

# *Purpose and Need Statement Instructions for ODOT Projects*

## Background

A Purpose and Need Statement is a fundamental requirement when developing a proposal that will require future NEPA documentation - an Environmental Impact Statement or Environmental Assessment. In addition, some other federal processes, such as granting a 404 permit, also require the generation of a Purpose and Need Statement in order to apply for the permit. Clarity of purpose and confirmation of need are in themselves sound practices when developing large-scale proposals requiring public expenditure. The intention of this guidance is to create a uniform approach within ODOT and with ODOT partners in developing Purpose and Need Statements.

## Legal Guidance

The fundamental 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 their own guidance on NEPA products. 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 advisory goes on to list 9 factors that may be helpful in establishing the need for a proposed action. Eight of those are relevant to this discussion and include: system linkage, capacity, transportation demand, legislation, social demands, or economic development, modal interrelationships, safety, and roadway deficiencies. The ninth addresses project status, and are not relevant to this discussion.

## Writing the Purpose and Need Statement

The Purpose and Need Statement sets the stage for consideration of the alternatives. It has three parts: the Purpose, the Need, and Goals and Objectives. The Purpose defines the transportation problem to be solved. The Need provides data to support the problem statement (Purpose). The Goals and Objectives describe other issues that need to be resolved as part of a successful solution to the problem.

The Purpose and Need Statement is intended to clarify the expected outcome of public expenditure and to justify that expenditure - what you are 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 alternatives, and it will be a fundamental element when developing criteria for selection between alternatives.

### Purpose

- The Purpose is analogous to the problem. It is the “what” of the proposal.
- The Purpose should focus on the state transportation system. Other important issues to be addressed by the project such as local transportation systems, livability, and the environment should be identified as Goals and Objectives.

- The Purpose should be stated in a single sentence.
- The Purpose should be stated as the positive outcome that is expected. For example, the purpose is to reduce congestion in the interstate corridor.
- It should avoid stating a solution as a purpose as in - the purpose of the project is to build a bypass.
- Where appropriate, it should be stated broadly enough so that more than one transportation mode can be considered and multi-modal solutions are not dismissed prematurely.
- Where appropriate, it should be stated broadly enough so that more than one alternative can be considered and alternatives are not dismissed prematurely.
- The Purpose should be stated in a manner so that a suite of intermediate steps could be posed as the solution, scaled to the needs of the community, if appropriate.

## Need

- Should establish the evidence that the problem exists, or will exist if projected population and planned land use growth are realized.
- Should be factually 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.

## Goals and Objectives

Issues that will be addressed by the project beyond the state transportation issue identified in the Purpose should be included in the Purpose and Need Statement as Goals and Objectives. The 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. In addition, the Goals and Objectives should consider equally the project's schedule, cost, quality, cultural resources, fish and wildlife habitat, public input, and regulatory input.

The Goals and Objectives will be different for each project and may include the following:

- Broad community goals, for example - improving air quality, economic development, or creating an uncongested, pedestrian friendly downtown business district.
- Environmental goals such as avoidance and minimization of impacts and enhancement opportunities, for example - avoiding impacts to nesting migratory birds or improving riparian habitat beyond what is required for mitigation.

- Regulatory compliance, for example - protecting wetlands or complying with the Oregon Highway Plan.

### Applicability

A Purpose and Need Statement should be developed for all projects on the state highway system or receiving federal funding that may require an Environmental Impact Statement (EIS) or an Environmental Assessment (EA). An EIS is prepared for projects that will have significant impacts to the human and/or natural environment. An EA is prepared for projects when it is unclear whether significant environmental impacts will occur.

### Timing and Process

The Purpose and Need Statement should be developed when the proposal concept is first developed, whether that is during the development of a Transportation System Plan, a Corridor Plan, the forwarding of a Management System generated project, or other manner of initiation. Once the developing team has drafted the Purpose and Need Statement, Concurrence on this point should be solicited from the CETAS Technical Team. In any event, a Project Team engaged to develop a project for construction must confirm the Purpose and Need as the first step in the development process.

### Documentation

The Purpose and Need Statement must be included in the permanent record for any proposal that is intended to result in a constructed transportation facility. The documentation will be used in later environmental documentation and will be required for the project to enter onto the STIP for development and construction.