

ELEMENT 1

PARTICIPATION POLICY AND PROCESS

INTRODUCTION

OKI seeks public participation as a means of developing effective solutions that can be implemented to address regional issues and needs. To develop solutions that account for the region's diversity, OKI seeks participation from the broad expanse of its geographic region and the many sectors of its population. To address Environmental Justice, OKI makes special efforts to involve Minority, Low Income, and Elderly populations; People with Disabilities; and Zero-Car Households. Many of these special efforts are focused on target areas where Environmental Justice population groups are most concentrated (terms are defined in Element 2 of the Participation Plan).

In response to federal directives, this plan accounts for the Clean Air Act Amendments of 1990 and new federal requirements referenced in the Safe Accountable Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Together, these federal initiatives have greatly enhanced the role of participation in metropolitan-level planning in the past decade.

Element 1 of the Participation Plan outlines OKI's strategy and structure used to engage the public in regional planning and agency decisions which affect their quality of life. The success of efforts to engage the public to participate depends upon the:

- methods employed to publicize opportunities for participation;
- access to information for education or comment;
- type and format of information provided;
- timing of participation in terms of frequency and correlation to final decision-making;
- opportunities for dialogue and comment;
- consideration given to public comments and discussion; and
- incorporation of public participation.

OKI'S ORGANIZATIONAL STRUCTURE

Independent of OKI's Participation Plan, the public is involved in OKI decision-making through provisions in the agency's organizational structure. This structure is related to OKI's establishment as a public, non-profit organization under the Ohio Revised Code. Agency structure, responsibilities, and authority are described in the OKI Articles of Agreement.

The structure of OKI includes four standing committees that involve public officials and others in the development of plans, programs and policy adoption. These committees

are the Board of Directors, the Executive Committee, the Intermodal Coordinating Committee (ICC) and the Environmental Justice Advisory Committee. In 2002, the OKI Board established the Environmental Justice (EJ) Advisory Committee to ensure participation from and to address the needs of EJ groups. Additional opportunities for direct participation are provided by interim groups--such as task forces, stakeholder groups, or subcommittees, which are established for specific purposes of short duration.

As legally required, OKI's policy-level committees are dominated by public officials that represent local governments and major transportation and planning agencies. Other public organizations, as well as individual citizens, also serve on these committees. The times and agendas of committee meetings are made available in advance by notification placed on OKI's Web site. All meetings are open to the public. Board and committee composition and major functions are summarized below.

- The **Board of Directors** (117 members) governs OKI and is responsible for regional policy decision-making. Two-thirds of the members are elected officials; the other third includes representatives of local planning agencies, community groups, the private sector and individual citizens. The Board meets quarterly. The Executive Committee is drawn from its membership.
- The **Executive Committee** (40 members) serves the Board by developing consensus on area-wide or multi-jurisdictional transportation policy matters. The Executive Committee can establish policy, adopt plans, and resolve issues. It can also establish additional committees for advisory purposes. Executive Committee members include an elected official from each member county's governing body; a cross-section of local governments; and representatives from state transportation agencies, regional planning commissions, and transit agencies. The Executive Committee meets monthly.
- The **Intermodal Coordinating Committee (ICC)** (71 members) is the technical advisory committee that advises the Board of Directors and Executive Committee on technical issues related to transportation planning. The ICC provides technical review and input to staff and the Executive Committee. Members include local traffic engineers and representatives of transit agencies, utilities, community and environmental groups, and state agencies. The ICC meets monthly, two days prior to meetings of the Executive Committee.
- The **Environmental Justice Advisory Committee (EJ)** (19 members) was established to oversee the implementation of the agency's Environmental Justice component of the Participation Plan. The committee's ongoing work includes the review of funding applications and regional Environmental Justice efforts.

