



Problem Statement and Purpose & Need

TRAINING

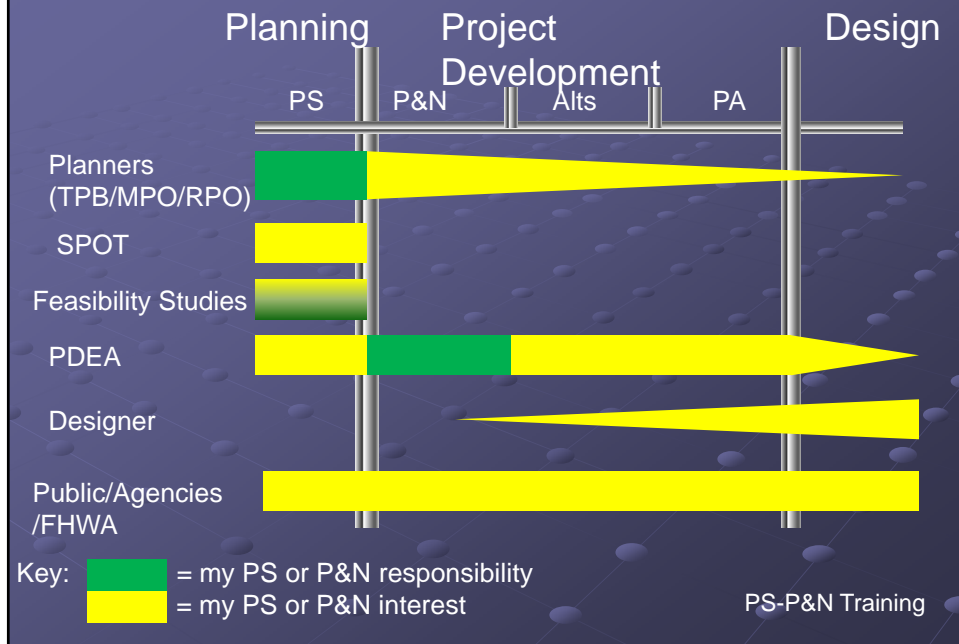
Date, 2010

PS-P&N Learning Outcomes

- Be Able to Craft A Problem Statement
- Be Able to Craft a Purpose & Need Statement
- Understand the appropriate use of each

PS-P&N Training

Why Should I Care About This Stuff?



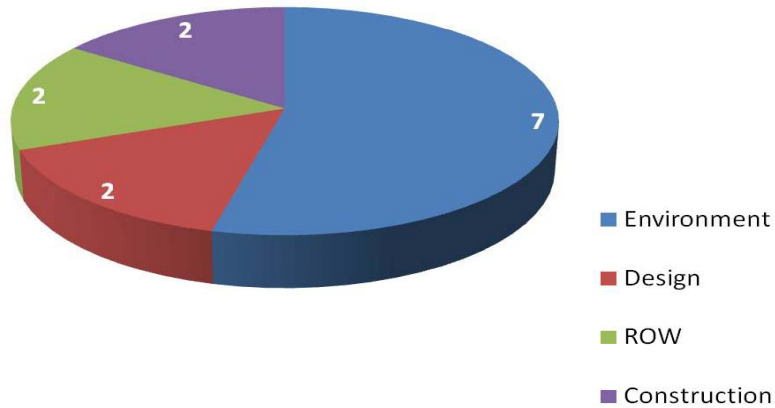
PS-P&N Training Outline

- Introduction
- PS Basics- why, what, who, when, how
- P&N Basics- why, what, who, when, how
- Crafting a PS or P&N
- Wrap Up

PS-P&N Training

What's the Opportunity?

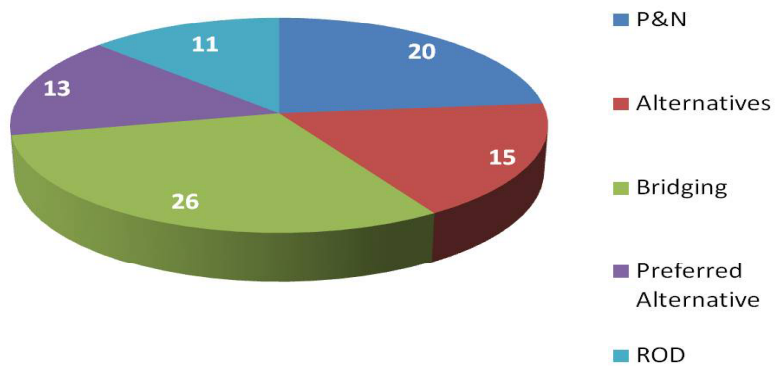
New Location Project Delivery (Years)



PS-P&N Training

What's the Opportunity?

New Location Environment (months)



PS-P&N Training

Who Supports This Initiative?

Interagency Leadership Team (ILT)

- NCDOT
- FHWA
- USACOE
- DENR
- USFWS
- EPA
- National Marine Fisheries Service
- Dept. of Commerce
- Dept. of Cultural Resources
- NC WRC

PS-P&N Training

PS-P&N Relation to Other Initiatives

● Integration

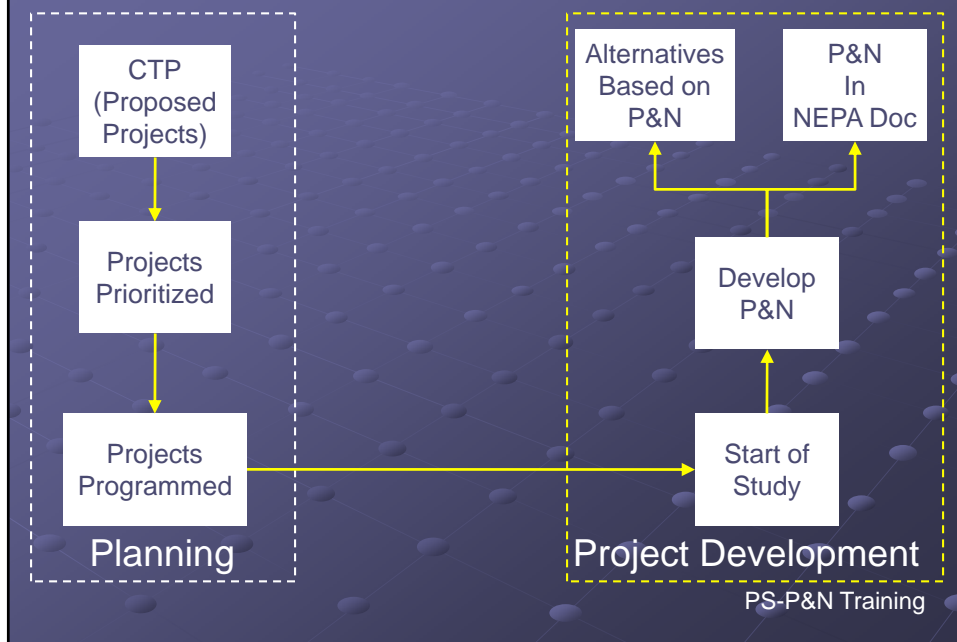
Effort to improve the linkage of long range planning to project development

