

OWENSBORO – DAVIESS COUNTY
METROPOLITAN PLANNING ORGANIZATION
PARTICIPATION PLAN

SEPTEMBER 2009

GREEN RIVER AREA DEVELOPMENT DISTRICT
is the staff agency
for the
Owensboro – Daviess County
Metropolitan Planning Organization

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This document is prepared by the
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This document is published by the Green River Area Development District (GRADD) and is prepared in cooperation with or with financial assistance from all or several of the following public entities: the Federal Transit Administration, the Federal Highway Administration, the Kentucky Transportation Cabinet and local governments of the Metropolitan Planning Organization. This financial assistance notwithstanding, the contents of this document do not necessarily reflect the official views or policies of the funding agencies.

INTRODUCTION

The Owensboro – Daviess County Transportation Policy Committee (TPC) is the designated Metropolitan Planning Organization (MPO) for the Owensboro – Daviess County urban area. The Green River Area Development District (GRADD) is the designated staff agency for the Owensboro – Daviess County Metropolitan Planning Organization (MPO). GRADD coordinates planning for transportation needs and federal surface transportation spending in the area.

The Owensboro – Daviess County Transportation Policy Committee (TPC) is committed to involving the public in the transportation planning process for Owensboro – Daviess County. To achieve this, the TPC has created a Participation Plan (PP) to ensure that every resident within the MPO is given the opportunity to participate in the development of transportation policies, programs, and projects being proposed in the MPO. By formally documenting our public participation process, we will be able to review what we are currently doing, see what we are missing, and make improvements. This is a dynamic plan that needs to adapt to meet the changing needs of all sectors of the public. Therefore this plan will be reviewed annually to determine if any changes need to be made.

The purpose of this document is to describe actions the MPO will take to provide opportunities for the public to be involved in the transportation planning process. It serves as a guide for the MPO to follow in planning public participation opportunities. The public participation process is built on the following principles established by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA):

- a. Early and continuous public participation
- b. Reasonable public availability of technical data and other information
- c. Open public meetings where matters related to transportation policies, programs, and projects are being considered
- d. Open access to the decision making process prior to closure

PARTICIPATION POLICY

It is the policy of the MPO to provide all residents' access to the Owensboro – Daviess County transportation planning process. By doing so, the Transportation Planning Committees will have available for their consideration ideas, concerns and suggestions on transportation planning issues that have been collected through the MPO outreach activities.

The MPO has developed a participation plan where solely “providing the opportunity” to influence the planning process is not enough. The MPO’s process is aimed at maximizing the number and diversity of comments that are forwarded to the Transportation Planning Committees. Additionally, the plan is intended to assist the Technical Advisory Committee and the Citizens Advisory Committee as they fulfill their obligation as advisory committees to the Transportation Policy Committee. Finally, the MPO’s policy for public participation extends to increasing awareness of public participation activities of its member organizations as they move forward with transportation projects and programs and exchanging and sharing the comments that are collected.

All information and comments collected through a public participation activity will either, as appropriate, be summarized, tallied, or forwarded as collected to the Transportation Policy Planning Committees for their consideration in the decision making process. As well, all comments received concerning the development or update of the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and Participation Plan (PP) will be included in the respective final documents.

As appropriate, comments collected through the public participation activities will receive written responses. Comments that are similar in nature may be grouped together and receive a collective response.

Additional activities to engage low-income populations and all minority populations will be developed through the efforts of the MPO’s Transportation Planning Committees. Additional actions will be explored as possible avenues for increasing community awareness about the planning activities and increasing opportunities for all persons to influence the decision making process. New recommendations will be presented to the Transportation Planning Committees for their consideration as amendments to the Participation Plan.

As special circumstances dictate, the Transportation Policy Committee may waive the requirements of the Participation Plan when amending the MTP and/or TIP.

SAFETEA-LU

Participation in the transportation planning and programming process is a priority for federal, state and local officials. The current federal transportation legislation called the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) continues this priority. SAFETEA-LU authorizes funding for Federal highway, highway safety, transit and other surface transportation programs and requires that MPO's establish, periodically review, and update public participation processes to assure early and continued public awareness of, and access to, the transportation decision-making process.

SAFETEA-LU mandates that the metropolitan transportation planning process contain the following participation elements:

1. Include a proactive Participation Plan process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing participation of the public in developing plans and Transportation Improvement Programs (TIPs) and meets the requirements and criteria specified as follows:
 - a. Require a minimum public comment period of 45 days before a Participation Plan process is initially adopted or revised
 - b. Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects
 - c. Provide reasonable public access to technical and policy information used in the development of plans, MTPs and TIPs and open public meetings where matters related to the Federal-Aid highway and transit programs are being considered
 - d. Require adequate public notice of Participation Plan activities and time for public review and comment at key decision points, including, TIPs, and MTPs.
 - e. Demonstrate explicit consideration and response to public input received during the planning and program development processes.
 - f. Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households.

