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Mr. James Duane, Executive Director
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FEB 27 2002

Subject: Planning Process Certification Review

Dear Mr. Duane

The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) have completed a certification review of the transportation planning process for the Cincinnati urbanized area. We appreciate the cooperation given to us by your staff in conducting this review.

These reviews are made in accordance with 23 USC 134, which requires a review of the transportation process for all metropolitan areas of 200,000 or more population. The objective of such a certification review is to determine whether the transportation planning process meets or substantially meets the Federal transportation planning requirements outlined in 23 CFR 450.300.

The review found that the transportation planning process for Cincinnati, as conducted by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI), meets the planning requirements with one exception. As such, the FTA and FHWA jointly certify the transportation planning process with one corrective action.

The enclosed report documents the results of this review and offers recommendations for continuing quality improvements and enhancement to the OKI planning process.

If you have any questions regarding the certification action, please call either Douglas Gerleman or David Werner of FTA at (312) 353-2789, or Scott McGuire of FHWA at (614) 280-6852.

Sincerely,

Handwritten signature of Joel P. Ettinger in black ink.

Joel P. Ettinger
Regional Administrator
Federal Transit Administration

Handwritten signature of Leonard E. Brown in black ink.

Leonard E. Brown
Division Administrator
Federal Highway Administration

Enclosure

cc: Matt Selhorst, ODOT
Mike Hill, KYTC
Paul Jablonski, SORTA/METRO
Mike Donhemy, TANK
Doug Gerleman, FTA (letter only)
Dave Werner, FTA (letter only)
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Executive Summary

The overall planning process for the Cincinnati area was found to be excellent and the Metropolitan Planning Organization demonstrated its understanding of the Federal requirements. The U.S. DOT Team identified six items of commendation. Based on this certification review, Cincinnati's transportation planning process was found to meet virtually all of the requirements of the sections of law contained in § 450.334(a), namely Section 134 of Title 23, Section 8 of the Federal Transit Act, Sections 174 and 176(c) and (d) of the Clean Air Act, Title VI requirements, Section 1003(b) requirements regarding Disadvantaged Business Enterprise, and Americans Disability Act requirements. The Certification Review Team recommends that the planning process for the Cincinnati, Ohio TMA be certified with one corrective action. In addition, the Team identified nine recommendations for enhancing the planning process.

This report documents the review and includes the support for the findings by the U.S. DOT Team. The corrective action involves better demonstrating that OKI's fiscal constraint analysis includes the cost of bicycle projects. This topic is discussed in Section F. of this report.

A. Introduction

The 1991 Transportation bill was the Intermodal Surface Transportation Efficiency Act (ISTEA). ISTEA established a requirement in 23 U.S.C. 134 and 49 U.S.C. 1607 for the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) to jointly certify every three years that metropolitan planning organizations (MPOs) in transportation management areas (TMAs) are carrying out their responsibilities under applicable Federal law. TMAs are legally defined as "urbanized areas over 200,000 population." The first cycle of TMA Certification Reviews was required to be completed before September 30, 1996.

As revised by the enactment of the Transportation Equity Act for the 21st Century (TEA-21), 23 U.S.C. 134(i)(5) continues to require that FTA/FHWA jointly certify TMAs at least every three years. These reviews also must "provide for public involvement appropriate to the metropolitan area under review." Moreover, 23 U.S.C. 134(i)(5) states that these certifications may be issued if: (1) the transportation planning process complies with the requirements of 23 U.S.C. 134 and 49 U.S.C. 1607 (as amended) and other applicable Federal requirements and (2) there is a Transportation Improvement Program (TIP) for the TMA that has been approved by the Metropolitan Planning Organization (MPO) and the Governor (or Governor's designee).

ISTEA also called for enhanced involvement by FTA and FHWA in the TMA's transportation planning process. Through review of the MPO's Unified Work Program, Long Range Transportation Plan, Transportation Improvement Program and other required reports, FTA and FHWA are informed of planning activities and are able to monitor the progress of the MPO in accomplishing its planning goals. In addition, FHWA Division Offices occasionally attend technical and policy board meetings as a means of providing assistance to the MPO and monitoring the planning process. This certification review, coupled with routine oversight mechanisms, provides an opportunity to assess the progress being made toward OKI goals and Federal requirements. As a result of this review, FTA and FHWA must take one of four actions as appropriate:

1. Jointly certify the transportation planning process without conditions;
2. Jointly certify the transportation planning process subject to certain specified corrective actions;
3. Jointly certify the transportation planning process as the basis for approval of certain categories of programs or projects; or
4. Non-certification of the transportation planning process.

Although the law only points to MPOs specifically, U.S. DOT certification reviews focus on the planning process and includes the evaluation of the three pillars that make up this process: The MPOs, the State Departments of Transportation, and the Transit Operators.

This certification review was the third for the Cincinnati TMA. The first review of the Cincinnati TMA was completed in February 1996, and the second review was completed February 1999. The MPO for this area is the Board of Trustees of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI).

The 2001 certification review consisted of four major components: a desk audit, a site visit, an open meeting with the public, and this report. The desk audit was held on October 24, 2001, the

site visit was conducted on November 13-15, 2001, and the public meeting was held on November 14, 2001. Lists of review participants are included in *Appendix A, B, and C* of this report. In conducting the 2001 Certification Review of the Cincinnati TMA, FTA/FHWA focused on the various issues, challenges, successes, and experiences of the TMA's planning process participants within the context of the "3-C" (continuing, cooperative, and comprehensive) metropolitan transportation planning process. The discussed issues and the findings are covered in this report.

After issuance of this report, FHWA-OH would be pleased to present the findings of this report to OKI's board if OKI makes such a request.

B. Overview of OKI's Organization

Organized in 1964, the Metropolitan Planning Organization (MPO) for this area is the Board of Trustees of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI). This Board is the Region's Council of Governments, and it fulfills all of the Council's functions. The Council of Governments does not have advisory boards so that their functions would not be fragmented by additional bodies. OKI is composed of eight counties in a tri-state area: Dearborn County in Indiana; Boone, Campbell, and Kenton Counties in Kentucky; and Butler, Clermont, Hamilton, and Warren Counties in Ohio.

Dearborn County in Indiana is a part of the Council of Governments and is a voting member of OKI. Dearborn County's population, however, has not been dense enough to be considered part of the urbanized area. Therefore, OKI conducts no transportation planning activities for this County although OKI does provide training and other services in this area. Dearborn County also has another distinction from the other seven counties: Dearborn is designated attainment for all of the National Ambient Air Quality Standards (NAAQS). Under NAAQS, the other seven counties are designated as non-attainment for the 1-hour ozone standard. The 8-hour ozone standard has not yet been implemented.

Collectively, the eight Counties have an estimated 2000 population of 1.9 million residents, constitute a land area of approximately 2,636 square miles, and include 189 jurisdictions. Among the cities in the urbanized area, Cincinnati is the largest. As of 1990, the racial composition of this area was: Caucasian (86.8 percent); African-American (11.6 percent); Asian (0.8 percent); Hispanic (0.5 percent); and Other Races (0.3 percent). OKI staff stated that the Hispanic population is growing substantially in the Region.

OKI's current structure was established by their 1973 Articles of Agreement. All eight counties must concur in amendment to these Articles, which were last amended in 1993 when OKI included Transit Operators as board members. OKI's Board of Trustees consists of elected and appointed representatives within the Region. The 105 members include local government officials, planning commission, chambers of commerce, public transit authorities, state departments of transportation and civic organization representatives, including minority and environmental activists. There is wide modal representation on the Policy and Technical Advisory committees as well as representation from most jurisdictions at the county, city, and township levels. Each board member has one vote, and a weighted vote system is not used.

OKI's Board elects 33 representatives to the Executive Committee which meets monthly to set policy for the organization. The remaining Board members are invited to attend the Executive Committee meetings, and can vote at these Executive meetings. A number of designated advisory committees are charged with developing and reviewing technical aspects of transportation and environmental planning, and in turn, advising the Policy Board.

The Board, Executive, and Budget Committees are the three mandated bodies from the 1973 Articles of Agreements. All other committees are considered "ad hoc" even though they may be expected to operate indefinitely. Ad hoc committees are established when OKI determines a need based on input from their wide variety of partners. The need for such committees is determined by monitoring what goes on in the Region and may be initiated in response to activities by their members. For example, OKI established an ITS committee to evaluate ARTIMIS and to develop a regional ITS architecture. The activities were requested by ODOT and others. OKI established the committee to accomplish these requests.