● Streamlining

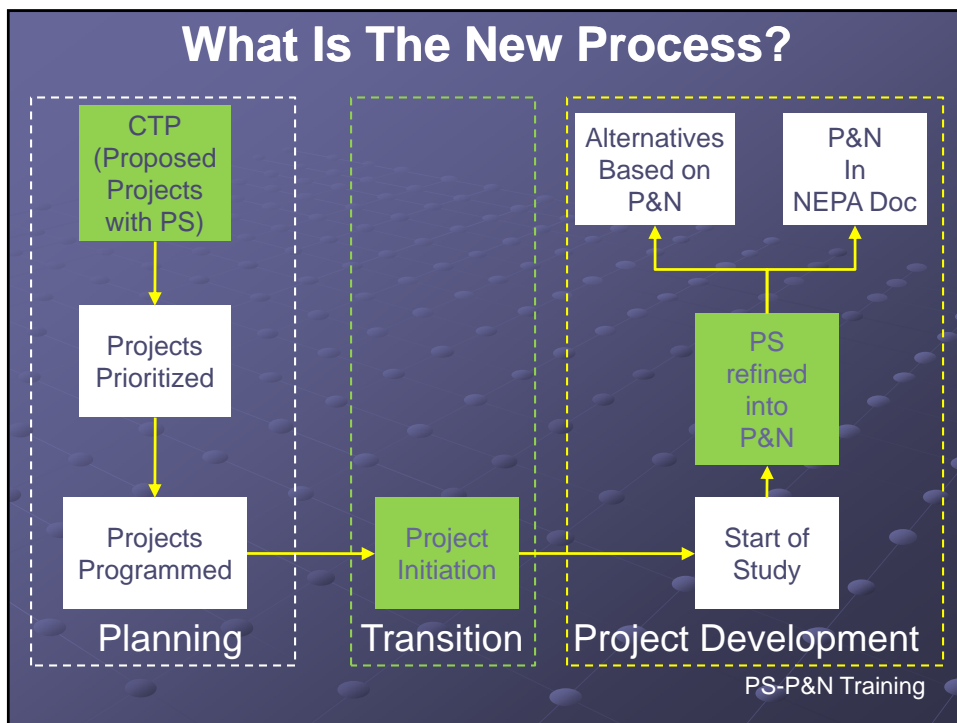
Effort to examine the Merger process to determine how it can be conducted more efficiently

PS-P&N Training

What Happens Currently?



What Is The New Process?



PS Basics

- Why
- What
- Who
- When
- How

PS-P&N Training

PS Basics

WHY, *what, who, when, how*

Purpose

- Communicate the context, concept and justification for proposed projects (all modes) in a CTP

Intent

- Form substantial core of P&N
- Save time in preparing and/or agreeing to the purpose and need in project development

PS-P&N Training

PS Basics

WHY, *what, who, when, how*

FHWA "Linking Planning & NEPA"

- SAFETEA-LU: Statewide Transportation Planning and Metropolitan Transportation Planning (23 USC Section 134, 135)
- Appendix A of 23 CFR Part 450: Linking the Transportation Planning and NEPA Processes
- Environment and Planning Linkage Processes Legal Guidance

PS-P&N Training

PS Basics

WHY, *what, who, when, how*

- 23 CFR 450.212, .318, & Appendix A
"The results or decisions of these transportation planning studies may be used as part of the overall project development process consistent with NEPA..."
 - P&N or goals & objective statements
 - General travel corridor and/ or mode(s) definition
 - Basic description of environmental setting
 - Preliminary identification of environmental impacts & mitigation

PS-P&N Training

PS Basics

*why, **WHAT**, who, when, how*

- Full PS
- Minimum PS
- PS that References a P&N Underway or Completed

PS-P&N Training

Components of a Full PS

- Identified Problem
 - Justification of Need
 - Community Vision and Problem History
- CTP Project Proposal
 - Project Description and Overview
 - Natural & Human Environmental Context
 - Relationship to Land Use Plans
 - Linkages to Other Plans and Proposed Project History
 - Multi-modal Considerations
 - Public/ Stakeholder Involvement

PS-P&N Training

Components of a Minimum PS

Include:

- Concise description of the problem
- Primary purpose(s) & goal(s) to be accomplished
- Describe the concept of the proposed project
- Briefly, any known supporting information (e.g. other applicable elements from Full PS)

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PS Referencing P&N Underway

Include:

- Concise description of the primary goals the proposed project is expected to accomplish
- Summary of the concept and purpose
- A reference to the P&N underway

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PS Basics

why, WHAT, who, when, how

Criteria for selecting projects for Full PS:

- Time Frame
 - 5-year Work Program and STIP*
 - 10-year Work Program
 - Closest interim years, project priorities list
- Scope
 - major new location, major multi-lane widening, major projects other modes

PS-P&N Training

PS Basics

why, what, WHO, when, how

- Developed by NCDOT-TPB or MPOs, in consultation with RPOs & municipal/ county staff
- Full PS: TPB will request review by PDEA
- Coordinate with Agencies & Public as part of the CTP process

PS-P&N Training

PS Basics

why, what, who, WHEN, how

- During CTP development (documented as part of CTP report)
- Upon Request by PDEA (if CTP has less than full PS & for areas TPB has provided planning assistance in the past)

PS-P&N Training

PS Basics

why, what, who, when, HOW

Transfer & Use

- For CTP: Conceptualize/ document problems & Link problems to proposed solutions
- For prioritization: informs relative needs
- For project initiation: provides PDEA with project information
- For P&N: foundation of P&N

PS-P&N Training

PS Review

- Why
- What
- Who
- When
- How

PS-P&N Training

Questions?

"There's more than one way to look at a problem, and they all may be right"

--Norman Schwarzkopf

PS-P&N Training

P&N Basics

- Why
- What
- Who
- When
- How

PS-P&N Training

Why P&N?

National Environmental Policy Act (NEPA)

“...To declare a national policy which will encourage productive and enjoyable harmony between man and his environment...”

