

# OKI Participation Plan

June 14, 2007



Ohio-Kentucky-Indiana Regional Council of Governments  
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**RESOLUTION**  
**OF THE BOARD OF DIRECTORS**  
**OF THE**  
**OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**  
**CONCERNING APPROVAL OF THE**  
**OKI PARTICIPATION PLAN**

**WHEREAS**, the Ohio-Kentucky-Indiana Regional Council of Governments has prepared a Participation Plan to meet SAFETEA-LU planning regulations that require new consultations with various agencies at all levels as part of a comprehensive public / community outreach; and

**WHEREAS**, the Participation Plan has been reviewed by the OKI Environmental Justice Advisory Committee and appropriate state and federal agencies; therefore

**BE IT RESOLVED**, that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments, at its regular public meeting of June 14, 2007, hereby approves the OKI Participation Plan.

  
**CHRISTINE L. MATAVIC, PRESIDENT**

## **ACKNOWLEDGEMENTS**

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The opinions, findings and conclusions expressed in this document are those of the OKI Regional Council of Governments and are not necessarily those of the U.S. Department of Transportation. This report does not constitute a standard, specification, or regulation.

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## **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.

# **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](http://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.

## ELEMENT 2

# PROCESS FOR DEFINING TARGET GROUPS AND AREAS

### INTRODUCTION

“Target Groups” are concentrations within the OKI region of the population groups addressed by Environmental Justice. These concentrations are located within “Target Areas.” The process for defining Target Groups goes hand-in-hand with the definition of Target Areas, and the terms “Target Group” and “Target Area” are often interchangeable.

OKI has defined Target Groups and Areas for five population groups: Minority, Low Income, and Elderly populations; People with Disabilities; and Zero-Car Households. These Target Groups and Areas are subject to special efforts in OKI’s Participation Plan, as described in Plan Elements 1 and 4. The Minority and Low Income Target Groups and Areas are also the focus of an assessment of the equity of transportation recommendations, as explained in Plan Element 3.

The focus of Plan Element 2 is OKI’s process for defining Target Groups and Areas. The process uses census data to identify where EJ population groups are most concentrated. The data and maps developed at the time of this plan’s publication are based on 2000 census data, but will be revised when 2010 census data becomes available at the levels needed to conduct the process described in this plan. The Target Groups and Areas will be reviewed no less than every four years, in conjunction with the update of the Long-Range Transportation Plan, and the definition process may be revised at any time.

As a two-step process, the definition of Target Groups and Areas involves first identifying the general distribution of each EJ population group and then defining where each group is most concentrated. Where the concentration of an EJ population group meets or exceeds the regional average and has an EJ population of more than 100, the EJ population is considered to be part of a Target Group and Area. The definition process is based on small-area data that results in the identification of multiple, non-contiguous areas with EJ population concentrations. For each EJ population group, these dispersed concentrations are referred to collectively as a Target Group and the multiple locations of the concentrations are referred to collectively as a Target Area. The definition of Target Groups and Areas is based on guidance published by the Ohio Department of Transportation (*Guidance and Best Practices for Incorporating Environmental Justice into Ohio Transportation Planning and Environmental Processes*, Draft, August, 2002).

## ENVIRONMENTAL JUSTICE POPULATION GROUPS AND AREAS

Of the five population groups for which OKI defines Target Groups and Areas, only the Minority and Low Income populations are listed in the Executive Order 12898 on Environmental Justice. The Elderly population and People with Disabilities are included in SAFETEA-LU, but they are not required to be addressed under Environmental Justice unless they are included in the finalized version of the Federal Rules. Zero-Car Households are a logical and reasonable extension of Environmental Justice, but this group is not included in the Executive Order or the Proposed Rules.

The composition of the five EJ population groups is defined in federal documents related to Environmental Justice and in U.S. Census 2000 data sources, as indicated below.

**Minority** is comprised of four groups as defined in final U.S. DOT Order on Environmental Justice (Federal Register April 15, 1997) which includes persons from every racial category except White Alone plus all Hispanic persons (Summary File 1: Table P8):

- (1) Black (a person having origins in any of the black racial groups of Africa);
- (2) Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);
- (3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or
- (4) American Indian and Alaskan Native (a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).

**Low Income**, as defined in final U.S. DOT Order on Environmental Justice (Federal Register April 15, 1997), refers to people in households where the median income is at or below poverty level (Summary File 3: Table P87). In 2000, the poverty threshold for a family of four was \$18,000.

**Elderly**, as per Federal guidelines, comprises those age 65 and older (Summary File 1: Table P12).

**People with Disabilities**, non-institutionalized persons aged 16-64 who have a sensory, physical, mental or self-care disability; going outside the home disability; or employment disability.

