

# KENTUCKY

## STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) For FY 2019-2022

### AMENDMENT #2018.007

#### I. Proposed Action:

The Kentucky Transportation Cabinet (KYTC) hereby submits the attached resolution from the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) adopting the Transportation Improvement Program (TIP) for Fiscal Years 2021-2024. The KYTC requests inclusion of the TIP in the KYTC's FY 2019-2022 Statewide Transportation Improvement Program (STIP).

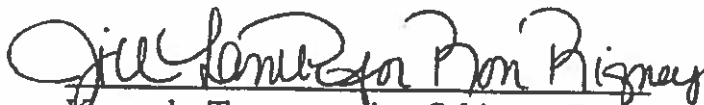
Location: Ohio-Kentucky-Indiana Metropolitan Area

#### II. Additional Remarks:

Attached is a copy of the Resolution, Self-Certification, Planning Finding, Conformity Determination, and Governor's Designee approval letter.

#### III. Amendment Approval:

Amendment Recommended for Approval:

  
Kentucky Transportation Cabinet      Date  
Ronald B. Rigney, Director              7-8-20  
Division of Program Management

Approval of STIP Amendment:

JOHN D  
BALLANTYNE

Digitally signed by JOHN D  
BALLANTYNE  
Date: 2020.07.08 15:39:32 -04'00'

Federal Highway Administration      Date

BERNADETTE S DUPONT

Digitally signed by BERNADETTE S  
DUPONT  
Date: 2020.07.08 10:36:10 -04'00'

Recommended by

Date

# KENTUCKY

## STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) For FY 2019-2022

### AMENDMENT #2018.007

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Location: Ohio-Kentucky-Indiana Metropolitan Area

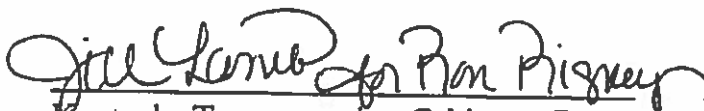
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Amendment Recommended for Approval:

Approval of STIP Amendment:





Kentucky Transportation Cabinet Date

Ronald B. Rigney, Director

Division of Program Management

7-8-20

Federal Transit Administration Date 7-8-2020

RESOLUTION

OF THE BOARD OF DIRECTORS OF THE  
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS

CONCERNING ADOPTION OF THE  
FY 2021 – 2024 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND AMENDMENT TO  
THE 2040 TRANSPORTATION PLAN AND THE DETERMINATION OF CONFORMITY OF THE TIP  
AND 2040 TRANSPORTATION PLAN WITH AIR QUALITY REGULATIONS

**WHEREAS**, the Ohio-Kentucky-Indiana Regional Council of Governments (“OKI”) is designated as the Metropolitan Planning Organization (“MPO”) by the Governors of Ohio, Kentucky and Indiana acting through the Ohio Department of Transportation, the Kentucky Transportation Cabinet and the Indiana Department of Transportation, and in cooperation with locally elected officials for the counties of Butler, Clermont, Hamilton and Warren in the State of Ohio; Boone, Campbell and Kenton in the Commonwealth of Kentucky; and Dearborn County in Indiana; and

**WHEREAS**, the MPO has, pursuant to 49 U.S.C. 5323 (k), 23 U.S.C. 135, and 23 CFR 450.220, developed the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program as a short-range element of the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan); and

**WHEREAS**, the ozone nonattainment area consists of the Ohio counties of Butler, Clinton, Clermont, Hamilton and Warren; and a portion of the Kentucky counties of Boone, Campbell and Kenton; and the ozone maintenance area also includes a portion of Dearborn County, Indiana; and are subject to transportation conformity rules; and

**WHEREAS**, the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program includes the addition of projects, as well as other project changes, that are subject to transportation conformity requirements and these changes have not been previously analyzed as part of the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan), as amended, and, due to those changes, a new conformity determination is required based on a new regional emissions analysis, and OKI has engaged in interagency consultation with federal, state and local partners, including the U.S. Department of Transportation, and those partners have concurred with the methodology used by OKI to determine conformity; and

**WHEREAS**, the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan conform to all applicable U.S. Environmental Protection Agency (EPA) approved State Implementation Plans for air quality; and

**WHEREAS**, the environmental justice impacts of these amendments have been identified and addressed as appropriate per Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low Income Population; and

**WHEREAS**, the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan have met the requirements of OKI’s Public Participation Process; and

**WHEREAS**, the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan demonstrate fiscal constraint; and

**WHEREAS**, the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program will become effective concurrent with US DOT approval of the Fiscal Years 2021 – 2024 State Transportation Improvement Programs for Ohio, Kentucky and Indiana: Now, therefore,