PS-P&N Training

Why P&N?

NEPA applies to Federal **discretionary** actions



PS-P&N Training

Why P&N?

- CEQ regulations for an EIS require:

“The statement shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.”

- CEQ regulations for an EA require:

“Shall include brief discussions of the need for the proposal...”

PS-P&N Training

What: Need

- Describes key problem(s) & causes
- Provides the factual & quantifiable foundation for the purpose statement
- Establishes evidence of current or future transportation problems or deficiencies
- Establishes and justifies logical termini

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What: Purpose

- States clearly and succinctly why the project is being proposed
- Articulates positive intended outcomes
- Presents objectives to address the need

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What: Primary v. Secondary Purpose

To communicate the full range of factors considered in decision-making:

A **primary purpose** is a “driver” of the project (a fundamental reason for the project)

A secondary purpose (“**other desirable outcome**”) is desirable, but not a core purpose

PS-P&N Training

Exercise

Which alternative(s) meet PS or P&N?

	PP#1	PP#2	ODO#1	ODO#2
Alt 1	N	Y	Y	N
Alt 2	Y	Y	N	Y
Alt 3	Y	Y	N	N
Alt 4	Y	N	Y	Y

PS-P&N Training

What: Purpose

Avoid stating the purpose as a solution:

- “The purpose is to widen the road to 4 lanes”
- “The purpose is to replace the bridge”

Avoid the “kitchen sink” approach

PS-P&N Training

Who Develops P&N?

- Responsibility rests with the **lead Federal agency** preparing the NEPA document
- For **Federal-aid projects**, the lead Federal agency is **FHWA (NCDOT through Stewardship Agreement)**

PS-P&N Training

Who Do We Coordinate With for P&N?

- CEQ regulations: no requirement for agencies/public
- Scoping: forum for agencies/public input
- SAFETEA-LU Section 6002: “opportunity for involvement” for agencies/public

PS-P&N Training

Who Do We Coordinate With for P&N?

- SAFETEA-LU Section 6002: joint lead agencies (JLA) share FHWA’s authority to define the P&N
- **Disagreement** between JLA must be resolved
- JLA consider input from agencies/public, but ultimately decide on P&N

PS-P&N Training

Who Do We Coordinate With for P&N?

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

CHAIRMAN

May 12, 2003

The Honorable Norman Y. Mineta
Secretary, Department of Transportation
400 Seventh St., S.W., Room 10200
Washington, D.C. 20590

Dear Secretary Mineta:

I write in response to your letter of May 6, 2003, asking for the Council on Environmental Quality's (CEQ) guidance on the issue of "purpose and need" in the context of compliance with CEQ's regulations implementing the procedural provisions of NEPA. Your letter refers to the fact that the Interagency Transportation Infrastructure Streamlining Task Force has identified "purpose and need" as a primary issue in need of clarification. Specifically, you ask for guidance on the appropriate exercise of authority by lead and cooperating agencies in determining the purpose and need.

The requirement for a discussion of "purpose and need" in an environmental impact statement under the CEQ regulations is to "briefly specify the underlying purpose and need to which the agency is responding in preparing the alternatives including the proposed action." 40 C.F.R. §1502.13. This discussion, typically one or two paragraphs long, is important for general context and understanding as well as to provide the framework in which "reasonable alternatives" to the proposed action will be identified.

The lead agency and cooperating agencies should identify the purpose and need to which the agency is responding in preparing the alternatives including the proposed action. The purpose and need should be stated in a way that is consistent with the agency's mission and the public interest. The purpose and need should be stated in a way that is consistent with the agency's mission and the public interest. The purpose and need should be stated in a way that is consistent with the agency's mission and the public interest.

In situations involving two or more agencies that have a decision to make for the same proposed action and responsibility to comply with NEPA or a similar statute, it is prudent to jointly develop a purpose and need statement that can be utilized by both agencies. An agreed-upon purpose and need statement at this stage can prevent problems later that may delay completion of the NEPA process. As Congress stated in the Federal Aid Highway Act of 1977, "It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway program shall encourage the substantial minimization of paperwork and emergency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government." 23 U.S.C. §101(c). See also, CEQ's regulation implementing NEPA at 40 C.F.R. §1500.4, 1500.5.

In the case of a proposal intended to address transportation needs, joint lead or cooperating agencies should afford substantial deference to the DOT agency's articulation of purpose and need. 40 U.S.C. §15104(b). This deference reflects CEQ's expectation and experience in other settings where an agency has the primary substantive expertise and program responsibility. If a cooperating or joint lead agency identifies substantive or procedural problems with the purpose and need statement, including an omission of factors, important to that agency's independent legal responsibilities, the agency should raise those issues immediately and, if necessary, elevate those issues to higher level decisionmakers in the region and at headquarters for resolution. Thoughtful resolution of the purpose and need statement at the beginning of the process will contribute to a rational environmental review process and save considerable delay and frustration later in the decisionmaking process.

Please let me know if you have any further questions regarding this issue. Thank you for your leadership and continued close departmental efforts for the work they are.

James L. Connelley
Chairman, Council on Environmental Quality

From Council on Environmental Quality:
"In the case of a proposal intended to address transportation needs, joint lead or cooperating agencies should afford substantial deference to the DOT agency's articulation of purpose and need"

PS-P&N Training

Who Do We Coordinate With for P&N?

FHWA and FTA observe:

other Federal agencies
"should only raise questions regarding our P&N statements when those questions relate to substantive or procedural problems (including omission of factors) important to that agency's independent legal responsibilities."

FHWA Home | Feedback

FHWA's NEPA + EIS + Environmental + Toolkit Home

TOOLKIT: Planning and Environment, Streamlining, Project Development, Historic Preservation, Environmental Checklist, Competency Building, NEPA

Environmental Guidebook

Memorandum

U.S. Department of Transportation
Federal Highway Administration
Federal Transit Administration

Subject: Guidance on "Purpose and Need" Date: July 23, 2003

From: Mary E. Peters, Administrator Reply To: HCC-30

Federal Highway Administration Attn: []

Jennifer L. Dom, Administrator of []

Federal Transit Administration

To: FHWA Division Administrators and FTA Regional Administrators

This memorandum provides guidance on preparing purpose and need statements in light of the letter we received from the Council on Environmental Quality (CEQ) on May 12, 2003 (copy attached). We request that you share this guidance with the State Departments of Transportation, local transit agencies, and other joint lead agencies, as well as cooperating agencies and other agencies involved in the preparation and review of National Environmental Policy Act (NEPA) documents.

