions may be modified or eliminated. KRS SB 150 (8)(b), signed by the Governor on March 30, 2020, provides a temporary exception to the Open Meetings Act to allow public agencies that lack the technological capacity and availability to video teleconference to conduct meetings by audio teleconference. If the meeting is to be conducted under these circumstances, the code (KRS SB 150) should be cited.
4. Any interruption in the video and/or audio broadcast, due to the fault of KYOVA, shall result in the suspension of the video teleconference until the broadcast is restored or rescheduled.
5. If a special meeting is called, a meeting notice shall be delivered to all parties on the KYOVA committee and placed on the KYOVA website for public notification at least 24 hours prior to the meeting. The meeting notice will include meeting time, place, format (in-person or video/teleconferencing to include specific information on how the public or media organization can access the virtual meeting) and agenda. Discussion and action at special meetings shall be limited to items on the agenda in the notice.
6. KYOVA may incorporate web-based virtual meetings as a supplement to in-person meetings. If the meeting is held virtually, the meeting format and information and how the public or media organizations can access virtual meetings will be published on the KYOVA website. Attendees must abide by the established guidelines. All questions, and/or concerns, shall be directed to KYOVA's Executive Director.

### Meeting Platforms

KYOVA may participate in a variety of web-based virtual meeting platforms. These platforms will be coordinated with the federal, state, and local community agencies to ensure there are no restrictions

governing the format. Web-based platforms may include but are not limited to: Zoom; Teams; GotoMeeting; Cisco WebEx; Facebook Live; and YouTube. At a minimum, links to web-based virtual meetings will be published on the KYOVA website.

### **Policy Board and Technical Committee Meetings**

KYOVA virtual meetings will have the option for public participation through use of a call-in number or through a web-based virtual meeting platform as defined above. Members of the public may submit written comments on any agenda item under the virtual meeting process. The deadline for submitting written comments will be 3 business days prior to the meeting date. Any public comments received prior to the deadline will be read into the official record as part of the agenda. To record participation, participants will be asked to sign-in via Chat Box, or other such format, which will constitute as the official sign-in. KYOVA Staff will have a roll call (verbal or by request to sign-in via Chat Box or other such format) for Policy Committee (PC) and Technical Advisory Committee (TAC) Meetings. If an individual calls in by phone they will identify themselves and KYOVA Staff will document their attendance. Individuals that do not sign-in or identify themselves will not be recorded as participants.

Members of the public desiring to address the Policy Committee (PC) or the Technical Advisory Committee (TAC) for specific items on the agenda during the virtual meeting may do so provided they contact the KYOVA Office in advance of the meeting. They will be given 3 minutes to address the Policy Committee (PC) and/or Technical Advisory Committee (TAC) and will be prompted when it is their turn to speak. At the Committee Chair's discretion, he/she may allot additional time to the speaker. Minutes of the meeting will be available on the KYOVA website following the meeting. All other meeting guidelines for the Policy Committee (PC) and the Technical Advisory Committee (TAC) will continue to follow Robert's Rules of Order.

### **Project-based and Other Public Meetings**

As a tool to inform and include the public, KYOVA will include virtual meeting component for the public participation process. Web-based virtual meetings, social media, and the KYOVA website will serve as the primary outreach tools. Public meeting materials will be made available in advance of the meeting and will be posted on the KYOVA website. To record participation, the public will be asked to sign-in via Chat Box, or other such format, which will constitute as the official sign-in. If an individual calls in by phone they need to identify themselves so KYOVA Staff may document their attendance. Individuals that do not sign-in or identify themselves will not be documented as a participant. At times, a consulting firm may host public meetings for a specific project and when feasible may provide links to meeting summaries.

### **Special Accommodations**

It is understood individuals may lack reliable internet service and/or access. Therefore, persons with limited internet access may request meeting and/or project information to be mailed to them. The public is also afforded the right to request hard copies of all documents and provide written comments which should be directed to KYOVA Interstate Planning Commission.

# Section 13

## 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 for 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 involves identifying potential 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 2023 American Community Survey 5-Year Estimates and the 2020 U. S. Census data, KYOVA Staff collected information 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:

- All people 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 87 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 for each of the eight categories.

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

	West Virginia		Kentucky		Ohio	Regional Averages
	Cabell County	Wayne County	Boyd County	Greenup County	Lawrence County	
% Individuals/People Below Poverty	19.8	15.7	17.7	15.1	17.5	20.0
% Age 65+	19.6	21.8	20.2	21.6	18.8	20.0
% Minority/Non-White	10.3	4.0	7.0	4.6	6.0	1.0
% Hispanic (of any race)	1.7	0.9	1.7	1.1	1.1	1.5
% HS Graduate or Higher	90	85.3	89	90.3	90.0	88.0
% Who speak English “Less than very well”	0.7	0.4	0.7	0.6	0.3	1.0
% With a Disability, Age+	19.5	24.2	21.8	20.9	22.4	20.0
% Households with No Vehicle	10.6	8.9	8.5	5.4	6.3	10.0

For each of the identified demographic characteristics, a regional average combining all five counties was found. This average is considered to be the Potential Target Outreach Area 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 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 highest/lowest percentages were identified, and those Census Tracts were classified as one of four potential Target Outreach Area Tiers. The Potentially Targeted Outreach Areas were identified based on the on the number of categories that exceeded the threshold, and are as follows:

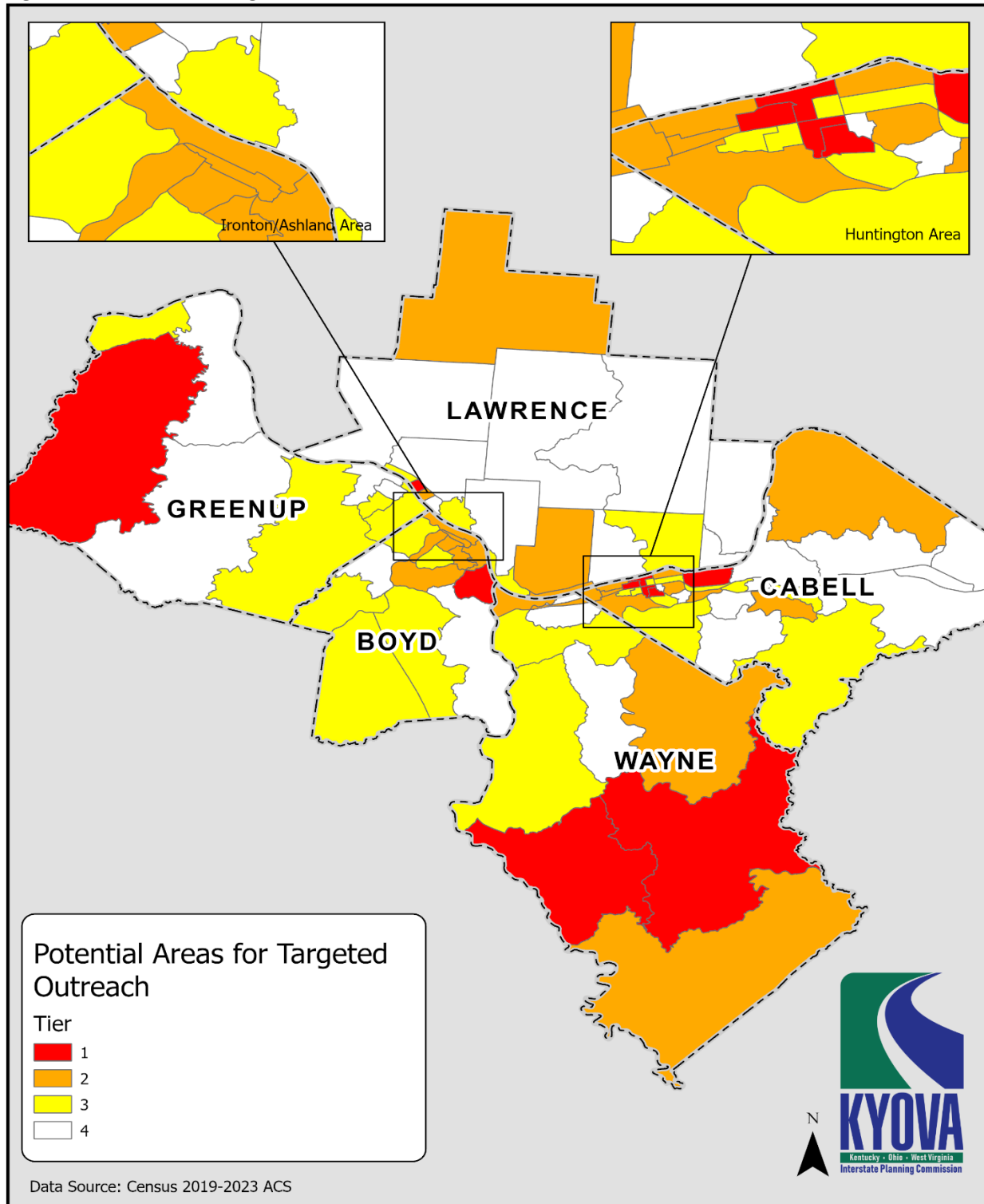
- Tier 1: 4-5 Target Outreach Area Thresholds
- Tier 2: 2-3 Target Outreach Area Thresholds
- Tier 3: 1 Target Outreach Area Thresholds
- Tier 4: 0 Target Outreach Area Thresholds

