



Environmental Considerations – Federal Regulations

The federal laws governing transportation planning are found in Title 23 of the Code of Federal Regulations. (The Code of Federal Regulations is established by the executive departments and agencies of the federal government and is updated as needed). Title 23 covers administrative law regarding highways and transportation planning.

Within Title 23, there is a section that specifically outlines the “Development and content of the metropolitan transportation plan”. This section, Section 450.322, provides guidelines to metropolitan planning organizations (MPO’s) such as PAG on how to develop their long range transportation plans.

The following text is taken from Title 23, Section 450.322 and describes how MPOs should address environmental considerations in their transportation planning.

Title 23, Section 450.322

(f) (7) A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The discussion shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation.

(g) The MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve, as appropriate:

- (1) Comparison of transportation plans with State conservation plans or maps, if available; or
- (2) Comparison of transportation plans to inventories of natural or historic resources, if available.

For the full text of Title 23 of the Code of Federal Regulations:

<http://frwebgate4.access.gpo.gov/cgi-bin/TEXTgate.cgi?WAISdocID=359979472784+4+1+0&WAIAction=retrieve>