1. In its letter, CEQ states that "The lead agency (in our case, the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA)), has the authority for and responsibility to define the 'purpose and need' for purposes of NEPA analysis." The letter goes on to say that "In the case of a proposal intended to address transportation needs, joint lead or cooperating agencies should afford substantial deference to the Department of Transportation agency's articulation of purpose and need." This deference is due to the Department of Transportation (DOT) for transportation projects because of our primary substantive expertise and program responsibility, and is the same

http://environment.fhwa.dot.gov/guidebook/03jul23/030717%2003%2008

PS-P&N Training

Who Do We Coordinate With for P&N?

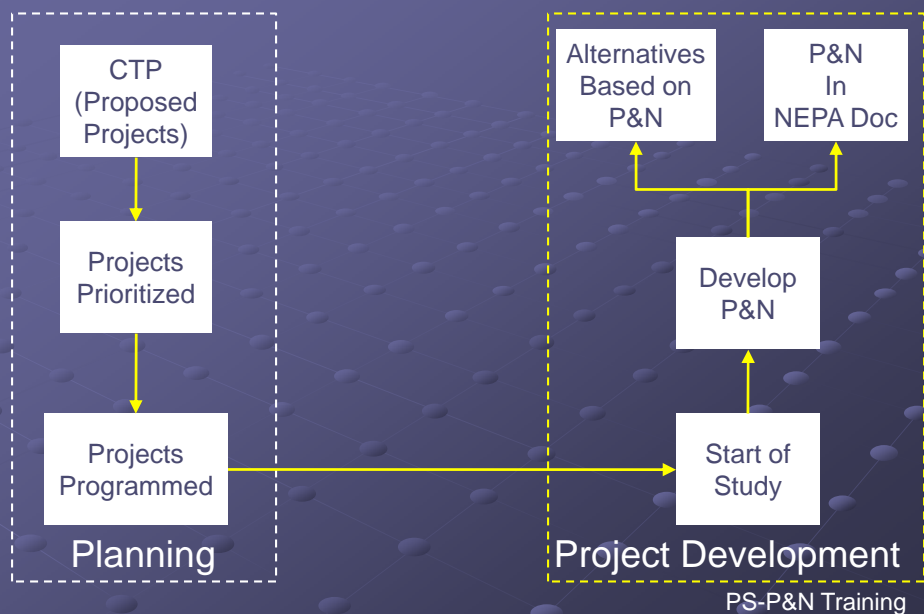
The Merger process calls for “**concurrence**” by all agencies represented on individual project teams at various environmental milestones (with P&N being the first milestone)

“Concurrence” is defined as:

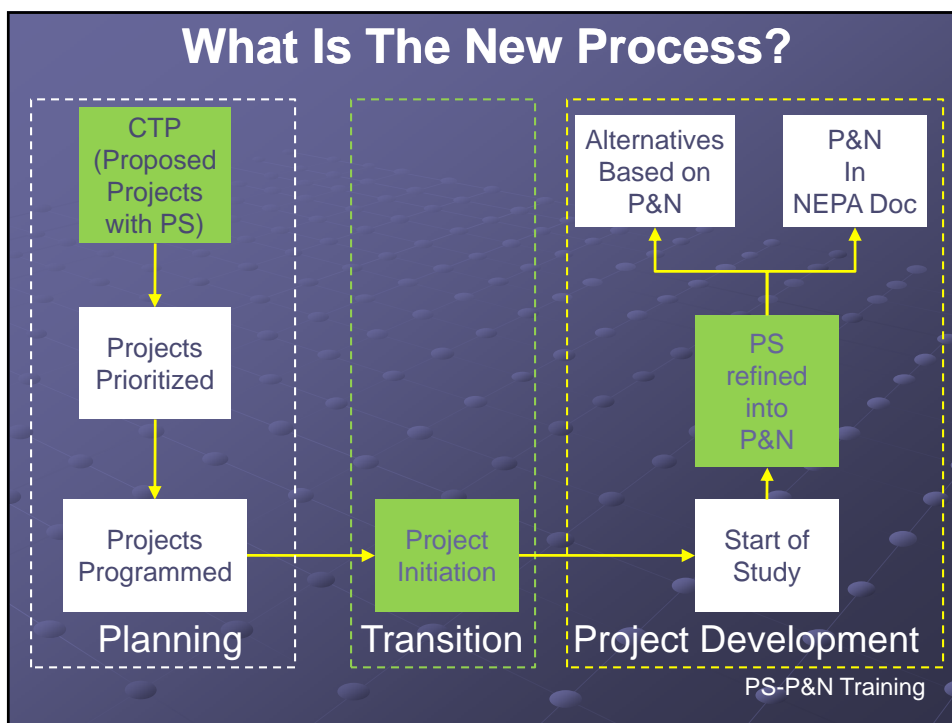
“I do not object to the proposed action based on the laws and regulations of my program and agency.”

PS-P&N Training

What Happens Currently?



What Is The New Process?



How is P&N used?

- Avoid an ill-conceived project
- Share understanding of the problems
- Define a project's scope
- Guide development & evaluation of alternatives
- Allow decisions to be legally defensible
- Justify impacts and spending of funds

PS-P&N Training

P&N Review

- Why
- What
- Who
- When
- How

PS-P&N Training

PS-P&N: What's In It For Me?

- Citizens
- Local Planner (MPO/RPO)
- NCDOT TPB
- Funding Decision-makers
- NCDOT Project Manager
- Agency

PS-P&N Training

So What's The Difference?

- Data: possible differences in level of detail and/ or age
- Public/ Agency Involvement: only required for P&N for EIS, no formal agreement or concurrence on PS
- PS contains additional information, particularly the CTP Project Proposal section

PS-P&N Training

Crafting a PS-P&N Statement

Get **SMART!**

Specific
Measurable
Agreed
Realistic
Time-bound



PS-P&N Training

Exercise

Assess these PS-P&N Purposes
(use the **SMART** principles)

- The purpose is to reduce congestion
- The purpose is to widen the road
- The purpose is to provide a travel speed of at least 45 mph in the design year

PS-P&N Training

Questions?