- g. When significant written and oral comments are received on the draft MTP or TIP (including the financial plan) as a result of the participation process or the interagency consultation process required under the US EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the MTP and TIP.
 - h. If the final MTP or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public participation efforts, an additional opportunity for public comments on the revised MTP or TIP shall be made available.
 - i. Participation Plan processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring the that process provides full and open access to all.
 - j. These procedures will be reviewed by the FHWA and the FTA during certification reviews to assure that full and open access is provided to MPO decision-making processes.
 - k. Metropolitan Participation Plan processes shall be coordinated with statewide public participation processes wherever possible to enhance public consideration if the issues, plans, and programs and reduce redundancies and costs.
2. Be consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C 324 and 29 U.S.C 794, which ensure that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving Federal assistance from the United States Department of Transportation.
 3. Comply with Presidential Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Environmental Justice directed federal agencies to develop environmental justice strategies to help federal agencies address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. The order is also intended to promote nondiscrimination in federal programs that affect human health and the environment. It aims to provide minority and low-income communities access to public information and public participation in matters relating to human health and the environment.

The Environmental Protection Agency (EPA) defines Environmental Justice as the “fair treatment of people of all races, cultures and income with respect to the development, implementation and enforcement of environmental laws, regulations, programs and policies.” Fair treatment means that no racial, ethnic or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from the operation of industrial, municipal, and commercial enterprises and from the execution of federal, state, local, and tribal programs and policies.

The FHWA identifies three fundamental environmental justice principles:

- a. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income population.
 - b. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
 - c. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
4. Comply with the Americans with Disabilities Act of 1990 (ADA) and US DOT regulations “Transportation for Individuals with Disabilities.” Meetings and hearings must be held in ADA-compliant buildings and special accommodations must be made for those with disabilities to participate in meetings, planning, and programming activities.
 5. Consult with entities responsible for planned growth, economic development, environmental protection, airport operations, freight movement, bicycles, pedestrians, the disabled community, land use management, natural resources, and historic preservation.
 6. Provide for the involvement of traffic, ridesharing, parking, transportation safety and enforcement agencies; commuter rail operators; airports and port authorities; toll authorities; appropriate private transportation providers, and where appropriate city officials.

Participation Plan Principles

- a. Early and continuous involvement
- b. Reasonable public availability of technical data and other information
- c. Collaborative input on alternatives, evaluation criteria, and mitigation needs
- d. Open public meetings where matter related to transportation policies, programs, and projects are being considered
- e. Open access to decision making process prior to closure

PARTICIPATION PLAN PROCESS

Routine Activities

All meetings are open to the public and a public comment period is available at all meetings. The items listed below are applicable for the MPO committees:

- Meeting dates listed on the MPO website
- Agendas listed on the MPO website
- Meeting minutes listed on MPO website
- Meeting packet with agenda, minutes, background material and contact person information mailed and/or emailed at least one week prior to meeting
- Meeting cancellations listed on MPO website
- All meetings will be announced at least 7 days in advance, on the MPO website.

Transportation Policy Committee meetings – are held as needed. The meetings are held at 11:00 a.m., Owensboro City Hall, 4th Floor, Commission Chambers. The Owensboro City Hall is located at the corner of East 4th Street and Allen Street. Meeting locations are subject to change. Attendees should call the GRADD Transportation Department to verify meeting location. The phone number is 270.926.4433.

Technical Advisory Committee – are scheduled for the last Tuesday of every month, subject to cancellation due to lack of agenda items. Meetings are held Owensboro City Hall, 4th Floor, Room 406. The Owensboro City Hall is located at the corner of East 4th Street and Allen Street. Meeting locations are subject to change. Attendees should call the GRADD transportation department to verify meeting location. The phone number is 270.926.4433.

Citizens Advisory Committee – are held several times a year at 12:00 noon. Meetings are held at the GRADD office, located at 3860 U.S. Highway 60 West, Owensboro, KY. Meeting locations are subject to change. Attendees should call the GRADD transportation department to verify location. The phone number is 270.926.4433.

The following actions will be carried out by the MPO, and in some circumstances, its member governments, government agencies, and committees. Actions are recognized as those that occur on a regular basis and those that take place in accordance with planning studies.

The MPO will consult with, state and local agencies responsible for land use management, natural resources, environmental protection, conservation and historic preservation, as part of the participation process.

Opportunities to submit ideas and issues to the MPO exist within the regular course of conducting MPO activities (i.e. committee meetings). As new tools become available, the MPO will consider their potential for engaging the public. One such tool is the internet and MPO's website. Interested people are encouraged to attend meetings and access the website.

