

# KENTUCKY

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

### AMENDMENT #2018.008

#### I. Proposed Action:

The Kentucky Transportation Cabinet (KYTC) hereby submits the attached resolution from the Kentucky-Ohio-West Virginia Interstate Planning Commission 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: Kentucky-Ohio-West Virginia MPO Area

#### II. Additional Remarks:

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

#### III. Amendment Approval:

Amendment Recommended for Approval:

  
Kentucky Transportation Cabinet      Date  
Ronald B. Rigney, Director      7-28-20  
Division of Program Management

Approval of STIP Amendment:

JOHN D  
BALLANTYNE      Digitally signed by JOHN D  
BALLANTYNE  
Date: 2020.07.28 17:39:16 -04'00'

Federal Highway Administration      Date

BERNADETTE S DUPONT      Digitally signed by BERNADETTE S  
DUPONT  
Date: 2020.07.28 12:35:24 -04'00'

Recommended by      Date

# KENTUCKY

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

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Amendment Recommended for Approval:

Approval of STIP Amendment:



*B. Keith Melton*

7-29-2020

Kentucky Transportation Cabinet Date

Federal Transit Administration Date

Ronald B. Rigney, Director

7-28-20

Division of Program Management

**RESOLUTION ADOPTING THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR FISCAL YEARS 2021-2024**

- WHEREAS,** fixing America's Surface Transportation (FAST) Act, enacted by Congress on December 4, 2015, requires a Transportation Improvement Program (TIP) be adopted by each Metropolitan Planning Organization; and
- WHEREAS,** KYOVA Interstate Planning Commission has been designated as the Metropolitan Planning Organization (MPO) by the Governors of West Virginia, Kentucky and Ohio for the Huntington, WV-KY-OH Urbanized Area acting through the West Virginia Division of Highways (WVDOH), the Kentucky Transportation Cabinet (KYTC), the Ohio Department of Transportation (ODOT) and locally elected officials in the KYOVA region; and
- WHEREAS,** KYOVA Interstate Planning Commission has met the provisions of the FAST ACT in the Transportation Improvement Program (TIP) for Fiscal Years 2021-2024, which is financially constrained and a subset of updated regional 2040 Integrated Metropolitan Transportation Plan; and
- WHEREAS,** the KYOVA 2021-2024 TIP has met the requirements of public participation as described in the KYOVA Participation Plan; and
- WHEREAS,** the conformity report for Huntington, WV-KY-OH Urbanized Area is required for the conformity determination, due to the court vacating revocation of the 1997 8-hour ozone standard. This area is in attainment for the 2008 8-hour ozone standard; and
- WHEREAS,** the insignificance finding of the 1997 PM2.5 annual NAAQs requires no regional modeling as the Huntington-Ashland Area is in attainment for the 24-hour 2006 PM2.5 standard; and
- WHEREAS,** KYOVA has completed the Air Quality Conformity Analysis Report that addresses the Huntington-Ashland 1997 8-hour ozone standard maintenance process; and
- WHEREAS,** it has been determined that the KYOVA 2021-2024 TIP has met the Air Quality Conformity requirements;
- NOW, THEREFORE, BE IT RESOLVED** that the KYOVA Interstate Planning Commission adopt the Transportation Improvement Program (TIP) for Fiscal Years 2021-2024 to become effective upon its inclusion in each of the three Statewide Transportation Improvement Programs (STIPs) and its adoption by FHWA and FTA.
- ADOPTED,** this 21<sup>st</sup> date of February 2020, at the regularly scheduled meeting of the KYOVA Interstate Planning Commission Policy Committee.



**Robert E. Pasley, Chairman**  
Date: February 21, 2020



**Christopher M. Chiles, Executive Director**  
Date: February 21, 2020

## METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

WHEREAS the USDOT Fixing America's Surface Transportation Act (FAST Act) legislation requires the Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with regulations; In accordance with 23 CFR 450.220, the West Virginia Department of Transportation and KYOVA Interstate Planning Commission, the Metropolitan Planning Organization for the Huntington WV-KY-OH urbanized area, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, 23 CFR Part 450 and this subpart;
- II. In nonattainment and maintenance areas, 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;
- III. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- IV. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- V. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- VI. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- VII. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- VIII. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- IX. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- X. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

KYOVA Interstate Planning Commission

Chris M. Chiles

Signature

Executive Director

Title

2/24/2020

Date

West Virginia Department of Transportation

Jimmy Albright, P.E.