*"Always get married early in the morning.
That way, if it doesn't work out, you haven't
wasted a whole day"*

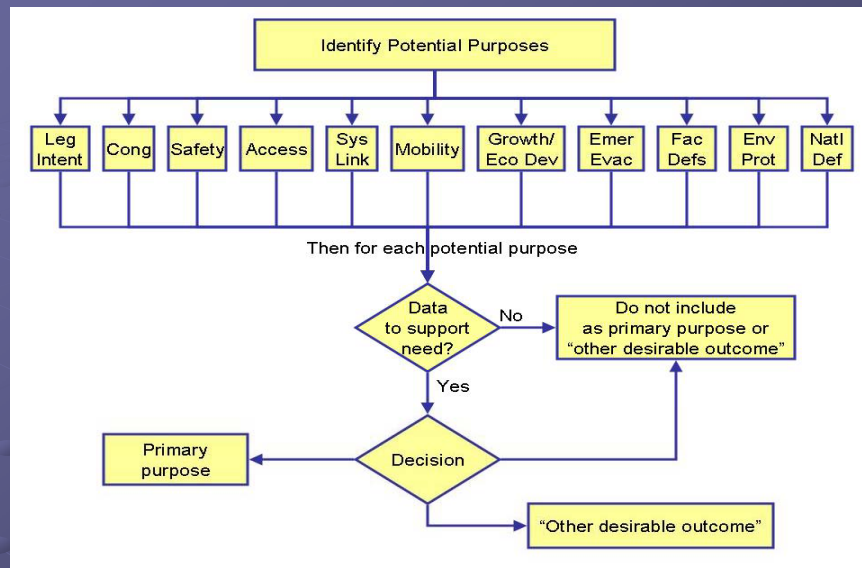
--Mickey Rooney

*"Always get P&N early in the process. That
way, if it doesn't work out, you haven't
wasted a couple of years"*

--unknown

PS-P&N Training

So Which One(s) Do I Pick?



PS-P&N Training

Possible Purposes

Transportation

- Congestion
- Safety
- Facility Deficiencies
- Access
- System Linkage
- Mobility
- Emergency Evacuation

Other Goals/Objectives

- Legislative Intent
- Environmental Protection
- Growth/Economic Dev.
- National Defense/Security

PS-P&N Training

Congestion



PS-P&N Training

Congestion

What is Congestion?

- TRB: "Travel time in excess of that normally incurred under light or free-flow conditions"
- Wikipedia: "a state of excessive accumulation or overfilling or overcrowding"
- Dictionary.com: "overcrowding, clogging"

Find a definition for your project!

If you can't define it, you won't know if you've achieved it!

PS-P&N Training

Congestion

Possible Sources for Definition:

- MPO LRTP
- TMA CMP
- CTP
- National Guidelines
- State Guidelines/Standards/Policies/Plans
- Highway Capacity Manual
- FHWA NC Division office determinations
- Local government standards/policies/guidelines

PS-P&N Training

Congestion

Example Performance Measures:

- Speed (peak hour/period)
- Delay (peak hour/period)
- LOS (peak hour/period)
- V/C Ratio (peak hour/period)
- VMT
- Density/Headway
- Signal Cycle Failure
- Queue Length
- Vehicle Hours of Travel

PS-P&N Training

Congestion

Purpose: "To improve the capacity of existing I-240 west of Asheville to accommodate the existing and forecasted (2030 design year) traffic in this growing area."

Performance Criteria: "since the project will be part of the Interstate System, it should be designed to achieve LOS D or better for the type and volumes of traffic anticipated for the twenty-year period beyond the time construction is authorized by FHWA"

PS-P&N Training

Congestion

Source: "NCDOT Policy on Desirable Levels of Service for State Highway System Streets and Highways in Urban Areas" (1997)

The desirable levels of service for State Highway System streets and highways in urban areas are given in Table 1.

Table 1
Desirable Levels of Service for State Highway System Streets and Highways Within Urban Areas

Street Classification	Suburban	Intermediate	Urban Business Area
Primary Freeway	50-60MPH	45-55MPH	45-55MPH
Local Freeway	45-55MPH	40-50MPH	40-50MPH
Arterial	40-50MPH	35-45MPH	35-45MPH
Collector	35-45MPH	30-40MPH	30-40MPH
Local	30-40MPH	25-35MPH	25-35MPH
Minor Arterial	25-35MPH	20-30MPH	20-30MPH

Note: The average speeds shown in the total distance traveled, divided by the total time required to travel the distance.

The desirable level of service in terms of average operating speeds during peak travel periods for State Highway System streets and highways in urban areas is given in Table 1. The level of service is defined by the number of vehicles per mile per hour (VPM) that can be accommodated by the street or highway. The level of service is defined by the number of vehicles per mile per hour (VPM) that can be accommodated by the street or highway. The level of service is defined by the number of vehicles per mile per hour (VPM) that can be accommodated by the street or highway.

Primary Freeway

Avg. Speed (suburban)	Avg. Speed (Intermediate)	Avg. Speed (CBD)
50-60	50-55	45-55

PS-P&N Training

Congestion

Rate these examples (Good, Bad, OK)

- *The purpose is to widen US 5 to six lanes.*
- *The purpose is to eliminate congestion on US 5.*
- *The purpose is to reduce congestion on US 5.*
- *The purpose is to achieve LOS D on US 5.*
- *The purpose is to achieve a minimum travel speed of 45 mph in the design year for US 5.*

PS-P&N Training

Safety

True or False?
Any improvement
we do to a facility
will make the
facility safer



PS-P&N Training

Safety

Is there a safety problem?

Road crash rate v. statewide averages

Critical Crash Rate (CCR)



PS-P&N Training

Safety

CCR = A statistical tool that assists in screening for high crash locations by utilizing a confidence interval that can be adjusted (up or down) to accommodate the needs of the safety program



PS-P&N Training

Safety

How to define?

- overall
- particular type/severity
- rate/number/percent



PS-P&N Training

Safety

What is the crash pattern?



**SIDESWIPE AND
HEAD-ON CRASHES**



**RUN OFF ROAD
CRASHES**



**REAR-END
CRASHES**



**DRIVEWAY
CRASHES**




**PARKED/PARKING
VEHICLE CRASHES**



**FIXED OBJECT
CRASHES**



**PEDESTRIAN
CRASHES**



**NIGHT
CRASHES**



**WET
CRASHES**

PS-P&N Training

Safety

Possible Cause	Countermeasure
Slippery Pavement	Overlay existing pavement Provide adequate drainage Groove existing pavement Reduce speed limit "Slippery When Wet" signs
Poor Delineation	Install pavement markings Install roadside delineators Install advance warning signs

PS-P&N Training

Safety

Countermeasure Potential Effectiveness

Countermeasure: Install a traffic signal	
Crash Pattern Affected	Percent Reduction
Total Crashes	22
Total Angle Crashes	65

