within the planning process in the STIP/

First, it is necessary for the State and MPO to provide for active involvement by the Federal Lands Agencies and Indian tribal governments in statewide or metropolitan transportation planning and programming. Such involvement allows all participants to coordinate plans and programs of projects under consideration by the various implementing agencies. However, when planning for the involvement of Indian tribal governments, it is important for agency staff to recognize and be sensitive to tribal customs and to the nationally recognized sovereignty of tribal governments. As a result, tribal governments should be actively sought for participation in the development of metropolitan and State plans and programs as independent government bodies rather than as specific minority

Second, each of the Federal Lands Agencies has its own procedures for transportation planning that comply with guidance from the FHWA's Federal Lands Highway Office which administers the Federal Lands Highway Program. Public involvement may not always occur during the development of transportation improvement programs for each Federal Lands Agency or Indian tribe. Therefore, while metropolitan area public involvement on the metropolitan TIP can serve as a surrogate for public involvement on the STIP for that area, no such assumption can be made for a Federal Lands Agency or tribal TIP. Because the Federal Lands Agency or tribal public involvement process may not satisfy the State DOT or MPO public involvement process for transportation planning, the State DOT and MPO must determine whether other public involvement measures are needed.

Third, the State and MPO (with FHWA and FTA field offices, as appropriate) should work proactively with the Federal Lands Agencies and Indian Tribal Governments to gain an understanding of procedures regarding development of each agency's TIP. These procedures may vary considerably from agency to agency. Areas to examine include the schedule for TIP development; the format of the TIP; and plans for meeting with various groups, members of the public, and Tribal Governments during TIP development.

12. Does reasonable public access to technical and policy information include access to technical assumptions underlying the planning and emissions models used in carrying out transportation decisionmaking and air quality conformity determinations?

Yes. Under the ISTEA and related regulations, the public must have reasonable access to technical assumptions and specifications used in planning and emissions models. This includes access to input assumptions such as population projections, land use projections, fares, tolls, levels of service, the structure and specifications of travel demand and other evaluation tools. To the maximum extent possible, all technical information should be made available in formats which are easily accessible and understandable by the general public.

Special requests for raw data, data in specific formats, or requests for other information must be considered in terms of their reasonableness with respect to preparation time and costs. Public involvement procedures should include parameters for determining reasonableness. In order to facilitate public involvement yet conserve limited staff resources, State DOTs and MPOs should consider making information available to interested parties on a regular basis through communication tools such as: reports, electronic bulletin boards, computer disks, data compilations, briefings, question and answer sessions, and telephone hotlines. Reports or other written documents should be easily accessible to the public in public libraries, educational institutions, government offices, or other places and at times convenient to the public.

When the public agency receives a request to perform an analysis that it had not considered, the State DOT or MPO needs to make a determination as to the reasonableness of the request. If the State DOT or MPO decides to perform the analysis, it should make all relevant information available to all interested parties. If it decides not to include the analysis as part of its transportation decisionmaking, it should respond to the request by indicating why it decided not to do so. The early involvement of interested parties in the analytical process can facilitate early agreement on the scope and range of analyses to be conducted by the public agency.

When agency staff conducts analyses that are not required for the transportation planning process and on which non-Federal funds are used, the agency is not obligated to make such information available. State DOTs and MPOs are encouraged to make such information available, given the premise that transportation decisionmaking is an open process. Similarly, State DOTs and MPOs should review State and local regulations which may mandate that

such information be made available to the public.

13. How can State DOTs and MPOs demonstrate "explicit consideration and response to public input," as required by 23 CFR 450.212 and 23 CFR 450.316?

State DOTs and MPOs should incorporate input from the public into decisionmaking, when warranted, with the understanding that not all parties will get exactly what they want. However, the public must receive assurance that its input is valued and considered in decisionmaking so that it feels that the time and energy expended in getting involved is meaningful and worthwhile. To do this, State DOTs and MPOs should both maintain records of public involvement activities, input, comments, and concerns as well as document requests for information and responses to input received during the public involvement process. Agencies can keep records and provide feedback in a variety of ways. Techniques for providing feedback include: regularly published newsletters, special inserts into general circulation newspapers, radio programs, telephone hotlines with project updates, public access television programs, and reports or publications describing how projects or programs are progressing.

Under the Environmental Protection Agency's transportation conformity regulations (40 CFR 51), when an MPO receives significant comments on a metropolitan transportation plan or TIP from the public or through the interagency consultation process, it must provide a summary, analysis, and report on how the comments were responded to as part of the final metropolitan transportation plan and TIP.

14. What types of revisions to plans, TIPs, and STIPs do not require additional opportunity for public comment and/or publication under 23 CFR 450.316(b)(viii) and 23 CFR 450.212(d)?

Minor changes in plans, TIPs, and STIPs generally can be made after the MPO or State DOT has completed its public comment process without further opportunities for public involvement. Examples may include: minor changes in project scope or costs, and moving minor or non-controversial projects among the first 3 years of the TIP/STIP. However, MPOs and State DOTs should identify what are to be considered as minor changes, with the public, during the development of the public involvement process. What may appear to be minor to the public agency may not be considered minor to the public. This gives the public the chance to provide input on these definitions and