**Zero-Car Households**, occupied housing units for which there is no car or access to one (Summary File 3: Table H44).

**Table 2-1: Year 2000 Environmental Justice Population Groups for OKI Region**

<b>EJ Group</b>	<b>Number</b>	<b>Percent</b>
Minority	300,718	15.9
Low Income	173,901	9.4
Elderly	221,093	11.7
Disabled	196,888	16.3
Zero Car	71,694	9.8
<b>Regional Total</b>		
Population	1,886,650	100%
Households	734,127	100%
Population Ages 16-64	1,210,867	100%

### **TARGET DEFINITION POLICY**

For each EJ population group, the Target Group and Area is the basis for conducting efforts under this Participation Plan. The Target Group lives where the EJ population group is most concentrated. This concept is explained in ODOT guidance (page 9):

*Typically low income and minority populations are spread throughout the regional area and state but are likely to be located in concentrated locations or neighborhoods. These areas should have a significantly higher percentage of low income and minority population than the regional or statewide average. These areas can then be identified as "target areas."*

Target Groups and Areas are defined based on U.S. Census data. Census data is available at different levels including place, township, census tract, block group and block. Traffic Analysis Zones are the geographic units used by OKI for modeling the performance and assessing the needs of the region's transportation system. For assessment participation equity (see Plan Element 3), OKI will use Census Block Group level data. Block Groups are subdivisions of a Census Tract (or, prior to 2000, a Block Numbering Area). A block Group is the smallest geographic unit for which the Census Bureau tabulates sample data. Since Block Groups are more refined than Census Tracts and Traffic Analysis Zones, OKI will use U.S. Census data allocated to Census Block Groups for the purpose of identifying Target Groups/Areas.

OKI's definition process responds to ODOT guidance (page 9) for identifying target populations for Low Income and Minority populations. OKI has further expanded the process to include the Elderly population, Population with Disabilities, and Zero-Car Household by:

- Identifying the number and the percentage of low income and minority populations in the entire OKI region, project impact region or the state;

- Calculating the average percentage of low income and minority populations of the entire region, project area or state;
- Using that percentage as a reference point to identify locations with target EJ populations of low income and minority populations.

As clarified in ODOT guidance (pages 9 and 10), the average percentage is a reference point for calculating a threshold percentage for defining a Target Group and Area. In addition, OKI will apply a numeric threshold of 100 for defining a Target Group and Area. The EJ populations in census block groups where the EJ population both exceeds the regional average and there are more than 100 EJ persons (or households in the case of zero cars) will be defined as the Target Group. For example, for the Minority population, the 2000 regional average is 15.9 percent which then becomes the threshold percentage. The census block groups where the Minority population is 15.9 percent or more of the block group’s total population and the number of Minority persons exceeds 100 are part of the Target Area that contains the Target Group population.

## TARGET GROUPS AND AREAS IN 2000

The EJ Advisory Committee decided that any block group containing the regional average (regional threshold) or more of a target population (target group) and whose target population exceeded 100 would be considered a target area.

The threshold percentages based on 2000 census data are shown below, as well as the size of the 2000 Target Groups, the percentage of the EJ population group located in the Target Area, and the number of Census Block Groups in the Target Area. Maps of the 2000 Target Areas are provided on the following pages.

**Table 2-2: EJ Target Groups/Areas in 2000 for the OKI Region**

<b>Target Group</b>	<b>Regional Threshold</b>	<b>Target Group Population</b>	<b>% of EJ Pop. In Target Group</b>	<b>No. of <i>Block Groups</i> in Target Area</b>
Minority	15.9	226,245	75.2	365
Low Income	9.4	121,172	69.7	446
Elderly	11.7	132,832	60.1	590
Disabled	16.3	112,310	57.0	581
Zero Car Households	9.8	34,938	48.7	180

The data has been aggregated according to the specifications and in accordance with *Guidance and Best Practices for Incorporating Environmental Justice into Ohio Transportation Planning and Environmental Processes* (August 2002). Data have been gathered for low income, minority, elderly, disabled and zero car household groups in the OKI planning region.