Revised May 30, 2007

North Carolina Project Development Crash Reduction Study

Countermeasure	Crash Pattern Affected	Percent Reduction	Notes
1. Traffic Signal	Total Crashes	22	
2. Traffic Signal	Total Angle Crashes	65	
3. Traffic Signal	Total Crashes	22	
4. Traffic Signal	Total Angle Crashes	65	
5. Traffic Signal	Total Crashes	22	
6. Traffic Signal	Total Angle Crashes	65	
7. Traffic Signal	Total Crashes	22	
8. Traffic Signal	Total Angle Crashes	65	
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99. Traffic Signal	Total Crashes	22	
100. Traffic Signal	Total Angle Crashes	65	

PS-P&N Training

Safety: Do's and Don'ts

- **Do** consult w/ NCDOT Safety Planning Group
- **Do** base analysis on accepted engineering practices
- **Don't** include safety w/o documented crash data
- **Don't** add safety because it "sounds good"
- **Don't** add safety to increase justification
- **Don't** forget to consider unintended consequences



PS-P&N Training

Safety

Rate these examples (Good, Bad, OK)

- *The purpose is to improve safety on US 5.*
- *The purpose is to reduce crashes on US 5.*
- *The purpose is to reduce angle crashes on US 5.*
- *The purpose is to eliminate crashes on US 5.*
- *The purpose is to achieve a minimum 20% reduction of crashes on US 5.*

PS-P&N Training

Facility Deficiencies



PS-P&N Training

Facility Deficiencies

Physical characteristics of a facility that are below the desired performance

- Substandard geometrics
- Load limits on structures
- Inadequate cross-sections
- High maintenance costs



PS-P&N Training

Facility Deficiencies

Possible information sources:

- Pavement Management System
- Bridge Management System
- Maintenance Management System
- Roadway Design Manuals and Guidelines
- Structure Standards
- Access Management Policy



PS-P&N Training

Facility Deficiencies

Rate these examples (Good, Bad, OK)

- *The purpose of this project is to eliminate the “deficient” rating of the bridge.*
- *The purpose is to replace the bridge.*
- *The purpose of this project is to achieve minimum acceptable pavement standards.*
- *The purpose is to bring the roadway geometry up to current design standards.*

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Access



PS-P&N Training

Access

Assume a congested two-lane undivided road
A four-lane divided facility is proposed

Is access improved? For which users?

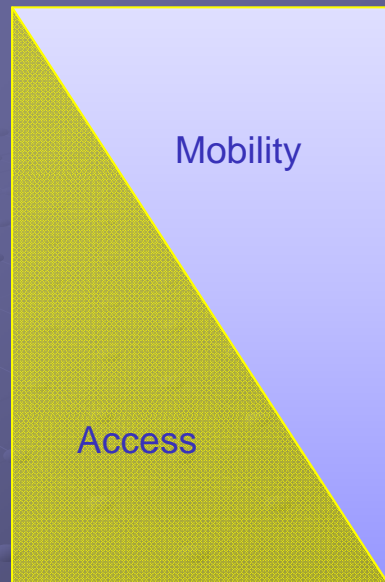
Is access restricted? For which users?

Need to define access!



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Access



Interstate System:
highest mobility/lowest access

Other freeways/controlled access:
Higher mobility/lower access

Arterials:
high mobility/low access

Collectors:
Lower mobility/higher access

Local Roads:
Lowest mobility/highest access

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Access

For an Interstate project:

- Operation and safety is paramount
- New access points will never improve the operation and safety of the Interstate

Do not propose access as a primary purpose or
“other desirable outcome”

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Access

For non-Interstate projects:

Determine whether access is the root cause of the problem (usually it's congestion or facilitating economic development)

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Access

Rate these examples (Good, Bad, OK)

- *The purpose is to improve access on I-40.*
- *The purpose is to increase accessibility to RTP.*
- *The purpose is to provide transportation access to the proposed business park.*

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System Linkage



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System Linkage

Definition

Linking two or more:

- Existing transportation facilities
- Modal facilities
- Geographic areas
- Regional traffic generators

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System Linkage

Rate these examples (Good, Bad, OK)

- *The purpose is to link I-40 and I-74.*
- *The purpose is to link the roadway network with the proposed passenger rail station.*
- *The purpose is to link the mainland transportation system with the Outer Banks transportation system.*

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Mobility



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Mobility

What is Mobility?

- Connecting more people and vehicles in less time with their work, school, community services, marketplaces, and each other
- FHWA Planning Glossary: “the ability to move or be moved from place to place”
- Movement of people...

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Mobility

What is Mobility?

- Connecting more people and vehicles in less time with their work, school, community services, marketplaces, and each other
- FHWA Planning Glossary: “the ability to move or be moved from place to place”
- Movement of people and goods
- Other?

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Mobility

Identify sources to support mobility in P&N:

- Long Range Transportation Plan/ Comprehensive Transportation Plan
- State transportation plans
- Local government transportation plans



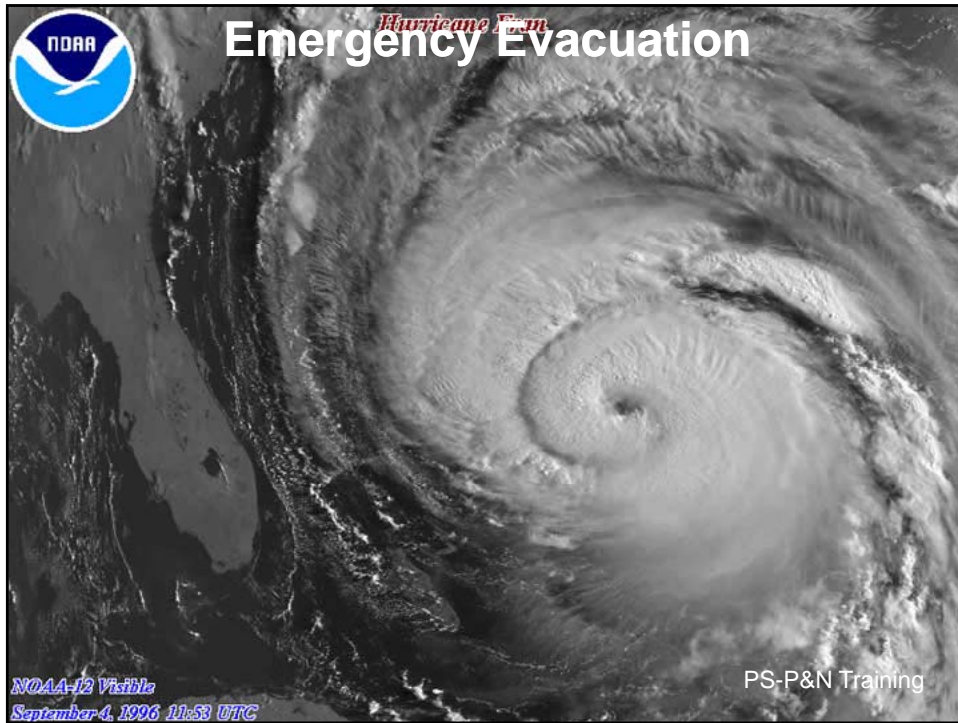
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Mobility

