



THE KENTUCKY TRANSPORTATION CABINET PUBLIC INVOLVEMENT PROCESS

**For Statewide Transportation Planning and Project Delivery:
Interested Parties, Public Involvement, and Consultation Process**

2020

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**KENTUCKY TRANSPORTATION CABINET
THE PUBLIC INVOLVEMENT PROCESS
FOR STATEWIDE TRANSPORTATION PLANNING AND PROJECT DELIVERY:
Interested Parties, Public Involvement, and Consultation Process**

1. INTRODUCTION

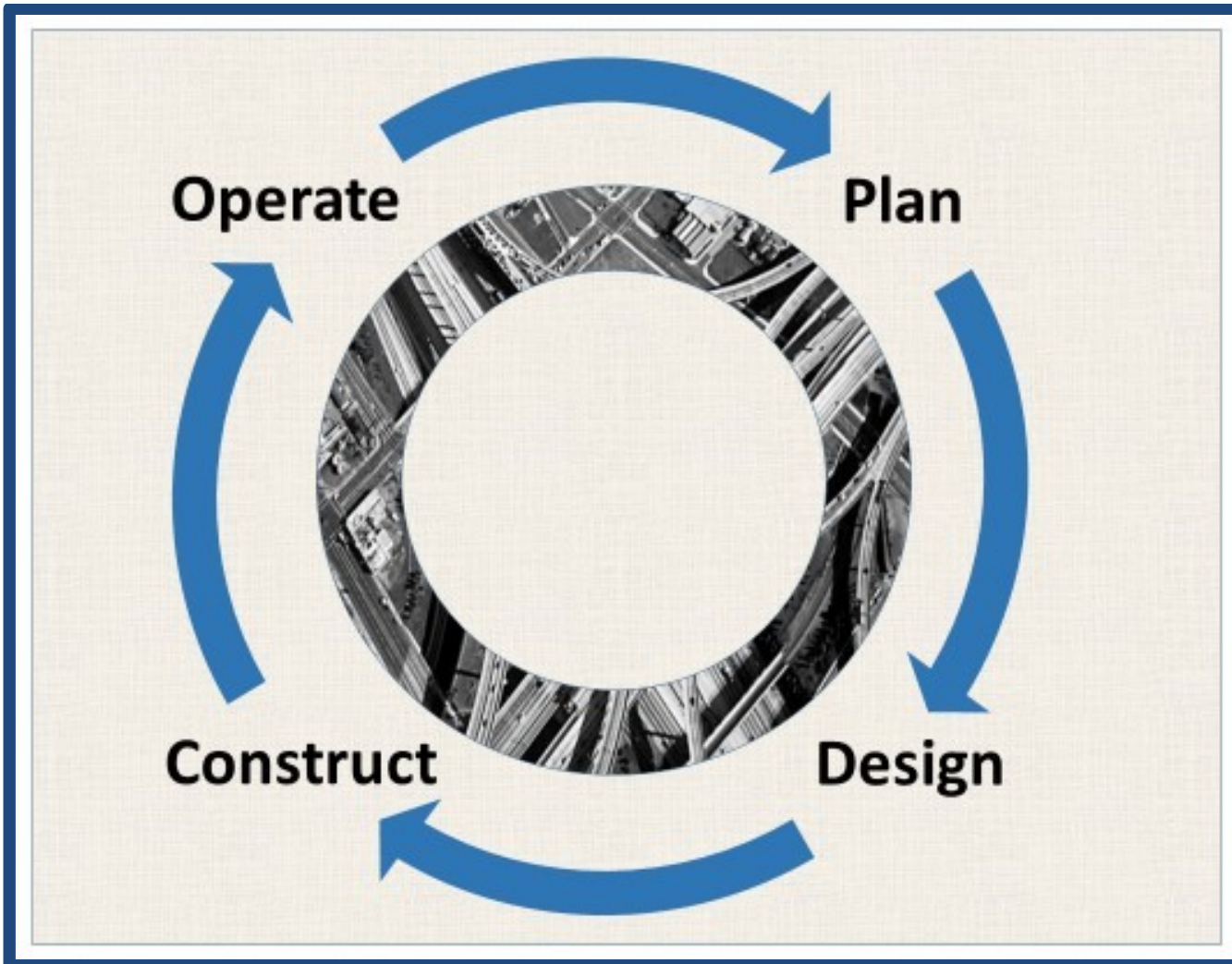
The Kentucky Transportation Cabinet (KYTC) has established procedures for the development of the Long Range Statewide Transportation Plan (LRSTP) and the Statewide Transportation Improvement Program (STIP) as mandated by Fixing America's Surface Transportation (FAST) Act of 2015 and continued re-authorizations, the Congressional Acts that authorized ongoing federal-aid to transportation programs. In developing these procedures, the KYTC complied with Title 23 of the Code of Federal Regulations under Chapter 1, Subchapter E, Part 450, Subpart B, 450.210 ([23 CFR 450.210](#)) "Interested Parties, Public Involvement, and Consultation" processes by providing opportunities for public review and comment at key decision points.

Within this document, the KYTC has established procedures to cover the LRSTP, the STIP, the Consultation Process, and the development and delivery of transportation improvements. The work that the KYTC conducts in pursuing its mission through project development and delivery moves in a continuous life cycle rather than a linear path. This process links the four main areas of transportation system development and maintenance as shown in [Figure 1.0-1](#) -- planning, design, construction, and operations -- to deliver a safe, efficient, environmentally sound and fiscally responsible transportation system that facilitates safe and efficient movement of people and goods. It is important to note the Figures within this Public Involvement Process (PIP) document also serve as a story map to follow this effort as defined under the Table to Contents.

A knowledge-driven process based upon valid, broad-based input is essential to the effective decision-making required to address the maintenance and improvement of Kentucky's transportation system. This input comes from government, public and technical sources as graphically displayed in [Figure 1.0-2](#).

Government input includes guidance, as well as financial support, from state and national government leadership. Public input is feedback received by all users of the system, including those citizens in communities directly affected by proposed improvements. Analysis of the existing system's form and function as well as the impacts of anticipated improvements is the primary source of technical input.

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[Figure 1.0-1](#) - KYTC Transportation Project Life Cycle

Interested Parties, Public Involvement and Consultation Process: A Visual Guide

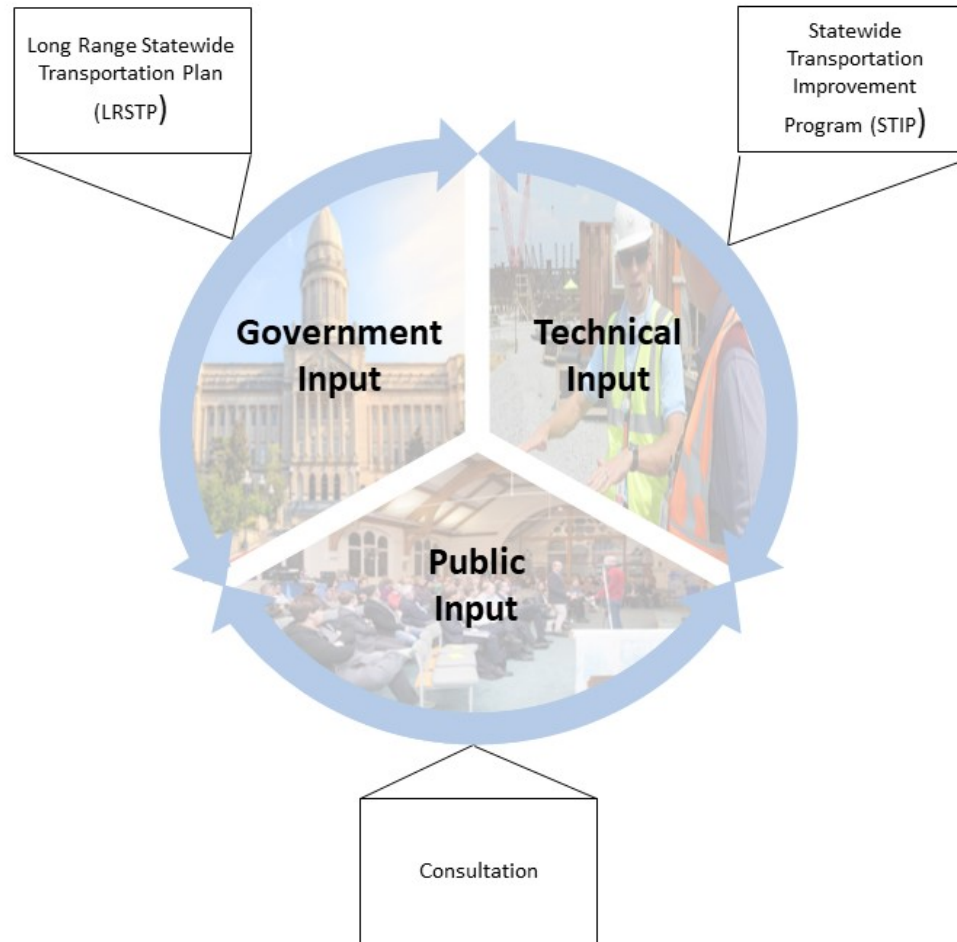


Figure 1.0-2 – Public Involvement with STIP, LRSTP and Consultation Process

The Public Involvement Process goal is to provide Kentuckians the opportunity to aid in the identification of transportation needs and priorities, the planning for how to meet those needs and priorities, and the development and delivery of transportation projects to turn those plans into realized improvements to the transportation system. In order to achieve this goal, there are several public involvement objectives to follow as listed below:

- “Identify” the affected populations, particularly in the traditionally underserved communities, with consideration for their strengths and challenges.
- “Invite” those citizens to participate in the planning process.
- “Inform” the public of the planning and the project development processes for identifying and prioritizing transportation needs.
- “Involve” the affected community during the planning and project development and delivery process to express their concerns and needs.
- “Improve” the participation process by measuring the success of public participation and incorporate those “lessons learned” into future efforts.

[Figure 1.0-3](#) shows the visual representation and connection of these objectives also known as the “Five I’s of Public Involvement.”

These procedures include the identification of interested parties, the use of the Area Development District(s) (ADD), Metropolitan Planning Organization(s) (MPO), the KYTC Central Office and Highway District Offices (s) (HDO), where applicable, to assist in engaging the public, throughout the consultation process for the identification and prioritization of transportation needs. Located within this document in **Appendix A** is a visual representation of the diversity of the state’s population (demographics) to apply as part of the public involvement activities.

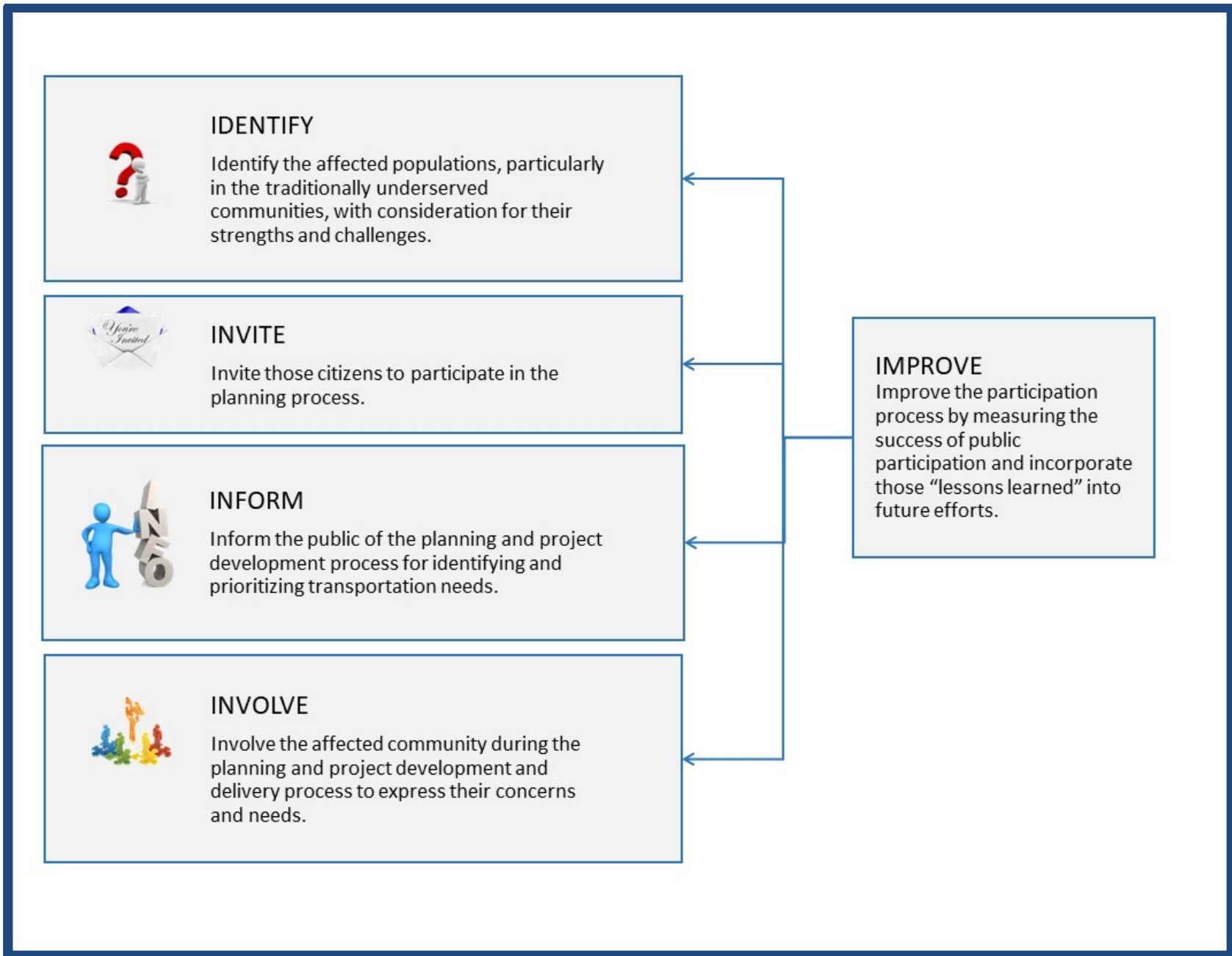


Figure 1.0-3 – Public Involvement Objectives

2. INTERESTED PARTIES

The KYTC’s mission is to “provide a safe, efficient, environmentally sound and fiscally responsible transportation system that delivers economic opportunity and enhances the quality of life in Kentucky.”