Membership in ad hoc committees is determined by evaluating technical requirements needed to complete the mission of these committees as well as ensuring the membership will allow the process to gain local buy in and support for the project. For example, corridor studies usually include representatives of minority groups, the Sierra Club, and political representatives of the area.

The organizational structure of OKI's staff consists of an Executive Director, followed by a Deputy Executive Director, and seven departments: Finance and Administration, Regional Planning, Marketing/ Public Info, Transportation Planning Technical Services, Corridor Studies, Data Services, and GIS Services.

A matrix of OKI's Organizational Structure and Staff Structure was distributed at the site visit and are attached to the file copy. The statistical information is available on OKI's web site at www.oki.org. The Federal Review Team concluded that the MPO met the requirements of section 450.306 of the regulation.

C. Overview of OKI's Planning Functions

The Transportation Improvement Plan (TIP)

OKI staff presented "OKI Prioritization Process and Funding Application - with Guidance for Applicants" to describe how OKI prioritizes projects for inclusion in the TIP. This guidance was distributed to the Team and a copy is in the file. OKI follows this process when the States call for a TIP update. Capacity addition projects would come out of the Long Range Transportation Plan (LRTP). Although the LRTP factors into how the TIP projects are prioritized, an off-the-cuff estimate was made that 80% of OKI project funding is for maintenance type projects and may not come from projects itemized in the LRTP.

OKI's latest guidance was adopted in the fall of 2000, and this was the first year OKI used this particular process. OKI limited applicants to a maximum of three submissions to help spread the funds adequately throughout the Region. The scoring process resulted in transit projects scoring

substantially higher than roadway projects because of how the scores are set up. OKI is re-evaluating this scoring process and will likely adjust it to level the playing field between modes.

The Intermodal Coordinating Committee (ICC) scored the applications. Applicants could comment on the scores, and the ICC would adjust the scores based on the merits of such comments. A draft TIP was then prepared by OKI staff. Then the draft TIP was coordinated with OKI's Board.

There was some discussion that Kentucky plays a bigger role in project selection because they do not have as strong of home-rule requirements that Ohio has. Local government plays a bigger role in Ohio and the process is more challenging because of the number of players and the differing perspectives.

Text within the 2002-2005 TIP was also reviewed during the discussion in Section H, *Fiscal Constraint etc.* On Page 11 of the TIP, the fiscal constraint section stated that OKI was only establishing fiscal constraint for the funding that OKI controlled, OKI's STP, CMAQ, and Minimum Allocation funds. The other pots of money were fiscally constrained by the States and their STIP processes. The TIP and STIP were processed concurrently.

This process works for establishing fiscal constraint for the TIP. However, if and when the TIP is amended, the fiscal constraint analysis would be lacking without joint STIP amendments. Without such coordination, OKI must establish fiscally constrained commitments to the projects within the amended TIP. This step is needed in order for FTA and FHWA to make conformity determinations.

It was suggested that this concern could best be addressed with improved documentation. The TIP should include a statement that the funding is committed. It would also be improved if it stated that the Kentucky projects came from Kentucky's fiscally constrained 6-year plan.

Additional discussion on fiscal constraint is included in Section H. of this report.

The OKI TIP meets the requirements of Section 450.324 of the planning regulations. OKI has done a good job of documenting their project prioritization and selection process. This process meets the requirements of 450.332(c). The U.S. DOT Team has two recommendations relating to this topic:

- * Recommendation that OKI add a new descriptor in their TIP. This field would describe the modes (highway, transit, bike, pedestrian, rail, water, air) of a project, and it would better communicate the project purpose and make scoring the project easier.
- * Recommendation that in developing the TIP, there be better documentation of financial commitment by ODOT, KYTC, local governments, and transit to facilitate TIP amendments.

The Long Range Transportation Plan (LRTP)

OKI staff presented the "2030 Metropolitan Transportation Plan Project Prioritization Process"

to describe how OKI prioritizes projects in the LRTP. This guidance was distributed to the Team and a copy is in the file. The U.S. DOT determined that the OKI LRTP meets the requirements of Section 450.322 of the planning regulations.

The Planning Factors

The Transportation Equity Act for the 21st Century reduced the planning factors to seven. These factors must be considered as part of the planning process. The Team determined that OKI has made a good faith effort to address the planning factors. Appendix E of OKI's LRTP addresses how the factors are integrated. Some of the discussion included the following and is further covered in other sections of this report:

Under mobility, it was stated that 55% of OKI's recommended transportation projects is transit (this is discussed further in Section K.).

Under Environment, the courts upheld OKI's assumptions for Air Quality so OKI's status concerning the 1-hour ozone status has not effectively changed by the court ruling (this is discussed further in Section I.).

Under Intermodal, OKI has ensured major projects, such as Ft. Washington Way, would accommodate Light rail transit. OKI has included 43 transit hubs & 18 Park-ride lots in their plans. OKI has worked with the transit operators to improve coordination of activities (this is discussed further in Section K.).

Under System Management, OKI has emphasized its ITS principles to maximize the use of the facilities before building new capacity (this is discussed further in Section G. & L.).

Corridor Studies

OKI staff went over the Corridor Studies in Chapter 13 from the LRTP and distributed three handouts relating to OKI's public involvement. Discussion of public involvement was also discussed in Section J.

OKI currently has five corridor studies covering 60% of OKI's population. Three of these studies are substantially larger in scope than the other two. OKI has found that the public is easier to engage in planning when it is framed around a corridor approach. OKI has undertaken to update as many of their planning efforts through these corridor approaches as possible. OKI discussed the major strides they have taken to reach the public, plus OKI is updating freight needs as discussed in Section D through one of these studies.

OKI engages the public and the stakeholder to better identify operational, social, economic, safety, access, and mobility issues. OKI has obtained a good deal of business involvement in these studies. As an example, OKI established a Benefit/ Cost Analysis Committee that included economists from Proctor & Gamble, Cinergy, Xavier, Federated, Great American, and the University of Cincinnati.

Water Quality Planning

OKI has increased their involvement in water quality planning. From 1974 to the mid-1980s, OKI was responsible for 208 water quality designations, effluent rules, and sanitary capacity.

When the funding stopped in the mid-1980s, the assumption was that the rule ended as well. As recently determined by lawsuit, however, OKI is still in charge of this 208 water quality designation process. The underlying issue behind this lawsuit was that 208 is a mechanism to fight annexation.

Although this planning work is not funded with PL funds, OKI has received OEPA funds matched at 50-60%. Plus, the Ohio legislature had provided \$75,000 per yr for this type of work but ended this funding this fiscal year. In 1997, OKI increased their per capita cost from 21 to 34 cents to deal with water quality work. OKI expends more than \$20,000 in legal fees on controversial actions. OKI will be looking for additional sources of funding, including 319 work, or wellhead protection funding.

Ohio does not have state legislative authority and the Council of Government has no authority based only on their collectiveness as a group. Although they do not have legislative authority, they have substantial opportunity to influence and lead the Region. OKI's tools include studies, persuasion, demonstration projects, peer pressure, and the fact that the members individually make the rules.

D. Freight

OKI noted that their Region is on the NAFTA route, and 100 million tons by rail and 12 million tons by barge pass through annually. OKI's most-recent comprehensive evaluation was the 1996 freight transportation study. OKI is addressing freight needs in the corridor studies, and this is a major element in the I-75 corridor study, the North-South-Transportation Initiative (NSTI). OKI stated that the 1996 study helped build relationships and was instrumental in bringing freight transporters to the table in OKI's corridor studies

This was especially true for rail, OKI expedited a \$15 million project to bridge rails and bring in a third main rail line to help with the Queensgate bottleneck. The Queensgate yard is a major hub for CSX & Norfolk Southern rail lines and the trains were experiencing substantial delays getting through this facility. OKI has had greater rail participation in their corridor studies as a result.

The U.S. Army Corps of Engineers is the only agency with authority relating to river traffic in the area. Two port authorities are attempting to organize and may gain ground in the future. These are the Port of Cincinnati for 37 kilometer north on the Little Miami, and the Hamilton County Port Authority. Neither port authority is operational and all shipping in this area is handled privately. They are still working on becoming active and may develop a role through redevelopment of brownfields. OKI is monitoring this situation.

The U.S. DOT Team commends OKI relating to this topic:

- * Commendation for OKI's leadership in freight. Bringing freight to the table for the I-75 corridor study (NSTI), and the work to facilitate adding the third line into the Queensgate yard is impressive.