At meetings attendees may take advantage not only of the opportunity to make comments, each committee agenda has time allocated for public comments, but also glean information from the conduct of business, and observe how the committee process functions. The website serves as one of the tools for enhancing awareness about the MPO activities and a resource for meeting materials, documents, and additional means for communicating with the MPO.

Owensboro – Daviess County MPO Website

- a. A schedule of regular meetings for the TPC, TAC, and CAC shall be made available on the MPO website for, at least the current and next month. Scheduled events are subject to change without prior notification.
- b. The committee material for each regular TPC, TAC, and CAC meeting shall be made available for public review on the MPO website at least seven days prior to the meeting.
- c. The current MTP, TIP, UPWP, and the Participation Plan (PP) shall be made available on the MPO website. An annual listing of federal funding obligations shall be made available on the website.
- d. A schedule of the MPO's Participation Activities shall be available on the MPO website. The schedule will include a listing of MPO and member agencies activities associated with, at least, projects in the MTP and TIP. As well, the MPO, at a minimum, will list participation activities associated with updates and amendments to the MTP, TIP, PP, and the MPO UPWP. The schedule will indicate the current and next month activities. Activities published on the schedule are subject to change without notice.
- e. A Transportation Mail Box will be included on the MPO's website. The Mail Box contents will be reviewed at least weekly. Comments will be forwarded to the Transportation Planning Committees for their review.

Major Activities and Participation Plan Techniques

Activities Associated with Studies, Plans, Updates and Amendments

The MPO believes that an effective Participation Plan will incorporate as many reasonable tools for collecting the range of comments that may be associated with a particular planning or project activity. The MPO places value in not only the number of persons who attend public meetings, but also in the diversity of the persons and the applicability of comments to the issue being addressed. It is not unusual for the MPO to see the same people attending multiple public meetings very often submitting the same comments no matter the topic of the meeting. While the MPO welcomes input from these individuals and groups, additional benefits can be gained by increasing the diversity and level of participation to include those who are normally not compelled to offer their comments. The MPO recognizes that participation that is limited to only a few, increases the potential that the transportation system is, in turn, limited in its ability to be responsive to the needs and wants of the community.

Through the Participation Plan review and evaluation, it has been concluded that the prior emphasis on public meetings should be modified so as to reduce the reliance the MPO places on public meetings while enhancing additional opportunities. Diversity in comments can only be found in a diversity of techniques used to collect them. The public meeting technique for collecting comments will continue to be a tool in the Participation Plan, yet other tools will be explored, and when appropriate, utilized.

At a minimum, the following actions will occur in association with the update and amendment of the MTP, TIP, UPWP and the PP. (There are circumstances where amendments to the MTP and TIP do not require public participation activities. Such decisions are based upon the significance of the changes to the project/document.)

Metropolitan Transportation Plan (MTP)

The MTP contains goals and objectives for Owensboro – Daviess County’s transportation system and identifies the improvements, studies, and strategies that must be implemented to reach those goals and objectives. At a minimum, it includes a list of all the transportation improvement scheduled for funding over the next 25 years.

Transportation Improvement Program (TIP)

Six year program that lists all regionally significant, federal, state and locally funded projects and services in the MPO. These may include highway projects, bridge replacements, major corridor studies, transportation enhancements. Projects that are in the TIP must be consistent with and come from an approved MTP and when analyzed as a group not lead to any degradation of the MPO’s air quality.

Unified Planning Work Program (UPWP)

Describes all transportation planning activities within the MPO for an entire year. The UPWP includes a budget that shows the federal, state, and local funds that are committed to the completion of the planning activities.

Participation Plan (PP)

The PP outlines the strategies utilized to provide and receive information from the public on transportation planning and programming process including funding for projects, studies, plans, and committee actions. The PP will be coordinated with the Kentucky Statewide Participation Plan.

Air Quality Conformity Analysis

While the MPO is currently in attainment for air quality, if it ever is placed in non-attainment status, the below information will apply.

The air quality conformity analysis will be performed in order to determine the impact of emissions within the MPO nonattainment area as related to the implementation of the TIP, MTP and transportation projects. These activities, if subject to federal involvement, must be shown to conform to the applicable State Implementation Plan. This analysis should show that its findings meet the conformity criteria established by US EPA.

Formal Review Period

A reasonable public review period is the time frame that the public is afforded the opportunity to provide comment on specific draft materials or proposed actions. The review period shall be not fewer than fifteen (15) days. Within the review period, the formal public meeting and other activities are to occur. Written comments may be received by either mail, email, fax, or MPO committee meetings.