The KYTC LRSTP and STIP processes incorporate this mission and involve a spirit of cooperation by working with the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), Metropolitan Planning Organizations (MPOs), Area Development Districts (ADDs), local city and county governmental agencies, and other interested parties located throughout the Commonwealth of Kentucky.

The entire planning process and the identification of transportation needs throughout the Commonwealth, utilizes input from the KYTC Central Office Divisions, the 12 KYTC HDOs, city mayors, county judges, MPOs, ADDs, state legislators, and through written comments and requests from a variety of sources, as noted in [23 CFR 450.210](#), such as:

- Citizens,
- Affected public agencies,
- Representatives of public transportation employees,
- Public ports,
- Freight shippers,
- Private providers of transportation services,
- Representatives of users of public transportation,
- Representatives of users of pedestrian walkways and bicycle transportation facilities,
- Representatives of the disabled,
- Providers of freight transportation services,
- Other interested parties.

[Figure 2.0-1](#) provides a visual representation of potential input from public involvement sources throughout planning and project delivery.

Input is what fuels the process!
Sources of input into the project identification, prioritization and development process



Figure 2.0-1 – Public Involvement Sources

3. PUBLIC INVOLVEMENT PROCESS

The KYTC is working in concert with the ADDs and MPOs to ensure that public involvement processes are utilized that provide opportunities for public review and comments throughout the LRSTP and STIP document development, the consultation process as well as the project identification, prioritization, development, and delivery process.

3.1 AREA DEVELOPMENT DISTRICT PUBLIC INVOLVEMENT PROCESS

Kentucky has fifteen Area Development Districts (ADDs) mapped in [Figure 3.1-1](#).

The ADDs utilize public involvement procedures as a supplement to the KYTC's public involvement outreach efforts. Each ADD has documented their process with those documents are available on the individual ADD Office website and/or are available upon request.

In addition, the KYTC and each ADD has established a transportation committee for each ADD area. The membership of this committee includes a diverse group of individuals with a variety of interests on impacts to the transportation system and/or how the transportation system affects them. These committees set goals and objectives for the regional transportation system, evaluating the transportation systems, identifying needs, and evaluating, prioritizing, and ranking transportation needs every two years as input into Kentucky's project selection process. The establishment of this transportation committee is to also identify and involve underserved populations to ensure consideration for the needs of the underserved populations such as low-income and minorities.

The ADDs hold transportation committee meetings several times each year to reevaluate the regional transportation system, and provide information to committee members about the statewide transportation planning process and current transportation issues and projects. Each ADD also includes members with a specific interest in highway safety on their transportation committee to incorporate safety-conscious planning into the transportation planning process.

The ADDs planners may attend public meetings and various civic events throughout their district to discuss the statewide transportation planning process and solicit direct input from interested individuals or groups at key decision points as required. The ADDs maintain minutes from committee and public meetings. These minutes are available upon request and posted on the websites of the ADD offices. They periodically review their processes to determine the effectiveness and revise as appropriate.

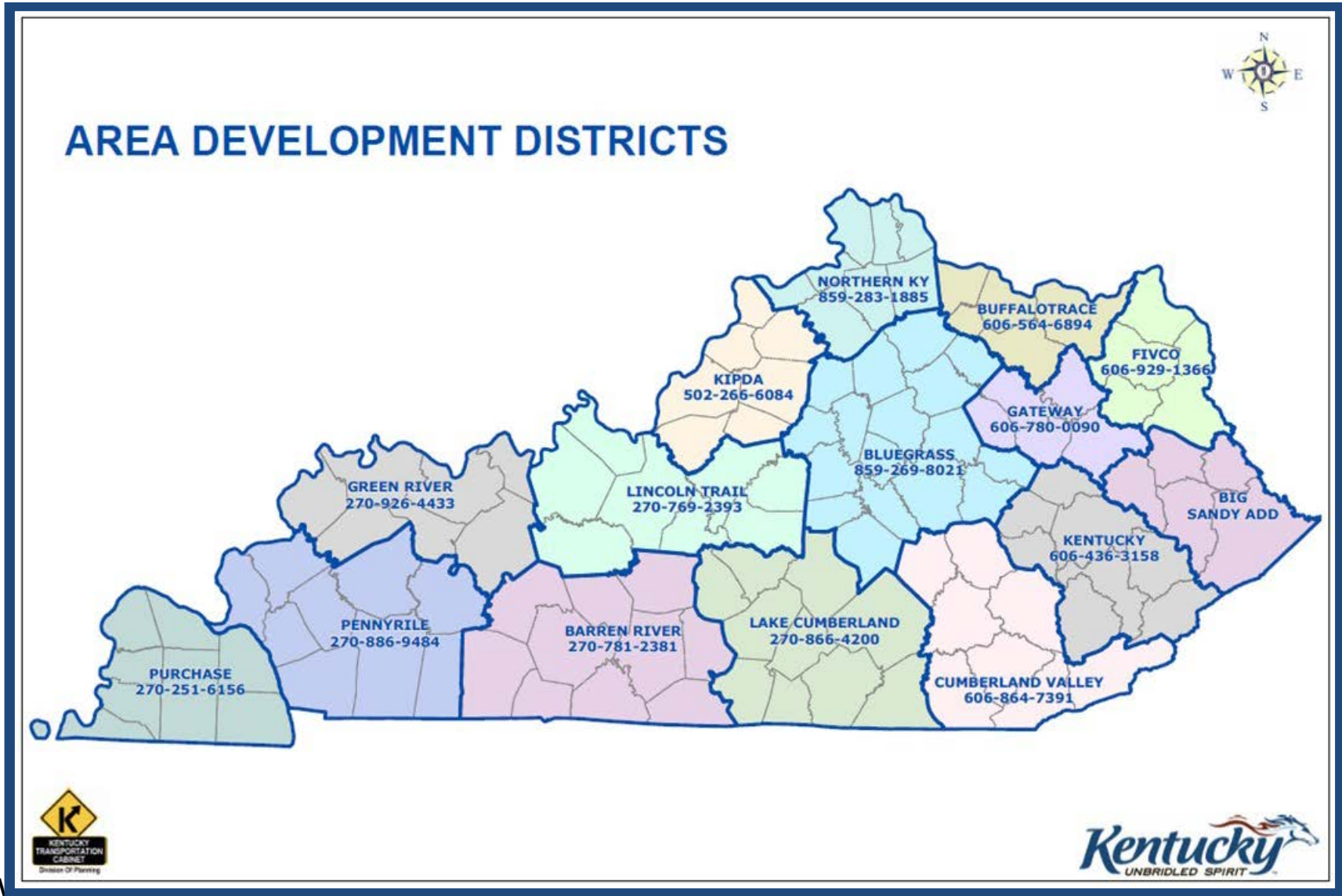


Figure 3.1-1 – Kentucky Area Development District Offices and Boundary Map

3.2 METROPOLITAN PLANNING ORGANIZATION PUBLIC INVOLVEMENT PROCESS

Kentucky has nine MPOs mapped in [Figure 3.2-1](#).

Supplemental to the KYTC's public involvement efforts, the MPOs use their public involvement procedures in the development of their respective Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs). All activity pursuant to development of projects in the MPOs' TIPs is considered a part of the STIP through "TIP revisions and relationship to the STIP" ([23 CFR 450.328](#)) and complies with ([23 CFR 450.326](#)) "Development and content of the transportation improvement program (TIP)." In addition, each MPO is required to develop a Public Participation Plan that defines reasonable opportunities for interested parties to be involved in the MPO transportation planning process as identified under ([23 CFR 450.316](#)). MPO documents are available electronically on the respective MPO's web pages, as well as being available upon request.

The MPOs hold meetings several times each year to continue to evaluate the metropolitan transportation system and to educate committee members about the metropolitan transportation planning process as well as current transportation projects and issues. The MPO members attend various civic meetings to discuss the metropolitan planning process and to solicit direct input from interested individuals and groups. The MPOs maintain minutes from committee meetings that are available upon request, and may be posted on the MPOs' webpages. The MPOs periodically review this process to determine its effectiveness and revise as deemed appropriate.

Metropolitan Planning Organizations

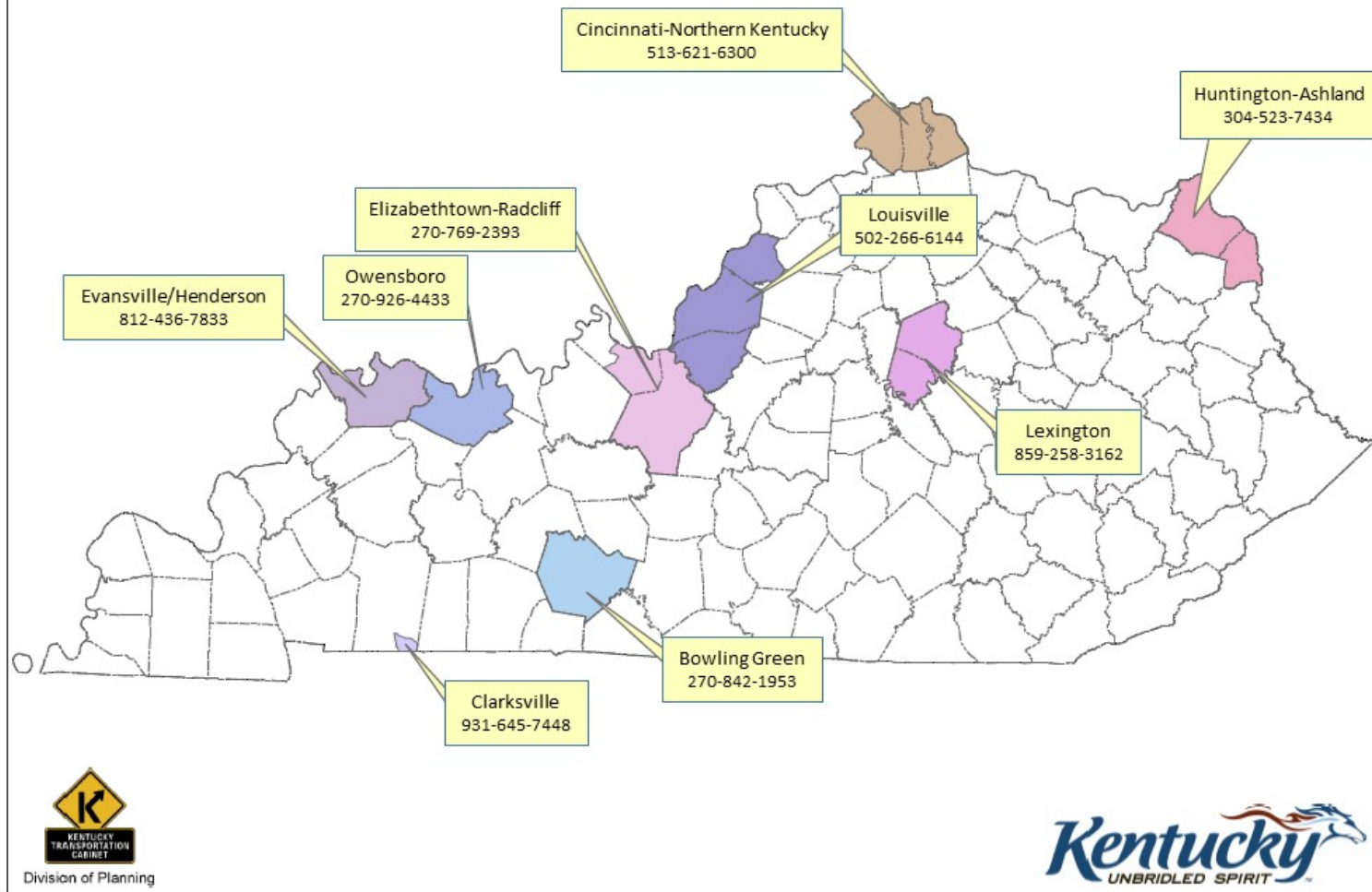


Figure 3.2-1 – Kentucky Metropolitan Planning Organization Offices and Boundary Map

3.3 KENTUCKY TRANSPORTATION CABINET PUBLIC INVOLVEMENT PROCESS

In carrying out statewide transportation planning, including development of the LRSTP and the STIP, the KYTC has developed a public involvement process that provides opportunities for public review and comment at key decision points.