E. Land Use Planning

OKI's Board of Trustees also serves as the Region's Land Use Commission. OKI initiated a Land Use Committee because of ISTEA and it is expected to remain in place to deal with this complicated issue.

OKI's eight counties have 138 zoning agencies. Home rule in Ohio greatly increases the challenge to prevent fractionalization where most of the land use decisions are made by local governments. These challenges were briefly discussed. For example, OKI mentioned the challenge of access management when local governments control the type of access allowed to state routes. It was also noted that OKI faces the proliferation of economic development agencies that are active in protecting their area and attracting development away from other areas within the Region.

It was noted that Kentucky was in better shape because land use policy is determined more on a state level. The challenge in Kentucky is that the State infrastructure folks are somewhat autonomous and can potentially ignore the planning efforts to support locally opposed interests. Nonetheless, Kenton County did a study that supported land use planning and should be a good tool for dealing with land use issues and maintaining support for good land use policy.

Thus far, the main efforts of the committee have been to make recommendations to support multi-modal travel and reduce trips. OKI has created a composite land-use map and a zoning map that would be used to address what the region should look like in the future. These maps were presented at the meeting. Five themes have been identified:

1. There is not enough money to continue status quo: OKI has an illustrative list that identifies \$5.3 billion shortfall of needs verses the available funding.
2. Many plans are being created or updated, but the state of long range planning is poor due to lack of consistency, implementation strategy, coordination, or comprehensiveness.
3. Private and public development is inefficient: mismatched conservation efforts, greater concentration of poverty, insufficient or minimal intergovernmental coordination.
4. Lack of coordination in planning land use and capital budgeting
5. Older suburbs suffer most: schools, greater loss of green space, and other challenges

OKI is in the midst of developing a policy plan on land use. The committee's next step is to create a land use vision for the Region. The strategies to implement the vision are already being considered. The Board is the Land Use Commission and many of the members are representatives of the local governments who will implement the land use policies. OKI intends to develop model ordinances for effective land use, and to make presentations on this issue. OKI also plans to integrate Land Use with their transportation planning processes, including project selection.

Currently OKI scores project separately for supporting both land use and green space planning. Additionally, it was also mentioned that when OKI models the base case for air quality, OKI does not assume benefits resulting from effective land use in the LRTP.

The U.S. DOT Team has one recommendation concerning this topic:

- * Recommendation and encouragement that OKI continue to pursue the adoption of their land use policy. U.S. DOT staff believes OKI's efforts are heading in the right direction, and completion of what is underway has the potential to be a solid foundation to address this issue. The Kenton County study that tied planning and land use is a good example that OKI has the potential to affect the region with the completion of these land use policy activities.

F. Bike/Pedestrian

OKI has had a bike plan since 1976. Most recently the 1993 plan was updated in 2001. OKI is active on several bike committees within the region, including Cincinnati's bicycle advisory committee, a bike committee made up of the three Northern Kentucky Counties, and SORTA's bike rack committee. CMAQ funding for SORTA bike racks is already in the TIP. TANK is under study to carry bike racks on their fleets.

OKI actively informs the community on these issues. OKI issues bikeway e-mail newsletters: three have been issued and they are working on a fourth. OKI sponsored B-BOPP (Bike, Bus, Or carPool, Pedestrian) and B-BOPP is OKI's Bike to work week. OKI estimated 4,425 km were biked and walked during this event in 2000. OKI also sponsored a one-day workshop with Dan Burton on AASHTO's new guidelines for bikeways. OKI worked to educate cyclists and motorists to share the road. OKI assisted a workshop this year to address the cyclists' side of this issue. Kentucky has developed a set of rules for motorists to follow that has been put together in a brochure. OKI also addressed this issue in their land use committee. Traffic calming is considered, so bikes and pedestrians can safely share the road.

From 1993 to 2000, thirty-three of forty-nine Transportation Enhancement (TE) projects were bike/ pedestrian. This funding has greatly increased interest in pursuing bike/ pedestrian projects and increasing bike/ pedestrian use as a transport mode. OKI maps the local bike proposals to keep track of what is being pursued by the locals. OKI has had two larger efforts:

1. Ohio River trail (Cincinnati Trail)
2. Miami2Miami (Kingsmill to Miami trail in Hamilton)

Accommodating bikes on a project would result in higher scores on TIP and LRTP applications if it resulted in the project being a multi-modal investment. The additional points rewards projects for also accommodating these modes.

TEA-21 confirmed and continued the principle that the safe accommodation of nonmotorized users shall be considered during the planning, development, and construction of all Federal-aid transportation projects and programs. To varying extents, bicyclists and pedestrians will be present on all highways and transportation facilities where they are permitted and it is clearly the intent of TEA-21 that all new and improved transportation facilities be planned, designed, and constructed with this fact in mind. The most pertinent language is in Section 1202(a) of TEA-21:

“Bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each metropolitan planning organization and State.”

“Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction and transportation facilities, except where bicycle and pedestrian use are not permitted.”

“Transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians.”

OKI’s 2001 Bicycle plan noted that “Access Ohio was last adopted in 1995 and contains the Ohio bicycle plan.” A copy of this part of Access Ohio was included in the file for this report. Access Ohio, including the bicycle plan, is currently being updated. Although Kentucky’s state bicycle plan is presently in draft form and under review by the district offices, OKI stated that Kentucky’s District 6 has been very active in incorporating bike and pedestrian access.

A question was also raised concerning existing facilities that did not meet ADA. These were pedestrian overpasses with stairs that lacked ramps or elevators. OKI did not have a plan in place to systematically upgrade these facilities. According to 28 CFR 35.160(b), “a public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section.” Therefore, this is not a compliance issue with ADA unless the facilities are being rehabilitated, upgraded or a request from an ADA eligible individual expresses a need for the situation to be corrected. On similar overpasses in Cincinnati’s Fort Washington Way project, the overpasses are being demolished and pedestrians are accommodated with traditional crosswalks and curb ramps.

FHWA has a goal of increasing non-motorized transportation at least 15% for all types of trips, and to reduce the number of injuries by at least 10%. ISTEA and now TEA-21 requires that planning for bicyclists and pedestrians be an integral part of the transportation planning process and that each MPO develop a transportation plan that includes bicycle and pedestrian facilities. The bicycle plan needs to identify the regionally significant bicycle facilities for work trips as well as recreation, and identify the costs to implement it. OKI does have a Bicycle Plan but its primary focus appears to be on recreational trips. OKI needs to include an identification of bicycle facilities that will provide access to the Central Business District and other regionally activity centers.

OKI should also have regional policies, guidance and design standards (e.g., striped 3.4 m road lanes with 1.4 m on-street bicycle lanes) to assist local governments in developing their own locally oriented facilities. Similar policies and guidance are needed for pedestrian facilities. These policies would make it clearer that bicycles and pedestrians must be accommodated during road resurfacing or reconstruction, as well as during new construction.

The U.S. DOT Team has two recommendations and one corrective action concerning this topic:

- * Recommendation that the 1993 pedestrian plan be updated. The bicycle plan was updated in 2001. It was unclear whether the 1993 assumptions are still valid in the LRTP. Furthermore, the U.S. DOT Team encourages OKI to more proactively lead the Region in addressing ADA by including strategies to update facilities that are not accessible and usable by disabled persons.

- * Recommendation that OKI revise the bicycle plan to include a more comprehensive evaluation of bike access to the downtown area and better recognize bicycles as a transportation mode. OKI should establish a system to more fully access the entire Region for work as well as recreational travel.
- * Corrective Action: The Team could not determine how the Bike Plan was factored into OKI's fiscal constraint analysis. Although the bike plan included costs per mile of different facilities, the costs were not totaled and do not appear to have been carried into Chapter 15 of OKI's LRTP. By not including bikeway projects in the LRTP, the overall fiscal constraint of the plan could be compromised as Transportation Enhancement and highway funds are invested in the facilities identified by the bike plan. OKI must correct this apparent deficiency by the next update of the LRTP.

G. Congestion Management System (CMS)

OKI presented a paper on CMS, and a copy is in the file. OKI is still using their 1995 manual. Their CMS is based on AASHTO's Level Of Service (LOS) classification although OKI is planning to move to travel times in the future. OKI uses their CMS in an iterative process. The three phases are as follows:

- monitor & evaluate system performance
- identify alternates
- assess effectiveness of implementation measures.