There are twelve (12) Tier 1 Target Areas identified. Tier 1 indicates the highest potential need to provide supplemental outreach activities. There are 22 Tier 2; and 24 Tier 3 Target Areas that were identified that may require additional public outreach beyond the general public notices. 29 Census Blocks (Tier 4 with 0 target areas identified) did not meet the requirements to be considered a potential Target Outreach Area. Outreach activities will be dependent on the type of project undertaken by KYOVA. 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: Potential Areas for Targeted Outreach Activities in the KYOVA Planning Area														
State	County	Census Tract/Area	% Below Poverty (All People)	% Age 65 and Older	% Minority (non-white)	% Hispanic or Latino (of any race)	% HS Graduate or Higher (25+)	% Speaks English "Less Than Very Well"	% Disability (Age 5+)	% HH with no vehicle	% HH with Computer	% HH w/broadband subscription	# average CT of top 15 in CT (blue cells)	Tier Rank (from top 15 focus areas)
West Virginia	Cabell	Cabell	19.8%	19.6%	10.3%	1.7%	90.0%	0.7%	19.5%	10.6%	91.8%	84.0%		
		1.01	11.1%	25.1%	0.0%	0.0%	86.7%	0.8%	17.4%	3.5%	88.0%	82.9%	1	3
		1.02	27.6%	16.5%	0.3%	1.7%	82.9%	0.3%	26.2%	11.5%	94.9%	85.2%	2	2
		2	42.0%	17.7%	0.3%	4.9%	71.0%	0.6%	30.5%	17.0%	92.6%	76.5%	5	1
		3	27.6%	17.9%	0.3%	1.5%	89.4%	2.1%	27.1%	16.6%	89.6%	80.7%	2	2
		4	31.3%	8.8%	0.2%	0.7%	78.1%	0.7%	14.9%	14.6%	92.7%	77.0%	1	3
		5	68.5%	1.1%	0.6%	1.6%	94.2%	0.4%	12.1%	6.9%	94.8%	92.6%	1	3
		6	59.7%	24.9%	0.3%	4.8%	80.0%	2.0%	18.3%	52.4%	90.8%	86.0%	4	1
		9	31.8%	14.2%	0.4%	0.3%	89.6%	0.0%	37.9%	11.2%	97.4%	88.5%	2	2
		10	22.8%	26.8%	0.3%	0.0%	85.2%	0.0%	30.9%	11.9%	86.8%	72.2%	2	2
		11	26.7%	20.5%	0.2%	3.4%	79.6%	0.0%	22.4%	19.1%	84.2%	75.8%	2	2
		12	18.6%	17.0%	0.6%	2.1%	90.6%	2.5%	21.4%	17.1%	88.6%	87.5%	1	3
		13	16.7%	17.8%	0.4%	1.0%	93.2%	2.8%	14.0%	10.8%	99.0%	96.7%	1	3
		14	43.4%	18.4%	0.8%	4.4%	85.8%	1.6%	23.7%	29.0%	80.0%	61.9%	5	1
		15	46.9%	26.5%	1.1%	0.2%	90.9%	0.0%	27.0%	44.1%	71.4%	62.3%	5	1
		16	14.0%	10.1%	0.2%	2.2%	74.6%	0.0%	21.3%	9.2%	91.5%	87.3%	0	4
		18	38.1%	9.9%	0.7%	5.7%	89.4%	0.0%	15.5%	17.4%	92.8%	87.2%	2	2
		19	14.2%	19.3%	0.1%	0.2%	97.3%	0.5%	12.4%	3.5%	98.4%	95.7%	0	4
		20	4.3%	20.9%	0.4%	0.6%	99.2%	1.6%	9.6%	0.0%	100.0%	99.1%	1	3
		21	20.7%	38.9%	0.2%	0.5%	91.0%	1.6%	21.8%	7.1%	92.1%	85.4%	2	2
		101.03	13.0%	23.0%	0.1%	1.4%	90.4%	0.0%	14.0%	1.7%	96.2%	85.8%	0	4
		101.04	11.2%	21.8%	0.1%	3.2%	90.8%	0.0%	17.7%	5.4%	95.0%	80.3%	1	3
		102.02	13.1%	17.7%	0.5%	1.3%	93.4%	0.0%	15.8%	5.3%	92.9%	85.7%	0	4
		102.03	21.9%	19.5%	0.5%	2.1%	95.3%	0.5%	17.5%	3.5%	98.8%	97.4%	0	4
		102.04	4.7%	25.7%	0.2%	0.0%	95.3%	0.5%	13.6%	4.2%	95.0%	90.8%	1	3
		103	19.1%	15.4%	0.2%	0.9%	94.0%	0.0%	15.9%	10.0%	93.4%	89.6%	0	4
		104.01	13.9%	7.7%	0.2%	0.1%	88.4%	0.0%	12.8%	8.4%	97.8%	83.2%	1	3
		104.02	8.0%	25.4%	0.4%	4.6%	98.9%	3.7%	15.1%	6.6%	92.5%	86.5%	3	2
		105	9.7%	22.6%	0.1%	3.0%	88.0%	0.8%	25.4%	1.2%	91.0%	83.6%	1	3
		106	11.4%	22.8%	0.2%	0.4%	88.7%	0.7%	20.8%	7.2%	92.7%	85.1%	0	4
		107.01	7.2%	23.1%	0.1%	1.7%	94.9%	0.0%	13.6%	3.0%	83.5%	70.6%	2	2
		107.02	9.7%	23.5%	0.1%	0.6%	85.5%	0.0%	19.0%	6.0%	92.0%	89.5%	0	4
		108.01	10.3%	24.8%	0.1%	0.0%	93.9%	0.0%	24.6%	0.8%	97.7%	81.6%	0	4
		108.02	8.8%	24.5%	0.1%	0.0%	92.1%	0.0%	23.6%	7.8%	88.8%	83.7%	0	4
		109	53.6%	17.4%	0.2%	5.5%	88.7%	0.0%	35.7%	45.4%	70.0%	55.6%	4	1
	Wayne	Wayne	15.7%	21.8%	4.0%	0.9%	85.3%	0.4%	24.2%	8.9%	88.8%	81.4%		
		51	11.4%	18.3%	0.3%	1.0%	97.0%	0.1%	19.1%	5.1%	96.7%	92.0%	0	4
		52	22.3%	21.2%	0.1%	0.0%	87.1%	0.0%	22.6%	16.5%	80.3%	69.4%	2	2
		201	11.2%	18.1%	0.5%	0.0%	89.8%	0.0%	18.9%	4.1%	95.1%	91.6%	0	4
		203	17.8%	28.2%	1.3%	0.6%	93.0%	0.4%	31.5%	6.6%	93.5%	83.5%	3	2
		204	1.7%	21.4%	0.1%	0.0%	89.8%	0.0%	20.6%	7.6%	85.4%	82.7%	1	3
		205	10.2%	25.1%	0.6%	1.4%	86.1%	0.1%	26.2%	11.0%	83.7%	76.5%	3	2
		206	14.4%	18.3%	0.2%	0.0%	89.1%	0.0%	15.9%	6.2%	92.9%	83.5%	0	4
		207	22.2%	16.6%	0.1%	0.0%	86.3%	1.0%	17.4%	4.0%	95.3%	78.7%	1	3
		208	28.0%	17.8%	0.6%	6.1%	71.5%	7.2%	29.5%	14.5%	87.0%	78.3%	4	1
		209	24.0%	33.1%	0.2%	0.0%	74.9%	0.0%	31.8%	6.1%	85.4%	76.9%	4	1
		210	25.0%	19.8%	0.0%	0.0%	65.1%	0.0%	36.2%	21.2%	80.6%	80.4%	3	2
Kentucky	Boyd	Boyd	17.7%	20.2%	7.0%	1.7%	89.0%	0.7%	21.8%	8.5%	92.7%	86.4%		
		302	33.9%	17.7%	0.3%	0.6%	84.7%	0.0%	31.9%	25.3%	91.5%	81.6%	3	2
		303	29.3%	23.0%	0.6%	1.6%	88.4%	2.3%	25.2%	11.9%	91.1%	88.8%	2	2
		304	17.5%	17.8%	0.6%	7.6%	90.7%	3.9%	17.4%	9.9%	91.0%	74.3%	3	2
		305	17.6%	16.6%	0.7%	4.8%	91.3%	1.9%	16.8%	4.1%	93.8%	91.8%	2	2
		306	10.1%	26.7%	0.2%	0.4%	97.7%	0.6%	26.4%	5.6%	97.3%	93.3%	1	3
		307	21.6%	26.1%	0.6%	1.2%	89.5%	0.9%	29.2%	5.3%	91.6%	83.6%	2	2
		308	38.7%	12.1%	0.7%	0.0%	87.8%	0.0%	26.6%	26.6%	96.2%	84.3%	2	2
		309	15.9%	23.5%	0.7%	1.2%	85.4%	1.0%	17.3%	5.7%	88.7%	85.6%	1	3
		310.01	9.9%	26.1%	0.1%	0.4%	87.8%	0.0%	21.4%	1.4%	86.8%	92.8%	1	3
		310.03	2.3%	11.9%	1.2%	4.1%	78.9%	0.3%	16.1%	3.5%	97.2%	95.5%	2	2
		310.04	18.5%	20.1%	0.6%	1.3%	86.8%	0.0%	18.1%	4.1%	92.1%	85.4%	0	4
		311.01	10.0%	22.4%	27.0%	0.6%	94.4%	0.0%	16.4%	6.7%	97.3%	86.0%	1	3
		311.02	6.5%	12.5%	2.3%	0.0%	98.6%	0.0%	21.7%	1.8%	96.6%	96.7%	1	3
		312	15.9%	22.2%	0.1%	0.0%	85.8%	0.0%	26.1%	4.1%	88.1%	83.5%	0	4
		313	(X)	27.0%	0.4%	1.7%	84.8%	0.2%	30.0%	10.6%	81.2%	71.8%	4	1
	Greenup	Greenup	15.1%	21.6%	4.6%	1.1%	90.3%	0.6%	20.9%	5.4%	89.9%	82.0%		
		401	8.4%	21.0%	1.1%	0.5%	96.8%	1.5%	19.7%	3.1%	95.0%	89.0%	1	3
		402.01	22.1%	22.1%	0.4%	1.7%	87.7%	0.0%	19.0%	6.7%	88.6%	87.4%	0	4
		402.02	13.0%	18.0%	0.7%	1.2%	91.9%	2.0%	19.8%	6.4%	91.2%	86.4%	1	3
		403	15.5%	23.0%	0.6%	0.8%	92.1%	0.0%	17.1%	4.5%	88.8%	82.1%	0	4
		404	22.9%	22.4%	0.6%	1.3%	88.7%	0.1%	20.8%	3.7%	93.1%	76.0%	1	3
		405.01	13.8%	22.5%	0.2%	1.1%	94.9%	0.0%	21.7%	7.1%	89.8%	84.9%	0	4
		405.02	6.8%	21.2%	0.6%	0.8%	88.0%	0.0%	26.8%	4.6%	90.0%	81.5%	0	4
		406	18.3%	19.8%	0.2%	0.0%	90.5%	0.1%	19.4%	9.4%	86.4%	76.0%	1	3
		407	17.5%	25.6%	0.3%	2.3%	81.2%	1.5%	24.1%	6.2%	82.7%	75.3%	4	1
Ohio	Lawrence	Lawrence	17.5%	18.8%	6.0%	1.1%	90.0%	0.3%	22.4%	6.3%	89.4%	84.5%		
		501	27.4%	18.5%	0.2%	0.0%	94.1%	0.0%	15.6%	4.4%	93.8%	93.2%	0	4
		502	20.4%	28.3%	0.3%	0.9%	90.7%	0.0%	27.6%	1.3%	86.9%	81.8%	2	2
		503	35.7%	15.7%	0.4%	0.9%	87.0%	0.0%	30.6%	26.7%	83.3%	81.8%	4	1
		504	18.6%	22.3%	0.1%	1.1%	87.7%	0.0%	29.6%	13.8%	86.4%	83.4%	1	3
		505.01	25.5%	9.0%	0.0%	0.3%	84.4%	0.0%	26.3%	1.0%	91.8%	77.1%	0	4
		505.02	12.9%	17.8%	0.1%	0.7%	85.9%	0.0%	26.7%	5.4%	89.7%	86.2%	0	4
		506	26.8%	19.1%	0.2%	2.9%	87.3%	2.6%	26.8%	5.1%	69.7%	56.7%	4	1
		507	18.8%	12.0%	0.1%	0.1%	82.6%	0.7%	26.4%	6.1%	88.4%	84.3%	0	4
		508	19.3%	16.8%	0.3%	1.4%	93.3%	0.0%	14.7%					