Rate these examples (Good, Bad, OK)

- *The purpose is to improve the mobility of freight*
- *The purpose is to improve the mobility along Corridor X*
- *The purpose of this project is to improve mobility*
- *The purpose is to improve the mobility of motorized vehicles along Corridor X during the PM peak period"*

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Emergency Evacuation

Only applies to:

- Hurricane evacuation
- Nuclear power plant evacuation

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The slide has a dark blue background with a grid of small dots. On the right, there is a diamond-shaped graphic containing a stylized illustration of a nuclear power plant with three cooling towers and a green landscape. On the left, there is a stylized illustration of three palm trees being blown over by a large, light blue arrow pointing towards them. The text "Emergency Evacuation" is at the top center. The text "Only applies to:" is in yellow. The list items are in white. The text "PS-P&N Training" is in the bottom right.

Emergency Evacuation

When considering as a primary purpose, the following must be documented:

- Adopted emergency evacuation plan
- Location is on an identified evacuation route
- Scope addresses all relevant needs for successful evacuation



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Emergency Evacuation

Identify total v. partial evacuation need

Don't forget about:

- Feeder & Receiver routes
- Disabled vehicles
- Motorist facilities
(gas, restrooms, food, etc.)



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Emergency Evacuation

Rate these examples (Good, Bad, OK)

- *The purpose is to improve hurricane evacuation.*
- *The purpose is to achieve the 18-hour standard for hurricane evacuation of Pea Island.*
- *The purpose is to reduce hurricane evacuation clearance times for Pea Island.*
- *The purpose is to widen the intersection for hurricane evacuation.*

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Questions?

"Creative minds have always been known to survive any kind of bad training"
--Anna Freud

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Possible Purposes

Transportation

- Congestion
- Safety
- Facility Deficiencies
- Access
- System Linkage
- Mobility
- Emergency Evacuation

Other Goals/Objectives

- Legislative Intent
- Environmental Protection
- Growth/Economic Development
- National Defense/Security

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Legislative Intent

Who?

- Congress
- State legislatures



How?

- Specific corridor
- Special funding
- Mode
- Non-discretionary



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Legislative Intent

- Project-specific legislation does not necessarily determine the project purpose
- Lead agency still must exercise judgment in the NEPA process when deciding if and how to incorporate legislative direction into the purpose
- Unless legislative intent **exempts** FHWA from compliance with relevant laws (e.g. NEPA), legislative intent cannot be used as the sole reason for directing decisions on the project

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Legislative Intent

Congressional example (from SAFETEA-LU)

“...Environmental studies and construction of U.S. 74 Monroe Bypass Extension...”

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Legislative Intent

Congressional example (HR 105-504)

*“Trappers Loop connector Road- Provides that actions related to construction of the Trappers Loop connector Road that are undertaken by agencies or entities other than the Forest Service are **deemed to be nondiscretionary actions authorized and directed by Congress...**”*

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Legislative Intent

Congressional example (REAL ID Act of 2005)

“...the Secretary of Homeland Security shall have the authority to waive, and shall waive, all laws such Secretary, in such Secretary's sole discretion, determines necessary to ensure expeditious construction of the barriers and roads under this section....”



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Legislative Intent

NC General Assembly examples

“[to construct a new toll bridge] of more than two miles in length going from the mainland to a peninsula bordering the State of Virginia.”
(NCGS 136-89.183(a)(2))

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Environmental Protection



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Environmental Protection

- P&N should focus on the underlying reasons based on meeting a transportation need
- How the project is carried out (avoiding/minimizing impacts) is distinct from the P&N



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Environmental Protection

“EO 13274 Task Force on Purpose and Need”:

“for the bulk of transportation projects, most staff across Federal agencies agreed that although environmental protection and community enhancement are important goals, these issues should not be a part of the purpose and need statement itself.”



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Environmental Protection

Protected Living Marine Resources Program

"The USCG proposes this action to aid in the fulfillment of its missions, including protection of the environment, while fulfilling USCG obligations to protect listed species"



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Environmental Protection

Rate these examples (Good, Bad, OK)

- *The purpose is to protect the environment.*
- *The purpose is to reduce environmental impacts from US 5.*
- *The purpose is to protect habitat for the dwarf wedgemussel for impacts to the species associated with future Federal-aid highway projects.*
- *The purpose is to mitigate for environmental impacts*

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Growth/Economic Development



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Growth/Economic Development

Public infrastructure (e.g. water, sewer, schools & transportation) and other considerations (e.g. tax rates, available workforce, available land and/or buildings, real estate values) collectively help determine how and where a community will grow and prosper economically



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Growth/Economic Development

P&N should focus on the **underlying reasons based on meeting a transportation need**

A desired outcome of a transportation project can be the **facilitation** of growth



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Growth/Economic Development

Example

Language from SAFETEA-LU:

“Transportation Improvements at Piedmont Triad Research Park, Winston-Salem, NC”



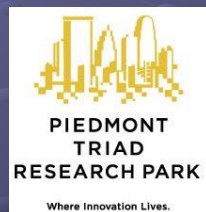
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Growth/Economic Development

Example

Original Purpose language:

“The Park’s primary purpose and need is to provide the Piedmont Triad with a new biotechnology employment sector to replace jobs eliminated by tobacco and textile manufacturing”



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Growth/Economic Development

Example

Revised Purpose language:

“The purpose of the project is to improve connectivity, north-south traffic capacity and access to property between Stadium Drive and Third Street near the downtown Winston-Salem CBD”



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Growth/Economic Development

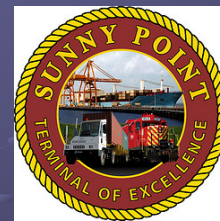
Rate these examples (Good, Bad, OK)

- *The purpose of the project is to promote growth/land use.*
- *The purpose is to provide needed transportation infrastructure to support community growth objectives as identified in [title of a plan].*
- *The purpose is to provide needed transportation infrastructure to support community growth objectives for the US 5 corridor, as identified in [title of a plan].*

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National Defense/Security

- Highway
- Rail
- Ports
- Installations



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National Defense/Security

Strategic Highway Network (STRAHNET)