For specific issues or projects, interim groups provide additional planning support. Members may include policy-makers, planning professionals, stakeholders, or individual citizens to provide policy and/or technical input to OKI decision-making processes. A

group's membership, mission, and duration are determined by the need it is addressing. Interim groups have provided planning support in areas such as corridor studies, long range plan development, bicycle planning and the Regional Ozone Coalition.

FOCUS OF PARTICIPATION EFFORTS

Entirely apart from the public's participation or representation through OKI's organizational structure, opportunities for participation are provided as part of OKI's transportation planning program. These opportunities are the primary focus of OKI policy provisions for public participation.

Meaningful opportunities for participation in OKI's transportation decision-making are provided through the scheduled updates of the long-range planning and short-range programming elements of the transportation planning process and the development of corridor or special studies. The term "update" as used herein refers to major revision where the major planning assumptions are revised to reflect new base year population, employment, travel, etc. estimates. An amendment refers to adjustments made to a plan or program in the intermediate years between updates.

Amendment means a revision to a metropolitan LRTP or TIP that involves a major change to a project included in the metropolitan LRTP or TIP. This includes a major change in:

- project cost,
- project/project phase initiation dates,
- design scope (e.g., changing project termini or the number of through traffic lanes), or the
- addition or deletion of a project

An amendment is a revision that *does* require:

- public review and comment,
- redemonstration of fiscal constraint, or a
- conformity determination (in air quality nonattainment and maintenance areas).

ADMINISTRATIVE MODIFICATION

Administrative modification means a minor revision to a metropolitan LRTP OR TIP that includes minor changes to:

- projects/project phase costs,
- funding sources of previously included projects, and
- project phase initiation dates

An administrative modification is a revision that *does not* require:

- public review and comment,
- redemonstration of fiscal constraint, or a
- conformity determination (in air quality nonattainment and maintenance areas).

- The **Long-Range Transportation Plan**, (also known as the Regional Transportation Plan) addresses the region's transportation needs for a 20 to 30 year period. The public is provided opportunities for participation in the update of the *Plan*, which occurs every four years.

Transportation projects must be listed in an adopted Long-Range Plan to be eligible for federal funding. The Plan's adoption by OKI's Board of Directors is the final step in the update process. Plan recommendations focus on improving the function and integration of major roadway, transit, bicycle, pedestrian and intermodal facilities. The recommendations are developed to address current transportation problems, future travel conditions (based on projections of travel demand), and federal requirements for mitigating congestion, meeting financial constraints, and addressing air quality and other environmental, social, and financial issues.

- The **Transportation Improvement Program, (TIP)**, which is the short-range programming element of OKI's transportation planning process, schedules transportation projects for funding and implementation over a four-year period. The opportunity for participation is provided when the TIP is updated, which is every two years. Project amendments can occur routinely in the interim between updates.

The TIP includes a variety of projects, but capacity-expansion projects recommended in the long-range plan must be included in the TIP in order to be eligible for federal funding. These projects are selected and prioritized in coordination with local governments and the Intermodal Coordinating Committee. Prioritization is based on criteria that include project contribution to reducing congestion and expanding mode choice.

- **Corridor and Special Studies** focus on specific areas within the region or specific transportation issues. They are not conducted on a scheduled basis. The study recommendations are reviewed and adopted by the Board of Directors and incorporated into the Long Range Transportation Plan. Public participation is defined at the on-set of each study, provided for throughout the study's development, as well as during the process of updating or amending the plan to incorporate new recommendations.

Corridor and Special Studies are conducted for issues requiring detailed study. For Corridor Studies, the participation process is geared toward developing consensus for a solution among those who are most affected. For Special Studies, participation is most often designed to obtain technical or specialized input (such as in a bike plan or freight study). The participation opportunities provided during these studies tend to generate greater numbers of participants and more intense interest than other transportation planning processes, but the participants tend to be drawn from a relatively small geographic area or interest group.