**Figure A-1** illustrates the potential Targeted Outreach Areas (TOAs) by Census Tract for the KYOVA Planning Area.

**Figure A-1: Potential Targeted Outreach Areas**



# **APPENDIX B**

## **Projects Not Requiring Public Review and Grouped Project List**

# Projects Not Requiring Public Review and Grouped Project List

Updates 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 (93.1059(c)(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 track bed 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"> <li>○ Federal-aid systems revisions.</li> <li>○ Grants for training and research programs.</li> <li>○ Planning activities conducted pursuant to titles 23 and 49 U.S.C.</li> <li>○ Planning and technical studies</li> </ul>
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

The above table outlines the *Title 40 CFR 93.126 – Exempt Projects*. However, each state has established guidelines for Groupable Projects. The information below details each DOTs process for Grouped Projects. These project list are to be used as guidelines and are not inclusive. To facilitate an expedited Administrative Modification process, the Groupable Project Lists have been included in KYOVA’s MTP and TIP.

## West Virginia Grouped Projects, Amendments and Administrative Adjustments

### West Virginia Grouped Project Procedures

The WV 2023-2028 STIP states that they will “utilizes the ability to “group” some projects for financial constraint and administrative purposes rather than listing all projects individually. Grouping of projects allows flexibility and reduces paperwork for programming minor projects. Highway 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 or for FTA projects CFR 771.118. In nonattainment and maintenance areas, project classifications must be consistent with the “exempt project” classifications contained in the EPA’s 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 identified individually in the STIP. The WVDOT, FHWA and FTA have administratively concurred that a project with an estimated construction cost of less than \$10 million is of appropriate scale to consider for grouping. For air quality non-attainment/maintenance areas, only projects that are exempt from conformity requirements may be grouped.*

*Essentially, for a project to be initially “grouped” in the STIP, it would have to have individual phase costs (Engineering, Right of Way and Construction) of less than \$10 million, be assumed to meet all requirements of a Categorical Exclusion under the NEPA Process and not add capacity potentially affecting air quality (i.e., the addition of through lanes or the creation or extension of a highway facility). Given the limiting factors identified, it is assumed that some portion of the eight individual programs listed above could be “grouped.” As part of the STIP development process, the WVDOT intends to screen existing and proposed projects of the various aspects of the eight Core Programs for potential grouping. As the STIP is developed and the size and composition of the eight Core Programs is determined, allocations will be established as placeholders for financial constraint. Using the guidelines and assumptions above, where individual projects have not been identified, the allocations will be assumed to consist of groupable projects.”*

The WV STIP includes “Groupable Buckets” which most projects will fall into. Projects, to include transit, with a phase cost larger than \$10 million, safety projects, new traffic signal projects, new lane additions, new roads or new bridges, expansion projects that add capacity and projects that affect air quality are considered not groupable. All other projects will be considered groupable under the WV 2023-2028 STIP operating guidelines. The groupable buckets are described below and can be further explained in Appendix C of the 2023-2028 STIP.

**Table B-2: West Virginia Grouped Project Summary List**

Bucket Group #	Bucket Group Name	Bucket Program Description
1	Bridge Program	Inspections; Bridge Replacement; Bridge Rehabilitation; Bridge and Concrete Overlay/Sealers; Bridge Clean and Paint
2	Community Development and Connectivity Program	Metropolitan Planning; Community Development; Bike and Pedestrian Projects
3	Localized Mobility Program	Slide Correction; Road/Curve Improvement; New Road/Bridge Construction; Add Auxiliary Lane; New Lane Construction
4	Planning and Workforce Development Program	Workforce Development; Training; Statewide Planning and Research Program; Metropolitan Planning Program
5	Regional Mobility Program	New Road/Bridge Construction; APD Program; Other
6	Pavement Program	Fed Aid (FA) Other Resurfacing; FA Interstate Resurfacing; APD Program; Safety Improvement
7	Traffic Program	Traffic Signals; Striping; Signing; Safety Improvements; RR Signals; Lighting
8	Transit Program	Sections 5304, 5307, 5310, 5311, 5329, 5337, 5339

## **TIP Amendment vs. Administrative Adjustment/Modification – West Virginia**

### **STIP Amendment Requirements – WV**

Under groupable projects, an amendment is a major change in the approved STIP/Transportation Improvement Program (TIP). It is defined as follows:

- Adding, deleting or moving across federal fiscal years a number of projects with a sum cost greater than 10% of the bucket size, which is found in the WV STIP; or
- A major change of project scope, such as a change that is inconsistent with the National Environmental Policy Act (NEPA) documentation or will change the NEPA determination, or a change that affects the approved Air Quality conformity finding; examples include changing the number of through lanes, adding/deleting nonmotorized facilities, changing mode (FTA - rolling



stock or facility type), changing capital category (FTA), and may include changing termini which changes the project from groupable to not groupable; or

- Any change requiring a new regional air quality conformity finding which changes the project from groupable to not groupable; or
- A greater than \$10 million cost increase or cost decrease in a phase of a project listed in the current STIP/TIP which changes the project from groupable to not groupable. For projects considered not groupable, an amendment is any major change in the approved STIP/Transportation Improvement Program (TIP). It is defined as follows:
  - Adding or deleting any safety project; or
  - Adding or deleting any project that adds new traffic signals; or
  - Adding or deleting any project that affects air quality; or
  - Adding or deleting any project that changes traffic capacity of a road or bridge; or
  - Adding or deleting any expansion project; or
  - Adding or deleting any regionally significant, non-federal aid project; or
  - Major change in scope of work or cost changes greater than \$2 million.

Amendments may be made to the STIP/TIP at any time during the life of the STIP/TIP and require federal approval by FHWA and/or FTA. The amendment, when required, must be consistent with 23 CFR 450 including public involvement procedures, air quality conformity and fiscal constraint.

#### **STIP Administrative Adjustment Requirements – WV**

An administrative adjustment is a minor change in the approved STIP/TIP. Adjustments may be made to the STIP/TIP at any time during the life of the STIP/TIP and do not require federal approval but will be submitted to FHWA and/or FTA for informational purposes. The administrative adjustment is to meet requirements of the 23 CFR 450 and is defined as follows:

A minor change in project description that does not change the Air Quality conformity finding in maintenance and nonattainment areas or change the project scope; or

- Shifting programmed funds between projects (i.e., funding sources and projects already identified in the STIP/TIP); or
- Moving programmed projects from year to year within an approved STIP/TIP, except those that cross Air Quality horizon years; or
- A cost change to a groupable project that is less than \$10 million and doesn't change the groupable bucket size by more than 10%; or
- A change to a project that is considered groupable as long as the change does not make it not groupable.

### **Kentucky Grouped Projects, Amendments, and Administrative Adjustments**

#### **Kentucky Grouped Project Procedures**

Transportation planning regulations applicable to the development and content of TIPs allow that 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. Such projects are usually non-controversial and produce negligible impacts - other than positive benefits for safety, traffic operations, system preservation, etc. Typically, these projects are not generated through the metropolitan planning process;

they are usually initiated by traffic operations or maintenance staff to correct existing problems or deficiencies, or they are the result of successful grant applications by local government agencies.

For the reasons noted above streamlined procedures for incorporating such projects into the TIP have been developed. Instead of being identified individually, these projects are grouped into project categories. By listing these grouped projects in the TIP, planning process stakeholders and the general public are informed of the types of potential projects that may be implemented in the Metropolitan Planning Area without modifying the TIP to individually identify such projects. With respect to fiscal constraint for Kentucky grouped projects, it should be noted that dollar amounts do not reflect actual funding levels but are intended only to provide an illustrative estimate of the amount of funds that might be spent in each grouped projects category on an annual basis. Fiscal constraint for Kentucky grouped projects is maintained by KYTC on a statewide level and is demonstrated on an annual basis for the Statewide Transportation Improvement Program.