Ensure the defense readiness capability of public highway infrastructure and establish policy on how DOD uses the public highway system



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National Defense/Security

Ports for National Defense: Ensure the identification, adequacy and responsiveness of defense-important port infrastructure in both peacetime and wartime



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National Defense/Security

Port Purpose Example:

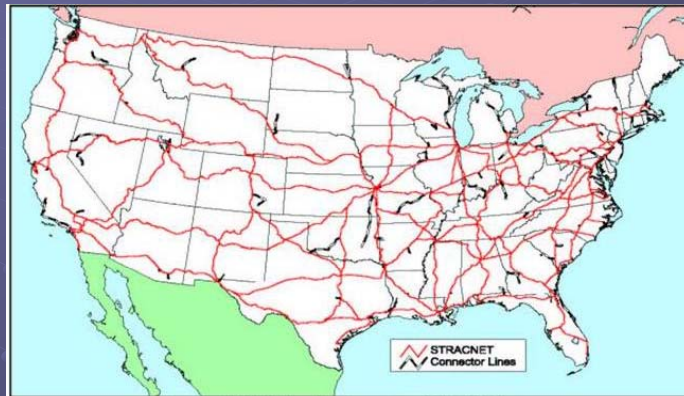
“the purpose of the Port Expansion Project is to replace functionally obsolete structures; increase POA [Port of Anchorage] capacity, efficiency, and security; and accommodate the needs of the U.S. military for rapid deployment”



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National Defense/Security

Railroads for National Defense: ensures readiness capability of the national railroad network to support defense deployment and peacetime needs



Strategic Rail Corridor Network (STRACNET)

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National Defense/Security

Example Need from DOD

“WHEREAS, Camp Lejeune has plans to execute a roadway project that will impact NC 24 by requiring a new entrance to the Base off on NC 24”

1

NORTH CAROLINA
ONSLOW COUNTY
Revised 11/9/09

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

MEMORANDUM OF AGREEMENT
FOR THE DESIGN, ACQUISITION OF RIGHTS-
OF-WAY AND CONSTRUCTION OF A
DEFENSE ACCESS ROAD AT UNITED STATES
MARINE CORPS BASE CAMP LEJEUNE

AND

FEDERAL HIGHWAY ADMINISTRATION

PROJECT: U-5132
WBS: 45155.1.1 PE
45155.2.1 ROW
45155.3.1 CON
Federal Aid Number: DOD-0024(39)

AND

UNITED STATES MARINE CORPS AT CAMP LEJEUNE

AND

UNITED STATES DEPARTMENT OF THE NAVY

THIS AGREEMENT is made and entered into on the last date executed below, by and between the Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", the FEDERAL HIGHWAY ADMINISTRATION, an agency of the United States Federal Government, herein referred to as FHWA, and the UNITED STATES MARINE CORPS AT CAMP LEJEUNE, a United States Military Unit, hereinafter referred to as "Camp Lejeune"; and the UNITED STATES DEPARTMENT OF THE NAVY - NAVAL FACILITIES ENGINEERING COMMAND, a United States Military Unit, hereinafter referred to as "NAVFAC";

WITNESSETH:

WHEREAS, the main gate of the Camp Lejeune Marine Base is located along NC 24, a state maintained highway, within the corporate limits of Jacksonville, North Carolina; and,

WHEREAS, Camp Lejeune is planning for an operation known as "Grow the Force", which will increase the population of the Marine Corps Base by approximately 7,700 and will increase traffic congestion at the main gate; and,

WHEREAS, Camp Lejeune has plans to execute a roadway project that will impact NC 24 by requiring a new entrance to the Base off on NC 24, which will require approval from NCDOT; and,

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National Defense/Security

Installation Purpose Example:

The DOD eliminated public access to Beulah Street and Woodlawn Road within Fort Belvoir following events of 9.11.01

“The purpose...is to replace the once-public access provided by VA Route 618 (Woodlawn Road) and VA Route 613 (Beulah Street) between U.S. Route 1 and VA Route 611 (Telegraph Road)...The project purpose is to offer replacement connectivity compatible with force protection concerns.”

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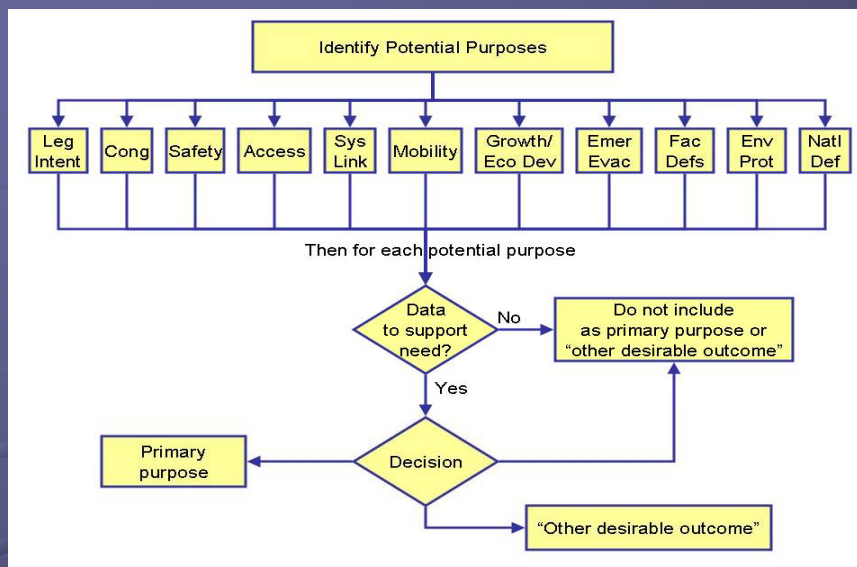
So Which One(s) Do I Pick?

- Understand how the project was conceived
- Develop a range of potential purposes
- Analyze each potential purpose to determine if there is a well-defined and well-supported need
- Choose one:
 - primary purpose
 - “other desirable outcome”
 - do not include

Note: there needs to be at least one primary purpose and all it takes to justify a project is one primary purpose

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So Which One(s) Do I Pick?



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Questions?

*“What I hear, I forget. What I see, I remember. **What I do, I understand.**”*

-- Kung Fu Tzu (Confucius)

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Summary/ Wrap- Up

- Connecting PS and P&N
- What's My Role?
- Learning Outcomes Review

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Resources

- NCDOT Integration (includes PS Guidance, P&N Guidance, PS FAQs):

www.ncdot.org/doh/preconstruct/tpb/IP/default.html

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