

KENTUCKY

AMENDMENT NUMBER ONE TO THE LONG-RANGE STATEWIDE TRANSPORTATION PLAN 2006

"TO PROVIDE A SAFE, SECURE, AND RELIABLE HIGHWAY SYSTEM
THAT ENSURES THE EFFICIENT MOBILITY OF PEOPLE AND GOODS,
THEREBY ENHANCING BOTH THE QUALITY OF LIFE AND THE ECONOMIC VITALITY OF
THE COMMONWEALTH."

ERNIE FLETCHER
GOVERNOR
COMMONWEALTH OF KENTUCKY



BILL NIGHBERT
SECRETARY
KENTUCKY TRANSPORTATION CABINET



Introduction

The Safe, Accountable, Flexible, and Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU) was passed and signed into law on August 10, 2005. This legislation provides the authorization and requirements for all transportation programs utilizing federal funds. On February 14, 2007, the Final Rule on revising the regulations governing the development of metropolitan transportation plans and programs for urbanized areas, State transportation plans and programs and the regulations for Congestion Management Systems was published.

Section 450.200 of the federal regulations details the scope of the statewide transportation planning process and requires that the states carry out a "...continuing, cooperative, and comprehensive statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will address..." the eight planning factors. Section 450.214 specifically addresses the development and content of the long-range statewide transportation plan. In compliance with these regulations, the Kentucky Transportation Cabinet (KYTC) produced the 2006 Long-Range Statewide Transportation Plan for Kentucky, following a 30-day public review period ending on November 14, 2006.

Due to the completion schedule for Kentucky's Long-Range Plan for 2006 and the February 2007 Final Rule resulting from the passage of SAFETEA-LU, KYTC could not completely address all revised requirements for the Plan at the time of the 2006 Update. Although the final rule on SAFETEA-LU regulations had not been issued at the time, the 2006 Long-Range Statewide Transportation Plan for Kentucky was released for the required public review period, the Kentucky Transportation Cabinet made extensive efforts to comply with the SAFETEA-LU requirements as known at that time. However, following the finalization of the 2006 Statewide Transportation Plan and the release of the final rule on SAFETEA-LU regulations in February of 2007, KYTC noted a few areas where additional clarification and/or enhancement was warranted to ensure full compliance with the SAFETEA-LU regulations. Therefore, the purpose of this Amendment is to provide additional clarification and enhancement to the 2006 Long-Range Statewide Transportation Plan for Kentucky as required, providing full and complete compliance with SAFETEA-LU requirements. This Amendment is provided for a public review and comment period of fifteen days as required by KYTC's formal Statewide Transportation Planning – Interested Parties, Public Involvement and Consultation Process. Documentation of the Cabinet's efforts to involve and encourage public input for Amendment One will be included in the Final Amendment Document.

New SAFETEA-LU Requirements

The new requirements for 23 CFR Part 450 will be addressed only as they relate to Statewide Transportation Planning.

Expanded Factor – Consistency with Growth and Economic Development – 23 CFR 450.206

This factor was expanded to include “promote consistency between transportation improvements and State and local planned growth and economic development patterns.”

The Statewide Transportation Planning process incorporates consultation with numerous agencies and interested parties through the outreach for the Statewide Transportation Plan, the Regional Transportation Planning Program, Metropolitan Planning Organization Program and through the Strategic Planning Program. All four programs include and incorporate an extensive list of agencies/programs for the purpose of soliciting input and consultation, including but not limited to state agencies such as Economic Development, Commerce, Tourism and Parks, Natural Resources, Local and Regional Agencies/Organizations such as Planning/Zoning Commissions, Industrial Authorities, Housing Authorities, and Community Development. A list of agencies/organizations and individuals who are consulted and are provided the opportunity for input is included in the Public Involvement Document for the Kentucky Long-Range Statewide Transportation Plan (STP).

The Area Development Districts (ADDs) and Metropolitan Planning Organizations (MPOs) also consult and maintain information from Land Use Plans, Local Comprehensive Plans, and Comprehensive Economic Development Strategies Document (CEDs). The ADDs and MPOs are encouraged to include representatives from these agencies on their Transportation Committees as part of the Regional and MPO Transportation Planning Program and process.

The Strategic Planning effort also includes consultation with an extensive list of organizations and agencies similar to the above in the initial stages of every planning study. Representatives from numerous organizations, such as those listed above are provided the opportunity to provide early input and participate in the planning process for every study.

Separate Factor – Security – 23 CFR 450.206, 450.208(h), and 450.214(e)

- Security and Safety Stand-Alone Planning Factors
- Long-range statewide transportation plans should include a security element that incorporates or summarizes the priorities, goals, or projects set forth in other transit safety and security planning and review processes, plans and programs as appropriate.

The Kentucky Office of Homeland Security (KOHS), following the guidelines of the National Infrastructure Protection Plan, is actively establishing processes for identifying, prioritizing, and assessing risks for Kentucky's transportation infrastructure and associated assets. This infrastructure includes highways, transit, rail, river ports, and support facilities, such as the Transportation Cabinet's Office Building.

Along Kentucky's borders, at highway entry points, new technology is being installed at existing weigh stations to add radiation and chemical detection, and vehicle identification capabilities. Also, to improve security, Kentucky is developing a plan of action to keep the point of entry weigh stations open 24 hours/7 days a week.

Kentucky is one of nine southern states participating in the Southeastern Transportation Corridor pilot (SETCP) facilitated by the Domestic Nuclear Detection Office (DNDO). The SETCP Project focuses on the detection and interdiction of illicit nuclear and radiological materials on the nation's interstate highways.

Kentucky has created the Kentucky Intelligence Fusion Center (KIFC) and the Division of Transportation System Management. Transportation System Management is the clearinghouse for highway condition information (weather and incidents) and the KIFC will integrate, analyze, and share real-time information among several agencies as well as the Transportation System Management Division.

Kentucky is installing cameras for monitoring, and dynamic message signs that convey critical information to the traveling public on the Interstates in several major urban areas and one major tunnel.

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Kentucky's Cabinet for Health Services, through the Department of Public Health, has established a panel to address pandemic emergencies. The KOHS is hosting Business Summits to coordinate pandemic planning and continuity of operations plans.

Community Vulnerability Assessments are being performed through the KOHS Kentucky Community Preparedness Program (KCPP). Assessments include modes of transportation, such as rail, transit and general aviation airports. The KCPP assessments supply critical infrastructure information to the Kentucky Intelligence Fusion Center.

Separate Factor – Safety – 23 CFR 450.208(h) and 450.214(d)

- Encourage transportation planning process to be consistent with new Strategic Highway Safety Plan
- Long-range statewide transportation plans should include a safety element that incorporates or summarizes the priorities, goals, countermeasures, or projects contained in the Strategic Highway Safety Plan.

The Kentucky Long-Range Statewide Transportation Plan (STP) includes a specific "Safety" Section that includes references to the first Strategic Highway Safety Plan for Kentucky, *Kentucky's Roadmap to Safer Highways*, which was developed and approved in 2006. The purpose of this program, as well as the emphasis areas and strategies set out in this plan are referenced in the STP. Various statistics on highway crashes specific to Kentucky are also included in this section to illustrate the historical and the current trends. The goals of this program were closely coordinated with the goals of the STP, with increasing safety being one of the three major emphasis areas of the STP.

In addition, KYTC has recently established a new Department of Transportation Safety to provide increased emphasis on safety in Kentucky. The Cabinet is also expanding and enhancing the Transportation Safety Program throughout the state through the establishment of full-time safety planners in each of the fifteen Area Development Districts in Fiscal Year 2008.

Planning and the Environment – 23 CFR 450.214(j)

- Environmental Mitigation Activities and Consultation
 - o Long-range transportation plans include a discussion of potential environmental mitigation activities (at the policy and/or strategic-levels)

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- Developed in consultation with Federal, State, and Tribal wildlife, land management, and regulatory agencies
 - Allows states to establish reasonable timeframes for performing consultation
- Linking Planning and NEPA

Transportation projects may impact elements of the natural and human environment. Kentucky incorporates measures to minimize or mitigate those impacts that cannot otherwise be avoided. Mitigation measures vary depending upon the resources affected, severity of impact, and other factors.

Kentucky has successfully created advance wetland mitigation sites across the Commonwealth. The objective to develop a “wetland bank” within each major watershed to offset wetland impacts within that region has been achieved. Approximately 300 acres of wetlands have been restored by KYTC through this mitigation initiative. Credits generated from these activities are used by KYTC to offset any impacts which are authorized under 404 permits issued by the US Army Corps of Engineers and 401 Water Quality Certifications issued by the Kentucky Division of Water. A similar program for mitigation of stream impacts related to Transportation projects is currently being implemented by KYTC. Furthermore, Best Management Practices (BMPs) is applied to construction projects in order to minimize the impacts of erosion and sedimentation on streams.

As part of the Clean Water Act, KYTC and over 200 cities and localities have developed a storm water management program. Under this program, KYTC has developed programs and procedures to address such activities as snow and ice removal, maintenance and upgrades of highways and bridges in an environmentally responsible manner. Through the effective implementation of this program, KYTC is seeking to protect the Commonwealth’s water resources and also allow for the responsible implementation of Kentucky’s highway projects.

KYTC follows its established Noise Policy in assessing the noise impacts of its projects on adjacent properties. When impacts are determined to exceed established threshold criteria and when the mitigation measures are determined to be justified economically, then those mitigation measures are incorporated within developing projects. These measures may include the construction of noise walls, installation of insulating materials in affected buildings, or minimization techniques such as alignment adjustment, lowering of grades into cut sections, construction of berms, etc.

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Evaluation of historic properties in accordance with the National Historic Preservation Act is conducted for developing projects. When impacts are unavoidable, mitigation and minimization measures including, but not limited to, documentation of affected structures, enhancement and/or preservation initiatives, etc., are undertaken. Concerns for the loss of historic bridges have prompted KYTC to initiate an update of the statewide Historic Bridge Inventory. Important archaeological resources, eligible for the National Register, are investigated for the furtherance of our understanding of past cultures. Such investigations routinely include a public education component to disseminate the information gathered to the general public.

KYTC and the U.S. Fish and Wildlife Service have worked cooperatively to address impacts to the Indiana bat that may result from KYTC projects. The Indiana Bat Conservation Fund has been established for the advancement of meaningful preservation or protective measures, research, etc. for this species. Funds are deposited within the fund based upon summer habitat loss resulting from transportation projects. KYTC also routinely consults with Federal, State, and local agencies concerning the impacts of transportation projects on their conservation plans or maps. An example of such a plan is the “Kentucky Comprehensive Wildlife Conservation Strategy” developed by the Kentucky Department of Fish and Wildlife Resources.

KYTC also utilizes Geographic Information Systems to evaluate the impacts of proposed projects on the human and natural environment. Information in the GIS layers includes wetlands, hazardous materials, archaeology, historical sites, Outstanding Resource Waters, Special Waters, designated critical habitat, etc. Many of these GIS layers or data sources are directly obtained from the responsible agencies. This allows KYTC to evaluate project areas and minimize or avoid impacts early in project or corridor planning efforts. This information is also shared with the public as well as Federal, State, and local agencies to gain their input on the importance of and how best to minimize impacts to the resource. These efforts are documented, shared, and carried forward through the remainder of project development to more closely link Planning and National Environmental Policy Act (NEPA) activities.

Operational Management Strategies – 23 CFR 450.214(b)

- Long-range statewide transportation plans should include: capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of existing transportation systems.

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KYTC has responded to this requirement through the inclusion of analysis tools and strategies to address the preservation and most efficient use of the existing transportation systems in the “Needs and Analysis Tools” and “Evaluation and Analyses” Sections of the 2006 STP. It should also be noted that one of the three major goals of the STP is “system preservation”, which is repeated throughout the document.

Some KYTC initiatives and programs specifically established to address capital, operational and management strategies to ensure the preservation and the most efficient use of Kentucky’s transportation systems include:

- KYTC utilizes numerous software and database programs to assist the Cabinet in monitoring and prioritizing of projects. Some of these programs are briefly described below.
- Utilization of Operations Management Systems software to track state labor, equipment and materials expenses required to maintain Kentucky’s highways and equipment fleet
- Utilization of Pavement Management System software to track the current and historical condition of pavements and to manage appropriate preventive maintenance and regular maintenance activities
- Utilization of “Pontis” software to track bridge inspection data and manage appropriate preventive maintenance and regular maintenance activities
- Use of statistical sampling of road segments to determine the state of Kentucky’s roads and roadsides to help KYTC estimate maintenance needs
- Implementation of a Road Profiling Program, whereby rideability tests are conducted on the state maintained system. This program helps determine the resurfacing and other maintenance needs. This program is also used to test the rideability on new roadway construction in order to determine eligibility for contractor bonuses.
- Maintaining a statewide list of guardrail needs through the Guardrail Needs Database. Sections are evaluated to determine whether they meet warrants. The crash data and the ADT are then considered to determine the priorities for funding.
- Kentucky was one of the first states to develop and implement the “511 Traffic and Travel Information System.” This system, available through the website or by calling “511” on any telephone or cell phone, provides up to date information in the areas of traffic, travel, weather, law enforcement and multimodal information on a statewide, regional or local route level.

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In addition Kentucky has recently undertaken some extensive efforts in this area to further ensure the most efficient use of Kentucky's existing transportation systems and to decrease congestion. These areas of increased emphasis include:

- Deploying new technology to allow KYTC to monitor and communicate with traffic signals statewide to improve system operations and to manage congestions
- Developing projects to add Dynamic Message Signs at strategic locations across the state, and at the state lines, to improve KYTC's ability to manage incidents and communicate information to the motorists.

Consultation – 23 CFR 450.104, 450.214(l), and 450.210(b)

- Definitions
- Repeats SAFETEA-LU language for consultation with State, Tribal and local agencies
- No change to requirements for consultation with non-metropolitan local officials
- Long-range statewide transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local agencies responsible for:
 - Land Use Management
 - Natural Resources
 - Environmental Protections
 - Conservation
 - Historic Preservation
- Shall involve comparison of transportation plans to State/Tribal conservation plans or maps, and to inventories of natural or historic resources, if available

Kentucky's consultation efforts with a very comprehensive list of agencies, organizations and individuals are well documented through the Public Involvement Document for the STP, as well as in the STP document. Consultation efforts have also been described in two earlier sections of this document, entitled "Expanded Factor – Consistency with Growth and Economic Development" and "Planning and Environment."

Coordination of Planning Process Activities – 23 CFR 450.208(a)(7), 450.208(e), and 450.208(F)

- States shall coordinate data collection and analyses with MPOs and public transportation operators.

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- States/MPOs may apply asset management principles and techniques to establish planning goals, define STIP/TIP priorities, and assess transportation investments.
- Statewide/metropolitan transportation planning processes shall (to the maximum extent practicable) be consistent with the development of regional ITS architectures.

KYTC coordinates and shares data collection and analyses with the fifteen Area Development Districts, nine MPOs and the state's public transportation operators through the Office of Transportation Delivery, as well as through the statewide transportation planning program. KYTC develops annual work programs with the ADDs and MPOs, incorporating various data collection and data sharing efforts. KYTC also shares cabinet data and analyses with these agencies on a regular basis through the routine distribution of information, as well as through the bimonthly statewide transportation planning meetings. ADD and MPO transportation planners are also provided access to numerous KYTC databases.

Interested Parties, Public Involvement, and Consultation – 23 CFR 450.210(a)(1)(i), and 450.210(c)

- List of interested parties” now includes:
 - o Representatives of users of pedestrian walkways and bicycle transportation facilities
 - o Representatives of the disabled
 - o Freight Shippers and providers of freight transportation services
- Documented State and MPO processes on consulting with Indian Tribal governments and Federal land management agencies (to the extent practicable)

Representatives from the above groups have been incorporated in the State's Contact/Consultation List for both the Statewide Transportation Plan and also for all Transportation Planning Studies. This extensive contact/consultation list is included and documented in the STP Public Involvement Document.

The State must develop, document, and use a similar public involvement process (similar to the Participation Plan for the MPOs), although the State is not required to develop a “participation plan.” - 23 CFR 450.210

KYTC developed, implemented and documented the approved public involvement process for the 2006 Draft Statewide Transportation Plan. This Public Participation Plan for Statewide Transportation Planning was adopted on June 8, 2006. All requirements of this Plan were followed for the public review process for the 2006 Draft STP.

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KYTC has since reviewed and revised the 2006 Kentucky Public Participation Plan. The revised “Statewide Transportation Planning – Interested Parties, Public Involvement, and Consultation Process” was adopted on May 2, 2007. This revised public involvement plan is being used as the guide for the public review and comment efforts for this amendment to the 2006 STP. Documentation of the public involvement efforts during this review and comment period for Draft Amendment #1 will be included in the Final Amendment as submitted to the Federal Highway Administration and the Federal Transit Administration for their information, as required by federal regulations.

Visualization – 23 CFR 450.210(a) (1) (v) – Requires the use of visualization techniques, defined as “methods used by States and MPOs in the development of transportation plans and programs with the public, elected and appointed officials, and other stakeholders in a clear and easily accessible format such as maps, pictures, and/or displays, to promote improved understanding of existing or proposed transportation.”

- Final Rule does not specify when specific techniques are to be used
- Emphasis on promoting improved understanding of transportation plans and programs
- Techniques used should be described in the public involvement documentation

Throughout the development of the STP goals, gathering of input to the statewide transportation planning process, the public review and comment period for the 2006 Kentucky Long-Range Statewide Transportation Plan and the strategic planning process, Kentucky has used extensive visualization techniques including but not limited to the following:

- o Powerpoint Presentations to visioning groups, statewide groups, regional, MPO, and local transportation committees, civic groups and various interested parties
- o Graphic and pictorial displays of the statewide transportation planning process
- o Maps and charts to illustrate the transportation needs across the state
- o Project Identification Forms (PIFs) are used to document the data, problems and describe the environment surrounding a project. These PIFS are documented with photographs and maps.
- o Displays describing the statewide transportation planning process have been utilized at county fairs, senior citizen events, fiscal court meetings, civic organizations, and other venues
- o Creative newspaper advertisements to notify the public of the public review and comment period
- o Extensive photographs, maps, graphs and charts are used to document the transportation needs in Kentucky

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- Flyers and table tents were utilized to advertise the availability of the Draft 2006 STP.
- “Key Facts” sheets on the STP and the statewide transportation planning process were provided to planners across the state for use in their public involvement efforts
- Newsletters and websites were used to promote the availability of the Draft STP and also to promote involvement in the statewide transportation planning process on an on-going basis.
- Development and use of brochures to describe the statewide transportation planning process and how the public can become involved in this process

Kentucky’s efforts to extensively utilize visualization techniques are thoroughly described in the public involvement document for the STP and in the STP document as well.

Planning Cycles – 23 CFR

- Update defined as “...making current a long-range statewide transportation plan.....through a comprehensive review.”
- Revision defined as “...a change to a long-range statewide or metropolitan transportation plan...that occurs between scheduled periodic updates.

No change required in the planning cycle for the Long-Range Statewide Transportation Plan.

July 1, 2007 Compliance Date – 23 CFR 450.224

- Transportation Plans adopted and approved prior to July 1, 2007 may be developed under TEA-21 requirements
- Amendments or updates after July 1, 2007 are subject to the provisions in the Final Rule. However, administrative modifications may continue after July 1, 2007. FHWA approval is not required for Statewide Transportation Plans.

The 2006 Kentucky Long-Range Statewide Transportation Plan was adopted on May 16, 2007. This Amendment (Amendment #1) is subject to the provisions in the Final Rule. Therefore this amendment will be subject to public review and comment for a fifteen day period.

Coordinated Public Transit-Human Services Transportation Plan - Consistency is required between the preparation of the Coordinated Plan and the applicable metropolitan or statewide transportation planning process.

The Office of Transportation Delivery (OTD) is the agency in KYTC responsible for the coordination and preparation of the Coordinated Public Transit-Human Services Transportation Plan. Early efforts were made within the KYTC to solicit input and direction from this office to the goals for the 2006 STP and also in the development of the STP document. Coordination and communication are on-going between the KYTC Division of Planning and the Office of Transportation Delivery through various efforts. The OTD utilizes the transportation planners and the regional transportation committees for coordination/consultation in the preparation of the Coordinated Plans. Transportation Planning also includes those stakeholders in the regional and metropolitan transportation planning efforts.

Conclusion

The Kentucky Transportation Cabinet has made every effort to thoroughly review and address all changes and additional requirements of the SAFETEA-LU legislation and the subsequent Final Rule on regulations resulting from this legislation. With this Amendment Number One, the KYTC has complied with all additional requirements for documentation. Following the required fifteen day public review and comment period, and the incorporation of any required changes, Amendment Number One to the 2006 Long-Range Statewide Transportation Plan for Kentucky will be adopted and forwarded to the appropriate federal agencies, posted on the Cabinet's website, and letters of notification will be provided to all interested parties and agencies.



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