

EXECUTIVE ORDER 13274

PURPOSE AND NEED WORK GROUP RECOMMENDATIONS

Based on the information compiled in the Baseline Assessment Report, and building upon the existing guidance issued by CEQ in 2003 and Vision 100 legislation as appropriate, the Purpose and Need Work Group recommends additional work in order of priority that should be endorsed and promoted by the Task Force agencies.

- 1) Additional investigation should focus on the extent to which Federal agency interpretations and applications of laws and other requirements within their jurisdiction are causing purpose and need conflicts, the key drivers of the conflicts (e.g., different approaches to purpose and need under NEPA and Section 404) and options for avoiding or resolving conflicts. Case studies of previous projects that experienced substantial problems may be used to identify areas that need particular attention. Case studies of complex or controversial projects where the process worked well should also be collected.
- 2) Additional guidance should be developed to clarify the roles of lead transportation agencies and other engaged agencies in achieving purpose and need statements for transportation projects that give appropriate deference to transportation agencies so that projects are not subjected to long delays as agencies grapple with differences. When dealing with deference, it is important to maintain the integrity of other agencies' responsibilities and to comply with all applicable environmental requirements. Case studies may also be useful for this task.
- 3) The Work Group begins to develop interagency guidance addressing the need for responsibly scoped, concise and clearly written purpose and need statements. The guidance should include examples of appropriate and well-crafted purpose and need statements. The guidance should also provide advice on what special considerations apply, if any, in two circumstances:
 - If economic development is the sole purpose and need for a project; and
 - When economic development is considered as part of the purpose and need for a project.

Read the Baseline Report online at:
<http://www.fhwa.dot.gov/stewardshipeo/index.htm>.

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