OKI's Mobility Management Network includes about 2,575 kilometers and carries nearly 75% of the Region's traffic. This network includes all of the Freeways and Principle Arterials plus some of the Minor Arterials and Urban Collectors.

OKI's major CMS challenge is data collection. It is very expensive to collect. OKI is using their ITS, ARTIMIS, on more than 140 kilometer of their network. OKI has identified 80 strategic locations where signal systems could be set to collect data. The States have not yet been receptive to this approach as it may be cost prohibitive and put too much additional workload on State personnel. OKI proposed that the States manage the information collected.

In addition to using ARTIMIS for CMS data, OKI has a traffic count database. They also use ODOT and KYTC provided data, and they get counts from consultants. OKI has also been getting travel time surveys from Corridor Studies and use this as base data in calibrating OKI's model. In 1995, OKI used SkyComp out of Virginia in a major effort to calibrate their CMS model. This consultant used aerial pictures to verify LOS. Transit ridership information is also provided to OKI.

OKI is one of ten mobility sites in the country resulting from their ARTIMIS leadership. They have been working with the Texas Transportation Institute to standardize the data so the Institute can collect consistent data nationally.

OKI encourages access management and it is addressed in corridor studies as well as other TDM strategies. Collerain Avenue was cited as a good example where OKI worked to prevent bottlenecks before development creates them.

The U.S. DOT Team had concern relating to CMS. To comply with air quality standards in areas that do not meet the NAAQS, federally funded capacity adding projects must be generated as a result of the CMS. It was clear that capacity adding projects on the 2,575 km network complies with this requirement. If many deficiencies occur in a corridor, OKI will likely perform a corridor study to deal with the problems and the capacity adding projects would result from the CMS. It was unclear concerning projects off of the network. OKI ensures that these capacity adding projects are incorporated into the LRTP and evaluated in OKI's CMS before such projects are placed on their TIP. The U.S. DOT Team was satisfied with OKI's solution but will continue to monitor this area of concern and possibly look into it in more depth on the next review. The Team concluded that OKI meet the CMS requirements for adding capacity under the Clean Air Act.

H. Fiscal Constraint/ Light Rail/ Conformity

The group discussed Chapter 11, 12, 15 and Appendix B of OKI's 2030 LRTP. OKI has identified a \$3.5 billion shortfall to implement all of the MIS recommendations and a total \$5.3 billion to meet the other identified needs. This shortfall is accounted for in the LRTP and is a focus for Land Use planning.

The fiscal constraint topic that seemed most perplexing concerned OKI's treatment of Light Rail Transit. The U.S. DOT has agreed that OKI does have an acceptable funding strategy at this time. However, if the funding strategies meet continued failure in implementation, U.S. DOT will expect these alternatives to be revisited in future updates of OKI's LRTP and the air quality modeling. Currently, a conformity finding on an OKI updated LRTP is not due until October 29, 2004.

Most recently SORTA decided not to place the funding measure on the 2001 ballot although it is being considered for May 2002. The SORTA board is the one that would have to put this on the referendum because SORTA is the taxing authority. OKI believes the April 2001 riot was the main factor for the most recent delay.

The conversation then switched to fiscal projections. KYTC provides fiscal data to OKI. ODOT does not provide revenue-forecasting projections. At the site visit, ODOT stated they recommend that MPO's expect a 2% increase.

OKI assumed the increased revenue would be counteracted by increased project costs and they left all fiscal numbers/projections in current numbers.

The group also discussed the need to make sure the numbers were consistent and that assumptions were documented in OKI's files at a minimum. The example was that costs for park/ ride lots were only enough to build five lots when 18 lots were called for in the plan. OKI stated that the other thirteen are being leased by transit, so the funding of all 18 is included even though it is elsewhere. Proper documentation of such situations would be necessary if OKI ever faced legal challenges.

Additional discussion on fiscal constraint is included in Section C. of this report. The U.S. DOT Team has an additional recommendation concerning this topic:

- * Recommendation that ODOT, at a minimum, develop a methodology for MPOs to do fiscal projections.

I. Air Quality

OKI presented their air quality agreement, the States' requirements, a list of intergovernmental coordination activities, a flow chart of the Air Quality Modeling process, and U.S. EPA's most recent letter concerning OKI's conformity finding. This collection of documents was titled "Air Quality" and is in the file. Appendix C of the LRTP was also mentioned.

OKI, the State Air Quality Organizations, and Hamilton County (for the Southwestern Ohio Air Pollution Control Agency) executed a Memorandum of Understanding (MOU) in 1992. This agreement is still in place even though the regulations from the State Air Quality Organizations are dated much later. Furthermore, it was mentioned that the differences between Regions 4 and 5 and between Kentucky and Ohio made the conformity finding somewhat difficult to figure out who was doing what.

OKI does the Region's modeling and analysis for conformity. OKI most recently conducted a peer review of their process in 1994. Recommendations were made and most recommendations were incorporated. OKI used a consultant working concurrently on the I-71 corridor study to update their model.

During the discussions on Section L, Intelligent Transportation System (ITS), it was mentioned that OKI was able to quantify a reduction in emissions as a result of implementing ARTIMIS. U.S. EPA agreed to allow OKI to account for this reduction through use of FHWA's software, the ITS Deployment Analysis System (IDAS).

The recent court decision was also discussed. The court overruled OKI's maintenance status because Ohio had not properly adopted the Reasonably Available Control Technology (RACT) rules. OKI's maintenance plans and budgets were upheld by the court. As mentioned in Section C., the courts upheld OKI's assumptions for Air Quality so OKI's status concerning the 1-hour ozone status has not effectively been changed by the court ruling. U.S. EPA has not yet scheduled a date by which OKI must re-establish attainment.

Most of the planning assumptions used in the conformity determination have been recently validated or updated. Although all of the planning assumptions required to be validated/updated have been, state of the practice prescribes that predicted speeds periodically should be field validated.

The U.S. DOT Team has two recommendations concerning this topic:

- * Recommendation that all the agencies involved in OKI's conformity determination develop a MOU to define the roles of all parties more clearly. The FHWA - Ohio Division will take the lead on this recommendation.

- * Recommendation for Air Quality that OKI do speed validation studies to ensure that the speeds match up with OKI's projections.

J. Title VI/ Environmental Justice/ Americans with Disabilities Act

OKI distributed "OKI Policy for Environmental Justice" (EJ). Appendix F of this report contains this document, plus a copy of the slides from OKI's presentation, OKI's notes on addressing the questions from FHWA's guidance, OKI's policy for handling Title VI complaints, and Chapter 16 of their LRTP.

Chapter 16 includes an analysis of the areas with target populations. Using the methodology in ODOT's EJ Handbook, OKI defined target zones as geographic areas that exceeded the regional average by 25 percent. For example, the 1990 regional average for population in poverty was 10.9 percent, so the threshold value was 13.6 (or 10.9×1.25) percent.

Starting on page 16-6, Chapter 16 also includes a qualitative discussion that indirectly discloses the benefits and burdens imposed by transportation facilities. With a couple of exceptions, this data appears to show that target populations experience the majority of delay imposed by increasing congestion; however, the bulk of OKI's investment is also within these areas. Figure 16-11 shows that the targeted zones will receive 62 percent of investment over the short-range plan (TIP) and 79 percent over the long-range (LRTP). Furthermore, the LRTP shows that congestion for all populations, including target populations, would be worse without the improvements identified in the 2030 plan. Although the trends are somewhat disturbing, OKI's LRTP lessens the impact of those anticipated trends.

OKI made a presentation on their efforts to address the subject issues and highlighted their public involvement efforts, especially on their corridor studies where they have had greater success in bringing non-transportation participants into the process. A summary of the discussion is included below.

OKI established an EJ Task Force to develop OKI's Policy for EJ. OKI had planned for the adoption of the EJ policy prior to U.S. DOT's certification review. Opportunities to further improve the policy were explored and adopted. These improvements delayed adoption of the policy. OKI's EJ Task Force expects one to two more meetings before they will complete the policy. After they do, they will recommend that the OKI Board approves it.

To implement the EJ policies, OKI will continue to take the following steps:

- * OKI will hire an EJ/ Community Liaison person as a full time staff member. This position is in the process of being filled.
- * The EJ Task Force will be reconstituted as OKI's new Public Involvement Committee.
- * OKI will host an Annual Regional forum on EJ Transportation needs.
- * OKI will provide technical support. They will create and maintain an EJ database of organization contacts. On the I-75 corridor study, OKI and the Mid-Ohio Valley Regional Planning Commission (MVRPC) have already contacted 50 or 60 organizations.
- * OKI will annually evaluate their EJ and Public Involvement policy. (The staff already notes attendance, and qualitatively assesses how successful the meeting was.)