**BE IT RESOLVED** that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments at its regular public meeting of April 9, 2020, hereby adopts the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program as the short range element of the OKI 2040 Regional Transportation Plan and amends the OKI 2040 Regional Transportation Plan for the counties of Butler, Clermont, Hamilton and Warren in the State of Ohio; Boone, Campbell and Kenton in the Commonwealth of Kentucky; and Dearborn County in Indiana, and recommends that its members incorporate these improvements into their planning for transportation improvements in their governmental units;

**BE IT FURTHER RESOLVED** that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments hereby affirms the conformity between the OKI Fiscal Years 2021 – 2024 Transportation Improvement Program and the amended OKI 2040 Regional Transportation Plan and applicable EPA approved State Implementation Plans.



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**KRIS KNOCHELMANN, PRESIDENT**

AJR  
4/9/20

## RESOLUTION

OF THE BOARD OF DIRECTORS OF THE  
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTSCONCERNING CERTIFICATION OF THE  
URBAN TRANSPORTATION PLANNING PROCESS

**WHEREAS**, the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) is designated as the Metropolitan Planning Organization (MPO) by the Governors of Ohio, Kentucky and Indiana, acting through the Ohio Department of Transportation (ODOT), the Kentucky Transportation Cabinet (KYTC) and Indiana Department of Transportation (INDOT) in cooperation with locally elected officials in the Cincinnati, Middletown urbanized areas as evidenced in the Agreement, number 3206, between ODOT and OKI dated July 1, 1979 and the Agreement between KYTC and OKI dated July 1, 1983 encompassing the Counties of Butler, Clermont, Hamilton and Warren in the State of Ohio, and Boone, Campbell and Kenton in the Commonwealth of Kentucky and Dearborn County, Indiana; and

**WHEREAS**, the federal regulations pertaining to Urban Transportation Planning, published as 23 CFR 450.334, require the MPO, ODOT, KYTC and INDOT to certify that the transportation planning process cooperatively conducted is in conformance with the regulations; and

**WHEREAS**, the federal regulations also require that the metropolitan transportation planning process be carried out in accordance with all applicable requirements including:

1. 23 U.S.C. 134, 49 USC 5303, and 23 CFR Part 450.300;
2. Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR Part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
5. Section 1101(b) of the FAST ACT (Pub. L 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in US DOT funded projects;
6. 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting the discrimination on the basis of age in program and activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities; and

**WHEREAS**, the United States Department of Transportation conducted an on-site certification review at the Ohio-Kentucky-Indiana Regional Council of Governments offices in December 2016, and issued a subsequent finding, including three commendations, that the Ohio-Kentucky-Indiana Regional Council of Governments was fully certified as meeting all pertinent requirements: Now, therefore,

**BE IT RESOLVED** that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments, at its regular public meeting of April 9, 2020 certifies, in consideration of the requirements listed herein and to the degree appropriate for the size of the area and the complexity of its transportation problems, that the urban transportation planning process is being carried out in conformance with all the applicable federal requirements.

A handwritten signature in black ink, appearing to read "Kris Knochelmann", with a long horizontal flourish extending to the right.

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**KRIS KNOCHELMANN, PRESIDENT**

4/9/20  
rwk



U.S. Department  
of Transportation

Federal Transit Administration  
Region V  
200 West Adams St., Suite 320  
Chicago, IL 60606-5253  
312-353-2789  
312-886-0351 (fax)

Federal Highway Administration  
OH Division  
200 North High St., Room 328  
Columbus, OH 43215

## ELECTRONIC CORRESPONDENCE ONLY

Jack Marchbanks, Ph.D.  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

Dear Director Marchbanks:

This is in response to your letter dated May 1, 2020 regarding requests for USDOT conformity determinations for each Ohio air quality area. We completed our review of the conformity documentation to support adoption of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) 2021-2024 Transportation Improvement Program (TIP) and amended 2040 Transportation Plan by resolution on April 9, 2020. The conformity analysis includes documentation to demonstrate conformity for the 2008 and 2015 ozone standards within the Cincinnati air quality area.

Based on our review, in consultation with the United States Environmental Protection Agency (EPA), we find that the OKI 2021-2024 TIP and amended 2040 Plan conform to the applicable state implementation plan in accordance with the provisions of the EPA's *Transportation Conformity Rule (40 CFR Parts 51 and 93)*. This determination of conformity is effective July 1, 2020.

If you have any questions or comments, please contact Mr. Frank Burkett, Senior Planning Specialist, at (614) 280-6838 or [frank.burkett@dot.gov](mailto:frank.burkett@dot.gov).

