

INTRODUCTION A CONTEXT FOR POLICY DEVELOPMENT

The Ohio-Kentucky-Indiana Regional Council of Governments (OKI) is the regional planning and intergovernmental coordination agency for the Greater Cincinnati metropolitan area. OKI's planning area includes nearly 200 units of local governments in a tri-state area comprised of Butler, Clermont, Hamilton, and Warren counties in Ohio; Boone, Campbell, and Kenton counties in Kentucky; and Dearborn County in Indiana. As the designated Metropolitan Planning Organization (MPO) for the Ohio, Kentucky and Indiana counties in its region, OKI is responsible for the development of a long-range plan and a short-range programming document for transportation, as well as other planning initiatives. Participation issues apply to the broad pattern of transportation investments and impacts considered in metropolitan planning, as well as individual projects recommended by OKI.

In developing this Participation Plan, OKI is replacing its former OKI Policy for Environmental Justice (April 7, 2003) and OKI Policy for Public Involvement (November 12, 1998). This new plan addresses OKI's efforts to not only involve the public in transportation decision-making and the provisions for assessing the equity of transportation investments, but also provides a plan for inter-agency coordination and consultation with local governments. The plan is focused on OKI's transportation program, but it may also be applied to other programs at OKI or used by other agencies. The OKI Board of Directors adopted this Plan on June 14, 2007 with Resolution OKI 2007-21.

As a public agency that receives federal funds and makes recommendations on federal expenditures, OKI is affected by Participation requirements for ensuring that federal funds are used fairly and without discrimination. And, per Title 49 U.S.C. Chapter 53, ensures that the requirements of its transportation planning processes are met for flexible funded projects, including project selection requirements.

The basis for Environmental Justice is Title VI of the Civil Rights Act of 1964, which states:

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.

Participation has become a prominent issue for public agencies as the result of a series of federal orders that serve to amplify Title VI. These include:

- SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) on August 10, 2005
- Federal Highway Administration Order in 1998
- U.S. Department of Transportation Order in 1997
- President Clinton's Executive Order 12898 in 1994, which directed every federal agency to make Environmental Justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on minority and low income populations
- Section 504 of the Rehabilitation Act of 1973

For agencies like OKI, the Orders issued by federal departments clarified the need to involve the potentially affected public in transportation decision-making processes and assess the equity of transportation investments. The targets of the Participation Plan are the entire public, but provide for additional consideration of Environmental Justice populations of minority and low income populations. OKI has chosen to expand its efforts to also address elderly persons, people with disabilities, and zero-car households.

This plan contains the following four distinct but inter-related elements:

- Element 1: presents a policy and process for involvement including focused special efforts to involve Environmental Justice target populations
- Element 2: describes a process for defining the population groups and areas in the OKI region to be targeted for Environmental Justice processes
- Element 3: describes a process for assessing the equity of transportation investments on Environmental Justice target populations
- Element 4: lists the initiatives that OKI will undertake to support the implementation of this plan.