Through assistance from the ADDs and MPOs, the KYTC pursues appropriate measures to reach the public including traditionally underserved populations within the state who may face challenges accessing employment and other services through transportation. The ADDs, MPOs, and the KYTC should hold public meetings in places where these populations are comfortable gathering. After identifying these areas, the agencies include a process for seeking out and considering the needs of these traditionally underserved populations. These agencies place advertisement notices requesting public review and comment within statewide, and/or regional newspapers, and/or through digital advertisement notices via online sites and social media outlets as determined most effective to reach a diverse population. Some of these newspapers (many with an online presence) include the following:

- Ashland Independent
- Bowling Green Daily News
- Covington Kentucky Enquirer
- Lexington-Herald Leader
- Louisville Courier-Journal
- Owensboro Messenger Inquirer
- Paducah Sun
- Somerset Commonwealth Journal

Appendix A provides an analysis of the most recent United States Census Bureau data and applicable American Community Survey (ASC). The ADDs, MPOs, and the KYTC use this data to identify the demographic diversity throughout the state at a county level to be more effective in reaching the broad spectrum of citizens across Kentucky. This effort includes outreach to our traditionally underserved populations, specifically targeted to Environmental Justice (EJ) populations based upon low income, minority status, and low English proficiency.

To reach minority and underserved populations within the state, the KYTC may choose to place notices in minority newspapers and/or through digital advertising via social media and/or online media sites devoted to serving these populations. Some example minority newspapers (many with an online/social media presence) include the following:

Minority Newspapers

- Cincinnati Herald
- Key News journal – Lexington
- Louisville Defender

Spanish Newspapers

- Al Dia en America – Louisville
- La Voz de Kentucky – Lexington

These advertisements specify the number of calendar days for the public review and comment period, identify a contact to whom they will send comments, and inform the public of the appropriate website address. The KYTC also considers other accommodations upon request, as required.

The KYTC may consider incorporating minority radio stations, as needed, to reach minority populations within a coverage area, in addition to the national, state and regional radio stations with the largest coverage areas as part of public outreach. Listed below are some of these minority radio stations to consider:

<u>Call Letters</u>	<u>Band</u>	<u>Frequency</u>	<u>City of License</u>	<u>State of License</u>	<u>Primary Format</u>
WBTF	FM	107.9	Lexington	KY	Urban Contemporary
WCND	AM	940	Shelbyville	KY	Regional Mexican
WCVG	AM	1320	Covington	KY	African-American Gospel
WIZF	FM	101.1	Erlanger	KY	Urban Contemporary
WUBT	FM	101.1	Russellville	KY	Urban Contemporary
WLRS	AM	1600	Eminence	KY	Spanish
WLOU	AM	1350	Louisville	KY	African-American Gospel
WMJM	FM	101.3	Jeffersontown	KY	Urban AC
WENS	LP	96.9	Vine Grove	KY	Spanish Religious
WDPJ	LP	93.5	Danville	KY	Spanish Religious

The minimum number of calendar days the KYTC will provide public review and comment are as follows:

- Interested Parties, Public Involvement & Process Consultation Process Document 45 calendar days
- New LRSTP or STIP 30 calendar days
- Amendments to LRSTP or STIP 15 calendar days
- Administrative Modifications to LRSTP or STIP Not Required

3.3.1 KYTC Interested Parties, Public Involvement and Consultation Process Documents

The KYTC continuously evaluates ways of reshaping current public involvement procedures to comply with [23 CFR 450.210](#) “Interested Parties, Public Involvement, and Consultation Processes.” When the KYTC updates the STIP, as needed (usually every two years and at minimum every 4 years), the effectiveness of the public involvement process is reviewed and revised as appropriate. The KYTC will allow a minimum of 45 calendar days for public review and written comments before adopting revisions to the public involvement process. The final document will be available as part of the Cabinet’s commitment to the use of visualization technique and public involvement on the KYTC website at www.transportation.ky.gov and the KYTC [Planning Website](#) at <https://transportation.ky.gov/Planning/Pages/default.aspx>. or directly at <https://transportation.ky.gov/Planning/Pages/Public%20Involvement%20Plan.aspx>.

3.3.1-1 New Long-Range Statewide Transportation Plan and/or Statewide Transportation Improvement Program

The formal LRSTP document will cover a minimum 20-year planning horizon, and periodically the KYTC will evaluate, revise, and update the LRSTP as appropriate as noted in [Figure 3.3-1](#). The LRSTP will also incorporate the MPOs' Metropolitan Transportation Plans (MTPs) by reference. A graphical representation of the LRSTP common points of discussion are on the following page in [Figure 3.3-2](#).

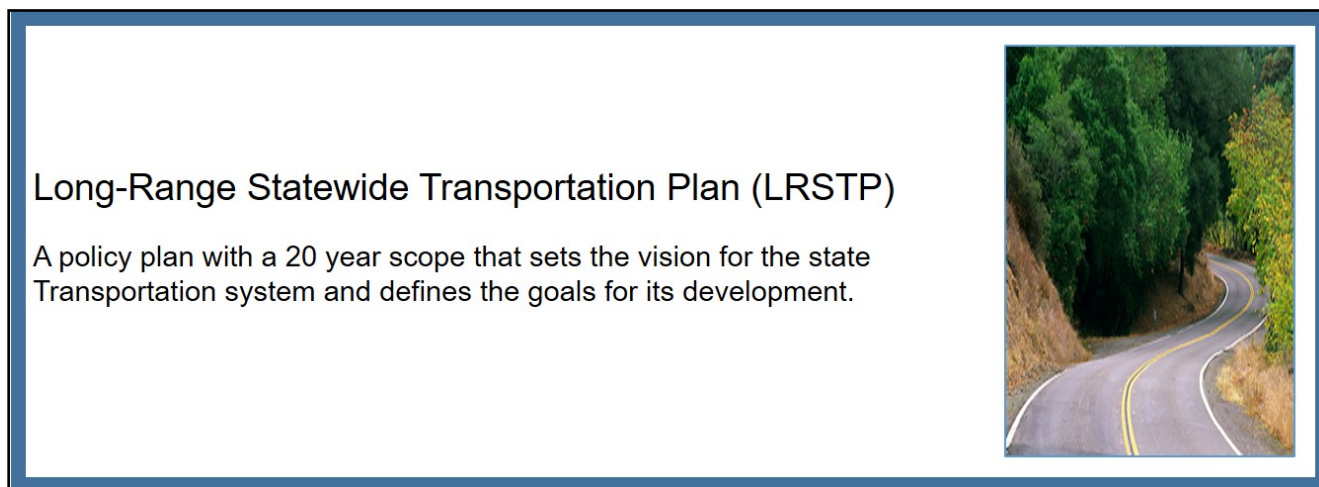


Figure 3.3-1 – What is the LRSTP

The LRSTP wants to know...

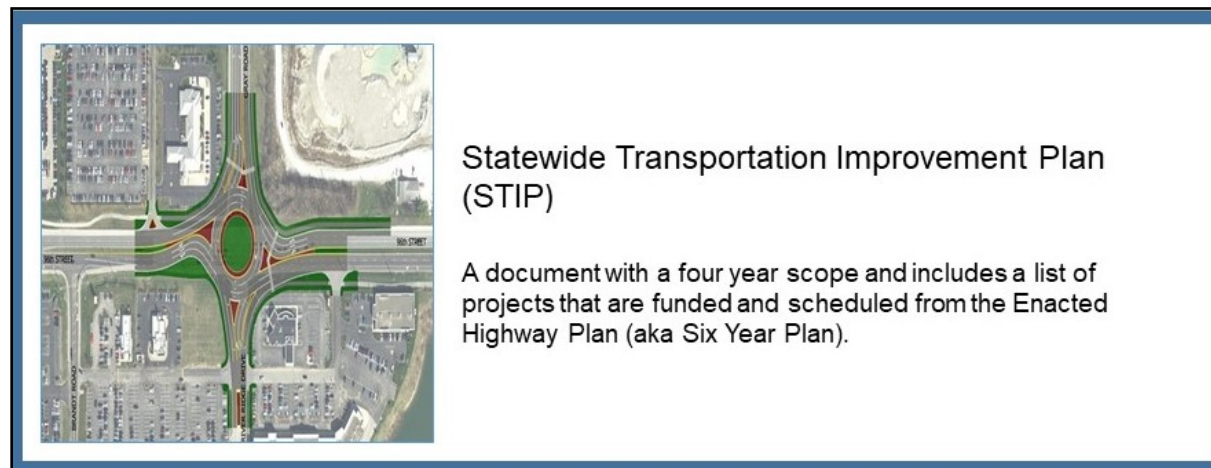


Figure 3.3-2 – The LRSTP Connection

The formal STIP document (see [Figure 3.3-3](#)) may be prepared on a biennial basis (usually every two years and at minimum every 4 years) to coincide with state legislative approval of the biennial update to the Kentucky Enacted Highway Plan. Development of the STIP document is in accordance with [23 CFR 450.218](#). [Figure 3.3-4](#) shows this STIP Update effort graphically. The KYTC also incorporates the MPOs TIPs into the STIP by amendment and/or reference to their specific federally required documents as appropriate.

As required by the Kentucky Revised Statutes ([KRS](#)), [Chapter 176](#), the KYTC submits the Governor's Recommended Highway Plan (Recommended Plan) to the Kentucky General Assembly in January of even numbered years for their review and approval through the middle of April. During this same timeframe, the Recommended Plan is available to the public, who can contact the General Assembly members voicing their concerns and/or support of projects. As per the KRS, the General Assembly by law has the authority to make revisions, additions, and deletions of highway projects, along with having the responsibility of voting on and approving a final Highway Plan by the middle of April of even numbered years. In addition, the approved Highway Plan serves as a supplement to the Commonwealth's Executive Branch Biennial Budget, and every two years, the entire Highway Plan process repeats.

Derived from the approved Highway Plan, the listing of highway improvement projects in the STIP consists of projects that have gone through an extensive identification process. This process is where the public had the opportunity to comment at various key decision points such as project identification and prioritization. In addition, the general public and concerned citizens have the opportunity to contact their legislators prior to the approval of the Highway Plan by the Kentucky General Assembly.



[Figure 3.3-3](#) – What is the STIP

Public Participation in the Development of the STIP

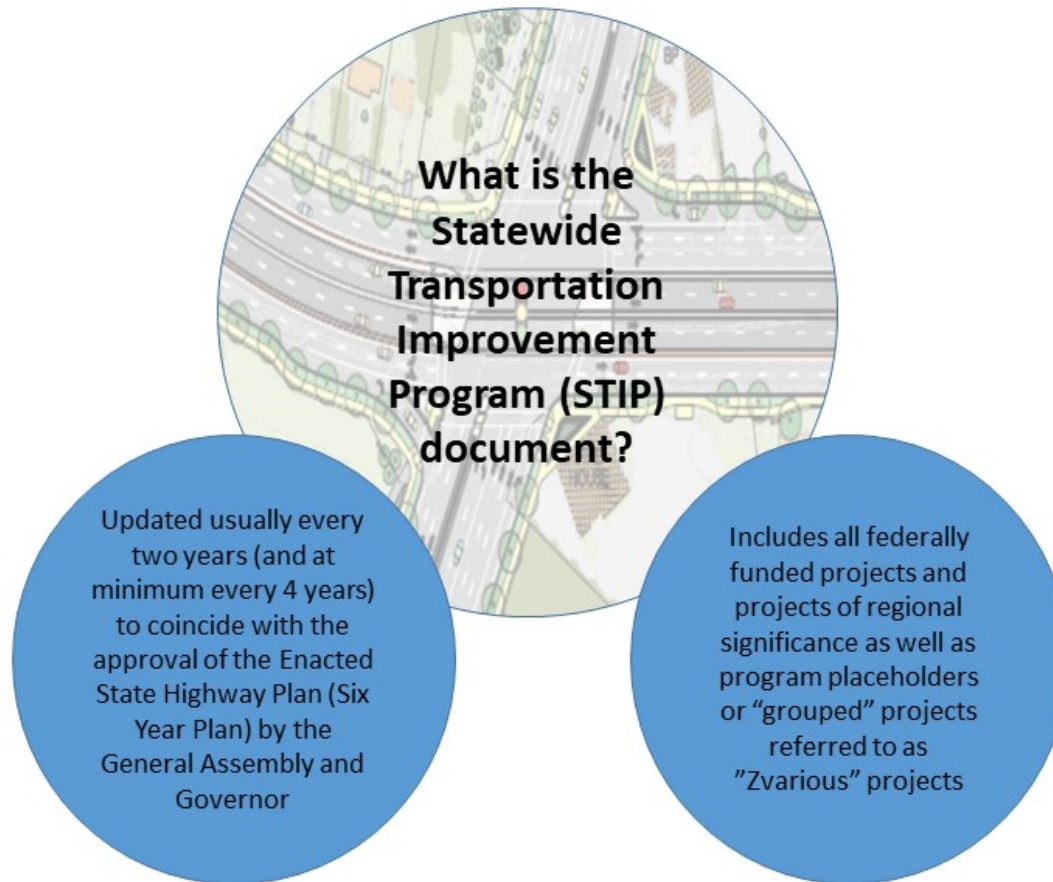


Figure 3.3-4 – The STIP Connection

Upon completion of the approved Highway Plan, the final stages of preparing the new STIP begins. Around May, in even-numbered years, the process to prepare the Draft STIP begins in which the KYTC incorporates projects from the recently approved Highway Plan into this draft document. This draft has 30-day public review and comment period, as well as a review and approval of the final STIP by FHWA and FTA. Once approved, the final STIP document is printed and distributed between late fall of even-numbered years to late winter.

