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:

[Signature]
Kentucky Transportation Cabinet
Ronald B. Rigney, Director
Division of Program Management

Approval of STIP Amendment:

[Signature]  
JOHN D BALLANTYNE
Federal Highway Administration

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

[Signature]
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

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: 

Ronald B. Rigney, Director
Division of Program Management

KYTC Transportation Cabinet Date 7-8-20

Approval of STIP Amendment:

B. Keith Melton
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.

Kris Knochelmann, President

AJR
4/9/20
RESOLUTION

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

CONCERNING 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:

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;
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.

[KRIS KNOCHELMANN, PRESIDENT]

4/9/20
rwk
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.

KELLEY BROOKINS
Kelley Brookins
Regional Administrator
Federal Transit Administration

Laura S. Leffler
Division Administrator
Federal Highway Administration

Digitally signed by

Sincerely,

Laura S. Leffler
Date: 2020.06.29 13:29:48 -04'00'

Digitally signed by Laura S. Leffler
Date: 2020.06.29 13:29:48 -04'00'
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
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
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/T11/RSK

Attachments
June 23, 2020

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/111/BK

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