During the public involvement for OKI's LRTP, they held seven meetings and had 152 attendees. OKI considered this to be low attendance and they will continue to look for ways to increase participation on the "pure" planning side.

OKI's Board of Trustees is very inclusive. The African-American Chamber of Commerce, the Hispanic Chamber of Commerce, Citizens for Civic Renewal, and the NAACP serve on the Board.

Furthermore, OKI has supported activities with these chambers. For example, OKI held a morning symposium on Disadvantaged Business Enterprises for the Southwest Ohio Minority Business Council.

OKI offers membership on its ad hoc committees for citizens, businesses, minorities, and all sorts of special interest groups, such as the Sierra Club. OKI recognizes, however, that direct participation on these committees might not meet the needs of EJ groups. OKI's process strives to seek their input even if they are not on the committee. The committee structure does not necessarily represent the EJ communities' involvement in the process.

OKI has used corridor studies to attract EJ communities to the table. They, and most others, do not get very interested in the LRTP. On one corridor study, OKI distributed flyers to local churches and the community, but only got 40 participants. OKI then went back and used neighborhood techniques to get their involvement. OKI went to coffee with community leaders and their constituents, visited barber shops, and went to council meetings and neighborhood festivals. When the I-71 corridor study went through an area of EJ populations, OKI believed that they were prepared to get their input because "OKI is used to treating every one special." OKI asked the public how they wanted to be communicated with and got nine communication vehicles.

The race riot in April 2001 was a major blow to the Region. This riot occurred when a Cincinnati police officer shot and killed an African American youth. In response to these events, the mayor established Cincinnati Action Now (CAN) to develop a plan to address race relations. For now, the focus is on CAN and OKI is in the background. This affects meeting turnout, and OKI's NAACP Board member is almost completely focused on CAN.

OKI believes CAN should include OKI more in this effort. Transportation is the key to connecting people with jobs. Transit is a key to healing racial problems, whether it be fixed rail or expanded bus service.

OKI provided job access service before there was specific funding for it. TANK took Cincinnati workers to the Kentucky airport mainly to provide job access at the airport. This effort also helped build the relationship between TANK and SORTA because most of the customers served are Ohioans. The efforts of these two transit operators to combine operations are discussed further in Section K of this report.

OKI, SORTA, and TANK have not had a Title VI complaint. If OKI were to receive a complaint, they have a process as shown in Appendix F of this report.

OKI believes they have raised the public's expectations concerning involvement in transportation decision-making. Plus, OKI has better educated the public in what their role can be, and increased their awareness of the transportation process. Consequently, transportation agencies, including County Engineers, have to do more, and are doing it. The Region is well aware of the importance of community involvement.

The U.S. DOT Team has two commendations concerning this topic:

- * Commendation for OKI's public involvement and EJ outreach. The non-traditional approaches to gaining input are excellent.
- * Commendation for working to hire a full-time Environmental Justice/ Community Liaison. It demonstrates OKI's commitment to tackling this issue

K. Job Access/ Transit/ Social Services Integration

Job Access & Social Services Integration

OKI presented two papers on JobBus, their Job Access Transit. These papers are in the file. JobBus was established by working with the social service agencies. Anyone can use the service, but it targets welfare or low-income people.

OKI maintains a mailing list including social service agencies. OKI used the mailing list, as well as a news release, to solicit interest in a workshop on preparing applications to receive Specialized Transportation Grants. Attending the workshop was not a prerequisite to submitting an application. To prioritize the applications, the Intermodal Coordinating Committee (ICC) reviewed the applications, and then the applicant made an oral presentation in front of the review panel members of the ICC.

Transit

In the opening session of the Site Visit, OKI stated that transit support has not traditionally been strong in the Region. In the November 2001 election, Butler County Transit lost their second referendum to get an operating levy. Consequently, the source of matching funds is currently unknown. If matching funds are not found, this service will fold at the end of 2001. It was also stated that SORTA is funded by a city income tax. The latest attempt to expand the revenue stream was in the 1970's, and this attempt failed. SORTA and OKI have been working to prepare the public for another attempt as a result of findings from the corridor studies. During the Site Visit, there was some confusion on TANK's funding. It was later clarified that TANK only receives a 10% match on capital projects from the State, no operating assistance, and TANK no longer receives property tax revenue. TANK's funding is predominantly from local income tax in the three counties.

Transit's role in OKI, however, is strong. They are fully integrated on the Board, and active in many OKI committees and corridor studies. OKI relies on TANK & SORTA staff to provide transit expertise. Working with OKI corridor studies, transit has been factored into transportation solutions. OKI ensured projects preserved the right-of-way for commuter rail. OKI also took the I-71 Light Rail project to the Draft EIS stage. OKI's Rideshare promotes SORTA and TANK in

addition to vanpools, and OKI's Guaranteed Ride Home program also includes SORTA and TANK customers.

OKI has facilitated greater cooperation between the MPO, SORTA and TANK. OKI sponsored a transit infrastructure commission. The commission recommended increased use of interlocal agreements to better address the needs of the agencies. The commission concluded that in addition to formidable political challenges, there would be significant costs in formally merging SORTA & TANK with minimal gain. The Interstate agreements were found to be the best way to provide a seamless service for the Region.

SORTA and TANK offer a bus pass that is accepted by both transit operators, and they have had a transfer system since the 1980's. TANK goes into Cincinnati and customers can transfer to SORTA at the Government Square. SORTA and TANK Boards meet regularly, as does their senior management. They have conducted joint marketing, procurement, fare collection, training, and capital improvements. TANK stated their joint efforts on a new facility saved \$200,000. SORTA has also assisted TANK with ITS technology to locate vehicles. This is further discussed in Section L. of this report.

In addition to this three-way partnership, TANK now has a full time planning manager to coordinate with the KYTC and ODOT Districts. Bob Hill with KYTC's District 6 got this started. KYTC District 6 includes TANK in their planning studies.

TANK stated that they have experienced tremendous growth. Kentucky Developers want to facilitate TANK's service to get employees (the employees are the emphasis) and customers to their development. TANK has been building park & ride lots that have received substantial use. TANK is looking at expanding their service farther into Cincinnati to eliminate transfers for a large number of customers with not much farther to go. Northern Kentucky has had some success in zoning residential development that included provisions for park & ride lots.

SORTA has been working on and completed a major planning study that has been named, METRO Moves. The primary purpose is to understand how transit can maximize their efficiency in using rail and rubber-tire transit. SORTA stated they received good reviews on their public involvement process and held a large number of public meetings. TANK is member of the METRO Moves advisory committee. TANK also stated the public involvement was very good and the TANK Board has supported the Metro Moves project. This topic, however, was minimally discussed during the Site Visit as the transit operators did not fully participate in the review.

The U.S. DOT Team has two commendations and one recommendation concerning this Section:

- * Commendation for KYTC District 6 bringing TANK into the project development process for OKI's Kentucky counties.
- * Commendation for the cooperation between SORTA, TANK and OKI: sharing facilities, fares & hardware & AVL, and other joint activities. The park and ride as a zoning consideration was another good indicator of the strength of this partnership.

- * Recommendation that OKI continue to champion and encourage regional transit, especially in light of the Butler County situation and the social impacts of losing service to such outlying areas.

L. Intelligent Transportation System (ITS)

Advanced Regional Traffic Interactive Management & Information System (ARTIMIS)

OKI has been the instigator behind ARTIMIS and continues to be its champion. OKI lead the States to put this system together, and secured the cooperation of the multitude of jurisdictions needed to make ARTIMIS work. ARTIMIS was the first in the nation to provide a 211 phone number for transportation in 1996 and the first to then implement the national 511 number. The 511 number provides roadway and transit information. ARTIMIS was also the test grounds for the new mile markers that are important for identifying and locating incidents. ITE presented OKI with 1998 Partnership award, and OKI has received several other accolades as well.

In 2002, ODOT will take over the management of ARTIMIS from KYTC. ODOT requested OKI's continued involvement to maintain the intergovernmental connections. OKI will continue to be a direct partner and will be reconstituting an existing committee to meet ODOT's request.

The new committee will focus more on policy and less on the technical requirements except that OKI currently envisions this committee will evaluate OKI projects to ensure they satisfy the Regional architecture. ODOT will fill the technical role in partnership with OKI and OKI's policy committee.

