

UDOT Guidance on “Purpose and Need” Statements

Background

The requirement for Purpose and Need Statements began with the National Environmental Policy Act (NEPA) that requires all federal agencies to consider impacts of their actions on the environment. A Purpose and Need Statement is required in all environmental studies prepared for UDOT review. These studies include Environmental Impact Statements (EIS), Environmental Assessments (EA), Categorical Exclusions (CE), Corridor Studies and Environmental Studies (ES). This guidance document is intended to create a uniform approach for those developing Purpose and Need Statements.

Legal Guidance

Legal guidance on Purpose and Need Statements comes from the NEPA CEQ regulation, Section 1502.13 – the Purpose and Need Statement “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” Each federal agency has its own guidance on NEPA documentation.

FHWA Technical Advisory **T 6640.8A** and **40 CFR 1502.13** directs state DOT’s to “identify and describe the proposed action and the transportation problem(s) or other needs which it is intended to address.” The FHWA Technical Advisory (TA) goes on to list 9 factors that may be helpful in establishing the need for a proposed action. These factors include: system linkage, capacity, transportation demand, legislation, social demands or economic development, modal interrelationships, safety, roadway deficiencies and project status.

FHWA prepared and distributed a memo in July 2003 that provides additional guidance from CEQ that states:

“In cases of a proposal intended to address transportation needs, joint lead or cooperating agencies should afford substantial deference to the Department of Transportation (DOT) for transportation projects because of our primary substantive expertise and program responsibility, and this is the same deference that would be owed to other Federal agencies in their areas of expertise and program responsibility”.

According to the FHWA memo, the statement above suggests that another Federal agency should only raise questions regarding DOT purpose and need statements when those questions relate to substantive or procedural problems (including omission of factors) important to that agency’s independent legal responsibilities.

Preparing the Purpose and Need Statement

The Purpose and Need Statement sets the stage for consideration of alternatives. The “Purpose” defines the transportation problem to be solved and outlines goals and objectives that should be included as part of a successful solution to the problem. The “Need” provides data to support the problem statement (Purpose).

The Purpose and Need Statement is intended to clarify the expected outcome of public expenditure and to justify that expenditure – What are you trying to accomplish and why you think it is necessary. As such, it should be the first step in the project development process. It will be used to guide the

development of a reasonable range of alternatives to be studied. Also, it will be used as a fundamental element when developing criteria for selection between alternatives.

It is important to understand FHWA terminology when preparing Purpose and Need Statements. The terms “Proposed Action”, “Preferred Alternative”, “Purpose” and “Need”, are used frequently in FHWA guidance and NEPA regulations. These terms can lead to confusion if not understood. Definitions and descriptions of these terms are provided below:

Proposed Action - A general proposal in its initial form that is intended to satisfy current or expected transportation needs.

Preferred Alternative - The specific alternative, which the lead agency believes, would fulfill its mission and responsibilities giving consideration to economic, environmental, technical and other factors.

Purpose:

- The Purpose is analogous to the problem. It is the “what” of the proposal.
- The Purpose should be stated in a concise manner.
- The Purpose should be stated as the positive outcome that is expected. For example, the purpose is to reduce congestion in the interstate corridor.
- The project Purpose should address Department strategic goals:
 - Taking Care of What We Have
 - Making the System Work Better
 - Increasing Capacity
 - Improving Safety
- The Purpose should avoid stating a solution, for example: “the purpose of the project is to build a bypass”.
- Where appropriate, it should be stated broadly enough so that more than one mode can be considered and multi-modal solutions are not dismissed prematurely.
- Similarly, it should be stated broadly enough so that more than one alternative can be considered and alternatives are not dismissed prematurely.
- The Purpose should focus on the state transportation system. Other important goals and objectives should be addressed by the project such as: local transportation systems, creating un-congested, pedestrian friendly downtown business districts, livability, avoidance and minimization of environmental impacts, and enhancement opportunities.