#### **Kentucky Grouped Project Summary List**

- Pavement resurfacing/rehabilitation projects
- Pavement widening with no additional travel lane
- Shoulder improvements
- Slope stabilization/landslide repairs
- Drainage improvements
- Bridge replacement/rehabilitation projects with no additional travel lanes
- Bridge painting
- Bridge inspections
- Repair of damage caused by natural disasters, civil unrest, or terrorist acts with no substantial changes in function, location, or capacity
- Traffic signal maintenance and operations
- Highway signage
- Lighting improvements
- Skid treatments
- Sight distance improvements
- Curve realignment projects
- Median installation
- Fencing
- Guardrail/median barriers/crash cushions
- Pavement markers and markings
- Railroad/highway crossing safety improvements and warning devices
- Highway Safety Improvement Program projects
- Driver education programs
- Bicycle/pedestrian facilities, including pedestrian facility improvements identified in local public agencies'
- Transition Plan to meet requirements of the Americans with Disabilities Act ADA
- Operating assistance to transit agencies
- Rehabilitation of transit vehicles
- Construction of transit passenger shelters and information kiosks
- Transportation Enhancement activities including streetscaping, landscaping, plantings, and informational signs
- Planning and Technical Studies

The 2025-2028 KY STIP provides more detailed descriptions of Grouped Projects and their categories and type of work within each of the categories – see pages 20-21.

#### **TIP Amendment vs. Administrative Adjustment/Modification – Kentucky**

The STIP revision is determined either minor or major as per definition of “Administrative Modification” and the definition of “Amendment” outlined in 23 CFR 450.104. Additionally KYTC, FHWA, and FTA will utilize applicable requirements and classifications of projects that are not considered to be of appropriate scale for individual identification in a given program year as outlined in 23 CFR 771.117 (c) and (d) and/or 40 CFR part 93.126 “Exempt Projects” and 93.127 “Projects Exempt from Regional Emissions Analysis.” These appropriately identified projects may be grouped by function, work type, and/or geographic area

into the ZVarious programs and other program placeholders to determine if a STIP revision is required. If a project is grouped by ZVarious, KYTC will notify KYOVA for TIP inclusion. The Amendment and Administrative Modification process is the same for transit related projects.

#### **STIP Amendment Requirements – KY**

Amendments are revisions to the STIP that include major changes to a project included in the STIP. This includes a major change in:

- Project cost.
- Project/project phase initiation dates.
- Design concept or design scope (e.g., changing project termini or the number of through traffic lanes or changing the number of stations in the case of fixed guideway transit projects).
- The addition or deletion of projects, except those types of projects not considered to be of appropriate scale for individual identification as outlined in 23 CFR 771.117 (c) and (d) and/or 40 CFR part 93.126 “Exempt Projects” and 93.127 “Projects Exempt from Regional Emissions Analysis,” which are the grouped projects listed in the ZVarious programs and other program placeholders such as the Transportation Alternatives (TA) and Congestion Mitigation and Air Quality (CMAQ).

An amendment is a revision that requires:

- Public review and comment.
- Redemonstration of fiscal constraint.
- A conformity determination (in air quality nonattainment and maintenance areas).

STIP amendments require at 15-day public review period. KYOVA will provide public notice advertisements in the news publication of the largest population area. In addition, other possible public outreach efforts may be required and will be determined on a case-by-case basis.

The proposed amendment will be posted on KYOVA’s websites for public review and comment. KYOVA will make available to the public the description of project, location of project, proposed project phases, proposed type of funding, and scheduled fiscal year of each phase needing to be amended into the STIP. The public will be provided the means to submit written and electronic review comments on proposed STIP amendments.

At the conclusion of the 15-day review period, public comments will be addressed, additional public outreach may be conducted as necessary, and the final STIP amendment will be provided to KYTC for submission to FHWA and FTA for approval. As STIP amendments are approved, each amendment will be posted on the KYOVA and KYTC web sites.

#### **STIP Administrative Modification Requirements – KY**

Administrative modifications are minor revisions to the STIP that include minor changes to:

- Projects/project phase costs.
- Funding sources of previously included projects.
- Project phase initiation dates.
- The delineation of projects in program placeholders which include:
  - o Congestion Mitigation and Air Quality (CMAQ) projects
  - o Transportation Alternatives (TA) projects
  - o High-Cost Safety Improvement (HSIP-HCS) projects

An administrative modification is a revision that does not require:

- Public review and comment.
- Re-demonstration of fiscal constraint.
- A conformity determination (in air quality conformity nonattainment and maintenance areas).

For administrative modifications, a distribution list consisting of KYOVA Transportation Committee members as well as the general public has been created. As STIP administrative modifications are made, each administrative modification will be distributed to those on the mail list and posted on the KYOVA and KYTC web site.

## **Ohio Grouped Projects, Amendments, and Administrative Adjustments**

### **Ohio Grouped Project Procedures**

In a Transportation Improvement Program (TIP), projects/phases may be included individually or by grouped project. Projects 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. [Reference Title 23 CFR 450.218(j) for the Statewide TIP (STIP) and Title 23 CFR 450.326(h) for Metropolitan Planning Organization (MPO) TIPs]. Specifically, grouped projects (or statewide line items (SLI) as ODOT previously referenced them) should be:

- Non-Controversial
- Air Quality Status of Exempt
- Minimal Environmental Impact (D1 or below)
- Not Regionally Significant
- Non-Capacity Adding
- Consistent with Long Range Transportation Plan

Additionally, unless otherwise identified, the following projects will not be included in the STIP by a group:

- MPO or SIB funded highway projects
- Projects exceeding \$30,000,000

Eligible projects will be listed in Ohio S/TIP using the following groups:

**Table B-2: Ohio S/TIP Eligible Grouped Projects**

<b>Highway Groups</b>			<b>Transit Groups</b>
<ul style="list-style-type: none"> <li>• Discretionary/Earmark</li> <li>• Emergency</li> <li>• FLAP</li> <li>• Local Programs</li> <li>• Major Programs</li> </ul>	<ul style="list-style-type: none"> <li>• MPO Capital</li> <li>• National Highway Freight</li> <li>• Other</li> <li>• Preservation</li> <li>• Rail</li> </ul>	<ul style="list-style-type: none"> <li>• Recreational Trails</li> <li>• Safety</li> <li>• State</li> </ul>	<ul style="list-style-type: none"> <li>• Transit 5310</li> <li>• Transit 5311</li> <li>• Transit 5339</li> <li>• State</li> </ul>

### **Process**

- Projects are programmed and updated in Ellis (Ohio's internal project planning and management program).
- A monthly report analyzes all projects in Ellis and identifies the following for grouped projects:
  - Projects that are new or updated that meet eligibility for inclusion in S/TIP by a group or groups.
  - Projects in groups with updated information (project, phase, funding, scope, etc.)

- Projects in groups which no longer meet eligibility that need administratively modified or amended to be identified individually.
- Projects in groups that need removed from the current S/TIP.
- The monthly grouped projects report is coordinated between ODOT, MPOs, and RTPOs for inclusion into the S/TIPs by administrative modification;
  - ODOT, MPOs, RTPOs may elect to identify a project individually verses by group.
- New and updated grouped projects are incorporated into the STIP by administrative modification in accordance with STIP Amendment and Administrative Modification Procedures.
- *Note: Projects that meet group eligibility may be coordinated on an as needed basis between ODOT, MPOs, and RTPOs for inclusion into the S/TIP by administrative modification.*
- Revisions: In accordance to the STIP Amendment and Administrative Modification Procedures, major revisions to groups will be completed by an amendment while minor revisions to groups will be completed by an administrative modification. Projects in groups will be revised by administrative modifications.
- Fiscal Constraint: ODOT will ensure the STIP remains reasonably fiscally constrained on a statewide level in accordance to the STIP Amendment and Administrative Modification Procedures.
- Public Involvement: Groups are coordinated with the public as part of the initial S/TIP. The monthly grouped project report provides an update on projects contain in the groups.

#### **TIP Amendment vs. Administrative Adjustment/Modification – Ohio**

ODOTs STIP revisions are in accordance with the provisions found it Title 23 Code of the Federal Regulation Part 450 and Title 49 Code of Federal Regulation Part 613. Ohio STIP revisions will be processed in accordance with the applicable federal provisions, adhere to the approved public involvement procedures, ensure reasonable fiscal constraint is maintained, and adhere to the appropriate conformity determination procedures.

MPO may elect to follow ODOTs guidelines without change or implement more restrictive Transportation Improvement (TIP) revision procedures. In all cases, MPO procedures for TIP revisions shall be developed under the guidance of 23 CFR 450, 49 CFR 613, and the ODOT STIP document. The TIP revision procedures shall be include in the MPO TIP directly or by reference.

#### **STIP Revisions**

A STIP revision is a change that is made between full updates of the STIP. ODOT coordinates project data with MPOs and RTPOs per an established schedule to assist in identifying needed S/TIP revisions. There are two types of STIP revisions: Amendments and Administrative Modifications.

#### **STIP Amendments Requirements – Ohio**

A STIP Amendment is a major revision that requires federal review and approval public review and comment, redemonstration of fiscal constraint, and as applicable in nonattainment and maintenance areas conformity determination. Amendments include:

**Table B-4: Ohio S/TIP Amendment Project Type List**

<b>Highway (FHWA Projects)</b>	<b>Example</b>
Addition/removal of project/phase from STIP period- Addition/removal of STIP group	Add project or phase to individual STIP list, move project or phase funding into our out of current 4-year STIP period, cancel project
Addition/removal of STIP group	New MPO group added

Phase/group funding revision over threshold	\$10 million phase or group estimate increase to \$12.1 million, etc. (see below for thresholds)
Air Quality change	Exempt to/from Analyzed/Non-Exempt
Design/scope change (add or remove feature)	Bridge work added to resurfacing project; changing from a pavement maintenance to an intersection expansion
All other major changes to highway projects or STIP document	

Transit (FTA Projects)	Example
Addition/removal of project from STIP period	Add PID to individual STIP list, move PID funding in/out of the current 4-year STIP period, cancel PID
Addition/removal of STIP Group	New Transit group added
Project funding revision over threshold	\$5 million PID estimate increased to 6.6 million (see below for threshold)
Air Quality Change	Exempt to/from Analyzed/Non-Exempt
Addition/removal of scope	Scope 111-00 activities removed, scope 114-000 activities added
All other major changes to transit projects, groups, and/or STIP document	

### Amendment Procedures

ODOT will revise the STIP by amendment in coordination with MPOs and RTPOs per the established quarterly schedule or as otherwise needed. ODOT will send STIP amendments to the applicable federal agency – Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) – for review and approval. Once federal approval is received, the amendment will be incorporated into the Ohio's STIP.