Figure 2-1

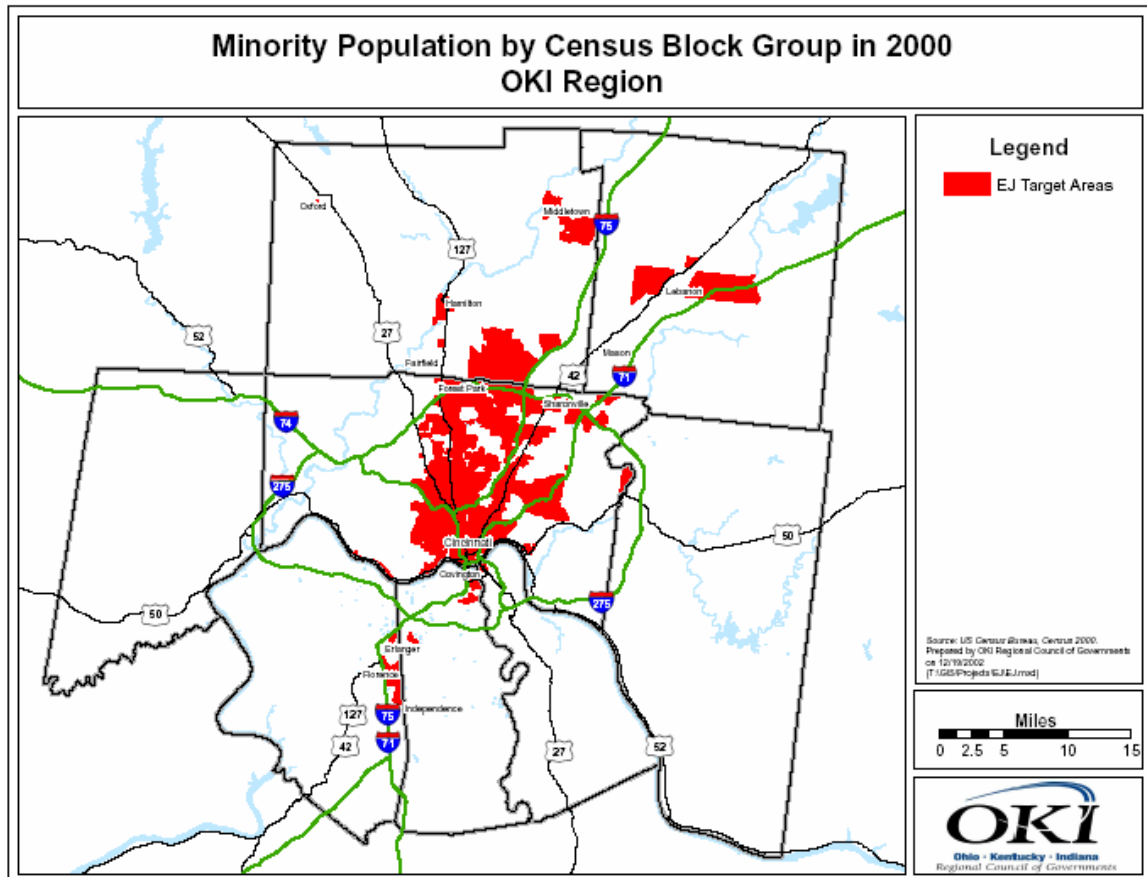


Figure 2-2