The process of preparing the STIP information, in conjunction with preparing the Highway Plan, begins in the winter of odd-numbered years and continues through the approval of the STIP. [Figure 3.3-5](#) visually displays this STIP outreach effort in more detail.

As required by [23 CFR 450.218](#) (e), Federal Lands Transportation Highway Program and Federal Lands Access Program, Kentucky project within those TIPs shall be included without change in the STIP, directly or by reference, once approved by FHWA.

To ensure that the public has ample opportunity to review and comment on the LRSTP as shown graphically in [Figure 3.3-6](#) and with the STIP documents, the KYTC allows a minimum of 30 calendar days for public review and written comments for each proposed new LRSTP and each proposed new STIP. The KYTC also provides notice of the 30-day public review and comment period in statewide, significant regional and/or demographically targeted newspapers and/or online media sites throughout the Commonwealth of Kentucky, with assistance from the ADDs and MPOs as appropriate.

During this 30-day review and comment period, the KYTC makes the Draft LRSTP and Draft STIP documents also available to the FHWA and FTA for their review and comment.

The KYTC publicly displays the Draft LRSTP and Draft STIP in the KYTC Central Office, and each of the 12 Highway District Offices, 15 ADD offices, and 9 MPO Offices. Upon release of the Draft LRSTP and Draft STIP, the following groups receive a letter providing information on the availability of these documents:

- Transit providers, FTA,
- USDA Forest Service,
- US Fish and Wildlife,
- National Forestry Service,
- US Army Corp of Engineers,
- FHWA Eastern Federal Lands Highway Division,
- Other federal, regional, and state agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation,
- All county judge/executives,
- Mayors of all communities over 5,000 in population,
- Any individuals who ask to be included on an official mailing list maintained by the KYTC.

Public Participation in the Development of a NEW STIP

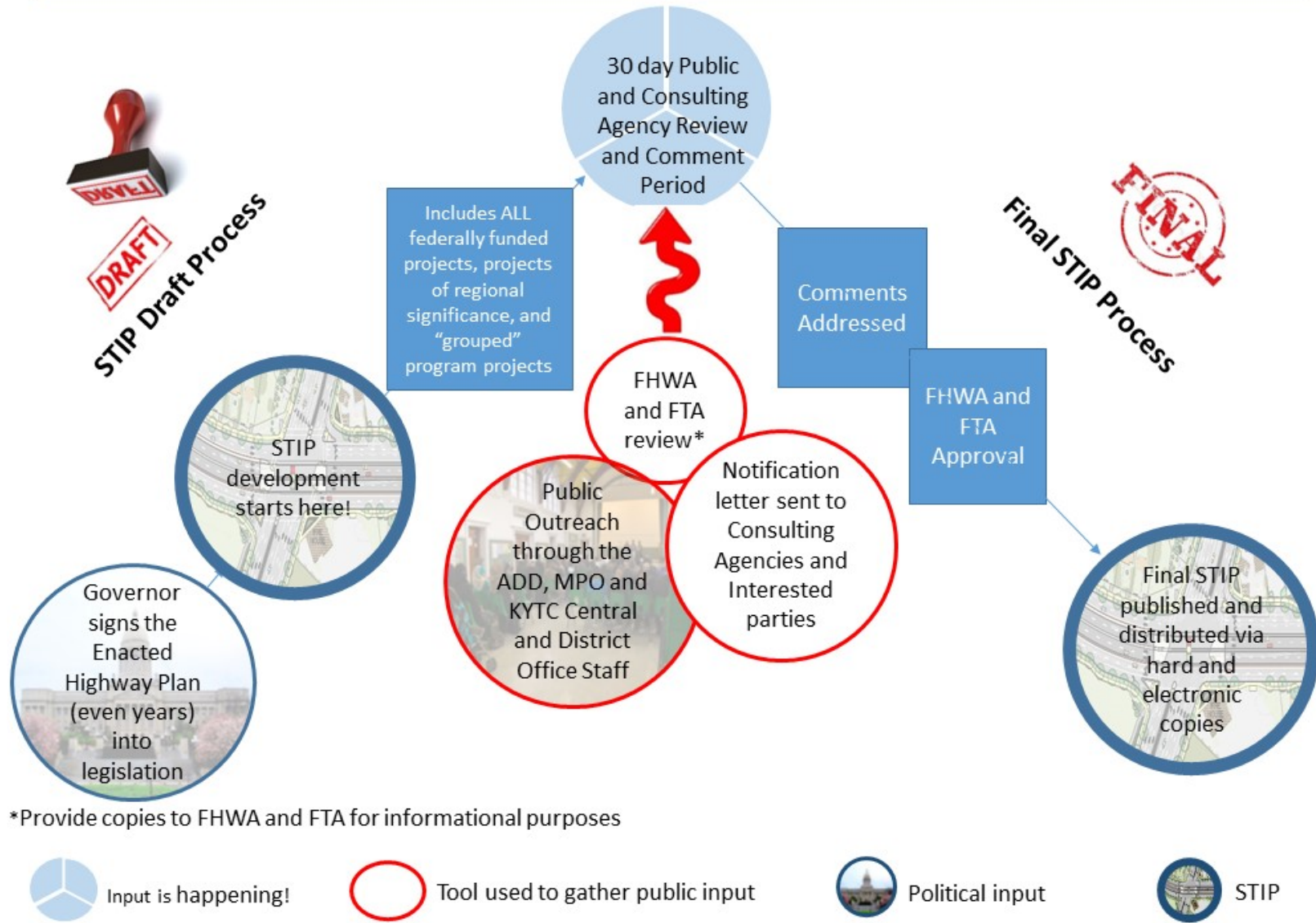


Figure 3.3-5 – The STIP Process and Public Involvement

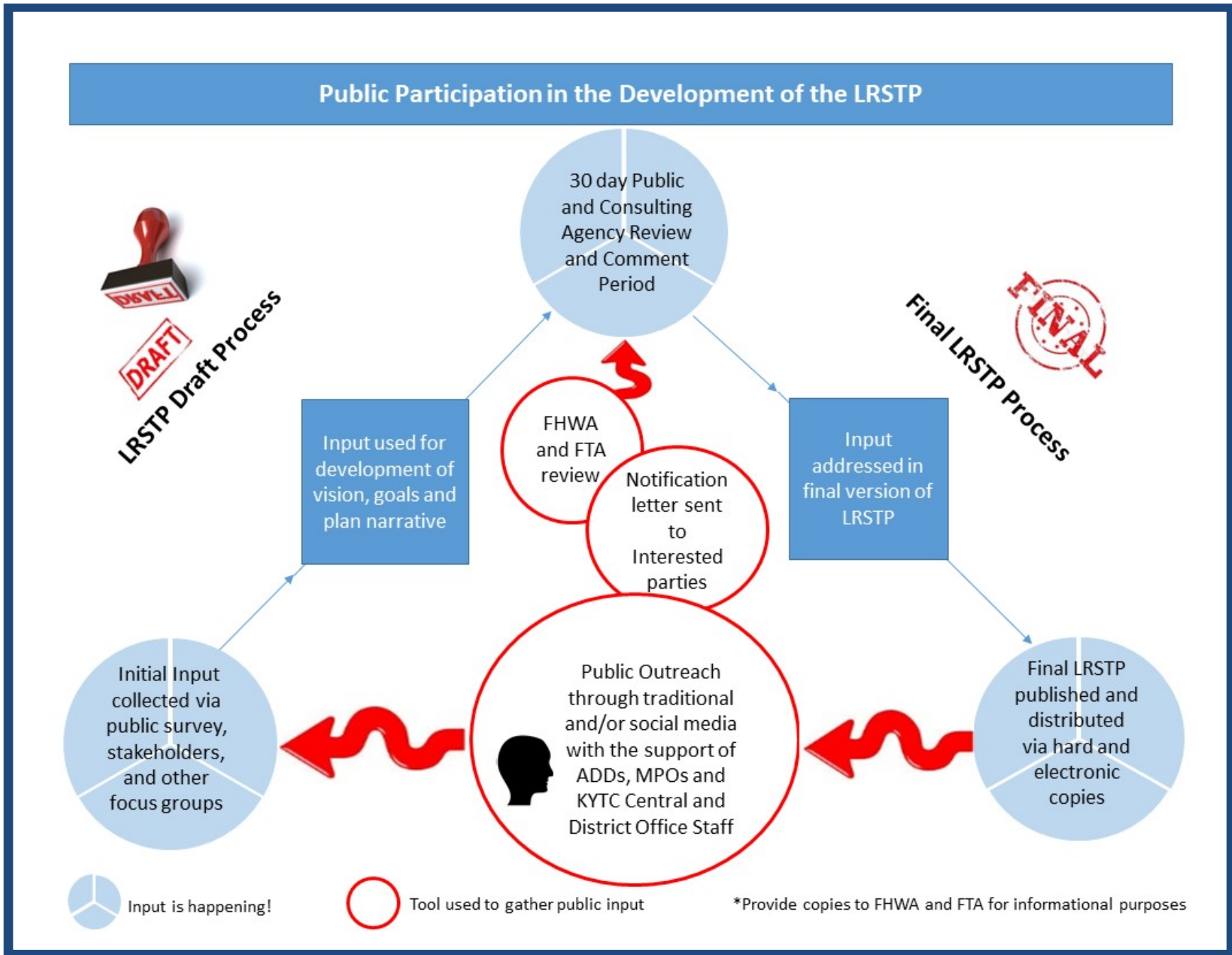


Figure 3.3-6 – The LRSTP Process and Public Involvement

The KYTC considers additional public involvement in those instances where the complexity of the LRSTP and STIP, or magnitude of public response indicates the need for additional efforts.

The KYTC website will house the Draft LRSTP and Draft STIP document in an electronically accessible format available to search and print during public review periods. The KYTC will establish an electronic process for those reviewing the Draft LRSTP and Draft STIP to submit their comments and questions to the KYTC. Visualization techniques will be used to the maximum extent practicable to describe the Draft LRSTP and Draft STIP documents in accordance with [23 CFR 450.210 \(a\)\(1\)\(v\)](#). Figures within this PIP document are available as a story map to follow this effort as defined under the Table to Contents.

In reviewing a Draft LRSTP or Draft STIP, the KYTC shall involve various interagency groups that represent environmental, traffic, ridesharing, parking, transportation safety and enforcement, airports, port authorities, toll authorities, and appropriate private transportation provider concerns. The KYTC will also involve city officials, as appropriate, as well as local, state, and federal environmental resources and permit agencies. In each case, the expectation is for the reviewing entity to provide comments within the specified review period. As noted in Section 1 – Interested Parties and Section 3 – Consultation Process, the various state, federal, and local agencies are involved in the development process of the LRSTP and STIP at key decision points throughout the entire process, such as project identification and prioritization, where appropriate.

Review of the Draft LRSTP and Draft STIP may consist of public meetings held at convenient/accessible times and locations, and/or when needed virtually as discussed further in **Appendix B**. Public notices for meetings can include notifications to neighborhood associations, legal notices in local newspapers, and/or digital advertisements through online sites and social media, or any additional efforts to significantly enhance the public's understanding of the planning-level recommendations being presented by the Draft LRSTP or STIP document. The KYTC will establish the number, time, and location and/or virtual approach to any public meeting to fit current circumstances. Online tools and/or methods are among options available to KYTC to capture public input. If necessary, the option of extending the Draft LRSTP or Draft STIP comment period is available to allow more time for receipt of post-meeting comments. Whenever possible, the ADD and MPO public involvement processes will coordinate with the statewide process to enhance public consideration of the issues, plans, programs, and to reduce redundancies and costs.

3.3.1-1.1 For the LRSTP, the following apply:

After the initial 30-day public review and comment period, the KYTC will aggregate comments, prepare responses demonstrating consideration and respond to public input, and finalize the LRSTP document. The KYTC will make available copies of the final edition of the LRSTP document for public information and provide a final copy to both the FHWA and FTA. In addition, the KYTC will post the final LRSTP document on the KYTC website.