- Amendments in MPO Regions: ODOT on behalf of the Governor will review and approve MPO TIP revisions for inclusion in the next STIP amendment.
- Amendments Outside MPO Regions: ODOT will process STIP amendments for major project changes in coordination with applicable RTPO agencies.

### Administrative Modification Procedures

A STIP Administrative Modification is a minor revision that does not require federal review and approval, public review and comment, redemonstration of fiscal constraint, or conformity determination. Administrative Modifications include:

**Table B-5: Ohio S/TIP Administrative Modification Project Type List**

Highway (FHWA Projects)	Example
Revision to projects in STIP group(s)	Group project added/removed, funding changed, scope revision
Phase funding revision within threshold	\$50,000 phase estimate revised to 1.55M (see below for thresholds)
Revision to STIP Fund Type or SFY within STIP period	Preservation to Safety; State to Safety; funds moved out a year but are still within 4-year STIP period
Minor termini, scope, design, description, project name change (does not add/remove transportation feature)	Minor revision to log points
Sponsoring Agency revision	Local agency to ODOT District
Combining/Splitting of project/phase	Combine project/phase with another project/phase; split one project into two or more projects

All other minor changes to projects, groups, and/or STIP document	Clerical/bookkeeping errors or updates
Project/phase carried forward	Unobligated projects/phases included in STIP carried forward as part of next full STIP update

Transit (FTA Projects)	Example
Revision to projects in STIP group(s)	Group project added/removed, funding changed, scope revision
Project funding revision within threshold	PID estimate total from \$1M to 1.3M (see below for thresholds)
Revision to STIP Fund Type or SFY within STIP period	5310 to 5307, 5307 to local, funds moved out a year but are still within current 4-year STIP period
Additional/removal/revision of Activity Line Items (ALI)	ALI 11.12.01 revised to 11.13.03
Quantity revision	8 buses to 10
Minor revision to project name or description	No scope added or remove
All other minor changes to projects, groups, and/or STIP document	Clerical/bookkeeping errors or updates
Project/phase carried forward	Unobligated projects/phase included in STIP carried forward as part of next full STIP update

### Administrative Modification Procedures

ODOT will revise the STIP by Administrative Modification in coordination with MPOs and RTPOs on an established monthly schedule or as otherwise needed.

- Administrative Modifications in MPO Regions: ODOT will process STIP Administrative Modification for minor changes in coordination with the MPOs.
- Administrative Modifications Outside MPO Regions: ODOT will process STIP administrative modifications for minor changes in coordination with applicable RTPOs.

### B-6: ODOT STIP Threshold

Highway		Transit	
STIP Estimate *(Phase or Group)	Amendment Needed If Estimates Change More Than:	STIP Estimate *(Phase or Group)	Amendment Needed If Estimates Change More Than:
\$1 to \$3	\$1.5M	\$1 to \$600,000	\$300,000
\$3M to \$5M	50%	\$600,000 to \$1M	50%
\$5M to \$10M	30%	\$1M to \$5M	30%
\$10M and above	20%	\$5M and above	20%

\*Phases are identified as PE Environmental (ENV), PE Detailed Design (DD), Right of Way (RW), Construction (CO), and Other (OTH, SPR Planning (SP), SPR research (SR), and Transit (TRN)

### Dispute Resolution

If a question arises on the interpretation of the definition of an Amendment or Administrative Modification, ODOT, the MPO, FHWA, and/or FTA (the parties) will consult with each other to resolve the question. If after consultation, the parties disagree on the definition of what constitutes an Amendment or Administrative Modification, the final decision rests with the FHWA for highway projects and FTA for transit projects.

# **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 October 17, 2023. 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 NOTICE  
KYOVA INTERSTATE  
PLANNING  
COMMISSION  
DRAFT  
PARTICIPATION PLAN**

**The KYOVA Interstate Planning Commission** is seeking public comment on its updated Participation Plan for the Huntington, WV-KY-OH Urbanized Transportation Management Area (TMA). The Plan helps to guide public involvement in the development and modifications of KYOVA's Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP). It is used to engage a broad array of organizations, interests and constituencies in the development of these documents. Public involvement helps ensure that the concerns of residents and stakeholders of the region are identified and addressed in decision-making, resulting in better transportation outcomes. The Participation Plan's 45-day public comment period begins on Tuesday, August 5, 2025 and concludes at close of business on Friday, September 19, 2025. A copy of the Plan is available online at the KYOVA website ([www.kyovaipc.org](http://www.kyovaipc.org)) under the announcements tab/public comment or by contacting Saleem Salameh, Deputy Executive Director or Terri Sicking, Senior Transportation Planner at 304-523-7434. Email requests may be sent to [tsicking@kyovaipc.org](mailto:tsicking@kyovaipc.org). Copies for viewing, along with the comment forms, are available at the KYOVA Office and Tri-State Transit Authority (TTA) in Huntington, WV; Ashland Transit Center in Ashland, KY; and the Lawrence County Transit Center in Ironton, Ohio. This notice satisfies the FTA public participation requirements for the following agencies, KYOVA Interstate Planning Commission, Tri-State Transit Authority, Ashland Bus System, and the Lawrence County Transit/Lawrence County Port Authority.

A public open house will be held on **Wednesday, September 3, 2025 from 9am to 4PM** at the KYOVA Office located at 400 Third Avenue, Huntington, WV 25701.

Please submit all written comments by **4PM Friday, September 19, 2025** to KYOVA IPC, Attn: Participation Plan Update, 400 Third Avenue, Huntington, WV 25701 or email [tsicking@kyovaipc.org](mailto:tsicking@kyovaipc.org).

**LH-322731  
08-05;2025**

**Public Meeting/Open House**

A Public Meeting/Open House was held on Wednesday, September 3, 2025 from 9:00 a.m. to 4:00 p.m. at the KYOVA office.

***Insert attendance***

**Public Comments**

This section includes significant comments received during the 45-day public comment period from Tuesday, August 5, 2025 to September 19, 2025. Also included are the responses of how the comments were addressed.

***Add comments***

# **APPENDIX D**

## **Interagency Coordination/Consultation Contact List**

# KYOVA Interstate Planning Commission

## Interagency Coordination/Consultation List

**Table D-1: Huntington, WV-KY-OH TMA Interagency Consultation List** (as of July 23 2025)

	<b>KENTUCKY</b> <b>(Boyd, Greenup Counties)</b>	<b>OHIO</b> <b>(Lawrence County)</b>	<b>WEST VIRGINIA</b> <b>(Wayne, Cabell Counties)</b>
<b>MPO</b>			
<b>Mail to</b>	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
<b>Contact</b>	Saleem A. Salameh, Technical Studies Director/Deputy Executive Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director/Deputy Executive Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229	Saleem A. Salameh, Technical Studies Director/Deputy Executive Director E-mail: <a href="mailto:ssalameh@kyovaipc.org">ssalameh@kyovaipc.org</a> Phone: 304-523-7434 Fax: 304-529-7229
<b>FEDERAL HIGHWAY TRANSPORTATION</b>			
<b>Mail to</b>	Shundreka Givan, Division Administrator Federal Highway Administration – KY 330 West Broadway Frankfort, KY 40601-1981 E-mail: <a href="mailto:shundreka.givan@dot.gov">shundreka.givan@dot.gov</a> Phone: 502-223-6721	David Snyder, Division Administrator Federal Highway Administration – OH 200 N. High Street, Room 328 Columbus, OH 43215-2408 E-mail: <a href="mailto:david.snyder@dot.gov">david.snyder@dot.gov</a> Phone: 614-280-6896	John Rogers, Acting Division Administrator Federal Highway Administration – WV 54 Court Street Charleston, WV 25301 E-mail: <a href="mailto:john.rogers@dot.gov">john.rogers@dot.gov</a> Phone: 304-347-5929
<b>Contact</b>	Tonya Higdon, Transportation Specialist (AQ & Planning) E-mail: <a href="mailto:tonya.higdon@dot.gov">tonya.higdon@dot.gov</a> Phone: 502-223-6734	Samuel Wallace, Community Transportation Planner (AQ & Planning) E-mail: <a href="mailto:samuel.wallace@dot.gov">samuel.wallace@dot.gov</a> Phone: 614-280-6839	Kara Greathouse, Community Planner (AQ & Planning) E-mail: <a href="mailto:kara.greathouse@dot.gov">kara.greathouse@dot.gov</a> Phone: 304-347-5271
<b>STATE TRANSPORTATION</b>			
<b>Mail to</b>	Jim Gray, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Pamela Vest Boratyn, Director Ohio Department of Transportation 1980 W. Broad Street, Mail Stop 3280 Columbus, OH 43216-0899	Stephen T. Rumbaugh Cabinet Secretary/ Commissioner of Highways WV Department of Transportation 1900 Kanawha Blvd E, Bldg. 5, Room 110 Charleston, WV 25304-0430
<b>Contact</b>	<b>Central Office</b> Thomas Witt, Transportation Eng. Specialist Phone: 502-782-5093 Mikael Pelfrey, Director of Planning Phone: 502-782-5073 Jayalakshmi Balaji, Branch Mgr/Air Quality Phone: 502-782-5045 Justin Harron, Fed Prog Specialist/EV Project Mgr/AQ Coordinator Phone: 502-782-5059 Dasha McGinnis, Transportation Engineering Technologist II Phone: 502-782-5055 E-mail: <a href="mailto:first.name.last_name@ky.gov">first.name.last_name@ky.gov</a>	Anthony Hill, Transportation Planner Office of Statewide Planning and Research Email: <a href="mailto:anthony.hill@dot.ohio.gov">anthony.hill@dot.ohio.gov</a> Phone: 614-752-2965  Nathaniel (Nate) Brugler, Regional Planning Coordinator Email: <a href="mailto:Nathaniel.brugler@dot.ohio.gov">Nathaniel.brugler@dot.ohio.gov</a> Phone: 614-387-0459	Brian Carr, P. E., Regional Planning Unit Leader E-mail: <a href="mailto:Brian.e.carr@wv.gov">Brian.e.carr@wv.gov</a> Phone: 304-414-6906  Timothy Sedosky, Local Program Services Section Head (AQ) E-mail: <a href="mailto:timothy.b.sedosky@wv.gov">timothy.b.sedosky@wv.gov</a> Phone: 304-414-6938
	<b>Flemingsburg District Office (HDO9)</b> HDO 9 Office Phone: 606-845-2551 Blake Jones, Planning (Primary Contact) E-mail: <a href="mailto:blake.jones@ky.gov">blake.jones@ky.gov</a> Michael Read, Planning (Secondary Contact) E-mail: <a href="mailto:michael.read@ky.gov">michael.read@ky.gov</a> Darrin Eldridge, Planning Supervisor E-mail: <a href="mailto:darrin.eldridge@ky.gov">darrin.eldridge@ky.gov</a> Steve Gunnell, Chief District Engineer (HDO9) E-mail: <a href="mailto:steve.gunnell@ky.gov">steve.gunnell@ky.gov</a>	<b>District 9 Office</b>	<b>District 2 Office</b>