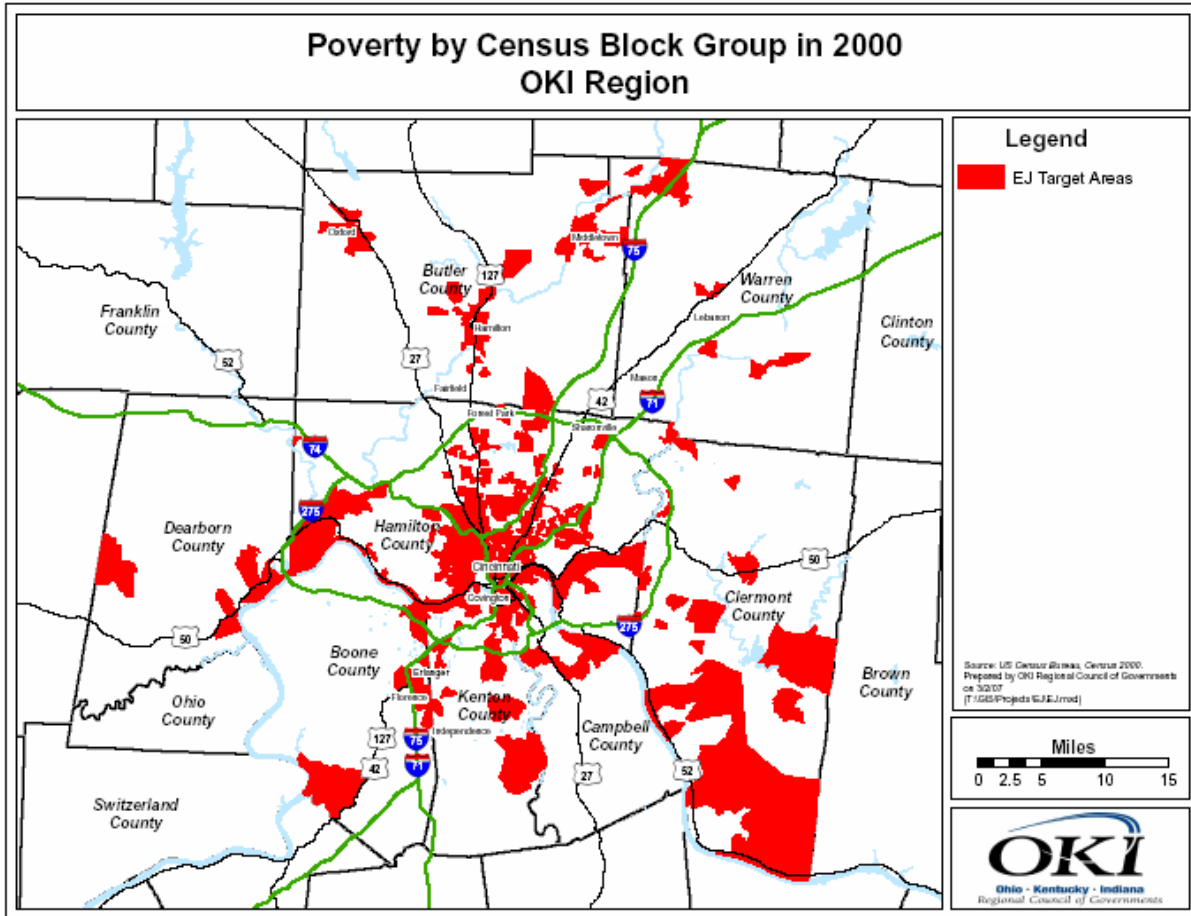


Figure 2-3