PARTICIPATION POLICY

OKI's Participation Plan is designed to secure active and representative involvement from all segments of the community in planning and decision-making about regional planning issues, goals, problems, alternatives, and solutions. To accomplish this purpose, OKI commits to the following goals:

- enable an early and active role for the public in the development of transportation plans and programs;
- identify and invite a broad range of potentially affected and interested persons, with special efforts to identify Environmental Justice population groups;
- tailor techniques to meet the diverse needs of the public and the variety of planning activities;
- make special efforts to secure participation and input from Environmental Justice target groups, including the use of facilities and outreach methods that facilitate their participation;
- consult the public about participation methods as well as planning issues;
- evaluate participation processes and procedures periodically so that adjustments can be made for maximum effectiveness; and
- coordinate with Ohio, Kentucky and Indiana statewide participation plans.

PARTICIPATION PROCESS

General Provisions for Public Meetings

Public meetings will be convened as forums for interactive discussion on a variety of planning studies.

To encourage meaningful participation by the public, OKI arrangements for public meetings will provide for the following:

- timing so that public comment can be considered as part of the planning process prior to final decision-making;
- advertising to reach a broad and diverse public;
- facility locations that are accessible to people with physical disabilities and in compliance with the Americans with Disabilities Act (ADA); accessible to public transit, if available and appropriate to the particular study or project; geographically

convenient and accessible to the majority of potentially impacted and interested stakeholders; and

- format designs that promote attendance and facilitates discussion by providing relevant information for public review and a viable opportunity for public comment and discussion.

The information or proposals for which public comment is sought may be presented in a variety of ways including, but not limited to, display boards, 3D models, handouts and audio visual presentations. OKI will present information in a form and style to be generally understood by the public. Terms commonly used only in the transportation planning field will be avoided or explained. Qualified personnel will be available for discussing the information and for answering questions from the public. The meetings will include some format for requesting and obtaining public input including, but not limited to, a question-and-answer session, survey or comment form.

OKI will strive to accommodate persons with special needs if practical.

OKI is required to conduct a public meeting on a biennial basis for its transportation planning process. The meeting will be held at OKI and may be conducted in conjunction with an Intermodal Coordinating Committee.

Notification Process for Public Meetings

OKI will use a variety of ways to attract the general public, elected officials and representatives of agencies and organizations to attend public meetings. At a minimum, these methods will include; 1) legal notices placed in the major newspapers and major minority newspaper(s) at least 14 days in advance of the meetings; 2) press releases to major newspapers and community papers; 3) notice on OKI's Web site; 4) notice to OKI committee members, and 5) notice to Environmental Justice organizations (i.e., agencies and organizations that serve or represent EJ population groups) and selected media targeting Environmental Justice population groups. The notification process will, at a minimum; 1) provide information on the public meeting subject, time, and location; 2) describe locations where documents are available for review (if applicable); and 3) invite participation in the public meeting. Particular efforts will be made to promote the meetings to Environmental Justice population groups for those meetings scheduled in EJ target areas.

Process for Public Comment and Response

Comments from public meetings will be recorded, reviewed, and summarized in a document. A summary of comments will be presented to the OKI Board for its consideration prior to Board action on the item. Changes that are significantly different and/or raise new issues from the initial item presented to the Board for action will be made available for public comment. The OKI Board will determine if additional opportunity for public comment is warranted.

General Provisions for Public Hearings

Public hearings will be convened to provide formal documentation of public comments on the major outcomes of OKI's planning process prior to their presentation to the Board for adoption. These planning process documents include; the draft of the Long-Range Plan update, the draft of the TIP update, and amendments to the Long-Range Plan in intervals between updates (these would be needed for TIP amendments in which capacity expansion projects are added or deleted).

Public hearings will include a brief overview of the draft Plan, amendments, or TIP before the floor is open for comments. At the hearing, citizens will be able to comment orally or submit written comments. Public hearings will be held at OKI offices or other suitable locations, which are accessible by transit and accessible to people with disabilities, as specified in the Americans with Disabilities Act.