FEDERAL AIR			
Mail to	Kevin J. McOmber, P.E. U.S. EPA Region 4 Air Planning and Implementation Branch 61 Forsyth Street, SW Atlanta, GA 30303-3104	John Mooney, Director Air and Radiation Division U. S. EPA, Region 5 Air and Radiation Division (AR-18J) 77 West Jackson Boulevard Chicago, IL 60604-3507	Michael Dunn, Acting Director Air & Radiation Division US Environmental Protection Agency Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Email: dunn.michael@epa.gov Phone: 215-814-2712
Contact	Sarah LaRocca Gerster E-mail: <a href="mailto:LaRocca.sarah@epa.gov">LaRocca.sarah@epa.gov</a> Phone: 404-562-8994	Anthony Maietta, Environmental Science Phone: 312-353-8777 Neena Nallaballi, Control Strategies Section Phone: 312-353-1770 Email: last.name.first.name@epa.gov	Gregory Becoat, Environmental Protection Specialist E-mail: <a href="mailto:becoat.gregory@epa.gov">becoat.gregory@epa.gov</a> Phone: 215-814-2036 Phone (main): 215-814-2500
STATE AIR			
Mail to	Michael Kennedy, Director KY Division for Air Quality /KY Energy & Environment Cabinet / Division for Air Quality KY Energy & Environment Cabinet 300 Sower Boulevard, 2 <sup>nd</sup> Floor Frankfort, KY 40601	Robert Hodanbosi, Chief OH EPA-Division of 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)	Laura Crowder, Director Division of Air Quality/DEP-Division of Air Quality/Environmental Protection/DEP-DAQ-Planning 601 57 <sup>th</sup> Street SE Charleston, WV 25304 Email: <a href="mailto:laura.m.crowder@wv.gov">laura.m.crowder@wv.gov</a> Phone: 304-926-0499 Ext: 41253
Contact	Claire Oyler E-mail: <a href="mailto:claire.oyler@ky.gov">claire.oyler@ky.gov</a> Blake Borwig E-mail: <a href="mailto:blake.borwig@ky.gov">blake.borwig@ky.gov</a> Blake Adams Email: <a href="mailto:blake.adams@ky.gov">blake.adams@ky.gov</a>	Graham Johnson, Rules Coordinator Office of Air Pollution Control E-mail: <a href="mailto:Graham.johnson@epa.ohio.gov">Graham.johnson@epa.ohio.gov</a> Phone: 614-644-2039	Michael Egnor, Engineer, DEP-Div of Air Quality Environmental Protection DEP-DAQ-Permitting E-mail: <a href="mailto:michael.egnor@wv.gov">michael.egnor@wv.gov</a> Phone: 304-926-0499 Ext: 41255 Matt Kemper Email: <a href="mailto:Matt.a.kemper@wv.gov">Matt.a.kemper@wv.gov</a>
FEDERAL TRANSIT			
Mail to	Ms. Yvette Taylor, Regional Administrator Federal Transit Administration – Region 4 230 Peachtree St., NW, Suite 1400 Atlanta, GA 30303-1512	Ms. Kelley Brookins, Regional Administrator Federal Transit Administration – Region 5 200 W. Adams Street, Suite 320 Chicago, IL 60606	Ms. Theresa “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: <a href="mailto:aviance.webb@dot.gov">aviance.webb@dot.gov</a> Phone: 404-865-5489	Mark Kane, Community Planner E-mail: <a href="mailto:mark.kane@dot.gov">mark.kane@dot.gov</a> Phone: 312-353-2789	Laura Keeley, Director, Office of Planning & Program Development E-mail: <a href="mailto:laura.keeley@dot.gov">laura.keeley@dot.gov</a> Phone: 215-656-7111 or 302-502-5415
STATE TRANSIT			
Mail to	Jim Gray, Secretary Kentucky Transportation Cabinet 200 Mero Street, Suite 613 Frankfort, KY 40622	Chuck Dyer, Administrator Ohio Office of Transit 1980 W. Broad Street, 2 <sup>nd</sup> Floor Mail Stop: 3110 Columbus, OH 43233	William (Bill) Robinson, Director West Virginia Division of Multimodal Transportation Facilities 1900 Kanawha Blvd E, Bldg. 5, Room 650 Charleston, WV 25305
Contact	Ms. Vickie Bourne, Executive Director E-mail: <a href="mailto:vickie.bourne@ky.gov">vickie.bourne@ky.gov</a> Phone: 502-564-7433	Angel Lee, Urban Transit Manager E-mail: <a href="mailto:angel.lee@dot.ohio.gov">angel.lee@dot.ohio.gov</a> Phone: 614-387-2494	William (Bill) Robinson, Director West Virginia Division of Multimodal Transportation Facilities E-mail: <a href="mailto:bill.c.robinson@wv.gov">bill.c.robinson@wv.gov</a> Phone: 304-558-0428
LOCAL TRANSIT			
Mail to	Randy Wheeler, Transit Superintendent City of Ashland Ashland Bus System P.O. Box 1839 / 99 15 <sup>th</sup> 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	Randy Wheeler, Transit Superintendent /Ashland Bus System City of Ashland P.O. Box 1839 Ashland, KY 41105 E-mail: <a href="mailto:rwheeler@ashlandky.gov">rwheeler@ashlandky.gov</a> Phone: 606-327-2007	Mike Payne, Public Transportation Director Lawrence County Transit (LCT) 223 South Second Street Ironton, OH 45638 E-mail: <a href="mailto:mpayne@ilcao.org">mpayne@ilcao.org</a> Phone: 740-532-2269, Ext. 302	Paul Davis, CEO E-mail: <a href="mailto:pdaivis@tta-wv.com">pdaivis@tta-wv.com</a> Jennifer Woodall, Assistant Manager E-mail: <a href="mailto:jwoodall@tta-wv.com">jwoodall@tta-wv.com</a> Phone: 304-529-6094

# **APPENDIX E**

## **Regulatory Requirements**

# Regulatory Requirements

The Federal-Aid Highway Act of 1962 created the federal requirement for urban transportation planning 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 each following transportation act 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 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 public meetings 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 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.

**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 accommodation 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**



## KYOVA COMPLAINT PROCEDURES

### KYOVA Complaint Procedures – English

Any person who believes they—or with a specific class of persons—were subjected to discrimination on the basis of race, color, sex, or national origin in the programs and activities of a Federal-aid Recipient may file a Title VI complaint. KYOVA'S Title VI complaint form is available on the MPO website ([www.kyovaipc.org](http://www.kyovaipc.org)) under the Title VI Tab. The complaint procedure and complaint form are also included in Appendix A.

Complaints may be filed without the KYOVA Complaint Form but should be filed in a written format and signed and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the agency and provide the allegations by telephone, and the agency will transcribe the allegations of the complaint as provided over the telephone and send a written transcript of the complaint to the complainant for correction and signature. A complaint should contain at least the following information:

- A written explanation of what has happened;
- A way to contact the complainant;
- The basis of the complaint (e.g., race, color, sex, or national origin);
- The identification of a specific person/people and the respondent (e.g.) agency/organization) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s). Complaint should indicate if the alleged discrimination is on-going.

Complaints may be filed with KYOVA, KYTC, WVDOH, ODOT, FHWA Division Offices, the FHWA Headquarters Office of Civil Rights, the United States Department of Transportation (USDOT) Departmental Office of Civil Rights, or the U.S. Department of Justice.

According to U.S. DOT regulations, 49 CFR § 21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the investigating agency.

FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency. With this understanding, complaints should be routed in the following ways:

- If KYOVA receives the complaint it will be routed to the FHWA Division Office with jurisdiction. However, the complainant may send to any of the listed agencies below and they will handle per their specified guidelines. Ultimately all complaints should be routed through the Federal- aid highway oversight hierarchy until the complaint reaches the Federal Highway Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.
- Complaints should be forwarded from the initial receiving agency through the Federal- aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with a Subrecipient City, that receiving agency should forward the complaint to the State DOT, which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with a State DOT, then the State DOT should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR.
- KYOVA, State DOTs and Subrecipients must log all complaints received.
- When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, State DOT, KYOVA, and Subrecipient (where applicable).