OKI recently completed their architecture. It is available on CD and contains the equivalent of 5,000 pages. The U.S. DOT Team did not request a copy of it, but it is available from OKI.

OKI also is about to complete an evaluation of ARTIMIS that focused on four main areas:

- Public Perception of ARTIMIS
- Benefits to Emergency Responders
- Quantifying benefits of ARTIMIS
- Performance of individual components and the control center

As a result of this evaluation, ARTIMIS has been upgraded to covering seven days a week, 24 hours a day in April 2001. Some loop detector problems were also fixed. OKI identified incident response as the main benefit that ARTIMIS provides. It was estimated response time was reduced 20 to 35%, and that ARTIMIS eliminated 19,000 hrs of delay each day. Eliminating this delay was quantified as a 3.6 to 4.7% reduction in the Region's emissions. When this committee calculated a conservative benefit/ cost ratio, the result was 12 to 1.

As part of the Regional Architecture development, the committee also finished a strategic plan that identified thirty projects with three objectives:

1. Optimize existing ITS
 - * Add field devices and service patrols
 - * Coordinate signals on 80 km of Arterials

2. Integrate systems and agencies

* Integrate 911 dispatchers, SORTA, TANK

3. Expand coverage and system

* Extend ARTIMIS to cover the Region's freeways (This would add more than 240 km)

OKI has a 10-year strategy to implement this plan. In the first six years, OKI recommends further investing \$96.19 million in this system. In the remaining four years, OKI recommends an additional \$50.675 million investment.

OKI developed a membership model with three levels of involvement. Fees are anticipated for the first two levels:

1. Receive and provide ARTIMIS data & operate field data devices
2. Receive data and can provide data - but no control over any field devices
3. Access data

Transit ITS

SORTA built their Automated Vehicle Locator (AVL) system so that TANK could just plug into it. SORTA has provided the expertise of their communication person to assist TANK in making their AVL work, and work better - given the continuous improvement of software and technology. SORTA's AVL has been in place for a couple of years and includes para-transit services. TANK's has started using AVL and will eventually be scheduling para-transit services real-time with this system. The longer-term goal is to make the AVL information available to the public by the Internet and at bus stops. Meeting this goal is at least a couple of years away.

SORTA has led the connection to the ITS center. TANK is going to have its own control center, but it will essentially plug into SORTA's system. TANK has found the increased implementation time has benefited them because of software improvements. The transit agencies are also interested in installing weather detection on bridges. Both transit operators have had long-standing agreements for obtaining towing service in case of breakdowns.

SORTA discussed their work with the police. They have jointly developed and tested disaster plans, including mock-ups. SORTA buses have panic buttons with a direct line to police and ARTIMIS. When an incident did occur, the response time was less than 3-minutes.

The U.S. DOT Team has a commendation concerning this topic:

- * Commendation for OKI's ITS leadership including the coordination of the wide range of players, including the DOT's, transit, and the local governments. Further, the Team encourages OKI's continued leadership to ensure conformance with the regional architecture as OKI currently plans to do so.

M. Geographic Information System (GIS)

At the request of the U.S. DOT Team, OKI briefly discussed the history and status of their GIS plans. OKI plans to hire a GIS manager in January 2002 and will integrate GIS into all OKI operations. Consultants now must provide GIS based products to OKI. OKI will put together a technical group to deal with GIS issues. A consistent standard for GIS is an issue that must be addressed.

N. Public Involvement Element of the Certification Review

The meeting with the general public took place the evening of November 14, 2001 at OKI's offices. Representatives from OKI, ODOT, FTA, FHWA, and fourteen other people participated in this meeting. Participants are listed in Appendix C.

Five speakers made comments during the formal part of the meeting, another member of the public commented to the team after the formal part of the meeting, and three sets of written comments were received and are included in the file. Many of the comments made were positive. Since the positive statements supported the previous sections of this report, they are not detailed in this section. Many of these comments supported the public involvement efforts and the cooperative approach OKI took, especially highlighting the I-71 corridor study.

Two speakers discussed their concerns for the Federal requirements concerning the New-Starts Program. A main concern was that the cost effectiveness studies confused the public and should be replaced with Benefit/ Cost studies.

Another speaker expressed concern for how slow the process worked. This concern was framed around the I-75, or NSTI, corridor study. The speaker also believed the financial debate concerning Light Rail on I-71 should have been brought earlier into the process. Further the LRTP should have included more funding schemes to address how the Region can meet its transportation needs. The speaker believed OKI actively solicited input and noted that some of his group's suggestions were included in the LRTP.

After the formal part of the meeting, another speaker stated his concern that OKI did not objectively evaluate alternatives and that OKI had an agenda to promote Light Rail Transit and was failing to consider highway alternatives. One set of written comments had similar concerns. The speaker cited the I-71 study and believed that the Bus Rapid Transit (BRT) alternative had been dismissed out-of-hand. OKI later stated the BRT and Light Rail were the only two feasible alternatives for one part of the study. OKI brought the two alternatives to a committee vote, and the Light Rail won out with a 36 to 4 vote. OKI also noted that their corridor studies usually did include highway alternatives. The added lanes on I-71 north of I-275 were built as an early finding from OKI's I-71 Major Investment Study. The U.S. DOT Team did not detect a problem with the process OKI used to evaluate multi-modal solutions.

O. Findings from the Previous Certification Review

The Previous Certification Review was completed February 1999 and resulted in several commendations and four recommendations. OKI's progress on the previous recommendations is

summarized below and references the sections of this report where the subject was discussed in greater detail:

1. *OKI should continually review and evaluate its public involvement process and procedures, particularly to ensure participation by traditionally under served communities. Reevaluation of current procedures and practices should be accomplished before the next certification review (refer to 23 CFR 450.316(b)(1)).*

OKI initiated an Environmental Justice (EJ) Task Group to ensure OKI met the EJ requirements and to improve OKI's public involvement process. This report includes commendations for OKI hiring a full-time community liaison and for OKI's diverse strategy for seeking public involvement. Additional information on this subject is in Section J. and Appendix F.

2. *For future Transportation Plan development, OKI should identify specific transit projects proposed in the fiscally constrained portion of the plan (refer to 23 CFR 450.322(b)(11)). A reserved list of projects may be developed to identify unfunded needs of the region.*

Transit projects are discussed specifically in Chapters 11 and 15 of OKI's LRTP. Transit projects are in OKI's 2002-2005 TIP on pages 40 through 43. The section most relevant to this recommendation is Section H.

3. *The OKI Regional Bicycle Plan developed in 1993 should be updated to reflect the current needs of the region (refer to 23 CFR 450.322(b)(3)).*

OKI's Bicycle Plan was updated 2001. Additional information on this subject is in Section F.

4. *Pedestrian planning should be enhanced to ensure connectivity to modes (refer to 23 CFR 450.322(b)(3)). During project development, communities should be aware of pedestrian needs, and plans should encourage and promote accessibility.*

The 1993 pedestrian plan was not updated. OKI's LRTP includes the findings from the 1993 plan and discusses the need to connect various modes with pedestrian facilities. The Certification Review report includes a Recommendation that OKI do more to address pedestrian planning. Additional information on this subject is in Section F.

P. Conclusions & Findings

Conclusions

It is the conclusion of the Federal Review Team that the OKI has made an excellent effort to implement the requirements of ISTEA and TEA-21, and that is reflected in the "3-C" planning process in this TMA. Based on the findings of this review, it is the recommendation of this team that the transportation planning process for the Cincinnati, Ohio TMA be certified with one corrective action. In addition, the U.S. DOT Team identified six commendations and nine recommendations. These are listed below.

Commendations

1. Commendation for OKI's leadership in freight. Bringing freight to the table for the I-75 corridor study (NSTI), and the work to facilitate adding the third line into the Queensgate yard is impressive.
2. Commendation for OKI's public involvement and EJ outreach. The non-traditional approaches to gaining input are excellent.
3. Commendation for working to hire a full-time Environmental Justice/ Community Liaison. It demonstrates OKI's commitment to tackling this issue
4. Commendation for KYTC District 6 bringing TANK into the project development process for OKI's Kentucky counties.
5. Commendation for the cooperation between SORTA, TANK and OKI: sharing facilities, fares & hardware & AVL, and other joint activities. The park and ride as a zoning consideration was another good indicator of the strength of this partnership.
6. Commendation for OKI's ITS leadership including the coordination of the wide range of players, including the DOT's, transit, and the local governments. Encourage OKI's continued leadership to ensure conformance with the regional architecture.