Additional Guidance on Goals and Objectives

Project elements beyond the state transportation issues identified, should also be included as part of the project purpose, consistent with UDOT Context Sensitive Solutions (CSS) goals and objectives.

- Goals could include broad elements such as – improving air quality, creating uncongested, pedestrian friendly downtown business centers or enhance landscaping.
- Goals could also include specific elements such as – protecting wetland areas, avoiding impacts to nesting migratory birds, improving riparian and wildlife habitat beyond what is required for project mitigation.
- Project goals and objectives should balance environmental and transportation values. They should support early and effective interagency involvement in environmental issues to improve the outcome of each natural and cultural resource agency’s mission while minimizing costs and delays.

Need:

- Should establish the evidence that a problem exists, or will exist if projected population and planned land use growth are realized.
- Should be factual and numerically based.
- Should support the assertion made in the purpose statement. For example, if the purpose statement is based on safety improvements, the need statement should support the assertion that there is or will be a safety problem to be corrected.

Information to Include

In order to identify and describe the proposed action and the transportation problem(s) or other needs which it is intended to address, it is necessary to include an adequate level of detail. The level of detail may vary depending on the type of environmental document. Environmental Impact Statements, Environmental Assessments, Corridor Studies and complicated non-NEPA Environmental Studies require a greater level of detail than Categorical Exclusion level documents. The information provided below is considered the minimum level of detail expected, in order to adequately describe and document the project purpose and need.

Environmental Impact Statements (EIS), Environmental Assessments (EA), Corridor Studies & Complicated Environmental Studies

Purpose and Need documentation must include the following elements and others listed in the TA if applicable.

Identify the Project Purpose – Improvements that would be accomplished by the proposed action

Identification of the Proposed Action – Describe the proposed project area.

- Location – Maps, Study Area
- Project Length
- Project Limits - Logical Termini
- Reference conformance with the Long Range Plan

Identify Current and Future Needs – Include specific needs identified from planning and transit studies and overall Department goals:

- Take Care of What We Have
- Make the System Work Better
- Increase Capacity
- Improve Safety

Current Capacity – Describe existing levels of congestion.

- Delay time
- Level of Service or other measure

Future Demand – Describe and provide the projected demand in the design year.

- Level of Service or other measure
- Vehicles per hour

Safety – Describe and provide data for all current safety deficiencies.

- Roadway Geometrics
- Structural inadequacies
- Results from Operational Safety Reports from Traffic and Safety
- Pedestrian Safety

Roadway Deficiencies – Describe and provide data for current roadway deficiencies

- Pavement Condition
- Access
- Mobility

Categorical Exclusions (CE) and Simple Environmental Studies (ES)

Documentation should be provided that clearly describes the need for transportation improvements relating to safety, maintenance and roadway/structural deficiencies. This documentation may include:

Identification of the Proposed Action – Describe the proposed project area.

- Location – Maps, Study Area
- Project Length

Safety – Describe and provide data for all current safety deficiencies.

- Roadway Geometrics
- Structural inadequacies
- Results from Operational Safety Reports from Traffic and Safety
- Pedestrian Safety

Roadway Deficiencies – Describe and provide data for current roadway deficiencies

- Pavement Condition
- Access
- Mobility

Sources of Information

UDOT Operational Safety Reports

Results from Region Pavement Management Workshops

Bridge Inspection Data

Interactive GIS Map produced and included in the UDOT Planning database showing current and projected corridor needs

- Refer to Web Site: <http://168.178.120.60/website/prgdev1/viewer.htm>

Timing and Process

Information documenting the purpose and need should be compiled when the project concept is first identified. This information package should be developed from data gathered on current and future needs and then submitted to the Region Project Manager and Region Environmental Staff.

UDOT's standard practice for environmental document development is the preparation of EA's and EIS's under separate PINs in the concept phase of the project. Completing the environmental study in the concept phase will result in a more accurate project scope, schedule and budget and used as part of future planning and programming efforts.