**KELLEY  
BROOKINS** Digitally signed by  
KELLEY BROOKINS  
Date: 2020.06.29  
10:55:48 -05'00'

Kelley Brookins  
Regional Administrator  
Federal Transit Administration

Sincerely,

**Laura S. Leffler** Digitally signed by Laura S.  
Leffler  
Date: 2020.06.29 13:29:48 -04'00'

Laura S. Leffler  
Division Administrator  
Federal Highway Administration

ecc: Bob Koehler, OKI  
Jordan Whisler, ODOT  
Scott Phinney, ODOT  
Natasha Turner, ODOT  
Paul Braun, OEPA  
Anthony Maietta, EPA  
Stewart McKenzie, FTA  
Michelle Herrell, FHWA-OH

Electronic File Location: L:\2020 Electronic Subject and Project Files\08 Program and Planning  
and Research\8-E Urban Transportation Planning General\8-E-1 Air Quality Regional Conformity

Internal ecc: DA Reading File

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U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Kentucky Division

July 7, 2020

330 West Broadway  
Frankfort, KY 40601  
PH (502) 223-6720  
FAX (502) 223 6735  
<http://www.fhwa.dot.gov/kydiv>

In Reply Refer To:  
HDA-KY

Mr. Mark Policinski  
Cincinnati Area Metropolitan Planning Organization  
c/o Ohio-Kentucky-Indiana Council of Governments (OKI)  
720 Pete Rose Way  
Cincinnati, OH 45202

Dear Mr. Policinski:

The Kentucky Division Office of the Federal Highway Administration (FHWA) and Region 4 of the Federal Transit Administration (FTA) have reviewed the Kentucky portion of the following planning document:

2021-2024 Transportation Improvement Program (TIP) for the  
Cincinnati Area Metropolitan Planning Organization (MPO)  
(MPO resolution approval date of April 9, 2020)

We found that it meets the federal planning requirements of 23 USC Sections 134, and 49 USC Section 5303.

23 CFR 450.330 requires a planning finding that each TIP is consistent with the metropolitan transportation plan (MTP) produced by the continuing and comprehensive transportation process carried on cooperatively by the MPO, the State, and the public transportation operator(s).

Our finding is based on, but is not limited to the:

- Self-certification submitted by the State and MPO under 23 CFR 450.336
- Adequacy of the public involvement process,
- Reasonableness of the financial plan,
- Relationship of projects in the TIP to the MTP,
- Governor's approval of the TIP

Please contact Bernadette Dupont at (502) 223-6729 if you have any questions.

Sincerely,

JOHN D  
BALLANTYNE

Digitally signed by  
JOHN D BALLANTYNE  
Date: 2020.07.07  
12:59:53 -04'00'

John Ballantyne  
System Performance Team Leader

cc: Aviance Webb, FTA-R4



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY


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MEMORANDUM


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**TO:** Jim Gray   
Secretary

**THROUGH:** Michael W. Hancock, P.E.   
Deputy Secretary  
Interim State Highway Engineer

**THROUGH:** John Moore, P.E.   
Assistant State Highway Engineer  
for Project Development

**FROM:** Mikael Pelfrey, P.E.   
Assistant Director  
Division of Planning

**DATE:** June 16, 2020

**SUBJECT:** Governor's Designee Approval  
Cincinnati Area Metropolitan Planning Organization  
FY 2021-2024 Transportation Improvement Program

The Metropolitan Planning Organizations (MPOs) develop their Transportation Improvement Programs (TIPs), and the Governor of the Commonwealth of Kentucky must approve the TIPs in order to incorporate the TIPs into the Statewide Transportation Improvement Program. At this time, the Governor has designated approval authority to the Secretary of the Transportation Cabinet.

The Division of Planning recommends the Secretary's approval of the Cincinnati Area MPO's FY 2021-2024 TIP. If you concur with this approval, please sign the attached letter and return it to the Division of Planning for processing. If there are any questions or concerns, please contact Tonya Higdon at (502) 782-5062.

MP/TI/BSK

Attachments



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY

June 23, 2020

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Mr. Mark Policinski  
Chief Executive Director  
Ohio-Kentucky-Indiana Regional Council of Governments  
720 East Pete Rose Way  
Suite 420  
Cincinnati, OH 45202

Dear Mr. Policinski:

It is my pleasure to approve the Cincinnati Area MPO's 2050 Metropolitan Transportation Plan and FY 2021-2024 Transportation Improvement Program (TIP) as Governor Andy Beshear's designee. The Kentucky Transportation Cabinet will incorporate the TIP by reference in Kentucky's Statewide Transportation Improvement Program.

Sincerely,



Jim Gray  
Secretary

MP/TH/BSK

c: Mikael Pelfrey  
John Ballantyne  
Bernadette Dupont  
Robert Yeager  
Ron Rigney  
Jill Lamb  
Bob Koehler