3.3.1-1.2 For the STIP, the following apply:

After the initial 30-day public review and comment period, the KYTC will aggregate comments, prepare responses demonstrating consideration and respond to public input including possible feedback from the FHWA and FTA, and finalize the STIP document. The KYTC will provide copies of the final edition of the STIP document to both the FHWA and FTA for their review and comment. After addressing the FHWA and FTA comments, the KYTC will prepare the final STIP document to include a copy of the joint approval letter from FHWA and FTA. The KYTC will make available copies of the final STIP for public information and distribution as well as the consulting partner agencies (in the list noted earlier in this section) and to any individuals who ask to be included on an official correspondence list maintained by the KYTC. In addition, the KYTC will post the final approved STIP document on the KYTC website.

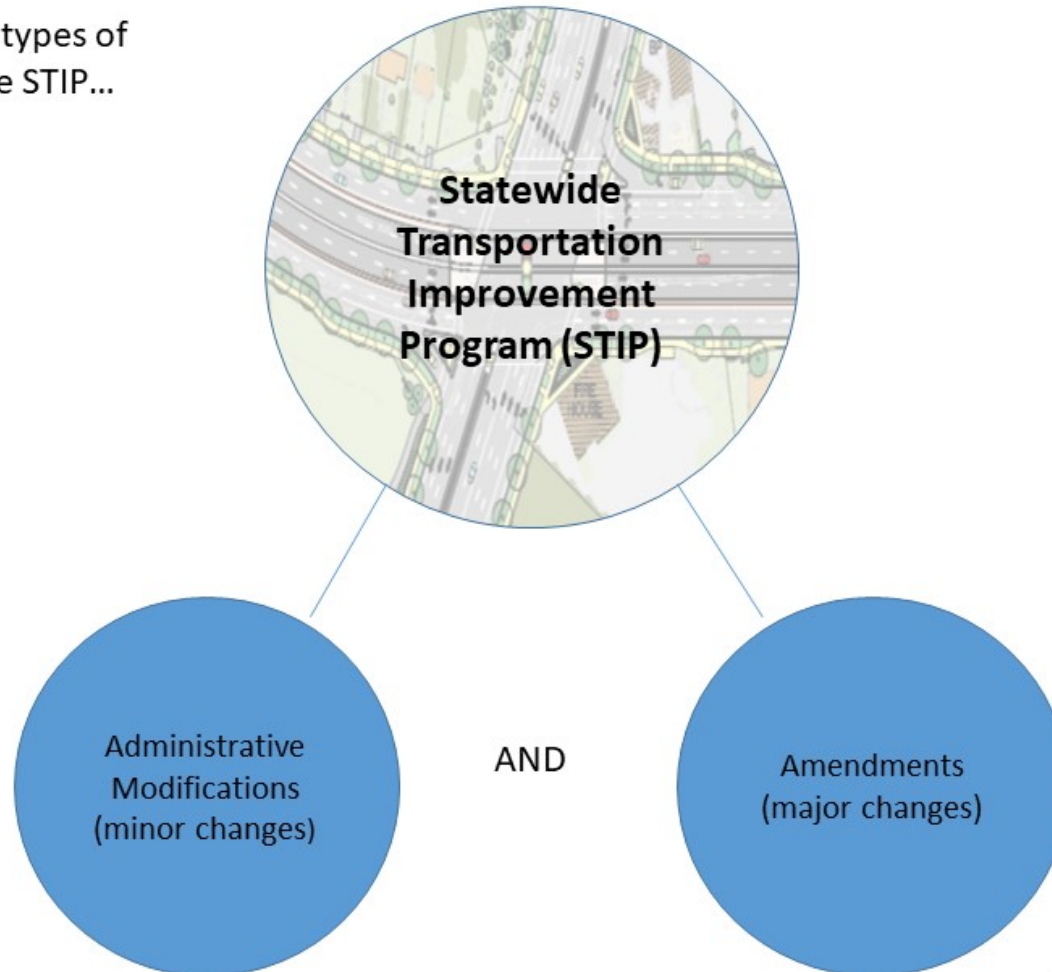
3.3.1-2 Revisions to the LRSTP and/or STIP

On various occasions, revisions may be required to the LRSTP or STIP. Revisions to a LRSTP or STIP may involve a minor or major revision. On a case-by-case basis, the KYTC, FHWA, and/or FTA determines whether the revision is minor or major as per definition of “Administrative Modification” and the definition of “Amendment” outlined [23 CFR 450.104](#). On the following page, [Figure 3.3-7](#) displays the graphical representation of these two types of revisions regarding the STIP.

The KYTC, FHWA, and FTA will utilize applicable requirements and classifications of projects that are not considered to be of appropriate scale for individual identification in a given program year as outlined in [23 CFR 450.218](#) (j) using applicable classification under [23 CFR 771.117](#) (c) and (d) and/or [40 CFR part 93.126](#) “Exempt Projects” and [part 93.127](#) “Projects Exempt from Regional Emissions Analysis.” These appropriately identified projects, also known as grouped projects, may be “grouped” by function, work type, and/or geographic area into the ZVarious programs and other program placeholders to determine if a STIP revision is required.

Public Participation in *Revisions* to the STIP

There are two types of revisions to the STIP...



How are the types different?

Figure 3.3-7 – STIP Revision Types

3.3.1-2.1 Administrative Modifications to STIP

Administrative modifications are minor revisions to the STIP that include minor changes to the following:

- Projects/project phase costs,
- Funding sources of previously included projects,
- Project phase initiation dates (not crossing an analysis year in air quality conformity nonattainment and maintenance areas),
- The delineation of projects in program placeholders which include:
 - Congestion Mitigation and Air Quality (CMAQ) projects,
 - Surface Transportation Block Grant (STBG) - Transportation Alternatives (TA) projects,
 - Highway Safety Improvement Program HSIP projects.

An administrative modification is a revision that does not require the following:

- Public review and comment,
- Re-demonstration of fiscal constraint,
- A conformity determination (in air quality conformity nonattainment and maintenance areas).

For administrative modifications to the STIP, the KYTC uses the official STIP mailing list to distribute information pertaining to the revision. The KYTC also posts each STIP administrative modification on the KYTC website. These documents are also accessible in an electronic format with the means to search and print as appropriate.

[Figure 3.3-8](#) shows different changes that would require one revision type over another.

3.3.1-2.2 Amendments to the STIP

Amendments are revisions to the STIP that include major changes to a project included in the STIP. This includes a major change in:

- Project Cost,
- Project/project phase initiation dates,
- Design concept or design scope (e.g., significant change in project termini or the number of through traffic lanes).
- Addition or deletion of projects, (except those types of projects not considered to be of appropriate scale for individual identification as outlined in [23 CFR 450.218](#) (j) using applicable classification under [23 CFR 771.117](#) (c) and (d) and/or [40 CFR part 93.126](#) “Exempt Projects” and [part 93.127](#) “Projects Exempt from Regional Emissions Analysis.” These appropriately identified projects, also known as grouped projects, may be “grouped” by function, work type, and/or geographic area into the “Zvarious” programs and other program placeholders such as STBG-TA and CMAQ).

[Figure 3.3-9](#) shows the requirement differences between STIP Amendments and Administrative Modifications.

Public Participation in *Revisions* to the STIP

The difference is...

Administrative Modifications

MINOR revisions to the STIP that include *minor* changes to:

- Projects/project phase costs
- Funding sources of previously included projects
- Project phase initiation dates
- The delineation of projects in a program place holder
 - Congestion Mitigation and Air Quality projects (CMAQ)
 - Transportation Alternatives (TA) projects
 - Highway Safety Improvement Program (HSIP) projects

VS

Amendments

MAJOR revisions to the STIP that include *major* changes in:

- Project costs
- Project/project phase initiation dates
- Design concept or design scope (e.g. significant change in the project termini or changing the number of through traffic lanes)
- The addition or deletion of projects, except those types of projects not considered to be of appropriate scale for individual identification as outlined in the 23 CFR 771.117© and (d) and/or CFR part 93.126 "Exempt Projects" and 93.127 "Projects Exempt from Regional Emissions Analysis," which are the grouped projects listed in the "Zvarious" programs and other program placeholders such as the Transportation Alternatives (TA) and Congestion Mitigation and Air Quality (CMAQ)

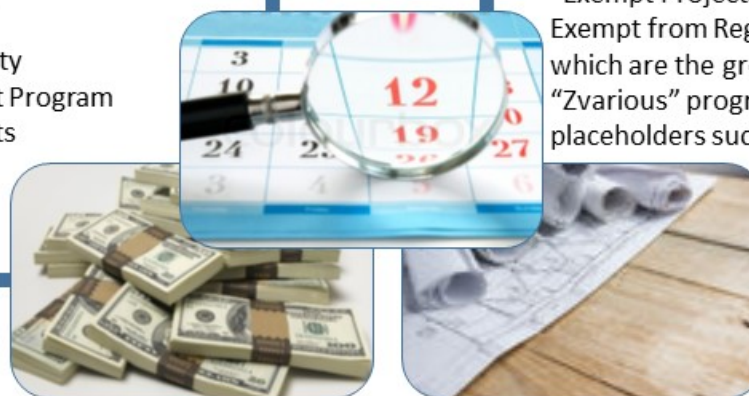


Figure 3.3-8 – Differences between STIP Revision Types

Public Participation in *Revisions* to the STIP

The difference in requirements...

Administrative Modifications

DO NOT require...

- Public review and comment
- Re-demonstration of fiscal constraint
- A conformity determination

VS.

Amendments

DO require...

- Public review and comment
- Re-demonstration of fiscal constraint
- A conformity determination (in air quality conformity nonattainment and maintenance areas)

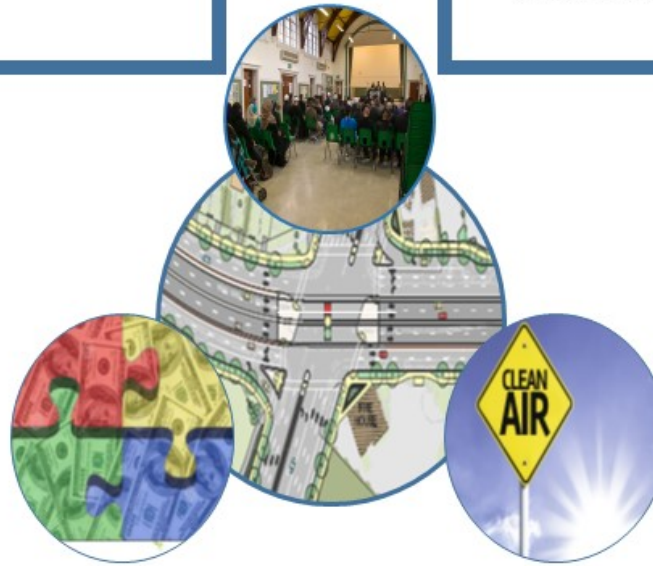


Figure 3.3-9 – Requirements between STIP Revision Types

An amendment is a revision that requires:

- Public review and comment,
- Re-demonstration of fiscal constraint,
- A conformity determination (in air quality nonattainment and maintenance areas).

[Figure 3.3-10](#) provides a graphical representation of the decision-making process for the different STIP revision types.

For STIP amendments that have not undergone public involvement through the MPO process or the Highway Plan process, a 15-day public review period and public notice advertisements will occur to more effectively reach diverse populations through any combination of statewide, regionally significant, and/ or demographically targeted newspapers and digital advertising via online sites and social media outlets. The KYTC may inquire with ADDs and MPOs to assist in identifying the appropriate public outreach methods. In addition, other possible public outreach efforts targeted to the specific region of the state directly affected by the proposed STIP amendment may be required and determined on a case-by-case basis.

The KYTC Division of Program Management will share the proposed STIP amendment at the KYTC Central Office and share with the HDOs, ADDs, and MPOs for public review and comment. The KYTC will make the project description, location of the project, proposed project phases and type of funding, and scheduled fiscal year of each phase for which KYTC wants to amend the project into the STIP available to the public. In addition, KYTC will revise the “Fiscal Constraint” tables outlined in the STIP to reflect the required funding for the proposed new project vs. available funding. The KYTC will provide hard copies of the information upon request and place the information on the KYTC STIP website. The public will also receive a means by which to submit written and electronic review comments on proposed STIP amendments.

At the conclusion of the 15-day review period, the KYTC will address public comments and additional public outreach may occur as necessary. The KYTC will provide the final STIP amendment to FHWA and FTA for approval. For amendments to the STIP from areas within the MPO boundaries, the public involvement process conducted for the respective MPO TIP will suffice as the required public involvement for the STIP.

The KYTC will post each approved STIP amendment on the KYTC website and provide such amendment in an electronically accessible format with the means to search and print as appropriate.