Signature

DEPUTY COMMISSIONER

Title

3/30/2020

Date

## METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

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- I. 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, 23 CFR Part 450 and this subpart,
- II. In nonattainment and maintenance areas, 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;
- III. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- IV. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
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- VII. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- VIII. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance,
- IX. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- X. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

KYOVA Interstate Planning Commission

  
Signature

*Executive Director*  
Title

*2/24/2020*  
Date

Ohio Department of Transportation

  
Signature

District Deputy Director  
Title

*03/20/2020*  
Date



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

**Kentucky Division**

July 27, 2020

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

In Reply Refer To:  
HDA-KY

Mr. Chris Chiles, Executive Director  
Huntington Area Metropolitan Planning Organization  
c/o KYOVA Interstate Planning Commission  
P. O. Box 939  
Huntington, WV 25712-0939

Dear Mr. Chiles:

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  
Huntington Area Metropolitan Planning Organization (MPO)  
(MPO resolution approval date of February 21, 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: 2020.07.27  
09:52:06 -04'00'

John Ballantyne  
System Performance Team Leader

cc: Aviance Webb, FTA-R4



U.S. Department  
of Transportation

Federal Transit Administration  
Region III  
1835 Market Street, Suite 1910  
Philadelphia, Pennsylvania 19103  
(215) 656-7100  
(215) 656-7260 (fax)

Federal Highway Administration  
West Virginia Division  
700 Washington Street East, Suite  
Charleston, West Virginia 25301  
(304) 347-5928  
(304) 347-5103 (fax)

June 19, 2020

Mr. Byrd E. White, III  
Secretary of Transportation  
West Virginia Department of Transportation  
1900 Kanawha Boulevard East Building  
Five, Room 110  
Charleston, West Virginia 25305-0430

**Re: Air Quality Conformity Determination - Huntington, West Virginia, FY 2021-2024  
Transportation Improvement Program**

Dear Secretary White:

The 1990 Amendments to the Clean Air Act require transportation air quality conformity determinations for Metropolitan Transportation Plans, Transportation Improvement Programs (TIP), sections of a State Transportation Improvement Program (STIP) covering rural nonattainment/maintenance areas, and projects in areas that are designated as air quality nonattainment and maintenance areas. Section 176 (d) of the Clean Air Act establishes priority requirements for programs supported by the Federal government that target nonattainment or maintenance areas to provide for timely implementation of eligible portions of air quality plans.

The Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) coordinated the transportation air quality conformity determinations submittal with the Environmental Protection Agency (EPA) and are jointly making this air quality conformity determination. This determination was triggered as a result of the February 16, 2016 South Coast Air Quality Management Area vs EPA court finding vacating the 2015 revocation of the 1997 8-hour ozone transportation conformity requirements.

FTA and FHWA find that the KYOVA's 2021-2024 TIP was developed based on a continuing, cooperative, and comprehensive transportation planning process by the MPO, Regional Transportation Authority's, and the State of West Virginia, in accordance with the requirements of 23 USC 134 and Section 5303 of the Federal Transit Act (49 USC).

Based on our review, FTA and FHWA find that the 2021-2024 TIP conforms to the applicable State Implementation Plans, and that the conformity determination has been performed in accordance with the requirements specified in the Transportation Conformity Rule (40 CFR Part 93), as amended.

Mr. Byrd E. White, III


Page 2

**Re: Air Quality Conformity Determination – Huntington, West Virginia, FY 2021-2024  
Transportation Improvement Program**

Based on Federal transportation planning regulatory requirements, day-to-day involvement, extensive review of technical analysis reports, and in accordance with the provisions of Section 134(h)(2)(B), Title 23 USC, FTA and FHWA find the financial information needed to support a fiscal constraint determination is complete.

Any questions concerning this determination should be directed to Chandra Inglis-Smith, Planner, FHWA West Virginia Division at (304) 347-5329, or Abigail Lowe, Community Planner, FTA Region III at (215) 656-7252.

Sincerely,

  
Digitally signed by  
THERESA GARCIA  
CREWS  
Date: 2020.06.19  
15:33:33 -04'00'

Terry Garcia Crews  
Regional Administrator  
Federal Transit Administration

  
Digitally signed by  
BRIAN R. HOGGE  
Date: 2020.06.23  
08:41:18 -04'00'

Brian Hogge  
Division Administrator  
Federal Highway Administration

cc: Chris Chiles, KYOVA  
Bill Robinson, WVDOT, Division of Public Transit  
Ryland Musick, WVDOT, Division of Highways





COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY


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MEMORANDUM

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**TO:** Jim Gray   
Secretary

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

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

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

**DATE:** June 17, 2020

**SUBJECT:** Governor's Designee Approval  
KYOVA Interstate Planning Commission  
FY 2021-2024 Transportation Improvement Program

Transportation Improvement Programs (TIPs) are prepared by Metropolitan Planning Organizations (MPOs) and must be approved by the Governor of the Commonwealth of Kentucky before being incorporated into the Statewide Transportation Improvement Program. The Governor has designated approval authority to the Secretary of the Transportation Cabinet.

The Division of Planning recommends the Secretary's approval of the KYOVA Interstate Planning Commission'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 Thomas Witt at (502) 782-5093.

MP/TW/RSK

Attachments



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY


July 24, 2020

Mr. Chris Chiles  
Executive Director  
KYOVA Interstate Planning Commission  
400 Third Avenue  
P.O. Box 939  
Huntington, WV 25712

Dear Mr. Chiles:

It is my pleasure to approve the KYOVA Interstate Planning Commission's 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/TW/BSK

c: Mikael Pelfrey  
John Ballantyne  
Steve Gunnell  
Ron Rigney  
Jill Lamb