

Title: Purpose and Need
Date: March 2019
SOP No.: 4
Issued by the Office of Planning and Environment (TPE)

1. Purpose

This document provides guidance on the purpose and need statement for Federal environmental reviews. The Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA) require every environmental impact statement (EIS) to “briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action” (40 CFR 1502.13). This discussion, typically one or two paragraphs long, is the foundation of the environmental review process; it provides the rationale and justification for undertaking a major Federal action and forms the basis for the range of alternatives to be studied in the environmental document. This document provides guidance on that requirement.

2. Applicability/Scope

Only EISs have formal purpose and need statements. CEQ regulations require an environmental assessment (EA) to include a brief discussion of the “need for the proposal” (40 CFR 1508.9); EAs typically include language similar to a purpose and need statement and may be titled as such.

A categorical exclusion (CE) does not require a purpose and need statement but the documentation for a CE normally includes the project description and a very brief discussion of its transit objective. These help FTA to ensure that the proposed action is eligible for FTA financial assistance and represents a reasonable expenditure of Federal transit funds.

Purpose and need development ordinarily starts early, such as during transportation planning, and is refined during the environmental review process in response to agency and public comments, and incorporated into the EIS. A project’s purpose and need should exhibit continuity from planning, through each project development phase, to project approval. Per 23 U.S.C. § 139(d)(8)(B), to the maximum extent practicable, the lead agency must develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies. Consequently, FTA needs to coordinate the development of the purpose and need with other Federal agencies, as applicable.

3. Responsibilities

FTA Regional staff is responsible for reviewing the draft purpose and need statement, provided by the project sponsor, and should ensure the purpose and need are developed in coordination with any co-lead agencies, including project sponsors. The Regional Office should ensure that the purpose and need statement is appropriately drafted for each project.

4. Components of the Purpose and Need Section

- 4.1. Purpose.** The purpose is the “what” of the proposed action (i.e., what is the project sponsor trying to accomplish?). The purpose should be stated as the positive outcome that is expected (e.g., “the purpose is to reduce traffic congestion in the corridor”). It should avoid stating a

solution as a purpose (e.g., “the purpose of the project is to build a bypass”). It should generally consider the entire multimodal transportation system and may be stated broadly so more than one transportation mode or alternative can be considered (if it is appropriate for the transportation problem), although it should not include extraneous information.

- 4.2. Need.** The need identifies the problem(s) the proposed project would address (i.e., why is the proposed action is needed?). The need should establish the evidence that the deficiency or problem exists or will exist if projected population and planned land use growth are realized. Ideally, the need provides quantitative data, but it can also reference planning or modeling studies or other analyses that identify or support the need. There are generally different needs or different measures for demonstrating the need (e.g., population growth, degraded roadway conditions, land use plans calling for more density, lack of high-capacity transit access, communities lacking connections, numerous transit-dependent residents, etc.).
- 4.3. Objectives.** Per statute, FTA must include a clear statement of the objectives that the proposed action is intended to achieve in the purpose and need (23 U.S.C. § 139(f)). These objectives can be fully encompassed by the purpose or need statement or discussed separately. Objectives should be achievable and measurable and may be used to evaluate alternatives, especially for complex projects. Examples are provided in statute, but include planning objectives, economic development, and national security. They may also reflect the project sponsor’s values (e.g., expanding the system within the long-range budget).
- 4.4. Other environmental laws.** In order to comply with other Federal environmental laws, such as the Clean Water Act, purpose and need statements may need to be drafted considering those other environmental laws and the needs of other Federal agencies with jurisdiction by law. When this occurs, FTA/the project sponsor should coordinate with the Federal agency with jurisdiction by law to ensure, to the maximum extent practicable, that the environmental document satisfies the requirements for other Federal approvals or actions.

5. Standard Procedures

- 5.1. Drafting the purpose and need.** The lead agencies (i.e., FTA and the project sponsor) begin by preparing a draft purpose and need for publication in the EIS notice of intent. This allows for cooperating/participating agency and public input; the purpose and need may be refined after scoping based on new information or the agency and public feedback.
- 5.2. Length and content.** FTA should make every effort to develop a concise purpose and need statement that focuses on the primary challenges to be addressed. FTA should ensure that the purpose and need is not too directive or narrowly defined. The purpose and need should not discuss alternatives.
- 5.3. Format.** The purpose and need often has its own chapter or section in the environmental document. The purpose and need statement must be brief, though the entire section may be a few pages long once other elements are included, such as project history (background, planning history, actions taken to date, and funding status or schedule), and graphics or maps that may be helpful to the reader.

5.4. Participating agencies and public involvement. In developing the purpose and need for EISs, the lead agencies must provide an opportunity for the involvement of participating (including cooperating) agencies and the public, and must consider their input (23 U.S.C. § 139(f)). This ordinarily occurs during scoping.

- **Public involvement.** FTA has flexibility in how to involve the public, but the opportunity for involvement must be publicized. Public involvement may be done through public workshops or meetings, solicitations of verbal or written input, conference calls, website notices, distribution of printed materials, or other public involvement techniques.
- **Role and coordination with participating agencies.** Per 23 U.S.C. § 139(d)(8)(B), to the maximum extent practicable, the lead agency must develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies. FTA must coordinate with other Federal agencies that have jurisdiction under those laws (23 U.S.C. § 139(d)(8)). This practice is consistent with the One Federal Decision process under Executive Order 13807, *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, 82 FR 40463 (August 24, 2017).
- **Nonparticipation of participating agencies.** A participating agency that states in writing that they are not participating in the development of the purpose and need (or the range of alternatives) for an EIS, is required to comply with the schedule developed in the coordination plan. As required by 23 U.S.C. § 139(o)(1)(A)(ii), FTA will publish on the Federal Permitting Dashboard (Dashboard) the names of participating agencies that state in writing they will not participate in the development of the purpose and need for an EIS.

5.5. Linking planning and NEPA. Prior planning studies and results can be used to narrow the purpose and need statement and subsequent range of reasonable alternatives. However, Regional staff should ensure that prior planning followed the requirements under 23 CFR 450.318(a)-(c). Guidance on use of those provisions for bringing planning results forward into the environmental review process are outlined in Appendix A of 23 CFR part 450. If prior planning studies are used to support decisions carried into the environmental review process, then the planning studies should be incorporated by reference and copies of/links to the relevant planning documents should be available to the public throughout the environmental review process. FTA Regional staff should retain or archive the study(s) until construction is complete in the environmental project file.

6. References

- CEQ regulations implementing NEPA, [40 CFR part 1502](#)
- Efficient environmental reviews for project decisionmaking, [23 U.S.C. § 139](#)
- FTA's Environmental Impact and Related Procedures, [23 CFR part 771](#)
- Linking the Transportation Planning and NEPA Processes, [23 CFR 450.212](#), [450.318](#), and [Appendix A](#)

APPROVAL:

A handwritten signature in black ink, appearing to read "Megan W. Blum", written over a horizontal line.

Megan W. Blum
Director, Office of Environmental Programs

DATE:

3/29/2019