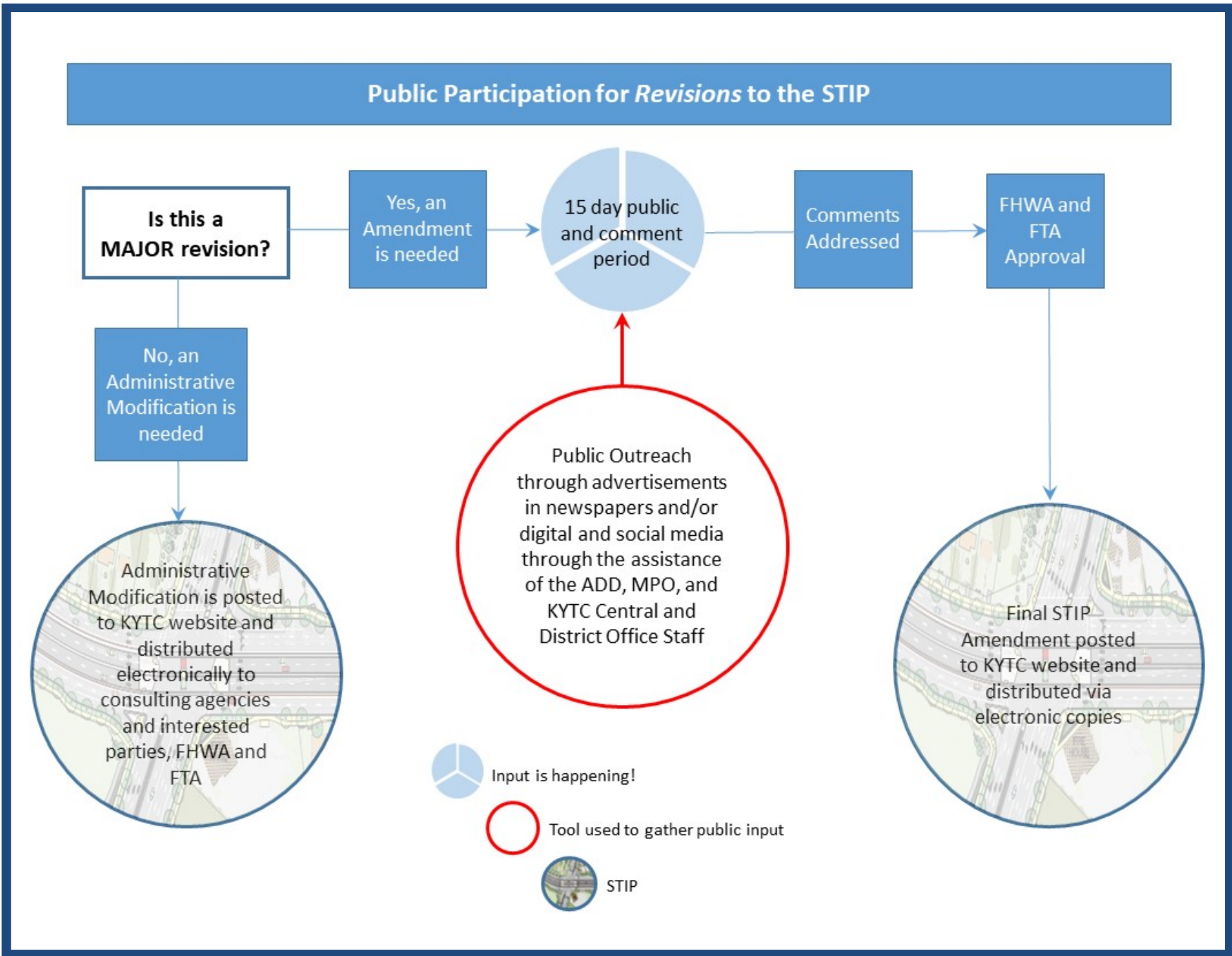


Figure 3.3-10 – STIP Public Involvement Process for Different Revision Types

4. CONSULTATION PROCESS

The KYTC receives numerous requests each year to help identify potential projects from the 12 KYTC Highway District Offices (HDOs), input from city mayors, county judges, MPOs, ADDs, state legislators, and through written comments and requests from the general public and concerned citizens. The KYTC has established guidelines for ADDs, MPOs, local city and county elected officials, and other interested parties located throughout the Commonwealth of Kentucky to identify and recommend potential projects.

The KYTC considers these requests on a case-by-case basis, and each requestor may receive written correspondence explaining what can occur at the current time and possible recommendations for future actions. These requests are assembled with an electronic transportation needs database called the Continuous Highway Analysis Framework (CHAF) database. This list of identified transportation needs was previously known as the “Unscheduled Needs List (UNL).”

The KYTC maintains the CHAF database. Projects may include but are not limited to the following: highway, bikeway, pedway, intermodal access, and intelligent transportation system (ITS) projects. The KYTC HDOs may also maintain a district list of safety projects, bridge projects, and other operations and maintenance projects for local reference. The KYTC checks each newly suggested transportation need against the current STIP, Highway Plan, and CHAF database to make sure there are no duplicate projects.

Newly identified project requests should include the following information to be a CHAF project:

- Route number or “new route”,
- A clear problem statement that describes the need for the project in terms that can be verified by data analysis or from professional studies,
- A thorough description of the project and location (including road or street names, if applicable),
- Beginning and ending termini mile points for projects located on state-maintained roads,
- Length of project to the nearest tenth of a mile,
- Any existing data concerning the condition, safety, or capacity of the roadway,
- Cost estimates for the proposed projects which are prepared by the Highway District Offices,
- Any other information available to describe the purpose, need, and/or justification for the project.

Figure 4.0-1 provides a graphical representation of the consultation process for the identification of individual transportation projects or needed corridor improvements for further consideration to assign relative priorities and rankings by local officials, ADDs, and MPOs as well as HDOs. In odd numbered years, the ADDs, MPOs, and HDOs sponsor projects, then the KYTC scores and prioritizes those projects using a mix of qualitative and quantitative criteria to compete for funding and inclusion in the development of the Recommended Highway Plan. This is known as the Strategic Highway Investment Formula for Tomorrow (SHIFT) process. The SHIFT process itself, is a prioritization model that brings balance and dependability to the development of the Kentucky Recommended Highway Plan.

Public Participation in the Consultation Process

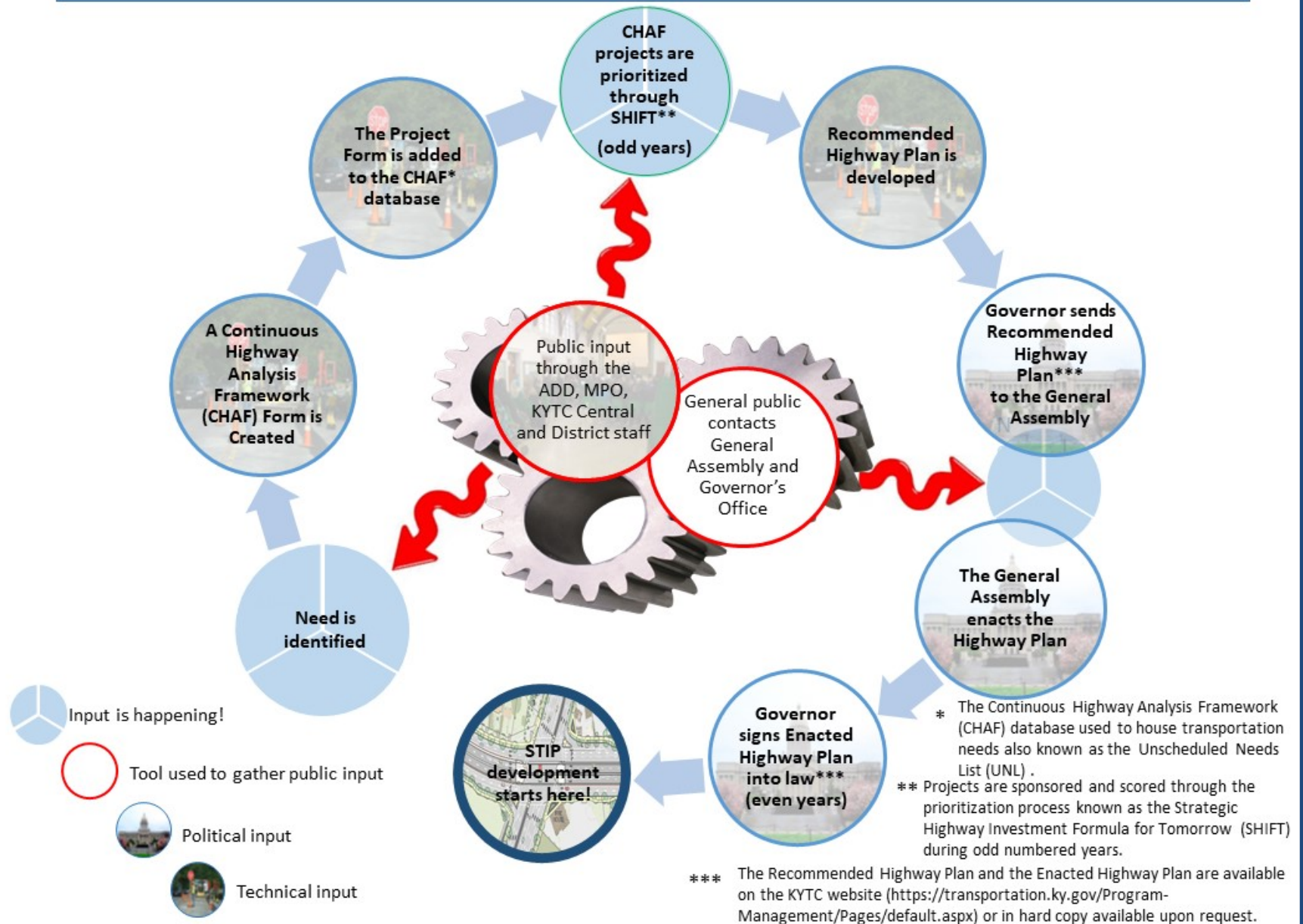


Figure 4.0-1 – Public Involvement in the Consultation Process

Every two years, this prioritization process repeats to ensure that the KYTC keeps the transportation needs current and assures a continuing, cooperative and comprehensive planning process.

4.1 DETERMINATION OF CONSULTATION EFFECTIVENESS

In accordance with [23 CFR 450.210](#), at least every 5 years the KYTC will review and solicit comments from non-metropolitan local officials and other interested parties for a period of not less than 60 calendar days regarding the effectiveness of the KYTC statewide transportation planning cooperative consultation process including proposed changes. The KYTC will send specific requests for comments to the Kentucky Association of Counties, Kentucky League of Cities, regional planning agencies, or directly to non-metropolitan local officials as to the effectiveness of the KYTC cooperative consultation process and any proposed changes.

Upon receipt, the KYTC will review the comments and proposed changes, and at its discretion, determine whether to adopt any of the proposed changes. If a proposed change is not adopted, the KYTC will make publically available the reason(s) for not accepting the proposed, including notification to non-metropolitan local officials or associations. If the KYTC elects to revise their current public involvement process to include any of the proposed changes, a 45-day public review and comment period will be conducted prior to officially adopting the proposed changes to the public involvement process.

5. PUBLIC INVOLVEMENT DURING THE PROJECT LIFE CYCLE

Public involvement is more than just a single hearing or only one meeting near the end of the project development process. Public involvement should be early and continuous throughout the life cycle of a project. [Figure 5.0-1](#) illustrates the four principal transportation phases of the project life cycle.

A key element of effective communication with the public is to cultivate their general understanding of the KYTC project development and delivery process as described in [Figure 5.0-2](#).

Furthermore, it is essential for the KYTC staff to understand the community's values in order to avoid, minimize, and mitigate impacts as well as to narrow the range of alternatives for a transportation improvement. The KYTC should help make the community aware of the tradeoffs and constraints involved in the process, which should encourage public acceptance of the project. If involved early, the public can provide significant insight (directly or indirectly) into the project's goals, needs, and its effects on their community.