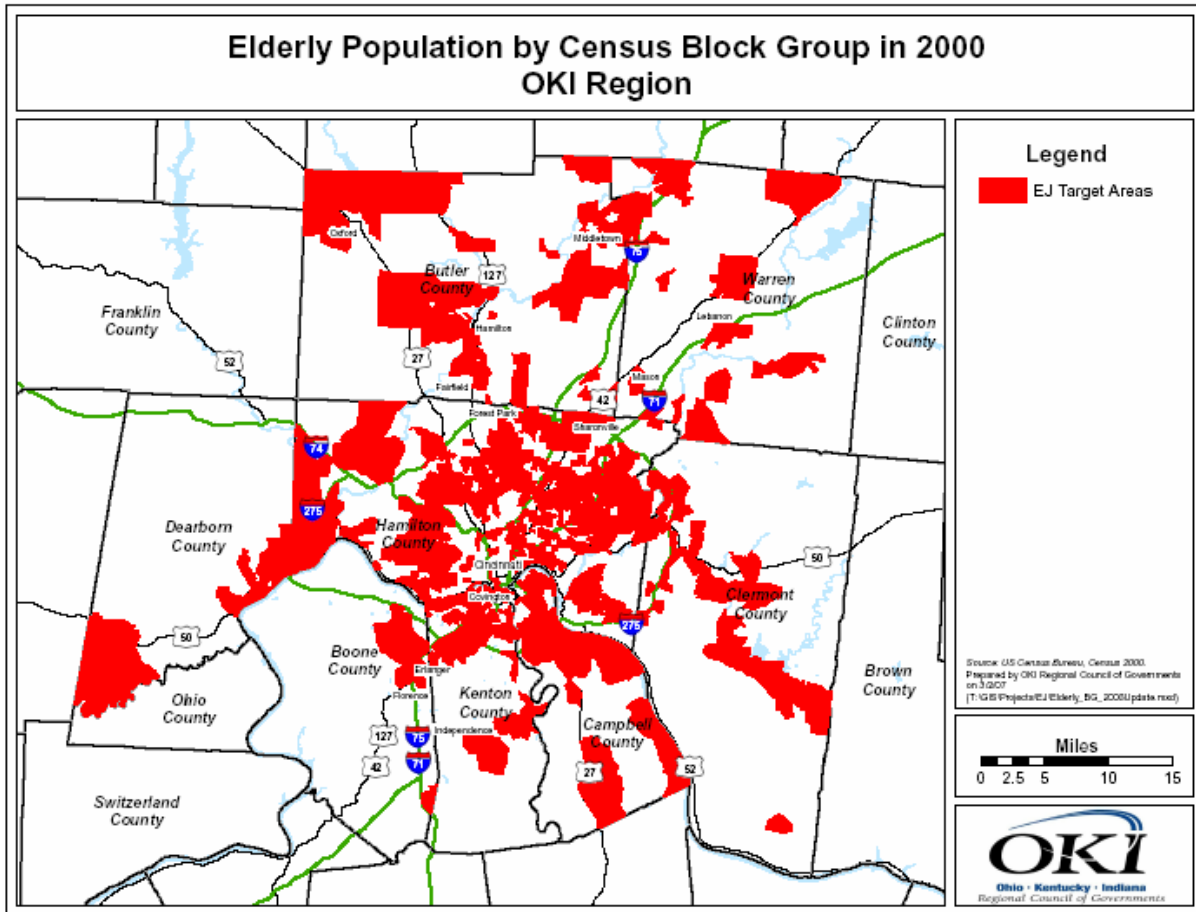


Figure 2-4

