Purpose and Need

Background and Formulation

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James “Skip” Spensley
NEPA Instructor & Practitioner
Spensley & Associates
Email: jwspensley@aol.com
Origin of Purpose & Need

- NEPA statute makes no reference to “purpose and need” for inclusion in the EIS.
- CEQ 1973 Guidelines - Only “a statement of its purpose” with no reference to “need” (§1500.8(a)(1))
- CEQ 1978 Regulations - “The statement shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action”. (§1502.13)
- Court decisions - have recognized agency discretion in formulating the P&N to set the scope of a proposed action or project.
Initial Purpose & Need Statement

- Defines the baseline for action
- Incorporates perceptions of the need for the proposed action
- Explains why the proposed action is being taken in responding to need
- Identified the objectives to be achieved in defining it’s purpose
Uses of Purpose & Need

- Sets the limits on **scope of the project**
- Supports the determination of “reasonable” **alternatives**
- Provides the basis of criteria for comparative **evaluation of alternatives**
- Provides the basis of criteria for **selecting the preferred alternative**

[Image of road signs]
Characteristics of P&N

- May contain both primary and secondary objectives
  - Primary for FHWA - transportation related
  - Secondary for Community - economic, environmental or social objectives
- Should contain quantitative measures of “need” for proposed action
  - Measures of need e.g. LOS, accident statistics, etc.
- Can remain dynamic until final EIS
  - May be amended on new information and community input is provided.
FHWA Guidance issued in 1990 states P&N statement should be:

- Justification of why the improvement must be implemented;
- As comprehensive and specific as possible; and
- Reexamined and updated as appropriate throughout the project development process.
FHWA Technical Advisory T6640.8a (1987) identifies the following factors that may be helpful in establishing “need” for a proposed action:

- System linkage - “connecting link”
- Capacity - including level of service
- Transportation demand - relationship to statewide plan
- Legislative mandates
- Social demands/economic development - creating demand
- Model interrelationships - compliment to other modes
- Safety - need to address potential safety hazards
- Roadway deficiencies
Colorado’s Transportation Environmental Resource Council adopted the following guidance:

- The **Purpose** is a broad statement of the primary intended transportation result and other related objectives to be achieved by a proposed transportation improvement. The purpose must be written clearly and must be supported by the identified needs. It should not include planning decisions or be written so that the selection of a specific alternative is predetermined.

- The **Need** is a more detailed explanation, with supporting data, of the specific transportation problems, deficiencies or opportunities that exist, or are expected to exist in the future that justify the proposed action. The needs should be demonstrated through **specific quantitative investigation**. Each need for action should enable decision makers to evaluate alternatives by providing measurable objectives or specifications. For example, if the purpose of the highway project is to improve safety, then the needs should identify the number of accidents that have occurred in the past, the relative frequency of accidents, and what types of accidents have occurred.
Colorado’s Transportation Environmental Resource Council adopted the following guidance:

- The Purpose and Need statement may identify other objectives related to the primary transportation purpose, but should not attempt to address other general issues of compliance as required by statutes or regulations.\[1\] The scoping meetings early in the environmental process are an excellent means to refine or reach agreement with the participants on the basic purpose and need for the project. As the project’s purpose and need is refined, a number of alternatives may be eliminated, thereby permitting a more focused analysis of those alternatives that more fully address the problem to be solved.

\[1\] An example of “other objectives” might include specific environmental enhancements that are secondary to the primary purpose of the proposed action, but important to meeting the overall needs of the nearby community. These secondary objectives may not arise in the planning process until after scoping or public outreach.
Cautions about P&N

- Not so narrow in definition or so specific that it predetermines the outcome.
- Not so broad that the number of reasonable alternatives is unmanageable.
- Not so vague that evaluation criteria or measurable objectives cannot be determined.