Complaints may be sent to:

KYOVA IPC Title VI Coordinator 400 Third Avenue P. O. Box 939 Huntington, WV 25712	KY Transportation Cabinet Office for Civil Rights 200 Mero Street, 6th Floor Frankfort, KY 40622	WV DOT Office for Civil Rights State Capitol Complex–Bldg 5 1900 Kanawha Boulevard East Charleston, WV 25305	Ohio DOT Division of Opportunity, Diversity & Inclusion 1980 West Broad Street, Mail Stop 3270 Columbus, OH 43223
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*DeAnna Holliday*  
Chair

*Christopher M. Chiles*  
Executive Director

*KYOVA Interstate  
Planning Commission*  
  
*400 Third Avenue  
Huntington, WV 25701  
Tel: (304) 523-7434  
Fax: (304) 529-7229*

And/or

US FHWA-Kentucky Division John C Watts Federal Building 330 W Broadway St Ste 264 Frankfort, KY 40601 Attention: Civil Rights Specialist	US FHWA-West Virginia Division 300 Virginia Street East, Suite 7400 Charleston, WV 25301 Attn: Civil Rights Division	US FHWA-Ohio Division 200 North High Street, Room 328 Columbus, OH 43215 Attn: Civil Rights Division
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And/or

Federal Highway Administration Headquarters - Office of Civil Rights  
1200 New Jersey Avenue, SE HCR-40, Room E81-101  
Washington, DC 20590  
202-366-0693 or Fax: 202-366-1599  
TTY: 202-366-5751

Additionally, complaints may be filed with the U.S. Department of Justice at: Federal  
Coordination and Compliance Section - NWB Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Once complaint is filed, there are four potential outcomes for processing complaints:

- Accept: if a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.
- Preliminary review: if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- Procedural Dismissal: if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.
- Referral\Dismissal: if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

FHWA HCR is responsible for conducting all investigations of State DOTs and other primary Recipients. In the case of a complaint filed against a Subrecipient, HCR may either conduct the investigation itself, or it may delegate the investigation to the primary Recipient State DOT. If HCR chooses to delegate the investigation of a Subrecipient, HCR will communicate its acceptance of the complaint to the complainant and respondent, but the State DOT will conduct all data requests, interviews, and analysis. The State DOT will then create a Report of Investigation (ROI), which it will send to HCR. Finally, HCR will review the ROI and compose a Letter of Finding based on the ROI. All Letters of finding issued by FHWA are administratively final.

For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance. For State DOTs that have been delegated an investigation from FHWA, 23 CFR §200.9(b)(3) provides that State DOTs must complete investigations within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA).

Investigation files are confidential and will be maintained by KYOVA. The contents of such files will only be disclosed to appropriate KYOVA personnel and federal/state authorities in accordance with Federal and State laws. KYOVA will retain files in accordance with records retention schedules and all Federal guidelines.



## PROCEDIMIENTOS DE RECLAMACIÓN DE KYOVA

Cualquier persona que crea que ella, o con una clase específica de personas, fue objeto de discriminación por motivos de raza, color, sexo, u origen nacional en los programas y actividades de un Beneficiario de ayuda federal puede presentar una queja bajo el Título VI. El formulario de queja del Título VI de KYOVA está disponible en el sitio web de la MPO en la pestaña Título VI/Justicia Ambiental (kyovaiipc.org). El procedimiento de reclamación y el formulario de reclamación también se incluyen en el Apéndice A.

Las quejas se pueden presentar sin el Formulario de queja de KYOVA, pero deben estar escritas y firmadas y se pueden presentar por correo, fax, en persona o correo electrónico. Sin embargo, el demandante puede llamar a la agencia y proporcionar las alegaciones por teléfono, y la agencia transcribirá las alegaciones de la queja según lo dispuesto por teléfono y enviará una queja por escrito al demandante para su corrección y firma. Una queja debe contener al menos la siguiente información:

- Una explicación por escrito de lo sucedido;
- Una forma de ponerse en contacto con el denunciante;
- El fundamento de la queja (por ejemplo, raza, color, origen nacional);
- La identificación de una persona o personas específicas y del demandado (por ejemplo, una agencia u organización) que presuntamente ha discriminado;
- Información suficiente para comprender los hechos que llevaron al demandante a creer que hubo discriminación en un programa o actividad que recibe asistencia financiera federal; y
- La(s) fecha(s) del(los) acto(s) presunto(s) discriminatorio(s). La queja debe indicar si la presunta discriminación está en curso.

Las quejas se pueden presentar ante KYOVA, KYTC, WVDOH, ODOT, las oficinas de la División FHWA, la Oficina de Derechos Civiles de la sede central de la FHWA, la Oficina Departamental de Derechos Civiles del Departamento de Transporte de los Estados Unidos (USDOT) o el Departamento de Justicia de los Estados Unidos.

De acuerdo con las regulaciones del Departamento de Transporte de EE. UU., 49 CFR § 21.11(b), una queja debe presentarse a más tardar 180 días después de la fecha de la última instancia de presunta discriminación, a menos que la agencia investigadora extienda el plazo para presentarla.

La FHWA es responsable de todas las decisiones sobre si una queja debe ser aceptada, desestimada o remitida a otra agencia. Con este entendimiento, las quejas deben encauzarse de las siguientes maneras:

- Si KYOVA recibe la queja, se enviará a la Oficina de la División de la FHWA con jurisdicción. Sin embargo, el denunciante puede enviar a cualquiera de las agencias enumeradas a continuación y ellas se encargarán de sus pautas. En última instancia, todas las quejas deben enrutarse a través de la jerarquía de supervisión de carreteras de ayuda federal hasta que la queja llegue a la Oficina de Derechos Civiles (HCR) de la sede de carreteras federales para su procesamiento. HCR es responsable de todas las determinaciones con respecto a si aceptar, desestimar o transferir las quejas del Título VI presentadas contra los DOT estatales o los subrecipientes de asistencia financiera federal.
- Las quejas deben enviarse desde la agencia receptora inicial a través de la jerarquía de supervisión de carreteras de ayuda federal hasta que la queja llegue a HCR. Por ejemplo, si se presenta una queja ante una ciudad subreceptora, esa agencia receptora debe enviar la queja al Departamento de Transporte del Estado, que debe enviar la queja a la Oficina de la División de la FHWA del Estado, que debe enviar la queja a HCR. Si se presenta una queja ante un DOT estatal, entonces el DOT estatal debe enviar la queja a la Oficina de la División FHWA del estado, que debe enviar la queja a HCR.
- KYOVA, los DOT estatales y los subrecipientes deben registrar todas las quejas recibidas.
- Cuando HCR decida si acepta, desestima o transfiere la queja, HCR notificará al Demandante, a la Oficina de la División de la FHWA, al Departamento de Transporte del Estado, a KYOVA y al Subreceptor (cuando corresponda).

Las quejas pueden enviarse a:

KYOVA IPC Coordinador del Título VI Apartado Postal 939 400 Tercera Avenida Huntington, WV 25712	Gabinete de transporte KY Oficina de Derechos Civiles Calle Mero 200, 6º piso Frankfort, KY 40622	WV DOT Oficina de Derechos Civiles Complejo del Capitolio Estatul – Edificio 5 1900 Bolivar Kanawha East Charleston, WV 25305	Ohio DOT División de Oportunidades, Diversidad e Inclusión 1980 West Broad Street, Parada de correo 3270C Columbus, OH 43223
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*DeAnna Holliday*  
*Chair*

*Christopher M. Chiles*  
*Executive Director*

*KYOVA Interstate  
Planning Commission*

*400 Third Avenue  
Huntington, WV 25701  
Tel: (304) 523-7434  
Fax: (304) 529-7229*

y/o

División FHWA-Kentucky Edificio Federal John C Watts 330 W Broadway St Ste 264 Frankfort, KY 40601 Atención: Especialista en Derechos Civiles	División FHWA -West Virginia 300 Virginia Street East Suite 7400 Charleston, WV 25301 Atención: División de Derechos Civiles	División FHWA -Ohio 200 North High Street, Sala 328 Columbus, OH 43215 Atención: División de Derechos Civiles
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y/o

Sede de la Administración Federal de Carreteras - Oficina de Derechos Civiles  
 1200 New Jersey Avenue, SE HCR-40, Sala E81-101  
 Washington, DC 20590  
 202-366-0693 or Fax: 202-366-1599  
 TTY: 202-366-5751

Además, se pueden presentar quejas ante el Departamento de Justicia de los EE. UU. en:  
 Federal Sección de Coordinación y Cumplimiento - División de Derechos Civiles de la NWB Departamento de  
 Justicia de EE. UU.  
 950 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20530

Una vez que se presenta la queja, hay cuatro posibles resultados para el procesamiento de quejas:

- Aceptar: si una queja se presenta a tiempo, contiene información suficiente para respaldar una reclamación en virtud del Título VI y se refiere a asuntos bajo la jurisdicción de la FHWA, HCR enviará al demandante, a la agencia demandada y a la Oficina de la División de la FHWA una notificación por escrito de que ha aceptado la queja para su investigación.
- Revisión preliminar: si no está claro si las alegaciones de la queja son suficientes para respaldar una reclamación en virtud del Título VI, entonces HCR puede (1) desestimarla o (2) realizar una revisión preliminar para obtener información adicional del demandante y/o demandado antes de decidir si acepta, desestima o remite la queja.
- Despido procesal: si una queja no se presenta a tiempo, no está por escrito y firmada, o presenta otros defectos procesales/prácticos, HCR enviará al demandante, al demandado y a la Oficina de la División de la FHWA un aviso por escrito de que está desestimando la queja.
- Remisión / Desestimación: si la queja es procesalmente suficiente pero la FHWA (1) carece de jurisdicción sobre el tema o (2) carece de jurisdicción sobre la entidad demandada, entonces HCR desestimará la queja o la remitirá a otra agencia que sí tenga jurisdicción. Si HCR desestima la queja, enviará al demandante, al demandado y a la Oficina de la División de la FHWA una copia de la notificación de despido por escrito. Para las referencias, la FHWA enviará un aviso de referencia por escrito con una copia de la queja a la agencia federal correspondiente y una copia a la Oficina Departamental de Derechos Civiles del USDOT.