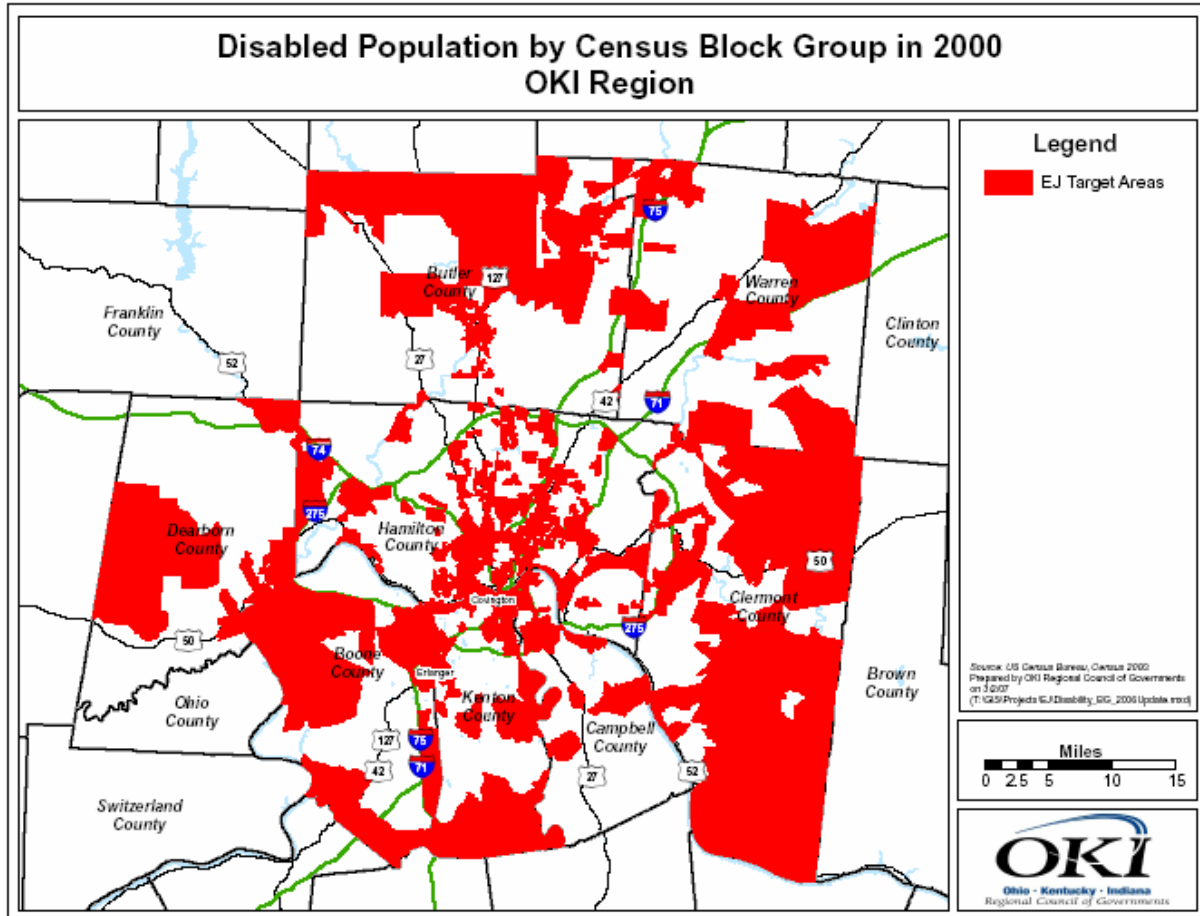
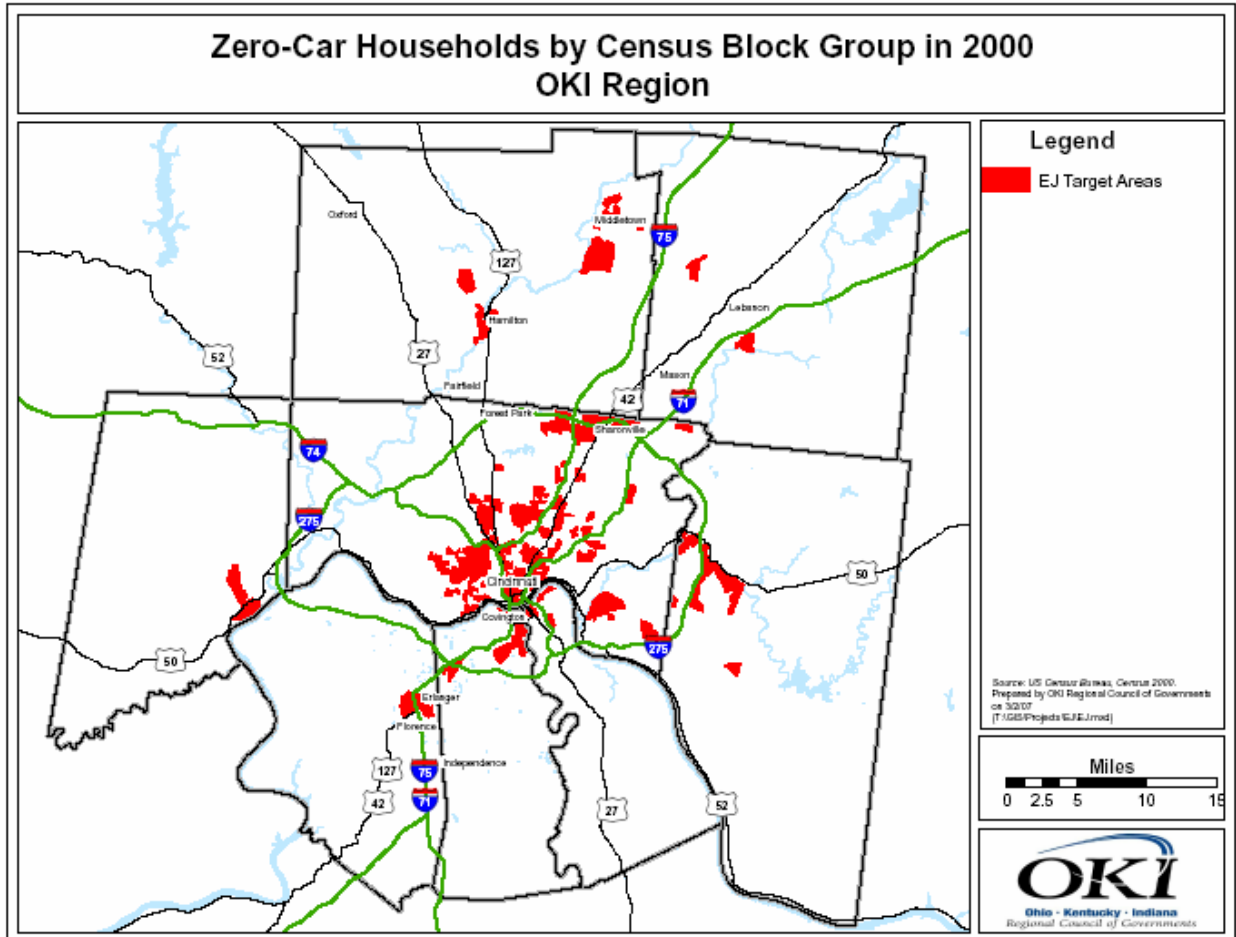