The comment period begins with the publication of the legal notice and remains open until OKI Board action is taken. Comments may be submitted to OKI in writing, by e-mail or personal testimony at the Board meeting at the discretion of the Board President.

Notification Process for Public Hearings

Public hearings will be publicized by: 1) legal ads placed in the largest circulation metropolitan daily newspaper and major minority newspaper(s) at least 30 days in advance of the hearing; 2) notice on OKI's Web site; 3) notice to OKI committee members; and 4) notice to Environmental Justice organizations (i.e., agencies and organizations that serve or represent EJ population groups) and selected media targeting Environmental Justice population groups. The notification process will, at a minimum, 1) provide information on the public hearing topic, time, and location; 2) describe locations where the document is available for review; and 3) invite participation in and describe the process for review and comment of the document subject to the hearing.

Availability of Documents for Review and Comment

Documents subject to review and comment at a public hearing will be made available at least 30 days prior to the public hearings, which coincides with the placement of a legal notice. Copies of draft documents will be placed, at a minimum, on the OKI Web site and OKI offices. Copies may be requested from OKI.

Process for Public Comment and Response

Comments on documents subject to public hearings may be made orally or in writing at the public hearing or transmitted by mail, fax, or e-mail during the comment period.

Comments presented orally at the public hearings will be recorded and documented. All comments submitted within the comment period will be reviewed and summarized in a document that includes staff responses. Staff responses will be made available to those

who provided comment. A summary of comments will be presented to the OKI Board for its consideration prior to Board action on the item.

Participation Process for Long Range Plan Update

Schedule and Scope of Public Meetings for the Long Range Plan

For the Long-Range Plan, OKI will hold an initial round of public meetings at the beginning of the update process and a second round of public meetings at the end of the process. Round one will include at least four meetings geographically distributed, or additional meetings as requested. Round two will include at least one meeting per county (with no fewer than three of these meetings being held in EJ target areas) or additional meetings as requested. The first round of public meetings will provide information and an opportunity to comment on the planning process and transportation problems, base data and assumptions, and alternative solutions. The second round of public meetings will seek comment on recommendations presented in the draft plan. Both rounds will include the project list from the Transportation Improvement Program (TIP).

Notification Process for Public Meetings

The notification process for public meetings will be in accordance with the General Provisions for Public Meetings described above.

Process for Public Comment and Response

Comments from public meetings will be recorded and summarized in a document that includes staff analysis and responses. A summary of comments and responses will be presented to the OKI Board for their consideration prior to the Plan's adoption and subsequently included, along with any Board modifications, as an appendix to the Plan or as a separate document. If the Plan is changed significantly from the initial document made available for public comment and raises new issues, then OKI will provide additional opportunity for public comment on the revised document.

Public Hearing

A public hearing will be held prior to adoption of the Long-Range Plan Update by the OKI Board in accordance with the General Provisions For Public Hearings discussed previously.

Document Availability

Documents subject to review and comment at the public hearing will be made available at least 30 days prior to the meeting, which coincides with the placement of the legal notice. Copies of draft documents will be placed, at a minimum, on the OKI Web site, at the OKI offices and in each county's main public library. Copies may be requested from OKI.

Participation Process for TIP Update

For comments on the TIP, OKI will maintain a separate record of comments for subsequent incorporation into the summary of comments prepared in conjunction with the public hearing on the TIP. If the TIP is changed significantly from the initial document made available for public comment and raises new issues, then OKI will provide additional opportunity for public comment on the revised document.

A public hearing will be held prior to adoption of the TIP update by the OKI Board in accordance with the General Provisions For Public Hearings discussed previously.

Participation Process for Amendments to the TIP and Long-Range Plan

In the intervals between updates, modifications to the TIP will be documented in a resolution presented to OKI's Intermodal Coordinating Committee for consideration and then to the OKI Board for approval. If a TIP modification is a capacity expansion project, it must be incorporated into the Long-Range Plan in order to be eligible for federal funding, which involves either a Plan update or Plan amendment. Participation is thus provided through either a series of public meetings and a public hearing related to the Plan update or, if the TIP amendment for a capacity expansion project occurs in the interval between Plan updates, through a public hearing to amend the Long-Range Plan.