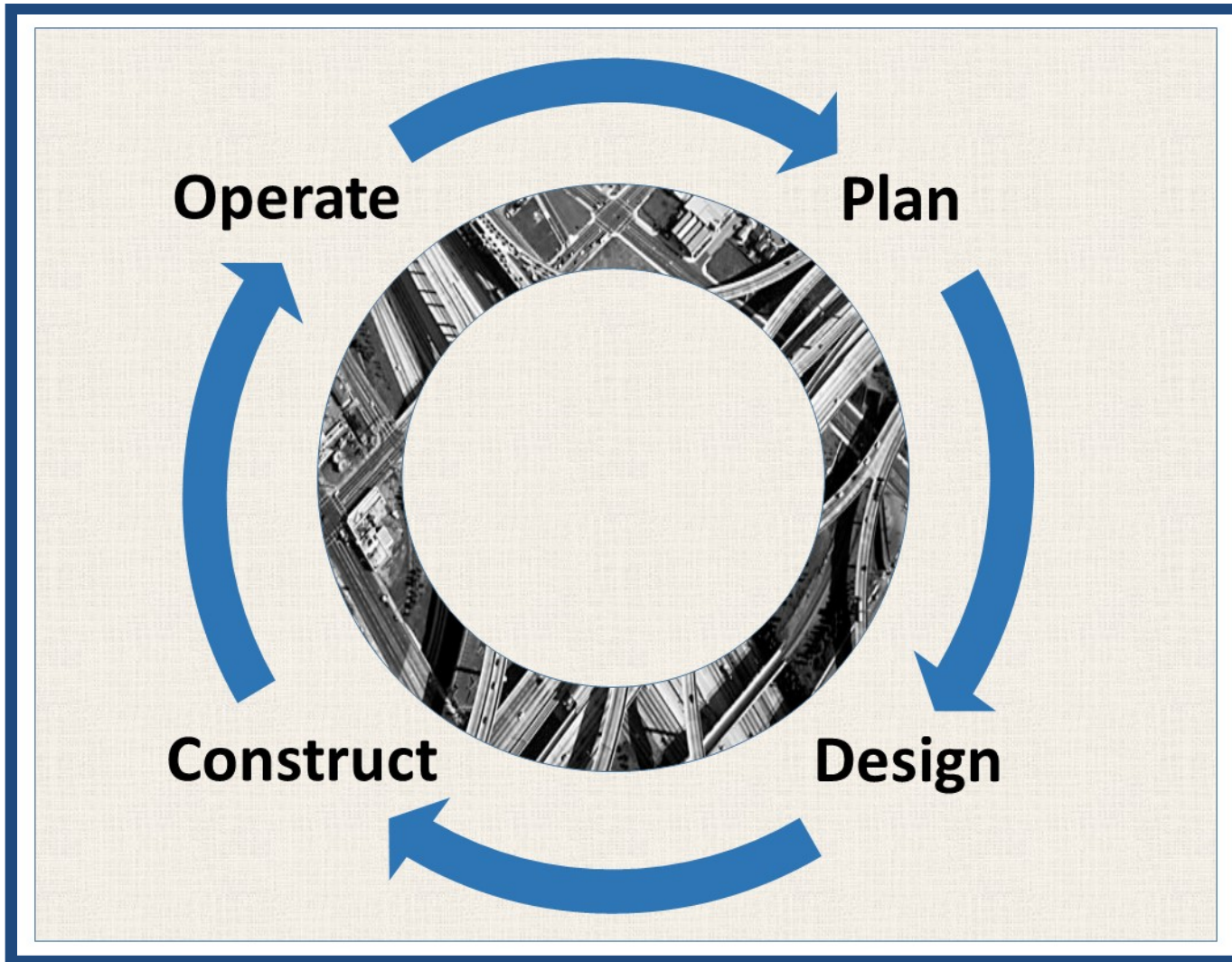


Figure 5.0-1 - Transportation Phases of Project Life Cycle

How We Build Roads

Step 1: Long-Range Planning

- Identify/prioritize purpose & need
- Identify & address public concern
- Identify priorities for State Highway Plan



Step 2: State Highway Plan

- Project revenue for federal & state funds
- Break revenue into funding categories
- Match required state funds to federal funds
- Balance all fund categories
- Determine projects & programs that can be funded with projected revenues



Step 3: Project Planning



- Determine project limits
- Verify funding needs
- Identify public concerns
- Verify project needs
- Identify project goals
- Identify environmental concerns
- Coordinate with resource agencies
- Make project recommendations

Duration: 1-2 Years

Step 4: Preliminary Design & Environmental Analysis

- Conduct field surveys
- Inventory existing resources to identify protected, endangered & important resources
- Identify & address public concerns by conducting meetings & distributing reports
- Develop alternatives
- Prepare environmental documentation

Duration: 1-2 Years



Step 5: Final Design



- Develop final alignments
- Develop right-of-way needs
- Drill for soil & rock samples
- Identify & address public comments
- Review environmental commitments
- Develop construction plans

Duration: 1-2 Years

Step 6: Right-of-Way Purchase (Land Acquisition)

- Determine property values
- Meet with property owners
- Address property owner concerns
- Make offers and buy property
- Sign deeds
- Assist with relocations

Duration: 1 Year



Step 7: Utility Relocation



- Move utilities out of construction zone
- Pay utility companies for relocations

Duration: 1 Year

Step 8: Construction

- Address public concerns
- Construct roadway
- Fulfill environmental commitments
- Maintain traffic

Duration: 1-2 Years



Step 9: Maintenance

- Remove snow and ice
- Patch potholes and resurface
- Mowing and many other items

Duration: Life of the roadway



Figure 5.0-2 – KYTC Project Development and Delivery Process

The viewpoints and opinions of the public are important considerations in the transportation decision-making process. The public includes:

- Users of the facility
- Nearby property owners affected by the project
- Elected officials
- Others interested in the outcome of the project

The seven basic steps for effective public involvement in managing any project are:

1. Create a plan for public involvement activities with consideration for members of the public as previously noted. The project budget should account for public involvement expenses. If the public involvement is significant, the KYTC should create a separate budget for this effort.
2. “Identify” the affected populations, particularly in the traditionally underserved communities
3. “Invite” those citizens to participate in the planning process.
4. “Inform” the public of the planning and the project development processes for identifying and prioritizing transportation needs (e.g. existing conditions, issues and concerns, and potential solutions)
5. “Involve” the affected community during the planning and project development and delivery process to express their concerns and needs (e.g. Conduct public involvement activities to collect the concerns and preferences of the public and assist the public to facilitate their involvement. This can include but is not limited to providing interpreters.)
6. Review and consider input, and provide feedback to the public. If significant time lapses between the public involvement meetings and the letting (aka construction advertising) of the project, consider updating the public through media, newsletters, websites and/or other means as appropriate.
7. “Improve” the participation process by measuring the success of public participation and incorporate those “lessons learned” into future efforts (e.g. Evaluate the public involvement activities and improve the process accordingly.)

On the following page, [Figure 5.0-3](#) illustrates the summary process referred to as the “Five I’s of Public Involvement.

5.1 PROJECT DEVELOPMENT

During the project life cycle, public involvement activities are the most extensive during the project development phase. This phase is critical because it links the planning process with the actual human and natural aspects of the project, as well as design, and eventual construction and operation. The responsible party for the public involvement efforts on a particular project goes primarily through the associated KYTC HDO and the designated project manager or resident engineer(s). [Figure 5.1-1](#) provides the contact number for each of the 12 HDOs throughout Kentucky as well as their color-coded district boundaries by county and associated interstates and parkways for reference.

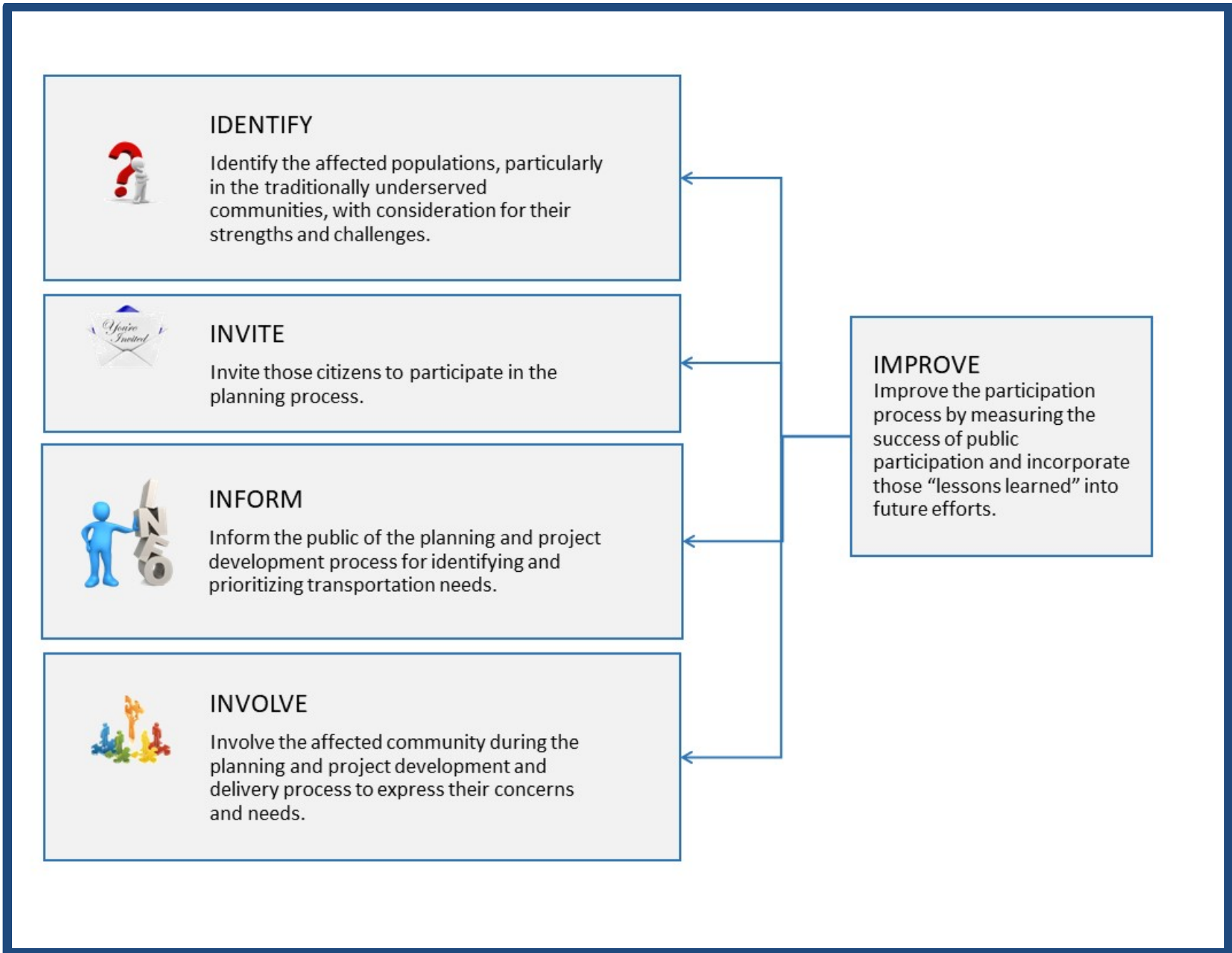












Figure 5.0-3 – Five I's of Public Involvement

KENTUCKY HIGHWAY DISTRICT OFFICES AND BOUNDARY MAP



Highway Districts Legend

 KYTC District 1 phone: 270-898-2431	 KYTC District 7 phone: 859-246-2355
 KYTC District 2 phone: 270-824-7080	 KYTC District 8 phone: 606-677-4017
 KYTC District 3 phone: 270-746-7898	 KYTC District 9 phone: 606-845-2551
 KYTC District 4 phone: 270-766-5066	 KYTC District 10 phone: 606-666-8841
 KYTC District 5 phone: 502-210-5400	 KYTC District 11 phone: 606-598-2145
 KYTC District 6 phone: 859-341-3661	 KYTC District 12 phone: 606-433-7791