If the MPO determines that the final MTP or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public participation efforts, an additional opportunity for public comments on the revised MTP or TIP shall be made available.

Outside of the review period individuals, organizations, agencies, etc, may comment on any issue during the public comment period at the MPO committee meetings.

- a. Final drafts needing action by the TPC: Should the draft material require action by the TPC, and then the review period shall begin no less than twenty-one (21) days prior to the TPC meeting where action is expected.
- b. Activities where action by the TPC is not required: The review period may begin at any time deemed appropriate.
- c. Review period for PP: The update or amendments to the PP require a 45-day review period. The review period is to begin no less than 45 days before the TPC meeting where action is expected.

Activities

- a. Formal Public Meeting: A formal public meeting is defined as either a special meeting held for the exclusive purpose of providing the opportunity for people to review and comment on planning activities; or an open house event where materials under consideration are made available for review and comment.
- b. Technical and Policy Information: Available technical and policy information will be made available to interested parties upon written request and within a mutually agreed upon time between the MPO and the interested parties.

Additional activities may be amended into the PP as they are defined. Amendments will be considered and acted upon by the TPC, in accordance with the review periods indicated above.

Notification

- a. A notice shall be placed in the area's general circulation newspaper with largest circulation. The general newspaper with the largest circulation in the MPO area is the Owensboro Messenger & Inquirer. The notice shall provide basic information concerning the location of the meeting, time of the meeting, and contact person.
- b. As resources and technologies allow, a notice will be sent to citizens, minority representatives, affected public agencies, representatives of transportation agency employees, providers of freight transportation services, private providers of transportation, land use management, natural resources, environmental protection, conservation, historic preservation and other interested parties in the MPO study area (Daviness County, Kentucky). The MPO will make every effort to include all interested public/stakeholders within the MPO planning area. The list of recipients of the notice, interested members of the public, government agencies and businesses, will be maintained in the MPO database. The notification will be delivered by e-mail, fax, or regular mail service. The MPO will continue with the development of an integrated GIS and database that will allow for greater efficiency when notifying the public of opportunities to influence the planning process. The list of interested parties will be available on the MPO website for review. Anyone wishing to be added to the list to receive notices of the planning process, may contact the transportation department of GRADD, 270.926.4433.

Opportunities to Review Materials

If the purpose of a formal public meeting is for soliciting comments on final draft documents that will require action by the TPC, at a minimum, the material shall be made available for review at the public library, Owensboro Transit System office, GRADD office and the MPO website. Additional opportunities to review the draft documents may be amended into the PP as they are defined. Proposed amendments will be considered and acted upon by the TPC.

- a. No later than that first day of the review period, the final draft material will be available at the public library, Owensboro Transit System office, GRADD office and the MPO website.
- b. Visualization techniques that describe the TIP and the MTP shall be utilized. These techniques may include detailed project maps, location maps, and other methods as appropriate.

Accommodations

- a. The location of a public meeting shall be accessible by transit and be ADA accessible.
- b. Interpreters or other auxiliary aids will be arraigned for a public meeting if requested one week (7 days) in advance.

Review and Evaluation

The public participation process is flexible and evolving. Because it is dynamic the PP will be reviewed and evaluated annually. During the review and evaluation period new opportunities for the MPO to engage the public are explored for possible application. Conversely, activities that have proven inefficient and ineffective will be considered for removal from the plan.

The effectiveness of the PP will be evaluated by the number of participants at meetings, the number of comments received, and other methods as appropriate.

It is important that the MPO continuously evaluate the effectiveness of the public participation techniques in the planning process for each plan or project. The MPO should consider the following when evaluating the effectiveness of the public participation plan:

- a) Are there many people participating in the techniques with good ideas and/or suggestions?
- b) Are targeted stakeholders participating in the application techniques? Consider asking participants, “Who else should be here?”
- c) Is the general public getting enough information and in a timely manner?
- d) Rather than assume non-participants are “not interested”, consider contacting participants missing from the process to determine the reasons for their lack of interest or inability to attend the planning process.
- e) Should an evaluation form be given to participants to see if they feel the technique is effective?
- f) Are the results and input from the public able to be incorporated in the decision-making process?

GET INVOLVED

Green River Area Development District
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Owensboro, Kentucky 42301
270.926.4433
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www.gradd.com

Office hours are 8:00 a.m. to 4:30 p.m., Monday – Friday
Offices are handicapped accessible.

The transportation planning staff of the GRADD serves as the staff for all MPO committees, and is willing to assist the public in getting involved in the transportation planning process.

GRADD Transportation Planning Staff

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Keith Harpole – MPO Director, oversees the transportation planning activities for the MPO.

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Gina Boaz – performs regional transportation planning activities.

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Support Staff

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