In accordance with SAFETEA-LU, participation plans should incorporate a recommended list of projects for which TIP and/or Long Range Transportation Plan amendments can be processed without a requirement for public review. The following proposed list consolidates the Categorical Exclusions list and the Air Quality Conformity Project lists.

Exemption of such projects would not deny the public the right for interested parties that are affected by transportation plans, programs and projects to be involved in the early stages or at key decision points in the planning process, since the exempted projects are of types that are typically not identified through the planning process and/or are known to be non-controversial, negligible impact projects.

It is further recommended that the Participation Plan include a stipulation that any project for which public review is not required could be subject to public involvement requirements if the local MPO in consultation with either the Kentucky Transportation Cabinet (KYTC), Indiana Department of Transportation (INDOT), Ohio Department of Transportation (ODOT), Federal Transit Administration (FTA) or Federal Highway Administration (FHWA), determines that public review is appropriate due to a potential for controversy, negative impacts, or public concern for any other reason.

Corridor and Special Studies

Corridor Studies

Because its localized impacts usually generate intensive public interest, corridor studies are a major focus of OKI's participation efforts. For each corridor study, OKI will design a unique participation process to obtain optimal participation from the area's key stakeholders, a diversity of community and special interest groups, and the general public. To address Environmental Justice concerns, each corridor plan will include an environmental justice component for participation. At a minimum, each corridor study will have its own core advisory group that oversees the study process and is involved in designing the participation process, study goals, problem definition, alternative solutions, and selection of preferred alternatives. In addition, each study may apply any number of other methods to provide public outreach or obtain public input. Participation is important for developing consensus so that recommendations will advance to implementation. Public meetings are critical to the process and will be held at locations appropriate to attract stakeholder input. Public hearings are not required for corridor studies.

Special Studies

For special studies that focus on specific transportation issues (such as a bike plan or a freight study), OKI will tailor an individual participation program based on project scope, funding, and purpose. Efforts to involve the public may involve developing a separate committee for the study duration as well as a combination of efforts to provide outreach and obtain input from affected organizations and the general public. Study recommendations incorporated into the Long-Range Transportation Plan are subject to the participation efforts conducted as part of the Plan amendment process.

Table 1-1: GROUPED PROJECT TYPES

Safety

Railroad/Highway crossing	Skid treatments
Shoulder improvements	Adding medians
Increasing sight distance	Truck climbing lanes outside the urbanized areas
Traffic control devices and operating assistance	Lighting improvements
Railroad/highway crossing warning devices	Widening narrow pavements or reconstructing, rehabilitation, or replacement of bridges (no additional travel lanes)
Guardrails, median barriers, crash cushions	Emergency truck pullovers
Pavement resurfacing, restoration and/or rehabilitation	Safety roadside rest areas
Pavement marking	Changes in vertical and horizontal alignment *
Emergency relief	Truck size and weight inspection stations *
Fencing	Interchange reconfiguration projects *
Changes in access control for safety	Intersection signalization at individual intersections *
Hazard elimination program, highway safety improvement program	Intersection channelization *

Transit

Operating assistance to transit agencies	Construction of small transit passenger shelters and information kiosks
Purchase of transit support vehicles	Reconstruction or renovation of transit buildings and structures
Rehabilitation of transit vehicles	Purchase of new buses or rail cars to replace existing vehicles or for minor expansions
Purchase of office, shop, and operating equipment for existing transit facilities	Transportation corridor fringe parking facilities
Purchase of operating equipment for transit vehicles (e.g. radios, fareboxes, lifts, etc.)	Bus terminal and transfer points *
Construction or renovation of power, signal, and communications systems for transit	Construction of new bus or rail storage/maintenance facilities *
Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons	