Recommendations

1. Recommendation that OKI add a new descriptor in their TIP. This field would describe the modes (highway, transit, bike, pedestrian, rail, water, air) of a project, and it would better communicate the project purpose and make scoring the project easier.
2. Recommendation that in developing the TIP, there be better documentation of financial commitment by ODOT, KYTC, local governments, and transit to facilitate TIP amendments.
3. Recommendation and encouragement that OKI continue to pursue the adoption of their land use policy. U.S. DOT staff believes OKI's efforts are heading in the right direction, and completion of what is underway has the potential to be a solid foundation to address this issue. The Kenton County study that tied planning and land use is a good example that OKI has the potential to affect the region with the completion of these activities.
4. Recommendation that the 1993 pedestrian plan be updated. The bicycle plan was updated in 2001. It was unclear whether the 1993 assumptions are still valid in the LRTP. Furthermore, the U.S. DOT Team encourages OKI to more proactively lead the Region in addressing ADA by including strategies to update facilities that not accessible and usable by disabled persons.
5. Recommendation that the bicycle plan be revised to include a more comprehensive evaluation of bike access to the downtown area and better recognize bicycles as a

transportation mode. OKI should establish a system to more fully access the entire Region for work as well as recreational travel.

6. Recommendation that ODOT, at a minimum, develop a methodology for MPOs to do fiscal projections.
7. Recommendation that all the agencies involved in OKI's conformity determination develop a MOU to define the roles of all parties more clearly. The FHWA - Ohio Division will take the lead.
8. Recommendation for Air Quality that OKI do speed validation studies to ensure the speeds match up.
9. Recommendation that OKI continue to champion and encourage regional transit, especially in light of the Butler County situation and the social impacts of losing service to such outlying areas.

Corrective Action

- * The Team could not determine how the Bike Plan was factored into OKI's fiscal constraint analysis. Although the bike plan included costs per mile of different facilities, the costs were not totaled and do not appear to have been carried into Chapter 15 of OKI's LRTP. By not including bikeway projects in the LRTP, the overall fiscal constraint of the plan could be compromised as Transportation Enhancement and highway funds are invested in the facilities identified by the bike plan. OKI must correct this apparent deficiency by the next update of the LRTP.

Appendix A - Desk Audit

The desk audit for the Cincinnati review was conducted on October 24, 2001 from approximately 1 pm to 2:30 pm. The following individuals participated:

Federal Transit Administration - Region 5 Office

Doug Gerleman -Program Development Officer

Federal Highway Administration - Headquarters Office

John Humeston, FHWA-HEPM-10

Federal Highway Administration - Ohio Division Office

Scott McGuire - Environmental Program Specialist

Laurie Schroeder - Program Development Team Leader

Federal Highway Administration - Kentucky Division Office

Bernadette Dupont, FHWA-KY

Glenn Jilek, FHWA-KY

Brent Sweger, FHWA-KY

The primary purpose of the desk audit was to identify issues based on review of OKI's documentation and to develop a draft agenda based on those issues. FHWA-OH drafted an agenda to capture the issues that were identified, and distributed it for comment on 10/26/01. A final agenda was distributed on 11/6/01.

On 10/3/01, OKI distributed the following documents for the desk audit:

OKI's 2030 Transportation Plan

OKI's 2002-2005 Transportation Improvement Plan

OKI's 2001 Unified Planning Work Program accomplishments Report

OKI's 1998 Public Involvement Policy

On 10/25/01, the additional documents were distributed to the team:

The November 14th public involvement meeting notice

OKI's 2002 Unified Planning Work Program

The 1995 report on U.S. DOT's certification review of OKI

The 1998 report on U.S. DOT's certification review of OKI

The adequacy of public involvement was discussed. There was concern that transit-dependent individuals would be unable to participate, and that public notification may be inadequate. FHWA contacted OKI on the accessibility of their facilities to transit, especially for people living in Northern Kentucky. FHWA and OKI also discussed the possibility of OKI specifically inviting special interest groups, such as the Sierra Club. OKI noted that a transit stop was at the facility and TANK and SORTA connected to provide service to the meeting.

Another strategy to address this concern was to consider a press release to bolster notification. FHWA-OH followed up with OKI. OKI was sending the public meeting to 283 addresses, including media contacts. The conclusion was reached that this sufficed as a press release. The list of 283 is in the file.

Hotel Information was also discussed.

Appendix B - Site Visit Agenda

2001 Ohio-Kentucky-Indiana Certification AgendaNovember 13, 2001

10:00 am Opening Remarks by U.S. DOT

10:10 am Introductions

10:20 am Opening Remarks by OKI

10:30 am Overview of OKI's Organization

Board membership B (Who are members and why? When was the membership structure most recently adopted?)

Executive Counsel B (How are members selected from the Board? How was this selection process put in place?)

Committees B (please provide a list and explain how member are selected)

Transit Operators B (How are they integrated into OKI's operations and Committees)

11:30 am Lunch

12:30 pm Overview of OKI's planning functions

Criteria for project selection B (How do projects make it into the TIP? How are priorities established?)

Planning Factors B (How are the TEA-21 factors included? For example, how is safety integrated into OKI's studies and selection criteria?)

Major Corridor and Special Planning Studies B (Please provide a list and describe the impact these studies have had on OKI's processes).

01:30 pm Freight

What actions are anticipated to implement the 2030 LRTP recommendations on page 14-5?

How is Ohio River traffic coordinated for the Region?

Please describe the relationship of OKI, ODOT, and Transit with the freight haulers, including any partnerships that may have been formed through OKI's committee structure or other activities.

02:15 pm Break

02:30 pm Land Use Planning

Please describe the challenges that OKI faces on this issue and any OKI initiatives that guide Land Use policies toward meeting OKI's goals.

03:30 pm Bike/Pedestrian

Please discuss the status of the 1998 Recommendation #3 & #4: (3. The *OKI Regional Bicycle Plan* developed in 1993 should be updated to reflect the current needs of the region (refer to 23 CFR 450.322(b)(3). 4. Pedestrian planning should be enhanced to ensure connectivity to modes (refer to 23 CFR 450.322(b)(3). During project development, communities should be aware of pedestrian needs, and plans should encourage and promote accessibility.)

How are pedestrian needs factored into large projects?

How have local plans been coordinated within OKI?

04:30 pm Break

04:45 pm U.S. DOT compares notes

05:30 pm Adjourn

2001 Ohio-Kentucky-Indiana Certification Agenda

November 14, 2001

08:00 am Congestion Management System (CMS)

How does OKI's CMS work & how does OKI use it? How does OKI use CMS to generate capacity adding projects?

How are transit systems evaluated in CMS? Have transit projects been identified through CMS?

Please provide a CMS demonstration/presentation if possible.

09:00 am Fiscal Constraint/ Light Rail/ Conformity

Please discuss the status of the 1998 Recommendation #2: (2. For future Transportation Plan development, OKI should identify specific transit projects proposed in the fiscally constrained portion of the plan (refer to 23 CFR 450.322(b)(11)). A reserved list of projects may be developed to identify unfunded needs of the region.)

A general discussion on OKI's assumptions involving the fiscal feasibility of Light Rail and its implications to conformity

10:30 am Break

10:45 pm Air Quality

Please discuss Interagency Coordination and provide any Agreements

Please describe the modeling process and discuss any differences between how ODOT would model the Region.

A general discussion on Fiscal Constraint and implications of the Sierra Club lawsuit

11:45 am Lunch

12:30 pm U.S. DOT compares notes

01:00 pm Title VI/ Environmental Justice/ Americans with Disabilities Act

Please discuss the status of the 1998 Recommendation #1: (1. OKI should continually review and evaluate its public involvement process and procedures, particularly to ensure participation by traditionally under served communities. Reevaluation of current procedures and practices should be accomplished before the next certification review (refer to 23 CFR 450.316(b)(1)).)

Please help the team ensure the attached questions can be documented in our report.

03:00 pm Break

03:15 pm Job Access/ Transit/ Social Services Integration

What efforts are being taken to ensure the needs of the area are identified?

What coordination is taking place to systematically address these needs?

04:15 pm Break

04:30 pm U.S. DOT compares notes

05:15 pm Break

06:30 pm Public Involvement Meeting

08:00 pm Adjourn

2001 Ohio-Kentucky-Indiana Certification Agenda

November 15, 2001

08:00 am Intelligent Transportation System (ITS)

Please brag about ARTIMIS. Are there changes or improvements?