Figure 2-5



## **ELEMENT 3**

### **ASSESSING PARTICIPATION EQUITY**

#### **INTRODUCTION**

To address the needs for Environmental Justice populations, regional planning investments must provide an equitable distribution of benefits and should not result in a disproportionate burden of adverse impacts on Minority and Low Income population groups. To monitor public participation endeavors and ensure that the goals established by this Plan are met, OKI has developed an assessment process.

#### **PARTICIPATION ASSESSMENT**

The assessment process compares the impacts of Long-Range Plan and TIP recommendations on Minority and Low Income target areas with the entire region (target areas are defined in Element 2). The impacts are calculated by OKI's Regional Travel Demand Model for transportation mobility and accessibility.

In transportation planning, the Travel Demand Model is used to forecast travel patterns for different transportation scenarios and then calculate data for measuring the impacts of the different travel patterns, such as total vehicle-miles-of-travel (VMT) and pollutant emissions. These impact measures are analyzed as a basis for recommending a plan or TIP.

In the Participation Plan assessment process, OKI uses the Travel Demand Model to calculate data for additional measures as a basis for assessing the impact of transportation investments on Environmental Justice target and non-target areas. For assessing the Long-Range Plan that includes a TIP, these EJ impact measures will be calculated for the following transportation scenarios:

1. The existing transportation system (base year)
2. The "existing plus committed" system (the existing system under future conditions modified only by project recommendations in the TIP)
3. The future transportation system as recommended in the Long-Range Transportation Plan

OKI will use a variety of impact measures that relate to transportation mobility and accessibility. Some will be able to be estimated using the OKI Travel Model and others will require different approaches. Measures will be used from six general categories which are described on the following page. Each of these categories will be further subdivided to account for different travel modes (auto vs. transit) and/or travel time, where appropriate.

### Mobility/Congestion

- Travel Time
- Percentage of vehicle miles traveled in congestion

### Accessibility

- Job opportunities within 20 minutes auto travel time
- Job opportunities within 20 minutes transit travel time
- Job opportunities within 40 minutes transit travel time
- Percentage of population within 40 minutes transit travel time of a college/university

### Reliability

- Dependable transit service as measured by percent of on-time arrivals

### Safety

- Transit with minimal risk of accident or injury as measured by reduced accidents

### Equity

- Supply of transportation infrastructure and services
- Displacement of residents and business
- Social structure
- Expenditures on highway projects
- Expenditures on transit projects

### Other Regional Performance Measures

- Environmental Impacts
- Financial impacts
- System performance indicators

From the data developed in the assessment process, the transportation conditions for Minority and Low Income target areas will be compared with those of non-target areas. For three other population groups (i.e., Elderly population, People with Disabilities, and Zero-Car Households), OKI will define target areas and develop data, but is not required to conduct an EJ assessment. The significance of the comparative process for these groups is reduced by the relatively disbursed distribution of the Elderly population and People with Disabilities, for which the target areas contain less than half the group population, and by the strong correlation of the Zero-Car Household target area to the Minority and Low Income target areas.

## **ELEMENT 4 PLAN IMPLEMENTATION**

### **ADMINISTRATION OF PARTICIPATION PLAN**

OKI is committed to this document's implementation. This level of commitment is exemplified in several ways:

- Ensuring the proper conduct of the provisions in OKI's Participation Plan
- Coordinating with EJ organizations and communities
- Monitoring OKI's coordination with Title VI, ADA and Section 504
- Researching approaches used by other Metropolitan Planning Organizations (MPOs) to address Participation
- Serving as OKI's advocate for participation of EJ groups/areas
- Assessing the need for modifications to OKI's Participation Plan
- Providing staff support to an OKI Environmental Justice Advisory Committee
- Consulting with local and state resource agencies to develop the best strategies for mitigating environmental impacts on a regional level
- Assessing the effectiveness and equity of the Plan's provisions for public participation.

#### Participation Plan Administrator

OKI has established a position for overseeing the implementation of the agency's *Participation Plan*. This position involves responsibility for the bullets listed above. This position is currently filled by:

Ms. Florence J. Parker  
OKI Regional Council of Governments  
720 East Pete Rose Way, Suite 420  
Cincinnati, OH 45202  
T: 513-621-6300 F: 513-621-9325 (Fax)  
fparker@oki.org

### **ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE**

OKI has an Environmental Justice Advisory Committee to:

- Provide oversight of the application of OKI's Participation Plan
- Monitor the overall effectiveness of OKI's Participation Plan and compliance with federal policy
- Ensure input on EJ regional planning needs and concerns in OKI's decision-making process
- Participate in the TIP and Plan project prioritization process

## TECHNICAL SUPPORT FOR PLAN IMPLEMENTATION

- OKI will develop and maintain an **EJ Network List** that will identify key agencies/organizations that serve Minority, Low Income, and Elderly populations, People with Disabilities or serve as their advocates, and Zero Car Households. This list will include major churches and ministerial organizations. The list will provide indications of how agencies/organizations may be used for implementing OKI's Participation Plan, including, but not limited to, their interest in providing coordination to OKI, acting as liaison with the community/clients/congregations, and/or disseminating information by newsletter or other means. The list will include names of contacts, phone numbers, and e-mail addresses.
- A **List of Recommended Facilities** will be developed. The list will indicate facilities preferred as sites for meetings with or making information available to EJ Target Groups/Areas. Information will be provided on transit access, access to people with disabilities, size of meeting space, etc., as well as street address, community, name of contact person, and phone number. The list may include libraries, faith communities/congregations, schools, medical buildings, agencies, EJ organization facilities, and businesses serving EJ populations.
- A **Media List** of sources available for reaching Environmental Justice population groups will be developed. The list will include public newspapers, agency/organization newsletters (for communities, public agencies, private organizations, faith communities/congregations, schools), radio stations (including Radio Reading Service), and special events.
- OKI will develop a database on **EJ Target Areas** designed for public access. It will include, but not necessarily be limited to, base data and summary analysis of the Target Groups/Areas (see plan Element 2) and lists and/or maps of jurisdictions, communities, or neighborhoods in EJ Target Areas.
- As dictated by federal mandates and discrete scopes of work, OKI coordinates and consults with a number of public, private and non-profit agencies and organizations on regional or sub-regional transportation studies, plans and programs, including the 2030 Long Range Transportation Plan, the TIP, the Strategic Regional Policy Plan, and several corridor studies. This includes agencies that are responsible for land use management, natural resources, environmental protection, conservation and historic preservation. Through consultation with resource agencies, OKI works to develop the best strategies for mitigating environmental impacts on a regional level. To the extent possible, key environmental resource agency personnel are included on OKI committees. Environmental resource agencies are also invited to review and comment on the Regional Transportation Plan and other major documents. Coordination and consultation occurs as necessary in formal and informal settings, on long- and short-term bases, and in individual contacts and group discussions.

The following are some of the agencies and organizations with which OKI has interacted in the past and will consult with in the future to enhance participation efforts:

- Federal and state transportation departments
- Federal and state environmental agencies
- Federal and state natural resources agencies
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- U.S. Department of Agriculture
- U.S. Environmental Protection Agency
- Federal Aviation Administration
- National Park Service
- Federal and state emergency management agencies
- Federal, state and local homeland security agencies
- State air quality agencies
  - Indiana Department of Environmental Management
  - Kentucky Natural Resource and Environmental Protection Cabinet
  - Ohio Environmental Protection Agency
- State historic preservation offices
- State departments of agriculture
- Public transit service providers
  - Butler County Regional Transit Authority
  - Clermont Transportation Connection
  - Middletown Transit
  - Transit Authority for Northern Kentucky (TANK)
  - Southwest Ohio Regional Transit Authority (SORTA)
  - Transit Alliance of Butler County
- Local elected officials
- Local government planning commissions
- Local government public works and engineering departments
- Local transportation improvement districts
- Local government environmental services departments
- Local government public safety departments
- Regional and local water and sewer districts or departments
- Soil and water conservation districts
- Resource conservation and development districts
- Flood control districts
- Local park districts
- Local recreation departments
- Local health departments
- Local watershed planning groups
- Local government economic development offices
- Local agencies for children, seniors and the disabled
- Local school districts, colleges and universities
- Local hospital associations

- Local business and community/neighborhood associations
- The United Way
- Trade and industry associations, such as chambers of commerce, the Hispanic Chamber of Commerce, Greater Cincinnati & Northern Kentucky African American Chamber of Commerce, Homebuilders associations, Realtors, and Farm Bureau Federation chapters
- Civic associations, such as the NAACP, the Urban League, the Sierra Club, the League of Women Voters, and Citizens for Civic Renewal

## EVALUATION OF PARTICIPATION PLAN

OKI will conduct a four year review of the effectiveness of its participation process. OKI will develop evaluation forms (as indicated below) for use at public meetings. The forms may also be used for other participation efforts. The distribution, collection, review, and maintenance of the forms will be the responsibility of OKI staff responsible for administering the Participation Plan. The forms will be made available to the public for review on request.

- **A Record of Participation** will be completed by OKI staff. It will include, at a minimum, information on:
  - Meeting date, time, location, and topics
  - Methods for advertising the meeting
  - Number of participants (excluding staff) by categories such as OKI committee member, elected official, agency staff, organization affiliate, unaffiliated citizens
- A Comment Sheet for **Evaluation by Participants** will be available at each public meeting. Participants will be encouraged to complete the Comment Sheet before leaving the meeting. It will include the meeting date, time, location, and topic. Participants will be asked for information that includes:
  - Participant's ranking and comment on the information presented
  - Participant's name, mailing address, telephone number, email address, neighborhood for residence and work, and interest in coming to the meeting (such as OKI committee member, elected official, agency staff, organization affiliate, community resident, community business, etc.). The Comment Sheet will note that the participant's response to this question is optional.
  - How participant learned of the meeting (checkboxes)
  - Indications of participant's opinion of the suitability of meeting location, meeting time, topics presented, format of information presented, opportunity for comment, and overall event (checkboxes and space for comments)
  - The Comment Sheet will state that all information collected will be kept confidential and used for planning purposes only.