Air Quality

Continuation of ride-sharing and van-pooling promotion activities at current levels	Bicycle and pedestrian facilities
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Other Minor Projects

Planning and technical studies	Acquisition of scenic easements
Engineering to assess social, economic, and environmental effects of the proposed action	Planting and landscaping
Noise attenuation	Directional and information signs
Emergency or hardship advance land acquisitions	Repair of damage caused by natural disasters, civil unrest, or terrorist acts

* Projects must meet criteria for categorical exclusion

Other Provisions for Involving the Public

OKI Web site

To increase public awareness and understanding of OKI planning efforts and opportunities for participation, OKI will maintain a Web site (www.oki.org) with information on the agency, its planning activities, and special opportunities for participation. Information will be updated periodically.

Networking

Networking involves OKI staff presenting information and seeking opportunities for discussion to groups with a special interest in transportation planning. OKI will offer networking opportunities during the update of the Long-Range Plan and in the intervals between Plan updates. A networking session may feature an explanation of the planning process, plan recommendations, or a planning issue and will include a question-and-answer session. OKI may distribute handouts, a survey form, or use other methods to provide information or obtain input. OKI will be available for networking in response to requests; OKI will promote its availability to Environmental Justice communities and organizations.

Additionally, OKI's analysis of roadways within the urbanized area is a critical element which will be provided to each individual State Highway Safety Plan (SHSP). The use of safety conscious planning workshops is a component of this process and furthers the interagency consultation efforts to implement projects and programs. Through such participation efforts, OKI ensures outreach to and input from local and regional safety stakeholders including, but not limited to, transit providers, elected officials and staff from departments of environmental services, police, fire, emergency services and planning.

Other Outreach Methods

Independent of efforts to involve the public as described in preceding sections, OKI may make additional outreach efforts at any time. The outreach method and timing will be determined based on the need for education, the nature of the planning effort, and the audience to be reached. Methods for increasing public awareness of transportation issues or participation opportunities include, but are not limited to, press releases, public service announcements, media briefings, newspaper advertisements, and coordination with EJ communities or organizations. Methods to provide for public education include, but are not limited to, newsletters, information displays, fact sheets, brochures, a speaker's bureau, and information for distribution by EJ communities or organizations.

Additional Participation of EJ Population Groups

In addition to the efforts to involve EJ population groups in OKI transportation planning as provided in the preceding sections, and in addition to the resources to improve communication with EJ population groups as discussed in Participation Plan Element 4, there may be occasions in which public comment is needed from one or more EJ population groups or, perhaps for a corridor study, at a level more localized than which OKI is traditionally involved. In that case, OKI will seek to coordinate with the public and private organizations that represent or serve these special populations. This coordination would involve working with agencies/organizations willing to present information to the people they serve or represent; provide space in their newsletters; allow meetings in their facilities, or otherwise serve as intermediaries. These agencies/organizations may include, but are not necessarily limited to, congregations, schools, neighborhood centers, housing associations, adult education centers, and sponsors of special events.

Availability of Data

In addition to drafts of the Long Range Plan and the TIP available for review and comment, these and other documents and technical information will be available to the public in response to requests. Reproduction costs of more than 10 pages will be borne by the party making the request.

Statement of Non-Discrimination

In carrying out this policy to involve the public in transportation plans and programs, discrimination against any person because of political or religious opinion or affiliation or because of race, creed, color, national origin, sex, age, income or disability is hereby prohibited.

AMENDING THIS PARTICIPATION PLAN

In accordance with SAFETEA-LU legislation, this OKI Participation Plan is developed "in consultation with all interested parties." This consultation requirement is intended to afford parties who participate in the regional planning process a specific opportunity to comment on the Plan prior to its approval or subsequent amendment. The update process for this document is required four years after the Plan's adoption and every four years thereafter. The update process will include a 45-day public review period for this Participation Plan. OKI commits to consideration of public input.