Please describe the regional architecture and how it will be used?

What issues, if any, are expected when who runs ARTIMIS changes?

How will transit ITS be coordinated with ARTIMIS and the various transit operators?

09:00 am U.S. DOT prepares preliminary findings and concurrence on report's outline

11:00 am Close-out session

12:00 pm Adjourn

Questions: Title VI/ Environmental Justice/ Americans with Disabilities Act

- 1A1. What goals, policies or approaches has the transportation agency board adopted to address Title VI compliance?
- 1A3. What measures, benchmarks or criteria relating to certifying compliance with Title VI and Environmental Justice has the transportation agency developed?
- 1A6. How does the agency coordinate with other agencies to ensure compliance with Title VI?
- 1A8. What changes are being made to better address EJ/Title VI issues?
- 1A9. Is there an element in the UPWP or SPR to fund improvement efforts?
- 1B1. How does the transportation agency use census data for income, race and ethnicity in the planning process?
- 1B4. How does the agency relate this data to existing transportation facilities and services?
- 1C1. How does the transportation agency determine the needs of low-income and minority populations?
- 1C4. How does the agency communicate information about the distribution of benefits and burdens?
- 1C5. What transportation investments are included?
- 1C8. What techniques or procedures are used within the agency to identify community values and issues?
- 2A1. What populations are identified and included as part of a regional or system level analysis of benefits and burdens?
- 2A4. What investments are included in the analysis? How does the agency compare investments across different modes?
- 2A5. How is the analysis presented?
- 2B1. What planning products (Plan, TIP, UPWP) include information from or a discussion of the analysis?
- 3A1. How does the Public Involvement Plan and other agency guides for public involvement include a specific and separate strategy for engaging low income and minority populations?
- 3A2. How well are they carried out?
- 3A3. What part of the agency is responsible for public involvement?
- 3A9. What real and perceived barriers did the agency identify in regards to participation by minority and low-income populations?
- 3A10. What techniques did the agency identify to mitigate the barriers to participation by low-income and minority populations?
- 3A11. How does the agency partner with others agencies or groups to reach people?
- 3A17. How does the agency plan to evaluate engagement techniques at the system wide, corridor level and project level?
- 3B1. How often has the Public Involvement Plan been updated?
- 3B3. Does the agency have or use evaluation criteria for public involvement? How were the criteria developed? How are they reviewed or amended?
- 3B5. How does the agency use contact lists of individuals, community organizations and religious and local educational institutions to engage minority and low-income populations?
- 3B13. In what instances have comments raised during consultation resulting in changes to policy, plans, programs or projects? How does the agency respond to comments when they do not result in a change?
- 3D4. How does the agency develop committees and task forces so that they reflect the populations that the agency serves?

Appendix C - Site Visit Participants

The site visit portion of the review took place on November 13-15, 2001 at OKI's office. The following individuals participated in all or portions of the site visit:

Federal Transit Administration - Region 5 Office

Doug Gerleman -Program Development Officer
Dave Werner - Community Planner

Federal Highway Administration - Headquarters Office

John Humeston, Senior Planner, FHWA-HEPM-10

Federal Highway Administration - Ohio Division Office

Scott McGuire - Environmental Program Specialist
Laurie Schroeder - Program Development Team Leader
Stew Sonnenberg - Urban Planning Engineer
Mark Vonder Embse - Urban Programs Engineer

Federal Highway Administration - Kentucky Division Office

Bernadette Dupont, Planning Engineer
Glenn Jilek, Planning and Environment Group Leader
Brent Sweger, Planning Engineer
Shirley J. Scott, Civil Rights Specialist

Federal Highway Administration - Indiana Division Office

Joyce Newland - Transportation Planner

Ohio-Kentucky-Indiana Regional Council of Governments

James Q. Duane, Executive Director
Dory Montazemi, Deputy Executive Director
Barry Blank, Director of Finance & Administration
Don Burrell, Senior Planner
Judi Craig, Corridor Manager
Allen Freeman, Communications Manager
John Heilman, Technical Services Coordinator
Robert Koehler, Project Manager
Mary Luebbers, Senior Planner
William Miller, Regional Planning Manager
Pursefnee Nance, Senior Accountant
Mark Paine, Senior Planner/TIP Specialist
Andy Reser, Senior Planner
Cheng-I Tsai, Data Services Manager

Ohio Department of Transportation

Libby Rushley, Office of Urban & Corridor Planning
Jane Smelser, Office of Transit
Joseph Basil, District 8
Steve DeHart, District 8
Hans Jindal, District 8
Diana Martin, District 8

Kentucky Transportation Cabinet

Barry House, Multimodal

Lynn J. Soporowski, Multitmodal

Amy Thomas, Multimodal

Alvin Wilson, Office of Minority Affairs

Transit Authority for Northern Kentucky

Mark Donhemy

Southwest Ohio Regional Transit Authority/ METRO

Paul Jablonski

Appendix D - Public Involvement Participants

Paul Jablonski, Southwest Ohio Regional Transit Authority/ METRO
 Mel Martin, Hamilton County Regional Planning Commission
 Nancy Cameron, Self
 Winter Troxel, Transit Authority for Northern Kentucky
 Hezel? B?, NAACP
 Michael G. Kamau, Character Development
 Rick Nau, URS
 Tim Reynolds, Southwest Ohio Regional Transit Authority/ METRO
 Tom Ewing, Greater Cincinnati Chamber of Commerce
 John Schneider, Citizens for Regional Transit
 Haynes Goddard, University of Cincinnati
 Stephan Louis, ALRT (attended after the formal part of the meeting)
 Jim ?, retired, worked on I-71 study, on OKI's Land Use Committee (didn't sign in but made comments)
 E. Paul Naberhaus (personally delivered a letter immediately prior to the meeting)

Doug Gerleman, Federal Transit Administration - Region 5 Office
 Dave Werner, Federal Transit Administration - Region 5 Office

John Humeston, Federal Highway Administration - Headquarters Office
 Scott McGuire, Federal Highway Administration - Ohio Division Office
 Laurie Schroeder, Federal Highway Administration - Ohio Division Office
 Bernadette Dupont, Federal Highway Administration - Kentucky Division Office
 Brent Sweger, Federal Highway Administration - Kentucky Division Office

James Q. Duane, Ohio-Kentucky-Indiana Regional Council of Governments
 Dory Montazemi, Ohio-Kentucky-Indiana Regional Council of Governments
 Judi Craig, Ohio-Kentucky-Indiana Regional Council of Governments
 Allen Freeman, Ohio-Kentucky-Indiana Regional Council of Governments
 Robert Koehler, Ohio-Kentucky-Indiana Regional Council of Governments

Libby Rushley, Ohio Department of Transportation
 Jane Smelser, Ohio Department of Transportation

Lynn J. Soporowski, Kentucky Transportation Cabinet
 Amy Thomas, Kentucky Transportation Cabinet

Appendix E - Acronyms

ADA	Americans with Disabilities Act of 1990
ARTIMIS	Advanced Regional Traffic Interactive Management & Information System
CAC	Citizens Advisory Committee
CAAA	Clean Air Act Amendments of 1990
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program (Funds)
CMS	Congestion Management System
CNG	Compressed Natural Gas
EPA	U. S. Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information Systems
ITS	Intelligent Transportation Systems
KYTC	Kentucky Transportation Cabinet
L RTP	Long-Range Transportation Plan
MA	Minimum Allocation (Funds)
METRO	SORTA's new name
MPO	Metropolitan Planning Organization
NAAQS	National Ambient Air Quality Standards
NCPD	National Corridor Planning and Development Program
ODOT	Ohio Department of Transportation
OEPA	Ohio Environmental Protection Agency
OKI	Ohio-Kentucky-Indiana Regional Council of Governments
SIP	State Implementation Plan
SORTA	Southwest Ohio Regional Transit Authority
STP	Surface Transportation Program (Funds)
TANK	Transit Authority for Northern Kentucky
TCSP	Transportation and Community and System Preservation Pilot Program
TDM	Transportation Demand Management
TE	Transportation Enhancement (Funds)
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TSM	Transportation Systems Management
UPWP	Unified Planning Work Program
USC	United States Code
U.S. DOT	United States Department of Transportation

Appendix F - Title VI/ Environmental Justice/ Americans with Disabilities Act
Please see the attached file, OKI_App_F.pdf