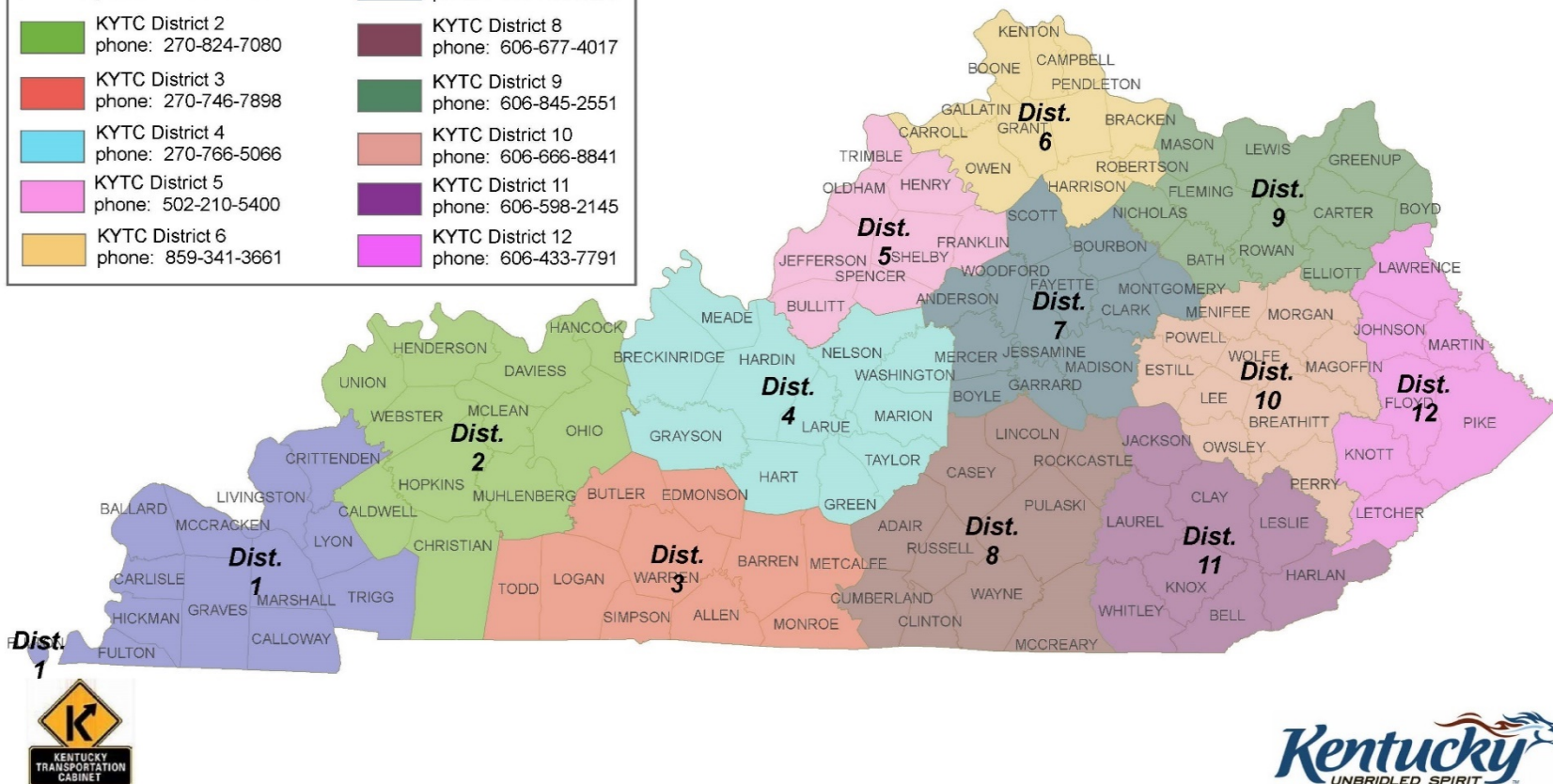


Figure 5.1-1 – Kentucky Highway District Offices and Boundary Map

5.1.1 Corridor or Area Transportation Planning Studies

While typical system-wide plans are policy-based, corridor or area transportation planning studies are focused either on a specific facility, such as a roadway, or on the transportation needs for a defined area such as a rural county, a small community, or a neighborhood. Corridor planning activities can include the planning for new corridors to provide for the future mobility or access needs of a region, community, or the identification of improvements to existing corridors in order to preserve or enhance the ability of that facility to move traffic safely and efficiently. Area transportation planning studies focus upon the transportation needs within a small geographic unit such as town or county. Both planning efforts must consider possible environmental impacts upon the human and natural resources within the study area.

Throughout corridor or area transportation planning studies, KYTC makes extensive efforts to reach out to as many groups as possible to receive comments directly from the people who may benefit from and those upon whom impacts may occur by the identified transportation improvements. These studies provide the public and interested stakeholders with opportunities to learn about the planning process, possible outcomes, and project schedules, as well as provide an opportunity to build relationships and show the public the importance of their participation. The KYTC Division of Planning shares public notices and makes their planning studies available to the public through their [Planning Website](https://transportation.ky.gov/Planning/Pages/default.aspx) at <https://transportation.ky.gov/Planning/Pages/default.aspx> as well as providing the public various transportation related data resources. Each of the 12 KYTC Highway District Offices also share public notices regarding projects within their districts.

5.1.2 Design, Right-of-Way Acquisition and Utility Relocation

The KYTC Division of Professional Services (DPS) in accordance with [KRS 45A.825 \(2\)\(c\)](#), maintains their website by providing procurement bulletins and public notices of a request for proposals. The website also provides notices of the materials that the procuring agency will provide to a firm to assist that firm in responding to a request for proposals concerning planning and design engineering services. These materials shall include, but are not limited to, the request for proposals form and the project evaluation sheet for the relevant selection committee. The notice shall also set a deadline for filing responses to a request for proposals with the procuring agency. The intent is that firms, in all regions of the Commonwealth, be given an equal opportunity to be selected.

The request for professional engineering services are advertised on the KYTC [DPS website](#) at <https://transportation.ky.gov/ProfessionalServices/Pages/default.aspx> on the 2nd Tuesday of each month, and the Consultant Selection Results are also posted on this website immediately following each consultant selection meeting in accordance with the previously noted KRS and the DPS Guidance Manual.

The Chairperson of the Professional Engineering and Engineering-Related Services Selection Committee notifies the Director of Professional Services, or designee, of the firms determined by the selection committee to be the three best qualified and shares their order of ranking as part of the selection process. The Director of Professional Services, or designee, will then notify these top-ranked firms of their selection and send a letter to these three finalists advising them of their ranking.

Once the source for engineering services has been determined and any necessary contracts executed the project proceeds into the design phase. Public involvement outreach for the design of highway projects is dependent on project location, type of project, and magnitude. The review of demographic information can identify any underserved or special audiences within a project area and will assist in the determination of the appropriate level of outreach.

In project areas where demographics indicate a population of non-English speaking individuals, public involvement will include a mechanism to access project information. The KYTC shall make efforts to identify and accommodate any disabled or any other special need participants.

Formal and informal meetings are the backbone of a public involvement program. People expect and need opportunities to discuss agency programs and plans.

Public hearings are required when the environmental document for the project is an Environmental Assessment/Finding of No Significant Impact (EA/FONSI) or an Environmental Impact Statement (EIS). Projects approved as a categorical exclusion (CE) may utilize a public meeting. When no major relocations are involved and little controversy appears likely, a project approved as a CE may not require any direct public involvement. Public hearings are more regulatory in nature than public meetings. It is possible to conduct public meetings the same way as public hearings, but this is not a requirement, since public hearings are more regulatory in nature than public meetings. **Appendix B** also provides further guidance to consider a virtual approach to public meetings and/or hearings.

A primary objective of early public meetings is to identify issues and concerns for further consideration as the project advances. A primary objective of public hearings or public meetings during later stages of a project is to provide details for public review and comment and to discuss the resolution of the issues and concerns identified in the earlier meetings, particularly when involved with environmental commitments. The following [Figure 5.1-2](#) shows a table to help define the differences between public hearings versus public meetings.

Differences between Public Hearings versus Public Meetings	
Public Hearing	Public Meeting
Records comments from the public into an official Public Record.	Discussion with comments that are not entered into an official record
Required by regulations	Not required by regulations
Coordinated in a comment format	Coordinated in a question and answer format
Hearing officer and court reporter are present to officially, open, close, and document the public comment period	Hearing officer and court reporter are not required but may utilize a facilitator

Figure 5.1-2 – Differences between Public Hearings versus Public Meetings

With approval from the Chief District Engineer, the Project Development Branch Manager (PDBM) is responsible for initiating all public meetings, public hearings, or other public involvement as early as feasible in the design process. With insight from the Project Team, the PDBM determines the level of public involvement for state-aid projects. The PDBM has the responsibility and authority for scheduling and holding public meetings and public hearings or for offering the opportunity to request a public hearing.

In compliance with [23 CFR 771.111 \(h\)\(2\)\(iii\)](#), the KYTC will provide the opportunity to request a public hearing or will hold a corridor preliminary line and grade and/or design public hearing for any major federal-aid project. A public hearing or the opportunity to request a public hearing shall be required on any federal-aid project that:

- Requires an Environmental Assessment, Findings of No Significant Impacts (EA/FONSI) or an Environmental Impact Statement (EIS) document
- May require significant amounts of right of way acquisition
- May substantially change the layout or functions of connecting roadways or of the subject facility
- May have a substantial adverse impact on abutting property
- May have a significant social, economic, environmental or other effect
- The FHWA has determined that a public hearing is in the public interest

In accordance the [23 United States Code \(USC\) part 128 - Public Hearing](#), the KYTC is responsible to submit a copy of the hearing transcript to FHWA along with the certification and report.

Before a public hearing is scheduled, the PDBM may elect to offer an “Opportunity to Request a Public Hearing.” Offering the opportunity for a public hearing may be appropriate if additional information was not obtained during a recently held public meeting.

Design, right-of-way acquisition, and utility relocation phases of project development happen concurrently and are dependent upon one another. Considering this relationship among these phases, representatives from all phases of project development should be present at these public meetings and public hearings.

Further information on project development and required NEPA documentation is available in the [KYTC Highway Design Manual](https://transportation.ky.gov/Organizational-Resources/Policy%20Manuals%20Library/Highway%20Design.pdf) under Section 400 –Environmental Considerations, Subsection 403 -Environmental Documents at <https://transportation.ky.gov/Organizational-Resources/Policy%20Manuals%20Library/Highway%20Design.pdf>.

5.2 PROJECT DELIVERY AND PRESERVATION

5.2.1 Construction

During the construction phase of the project life cycle, public involvement takes on more of a public information role, informing citizens about the award of construction project contracts, lane closures, median changes, business access impacts, work hours and work zones, detours, and ribbon cuttings. The KYTC HDO is responsible for providing up-to-date information and solicits the public’s concerns in order to minimize the disruption to businesses, residents, and commuters during the construction phase.

The KYTC Division of Construction Procurement (DCP) website contains vital information relating to the procurement of highway construction and maintenance projects. This includes the notice for project lettings, noting advertisements for projects occur three weeks in advance of the letting date. The KYTC posts these notices on the [DCP website](#) and in a statewide paper (Lexington Herald Leader).

The Division of Construction Procurement posts the results of each letting (aka advertising for construction services) on their website immediately after the letting. These results include the bids and the Engineer’s Estimate for every project in the letting. Approximately 10 days after the letting deadline, the KYTC holds the Awards Meeting and this procurement schedule is available on the [DCP website](#). After the Awards Meeting, the KYTC updates the website to provide the status of the project, and if the project was awarded, and the contractor to whom it was awarded.

The Office of Public Affairs (OPA) attends the Awards Meeting as their office provides the public notice on larger projects or projects that will have a significant impact on the public. The District Public Information Officers (PIO) disseminate information about the awarded projects and the effects these projects will have on traffic. More information on PIOs are available on the [OPA Website](#).

The public must be informed of construction-related activities prior to beginning and during the construction phase of the project. This includes the use of alternative routes during construction, contacts for additional information, and so on. If a significant amount of time has elapsed (because of funding or other issues) between the end of the project design (and its associated coordination activities) and the start of construction, extra effort may be necessary to remind the public of the upcoming improvements and changes to travel routes. Media advisories, a project social media campaign, and project website, as well as dynamic message boards, and public meetings are examples of potential techniques for public involvement activities during this phase.

5.2.2 Operations and Maintenance

Public involvement, during the operations and maintenance phase, typically focuses on informing the public about lane closures, work zones, detours, and temporary access impacts, but the KYTC also uses public outreach to receive feedback on certain proposed improvements. Examples of operations activities include but are not limited to the following: modifications to traffic signals, pavement markings, and signage. Some examples of maintenance activities include roadside mowing/landscaping, winter weather activities, pavement repairs, bridge repairs, and drainage system upkeep.

The KYTC HDO uses a menu of various possible techniques for public involvement activities during this phase, which may include the following: media advisories, a project social media campaign, specific project website, dynamic message boards, and public meetings as needed. Specific example applications of these techniques are the use of social media to inform the public of specific lane closures in construction and maintenance zones and the use of smart phone apps to report major scheduled disruptions to traffic flows for large work zone issues or for major events such as “Thunder over Louisville”, the Kentucky Derby, marathon races, etc.

5.3 EVALUATING THE PUBLIC INVOLVEMENT PROCESS FOR THE PROJECT LIFE CYCLE

Public involvement evaluation is not a single event but a continual review and analysis of the public participation processes, strategies, and techniques. The KYTC is committed to constantly improve its process to achieve its goal of ensuring that anyone wishing to do so have sufficient knowledge and participation opportunities in the transportation decision-making process.

6. CONTACT INFORMATION

The KYTC Division of [Planning Website](https://transportation.ky.gov/Planning/Pages/default.aspx) at <https://transportation.ky.gov/Planning/Pages/default.aspx> provides a link to the Final 2020 Public Involvement Process (PIP) Plan Update webpage for future reference and review. Direct access to this document is available at <https://transportation.ky.gov/Planning/Pages/Public%20Involvement%20Plan.aspx>.

An associated ten short question public survey on the draft version of this document was available for public feedback from Friday, October 30, 2020 through Tuesday, December 15, 2020. This public outreach effort resulted in 46 respondents for which 42 provided insight on the draft PIP document. The KYTC reviewed and considered comments during document finalization and addressed respondents in a separate spreadsheet document provided on the above stated Public Involvement Process (PIP) Plan Webpage for the first 45 days from the posted date of the final 2020 PIP Update.

Additionally, any individual, agency, or organization may provide written comments at any time concerning the public involvement process to:

State Highway Engineer
Department of Highways
Transportation Cabinet Office Building, 6th Floor
200 Mero Street
Frankfort, Kentucky 40622
Phone: 502-564-3730

For additional information and special accommodation, please contact KYTC Office of Public Affairs (OPA) at 502-564-3419 or through the [OPA website](https://transportation.ky.gov/PublicAffairs/Pages/default.aspx) at <https://transportation.ky.gov/PublicAffairs/Pages/default.aspx> and/or under [Media Inquiry Form](#).

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