FHWA HCR es responsable de llevar a cabo todas las investigaciones de los DOT estatales y otros receptores primarios. En el caso de una queja presentada contra un Subreceptor, HCR puede llevar a cabo la investigación por sí mismo o puede delegar la investigación al DOT del Estado receptor principal. Si HCR decide delegar la investigación de un Subreceptante, HCR comunicará su aceptación de la queja al demandante y al demandado, pero el DOT del Estado llevará a cabo todas las solicitudes de datos, entrevistas y análisis. Luego, el DOT del Estado creará un Informe de Investigación (ROI, por sus siglas en inglés), que enviará a HCR. Por último, HCR revisará el ROI y redactará una carta de hallazgo basada en el ROI. Todas las cartas de determinación emitidas por la FHWA son administrativamente definitivas.

En el caso de la FHWA, no existe un plazo reglamentario para completar las investigaciones. Sin embargo, FHWA se esfuerza por completar todas las tareas dentro de los 180 días a partir de la fecha de aceptación. Para los DOT estatales a los que se les ha delegado una investigación de la FHWA, 23 CFR §200.9(b)(3) establece que los DOT estatales deben completar las investigaciones dentro de los 60 días posteriores a la recepción (es decir, la fecha en que reciben la queja delegada de la FHWA).

Los archivos de la investigación son confidenciales y serán mantenidos por KYOVA. El contenido de dichos archivos solo se divulgará al personal apropiado de KYOVA y a las autoridades federales/estatales de acuerdo con las leyes federales y estatales. KYOVA conservará los archivos de acuerdo con los cronogramas de retención de registros y todas las pautas federales.



## KYOVA Interstate Planning Commission Title VI Complaint Form



### Instructions

Complete and sign this form and  
then submit it in-person or mail it to  
KYOVA Interstate Planning Commission

KYOVA Interstate Planning Commission

Attention: Title VI Coordinator

400 Third Avenue

P. O. Box 939

Huntington, WV 25712

### SECTION 1: COMPLAINANT INFORMATION

First Name:	Middle Initial:	Last Name:
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Mailing Address (street):

City:	State:	Zip Code:
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Phone:	Alternate Phone:
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Email Address:

Are you filing this complaint on your own behalf?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
<i>If you answered "yes" to this question, go to Section 2</i>		

If you are filing this complaint on behalf of another person, please provide the name and relationship of the person for whom you are filing	<u>Name</u>	<u>Relationship</u>
--	-------------	---------------------

Please explain why you have filed for a third party. If more space is required, please use the back of this form or attach 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, I have received permission <input type="checkbox"/>	No, I have not received permission <input type="checkbox"/>
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### SECTION 2: COMPLAINT DETAILS

Please indicate the basis of your complaint (Check all that apply)	Race <input type="checkbox"/>	Color <input type="checkbox"/>
	National Origin <input type="checkbox"/>	Color <input type="checkbox"/>
	Age <input type="checkbox"/>	Sex <input type="checkbox"/>
	Family or Religious Status <input type="checkbox"/>	Disability <input type="checkbox"/>
	Other:	

Date of Alleged Discrimination	<u>Month</u>	<u>Day</u>	<u>Year</u>
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How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently than you. If more space is required, please use the back of this form or attach a separate sheet.

## KYOVA Interstate Planning Commission Title VI Complaint Form

**Names of individuals, agency or department responsible for the discriminatory action(s):**

Name	Address	Phone
1.		
2.		
3.		
4.		

**Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint. (Attach additional pages if necessary)**

Name	Address	Phone
1.		
2.		
3.		
4.		

**Please attach/include any additional information and/or photographs, if applicable, that you believe will assist with an investigation. (Attach additional pages if necessary)**

Photographs submitted with complaint?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you previously filed a Title VI complaint with this agency?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

### SECTION 3: ACTIONS

**Have you filed, or do you intend to file a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates and provide their contact information (Check all that apply)**

Agency	Date Filed	Address or phone number of agency
<input type="checkbox"/> U. S. Department of Transportation		
<input type="checkbox"/> Federal Highway Administration		
<input type="checkbox"/> Federal Transit Administration		
<input type="checkbox"/> U. S. Equal Employment Opportunity Commission		
<input type="checkbox"/> Other:		

Have you discussed the complaint with a KYOVA representative?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide the name, position and date of discussion		

Name of KYOVA Representative	Position of Representative	Date of Discussion

Do you have an attorney regarding this matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If Yes, please provide attorney's contact information.		

Name of Law Firm	Name of Representing Attorney
Mailing Address	Phone

**Briefly explain what remedy or action you are seeking for the alleged discrimination.**

**Please sign and date the compliant form. Unsigned and dated forms cannot be accepted.**

Complainants' Signature	Date

### FOR OFFICE USE ONLY

Date Complaint Received:	Case #:
Processed by	
Name:	Title:



## Comisión de Planificación Interstatal de KYOVA

### Formulario de Queja del Título VI



#### INSTRUCCIONES

Complete y firme este formulario y luego envíelo en persona o por correo a la Comisión de Planificación Interstatal de KYOVA.

Comisión de Planificación Interstatal de KYOVA

Atención: Coordinador del Título VI

400 Tercera Avenida / P. O. Box 939

Huntington, WV 25712

#### SECCIÓN 1: INFORMACIÓN DEL DEMANDANTE

Nombre de pila:	Inicial del Segundo Nombre:	Apellido:
Dirección de correo (calle):		
Ciudad:	Estado:	Código Postal:
Teléfono:	Teléfono alternativo:	
Dirección de correo electrónico:		
¿Está presentando esta queja en su propio nombre?	Sí * <input type="checkbox"/> No <input type="checkbox"/>	
<i>If you answered "yes" to this question, go to Section 2</i>		
Si está presentando esta queja en nombre de otra persona, por favor proporcione el nombre y la relación de la persona en cuyo nombre está presentando.	<u>Nombre</u>	<u>Relación</u>
Por favor, explique por qué ha presentado una solicitud para un tercero. (Si se necesita más espacio, utilice la parte posterior de este formulario o adjunte una hoja separada).		

Por favor, confirme que ha obtenido el permiso de la parte agraviada si está presentando en nombre de un tercero.

Sí, he recibido permiso ☐      No, no he recibido permiso ☐

#### SECCIÓN 2: DETALLES DE LA QUEJA

Por favor, indique la base de su queja <i>(Marque todas las que correspondan)</i>	Raza <input type="checkbox"/>	Color <input type="checkbox"/>	
	Origen Nacional <input type="checkbox"/>	Edad <input type="checkbox"/>	
	Age <input type="checkbox"/>	Sexo <input type="checkbox"/>	
	Estatus familiar o religioso <input type="checkbox"/>	Dicapacidad <input type="checkbox"/>	
	Otra:		
Fecha de la supuesta discriminación	<u>Mes</u>	<u>Día</u>	<u>Año</u>

¿Cómo fuiste discriminado? Describe la naturaleza de la acción, decisión o condiciones de la presunta discriminación. Explica con la mayor claridad posible lo que ocurrió y por qué crees que tu estatus protegido (base) fue un factor en la discriminación. Incluye cómo otras personas fueron tratadas de manera diferente a ti. (Si se necesita más espacio, utiliza la parte posterior de este formulario o adjunta una hoja separada).



## KYOVA Interstate Planning Commission

### Formulario de Queja del Título VI

**Nombres de individuos, agencias o departamentos responsables de la(s) acción(es) discriminatoria(s):**

Nombre	Dirección	Teléfono
1.		
2.		
3.		
4.		

**Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint. (Attach additional pages if necessary)**

Nombre	Dirección	Teléfono
1.		
2.		
3.		
4.		

**Por favor, adjunte o incluya cualquier información adicional y/o fotografías, si es aplicable, que crea que ayudarán con la investigación.**  
(Adjunte páginas adicionales si es necesario)

¿Fotografías enviadas con la queja?	Sí <input type="checkbox"/>	No <input type="checkbox"/>
¿Ha presentado anteriormente una queja bajo el Título VI ante esta agencia?	Sí <input type="checkbox"/>	No <input type="checkbox"/>

### SECCIÓN 3: ACCIONES

**¿Ha presentado, o tiene la intención de presentar, una queja sobre el asunto planteado ante alguno de los siguientes? Si es así, por favor proporcione las fechas de presentación y su información de contacto (Marque todas las que correspondan)**

Agencia	Fecha de presentación	Dirección o número de teléfono de la agencia
<input type="checkbox"/> U. S. Department of Transportation		
<input type="checkbox"/> Federal Highway Administration		
<input type="checkbox"/> Federal Transit Administration		
<input type="checkbox"/> U. S. Equal Employment Opportunity Commission		
<input type="checkbox"/> Other:		

¿Has discutido la queja con un representante de KYOVA?	Sí <input type="checkbox"/>	No <input type="checkbox"/>
Si es así, por favor proporcione el nombre, el cargo y la fecha de la discusión.		

Nombre del representante de KYOVA	Posición de Representante	Fecha de discusión
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¿Tienes un abogado respecto a este asunto?	Sí <input type="checkbox"/>	No <input type="checkbox"/>
Si es así, por favor proporcione la información de contacto del abogado.		

Nombre del Bufete de Abogados	Nombre del Abogada Representante
Dirección de correo	Teléfono

**Explique brevemente qué remedio o acción está buscando por la supuesta discriminación.**

**Por favor, firme y feche el formulario de cumplimiento. Los formularios sin firma o fecha no pueden ser aceptados.**

Firma de los demandantes	Fecha

#### PARA USO OFICINA SOLAMENTE

Fecha de recepción de la queja	Caso #:
Procesado Por	
Nombre:	Título: