

12628
February
1973

**NEW JERSEY
DEPARTMENT
OF
TRANSPORTATION**

**ACTION
PLAN**

**DRAFT
2**

DEPARTMENT LIBRARY
N. J. DEPT. OF TRANSPORTATION
TRENTON, NEW JERSEY

December 1973

**Process Guidelines For Considering
Economic, Social, Environmental
Effects Of Highway Projects**

2.06

New Jersey State Library

TABLE OF CONTENTS

CHAPTER I - INTRODUCTION

A. Purpose I-1
B. Background I-1
C. Glossary I-4

CHAPTER II - DEPARTMENT ORGANIZATION

A. Reorganization II-1
B. Objectives and Functions II-3
C. Responsibility and Implementation II-3

New Jersey State Departments Chart II-A

NJDOT Organization Chart II-B

CHAPTER III - PICTORIAL PROCESS CHART

Section 1: Pictorial Process Chart

A. Major Phases in the NJDOT Planning, Design,
and Right of Way and Relocation Process III-1
B. Sequential Phases III-1
C. Time Required to Plan, Design, and Obtain
Right of Way III-4
D. Public Involvement III-4

Section 2: Planning and Design of Federal-aid Highways

Major Phases in the NJDOT Planning, Design, and
Right of Way and Relocation Processes for Federal-aid
Highways Chart III-A
Major Steps in Systems, Location and Design Chart III-B

CHAPTER IV - SYSTEMS PLANNING

Section 1: Plan Development

A. Division of Comprehensive Transportation Planning ... IV-2

 1. Bureau of Statewide Transportation Planning IV-2

 2. Bureau of Urban Transportation Planning IV-2

 3. Bureau of Data Resources IV-3

B. Division of Transportation Systems Planning IV-3

 1. Bureau of Highway Planning IV-3

 2. Bureau of Common Carrier Planning IV-4

 3. Bureau of Aviation Planning IV-4

 NJDOT Systems Planning Chart IV-A

Section 2: Master Plan Development

A. 1972 Master Plan IV-5

B. Future Master Plan Development IV-7

 Master Plan Development Flow Chart IV-B

C. Previous State Master Plan IV-8

D. Public Information Meeting IV-8

E. Preliminary Update of Master Plan IV-9

 1. Statewide Planning Study IV-9

 2. Recent Construction IV-10

F. Modified Updated Master Plan IV-10

 1. Urban Area Plans IV-10

 New Jersey Urban Area Planning Studies Chart IV-C

 a. Citizen Participation in Regional Planning

 Agencies IV-12

 2. National Transportation Needs Study IV-15

 a. 1974 National Transportation Study IV-16

 b. Procedure IV-17

c. Relationship Between the National Transportation Study and the New Jersey Master Plan for Transportation	IV-20
3. Transportation Planning Board	IV-21
a. Department Review	IV-22
1. Executive Review	IV-22
2. State Planning Task Force	IV-22
3. Questionnaires	IV-23
b. Adopt Final Plan	IV-23
c. Final Text and Maps	IV-23
 Section 3: New Route Legislation	
A. Legislation	IV-24
B. Commissioner	IV-24
 Section 4: Project Priority	IV-24
 Section 5: Design Project Assignment	IV-26

CHAPTER V - LOCATION STUDY

Section 1: Feasibility Study	
A. Definition	V-1
B. New Alignments and Improvements	V-2
C. Responsibility	V-2
D. Phases in Feasibility Study	V-4
E. Environmental Appraisal	V-7
1. Description and Purpose	V-7
2. Responsibility	V-9
3. Coordination with Others	V-9

Feasibility Study Flow Chart Chart V-A

Section 2: Location Study

A. Definition V-12
B. Commence Study V-12
C. Meetings V-13
D. Involvement of Division of Right of Way V-13
E. Estimates and Environmental Impact Statement V-14
F. Public Hearing V-14
G. Location Study Report V-16
H. Location Approval V-17
I. Environmental Impact Statement V-18
 1. Description and Purpose V-18
 2. Responsibilities V-20
 3. Coordination with Others V-20

Project Location Study Flow Chart Chart V-B

CHAPTER VI - DESIGN PROCESS FLOW

A. Prepare Design Study VI-2
B. Bureau of Surface Design VI-3
C. Approval of Small Scale Preliminary Plans VI-4
D. Approval to Hold Design Public Hearing VI-5
E. Public Hearing Procedure VI-5
F. Prepare Right of Way & Phase II Plans VI-8
G. Chief, Bureau of Soils VI-10
H. Typical Section VI-10
I. Hydraulic Section VI-10
J. Chief, Bureau of Landscaping VI-10
K. Chief, Bureau of Utilities VI-11

L. Federal Aviation Administration	VI-12
M. U.S. Coast Guard	VI-12
N. U.S. Corps of Engineer	VI-12
O. Review and Comments on Phase II and ROW Plans	VI-13
P. Bureau of Traffic Engineering	VI-14
Q. Bureau of Electrical Operations	VI-14
R. Bureau of Special Engineering	VI-14
S. Review and Comments on Phase III Plans	VI-15
T. Phase IV Plan Review	VI-15
U. Request Approval to Advertise	VI-16
V. Receipt of Bids	VI-16
W. Award of Contract	VI-17
Design Process Flow Chart	Chart VI-A
Design Services Units	Chart VI-B

CHAPTER VII - RIGHT OF WAY

Section 1: Organization

A. Introduction	VII-1
B. The Right of Way Division Organizational Structure and Location	VII-2
1. Right of Way Director	VII-3
2. Bureau of Control & Special Projects	VII-3
3. Bureau of Appraisals	VII-3
4. Bureau of Acquisition	VII-4
5. Bureau of Property and Relocation	VII-4
6. Bureau of Titles	VII-4
C. Right of Way District Offices	VII-4

Section 2: Right of Way Work Flow Process

A. Plan and Federal-aid Programming VII-5

B. State Right of Way Project Programming VII-6

C. Appraisals VII-6

D. Appraisal Review and Headquarters Registration of
Values VII-7

E. Relocation Plan and Right of Way Lead Time Estimate . VII-8

F. Relocation Plan Approvals and Right of Way Lead
Time Estimate VII-10

G. Negotiations and Condemnation VII-10

H. Agreement Approvals and Condemnation Authorization .. VII-11

I. Title Searches and Deeds VII-12

J. Title Companies VII-13

K. Title Processing of Agreements VII-13

L. Condemnations VII-13

M. Possession and Payments VII-14

N. Tax Reimbursements VII-14

O. Property and Relocation VII-14

P. Relocation Services and Payments VII-16

Q. Bureau of Property and Relocation VII-16

R. The Relocation Plan VII-17

S. Administering the Relocation Program VII-18

T. Advance Relocation Information Letters VII-18

U. Personal Relocation Contacts VII-18

V. Payments VII-19

W. 90-Day Notices VII-19

X. Property Management VII-19

Y. Temporary Housing VII-19

Z. Property Sales	VII-20
AA. Right of Way Availability for Construction	
Advertising	VII-20
BB. Right of Way Bureau of Control and Special	
Projects	VII-20
CC. Programming	VII-20
DD. Lead Time and Work Flow Diagram Control	VII-21
EE. Detailed Right of Way Work Flow Chart	VII-22
FF. Federal-aid Vouchering	VII-22
Division of Right of Way Work Process Flow Diagram	
Chart	Chart VII-A
Organization Chart - Division of Right of Way	Chart VII-B
District Geographical Areas	Chart VII-C

CHAPTER VIII - A-95 REVIEW - PROJECT NOTIFICATION AND REVIEW SYSTEM IN
NEW JERSEY

New Jersey Jurisdictional A-95 Clearinghouse

Representatives	Chart VIII-A
A-95 Notification and Review Procedure	Chart VIII-B
A. Notification	VIII-5
B. Corridor Review	VIII-6
C. Design Review	VIII-7
D. Clearinghouse Review Response	VIII-8
E. Variations	VIII-8

CHAPTER IX - SYSTEMATIC INTERDISCIPLINARY APPROACH

A. Implementing the Interdisciplinary Approach

- 1. Introduction IX-1
- 2. A Core Interdisciplinary Team IX-3
- 3. Interdisciplinary "Awareness" Throughout the
Department IX-4
- 4. Use of Consultants and Other Outside Agencies IX-5

B. Staff Development and Training

- 1. Bureau of Environmental Analysis IX-9
- 2. Bureau of Quality Control IX-10
- 3. Training in Other Areas of the Department IX-11

C. Assignment of Responsibilities

- 1. Bureau of Environmental Analysis IX-13
- 2. Other Department Areas IX-15

CHAPTER X - LEVELS OF ACTION BY PROJECT CATEGORY

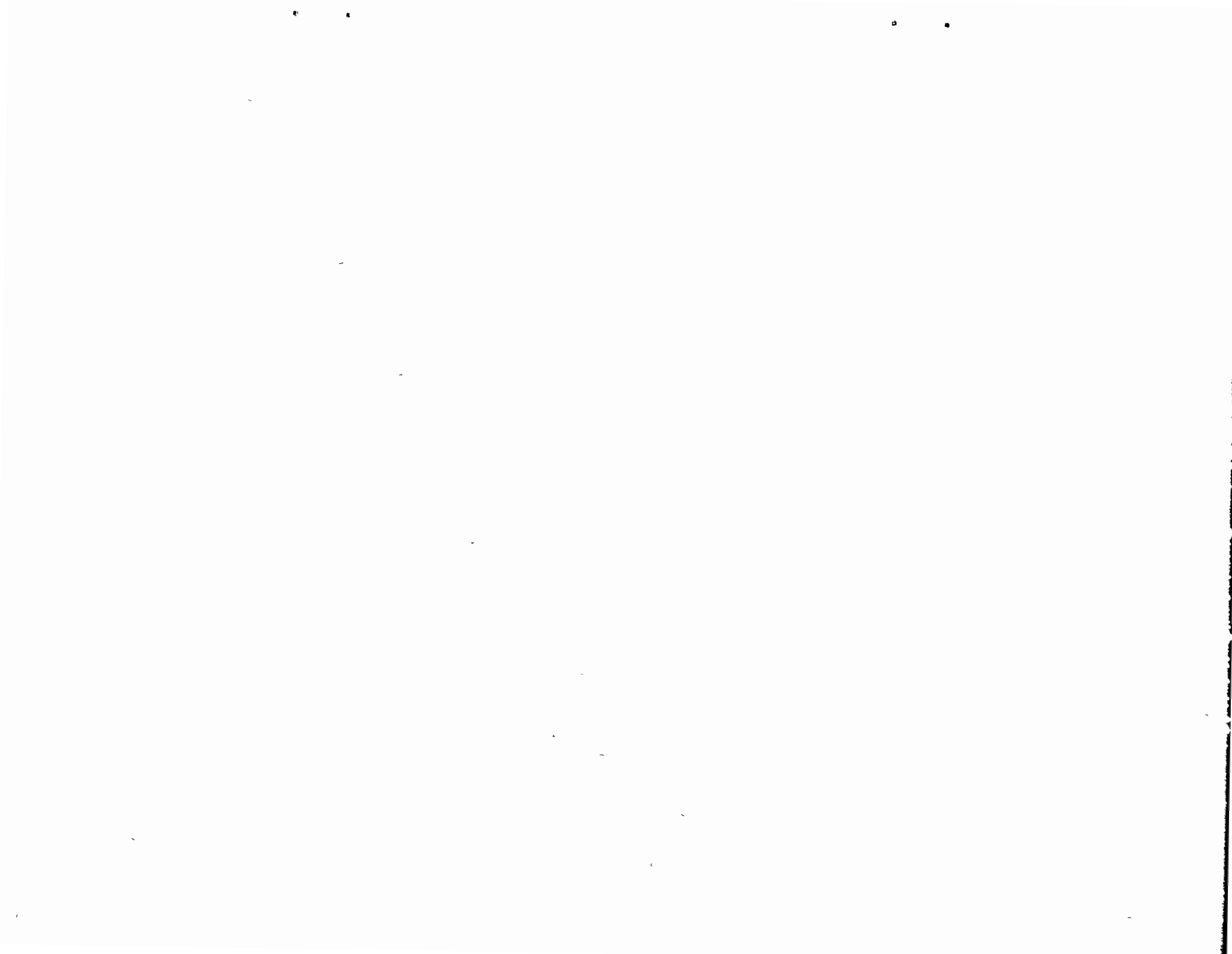
- A. Project Category X-1

CHAPTER XI - IMPLEMENTATION

- A. Timing XI-1
- B. Organization and Responsibility XI-1
- C. Systems XI-1
- D. Project Location XI-1
- E. Design XI-2
- F. Monitoring and Updating XI-3

APPENDIX

1. Executive Order No. 40 (State Planning Task Force)
2. PPM 20-8; Public Hearing and Location Approval
3. PPM 90-1; Environmental Impact and Related Statements
4. PPM 90-2; Noise Standards and Procedures
5. PPM 90-4; Process Guidelines (Economic, Social and Environmental Effects on Highway Projects)
6. IM 20-6-67; Prevention, Control, and Abatement of Water Pollution Control by Federal Activities Executive Order No. 11288
7. IM 20-4-72; Guidelines for Consideration of Economic, Social and Environmental Effects (PPM 20-8 Modification)



G L O S S A R Y

Items which are used in the text for the first time and are defined in the Glossary are marked by an asterisk (*).

System Planning - The traditional comprehensive, coordinated, continuing transportation planning process by which regional analysis of transportation needs and the identification of transportation corridors are developed.

Project Location Study - An extensive study process by which project locations are determined.

Master Plan - A document which represents the results of the transportation systems planning process. The plan reflects transportation goals and policy for the State, as well as, the identification of specific transportation improvements on those segments of highways, rail passenger service, bus service and general aviation airports, for which the New Jersey Department of Transportation is responsible. Although not legally binding, the plan provides the framework from which department projects are selected.

A-95 Review - A process of notification of a potential federally funded project (Chapter VIII).

FHWA - Federal Highway Administration - A federal unit of the U.S. Department of Transportation, which administers all federally funded projects.

N.J.D.O.T. - New Jersey Department of Transportation

Commissioner - As referred to in this text, means, head of the New Jersey Department of Transportation.

Commission Action - A document executed by the Commissioner of Transportation which indicates his approval or disapproval of a particular action.

Transportation Planning Board - This Board appointed by the Commissioner aids him in the development and implementation of comprehensive transportation policies, plans and programs. The Board consists of the following N.J.D.O.T. personnel:

Assistant Commissioner, Public Transportation

Assistant Commissioner, Highways

Director of Engineering & Operations

Director of Aeronautics

Director of Fiscal Management

Director of Transportation Planning & Research

PPM - Policy and Procedure Memorandum - Rules and regulations promulgated by the U.S. Department of Transportation, Federal Highway Administration, which provides the working mechanism to implement Federal legislation.

IM - Instructional Memorandum - Instructions issued by FHWA, which amends or revises a PPM.

SEE - An acronym for Social, Economic and Environmental effects.

DVRPC - Delaware Valley Regional Planning Commission (Chapter IV).

TSRPC -(Tri-State)- Tri-State Regional Planning Commission (Chapter IV).

DESIGN GROUP - Unit or units assigned by Chief Engineer, Design to the preparation of design contract plans.

DEP - New Jersey Department of Environmental Protection

Photogrammetrics - Aerial photographs used for the development of vertical and horizontal measurements

Interdisciplinary - The use of appropriately selected disciplines which must work together in coordination, to produce something greater or more beneficial than could result if they were used separately.

CHAPTER I - INTRODUCTION

A. Purpose

The purpose of the Action Plan of the New Jersey Department of Transportation is to assure that adequate consideration will be given to potential environmental, economic and social effects, and that the decisions on such projects are made in the best overall public interest.

In formulating the Action Plan the Department has tried to make known to the general public, the process by which a highway project is developed, and how decisions made on such a project affect the general public on both regional and statewide basis.

The process described is not entirely new, however, it is modified to insure a systematic interdisciplinary approach and public involvement in the decision-making process.

B. Background

Section 109(h), Title 23, United States Code, directs the following:
"(h) Not later than July 1, 1972, the Secretary, after consultation with appropriate Federal and State officials, shall submit to Congress, and not later than 90 days after such submission, promulgate guidelines designed to assure that possible adverse economic, social and environmental effects relating to any proposed project on any Federal-aid system having been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe and efficient transportation, public services, and the costs of eliminating or minimizing such adverse effects and the following:

"(1) air, noise and water pollution;

"(2) destruction or disruption of man-made and natural resources, esthetic values, community cohesion and the availability of public facilities and services;

"(3) adverse employment effects, and tax and property value losses;

"(4) injurious displacement of people, businesses and farms; and

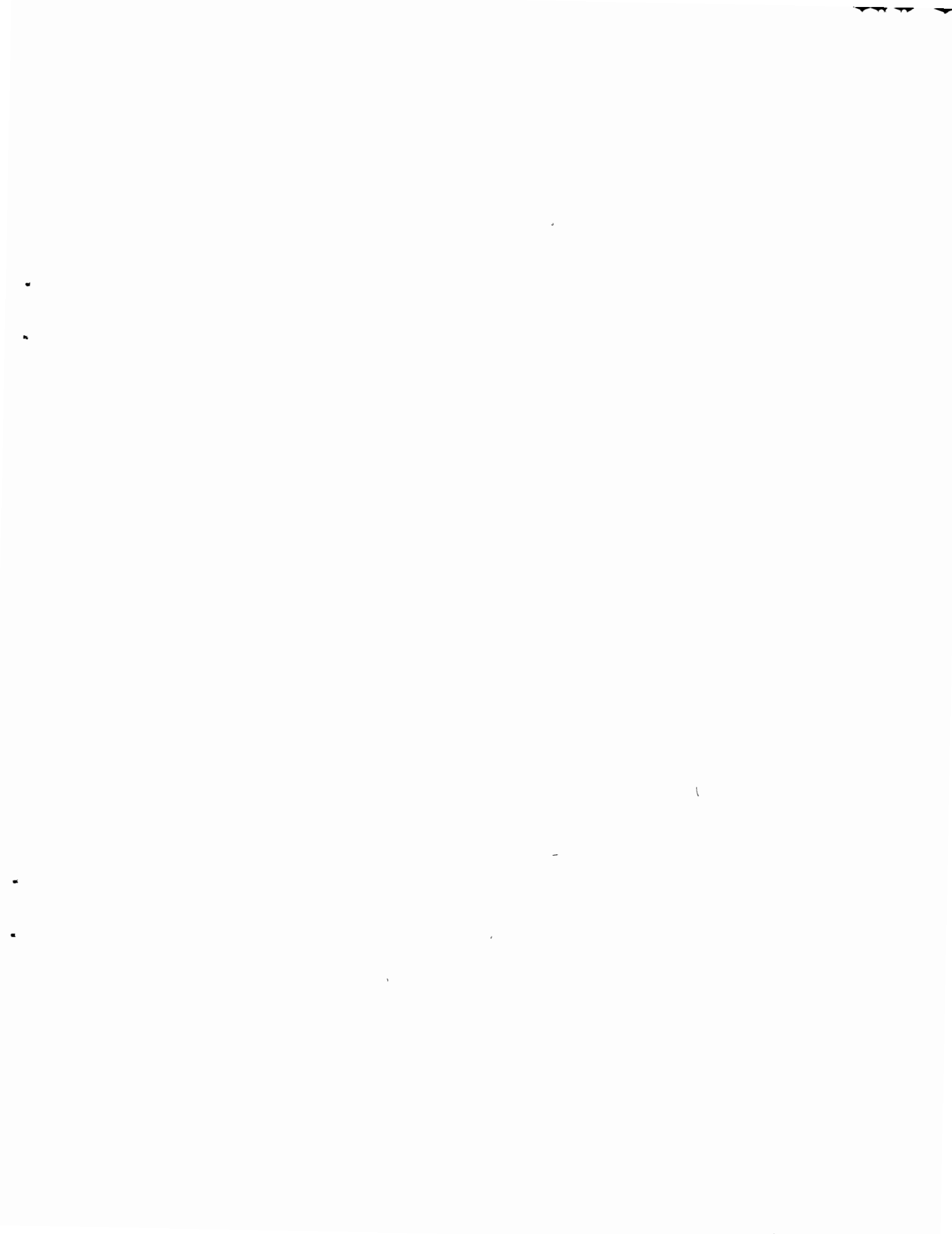
"(5) disruption of desirable community and regional growth.

"Such guidelines shall apply to all proposed projects with respect to which plans, specifications and estimates are approved by the Secretary after the issuance of such guidelines."

In response to Section 109(h), Title 23, United States Code, the Federal Highway Administration prepared Policy and Procedure Memorandum 90-4, "Process Guidelines (Economic, Social and Environmental Effects on Highway Projects)." FHWA PPM (90-4) of which a copy is enclosed in the Appendix, is aimed at assuring full consideration of the economic, social and environmental effects of Federal-aid highway projects by influencing the methods by which such highway projects are developed rather than by detailed supervision or control of projects. Specifically, State highway agencies are required to prepare, submit and implement Action Plans describing the processes by which highway projects are to be developed so as to achieve the objectives of Section 109(h).

The Action Plan for the New Jersey Department of Transportation describes the organization (including the structure and assignments of responsibility by the Commissioner as well as the participation of other agencies) to be utilized and the processes to be followed in the development of Federal-aid highway projects from initial system planning through design, while simultaneously ensuring that possible adverse economic, social and environmental effects relating to any proposed project have

been considered and that the final decisions on the project are made in the best overall public interest.



CHAPTER II - ORGANIZATION OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

The state government of New Jersey is organized into twenty departments as shown on Chart II-A. Various state agencies referred to in the text of the Action Plan may be found on this chart.

A. Reorganization

The New Jersey Department of Transportation was reorganized on June 9, 1971 as indicated on Chart II-B to:

1. Effect greater flexibility and efficiency of operation.
2. Permit New Jersey, first of the original 48 states to create a Department of Transportation, to pioneer in developing into a truly functional organization, making the fullest and best possible usage of its technical and professional resources.
3. Make it more responsive to the public, local officials, and others who might wish to offer recommendations for improving transportation services.
4. Provide an essential step forward in making the Department a truly integrated transportation agency to meet the State's needs in highways, aviation, railroad and bus transit.

Formerly, the main Departmental operating and administrative areas were highways, public transportation, planning and administration. The new organization provided for four principal operating divisions:

1. Transportation Planning & Research
2. Engineering & Operations
3. Fiscal Management
4. Employee & Management Services

A significant addition to the Departmental organization was the creation within the Division of Transportation Planning & Research of a Division of Economic and Environmental Analysis. One of the primary assignments of this unit is to assess environmental impacts of transportation improvements. This Division is also to assure that the Department's highways and public transportation projects are compatible with the environment and, wherever possible, will attempt to enhance the environment. How this is accomplished and how coordination is developed throughout the Department with this unit will be described later on in the text.

To help meet the objective of making the Department more responsive to the desires of citizens, officials and others, an Office of Information Services was created whose principal assignment is the development of early and continuing dialogue with communities and local governmental agencies. Description on how this unit functions will be provided in the Planning and Design chapters. Subsequently, on October 25, 1972, New Jersey Senate Bill 551 provided official recognition of the organizational structure, as shown on Chart II-B, including the creation of a new title -- Executive Director, whose one of many functions is the supervisory responsibility of implementing and executing the requirements of this Action Plan.

Upon restructuring the Department organization, a series of administrative directors was developed. These documents provided the official Departmental structure and revision of organizational units, establishment of divisional objectives and internal assignment of broad areas of responsibility within the Department.

B. Objectives and Functions

One objective of the reorganization was major expansion of the planning capability in order to facilitate adequate planning for all transportation modes. Another objective was to make provision for meeting growing requirements for social, economic, and environmental studies to provide background and inputs to transportation projects. To fulfill the above mentioned objectives, four planning divisions were established under the Director of Transportation Planning and Research and one of these new divisions was designated Division of Economic and Environmental Analysis. This Division is charged with developing environmental policy and environmental studies and for preparation and processing of environmental impact statements.

In accordance with the Action Plan, the Department has prepared a chart depicting "Major Phases in NJDOT Planning, Design, and Right of Way and Relocation Processes for Federal-aid Highways." In addition, overall flow charts of the Planning and Design process have been developed, together with detailed explanations as to the individual transactions and the unit responsible for their completion.

C. Responsibility and Implementation

The 1971 Department reorganization placed the Department in good position to implement requirements of the Action Plan. Expansion of Planning capability and creation of a Bureau of Environmental Analysis within the Division of Economic and Environmental Analysis provided staff responsibility for identifying social, economic, and environmental concerns and factors in systems, locations, and design studies. The Bureau of Environmental Analysis staff is being developed to provide individuals of varying expertise (breakdown of expertise in Chapter IX) to make possible interdisciplinary analysis of the social, economic and environmental factors. Creation of the Office of

Information Services has resulted in a restructuring of responsibility and procedure for public hearings and augmenting them with preview meetings to inform the public before hearings. This office will also assist Planning and Design divisions in staging future public information meetings which are to be an inherent part of the Action Plan. Establishment of the Division of Transportation Systems Planning with its multi-modal bureau makeup provides for study of transportation modes and system alternatives at outset of the planning process.

ORGANIZATION CHART OF THE STATE OF NEW JERSEY

GOVERNOR

DEPARTMENT OF AGRICULTURE	DEPARTMENT OF BANKING	DEPARTMENT OF CIVIL SERVICE	DEPARTMENT OF COMMUNITY AFFAIRS	DEPARTMENT OF DEFENSE	DEPARTMENT OF EDUCATION	DEPARTMENT OF ENVIRONMENTAL PROTECTION	DEPARTMENT OF HEALTH
DEPARTMENT OF HIGHER EDUCATION	DEPARTMENT OF INSTITUTIONS AND AGENCIES	DEPARTMENT OF LABOR AND INDUSTRY	DEPARTMENT OF LAW AND PUBLIC SAFETY	DEPARTMENT OF STATE	DEPARTMENT OF TRANSPORTATION	DEPARTMENT OF TREASURY	DEPARTMENT OF PUBLIC UTILITIES

INTERSTATE AGENCIES

Palisades Interstate Park Commission
Interstate Sanitation Commission
Port Authority of New York & New Jersey
Waterfront Commission of New York Harbor
Tri-State Regional Planning Commission

Delaware River Basin Commission
Delaware River Joint Toll Bridge Commission
Delaware River Port Authority
Delaware River and Bay Authority
Delaware Valley Regional Planning Commission

DEPARTMENT OF
INSURANCE

NEW JERSEY DEPARTMENT OF TRANSPORTATION

ORGANIZATION CHART



JANUARY 1973

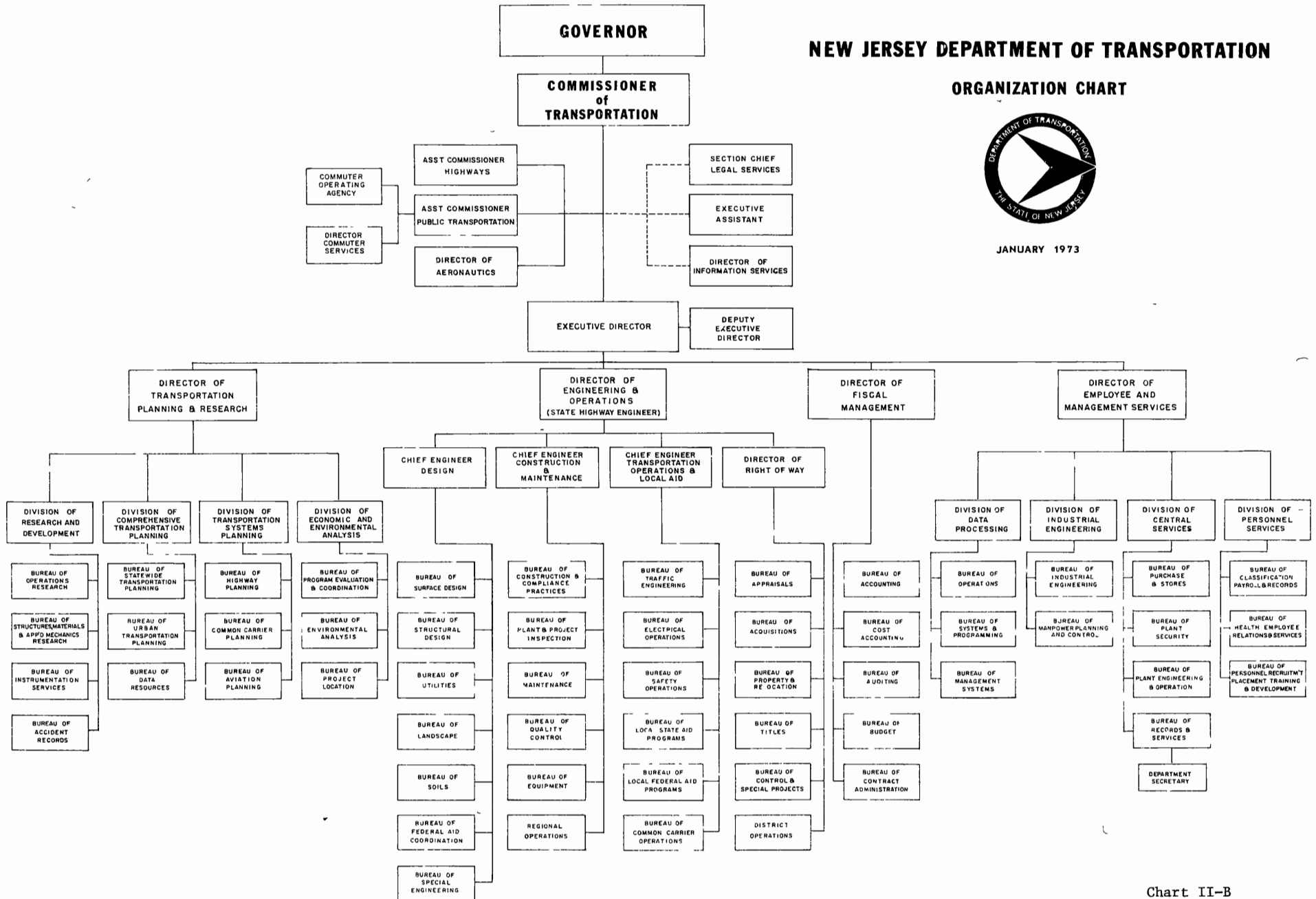


Chart II-B

CHAPTER III - PICTORIAL PROCESS CHART

Section 1 - Pictorial Process Chart

The initial step in providing an encompassing view of the entire process of project development is provided in the two charts in this Chapter.

A brief description is provided below for Chart III-A and description for Chart III-B appear later on in the text under the individual chapters of Systems, Location, Design and Right of Way.

A. Major Phases in the New Jersey Department of Transportation Planning, Design and Right of Way and Relocation Process for Federal-aid Highways

The titled chart was developed as a visual aid to:

1. Depict major phases in the Planning, Design and Right of Way processes
2. Show the approximate time required for completion of the process
3. Depict the phases where the public does or will participate in the decision-making process.

It was felt that this illustrated chart would be an essential prerequisite to all meetings held with citizen groups, organizations and the general public. However, the principal purpose in developing the chart was to present a condensed clear view of the planning and design process, and thereby obtain meaningful comments from the participants relative to agreements or disagreements with overall concepts, as well as the Department interpretation of how public participation will occur as a result of the Action Plan.

B. Sequential Phases

While the complete planning and design processes are presented later in this report, the sequential explanation of the major phases depicted on the illustrated chart are as follows:

1. The Plan Development Process is conducted by the Divisions of Comprehensive Transportation Planning and Transportation Systems

Planning. This results in an appraisal of the current condition of highway, rail, bus and air transportation facilities and services.

2. Transportation-related input is also received from citizen organizations, Chambers of Commerce, local officials, county planning boards, and regional urban transportation study agencies. (A list of these regional agencies may be found in Chapter IV).
3. Following collection and interpretation of the data obtained in the two previous phases, the Bureau of Statewide Planning has the responsibility of formulating the Transportation^{*} Master Plan.
4. This phase signifies that all new routes which are built on new alignments require legislation. In addition, the Commissioner^{*} must adopt a new route before it falls under the jurisdiction of the Department.
5. Project priority is determined by:
 - a. Transportation^{*} Planning Board
 - b. Commissioner
 - c. Bureau of Statewide Planning

Further treatment of this very important phase is given in Chapter IV, Section 4.

6. An engineering feasibility study could be undertaken by one or more bureaus in the Planning Unit. As part of this process, the Department will analyse SEE^{*} effects relative to the particular project.
7. through 10. These four phases constitute an abridged version of location planning and involve:
 - a. Project^{*} location study
 - b. Development and determination of corridor and location

- c. Draft and final EIS
 - d. Prehearing and corridor public hearing
 - e. Submission and approval of projects
 - f. Transfer project to Design.
11. The Construction Program is developed, reviewed and approved.
12. through 15, plus 17. The next five steps consist of preparing design plans involving:
- a. Reviews and approval by FHWA
 - b. Meetings with public, municipal and county officials
 - c. Consideration of SEE effects
 - d. Prehearing and design public hearing
 - e. Refining and selecting alignment
 - f. Preparation and approval of right of way plans
 - g. Preparation of final plans and specifications.
16. Abridged version of Right of Way and Relocation steps:
- a. Reviews and project approval for Right of Way acquisition by FHWA
 - b. Appraise properties and set fair market value
 - c. Develop workable relocation assistance plan (includes lead time requirements)
 - d. Reviews and approval of WRAP by FHWA
 - e. Institute negotiations
 - f. Purchase property by agreement or condemnation
 - g. Provide relocation assistance, services, payments and replacement housing
 - h. Close property titles
 - i. Right of Way certificate of availability for construction.

18. The project is advertised and contracts awarded.

19. Construction begins. The project is inspected and monitored for compliance with quality control standards.

C. Time required to plan and design projects

The Chart shows that the planning process could take approximately four years and that the design process could take approximately three years and acquisition of right of way up to six years, barring litigation on either phase.

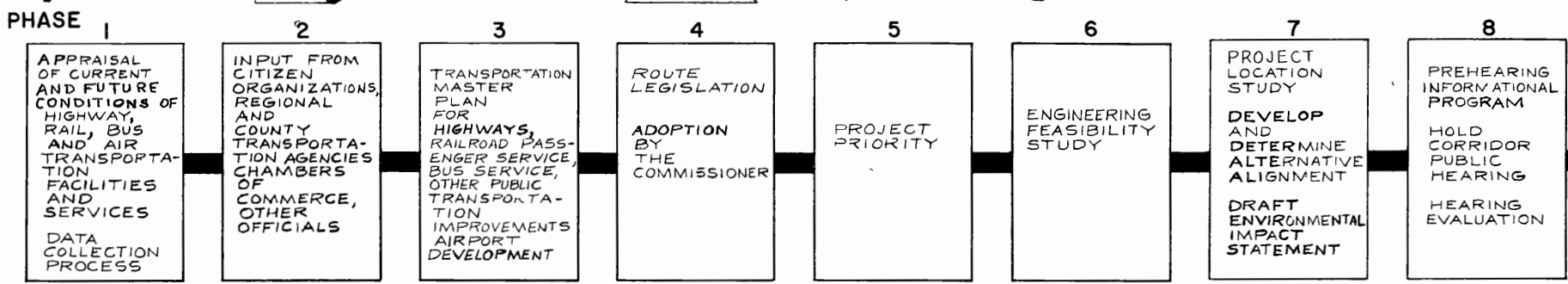
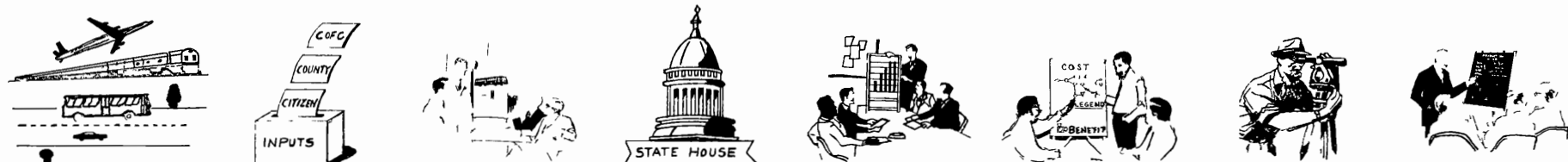
D. Public Involvement

As it is indicated on Chart III-A, by virtue of the Action Plan, the Department will seek public participation as indicated; specifically, at Phase 1, 2, and 3 in Systems Planning; at Phase 6, 7, and 8 in Location Planning; and at Phase 12, 13, and 15 in the Design Process.

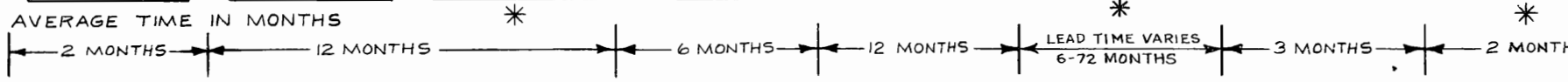
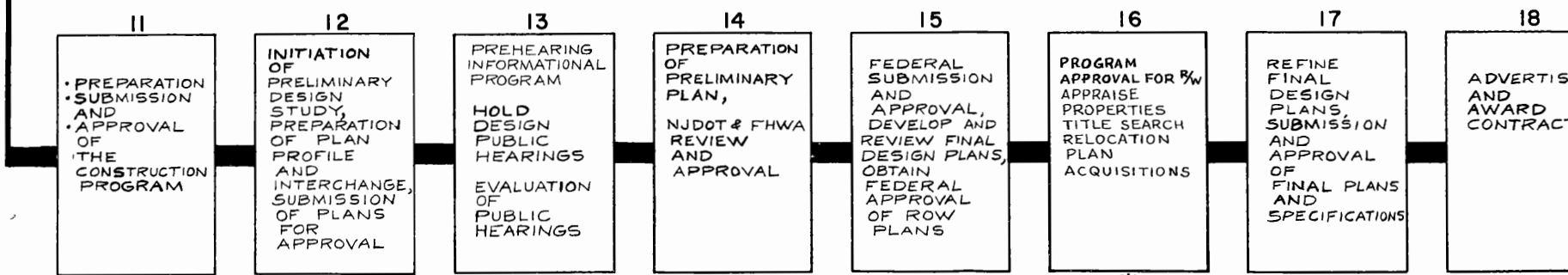
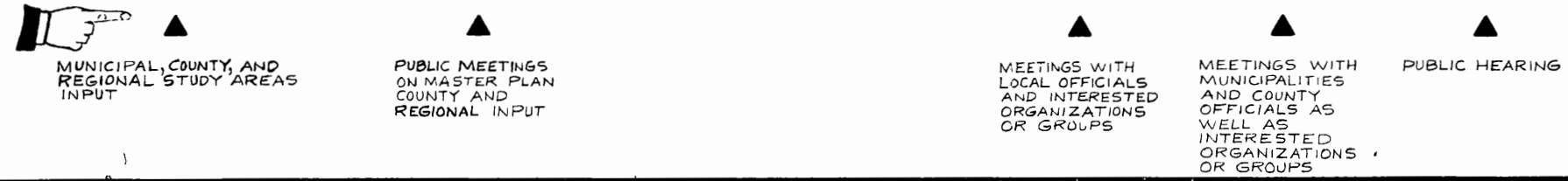
Section 2 - Planning and Design of Federal-aid Highways

The major steps involved in Systems, Location and Design are shown on Chart III-B which indicates the major functions and units responsible to perform those functions. All departmental divisions and bureaus which have a responsibility to carry out the functions indicated are listed below the function line on the Chart, and outside groups or agencies are indicated above the function line.

A detailed description of the functions carried forth in Location, Design and Right of Way and Relocation is provided in their own chapters.



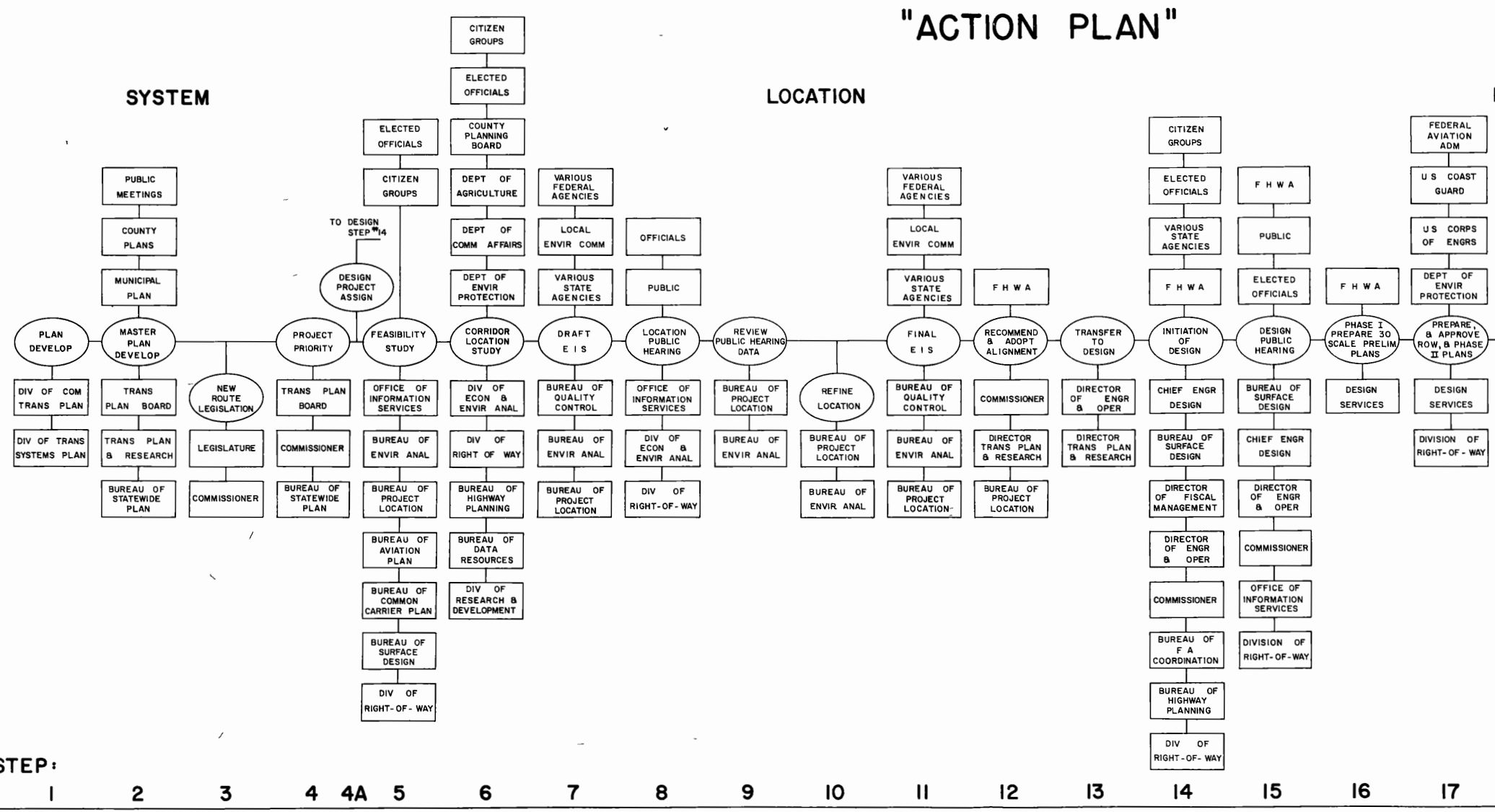
UNDER THE ACTION PLAN PUBLIC PARTICIPATION WILL OCCUR BY VIRTUE OF



PLANNING & DESIGN OF FEDERAL-AID HIGHWAYS

N.J. DEPARTMENT OF TRANSPORTATION

"ACTION PLAN"



CHAPTER IV - SYSTEMS PLANNING

Systems Planning by definition is the traditional comprehensive coordinated transportation planning process by which state, regional and local analysis is made of transportation needs. In New Jersey this is documented in the State's Master Plan for transportation development. This plan encompasses the various travel modes, outlines the needs of each mode to serve travel demand for the immediate and future, and recommends specific improvements for highways, railroads, bus and airports.

The procedure by which this plan is developed is complex and involves participation by state, county and municipal agencies, public authorities, citizen organizations and others concerned with transportation needs. It is concerned with the identification of potential social, economic and environmental considerations and those courses of action necessary to bring out transportation development which is truly reflective of the needs of its people.

Systems Planning is the result of action at various levels of government. Data collection and analysis by the urban area planning groups, local input, the National Transportation Needs Study, and statewide analysis. These actions are further explained in the following.

Section 1: Plan Development

The responsibility of collecting data in order to formulate the Transportation Master Plan and other transportation studies is assigned to two divisions:

1. Division of Comprehensive Transportation Planning
2. Division of Transportation Systems Planning

A. Division of Comprehensive Transportation Planning consists of three Bureaus:

1. Bureau of Statewide Transportation Planning

- a. Provides projections of anticipated demands on the statewide transportation system.
- b. Implements and recommendations of the Transportation Planning Board.
- c. Ascertains that all project proposals are consistent with the master plans and that each submission indicates the net effects and interrelationships with other major modes of transportation.
- d. Plans, directs and supervises the development and maintenance of a comprehensive master plan for all modes of transportation.
- e. Projects transportation requirements as indicated by the statewide traffic simulation model.

2. Bureau of Urban Transportation Planning

- a. Maintains the master plan as applicable in certain urban areas and shows the effects of current as well as proposed transportation networks in these areas. Coordinates the Department's Master Plan with regional plans prepared by urban transportation study agencies.
- b. Plans, directs and supervises activities, including comprehensive studies, required to determine the most efficient transportation system for major urban areas.

The major urban areas study groups are composed of the following: Tri-State Transportation Commission, Delaware Valley Regional Planning Commission (DVRPC), Atlantic

City Urban Area Transportation Study, Salem County Urban Area Study, Phillipsburg Urban Area Transportation Study, and Cumberland County Urban Area Transportation Study.

- c. Ascertains that proposals for urban transportation systems include multi-modal considerations and are compatible with existing and/or future networks.

3. Bureau of Data Resources

- a. Provides all pertinent information and survey data as may be necessary for the development and maintenance of a comprehensive master plan for all modes of transportation.
- b. Plans, directs and supervises the collection, analysis and summarization of all types of multi-modal data indicating: traffic usage in terms of volumes, vehicle classification, weights and loads; travel characteristics or origin and destination, vehicle or carrier occupancy, trip length frequency; standards and regulations; population characteristics; and land usage adjacent to the Department's right of way.
- c. Conducts inventory of the physical extent of highway facilities, and other modes of transportation showing mileage, surface type and condition surface width, shoulder width, extent of grades, curvature and sight distances and other pertinent details.

B. Division of Transportation Systems Planning

1. Bureau of Highway Planning

- a. Performs various studies which gather data in order to project transportation requirements. The two current studies are: 1974 National Transportation Study and

1974 National Highway Needs Study. The latter one being an update of the 1972 National Highway Functional Classification Study.

2. Bureau of Common Carrier Planning

- a. Plans, directs and supervises the translation of the needs identified in the comprehensive Master Plan into specific projects for transportation of persons and goods by all common carriers.
- b. The input to the Master Plan by this Bureau is in three areas: 1. Commuter railroad transportation, 2. Rapid transit, 3. Bus Transportation. The majority of information on these three modes is obtained from the following studies: 1. 1974 National Transportation Study, 2. Comprehensive Bus Study.

3. Bureau of Aviation Planning

- a. Plans, directs and supervises those activities essential to the development of an orderly and standardized network of airports and associated airspace capabilities.
- b. Maintains a data bank on all airport facilities in the State, whether they be public or private.
- c. Provides input to the Transportation Master Plan with regard to airport planning, obtaining the majority of their information from a data bank and the State Airport Development Study. Further information will be available from the State Airport System Planning Study now under way.

NJDOT SYSTEMS PLANNING

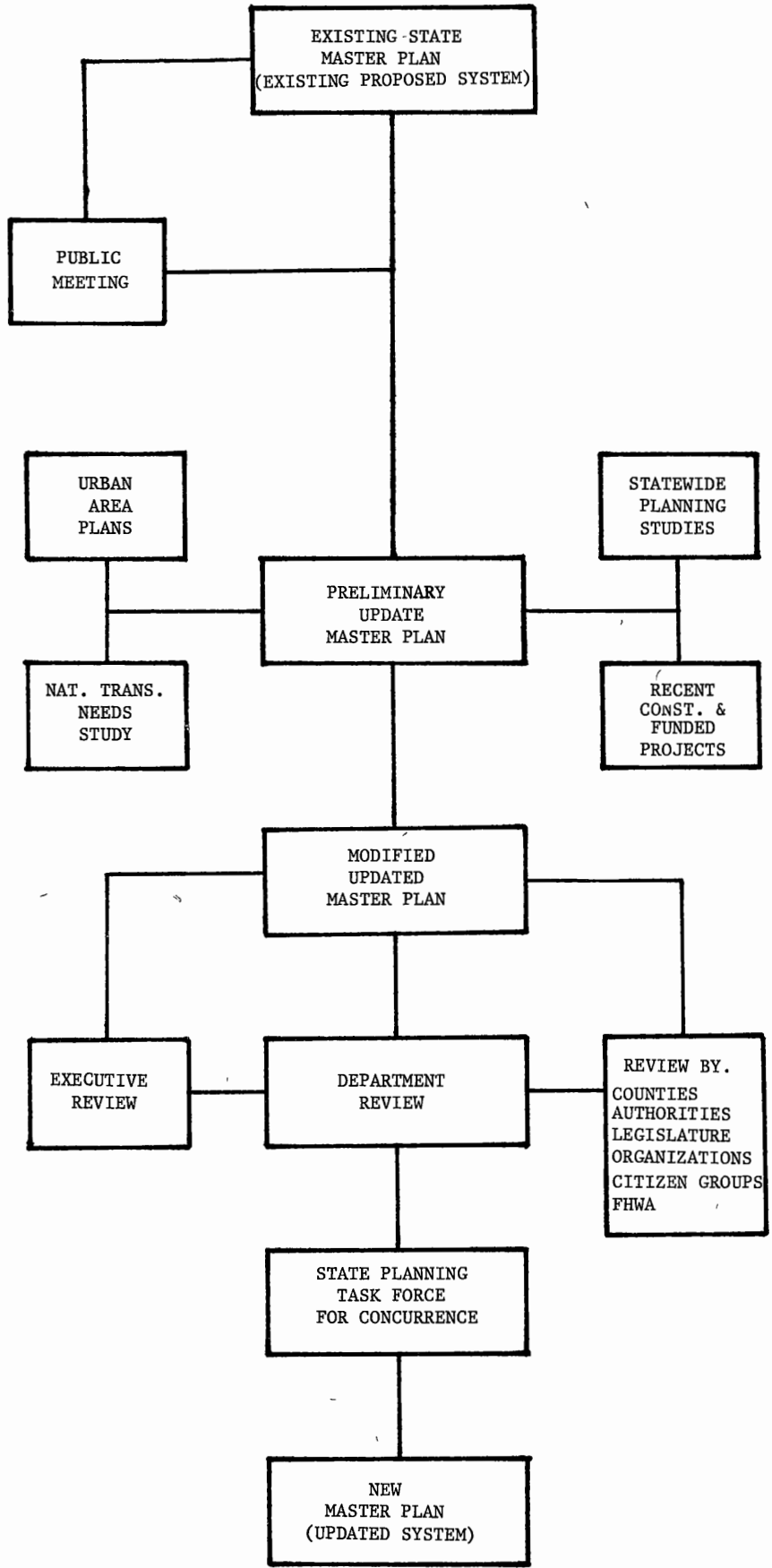


Chart IV-A

Section 2: Master Plan Development

In accordance with the Transportation Act of 1966 the Commissioner of Transportation shall "develop, from time to time revise and maintain a comprehensive Master Plan for Transportation development." This concept recognizes that a Master Plan cannot be unalterable but must be assessed with the realization that as the State's transportation needs and objectives change, so must the program change to meet those needs and objectives.

To comply with this dynamic requirement of the Transportation Act the Department published Transportation Master Plans in 1968 and 1972. Responsibility for the development of the 1972 Master Plan was placed with the Bureau of Statewide Planning, Division of Comprehensive Transportation Planning. According to the Department's Administrative Directive Number 9.024-A dated June 9, 1971 the responsibility of maintaining and updating the Master Plan will remain with the Bureau of Statewide Planning.

A. 1972 Master Plan

The 1972 Master Plan presents the results of the Department's most recent evaluation of the needs on those transportation systems, or portions thereof, for which the New Jersey Department of Transportation is responsible.

It is a plan encompassing various travel modes, outlines the need of each mode to serve travel demand through 1990 and recommends specific improvements for highways, passenger rail and bus operations, as well as, identifies a statewide general aviation airport system plan.

One of the significant achievements of the 1972 Master Plan was the identification of a set of transportation objectives toward which the master planning efforts could be directed. As indicated in the 1972 Master Plan the objectives are:

- a. Provide a transportation network equitable to all segments of the State populace

- b. Increase comfort and convenience of travel
- c. Reduce adverse impacts on the natural environment
- d. Promote desired pattern of land development
- e. Increase safety
- f. Reduce travel time and cost per trip
- g. Provide a choice of travel modes
- h. Be realistic in terms of physical, social, financial and environmental restraints.

These transportation objectives have led to a set of policy guidelines which define the atmosphere in which the master planning efforts can operate.

The resulting policy guidelines relative to highway planning are:

- a. Provide the minimum capacity needed to meet existing and forecasted travel demands on the system
- b. Provide for the safety of motorists by constructing divided highways wherever feasible
- c. Insure that proposed new and improved highways are compatible with the environment
- d. Provide for an integrated highway network
- e. Provide a highway system that interconnects all urbanized areas, as well as, other significant major traffic generators such as important resort areas and large industrial or commercial complexes
- f. Coordinate highway planning with State, regional, county and local land use plans
- g. Avoid or ameliorate social and economic impacts that might adversely affect the present housing shortage and employment

h. Avoid, wherever possible, encroachment on park lands, recreational areas and historic sites. Whenever such encroachment is unavoidable total effort in location and design will be afforded toward minimizing the damage to the existing or proposed development.

Master planning requires a combination of efforts, and rightly so. If the master plan is to serve as a guide to meeting the future transportation needs of the state then it should touch as many areas of constructive input as possible.

Consequently, development of the 1972 Master Plan in addition to coordinating the efforts of numerous units within the Department, sought advice and suggestions from state, county and municipal agencies, public authorities, citizen organizations and governmental officials. This was done to insure that the plan was truly reflective of statewide concerns and needs. It is in this area of public exposure to, and involvement in, the transportation planning process, where future versions of the Master Plan will differ from the 1968 and 1972 publications. Maximum involvement of the public in transportation development at the early planning stages will be sought. This will insure that transportation objectives truly reflective of the public's concern are incorporated in transportation development.

B. Future Master Plan Development

It is the intent of the New Jersey Department of Transportation to revise and publish an updated version of the Master Plan every three years. Generally, the procedures utilized in developing the 1972 Master Plan will be retained and strengthened for future updates of the Master Plan. The process of development is indicated by the flow Chart IV - B.

MASTER PLAN DEVELOPMENT FLOW CHART

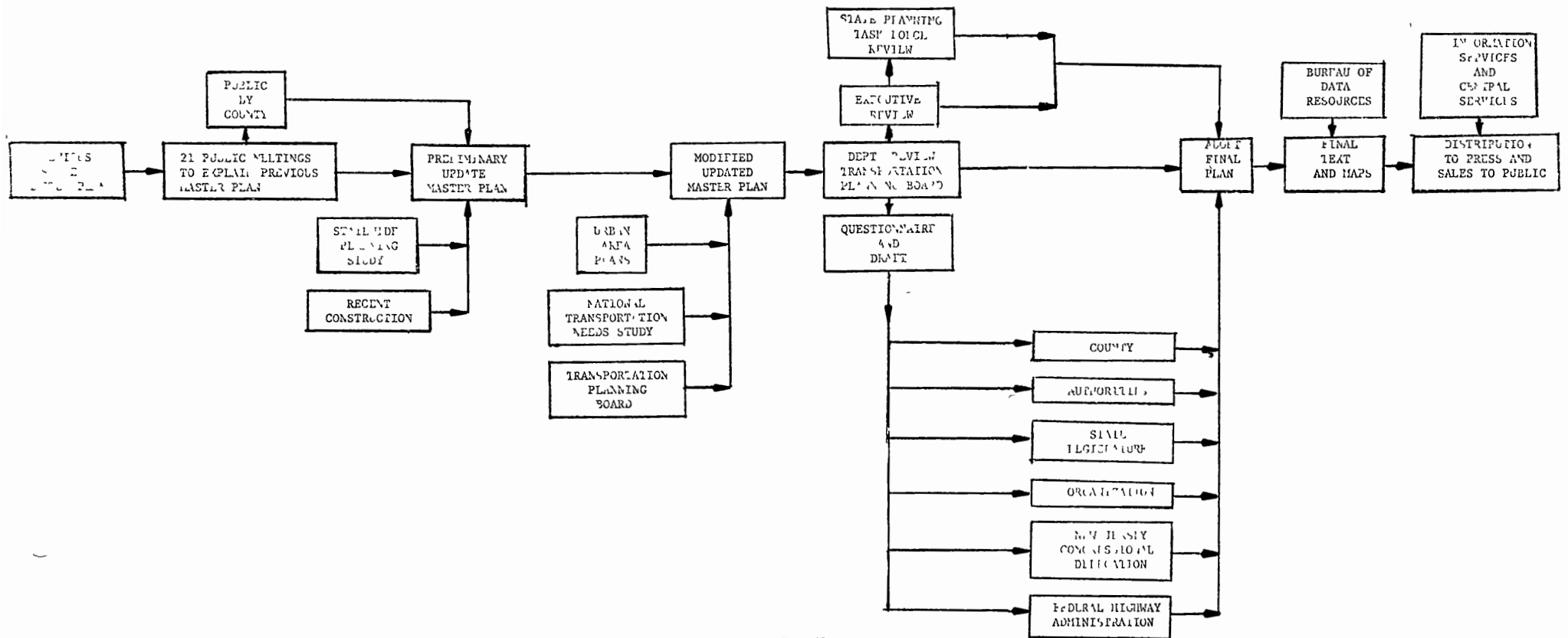


CHART IV-B

C. Previous State Master Plan

The most recent Transportation Master Plan will serve as the basis for a subsequent update. The existing plan will undergo a series of modifications resulting from the actions listed below.

D. Public Information Meetings

Public input to the master planning process will be solicited at the earliest stage possible. This will be accomplished through a series of public meetings, or information forums, that will be held in each of the twenty-one counties in the State. The meetings, one per county, will be held in the evenings at a place convenient to the affected general public residing in each particular county. Notification of the meetings to the public will occur through announcements in the county newspapers. In addition, written announcements will be sent to appropriate countywide citizen groups.

The purpose of these meetings will be to relate to the public the Department's present position on transportation policy, as well as, specific proposals for meeting future transportation needs. This will be accomplished through a visual presentation of the existing Master Plan.

At the present time, the requirements of the "Action Plan" concern themselves only with the highway mode of travel. However, it will be necessary at the meetings to present proposals for all modes of transportation included in the Master Plan. To fragment the plan into selective modes would detract from a total understanding of the Department's transportation objectives since they were formulated with the intent of total integration of systems.

Following the visual presentation a mail back type questionnaire will be distributed to the audience to enable them to make their desires on transportation policy, as well as, on specific projects known to the State. The returned questionnaires will be evaluated for rational input to the tentative update of the plan.

One additional avenue of exposure to the general public that will be examined is the use of television as a channel of communication. A presentation similar to those planned for the public meetings will be prepared for presentation via television. Following the preview a mail back questionnaire will be distributed to the general public. This type of exposure is now being implemented by the Regional Plan Association on several controversial issues as they relate to portions of New Jersey, New York and Connecticut.

The success of this venture should be determined in the near future.

E. Preliminary Update of Master Plan

In addition to the public meeting concept there are two other areas of activity which serve as input to a preliminary update of the master plan.

1. Statewide Planning Study

As part of its work program the Department is now attempting to develop a statewide highway traffic simulation model. The successful implementation of this model will provide the Department with a vehicle to promote the preparation, evaluation of alternative highway plans and recommendation of highway improvement programs. To provide these capabilities the model will be sufficiently responsive and flexible enough to accomplish the following objectives:

- a. Traffic forecasts for 20 years hence on the major elements of alternative highway plans.
- b. Testing of alternative highway systems to meet the transportation needs generated by varying combinations of social, economic, land use and policy variables which have significant impact on highway requirements.

- c. Definition of a system of state rural freeways and expressways consistent and compatible with plans generated by the urban area study groups.
- d. Identify on a statewide basis those areas where highway improvements will be restricted because of physical, social or environmental reasons,
- e. Determine the traffic and highway needs generated by major recreation areas and other major centers of activity.

2. Recent Construction

The preliminary update of the Master Plan will also account for a change in status of projects caused by recent commitment of funds, current construction or completion of projects.

F. Modified Updated Master Plan

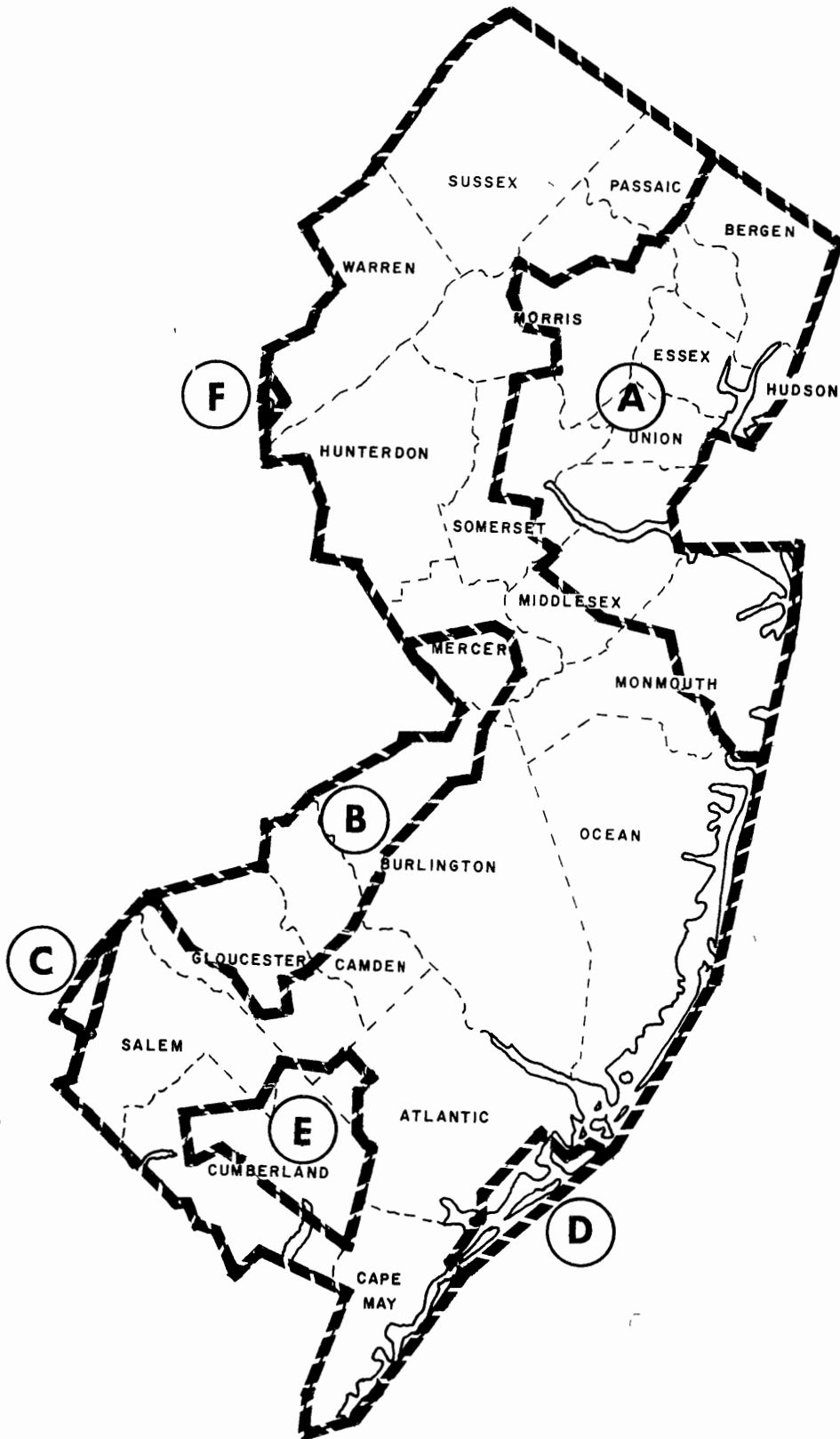
Subsequent to a preliminary update of the previous Master Plan there are three major areas of activity which will serve to further modify the plan.

1. Urban Area Plans

The 1962 Federal Aid Highway Act requires that all highway projects in urban areas of more than 50,000 population be based on a Continuing Comprehensive Cooperative transportation planning process. This requirement is contained in Section 134 of Chapter 1, Title 23, United States Code. This process is currently being carried out in six areas in New Jersey. Four of New Jersey's urban areas are of a multi-state nature. The other two are wholly within the State boundary.

As shown on Map IV-G the 3-C Process extends into at least parts of 18 of New Jersey's 21 counties.

NEW JERSEY URBAN AREA PLANNING STUDY AGENCIES



- A. Tri-State Regional Planning Commission
- B. Delaware Valley Regional Planning Commission
- C. Wilmington Metropolitan Area Planning Coordinating Council (Salem County Urban Area Transportation Study)
- D. Atlantic City Urban Area Transportation Study
- E. Cumberland County Urban Area Transportation Study
- F. Phillipsburg Urban Area Transportation Study

Map IV-C

The day-to-day work in the two largest study areas (Delaware Valley Regional Planning Commission and Tri-State Regional Planning Commission) is carried out by independent staffs. Both of these staffs have certain interdisciplinary capability which is used to review Environmental Impact Statements and in some cases used to develop social, economic and environmental data. The disciplines available at these regional agencies are indicated below.

<u>DVRPC</u>	<u>Tri-State</u>
Economist	Regional Planners
System Analyst	Urban Planners
Highway Engineers	Economists
Planners	Civil Engineers
Traffic Engineers	Transportation Planners
Biologist	Geographers
Political Scientist	Environmental Science
Urban Planners	Political Science
Environmental Analyst	Geologist
Regional Engineers	
Sociologist - Demographer	

The remaining regional agencies use the interdisciplinary capability available in the Department and other state agencies. (See Chapter IX)

In addition to the 3-C Highway Planning Process, Tri-State and DVRPC also have other regional planning functions. These include: regional land use planning, regional open space planning, regional sewer and water planning and also act as the metropolitan clearing houses for the A-95^{*} process. The other four areas, i.e., the Atlantic City Urban Area, the Cumberland County Urban Area, the Salem County Urban Area and the Phillipsburg Urban Area, are handled by NJDOT staff in coordination with the counties and local municipalities. All of the urban studies are directed primarily at long-range area wide system plans based on comprehensive planning inputs rather than the specifics of project planning or design. In each case, elected officials or their representatives are members of a policy committee or board. In those areas where the planning process has advanced to the stage

of an adopted area wide plan, this plan is a consideration in the development of the State's Master Plan for Transportation.

In the case of Tri-State and DVRPC, the Commissioner of Transportation is NJDOT's representative on the policy board or commission. In the other studies the Department's representation at the policy level is by the Division of Comprehensive Transportation Planning. In all cases, technical liaison and operations is through the Division of Comprehensive Transportation Planning's Bureau of Urban Transportation Planning. The 3-C Planning Process is a fairly complicated, highly computerized simulation technique. It relies on the relationship of travel demand to socioeconomic factors. Normally, these data are gathered for the particular area in a series of base year inventories. If the relationship between travel and socioeconomic factors has been determined, the socioeconomic factors and the forecast to the target year by small geographic areas is accomplished. The simulation process then generates future year travel and the adequacy of various alternative plans can be tested. This process and the factors that are considered are more fully explained in FHWA Policy and Procedure Memorandum 50-9 dated November 24, 1969 and FHWA Instructional Memorandum 50-2-65 dated April 28, 1965.

a. Citizen Participation in Regional Planning Agencies

Citizen participation varies with each regional planning agency. In the largest area, Tri-State, citizen involvement is presently supplied through the various County Planning Boards and by a series of surveys, polling a cross-sectional sample of the population on questions of fact and opinion.

Tri-State has supported the massive effort of the Regional Plan Association to register citizen opinion on regional issues through commercial television broadcasts and public opinion polling.

The Commission has advocated citizen participation in plan making at the subregional (local) level. It favors the approach currently being used by the New York City Planning Commission wherein the City's community planning boards recommend what construction projects should be undertaken each year. The Commission encourages the actions taken by other subregional planning agencies to include citizen concerns in their planning programs.

More will be done in the future as the Commission pursues other avenues toward citizen participation. Foremost will be its support of subregional attempts to involve citizens in realistic contributions to public planning.

Delaware Valley Regional Planning Commission's direct citizen participation is presently obtained from the following groups:

a. Regional Citizens' Advisory Committee

This Committee is composed of low income and minority group representatives. At the present time this committee should consist of twenty-two (22) members.

b. Penjerdel Open Space Committee

This unit is composed of individuals living in the Delaware Valley and their prime interest is the orderly and well planned development of open space.

c. Delaware Valley Citizens Transportation Committee

The membership in this organization is open to all responsible persons concerned with the proper development of transportation facilities in the Delaware Valley region, including movement of persons and goods by public and private means, whether by highway, rail, air or water.

The remaining Regional Urban Planning Agencies are very limited in their scope of citizen participation. The main reasons for this are the relatively new planning concept through the area, in which the people have not gotten too

involved and the other reason is that some studies have not progressed to the point where vital planning decisions may be made.

It is anticipated that public involvement in regional urban planning will be increased with the development of regional concepts and plans.

2. National Transportation Needs Study

The National Transportation Study is a biennial report requested by the United States Department of Transportation from each state, the District of Columbia, and the Commonwealth of Puerto Rico.

Private industry also participated in this effort both by cooperation with the various state studies and by direct submissions to the Federal level.

Within the New Jersey Department of Transportation's Division of Transportation Systems Planning was assigned the responsibility for development of the New Jersey submission to the 1972 National Transportation Needs Study.

This assignment has since been renewed and the Division is again developing the submissions required for the second of these efforts, the 1974 National Transportation Study. It is assumed that this responsibility will be retained by this Division as each biennial report is prepared.

The purpose of the first of these studies, the 1972 National Transportation Needs Study, was to assist the United States Department of Transportation in recommending to Congress a National Transportation Policy and the administration of Federal transportation programs.

The 1972 National Transportation Needs Study was completed late in 1971, and has resulted in the issuance of the 1972 National Transportation Report by the United States Department of Transportation.

One of the significant accomplishments of the 1972 Study was the establishment of an integrated, multi-modal transportation data base at a national level. It is the intent of the studies that this data base be maintained by periodic updating and form the basis for future work.

During the conduct of this study the following were analyzed and assessed:

The desirability of different levels of development in the total road system and in each functional class of road.

Alternative levels of highway traffic engineering and control improvements.

Alternative levels of publicly available intra-state or local transportation to be maintained.

Alternative levels of development of port, airport, and other publicly available transportation terminals.

Alternative state and local real estate and other tax policies as they may affect competition between transportation using public rights of way (autos, buses, trucks, barges) and public terminals (airports, ports, versus transportation or private rights of way or using private terminals (buses, railroads, trucks).

Alternatives to the existing federal-state local resource allocation policies.

a. 1974 National Transportation Study

The second effort in this series, the 1974 National Transportation Study, was undertaken in August 1972. This Study has been designed to build upon the data base and organizational framework established for the 1972 Study. In addition, this effort is intended to develop information and provide analyses for incorporation with both the National Airport System Plan and the National Highway Needs Study.

Specifically, the 1974 Study is to report the current state of the transportation system of the State; the projected status of the system; and to assist the Federal Administration and Congress in developing programs and policies intended to improve the system as well as those of the other states. The Study will determine:

The adequacy of the current transportation system as viewed by Federal, State and local governments; private citizens and industry.

The adequacy of the transportation system which would exist in the future in the absence of major changes in Federal policies and programs.

The most appropriate Federal programs and policies--within reasonable resource restraints--for bringing about systems and methods of operation which are viewed as more desirable by Federal, State and local governments; private citizens and industry.

b. Procedure

The organization originally developed for the development of the 1972 New Jersey submission was retained and improved for the 1974 Study. This organization was built upon the requirements set forth in the various instructional manuals published by the United States Department of Transportation and upon the recognition by the New Jersey Department of Transportation of the desirability of receiving and incorporating the plans, programs, and desires of subordinate levels of government. Within each urbanized area in New Jersey, the officially designated urban area planning group was requested to participate in the Study effort. Those portions of the State lying outside the designated urban areas would be studied and reported by the New Jersey Department of Transportation.

In addition, to the urban area planning groups, contacts were made through meetings, with a large number of State, county, and municipal agencies, public authorities, Federal agencies, and private companies and associations in order to assemble the data necessary to prepare the 1972 inventory, one of the study tasks of the 1974 Study. These agencies were requested to participate in, and comment on, the development of the 1990 plans, and the 1980 program. These agencies include:

At the State level:

New Jersey Department of Transportation

- Bureau of Statewide Transportation Planning
- Bureau of Urban Transportation Planning
- Bureau of Data Resources
- Bureau of Highway Planning
- Bureau of Common Carrier Planning
- Bureau of Aviation Planning
- Bureau of Environmental Analysis

Department of Community Affairs

- Division of State & Regional Planning
- Hackensack Meadowlands Development Commission

Department of Environmental Protection

- Division of Environmental Quality
- Division of Parks and Forestry

Department of Higher Education

- State Library - Division of Archives & History

Department of Institutions & Agencies

Department of Labor & Industry

- Division of Economic Development
- Division of Planning & Research

Department of Law & Public Safety

- Division of Motor Vehicles

Department of Public Utilities

Division of Motor Carriers
Division of Railroads

Department of the Treasury

Division of Taxation

Regional Planning Agencies:

Tri-State Regional Planning Commission
Delaware Valley Regional Planning Commission

Agencies of Adjoining States:

Pennsylvania Department of Transportation
New York State Department of Transportation
Delaware Department of Highways & Transportation

County Planning Agencies:

Atlantic County
Cape May County
Cumberland County
Hunterdon County
Ocean County
Salem County
Sussex County
Warren County

Public Agencies:

Port Authority of New York and New Jersey
Delaware River Port Authority
New Jersey Highway Authority
New Jersey Turnpike Authority
Atlantic City Expressway Authority
Delaware River and Bay Authority
Delaware River Joint Toll Bridge Authority
Burlington County Bridge Commission
Mercer County Improvement Authority
Bergen County Board of Public Transportation
Morris County Board of Public Transportation
Bader Flying Field - City of Atlantic City
Cape May County Airport - County of Cape May
Hammonton Municipal Airport - City of Hammonton
Linden Airport - City of Linden
Mercer County Airport - Mercer County
Robert J. Miller Airpark - County of Ocean
Millville Municipal Airport - City of Millville
Morristown Municipal Airport - Town of Morristown
Ocean City Municipal Airport - City of Ocean City
Pomona Airport - City of Atlantic City
Woodbine Municipal Airport - County of Cape May

City Planning Boards:

Newark
Jersey City
Elizabeth
Trenton
Camden
Plainfield

Private Sector:

Transport of New Jersey (formerly Public Service
Coordinated Transport)
Erie Lackawanna Railway
Central Railroad Company of New Jersey
Penn Central Transportation Company
Pennsylvania-Reading Seashore Lines
Selected privately owned bus companies in New Jersey
Selected Airport Limousine Companies
Selected New Jersey - based "Commuter" air carriers

c. Relationship Between the National Transportation Study and
the New Jersey Master Plan for Transportation

The uncompleted improvements set forth in the 1968 New Jersey
Master Plan for Transportation became the first inputs to the
1972 National Transportation Study. Additional improvements
and additions are incorporated into the 1972 Study as suggested
by the designated urban area planning groups and by the New
Jersey Department of Transportation staff.

The continuing process then incorporated those projects
listed in the New Jersey submission to the 1972 National
Transportation Needs Study into Master Plan for Transpor-
tation, 1972, the most recent update of the New Jersey De-
partment of Transportation. The inputs into this Master
Plan had been subjected to review by the urban area planning
group, if in their assigned area of responsibility and by the
New Jersey Department of Transportation.

Similarly, the transportation improvements set forth in the
Master Plan for Transportation, 1972, for the greatest part,

are inputs into the 1974 National Transportation Study. Within the urban area planning group areas of responsibility, the improvements set forth in their respective Master Plans have formed the basis for their inputs to the 1974 Study. This 1974 Study improves upon the 1972 effort in that the input and review mechanisms established with the selected municipal, and county governments are available to allow a fuller exchange of information than possible in the previous or 1972 Study.

The improvements set forth in each National Transportation Study will, in the future, form the basis of input to the succeeding New Jersey Department of Transportation Master Plan. As each successive interaction of this process occurs, it presents an opportunity for a fuller and more positive participation and interaction by both the urbanized area planning groups, the local levels of government involved and the New Jersey Department of Transportation.

3. Transportation Planning Board

One of the more important steps in the master planning effort is to develop an avenue of communication between the Department's policy makers and the technical staff. Since adoption of the final Master Plan rests with the policy makers the need for this two-way communication is obvious. This channel of communication is achieved through a series of meetings with the Department's Transportation Planning Board. Although the Board's involvement in the master planning process appears as a one-time effort in the flow chart, their involvement in actuality is a continuing review and guidance process.

3. Transportation Planning Board Continued

The Transportation Planning Board is appointed by the Commissioner and assists him in reviewing recommended projects for inclusion to the Master Plan. In addition, they assist him in the development and implementation of transportation policies, plans and programs.

a. Department Review - Transportation Planning Board

Subsequent to the above elements a final review of the updated Master Plan will be made by the Transportation Planning Board. The plan will then undergo a series of external department reviews prior to adoption of the final plan.

1. Executive Review

The Transportation Master Plan will be presented to the Governor and his cabinet for their review and comments. This review will also insure that transportation plans are consistent with future development goals of the State.

2. State Planning Task Force

The State Planning Task Force was created by Executive Order No. 40, signed by Governor Cahill on December 22, 1972, copy of which is enclosed in the Appendix.

The Task Force will review the Transportation Master Plan to insure its compliance with overall state planning goals and objectives.

3. Questionnaires

A mail back questionnaire and copy of the draft Master Plan will be distributed to various technical, political and organizational representatives of the State's populace. This exposure will reach such groups as county planning boards and engineering departments, county freeholders, mayors of the larger cities, state legislative members, transportation authorities, citizen organizations, New Jersey Congressional delegation, and the Federal Highway Administration.

The questionnaire will solicit a review of the draft Master Plan, as well as, opinion on selected transportation related questions. A sample questionnaire is described in Figure II.

b. Adopt Final Plan

The returns will be processed by technical personnel and submitted to the Transportation Planning Board for evaluation. Following this process a final version of the Department's Transportation Master Plan will be adopted.

c. Final Text and Maps

Final text and project descriptions will be written, data put in final form and maps will be prepared as input to the final Master Plan document.

1. The Bureau of Data Resources

The necessary input to the final document will be prepared by the Bureau of Statewide Transportation Planning. However, the preparation of the final document will be

achieved through utilization of the graphics section of the Bureau of Data Resources.

d. Distribution to Press and Sales to Public

As a public document the Department's Transportation Master Plan is available to the public. Initially, this release will be accomplished through statewide newspaper agencies. Subsequent release of the actual document to the general public will be on a request basis to the Department. There will be a nominal fee associated with the purchase of the Master Plan to cover the cost of printing.

1. Information Services and Central Services

Distribution of the Master Plan will be the responsibility of the Office of Information Services.

All materials will be stored with the Division of Central Services.

Section 3: New Route Legislation

A. Legislation

All routes on new alignments require approval of the Legislature. The actual legislative bills are prepared either by the Department or the sponsoring legislator, and then acted on by the legislative body.

B. Commissioner

The Commissioner of Transportation has to adopt a new route before it falls under the jurisdiction of the Department. This is accomplished by means of a Commission Action.

*

Section 4: Project Priority

The establishment of priorities, as indicated by Chart III-B occurs subsequent to the development or updating of the Department's Master Plan. This activity determines which projects move forward into the feasibility and

location phase. Obviously, until the feasibility, location and design phases are completed, construction cannot take place.

There is a second order of priority setting which occurs as the various projects near completion of design. Historically, the Department has more projects under design than there are funds available for construction. The preparation of the Annual Construction Program requires a further refinement of the priority selection process. Individual project costs, as compared with the annual appropriation, are an important consideration.

The establishment of priorities at both levels is complex in that it involves the total spectrum of the Department's experiences. The many needs are fed into the decision making process through the individual members of the Transportation Planning Board.

Project priorities are subjected to thorough reevaluation every two-three years in conjunction with the biennial National Transportation Study and Master Plan update. Individual link deficiencies (capacity and safety), major changes in traffic patterns, unusual land development activity and variations in national transportation policy are detected and identified during these update studies. It is logical and proper that these two major planning programs be the prime base for the reordering of priorities.

Simultaneously these data are transmitted to the staffs of the urban area transportation planning agencies as input to their capital programming process. There is a federal mandate that the 3-C agencies develop and maintain a short range program for both public transportation and highways. These programs must be reviewed and formally adopted by the policy boards of these agencies. It is through this mechanism that the public via its elected representatives are best able to participate in project priority establishment. The 3-C planning processes encompass, in whole or in part, a total of 18 of New Jersey's 21 counties. Compatibility between the 3-C planning agencies'

programs and the Department's priority listing is maintained.

Priority array lists are initially developed by the Bureau of Statewide Transportation Planning and transmitted to the Transportation Planning Board for concurrence. The Board consisting of the Department's three top management levels, adjusts the recommendations based on line and staff observations that focus on contemporary hazardous locations or structural problems that have not surfaced in the more formalized planning process. For the most part these observations filter in from the field from such sources as the regional engineers, construction engineers, traffic engineers and maintenance personnel. Consideration is also given to suggestions from law enforcement agencies and transportation authorities.

The individual factors given weight in priority determination are:

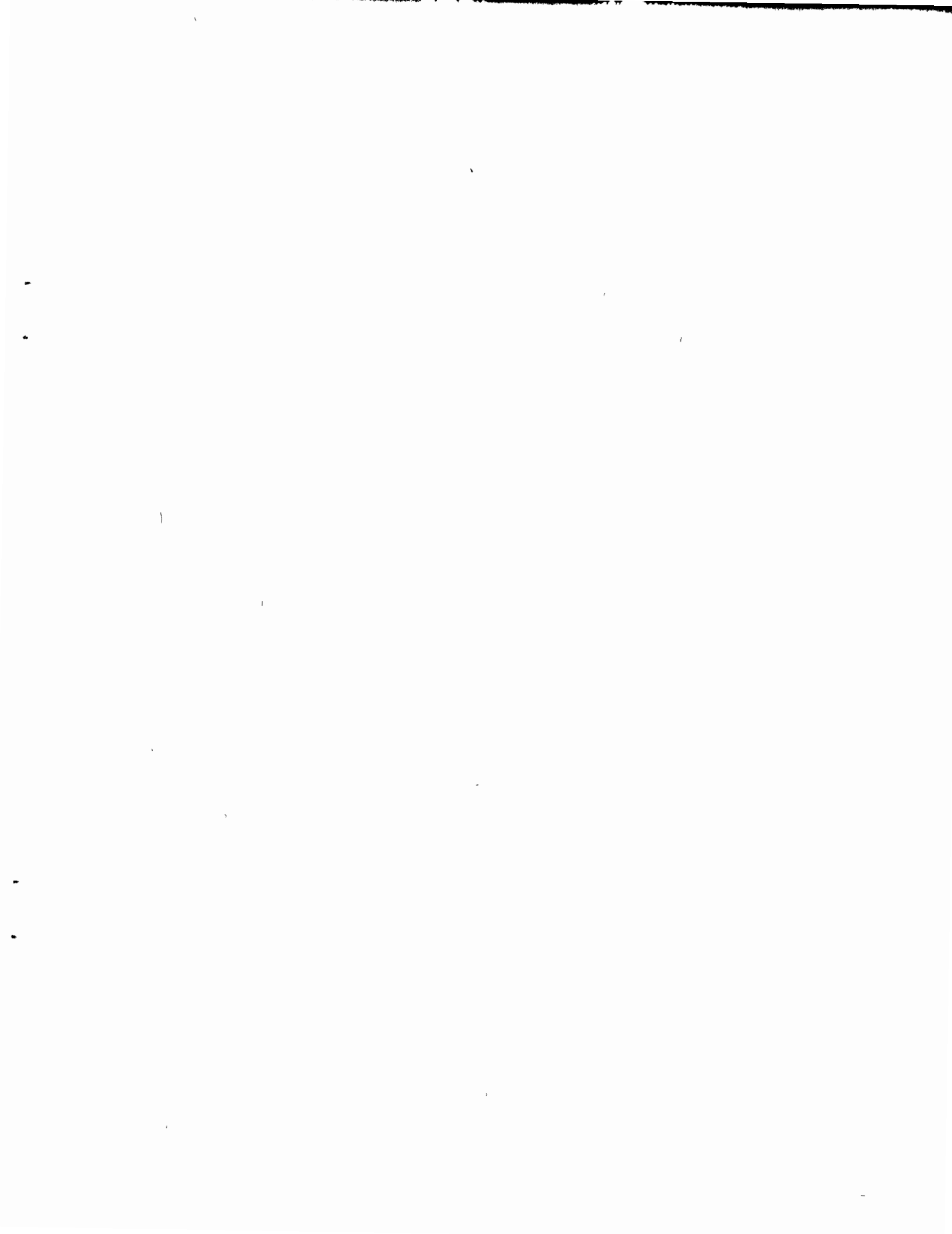
- . environment, social and economic effects
- . volume - capacity relationship
- . accident rates
- . network integrity
- . travel patterns
- . land development

When the Board has finalized its considerations, the listings are forwarded to the Commissioner for his review and formal adoption.

Section 5: Design Project Assignment

Not all projects in the Department follow the outline indicated on Chart III-B. Projects which do not require feasibility or location studies will be undertaken directly by the Chief Engineer, Design.

These projects deal with widenings, dualizations, safety spot improvements and all other improvements where new alignments on new right of way are not being developed. (Further discussion on these projects may be found in Chapter X "Levels of Action by Project Category.")



CHAPTER V - LOCATION STUDY

Introduction

The Department conducts feasibility studies as well as location studies in the planning phase of transportation facilities. These studies are conducted for projects to be located on new alignments and for certain improvements of existing facilities which include highways, as well as public transportation, pertaining to rail, bus, and air.

Section 1 - Feasibility Study

A. Definition

A feasibility study is an undertaking which analyzes available or obtained data and is the initial step which justifies and promotes for further development of a particular project.

A feasibility study precedes the location study and determines: 1. The extent of public support for the project, 2. The general locations on which such public support exists and 3. The extent to which the project on such locations would satisfy its regional as well as local objectives.

As a measure of the determinates, the following criteria generally is used:

- a. Public reaction to the project
- b. Probable social, economic and environmental effects of the project
- c. The objectives to be served by the project
- d. Engineering design considerations
- e. Cost of the project.

The evaluation of these criteria determines the extent of public acceptance as well as possible locations for the project. These determinations are used as input to the location study.

B. New Alignments and Improvements

Feasibility studies may be performed on a single link or route of a system plan, or they may take into account a regional network. Once a feasibility study has been performed it may advance to a location study stage, which would select a specific location for that project.

Projects which are to be located on new alignments and certain up-gradings such as widenings, dualizations, safety spot improvements could require a feasibility study. In all cases new routes require this study, however, the improvements mentioned above sometimes do not go through this phase. The criteria to perform a feasibility study on them will depend on:

- a. Magnitude of the project
- b. The overall affect on the area or region involved
- c. Public acceptance and/or need for the improvement
- d. The foresight of available funds to carry the project through to its construction.

These items will be further elaborated on in this section and in the Location Study section. The feasibility study and the location study could be performed simultaneously, however, they are usually done separately. This also holds true, for the development of the environmental, social and economic assessment.

C. Responsibility

As indicated earlier on Chart III-B of this Action Plan, the units responsible for performing feasibility studies are: Bureau of Project Location for new alignment routes and the Bureau of Surface Design on routes which would require widenings, dualizations and safety spot improvements. More specifically, the responsibility would be with a Project Engineer in the Bureau of Project Location and an Area Engineer in the Bureau of Surface Design.

1. Bureau of Project Location

This Bureau has the responsibility of performing feasibility studies on projects which require new alignments or locations. The steps required to perform this study are described in the latter part of this section.

2. Bureau of Surface Design

Feasibility studies for dualizations, widenings, and safety spot improvements will be done by a Design Group in this Bureau.

3. Bureau of Common Carrier Planning

In performing feasibility studies pertaining to rail transportation, rapid transit of all types and bus operations, this unit will develop and provide the necessary data to determine rail and bus feasibility.

4. Bureau of Aviation Planning

Feasibility studies pertaining to airports or airport facilities are performed by this Bureau. Location studies for new airports are done with coordination from the Bureau of Project Location.

5. Bureau of Environmental Analysis

The SEE assessment for a feasibility study is the responsibility of this Bureau. Description of the SEE process in feasibility studies will be provided further on in this section.

6. Office of Information Services

In the process of performing a feasibility study on a route or new alignment, the responsibility of arranging and coordinating meetings with interested citizen groups and organizations

lies with the Director of Information Services. Feasibility studies for widenings, dualizations and safety spot improvements which are done by the Bureau of Surface Design, will have their meetings with interested citizen groups and organizations coordinated by the Design Group responsible for the study.

D. Phases in Feasibility Study

The feasibility study will be treated in two parts: the engineering portion and the environmental, social and economic portion, however, they will be performed simultaneously due to the interaction of one upon the other.

The steps involved in performing the feasibility study are indicated below and should not be construed to mean that a feasibility study should sequentially follow these steps:

1. Regional and local objectives to be satisfied by the new route or improvement are established and defined with regard to their impact on the local transportation network. These objectives may be obtained from the Transportation Master Plan, Urban Area Planning Study Agencies, if applicable (See Chapter IV, Section 2,F.), County Planning Boards or local planning boards.
2. The Project or Area Engineer will familiarize himself with local traffic problems within the study area through field investigation and consultation with local municipal officials. Through this information, answers to local traffic problems should be realized and their total or partial alleviation, by the proposed project, made evident.

3. SEE sensitive areas will be identified and mapped with local participation and input. This will be done in coordination with the Bureau of Environmental Analysis and the local Environmental Commission.
4. Objectives to be achieved are formulated and set forth, if possible, in terms of goals as well as solutions to problems defined or identified in 1. and 2. on page V-4.
5. The no-build alternative is considered in light of objectives brought forth in 1. and 2. on page V-4.
6. Utilizing the SEE sensitive area map, alternate locations for the project are proposed and each one is checked for effectiveness, utilizing as criteria the regional and local objectives. In addition, checks on each alternate are made to measure its plausibility based on engineering considerations.
7. Traffic volume projections are requested from the Bureau of Highway Planning.
8. Municipal officials are briefed about the status of the project and how the proposed alternates would serve the area involved. Their reaction to these proposals are received at this time.
9. Proposals are modified to reflect input from the municipal officials.
10. The Bureau of Environmental Analysis is made aware of alternate locations proposed, so they may begin their study for the evaluation of probable social, economic and environmental impacts on each alternate location.

11. Working through the Office of Information Services, and utilizing advertising in newspapers or by direct letter, meetings are arranged and coordinated to apprise local organizations and citizen groups of:
 1. The proposal
 2. Suggested alternate locations
 3. The objectives to be served and
 4. The extent to which they would be served by each alternate.At such meetings, direct public reaction will be solicited on both the objectives and alternate locations proposed. Suggestions for alternates not brought forth will be requested.
12. The proposed alternates are modified to reflect information received from the public.
13. Preliminary cost estimates for each alternate are developed. These costs are rough, and are intended to give approximate total cost of each alternate.
14. If there was not an acceptable proposal reached in step 11, that particular procedure will be repeated, with modifications or other alternates considered and analysed in step 12.
15. A report is prepared evaluating each alternate, utilizing the five point criteria described under Section 1 (A.) of this Chapter. The report will include the social, economic and environmental appraisal by the Bureau of Environmental Analysis.

16. The report is submitted to the Director of Transportation Planning and Research, through the Director, Division of Economic and Environmental Analysis. Following evaluation, this report is forwarded to the Transportation Planning Board for a decision. This decision may be to advance the project to location study, perform additional feasibility studies or to terminate the project.

It is worthy to note again, that the above steps may not, in a study, follow the above sequence. For example, it might be necessary to meet with public groups sooner than shown and with some groups several times.

E. Environmental Appraisal

1. Description and Purpose

In conjunction with the development of the Feasibility Study existing SEE conditions will be appraised and potential project impacts identified. This will be done within a section of the Feasibility Study to be known as "Environmental Appraisal." While SEE effects may be mentioned elsewhere in the Feasibility Study, they will be highlighted in this section. The Environmental Appraisal will discuss existing conditions and how they might be affected by the project. This description will be used along with other studies as a basis for determining the feasibility of the various alternatives proposed. The Environmental appraisal/assessment is not intended to be a detailed SEE analysis of specific alignments, but rather is intended to serve as a guide to sensitive areas.

The appraisal findings will be used as an important input in the determination of feasible corridors. Areas of significant environmental, social, and economic concern will be identified in the assessment based on site inspection and contact with others knowledgeable of the area. Examples would be the identification of unique natural or wildlife areas, historic sites, areas sensitive to air, water, or noise pollution, urban areas of social disruption, areas where housing relocation may be a problem, areas with strong neighborhood or community ties, and economically depressed areas. The Right of Way Division upon request from the Chief, Bureau of Project Location or from the Chief, Bureau of Environmental Analysis may be called on to provide information and recommendations regarding SEE early comparative costs studies, early comparative relocation and related environmental impact contributions which relate to the Right of Way disciplines. The Right of Way Division provides the conceptual stage relocation studies which reflect replacement housing needs in comparison with replacement housing availability in the study area. Positive factors favorable to the location of a highway facility such as, local goals for economic expansion and industrial development will likewise be identified.

In addition to its role as a tool in the selection of feasible corridors, the appraisal will also identify the relationship between the project proposal and the various

socio-economic and environmental goals of the study area. The appraisal will provide background material and support for later environmental studies which will aid in refining locations.

2. Responsibility

The responsibility for preparation of the environmental appraisal will be jointly shared by the Bureau of Project Location and the Bureau of Environmental Analysis. Collection of background material and data will be primarily the responsibility of the Bureau of Project Location with guidance and assistance offered by the Bureau of Environmental Analysis where necessary. The Bureau of Environmental Analysis will then assist the Bureau of Project Location in evaluation of the material and preparation of the appraisal.

3. Coordination with Others

Since it is impossible for any one agency to identify all potential impacts of a given project, extensive coordination and consultation with outside agencies and others will be necessary in the development of the environmental appraisal. Contact will be established at the beginning of the study with other agencies and local interests and they will be solicited for information on and identification of sensitive areas. Initial contact will be established by Bureau of Project Location.

Other State agencies such as New Jersey's Department of Environmental Protection, Community Affairs, Labor and Industry, and Treasury will be consulted as necessary. Within the Department of Environmental Protection, the Division of Fish, Game and Shellfisheries, and the Division of Parks and Forestry will be especially helpful in identification of and determination of significance of natural areas, fish and wildlife areas and park and recreational areas both existing and proposed. Frequent contact can also be expected with the Bureau of Air Pollution Control, Division of Water Resources, Bureau of Marine Lands Management, and the Historic Sites section.

The Department of Community Affairs will be consulted in areas of community development and planning. The Department of Labor and Industry and Treasury will be consulted in the economic area.

Counterparts of the above State agencies on the Federal level such as the Environmental Protection Agency, Department of the Interior, HUD, Department of Commerce, the Advisory Council on Historic Preservation, etc., will also be contacted as necessary. Statewide and Regional organizations involved in the analysis of environmental, social, and economic problems may also be consulted.

Perhaps, most important of all contacts in the development of an overview assessment will be local officials and community groups. They are most familiar with local environmental and socio-economic problems and other important issue areas. County and municipal officials and other official

FEASIBILITY STUDY FLOW CHART "ACTION PLAN"

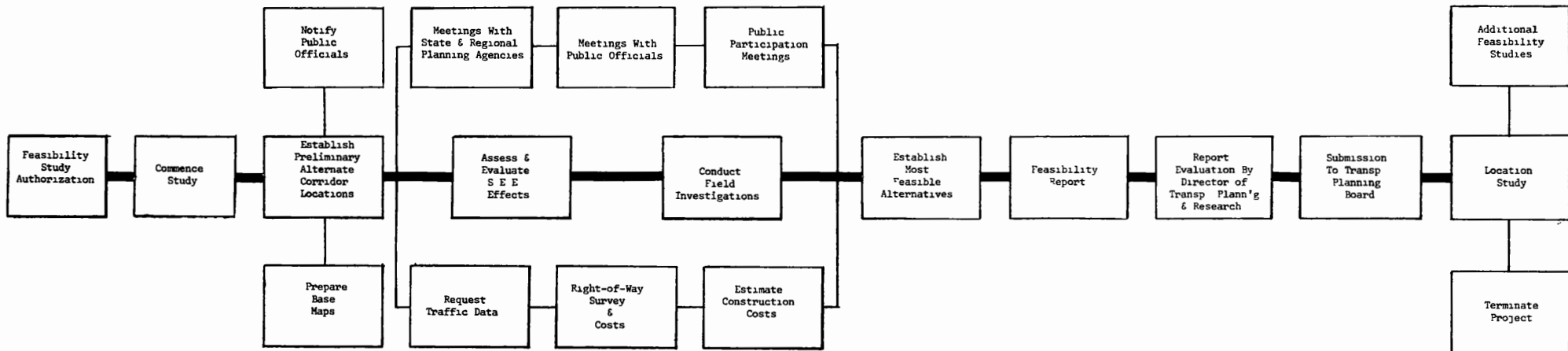


CHART V-A

groups such as, planning boards, school boards, environmental commissions as well as some unofficial groups that may exist locally can offer valuable insight into local areas of concern. It will be essential to establish early contact with local interests so that local problems are not overlooked.

SECTION 2 - LOCATION STUDY

A. Definition

As previously shown, the extent of public support for the project, the locations on which such support is possible, the project objectives and how they can be achieved - all provide the foundation blocks for the location study. The location study then provides detailed preliminary engineering developments of the project on those acceptable alternate locations resulting from the feasibility study. Such development is sufficient to provide details necessary for proper evaluation of those alternates and the selection of the best one for design and construction of the project. The details to be provided by the location study generally include data on such items as right of way, soils foundation, preliminary structural studies, drainage studies, utility location difficulties, erosion and water pollution possibilities, air and noise pollution, etc.

B. Commence Study

Before the study may commence, the Director of Transportation Planning and Research initiates a Commission Action to obtain the approval of the Commissioner of Transportation. Subsequent to receipt of the Commissioner's approval, the project may begin.

The Chief, Bureau of Project Location assigns an engineer to be in charge of the project. It is the responsibility of the engineer, hereafter termed the Project Engineer, to coordinate and oversee all work regarding the project. In this respect he coordinates closely with the Bureau of Environmental Analysis. The Project Engineer has the responsibility, at the beginning of the project, to notify the pertinent State, county and municipal officials and planning agencies of the start and scope of the location study.

C. Meetings

As preliminary engineering details are developed the Project Engineer meets with pertinent State, county and municipal officials and regional agencies to brief them on the study details developed todate. Through the Office of Information Services, he also meets with citizen groups and representatives of industry within the study area who have interest in the project to brief them on the project. The Project Engineer apprizes the Bureau of Environmental Analysis of such meetings so that they may be represented by a staff member.

At such meetings Department representatives solicit public comment on the project. Such comments are subsequently considered by those Department representatives and the study is modified if necessary, to reflect public input.

D. Involvement of Division of Right of Way

As soon as the Project Engineer thinks that further modifications to the plans are not likely to be major, he requests from the Division of Right of Way (ROW) a ROW cost estimate as well as a conceptual relocation study for each location. The right of way cost estimate includes the cost of land as well as improvements thereon while the conceptual relocation study is a survey of available replacement housing for residents and buildings. Such information from the Division of Right of Way is necessary for preparation of the draft environmental impact statement and for displays at the public hearing. See 1) Chapter VII for a more detailed explanation of right of way procedures and 2) Section II, (I) of this Chapter for details regarding preparation of the environmental impact statement.

E. Estimates and Environmental Impact Statement

Construction cost estimates, more refined than in the feasibility stage, are now developed for each alternate location by the Project Engineer.

At about this time, a draft environmental statement is completed by the Bureau of Environmental Analysis and processed as discussed in Section II, (I) of this Chapter.

F. Public Hearing

Authorization from the Commissioner to hold a public hearing to present the alternates to the public is now requested by the Director of Transportation Planning and Research subsequent to the Project Engineer's recommendation. Upon receipt of the Commissioner's authorization, the Project Engineer so advises the Office of Information Services and in coordination with it sets a tentative date for the public hearing. It is then the responsibility of the Office of Information Services to arrange for a suitable place for the hearing, at a location convenient for the attendance of persons in the study area.

As soon as the necessary exhibits for the public hearing are complete and the draft environmental impact statement is ready for distribution, the date for the public hearing is made firm by the Project Engineer in consultation with the Office of Information Services and the Bureau of Environmental Analysis.

It is then the responsibility of the Project Engineer to have the public hearing advertised in accord with PPM 20-8 (See Appendix) by means of a public notice in a newspaper with substantial circulation in the study area. Such public notice will specify the time, place and date of the hearing and should include a statement referring to the availability of the draft environmental impact statement.

At about this time but prior to the hearing, the Project Engineer meets with the County Planning Board, Board of Chosen Freeholders and municipal officials in the area affected by the project to advise them on what will be presented at the public hearing. This gives them an opportunity to reexamine the alternate before the hearing and to prepare formal comments for the public hearing record.

It is the policy of this Department to set up a prehearing information center prior to the public hearing for the purpose of similarly briefing the public on what will be presented at the public hearing.

At this exhibition pertinent maps and charts displaying the recommended location and alternate locations, along with their estimated costs are presented.

The prehearing is attended by a public hearing officer assigned by the Office of Information Services, the Project Engineer, representatives from the Division of Right of Way, Bureau of Environmental Analysis and the consultant, if involved in the project. The general public along with local officials are invited to this prehearing for the purpose of getting more familiar with what will be presented at the corridor public hearing and decide upon their interest or involvement in the public hearing. This prehearing has had great success in the past in creating a better understanding of the project and make for a more orderly and involved public hearing. The corridor public hearing is held as prescribed by PPM 20-8, located in the Appendix.

The corridor public hearing is held with a transcript of record being kept by the hearing officer supplied by the Director of Information Services. The record is kept open for a period of ten days during which time written comments are received and entered into the official record of the hearing. This gives the public time to review the presentation and prepare comments.

A transcript of the comments made at the corridor public hearing is supplied to the Bureau of Project Location by the Office of Information Services. All comments and suggestions made at the hearing and the comments received in writing within the ten day period are evaluated and considered by the Project Engineer and the Bureau of Environmental Analysis. Such reaction to public comments is necessary for preparation of the Location Study Report, which is the responsibility of the Project Engineer as well as for the preparation of the environmental impact statement, the responsibility of the Bureau of Environmental Analysis. Coordination in preparation of these responses is therefore the responsibility of the Project Engineer as well as the Bureau of Environmental Analysis. (Section II, (I) of this Chapter).

If in the opinion of the Project Engineer, these comments warrant additional studies, he arranges for them to be made.

At about this time, the Bureau of Environmental Analysis will have received all comments on the draft environmental impact statement and will have begun preparation of the final EIS. (See Section II, (I) of this Chapter for preparation of the final environmental impact statement).

G. Location Study Report

After all comments have been received and revisions have been made the location study report is drawn up. Contents of the report must conform with the requirements of PPM 20-8-69 and IM 20-4-72 (Appendix). One requirement is that it must recommend the best alternative based upon an evaluation of all alternates including the do-nothing alternate. Such evaluation is based on the environmental assessment, public reaction, economic and engineering considerations. It is the responsibility of the Project Engineer to select the best alternate given the environmental impact assessment by the Bureau of Environmental Analysis.

Upon completion of the final EIS, the Bureau of Environmental Analysis recommends the statement to the Federal Highway Administration for final review and approval. (See Section II, (I) of this Chapter).

H. Location Approval

Subsequently thereto, the Bureau of Project Location through the Director of Transportation Planning and Research recommends the best alternate to the Federal Highway Administration for location approval. Such recommendation is made in accord with PPM 20-8-69 (Appendix).

It is the responsibility of the Project Engineer to ensure that the request for location approval is published in a newspaper having substantial circulation in the area. This publicity is also done in accord with PPM 20-8-69 (Appendix). Upon receipt of location approval from the FHWA, the Project Engineer also ensures its publicity in accord with PPM 20-8-69.

A Commission Action is then initiated by the Bureau of Project Location for adoption by the Commissioner of the approved location.

In certain critical cases the Commission Action for alignment adoption may precede FHWA approval in order to protect the right of way of the recommended location against encroachment of development. Such protection is made possible by the filing of an alignment preservation map showing the proposed project and the properties affected. Such filing must be preceded by the Commissioner's adoption of the alignment and is made in accord with L. 1968, Chapter 393, N.J.S.A. 27: 7-66. The map is filed with each county and municipality traversed.

The project with all information pertaining to it, is next transferred by the Director of Transportation Planning and Research to the Division of Design for confirmation of the project, with possible commencement of design plans.

I. Environmental Impact Statement

1. Description and Purpose

During the course of location studies information on existing SEE conditions will continue to be gathered. This information will tend to grow more detailed as various alignments are investigated in greater depth. As alignments become refined, areas to be impacted can be determined more precisely than was possible in the feasibility study stage. Thus, effects upon existing conditions can be identified and analyzed in much greater detail. The culmination of this analysis will be the preparation of a Draft Environmental Impact Statement (EIS) which will discuss:

1. The environmental impact of the proposed action.
2. Any adverse environmental effects which cannot be avoided should the proposal be implemented.
3. Alternatives to the proposed action.
4. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
5. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

If the project is such that no significant adverse impacts are anticipated to result from the project a negative declaration rather than an EIS will be prepared. A negative declaration essentially discusses the same range of impacts as an EIS, but because impacts are limited discussion is not developed to the same detail as in an EIS. Negative declarations are generally prepared for projects with limited scopes, such as signalization, resurfacing, signing, lighting, minor widening, etc. Although negative declarations are not normally circulated to other agencies and the public for review because of their limited scope, they are made available prior to

hearings for projects requiring them and also if their availability is requested for other reasons. Negative declarations are prepared by the initiating unit with review and processing by the Bureau of Environmental Analysis. The negative declaration is submitted by the Director, Division of Economic and Environmental Analysis, to the Federal Highway Administration Division Engineer for his concurrence.

Environmental Impact Statements are prepared for projects having a significant potential for adverse impact upon the environment. The EIS process includes two stages: 1) A draft EIS and 2) a final EIS. Draft EIS's are circulated to concerned federal, state and local agencies and the public for review. Comments are requested on the Draft Statement at the time of circulation allowing 45 days for submittal of same. All comments are then considered in the preparation of a final EIS. Comments are actually reproduced in the final document and replies are made to each comment. In this way, reviewers are assured that their comments are considered in project development and they are aware of how their comments were resolved.

Final EIS's are approved by the Director, Division of Economic and Environmental Analysis and forwarded to the Federal Highway Administration for processing and acceptance by the Regional Federal Highway Administrator, and thence, approval by the U.S. Department of Transportation. Upon approval by the U.S. Department of Transportation, copies of the Final EIS are made available to the public for review and copies are also provided to the agencies and governing bodies affected by the proposal. More detail regarding the processing of EIS's can be found in PPM 90-1 (Appendix).

2. Responsibilities

Preparation of Environmental Impact Statements is a joint responsibility of the initiating unit (Project Location, Design, etc.) and the Bureau of Environmental Analysis. Statements may be prepared in-house or by consultants to the Department of Transportation. Final approval of contents and processing of the Statement is the responsibility of the Bureau of Environmental Analysis. For more information on the preparation of environmental documents see Chapter XI, Section C.

3. Coordination with Others

In the development of Environmental Impact Statements information will be gathered from other agencies and local officials and groups relative to project impacts. Coordination with these individuals is essential to insure that impacts are not overlooked. This is especially important in the cases where Section 4(f) lands (parks, conservation areas, historic sites, etc. - See PPM 90-1 (Appendix) are involved. In these cases it must be shown that no prudent or feasible alternatives are available to the taking of these lands for highway purposes. Also a determination of the significance of these lands must be made in conjunction with the agency responsible for the lands. Means of minimizing harm to these lands must also be explored and developed wherever feasible.

PROJECT LOCATION STUDY FLOW CHART "ACTION PLAN"

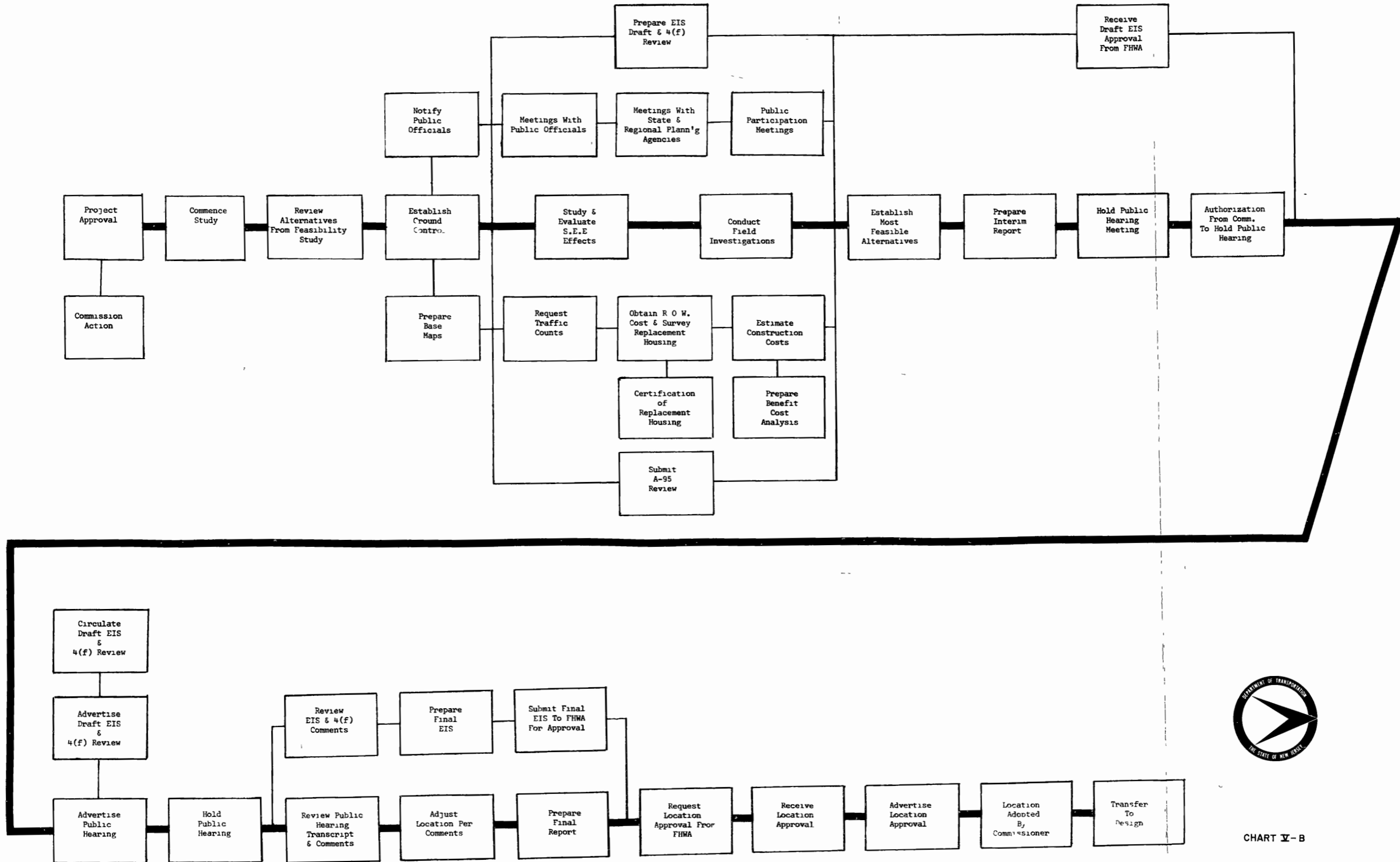


CHART V-B

CHAPTER VI - DESIGN PROCESS FLOW

Upon approval of the corridor location by the Commissioner of Transportation and the FHWA, the Director of Transportation Planning & Research transmits to the Director of Engineering & Operations all pertinent material related to the Project Location Study. This material consists of:

1. Final Environmental Impact Statement
2. Project Location Report
3. Maps and Aerial Photographs
4. Correspondence
5. List of citizen groups and organizations contacted during Location Study
6. List of Federal and State Agencies contacted during Location Study.

In turn this material is transmitted to the Chief Engineer, Design.

Based on priority, the Chief, Bureau of Surface Design initiates a Commission Action for the implementation of design, which is approved by the Chief Engineer, Design, the Director of Engineering & Operations and the Commissioner of Transportation.

The establishment of priorities for design projects is a function of the Commissioner of Transportation based on line and staff reviews and recommendations of the Chief Engineer, Design.

These priorities are based on recommendations from one or more sources including: Bureau of Surface Design, Bureau of Structural Design, Regional Engineers, Construction Engineers, Maintenance Supervisors, the Bureau of Traffic Engineering and local requests. They may involve improvements to increase safety, rehabilitation of substandard and outmoded highways, increasing capacity on highways which are deficient because of unusual land development or the construction of interchanges in critical areas. Accident rates are also a determining factor in these recommendations.

Funds to commence design are certified and reserved by the Director of Fiscal Management.

Upon approval of the Commission Action, project design commences.

The Bureau of Federal Aid Coordination prepares and processes necessary material for obtaining Federal Aid Funds for the reimbursement of Federal participation cost. This action occurs upon receipt of the necessary information, such as Key Map showing location and length of project and estimate of construction cost from the Bureau of Surface Design.

A. Prepare Design Study

After the Design Group has been selected, the Chief, Bureau of Surface Design assigns the project to the Area Engineer of the area involved. The Area Engineer and the Design Group will maintain contact with the Bureau of Project Location throughout the design study stage to assure that information and local contacts not specifically included in the Project Location Study are made known to the Design Group. This may involve several meetings as warranted. The Design Group then proceeds to develop preliminary studies on the approved corridor. The Chief, Bureau of Highway Planning supplies all available traffic data for the highway as well as crossroads.

Those Bureaus within the N.J.D.O.T. which are required to develop, complete and/or review and process the Final Contract Documents shall be included in this Action Plan under the term "Design Services." These Bureaus are shown on Chart IV-B.

Necessary photogrammetrics are provided under contracts based on Bureau of Surface Design Specifications.

Spot borings are provided by the Bureau of Soils for preliminary profile purposes.

The Design Group uses the Environmental Impact Statement and the Project Location Report which will have social and economic aspects brought out. Additional field trips are made for more specific information.

Contact is maintained on a continuous basis with the Bureau of Environmental Analysis during design studies as well as final design.

The Department maintains close liaison with the FHWA during the studies, on a current basis. Interchange schemes are developed graphically on a 200 scale plan. Due to social, economic and environmental effects, several schemes may be developed for certain interchanges.

FHWA reviews the 200 scale plans and makes recommendations on alignment interchanges and alternates.

B. Bureau of Surface Design

A Bureau of Surface Design team, generally composed of an Area Engineer, Design Reviewer and a member of the Design Group hold informal prehearing meetings with State Agencies which our plans indicate will be involved in proposed design. These are agencies which were originally contacted in our Project Location stage. If fringe areas of involvement appear to exist with additional agencies, the Design team will contact these agencies for information that may tend to affect our design. Prehearing meetings are also held with local officials and interested citizen groups to discuss the preliminary design plans which include alternates and obtain their reaction to these plans. These meetings are initially arranged by telephone or letter, by the Area Engineer, with local officials. These officials notify the Area Engineer of available location of meetings and mutual agreement is reached as to time. Confirmation is made by the Area Engineer by letter to involved officials. The Right of Way Division may be called upon to participate in these meetings.

Interested citizen groups as well as individual citizens are made aware

of these meetings by means of news releases in local papers. These news releases are disseminated by our Bureau of Information Services, on the instructions of the Area Engineer.

Recommendations and comments at the meetings on the design study plans are analysed and reviewed by the Department, especially for SEE effects on these recommendations. Upon the final decisions by the Chief Engineer, Design, groups or individuals who made recommendations are notified as to the disposition of their suggestions.

As an example, specific results from such meetings were alignment revisions on Route 195 to minimize adverse SEE effects on a new development in Howell Township, Monmouth County. This was brought about by citizen groups working with their local officials.

Another example was the relocation of a partial interchange from Dunns Mill Road to Rising Sun Road on Route 295 to minimize adverse SEE effects on the proposed Bordentown High School, requested by local officials and school board.

When the design studies reach a point where FHWA gives preliminary approval for Public Hearing purposes, 200 scale plans are sent to the Director, Division of Right of Way by the Area Engineer, with a request that he provide the Bureau of Surface Design with a Conceptual Stage Relocation Study which is forwarded to FHWA prior to the Public Hearing. (See Chapter VII for explanation of Conceptual Stage Relocation Study).

C. Approval of Small Scale Preliminary Plans

When the FHWA gives preliminary approval of the 200 scale plans for Design Hearing purposes, contacts are once again made with the State Agencies with whom preliminary prehearing meetings were held. Preliminary plans plus any alternatives are furnished for their information.

If agencies such as the U.S. Corps of Engineers, U.S. Coast Guard and Federal Aviation Administration are involved, preliminary small scale plans and information shall be furnished for their information prior to a design public hearing. This is done to maintain the early contact established during the Project Location Stages and provide further awareness of the project.

D. Approval to Hold Design Public Hearing

When all aspects of social, economic and environmental impacts have been considered in the preliminary design study including design alternates and prior to submission to the FHWA, the study will be reviewed by the Bureau of Environmental Analysis to ascertain conformance with the SEE aspects. When approval is received from FHWA to hold a Design Public Hearing, a request is made to the Commissioner of Transportation by the Area Engineer to hold a Design Public Hearing. This request, prior to submission to the Commissioner must be approved by the Chief, Bureau of Surface Design, Chief Engineer, Design, Director of Engineering & Operations and the Assistant Commissioner, Highways. Approval having been received, the Area Engineer contacts the Chief Hearing Officer, Bureau of Information Services. The Chief Hearing Officer makes the necessary arrangements for the date and location of the hearing, the presentation format, and conducts the formal hearing. This is all coordinated with representatives of the Bureau of Surface Design.

E. Public Hearing Procedure

Reference: PPM 20-8 - See Appendix

Notice of a public hearing will be published by the Secretary of the N.J.D.O.T. at least twice in a newspaper having general circulation in the vicinity of the proposed undertaking. The first notice shall be from 30 to 40 days before the date of the hearing and the second be from 5 to 12 days

before that date.

About a week prior to the public hearing, a prehearing information center is selected in the area by the Chief Hearing Officer at which time the hearing map is on display and Department representatives are available to answer questions. This exhibit will remain on display in a suitable location up to the time of the hearing. Notice of this information center is published as a news release in newspapers in the area concerned by the Bureau of Information Services.

At the Public Hearing, the Area Engineer, his staff and Design Group representatives are again available to respond to the public's questions regarding project design features.

The size of the project exhibit is dictated by the length of the project and limitations imposed by the hearing site. The average scale of the exhibit is 200 feet to the inch but large scale plans of critical areas are provided to show the details of design relative to individual properties which are not readily apparent on the smaller scale plans.

The relation of details of design to individual properties is available at the design hearing. The Right of Way Division sends a representative to the Hearing to respond to questions regarding property acquisition, relocation assistance and payments. (See Chapter VII).

Written statements and other exhibits in place of, or in addition to oral statements may be submitted to the Department of Transportation at the hearing. The final date for submission of such exhibits or statements shall be at least ten (10) days after the public hearing and may be extended to 30 days as dictated by the amount of interest generated at the hearing.

The hearing transcript is reviewed and evaluated by the Area Engineer, under the direction of the Chief, Bureau of Surface Design. The Design Group will be involved in investigation of comments such as recommendations involving design changes. If revisions are determined as warranted, upon review of the Design Group, discussions are held with the FHWA for their determination and officials and/or citizen groups are notified as to the disposition of their suggestions and recommendations by the Area Engineer.

After a thorough review of the transcript, including consideration of SEE effects and in accordance with Federal requirements of PPM 20-8 (See Appendix) and as modified by IM 20-4-72 (See Appendix), the FHWA is requested to grant approval to proceed with final design.

At the time the Department requests design approval it will publish a notice describing the design for which it is requesting approval in accordance with paragraph 10 of PPM 20-8. This notice will be published by the Secretary of the N.J.D.O.T.

Publication of Approval - PPM 20-8, Paragraph 11

As required by PPM 20-8, the Department of Transportation will publish notice of the action taken by the FHWA regarding our request to proceed with final design in a newspaper having general circulation in the vicinity of the proposed undertaking. This notice must be published by the Secretary of the N.J.D.O.T., within 10 days after receiving notice of that action.

Phase I - Prepare 30 Scale Preliminary Plans

After approval from the FHWA to proceed with design, the Design Group develops preliminary graphical plans on a scale of 1 inch equals 30 feet.

Graphical plans are for the purpose of conveying to the engineer as well as to the layman, a pictorial representation of proposed design. It is drawn to scale to relate specifics symbolically. SEE aspects are always a factor in this development.

Public input will always be a factor in the development of these graphical plans and local officials are kept abreast of developments on items of primary concern to them. The Area Engineer's office will maintain close liaison with local officials who will represent and report to their constituency on developments. Current contact is maintained with FHWA and as approvals are received, final design proceeds.

Interchange schemes developed in the study phase are further evaluated and decisions are made in the best overall public interest considering the needs of safe operation and service. This applies not only to the main highway but also to the treatment of crossroads being carried over or under the proposed highway. Aside from environmental aspects, the economics of construction must also be considered.

F. Prepare Right of Way & Phase II Plans

Phase II plans are the development of approved graphical plans to final design and are considered approximately 60% complete. Right of Way acquisition documents are given preliminary review by the Bureau of Special Engineering in conjunction with the Area Engineer. Right of Way acquisition documents are completed at this Phase.

Deliver Plans & Documents to Right of Way, Federal-aid Programming

Upon completion of the Phase II plans and acquisition documents, they are transmitted to the Right of Way Division for firm and sound cost estimates as well as an estimate of the required Right of Way lead time. The Right of Way firm and sound parcel by parcel preliminary cost estimate made from the preliminary parcel maps, when completed, is submitted to the Bureau of Federal-aid for Federal-aid programming authorizations, after which the Right of Way Division will be notified of the project program approval and completed Phase II plans and a fiscal budget note (processing form) approved by the State Highway Engineer, the Director of Design, and the Director of Fiscal Management is transmitted to the Right of Way Division.

Right of Way Lead Time Estimates & Relocation Time Requirements

Recognizing the critical and sensitive nature of Right of Way acquisitions and the details and matters involved in an orderly, humane and workable relocation of persons, families and businesses to be displaced from the right of way, the Right of Way Division in relation to the available supply of decent, safe and sanitary replacement housing suitable to the financial means and suitable to the needs of the persons and families displaced, will be requested in all instances at this point to submit its updated estimate of reasonable lead time requirements to complete acquisitions and relocations. Design scheduling for Federal PS & E approvals and future construction advertising shall strictly be in relation to the indicated Right of Way lead time requirements and the sensitive people factors involved.

All stages of plan preparation are subject to the approval of the Chief, Bureau of Surface Design and the Chief Engineer, Design.

G. Chief, Bureau of Soils

This Bureau upon direction from the Chief Engineer, Design shall provide comprehensive subsurface data on which to base design work. Additional recommendations are also made for the following aspects of design:

- a. Foundation for roadways
- b. Treatment of rock slopes
- c. Pavement recommendations
- d. Review of foundations for structures as required
- e. Soil erosion problems.

The foregoing is all based on borings secured by the Bureau of Soils.

H. Typical Section

The typical section shall be prepared under the direction of the Area Engineer, reviewed by the Geometry Design Group and approved by the Chief, Bureau of Surface Design and the Chief Engineer, Design. FHWA approval is also required.

Roadway clearances on structures are reviewed by the Bureau of Surface Design and submitted to FHWA for approval.

I. Hydraulic Section

Hydraulic and hydrological data for waterway openings shall be submitted to the Hydraulic Section by the Design Group. This data shall be checked and then submitted to the Department of Environmental Protection for approval of the required waterway openings. The drainage design will have preliminary review concurrent with development of Phase II plans.

J. Chief, Bureau of Landscaping

Schedules and prepares complete landscape plans as well as including plans and specifications in contracts prepared by a Design Group. All requirements

of social, economic and environment are involved as well as aesthetics. The Bureau should check the Environmental Impact Statement and maintain contact with the Bureau of Environmental Analysis for disciplines necessary to implement SEE effects in the area concerned.

The requirements of the Highway Beautification Act are considered in all phases of project development. These include landscaping and scenic enhancement, acquisition of additional property for the preservation of natural growth adjacent to the right of way and the acquisition of sites suitable for rest and scenic areas.

The work of the Bureau of Landscape is coordinated with all Bureaus under the Chief Engineer, Design.

K. Chief, Bureau of Utilities

Meets with the Design Group and discusses with them any potential utility conflicts. The Chief, Bureau of Utilities advises the various companies affected by the project and coordinates the Design Group's efforts with them by providing preliminary plans for their indication of utilities which are not shown on the original plans.

Subsequent to the receipt of preliminary plans which may reflect additional utilities, a determination is made on the magnitude of the conflicts and discussions are held with utility companies to resolve these conflicts.

Rearrangements should incorporate both safety and esthetic features. If feasible, utilities should be placed underground. Poles and other above ground features should be located as far as possible from travel lanes to minimize hazardous conditions to the travelling public. The Department's Utility Accommodation Policy takes into consideration the effect that the utility relocation will have upon both the environment and aesthetics of the area.

Arrangements will be made to maintain services at all times, regardless of cost.

L. Federal Aviation Administration

If an airport is within 2 miles of a project, an "Airport Sketch Map" must be prepared and submitted through our Bureau of Federal Aid Coordination to FHWA for their approval. Upon their approval, FHWA forwards it to the Regional Federal Aviation Administration for concurrence. Upon approval by both agencies, signed copies of the "Airport Sketch Map" are returned to this Department.

M. U.S. Coast Guard

If a navigable stream is involved, the Coast Guard has been made aware of this during our Project Location Studies as well as the Area Engineer providing them with preliminary 200 scale plans during the design study to keep them aware of our progress.

If there is involvement, a permit must be requested. Maps showing proposed clearances, vertical and horizontal, must be prepared. These maps must show flood of record, depth of channel, and any proposed or existing obstructions. An Environmental Impact Statement must accompany permit application as well as a Water Quality Certificate from agency having appropriate jurisdiction.

N. U.S. Corps of Engineers

Encroachment on Tidal Lands

The U.S. Corps of Engineers are also made aware of possible encroachments primarily by the Area Engineer who provides them with preliminary 200 scale plans during the design study to keep them aware of our plans.

Application must be made to the Department of Environmental Protection for a revocable permit to perform any work on riparian lands. Application must describe type of construction and estimate of cost. Application for

Riparian Grant must be filed along with a Water Quality Certificate issued by agency having appropriate jurisdiction.

Application must also be filed for permit, with the U.S. Corps of Engineers for approval by the Chief of Engineers and the Secretary of the Army, to construct encroachments. The application must describe type of work to be performed including work quantities involved.

Permits for dredging in navigable waters or for discharge of dredged or fill materials in navigable waters at specific disposal sites must be obtained from the Corps.

All permits should be received prior to Phase II.

O. Review and Comments on Phase II and ROW Plans

The following Bureaus are involved in the review:

- Bureau of Surface Design - Area Engineer
- Bureau of Surface Design - Hydraulic Section
- Bureau of Soils
- Bureau of Traffic Engineering
- Bureau of Utilities
- Bureau of Structural Design
- Bureau of Landscape
- Bureau of Electrical Operations
- Bureau of Special Engineering
- Bureau of Maintenance
- Bureau of Environmental Analysis

After a Departmental Phase II submittal by the Design Group, preliminary bridge plans are submitted to the Bureau of Structural Design. The preliminary bridge plan submission covers structure selection type, based upon comparative cost analysis on those types that are compatible with site conditions. In addition, there may be other factors above pure functional cost that may decide structure type. These factors could involve environment and/or esthetics.

Submission to other design units is made for confirmation of previous planned design commitments. All permit requirements must be verified prior to completion of preliminary plans. Upon concurrence of preliminary plans by the Bureau of Structural Design, they are submitted to FHWA for their approval. Upon approval, final plan development is authorized by the Bureau of Structural Design.

P. Bureau of Traffic Engineering

This Bureau is responsible for:

- a) Preliminary reviews of signing which when approved by FHWA are incorporated in the plans.
- b) Traffic control devices, if necessary, for inclusion in the plans.
- c) Review and approval of plans for detour roads which are submitted to them by the Design Group.
- d) Review and comments on construction staging and maintenance of traffic during construction.

Q. Bureau of Electrical Operations

This Bureau is responsible for providing the Design Group with guidelines for lighting. In areas where traffic signals are anticipated, preliminary traffic signal plans are supplied, between Phase II and Phase III.

Complete plans may be submitted to the Design Group for inclusion in contract plans.

R. Bureau of Special Engineering

Upon receipt of Phase II plans, this Bureau reviews the plans to see which County or Municipal roads are to be incorporated in the proposed construction, and which newly constructed, reconstructed and/or relocated roads that are part of the project will be turned back to County or Municipal control following construction.

This Bureau then prepares jurisdictional limit maps and agreements which spell out the legal and maintenance responsibilities of each governmental agency involved upon completion of the project.

These maps and agreements are submitted to the affected County and Municipal officials for their approval prior to opening of the project.

If differences arise, meetings are held with the aforesaid officials until a mutually acceptable agreement is effectuated.

S. Review and Comments on Phase III Plans

Phase III plans, to all intents and purposes are essentially completed plans that are still subject to minor modifications. They are forwarded to the same Bureaus that were involved in the review of Phase II and right-of-way plans. (See Paragraph O)

The Bureau of Special Engineering submits Phase III Plans to FHWA for their preliminary review and comments prior to the P.S.&E. (Plans, Specifications and Estimates) submission.

The Bureau of Special Engineering reviews the plans, specifications and estimates. They conduct a Phase III conference with the Design Group involved in the preparation of the plans, to discuss all aspects of the final plans to determine compliance with all policies and standards of the Department and FHWA. SEE aspects are also reviewed at this time.

Upon completion of the review by all agencies mentioned above, tracings are returned to the Design Group for the purpose of completing Phase IV plans.

T. Phase IV Plan Review

Review by same Bureaus that participated in project development is made in order to insure that the incorporation of Phase III comments was accomplished.

Submission of the P.S.&E. which involves the collection, coordination and submission of the various data and documents is a function of the Bureau of Federal Aid Coordination.

All pertinent comments received from FHWA concerning the PS&E plans are submitted to the appropriate bureaus for resolution.

U. Request Approval to Advertise

During the Design phases subsequent to Phase II plan completion and transmittal of the Right of Way plans and documents to the Right of Way Division, together with Federal-aid Right of Way programming approval and the fiscal note processing form, the Director of Design and the State Highway Engineer and the Executive Director will maintain close liaison with the Right of Way Division as to acquisition and relocation progress. Advertising schedules and Design PS&E shall be coordinated to coincide with the anticipated Right of Way availability.

Upon notification of the tentative Right of Way availability, the project can be scheduled for advertising. Upon receipt of the Right of Way availability certification from the Director of Right of Way, the Bureau of Federal Aid Coordination can complete the submittal of the PS&E and the request for advertising authorization to the FHWA Division Office. Upon approval of the request to advertise from FHWA, the Bureau of Federal Aid Coordination notifies the Commissioner, Director of Engineering and Operations, Chief Engineer, Design, Bureau of Special Engineering, and the Bureau of Contract Administration. The Bureau of Contract Administration advertises the project for construction and distributes contract plans and specifications to prospective bidders, as requested.

V. Receipt of Bids

In accordance with the project advertisement and the contract specifications which include the prequalification of Bidders, as required by Statute, Bidders' proposals are received.

The Bureau of Contract Administration receives and publically opens Bidders' proposals submitted in accordance with Standard Specifications and

declares the apparent low and second low bidder.

The Bureau of Cost Accounting reviews, verifies and adjusts the proposals of bidders that have been established under the contract specifications.

W. Award of Contract

Bureau of Special Engineering reviews proposals and confirms the responsible low bidder for the award of contract by initiating a Commission Action. Commission Action is forwarded to the Chief Engineer of Design for his review and recommendation.

The Chief Engineer of Design submits his recommendations for approval to the Bureau of Federal Aid Coordination who then requests FHWA concurrence in the low bid. FHWA reviews bids and, if in order, advises the Bureau of Federal Aid Coordination of concurrence in the award.

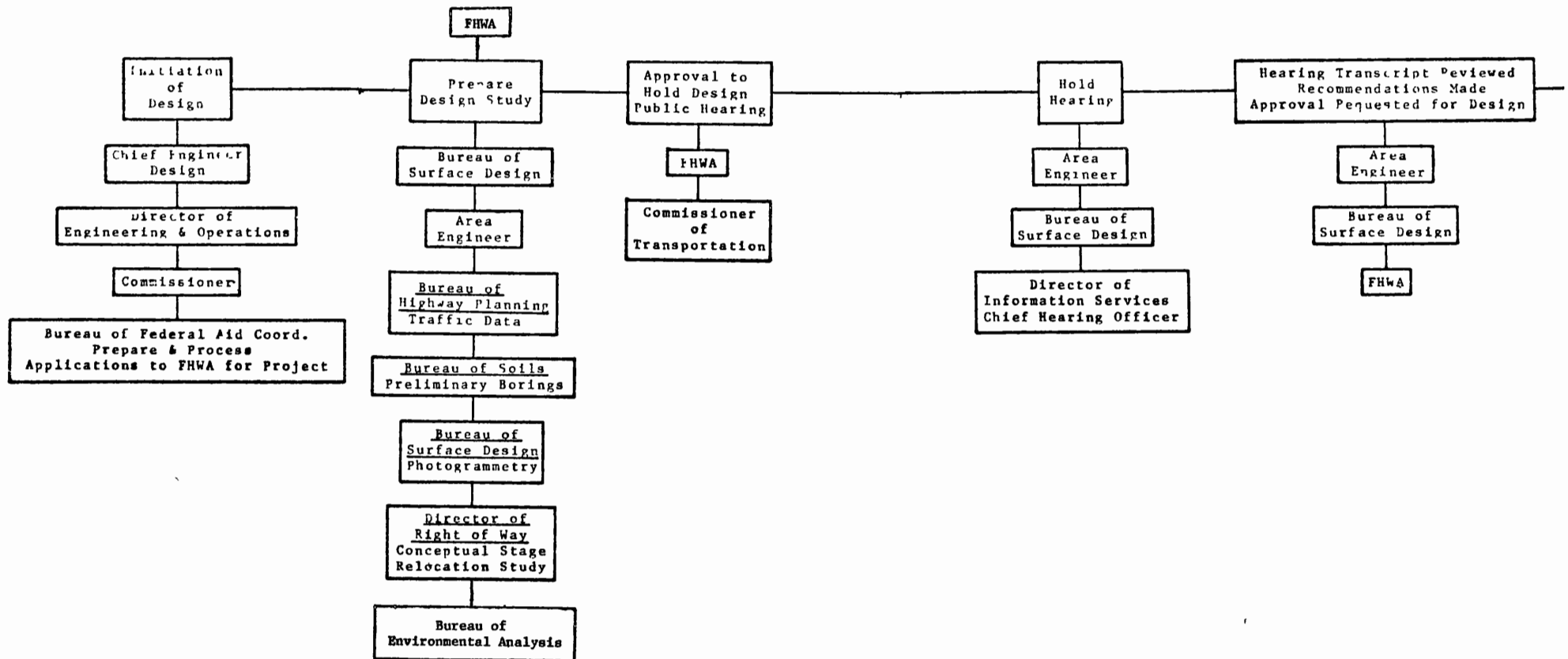
Chief Engineer of Design recommends approval for the award of contract to the qualified low bidder.

Chief Engineer of Construction & Maintenance reviews bids and recommends approval for the award of contract to the qualified low bidder.

The Director of Fiscal Management verifies the availability of funds required for the project construction.

The Director of Engineering & Operations reviews and recommends approval for the award of contract to the Commissioner of Transportation who awards the contract to the qualified low bidder.

"DESIGN PROCESS FLOW CHART"



NJDOT
ACTION PLAN

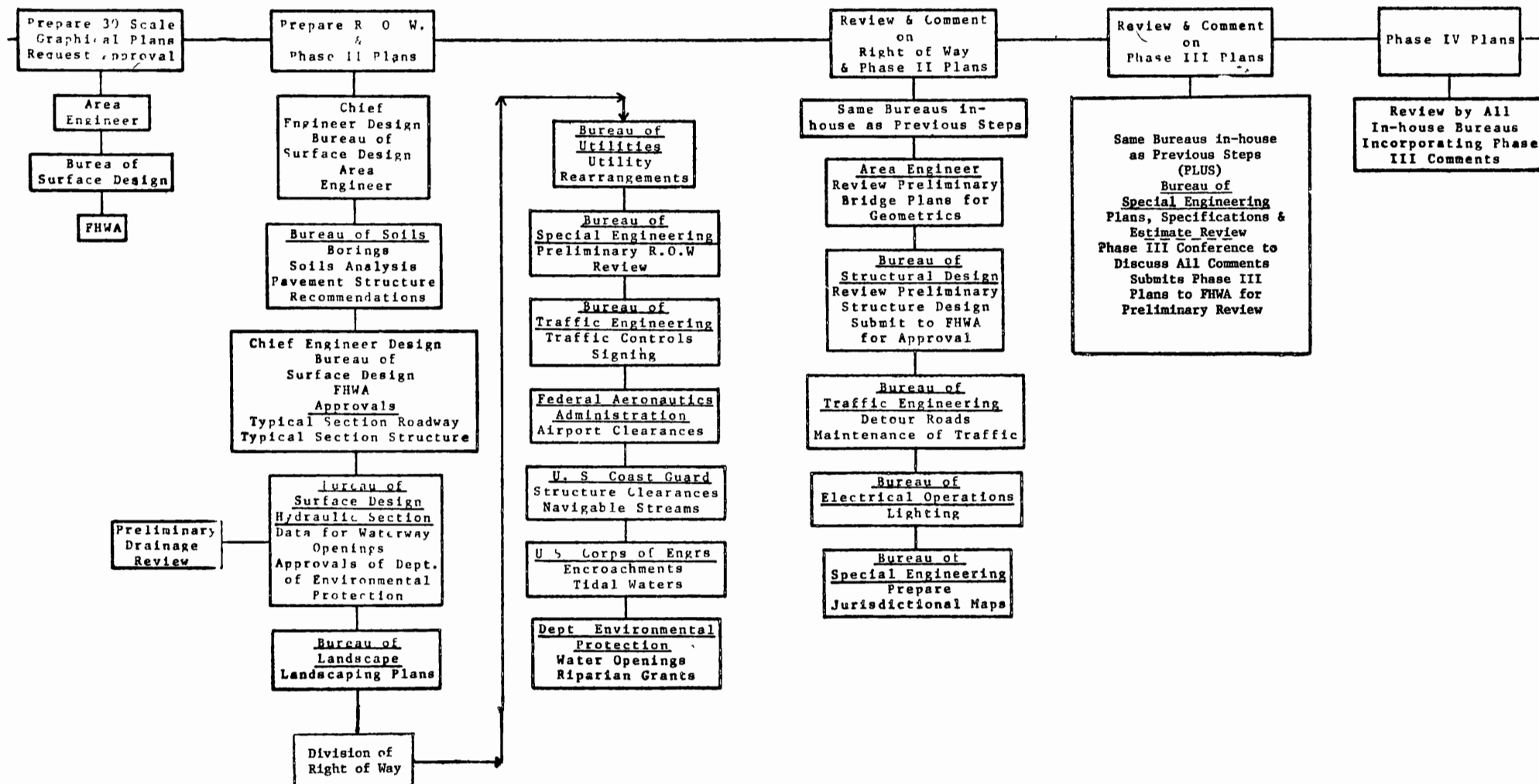


CHART VI -A

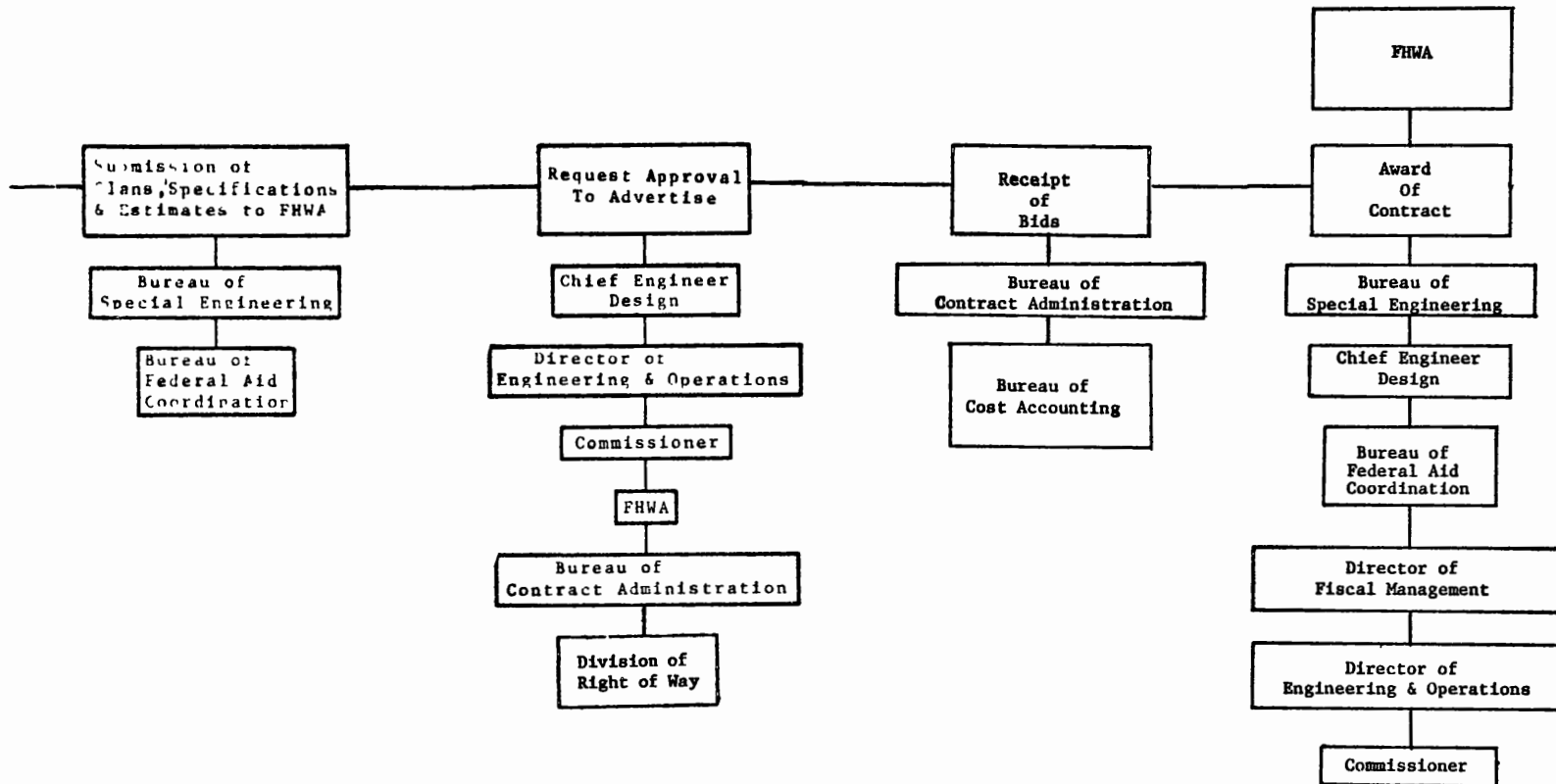


CHART VI -A

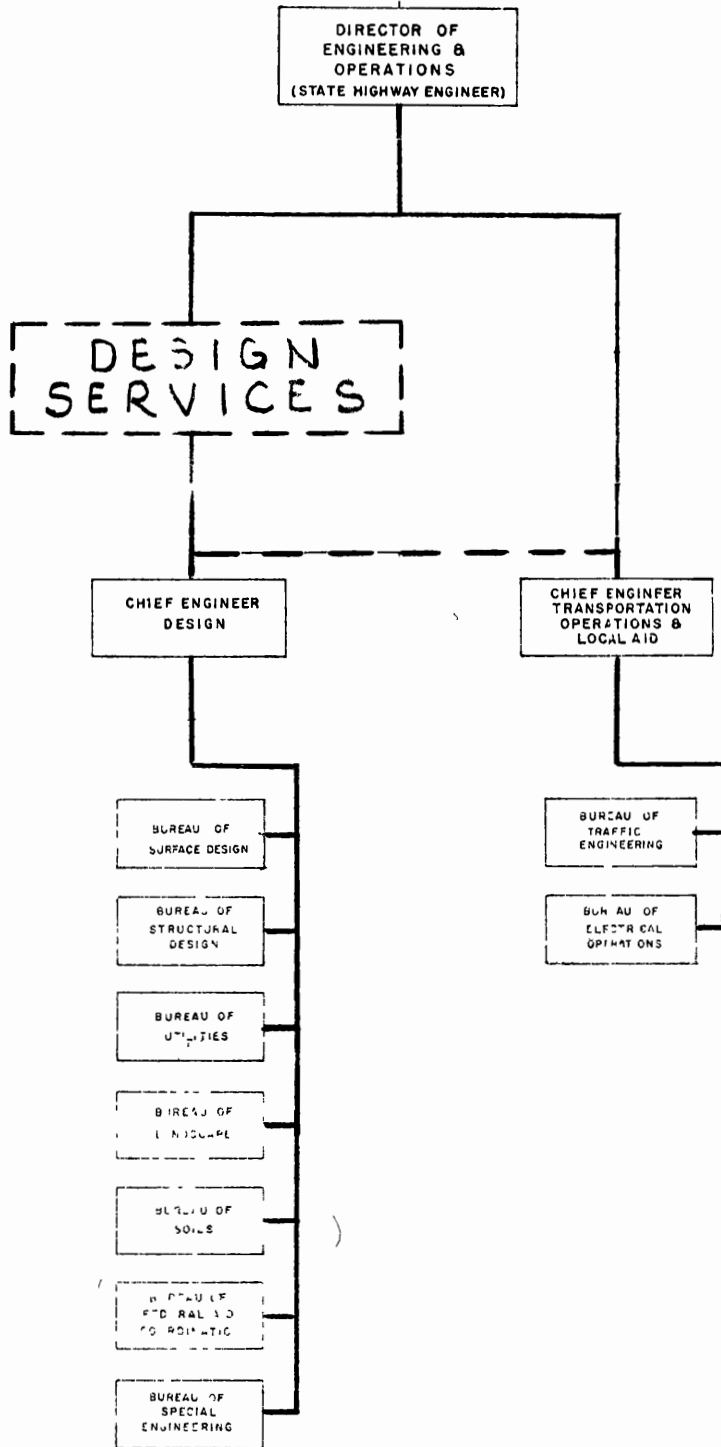
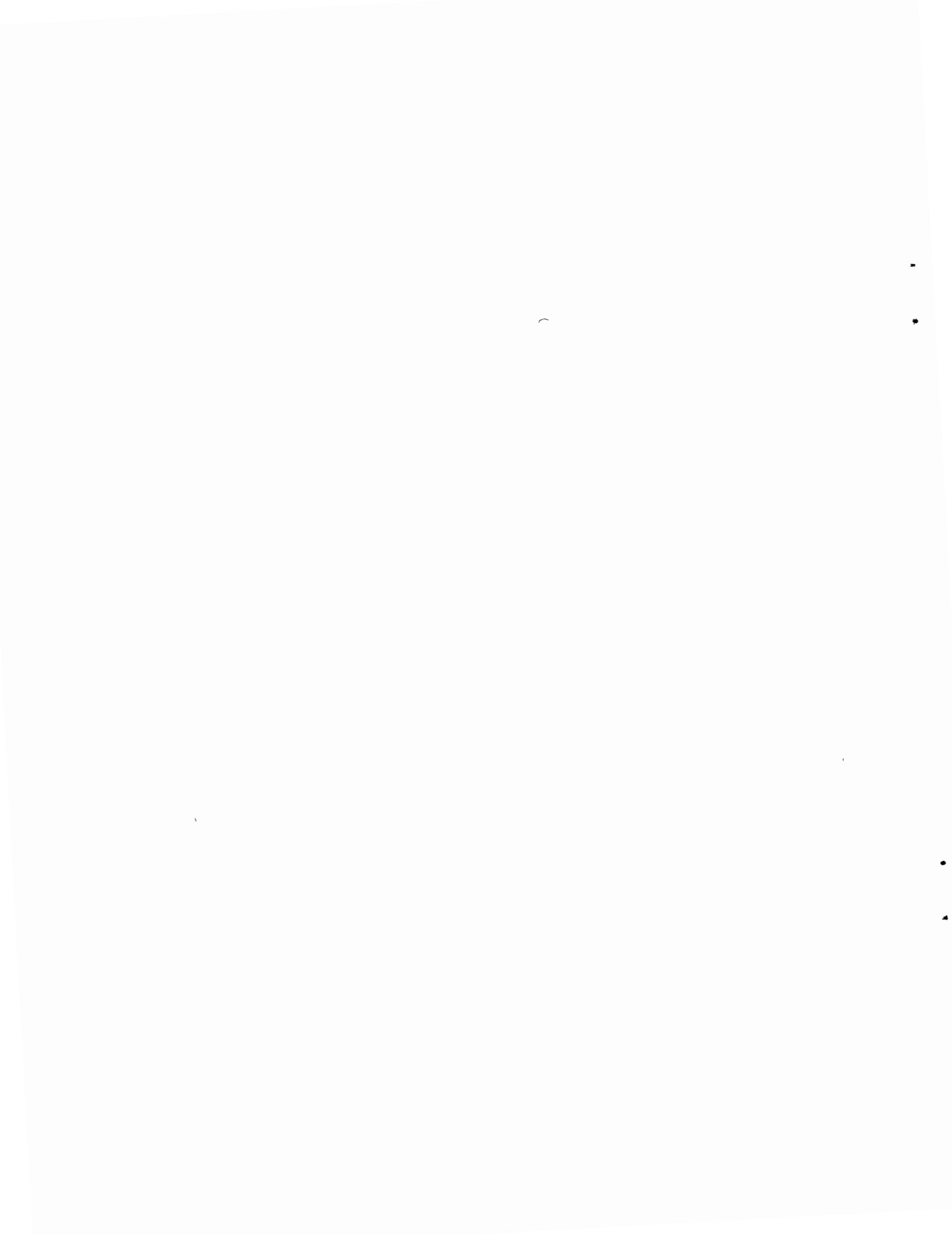


CHART VI-B



CHAPTER VII
RIGHT OF WAY

Section 1: Organization

A. Introduction

The Right of Way Division has the responsibility for Property Appraisals, Property Acquisitions, Title Searching and Conveyancing, Legal Processing of Condemnation actions, and for Relocation Assistance including assistance in finding replacement houses and business locations, moving expense reimbursement, business discontinuance allowance in lieu of moving reimbursement, payment of replacement housing supplements, mortgage interest rate differentials and closing costs on new homes, payment of rent supplements, down payment alternates and closing costs on new homes (when applicable) and related supporting services and assistance.

Concurrent with the above and to assure an orderly, workable and humane Relocation Assistance Program, there is conducted a property management program permitting rental occupancies until there is available decent, safe and sanitary housing, suitable to the displacees' needs and within their means. No family or individual is required to relocate until the subject provisions have been accomplished.

Owner-occupants are given the option of retaining and relocating their homes subject to a reasonable purchase price adjustment, and time permitting, all saleable structures are advertised for sale at public auction, thereby saving acquisition costs as well as demolition costs and tax ratables for the community in which an auctioned improvement is located.

The Right of Way Division also periodically auctions any Right of Way parcels judged as "excess" by the Transportation Department's Planning, Design, Maintenance, and Landscape Divisions as not required for future or present Transportation purposes. Collateral professional services are also provided other Divisions in the Transportation Department as well as other Departments, Agencies, and Authorities in the State and for Local and County Governments. These include but are not limited to the outright provision for Right of Way Acquisition and Relocation, Special Appraisal Services, Conceptual Stage and Workable Stage Relocation Plans, including housing analyses, cost studies, economic and socio-economic studies and related matters.

The following sections depict the Right of Way organization, its areas of operation and a summary of the work flow:

The Right of Way Division Organization Level

The Right of Way Division is on a level comparable to that of other major Divisions in the Transportation Department. The Chief of the Right of Way Division is the Director of Right of Way, Transportation.

B. The Right of Way Division Organizational Structure and Locations

The Right of Way Division consists of the Director's Office, five Bureaus, one for each major function, and five District Offices from which all field operations are generally conducted. Attached as an exhibit is the Right of Way organization chart and a geographical chart of Right of Way District areas.

The main office of the Right of Way Division is located in the Transportation Department Building, 1035 Parkway Avenue, Trenton, New Jersey, including the Office of the Director and the following Bureaus:

<u>Bureau</u>	<u>Supervisor's Title</u>
1. Bureau of Control & Special Projects	Chief, Bureau of Control & Special Projects, Transportation
2. Bureau of Appraisals	Chief, Bureau of Appraisals, Transportation
3. Bureau of Acquisition	Chief, Bureau of Acquisition, Transportation
4. Bureau of Property & Relocation	Chief, Bureau of Property & Relocation, Transportation
5. Bureau of Titles	Chief, Bureau of Titles, Transportation

1. Right of Way Director

The Right of Way Director has the designated responsibility for supervision of the Right of Way Division subject to final formal approval of the Commissioner of Transportation who must formally approve by commission action all real estate and related commitments including project and parcel programming authorization.

2. Bureau of Control & Special Projects

The Chief of the Bureau of Control and Special Projects is responsible for all routine administrative matters, vouchering Federal-aid programming and status, project schedule controls pertaining to the Right of Way Division; maintaining the master and any subsidiary records and control logs, as well as appropriate personnel records and shall accomplish necessary coordination and liaison with the Division of Personnel as concerns matters of training and employee development programs.

3. Bureau of Appraisals

The Chief of the Bureau of Appraisals is responsible for staff supervision of all appraisal matters (fee and staff), as well as appraisal reviews and related matters.

4. Bureau of Acquisition

The Chief of the Bureau of Acquisition is responsible for staff supervision of all acquisition matters including negotiations, for condemnation processing and for coordination and liaison with the Department of Law concerning condemnation trial matters which have been referred for judicial process.

5. Bureau of Property and Relocation

The Chief of the Bureau of Property and Relocation is responsible for all matters pertaining to relocation assistance and payments, relocation plans, improvement inventory, property management and excess parcel disposition.

6. Bureau of Titles

The Chief of the Bureau of Titles is responsible for line supervision and direct accomplishment relating to the preparation of title searches, the preparation of other related title matters and the processing of all cases through closing and final payment.

C. Right of Way District Offices

The Right of Way District Offices from which field operations are generally conducted are as shown on the organization chart and as follows:

<u>Office</u>	<u>Address</u>	<u>Supervisor's Title</u>
1. Northern District	1259 Route 46 Parsippany, New Jersey	District Supervisor of Right of Way, Transportation
2. Trenton District	2500 Brunswick Avenue Trenton, New Jersey	District Supervisor of Right of Way, Transportation

3. Metropolitan District	Ramsey Avenue & Bloy Street, Hillside, New Jersey	District Supervisor of Right of Way, Transportation
4. Central District	Box 272, R. D. 4 Route 9, Freehold, New Jersey	District Supervisor of Right of Way, Transportation
5. Southern District	911 N. Kings Highway Cherry Hill, New Jersey	District Supervisor of Right of Way, Transportation

Although not specifically indicated on the organization chart, each District may from time to time establish within its geographical area one or more satellite project offices so as to facilitate operations on major projects and best serve the public interest. On all projects where families will be displaced, so as to serve the needs of displacees the matter of the establishment of a local Relocation Site Office will be analyzed in relation to needs and after consultation with the FHWA Division Engineer, a decision will be made.

All Right of Way procedures are manualized and are standard Statewide so as to assure uniform and consistent application and central office control over decentralized operations. All projects and formal assignments originate in Headquarters and are returned there for formal action on completion.

SECTION 2: RIGHT OF WAY WORK FLOW PROCESSES

A. Plans and Federal-aid Programming

All Right of Way plans originate from the Design Division. Upon completion of Phase II plans and transmittal of same by the Design Director to the Right of Way Division Director, parcel by parcel firm and sound cost estimates are accomplished for budgeting purposes.

These estimates are transmitted to the Bureau of Federal-aid, Division of Design, which requests program approval of the FHWA. Upon notice of Federal program approval, the project maps and other documents are transmitted to the Right of Way Director together with a fiscal note (processing form) indicating the Federal-aid Right of Way project number and related matters.

B. State Right of Way Project Programming

The Right of Way Director initiates a commission action for formal approval of the Right of Way plans and authority to initiate the project utilizing the Federal-aid and State funding sources reflected in the processing form. Upon authorization of the Commissioner of Transportation, the Bureau of Control and Special Projects notifies all Right of Way Bureaus of the new project as well as the District Office to which it is assigned. Concurrent with the assignment, advance owner notice letters are forwarded to all owners together with maps of the owner's property affected by the project and a Right of Way informational booklet "How Land is Purchased for Highways". Further details as to project programming are contained in the Right of Way Division Administrative Manual and Supervisor's Handbook.

C. Appraisals

Prior to the institution of negotiations, formal detailed appraisals are secured as to the fair market value of the property to be acquired. In the case of partial takings, consideration is also given to legally compensable severance damages resulting to the remainder property. Properties of substantial value, usually \$25,000 or more, will be appraised by at least two appraisers.

Appraisals may be made by qualified staff appraisers and/or by prequalified fee appraisers. The recommendation for use of fee appraisers initiates in the concerned District Office and upon review

and approval of the Appraisal Bureau Chief, a recommendation together with contracts and a commission action is prepared by the Appraisal Bureau Chief and submitted to the Right of Way Director.

All appraisal order recommendations are reviewed by the Appraisal Consultant Selection Committee of which the Right of Way Director is a member. Upon endorsement by the Selection Committee, the order request and contracts are submitted to the Commissioner for execution and approval.

The appraisals are accomplished in and/or delivered to the assigned District Office. During the appraisal preparation, in accordance with Federal law, the appraiser will afford the owner an opportunity to accompany him during his property inspection of that owner's premises.

D. Appraisal Review and Headquarters Registration of Values

All appraisals are first independently reviewed in the District by a special professional review staff for contract compliance, and conformity to accepted professional contemporary techniques as well as reasonableness and propriety as to value.

The District Reviewer prepares a report as to his actions and conclusions and his estimate as to the fair market value. This report and the appraisals are then "Registered" in the Headquarters Office of the Appraisal Bureau Chief in Trenton. Until the appraisals and the Reviewer's registration are accomplished, negotiations may not be initiated and upon completion of negotiations, the registered figure and the appraisals are "match-audited" to assure no unauthorized, unregistered changes have been made in the appraisals. Details pertaining to appraisal matters including appraisal standards, prequalifications procedures, etc. are contained in the Right of Way Division Appraisal and Appraisal Review Manual.

E. Relocation Plan and Right of Way Lead Time Estimate

Right of Way lead time requirements vary greatly, dependent on the nature of a project, size in parcels, complexity of the acquisitions and specifically as to the nature and number of the families, persons and businesses to be displaced.

The Chief of the Bureau of Property and Relocation has the staff responsibility for Relocation Assistance matters which are conducted by the District Office assigned the project. The first major Right of Way step conducted concurrent with ordering the appraisals and which is a Federal requirement prior to the institution of any negotiations is the development of a formal Workable Relocation Assistance Plan (WRAP). In preparing the Relocation Plan the District Office conducts complete site occupancy surveys of each property and each occupancy. These are analyzed so as to develop the project relocation needs. The results permit the development of the Relocation Plan and specifically, the lead time required to accomplish the relocations.

For example, the chart on the following page indicates sample relocation needs and the lead time analysis in relation to available housing. This housing summary and lead time analysis chart indicates a total project residential displacement of 955 families against an annual available housing total of 1,170 dwelling units. While from these figures it initially appears as if adequate housing for all displacees will be available in one year or less, careful analysis and study of the charted survey statistics summary clearly indicates that to properly match the available housing supply to the needs and preferences of the concerned families will require a minimum Right of Way lead time provision of 5 years unless additional resources are developed for the low cost housing 4-bedroom category and the senior citizens 1-bedroom category, in which event, the minimum required lead time is 4 years.

Route _____ Section _____

Federal-aid Project No. _____

RELOCATION HOUSING SUMMARY AND LEAD TIME ANALYSIS

<u>Housing Category</u>	<u>Required No. of Bedrooms</u>	<u>No. Units Required</u>	<u>Housing Units Available Annually</u>	<u>Required Lead Time in Years</u>
Sales Housing	1	0	5	0
	2	2	50	0
	3	20	200	0
	4	2	50	0
	5	1	5	0
Private Rental Housing	1	100	300	0
	2	50	200	0
	3	25	100	0
	4	0	25	0
	5	0	20	0
Publicly Assisted Low Cost Housing	1	200	50	4
	2	400	100	4
	3	100	50	2
	4	20	5	5
	5	10	5	2
Senior Citizens Public Housing	1	25	5	5
	2	0	0	0
	3	0	0	0
	4	0	0	0
	5	0	0	0
		<u>955</u>	<u>1,170</u>	<u>5</u>

F. Relocation Plan Approvals and Right of Way Lead Time Estimate

Relocation Plans prepared by the Districts are reviewed by the Relocation Bureau Headquarters and submitted to the Right of Way Director with a recommendation for acceptance. All plans on Federal-aid projects are then reviewed by the FHWA. Negotiations may not be initiated until FHWA acceptance and approval of the Plan as being complete, workable and humane. Relocation Assistance as hereafter detailed is accomplished in accordance with the Plan. See Relocation Assistance Section. Full details of Relocation Assistance and related property rental management programs are further contained in the Right of Way Division Property and Relocation Manual.

(Lead Time Estimate)

The lead time factors developed are made known to the Director of Design, the State Highway Engineer and the Assistant Commissioner for Highways for purposes of inter-Departmental coordination of activities and proper advertising scheduling.

G. Negotiations and Condemnations

The Acquisition Bureau Chief has the responsibility for property negotiations and such activities are conducted by the District Office assigned the project. Negotiations personnel are totally independent of those responsible for appraisals and anyone who has made an appraisal on a property may not conduct the negotiations.

Negotiations are conducted much as in any private transaction in the owner's home or other place of convenience or with the owner's indicated attorney, acting as his legal agent. Except for distant out-of-State locations, these negotiations are conducted on a personal contact basis.

Specifically, in accordance with the intent and philosophy of the Federal Uniform Real Property Policies Act of 1970, all owners are tendered in writing at the outset, the full amount of the State's estimate of fair market value as established by the Appraisal Review Process and previously "Registered". See Appraisal Review Section, page VII -7. Should the owner be an occupant and eligible for a replacement housing additive, it will also be tendered in writing at this time. During the personal negotiations contacts, the Negotiator explains the taking and other matters, including construction if the parcel is of a partial nature. The owner is tendered the availability of an advance down payment up to 25% and the option of retaining and removing his dwelling for an appropriate price reduction. The vast majority of properties are acquired amicably and congenially by these Negotiations steps with an estimated minimum of approximately only 10% of properties having to be acquired by condemnation.

H. Agreement Approvals and Condemnation Authorizations

Agreements are processed from the District to the Acquisition Bureau via a "Price Approval Assemblage". Upon review, the agreement is forwarded to the Right of Way Director who upon approval of same, forwards the matter to the Commissioner via a commission action for execution. One copy of the executed agreements is returned to the owner by the Acquisition Bureau Headquarters Office. The remainder of the file is transmitted to the Title Bureau for title searching and closing.

Cases requiring condemnation are processed in a similar manner including a commission action authorizing the proceedings. The Title Bureau in such instances (see Title Bureau Section hereafter) prepares a title memorandum report and the Acquisition Bureau Legal Processing Section prepares the Complaint and related pleadings which are forwarded to the Legal Division for court action. Legal Notices of Service to defendants named in the action are conducted by Title Bureau personnel.

Pending hearings of the condemnation matters, the Right of Way Division conducts further follow-up negotiations and many additional cases are settled amicably by this process. Negotiations details are contained in the Right of Way Division Negotiations Manual and Field Handbook.

I. Title Searches and Deeds

Title to property acquired of the State Transportation System is taken in fee simple, free and clear of encumbrances with the exception of easements for slopes, drainage, temporary construction rights, etc. In rare instances such as certain railroad crossings, viaducts, and in the acquisition of Federal Government lands, easements may be taken.

The Chief of the Bureau of Titles has the line responsibility for title searches, reports, deed preparation, title closings, and property payments. Abstracts of title for a period of 60 years last past are secured in cases involving a consideration of \$1,000 or more and for a period of 20 years in cases involving a consideration not in excess of \$1,000. These abstracts are secured from searches made in the records of the Office of the County Clerk or Registrar of Deeds as the case may be.

The Title Bureau receives notice of a project when it is approved for programming. At that point an analysis is made as to whether to utilize all State staff or to supplement with outside title assistance. Another factor in considering outside title companies is that frequently they have "back-titles", reducing the searching costs and by reason of local location, it is sometimes more convenient to owners and their attorneys to call and do business at the title company's local office as to closings and related matters.

J. Title Companies

Upon determination of the need to supplement the State staff with the services of title insurance companies, the Chief of the Bureau of Titles secures competitive proposals from bona fide title companies in the area. The proposals are analyzed and normally, if the company is otherwise qualified, the lowest proposal will be recommended by the Title Bureau Chief to the Right of Way Director.

After review and approval by the Consultant Selection Committee, the matter will be submitted to the Commissioner of Transportation for approval by a formal commission action.

K. Title Processing of Agreements

Approved agreements received from the Acquisition Bureau by the Title Bureau Chief are processed to the Searching Sections and/or the title company, as applicable. Concurrently, if the agreement provides for an advance down payment of up to 25%, providing that amount does not exceed 75% of the owner's equity in the property, the Title Bureau Chief arranges for a Treasurer's check through the Department's Fiscal Division. Title searches are processed and examined by the appropriate sections and deeds are prepared for execution by the owners if the title is judged marketable. Closings are made by mail or at points convenient to the owners. Where mortgages and other encumbrances are involved, they can be paid from the proceeds of the agreement.

L. Condemnations

In condemnations, the Title Bureau prepares from the searches, title memorandum reports used as the basis of the Complaint maps and descriptions and to identify the proper named defendants. Complaints and related pleadings are accomplished by the Right of Way Legal Processing Section. (See Acquisition Bureau work processes) The Title Bureau also makes the legal personal Notices of Service in condemnations.

The process of payment in condemnations is similar to that of an agreement except that in trial appeals a Warrant of Satisfaction of the Judgment is received and executed in place of the deed. If title is unmarketable, the award or verdict on appeal is paid into the Chancery Section of the Superior Court System.

M. Possession and Payments

No owners are required to relocate unless the agreement purchase price has first been made available or in condemnation, both a Complaint with Declaration of Taking and Court Deposit has first been made into court where it can be applied for by the owner. Further and specifically, no owner-occupant is required to relocate unless there is first available to him decent, safe and sanitary replacement housing suitable to the needs and within his means. See Relocation and Property Management Section hereafter and Right of Way public information brochure attached, "If I Must Move". The Title Bureau also processes court deposit checks authorized by commission action through the Fiscal Division to the Acquisition Condemnation Processing Section for deposit. The amount deposited is deducted from any later and ultimate negotiated settlement award or verdict.

N. Tax Reimbursements

The Title Bureau Tax Reimbursement Section analyzes, computes and processes for payment or reimbursement any tax adjustments due owners and/or municipalities.

O. Property and Relocation (History and Background)

It has virtually always been a constitutional requirement that just compensation be provided when private property is taken for public purposes. Over the years, the courts interpreted Right of Way

Acquisition to be just that, the taking of property and the payment of same. Excluded was compensation and consideration for the hardships and circumstances imposed on persons, families and businesses forced to vacate as was compensation for such items as moving costs, increased mortgage interest costs, title costs, etc. In effect, a minority was subsidizing the majority. In earlier times such exclusions caused few hardships as most public projects involved vacant or rural lands where the public not only wanted the project, but benefited from it greatly. Farm trucks were out-of-the-mud onto hard surfaced roads and rural areas enjoyed the availability of electric, gas and related services to an extent which far outweighed the negligible amount of land needed to provide such roads and services.

Over more recent years, massive public works projects have been necessary in urban as well as rural areas. They have directly affected many persons who were not only greatly inconvenienced, but may even have often suffered out-of-pocket expenses in conveying property to public agencies. Beginning with the limited 1963 Highway Act covering Advisory Assistance and nominal moving reimbursements, legislative bodies and citizens groups have expressed themselves, resulting in the expanded 1968 Highway Relocation Act and more recently, the Federal Uniform Relocation Assistance Act of 1970, ratified by the New Jersey Legislature on June 1, 1972 via R.S. 27:7-72 et seq. - Uniform Transportation Replacement Housing and Relocation Act.

In summary, a profound empirical change has been mandated over the past approximate decade. Right of Way Acquisition is now concerned not only with property required for public projects, but with the people displaced as a result of acquisitions for same. In accordance with the intent and philosophies of these various Relocation laws, the Right of Way Division has enlarged and trained a professional staff of Relocation specialists instilled with the intent and philosophies of the Relocation Acts, that is, people and people problems.

Full Relocation services, provisions and payments are provided as follows and no person or family is required to relocate without reasonable time and unless there is actually available to them a decent, safe and sanitary replacement dwelling suitable to their needs and within their means. In certain circumstances this may require that the project be held up or abandoned unless the Transportation Department can actually construct the housing as a last resort. Consideration for such factors and Right of Way participation is therefore critical to the Transportation process at early preliminary Planning feasibility steps and Right of Way activities are referred to in previous charts and areas of the text for this reason.

P. Relocation Services and Payments

The following services and payments are provided by the State's Relocation Assistance program:

1. Assistance in finding replacement houses and business locations;
2. Moving Expense Reimbursement;
3. Business Discontinuance Allowance in lieu of moving reimbursement;
4. Payment of Replacement Housing supplements; Mortgage interest rate differentials and closing costs on new home;
5. Payment of rent supplements;
6. Down payment alternates and closing costs on new home (when applicable);
7. Provision of related supporting services and assistance.

Further informational data is contained in the supplement "If I Must Move".

Q. Bureau of Property and Relocation

The Chief of the Bureau of Property and Relocation has the staff responsibility for all Property and Relocation matters. Field operations are conducted by the specialized professional Relocation specialists

assigned to each District Right of Way Office.

Early Right of Way Division participation having contributed to developing through conceptual type studies and other input the most feasible and practicable route, the Relocation staff normally has substantial advance knowledge of the project circumstances. Formal Right of Way Relocation activities begin with initial project programming for Right of Way. At that time, the Relocation staff initiates the Relocation Plan research.

R. The Relocation Plan

Prior to the initiation of any negotiations, a complete in-depth Relocation Plan is developed which shall be both workable and humane. Site occupancy reports individually secured from each and every occupant by District personnel develop the replacement housing needs of the occupants and reflect both the scope of the Relocation project as well as other special collateral needs, such as problems of the aged, special social and/or welfare circumstances, etc. Based on the needs, the District personnel then develop the various resources including housing and means of providing same. In instances judged applicable, the Plan will provide for use of resources from other agencies and organizations specially equipped and/or funded to provide services or facilities. Examples - health care social resources and low cost publicly assisted housing funded by other Federal agencies.

The Right of Way lead time estimate of requirements is critically related to the Relocation Plan. See chart, page VII -9 and text explanation, page VII -8. The District Office on completing the Relocation Plan transmits it to the Relocation Bureau Headquarters for review and processing to the Director for transmittal to the FHWA. Negotiations of the project will not be initiated until FHWA notification that it has been approved.

S. Administering the Relocation Program

Supporting services contracts with other public agencies indicated in the Plan as needed are developed by the Relocation Bureau Headquarters and submitted to the Director for processing and approval by the Commissioner via formal commission action. As appropriate, reviews and approvals required of the FHWA will also be secured. Local Site Offices will be opened if the project needs reflect same and will be available to the public at convenient hours, including one or more evenings weekly.

T. Advance Relocation Information Letters

Prior to institution of negotiations, owners and tenants will have received general advance public information regarding the Relocation services available and concurrent with the initiation of negotiations, they will individually receive more detailed informational letters and the brochure, "If I Must Move".

U. Personal Relocation Contacts

Personal Relocation contacts on an initial and continuing basis for owners and tenants are instituted within 15 days of the initiation of negotiations for the property in which a particular occupant is located. These contacts are conducted by Relocation specialists of the assigned District Office. The personal contacts provide for the development of individual personalized Relocation plans as well as the media for a continuing helpful working relationship between the family, individual or business and the tender of various payments and services as well as available replacement housing from the resources and inventory developed by the District personnel. Standards for decent, safe and sanitary housing are as specified in Federal law and the prevailing Federal P. P. M. These specifications as well as all other Relocation details, requirements and procedures are contained in the Right of Way Division Property and Relocation Manual.

V. Payments

Payment amounts for eligible items, including moving reimbursements, housing and rental supplement additives, mortgage interest rate differentials, business discontinuance allowances in-lieu-of payments, etc., are initially computed and tendered in the District Office and following review, are forwarded to the Relocation Bureau for processing, approval and recommendation for formal acceptance of the amount via commission actions.

W. 90-Day Notices

No person, family or business will be requested to relocate unless following negotiations, an amicable agreement has been executed, or in condemnation, court Complaints with declarations and full fair market value deposits have been accomplished and until there is actually available decent, safe and sanitary housing suitable to the relocatees' needs and within their means. At this point a 90-day notice to vacate may be sent.

X. Property Management

Lease rentals are permitted by statute, R.S. 27:7-21.4 et seq. Where replacement housing is not immediately available and to assure an orderly relocation process, lease rental arrangements are made with the occupants remaining in State property until the housing is available. Leases are prepared in the District Office, processed by the Relocation Bureau and recommended by the Right of Way Director to the Commissioner for approval. By statute, the State must reimburse the involved municipality for in-lieu-of taxes for services rendered to State tax exempt properties. The Property and Relocation Bureau computes the in-lieu-of tax payment amounts and maintains records of same.

Y. Temporary Housing

In limited matters of emergency, temporary emergency housing may be arranged subject to FHWA approval.

Z. Property Sales

Time permitting, dwellings are sold at public auction, thereby reducing the acquisition costs, saving tax ratables, and eliminating the cost of demolition. Auctions are publicly advertised and conducted in public places in accordance with formal procedures contain in the Right of Way Division Property and Relocation Manual. Auctions are arranged and conducted by the Property and Relocation Bureau Headquarters. High bids are reviewed and processed to the Right of Way Director and the Commissioner for approval via formal commission actions. Pending the road contract, buildings not sold or retained by owners are posted, protected and patrolled by District Right of Way Property and Relocation personnel so as to maintain surveillance and reduce vandalism and other possible harmful impacts on the local area surrounding the project.

AA. Right of Way Availability for Construction Advertising

Upon acquisition of the Right of Way, including Relocation Services and the relocation of all families, the Right of Way Director submits an availability letter (addressed to the FHWA Division Engineer) to the Design Division, Bureau of Federal-aid Coordination for transmittal to the FHWA as a part of the PS & E and advertising authorization request.

BB. Right of Way Bureau of Control and Special Projects

The Chief of the Bureau of Control and Special Projects is responsible for matters relating to administration, Right of Way programming and status control, and Federal-aid vouchering. See Right of Way Division Administrative Manual and Supervisor's Handbook for further details relative to this Bureau.

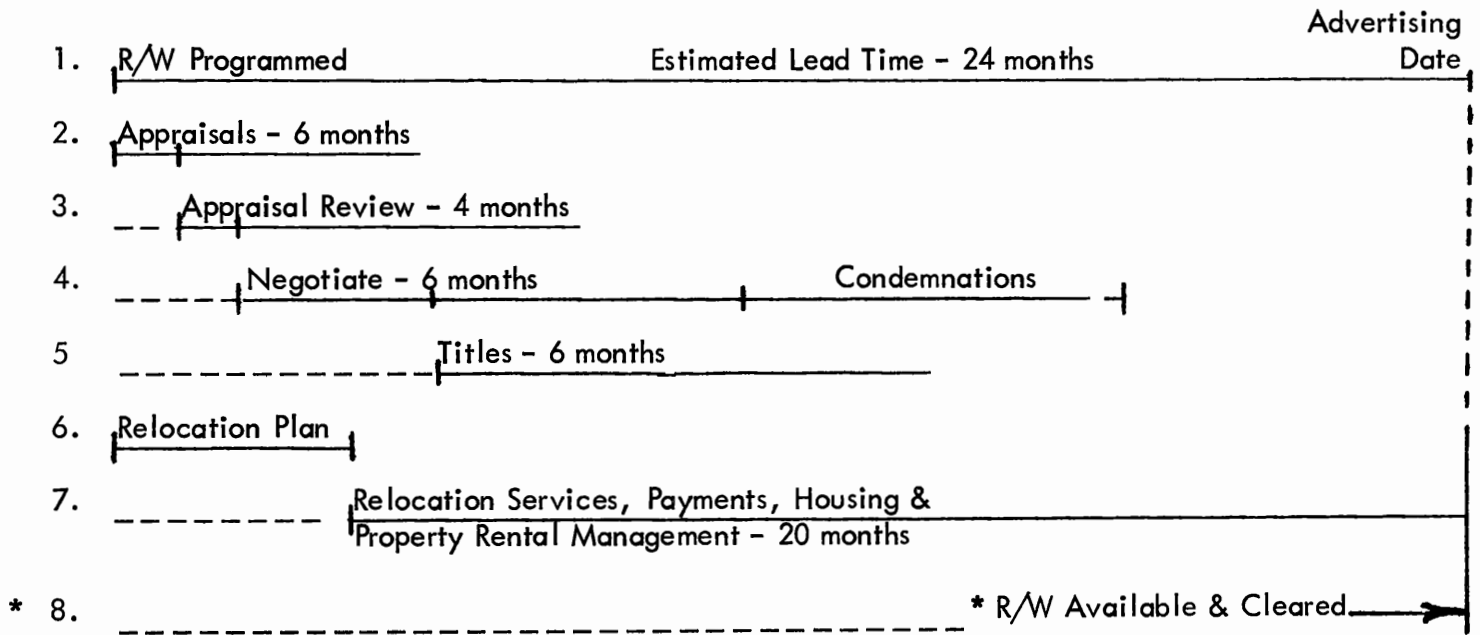
CC. Programming

Projects received from Design for firm and sound parcel estimates, Federal-aid and State programming, are processed to the Right of Way Bureaus and Districts on behalf of the Director by the Bureau of

Control and Special Projects.

DD. Lead Time and Work Flow Diagram Control

Right of Way lead time as heretofore depicted varies greatly dependent on project circumstances. At the outset of each project, the Bureau of Control and Special Projects secures from the Director the lead time estimate. This date is coordinated with the various functions to develop the work sequence critical path so as to assure control and completion in relation to the desired advertising schedule. An abbreviated flow chart is depicted as follows:



Through use of this type critical path flow chart, supplemented by detailed individual parcel activity status ledgers and weekly status meetings conducted by the Chief of the Bureau of Control and Special Projects with the various Right of Way Bureaus and District Supervisors, maximum scheduling control and coordination is achieved. Specifically, problems developing are identified sufficiently early so as to most frequently permit interim adjustment in schedule areas thereby keeping the project on schedule.

EE. Detailed Right of Way Work Flow Chart

Attached is a detailed Right of Way work process flow chart depicting major steps in the Right of Way and Relocation critical path process and important programming and control areas which must be coordinated. For example, negotiations cannot be conducted until all appraisals for a particular parcel are delivered, reviewed and the fair market value registered in Headquarters, see pages VII -6 and VII -7, Appraisals and Appraisal Review.

Notwithstanding the above, negotiations must be held in abeyance until the Relocation Plan has been totally completed and reviewed and accepted by the FHWA. The Bureau of Control and Special Projects through the mentioned control processes achieves this critical scheduling and coordination on the Director's behalf and keeps him informed as to progress.

FF. Federal-aid Vouchering

Federal-aid for Right of Way reimbursement is available on Federal-aid projects provided the Federal-aid requirements have been met in accordance with the State's "35 Points Policy and Procedure Statement" and the expenditures have actually been made and supported. The Federal-aid Section of the Right of Way Division analyzes the expenditure documents and relates the Federal billing input to the proper stages so as to accomplish the Federal Right of Way billings.

DIVISION OF RIGHT OF WAY
WORK PROCESS FLOW DIAGRAM

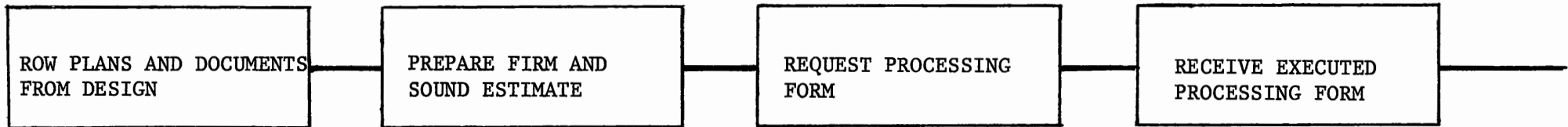
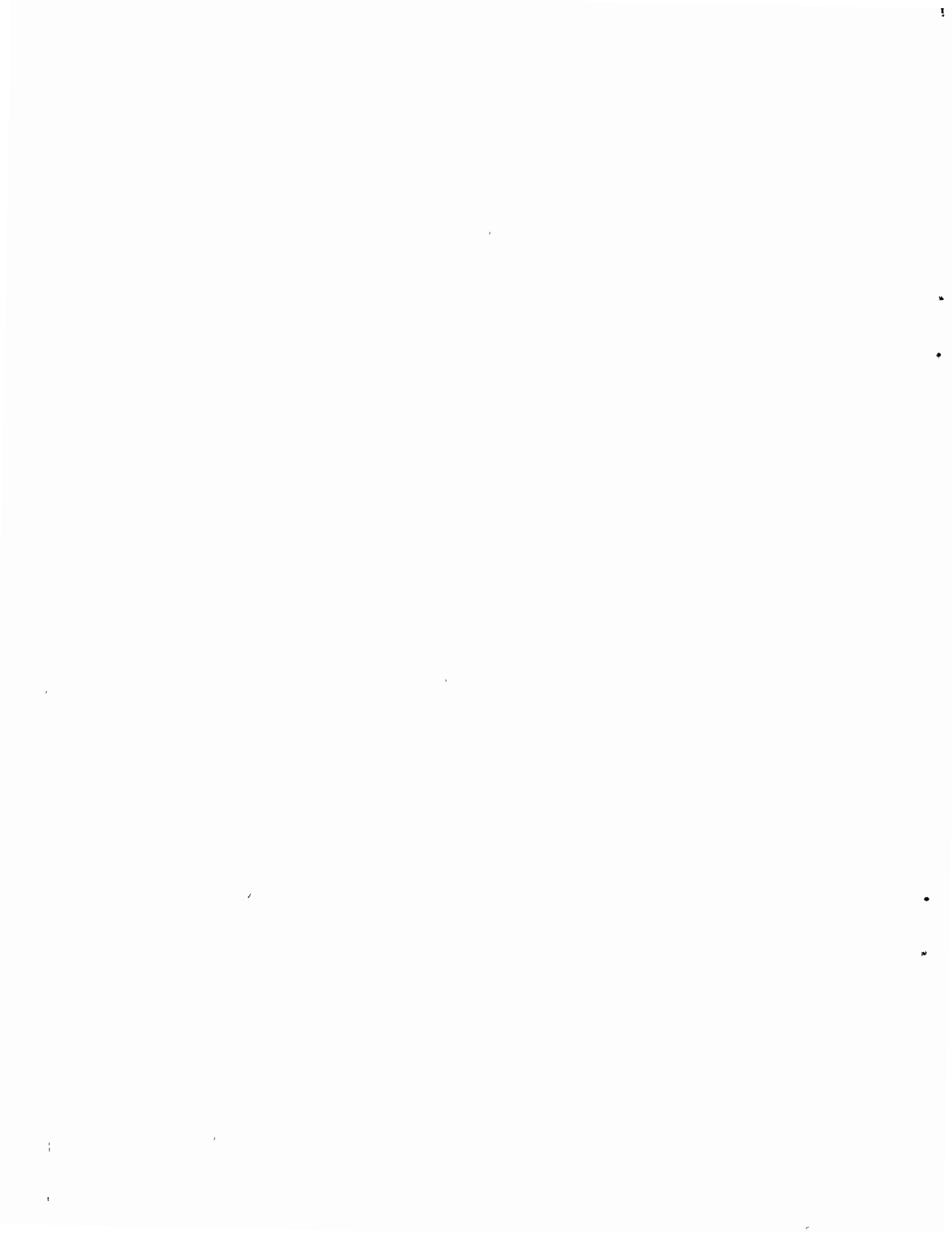


Chart VII-A



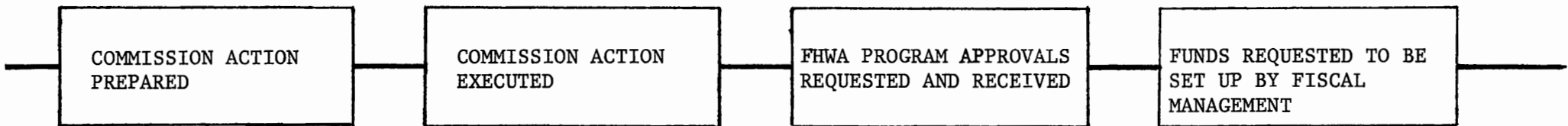


Chart VII-A

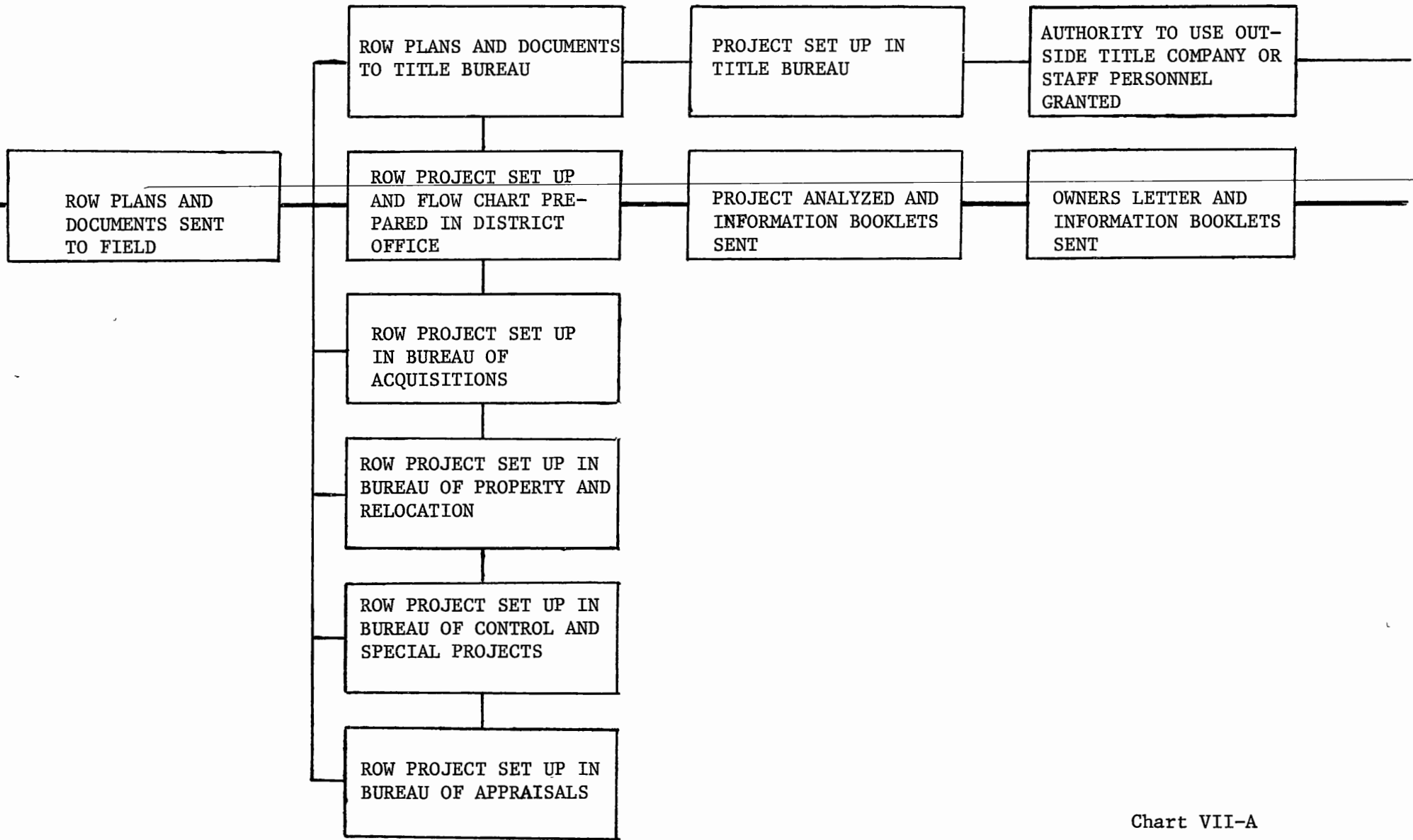


Chart VII-A

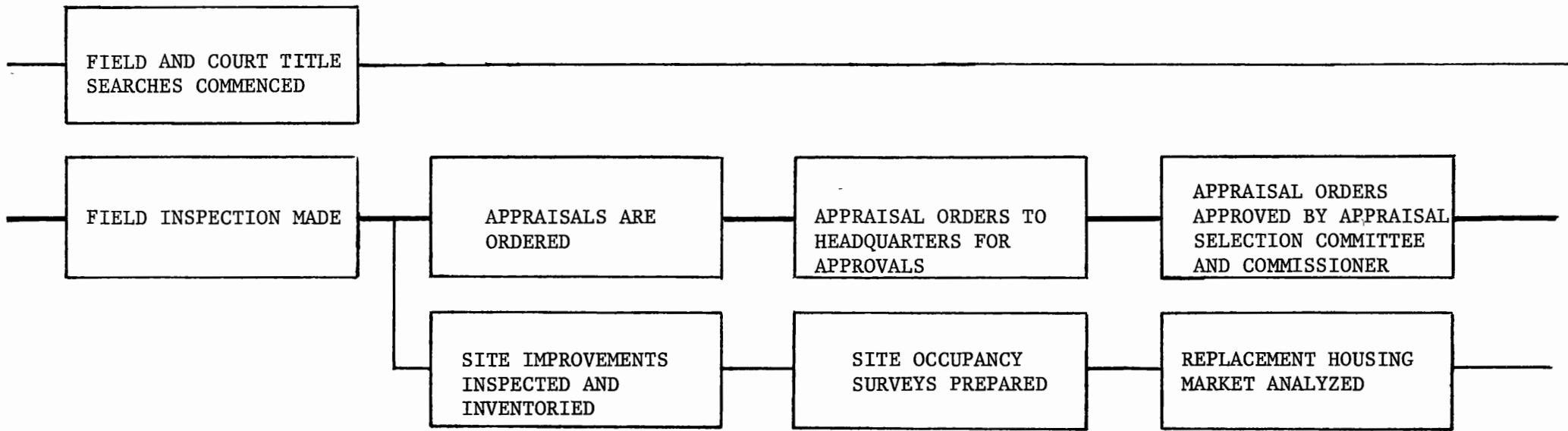


Chart VII-A

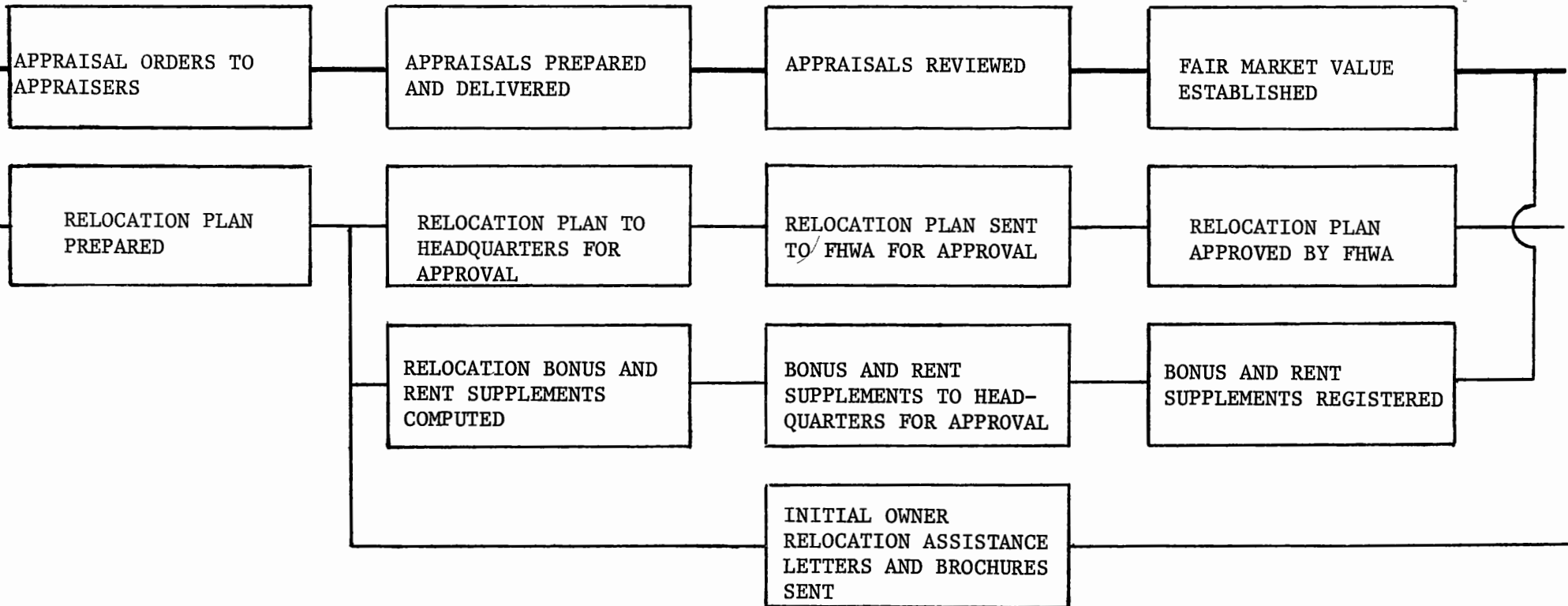


Chart VII-A

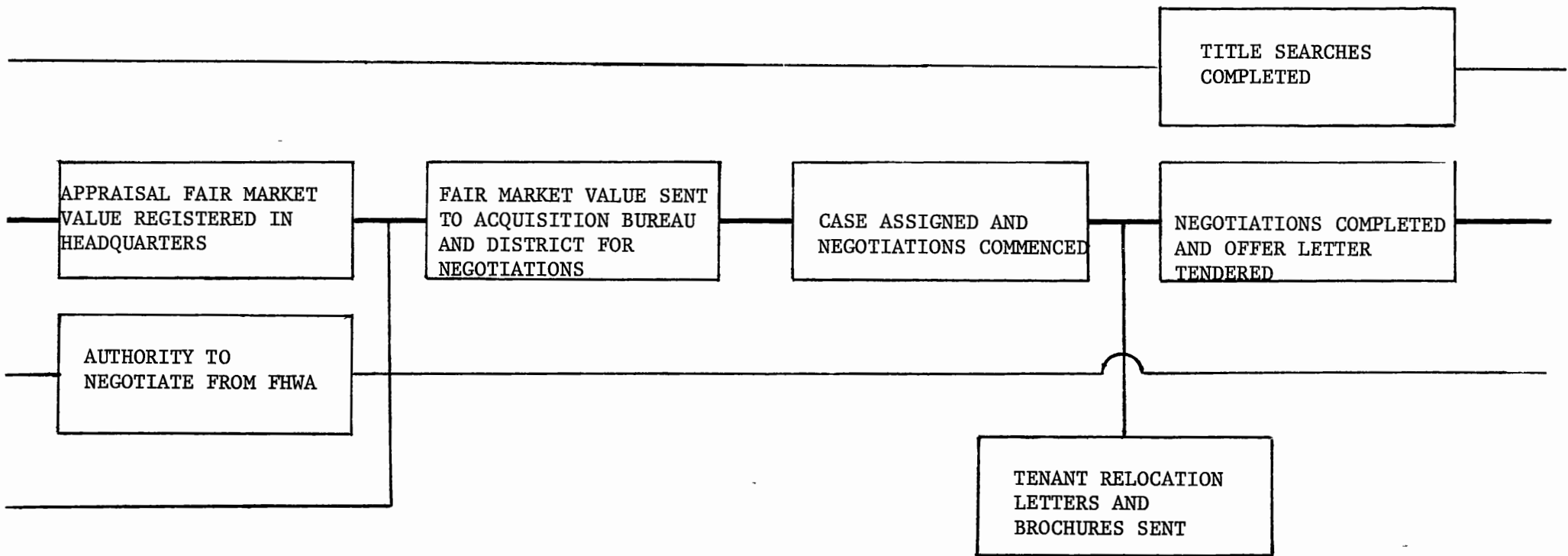


Chart VII-A

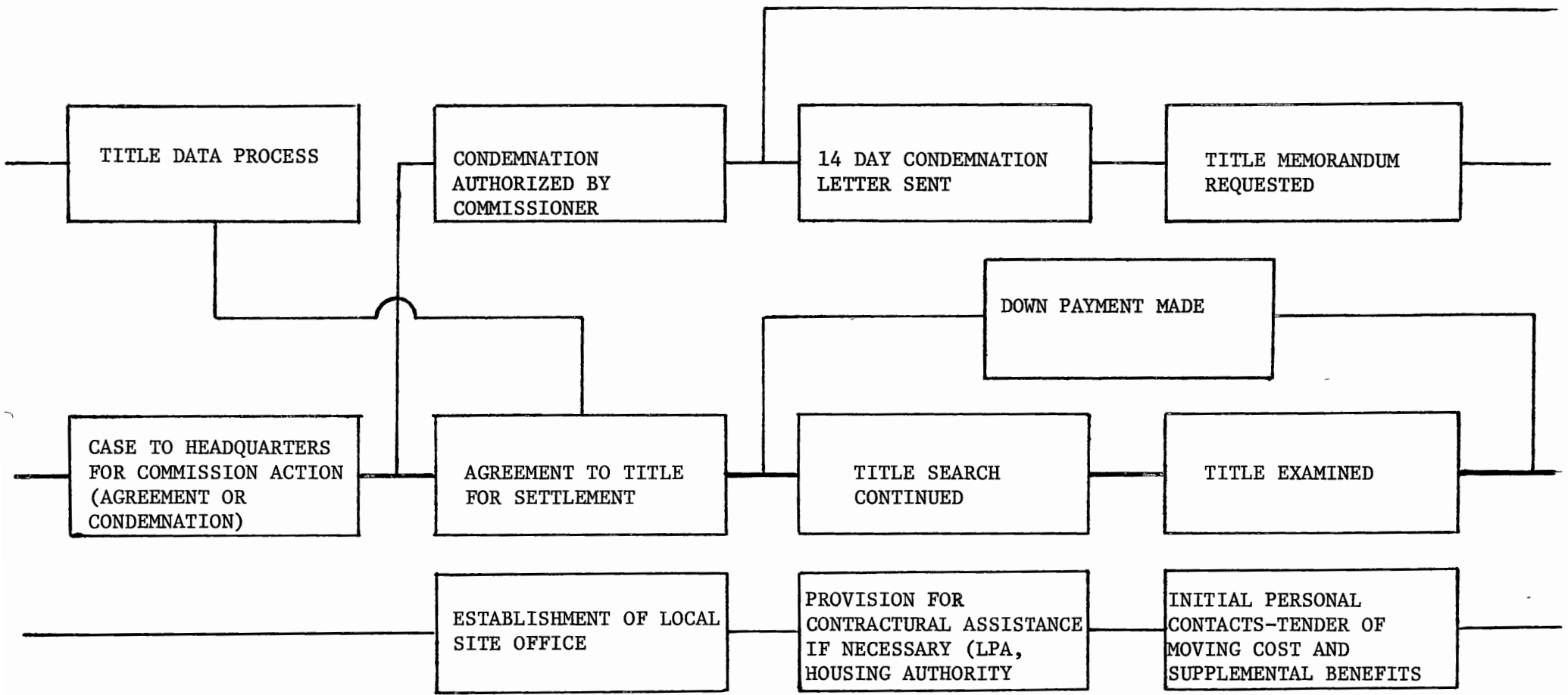


Chart VII-A

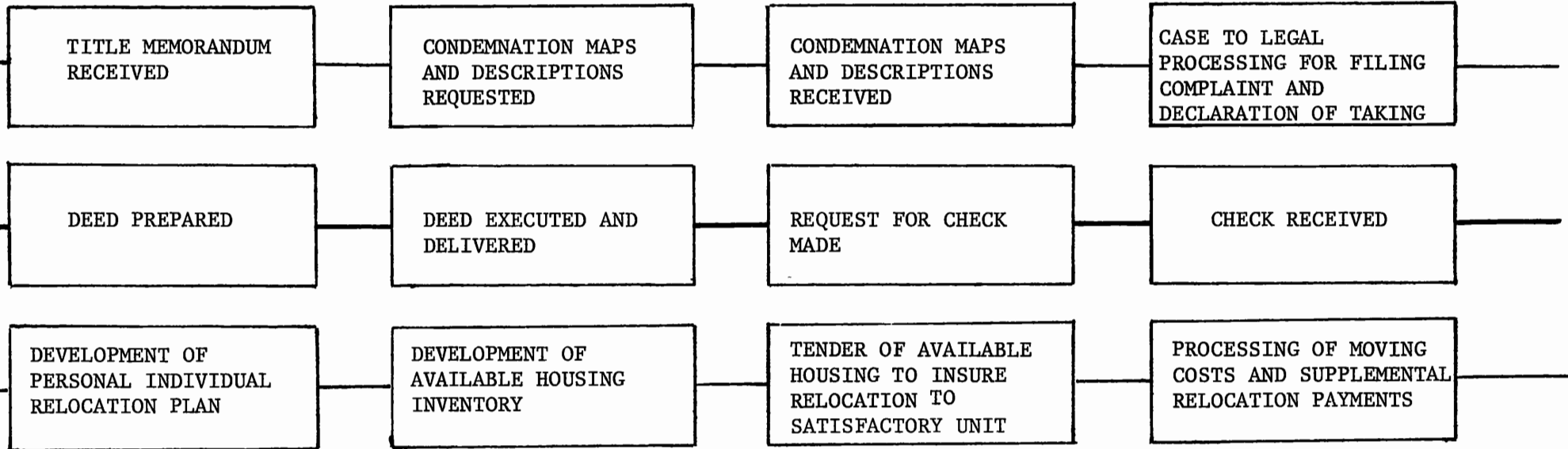


Chart VII-A

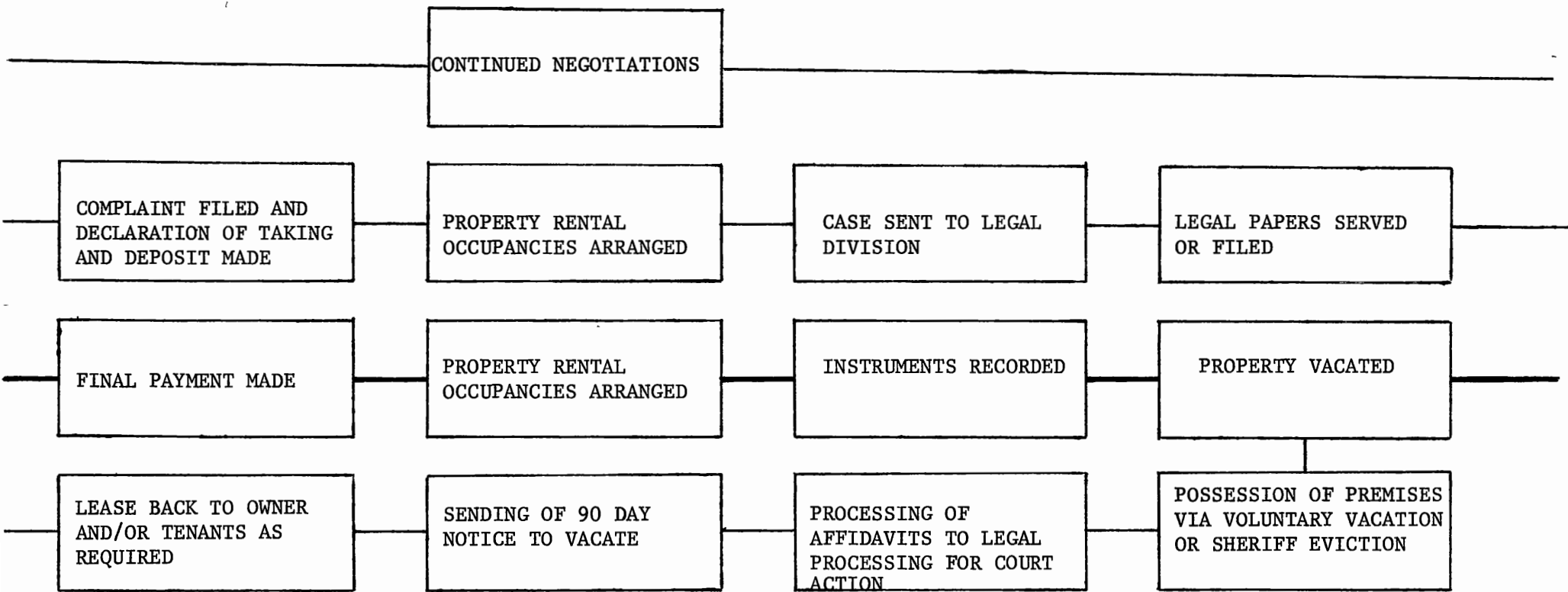


Chart VII-A

PRE-TRIAL CONFERENCE
HELD

COMMISSION HEARING

APPEAL AUTHORIZED
BY COMMISSIONER

PRE-TRIAL
CONFERENCE HELD

WEEKLY INSPECTION OF
PROPERTY INVENTORY
UNTIL SALE OR RELEASE
FOR DEMOLITION

OFFERING OF UNITS AT
PUBLIC SALE - TIME
PERMITTING

PREPARATION OF
DEMOLITION CONTRACTS
OR RELEASE TO
CONTRACTOR

PROCESSING OF EXCESS
LAND FOR SALE

Chart VII-A

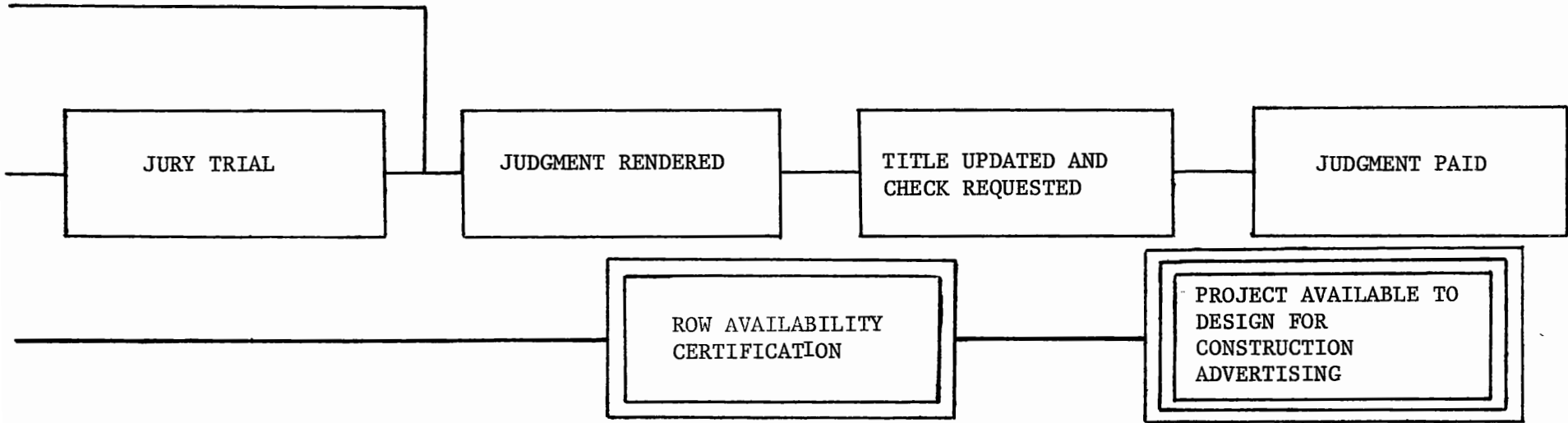


Chart VII-A

ORGANIZATION CHART — DIVISION OF RIGHT OF WAY

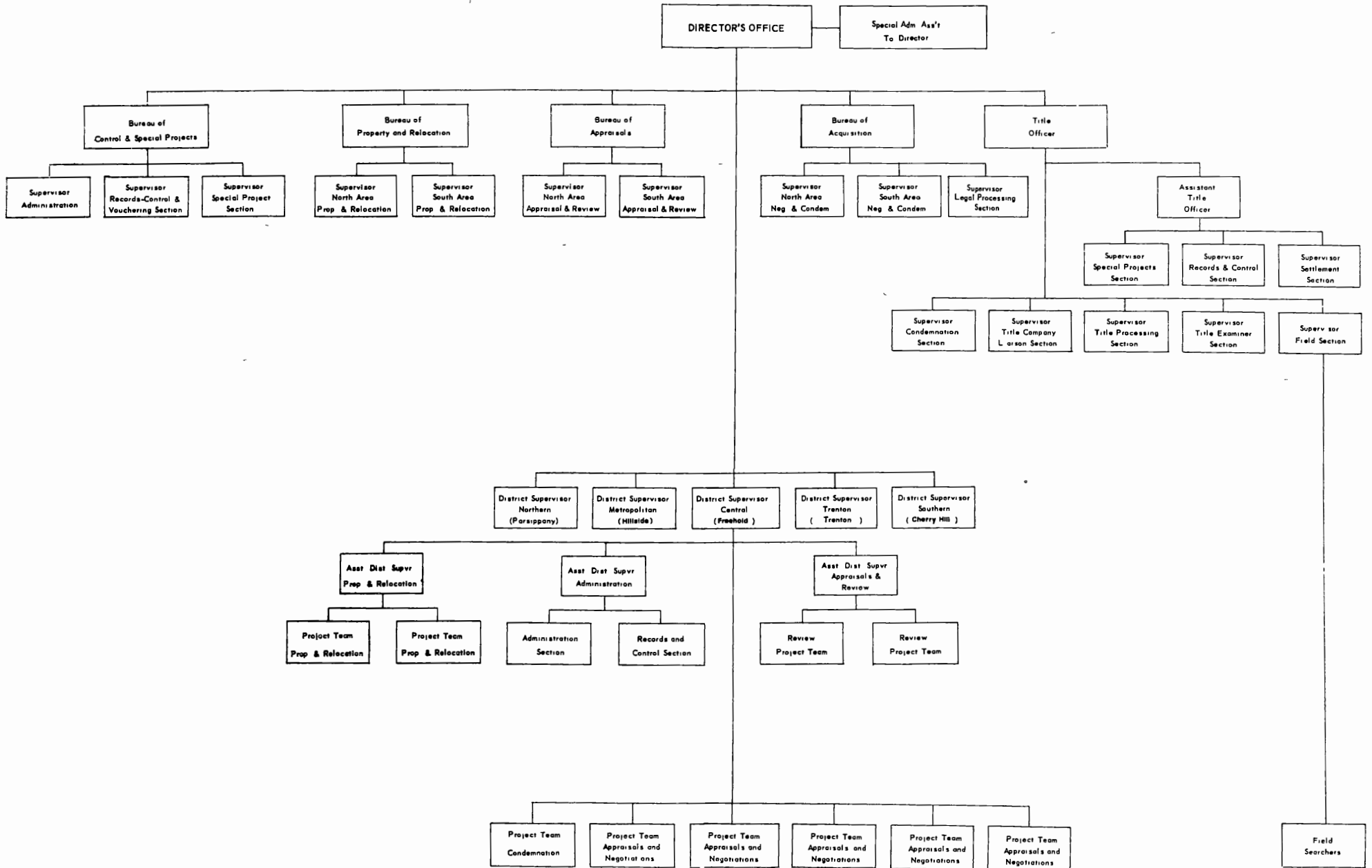


Chart VII-B

DIVISION OF RIGHT OF WAY
 DISTRICT GEOGRAPHICAL AREAS

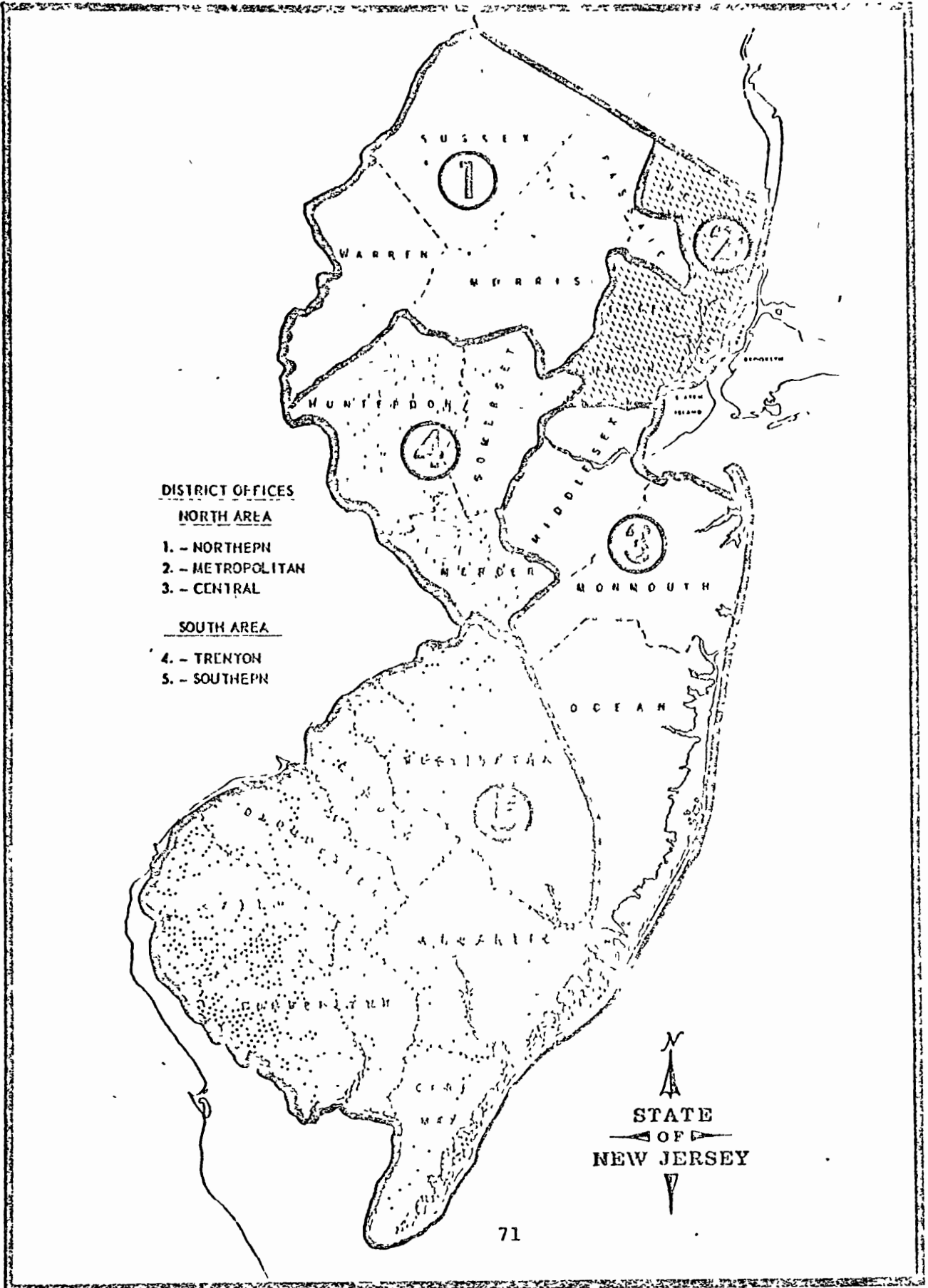


Chart VII-C

CHAPTER VIII
A-95 REVIEW - PROJECT NOTIFICATION AND REVIEW SYSTEM IN NEW JERSEY

This review procedure is commonly referred to as "A-95 Review" after the U.S. Office of Management and Budget circular implementing the system, pursuant to Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and Section 102(2)(C) of the National Environmental Policy Act of 1969. Its primary purpose is to provide local, county and State governments, and their respective planning agencies, the opportunity to review all federally aided planning and capital improvement projects prior to formal applications for federal funds and approval. The specific objective of this review is two fold; first to determine compatibility of the proposed project with existing development and approved plans or programs; second, in view of the numerous federal assistance programs in existence, to avoid any duplicating or conflicting projects by the various applicants.

This procedure, in fact, is an excellent mechanism to inform a wide-range of parties of planning activities and programs, once their need has been established in systems planning, prior to their initiation. More importantly, the A-95 Review process signals the beginning of the transition period from the systems planning phase to the phase of implementing for capital projects. The process further provides one more link between a planning agency and operating or implementing agency where they are not part of the same department.

In New Jersey the Governor designated eleven review agencies, known as A-95 Clearinghouses, to cover the State's twenty-one counties. They are illustrated on Chart VIII-B and described below:

State Clearinghouse - Division of State and Regional Planning of the Department of Community Affairs.

Metropolitan Clearinghouses

- (1) Tri-State Regional Planning Commission - Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset and Union Counties
- (2) Delaware Valley Regional Planning Commission (DVRPC) - Burlington, Camden, Gloucester and Mercer Counties
- (3) Wilmington Metropolitan Area Planning Coordinating Council (WILMAPCO) - Salem County
- (4) Atlantic County Planning Board - Atlantic County
- (5) Cumberland County Planning Board - Cumberland County

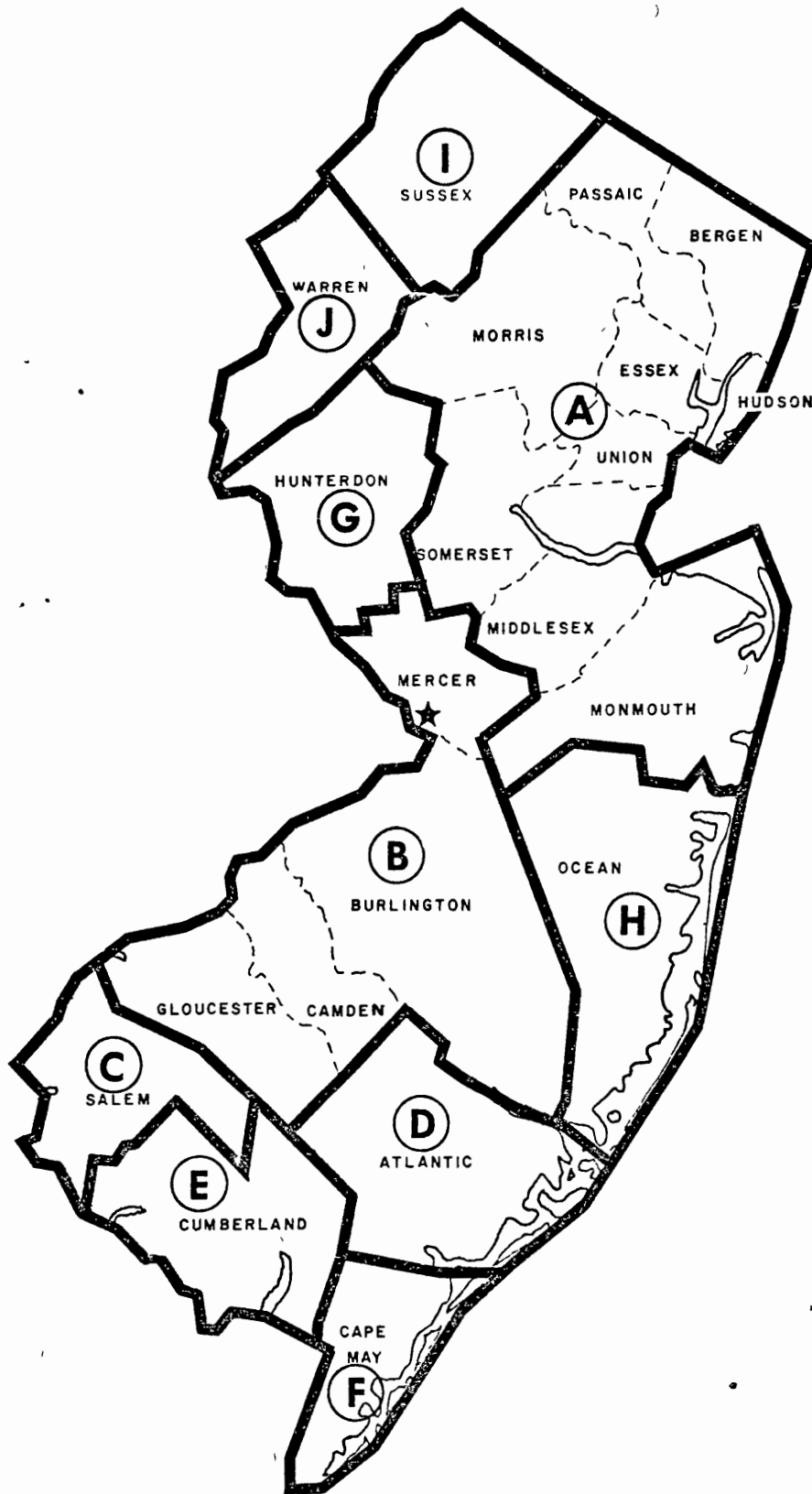
Regional Clearinghouses

County Planning Boards in Cape May, Hunterdon, Ocean, Sussex and Warren Counties.

The State Clearinghouse receives all review requests while the other clearinghouses are notified according to the geographical location of the proposed project.

After notification, the clearinghouses distribute the proposal to appropriate municipal, county, State or planning agency which may either be interested or affected by the project, solicit their comments, arrange meetings to either explore the project in greater depth or resolve, if possible, potential conflicts between parties, and finally, transmit to the applicant any formal comments of their own in addition to those provided by other reviewing agencies. These comments are then submitted to

NEW JERSEY JURISDICTIONAL
 A-95 CLEARINGHOUSE
 REPRESENTATIVES



STATE CLEARINGHOUSE ★
 (STATEWIDE)

METROPOLITAN CLEARINGHOUSES

- A. Tri-State Regional Planning Commission
- B. Delaware Valley Regional Planning Commission
- C. Wilmington Metropolitan Area Planning Coordinating Council
- D. Atlantic County Planning Board
- E. Cumberland County Planning Board

NON - METROPOLITAN CLEARINGHOUSES

- F. Cape May County Planning Board
- G. Hunterdon County Planning Board
- H. Ocean County Planning Board
- I. Sussex County Planning Board
- J. Warren County Planning Board

Chart VIII-A

the federal agency by the applicant as part of the formal application together with an evaluation of the clearinghouse comments or unresolved issues.

Recognizing the difficulty of reviewing projects for local impact by agencies responsible for planning activities in large urbanized areas, the Tri-State and Delaware Valley Regional Planning Commissions, as a matter of policy, contact the appropriate local governments, public service operating agencies, special interest groups, and where established, Regional Citizen's Advisory Committee representatives for their comments.

The Tri-State Regional Planning Commission, by the authority of Commission Resolution Number 125, actually delegates the review function and responsibility to County Planning Agencies for projects not regionally significant in nature.

Comments usually received from the parties contacted can range from full endorsement to outright opposition, sometimes on the same project. In between, comments might refer to details or portions of a project which affect specific interest groups more than others. In each instance, efforts are made by means of correspondence and/or meetings between the project originators and interested parties to arrive at a mutually acceptable solution to the problem. Typical situations might deal with the interface of the project at hand with one planned by another agency to be implemented at a later date, such as major housing projects, industrial parks, flood control programs, recreation areas or potential effects on public transportation demands or routes. Ideally, some of these problems should be dealt with either in the systems planning stage or later on in the design phase. Other comments might reflect concerns over civic and environmental impacts.

In the case where no mutual agreements or understanding can be reached, the project originator evaluates each issue raised, states reasons for the impasse and submits them, together with the A-95 Review comments initially received, to the appropriate federal participating agency.

The complexity of environmental impacts by practically any type of capital improvement requires special review considerations. For this reason, the State Clearinghouse, on a routine basis, submits these projects to the New Jersey Department of Environmental Protection for review and comments. Similarly, both Tri-State and DVRPC staff members, who are specialists in the environmental sciences, evaluate the review-project's relationship to their approved regional plans and guides.

Since the ultimate approval of a federally funded project rests with the federal agency, no application will be acted upon by the appropriate agency unless accompanied by a statement by the State and appropriate Metropolitan or Regional Clearinghouse that the A-95 Review requirements have been met.

The New Jersey Department of Transportation and the A-95 Review Process

All A-95 Review requests originating from the different functional Divisions within the New Jersey Department of Transportation (N.J.D.O.T.) enter the review flow process through the Bureau of Urban Transportation Planning. It is the responsibility of this Bureau to submit the notification and review requests simultaneously to the State Clearinghouse and the appropriate Metropolitan or Regional Clearinghouse. Chart VIII-A indicates the flow of information in the review procedure for both N.J.D.O.T. projects to be reviewed for their potential conflict with transportation facilities and plans. The latter project reviews, such as housing, water and sewer, open space and recreation facilities, are routed by the Bureau of Urban

A-95 NOTIFICATION & REVIEW PROCEDURE

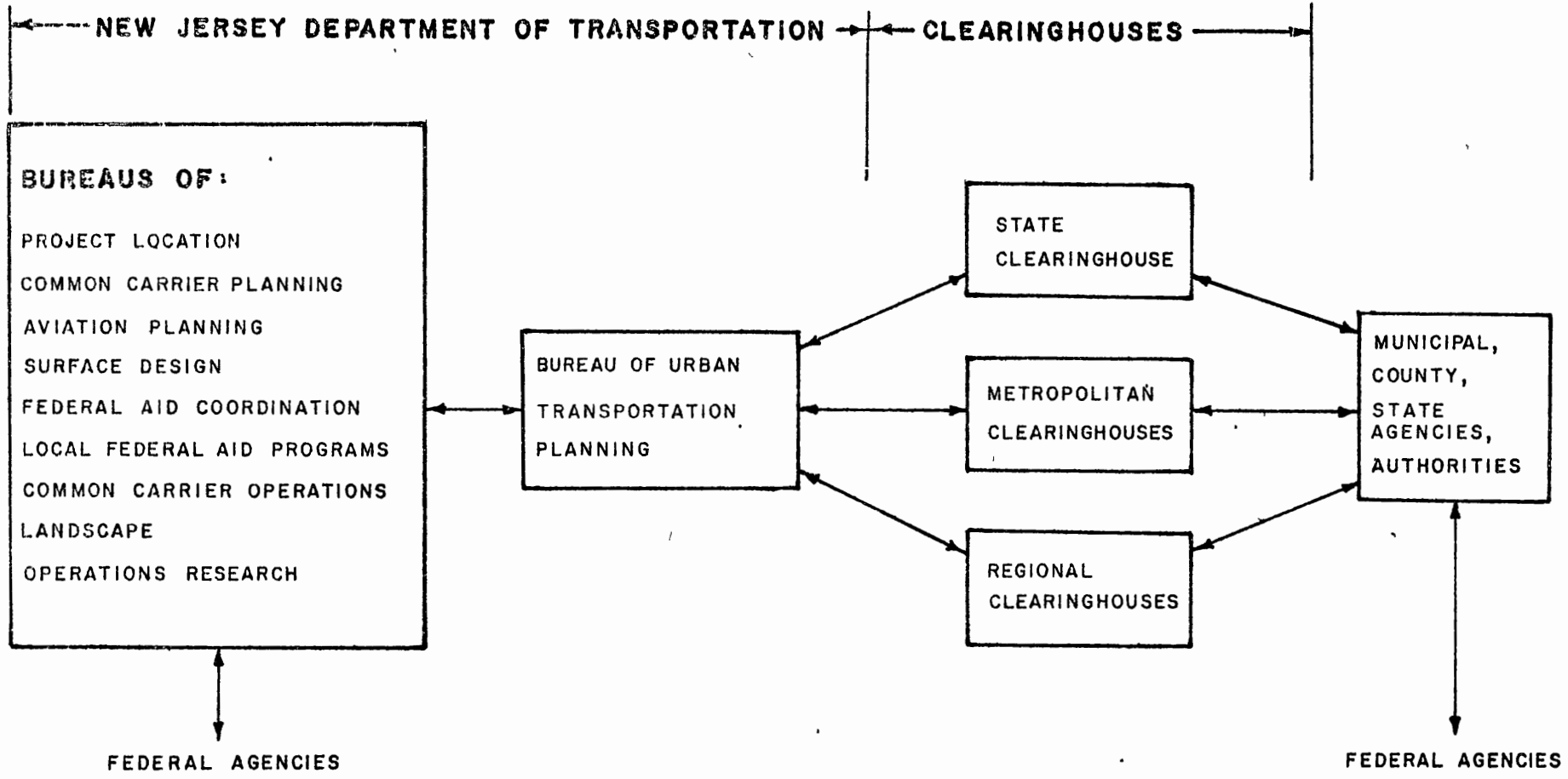


Chart VIII-B

Transportation Planning to the appropriate functional units within the N.J.D.O.T. for evaluation and comments. Projects reviewed are those in the planning, research, demonstration and capital improvement categories (for highway, public transportation and aviation systems) where federal aid funding is requested, except as noted:

1. Highway projects for which a substantial portion of the right-of-way had been acquired by September 30, 1969, as determined by N.J.D.O.T. review of project status as of that date.
2. Highway project located within existing right-of-way that are solely for such improvements as resurfacing, widening existing lanes, replacing or rehabilitation of existing grade separation structures, installing traffic control devices, or similar improvements.
3. Traffic safety type engineering studies and their related implementation projects, provided purchases of right-of-way are minor and do not require relocation of housing or acquisition of commercial or industrial places of activity. Determination of those projects which are to be excluded on the above basis is the responsibility of the N.J.D.O.T. with the concurrence of the Federal Highway Administration (FHWA).

The typical A-95 notification and review procedure for a highway project is as follows:

A. Notification

1. In the early planning phase, the New Jersey Department of Transportation notifies the State and appropriate METROPOLITAN or

REGIONAL CLEARINGHOUSES of the following:

- (a) type and general location of project
- (b) estimated project cost
- (c) type of funding to be utilized
- (d) statement indicating whether an Environmental Impact Statement is required
- (e) the over-all plan from which this particular project is extracted from
- (f) other descriptive characteristics which further define and identify the project.

The above steps signify the beginning of the initial 30 day review period.

2. The CLEARINGHOUSES, in turn, notify regional and subregional agencies that may be interested in the project.
3. Agencies notified respond to the CLEARINGHOUSES indicating either "interest" or "no interest."
4. The CLEARINGHOUSES inform the N.J.D.O.T. of interest expressed within 30 days of notification.

B. Corridor Review

1. Prior to the Corridor Public Hearing, the N.J.D.O.T. transmits to the CLEARINGHOUSE additional project information for distribution to the interested agencies.
2. Additional questions and information requests are handled directly by the interested agency and the N.J.D.O.T. either by phone, correspondence, or meetings. If major unresolved issues remain, either the N.J.D.O.T. or the CLEARINGHOUSES arrange a conference to assure reasonable presentation and discussion of the positions of all parties interested.

3. When recommended alignment has been determined, based on coordination with interested agencies and findings of the Corridor Public Hearing, the N.J.D.O.T. notifies the CLEARINGHOUSES. This signals the beginning of the intermediate 30 day review period.
4. Within this 30 day period all interested agencies respond to the CLEARINGHOUSE in one of three ways:
 - (a) No comment and no further interest
 - (b) Written comment and no further interest
 - (c) Written comment and retain interestThe comments identify those issues and conflicts which could not be resolved in B.2. above.

C. Design Review

1. Prior to the Design Public Hearing, the N.J.D.O.T. transmits to the CLEARINGHOUSES summary information on the project.
2. Coordination is then handled as in the Corridor Review Phase.
3. When principal design features have been determined based on coordination with interested agencies and finds of the Design Public Hearing, the N.J.D.O.T. notifies the CLEARINGHOUSES. This signals the beginning of the final 30 day review period.
4. Within this 30 day period all interested agencies respond to the CLEARINGHOUSES in one of three ways:
 - (a) No comment and no further interest
 - (b) Written comment and no further interest
 - (c) Written comment and retain interest

Again, comments identify those issues and conflicts which could not be resolved in C.2. above.

D. Clearinghouse Review Response

1. If no agencies retain interest after A, or when all responses have been received under B, and again under C, the CLEARINGHOUSES notify the N.J.D.O.T. by letter that it has fulfilled the A-95 review process requirements. The N.J.D.O.T. sends copies of these letters, together with interested agency's comments and N.J.D.O.T.'s response to them, to the FHWA with its request for project approval.

E. Variations

1. In instances where corridor and design phases can be reviewed at the same time, the procedure B and C are combined appropriately.
2. METROPOLITAN CLEARINGHOUSES may delegate their review function and responsibility to the appropriate County Planning Agency in their areas for projects not regionally significant.
3. Other N.J.D.O.T. initiated projects and programs, such as, federally aided planning, research and demonstration programs, as well as public transportation and aviation projects and studies, are reviewed with a similar procedure as outlined above.
4. The N.J.D.O.T. forwards final reports of all Traffic Operations Programs to Improve Capacity and Safety (TOPICS) type studies to the CLEARINGHOUSES for their information and use.

The publication "A-95 Project Notification and Review System" presents
the review procedure in New Jersey in more detail and is available:

State of New Jersey

Department of Community Affairs

State and Regional Planning

P.O. Box 2768

Trenton, New Jersey 08625

CHAPTER IX - SYSTEMATIC INTERDISCIPLINARY APPROACH

A. Implementing the Interdisciplinary Approach

1. Introduction

In formulating a plan for development of an interdisciplinary approach it became apparent to the Department that there were several ways in which this could be done. Basically the Department could: (1) through recruitment of new personnel develop a complete interdisciplinary staff in-house with necessary expertise to cover all situations, (2) train existing staff in additional fields so as to develop interdisciplinary expertise, or (3) rely wholly or mainly upon groups outside of the Department such as consultants, universities or other state agencies for expertise. The three mentioned above did not appear to provide the entire answer.

Developing a complete interdisciplinary staff in-house has certain restraints. One, which we will never lose is budgetary. We shall assume this can be satisfied if the need for additional personnel can be justified but with the awareness that state financial austerity programs sometimes transcend all other concerns. Other drawbacks such as recruitment and opening up of career advancement opportunities within the present Civil Service Classification System which at one time were thought to be major, now appear as though they can be solved. Recruiting we shall assume is possible-- that needed personnel can be found. To this point we have been successful. The Civil Service Classification System may slow down the recruiting of needed disciplines into our organization until classification problems can be solved. The immediate problem is

to select or set up job classifications under which the needed disciplines can be hired, but without creating unique titles which cannot be integrated into career ladders in N.J.D.O.T. For example, New Jersey's Classification Plan includes such titles as Environmental Specialist and Senior Environmental Engineer, but these are for the Department of Environmental Protection where career ladders in these disciplines exist. To introduce a limited number of these titles in N.J.D.O.T. appears at present to preclude career opportunities for persons who might occupy such titles. This classification problem has been recognized as we recruit under the existing Planner title for N.J.D.O.T., and experiencing difficulty in relating prerequisites of the Planner title to the disciplines we are attempting to hire in order to develop multi-disciplinary capability. We are continuing to work on this problem and a request has been forwarded to Civil Service for a new title series to be known as Environmental Specialist, Transportation. The new title series should remove many of the restraints we are now working under in the recruitment area. Other drawbacks may result if we "over-specialize" in recruitment and development. We may find that staff in certain fields will not have enough work to keep them busy continually. For instance, we might add a marine biologist to the staff to investigate highway impacts on coastal wetlands or other marine lands. This individual would be useful for perhaps several projects, but the vast majority of projects have no impact on wetlands and thus his services may only be needed occasionally. We cannot justify the development of an in-house capability for the full spectrum of disciplines. Also the development of such a group of interdisciplinary experts would tend to make the remainder

of the Department complacent, knowing that the SEE effects would be handled elsewhere. They therefore would have the tendency to not get involved. In order for the systematic interdisciplinary approach to work effectively the entire Department must be involved.

Training of existing staff to develop in house interdisciplinary expertise as the complete answer was also rejected. Training would take too much time putting implementation behind schedule and it is doubtful that existing staff would be able to fully develop the sensitivities inherent in several of the different disciplines, such as sociology and biology.

Reliance on others, such as, consultants, universities or other public agencies to provide the Department's sole interdisciplinary expertise was rejected. It was recognized early that the Department would require staff which could meet with others, expert in certain fields and discuss problems, over with them on common basis. Staff members who can interpret information provided by others is a necessity. Staff is also needed to guide outside agencies in the planning and development of effective work programs.

In summary, a conclusion was reached that none of three options were adequate by themselves to meet the needs of a true systematic interdisciplinary approach. All three options however have important facets that should be taken advantage of. Thus, the systematic interdisciplinary approach to be used by the Department incorporates all three options. How each option fits in will now be discussed in more detail.

2. A Core Interdisciplinary Team

The immediate short-term objective is to staff the Bureau of Environmental Analysis with a variety of disciplines so that it may

provide a broad sensitivity, and a considerable measure of varied expertise, and to involve this Bureau in the consideration of SEE effects throughout planning and design of programs and projects. Such involvement will be through its responsibility for establishing Department guidelines and controls for environmental impact statements and the social, economic and environmental assessments and studies on which environmental impact statements will be based. Responsibilities will be discussed in greater detail later in this chapter.

Disciplines to be added to the Bureau of Environmental Analysis are those which can be utilized on a day to day basis. Exotic disciplines used infrequently will not be added. Although voiced disciplines already are present in other areas of the Department and their numbers likely will increase the staff of the Bureau of Environmental Analysis will be developed into a "core" staff where a variety of disciplines will work together as a team. An important point should be noted here that the Bureau of Quality Control will be responsible for the development of expertise in the air, noise and water pollution fields in a supporting role to the Bureau of Environmental Analysis and the remainder of the Department. The Bureau of Quality Control will measure existing pollution levels and provide projections of future levels.

3. Interdisciplinary "Awareness" Throughout the Department

Even though core teams will be in the Bureau of Environmental Analysis and the Bureau of Quality Control other areas of the Department will need to develop sensitivity to other disciplines. Present Department disciplines are already more varied than is generally known. The Bureau of Landscape which includes landscape

which includes landscape architects is concerned with aesthetics of highway design.

Bureau of Soils with its geologists is knowledgeable in soil conditions and Design's Drainage Section is expert on surface water and provisions for designing drainage and erosion control systems.

Right of Way Division's Bureau of Property and Relocation, which administers relocation assistance is highly knowledgeable of community concerns of not only relocations, but also community economic and social impacts. Right of Way staff are trained in relocation assistance programs which to be effective require economic and social data input and proper interpretation of same.

Our plans for implementing the Systematic Interdisciplinary Approach include orientations, seminars and distribution of training materials throughout the Department to make all divisions more aware of SEE concerns and impacts, a broadening of all in appreciation of the so-called non-highway concerns which are now recognized as required elements of highway planning, design and construction. More will be said of this program in Section B of this chapter.

4. Use of Consultants and Other Outside Agencies

(a) Consultants

Consultants offering special capabilities, such as in air, noise, water problems will be used in the short-term while N.J.D.O.T. is building staff. Consultants will also be used in the long-term for specialized studies when staff is overloaded or when additional expertise not available in house is needed. Specialized studies would be those required for projects with impacts that are unique to that project or a small number of projects. An example would be a study of the impact a project has on the life cycle of a marsh

or a detailed study of economic effects resulting from a highway introduced into an economically depressed area.

(b) Assistance from Other State Departments and Regional Agencies

In other State Departments, notably the Department of Environmental Protection, Department of Agriculture, Department of Community Affairs, there is staff expertise which can be involved in N.J.D.O.T. programs. Involvement will take the form of consultation, comment on N.J.D.O.T. projects, permits in matters over which these departments have legal jurisdiction, expert technical assistance in developing inputs to SEE studies.

Should at any time information or data be required from other state agencies, direct contact will be established and required data solicited.

Similarly, staffs of regional planning agencies--Tri-State Regional Planning Commission and Delaware Valley Regional Planning Commission--can be consulted and called in for a variety of knowledgeable inputs into N.J.D.O.T. studies. (See Chapter IV, Section 2 (f.))

(c) Department of Environmental Protection and Department of Transportation Liaison

The Department has maintained an active line of communication with New Jersey Department of Environmental Protection since creation of the latter.

In May of 1971, the commissioners of these departments entered into an informal agreement that established a liaison committee consisting of the following:

- Special Assistant to the Commissioner, DEP
- Director of Planning and Research, DOT
- Director of Engineering and Operations, DOT

This Committee meets monthly and reviews all plans and issues of mutual interest between the Departments. Long-range goals and plans of each department are discussed. Specific projects in planning or design are reviewed for environmental issues and problems.

Specific complaints related to on-going construction are passed for investigation and report. These meetings enable DEP to alert DOT to environmental issues and problems they see developing. They also give DOT opportunity to point out to DEP project problems which may raise environmental questions and to obtain soundings from DEP on these problems. For example, a location study which may show possible parkland impact will be placed on an agenda for one of these meetings and the DEP member may give informal comment followed by referral to DEP's park staff for study and formal comment.

To further sensitize the professional staffs of the two Departments to the day to day operations of each, the liaison committee has recommended an on-going program of staff whereby engineers from DOT will spend a minimum of six months attached assignment with the Department of Environmental Protection and conversely environmental specialists of DEP will spend a similar time with DOT working on the environmental problems associated with planning, designing and constructing transportation systems. This suggested program has been enthusiastically endorsed by both Commissioners and the mechanics of implementation are now being worked out.

If the program is successful, it is expected to accomplish much in the development of the interdisciplinary approach. DOT personnel will be able to learn the issues and technical problems in air and water pollution; recreational area and preservation; wildlife protection; wetlands, riparian lands, flood plain control. Upon returning to DOT their broadened sensitivity will result in more environmental awareness and provision in DOT planning and design.

DEP personnel will carry back a better understanding of transportation planning and design which will be productive of more accurate assessment of environmental impacts of transportation projects as DEP evaluates them in accordance with NEPA and State guidelines.

(d) Universities

The NJDOT is fortunate to have nearby centers of learning such as Princeton University, Rutgers University, Newark College of Engineering, Drexel University, Villanova University and the University of Pennsylvania. Contact has been established with staff members of several of these universities and it is likely that a working relationship can be developed for special projects on studies of problem areas. Many educators are among those deeply concerned with environmental issues and they can and do play an important role in development of solutions to environmental problems.

The universities mentioned previously all have recognized engineering curriculums and many are developing environmental courses within their civil engineering programs. Rutgers University in addition to an excellent engineering curriculum has

an extensive course offering in environmental sciences within Cook College, a division of the University.

Although no formal work agreements have been established with these universities, staff of Cook College have informally reviewed several of our projects.

At the present time discussions are underway with Newark College of Engineering, Department of Civil and Environmental Engineering to initiate a cooperative program to investigate environmental problems of a technical nature.

At this point it is hard to say how large a role universities and their staffs will play in the Systematic Interdisciplinary Approach but a start has been made and they will not be overlooked as a potential source of expertise that can be relied on.

B. Staff Development and Training

1. Bureau of Environmental Analysis

The Bureau of Environmental Analysis within the Division of Economic and Environmental Analysis has been identified as the area within the Department where a core interdisciplinary team will be developed. Recruitment of this core team has already begun and despite certain restraints of the present Civil Service Classification System, the Department has made real progress in adding representatives of other disciplines to the Bureau of Environmental Analysis.

As of October 1973 the following disciplines identified by college degrees will be presented within the Bureau:

Air Resources
Water Resources
Civil Engineering
Geography

Marketing
Political Science
Sociology
Urban Economics
Urban Planning
Urban Affairs

Of the individuals now within the Bureau there has been actual work experience with local, county, regional, state and federal agencies. Professional level positions included park and open space planning, housing director for neighborhood renewal, regional and state planning and soil conservationist. Further staff development will include additions in the technical or physical sciences such as biology and environmental engineering.

Members of the core team are expected to keep abreast of developments in their respective fields through trade publications and contacts in organizations to which they belong. Additional training will be accomplished through attendance at seminars such as those sponsored by the Federal Highway Administration for air and noise pollution analysis and prediction and also through continuing their formal education.

2. Bureau of Quality Control

Technical studies of air, noise and water pollution problems associated with highway construction and use will be undertaken by the Bureau of Quality Control within the Division of Construction and Maintenance. This function is to be located there rather than in the Bureau of Environmental Analysis because of the experienced personnel within the Bureau of Quality Control have had in similar technical studies and analysis procedures. The Bureau of Quality Control already possesses and is familiar with the type of instrumentation required for chemical analysis

of air and water.

There will be a need for significant staff expansion within this Bureau in order to accommodate the increasing number of air and noise studies now required for highway projects. The Bureau already has people with chemical and biological backgrounds.

Because of the great deal of non-professional labor involved in air and noise field work, a number of technician level positions will be required.

Staff training in this area will follow along the lines of that related for the Bureau of Environmental Analysis. Attendance at seminars plus perusal of technical documents in the field will form the basis for additional training.

3. Training in Other Areas of the Department

Even though a core interdisciplinary team is being developed within the Bureau of Environmental Analysis and air, water and noise analysis team are to be developed in the Bureau of Quality Control, the need is recognized for education and training in interdisciplinary fields in other areas of the Department. It is not intended that the expertise within the two mentioned Bureaus be reproduced elsewhere but only that staff in other areas become familiar with environmental problems so that they can be readily identified. In certain cases, however, additional expertise will be developed in specific areas to cope with environmental problems. Examples of such a case would be the development of noise expertise in design in order that noise attenuation devices may be designed.

Other areas of the Department will be made aware of environmental issues and trained in their identification through the use of the following:

- 1) Seminars, workshops, and group discussions
- 2) Environmental Newsletter
- 3) Issuance of guidelines
- 4) Individual training

Seminars have been held for a wide representation of Department staff already. A one-day seminar has been held for a discussion of National Environmental Policy Act and a half-day seminar recently concentrated on the preparation of Negative Declaration. A week-long workshop sponsored by the FHWA dealing with air pollution is anticipated sometime in the fall of 1973. If a similar workshop for noise pollution is not developed by FHWA, a program on up-to-date erosion control measures for design and construction personnel will be conducted by a formal Soil Conservationist of the USDA Soil Conservation Service.

An Environmental Newsletter is planned to be distributed by the Environmental Analysis Bureau on a regular basis throughout the Department. The newsletter will contain items discussing topics such as environmental legislation, design and construction techniques to minimize impacts, and will generally keep the Department up-to-date on environmental happenings.

Where appropriate guidelines will be formulated and circulated by the Bureau of Environmental Analysis to insure compliance with Department environmental policy. Guidelines have been prepared and circulated for the preparation of negative declaration. It is anticipated that new or revised guidelines will be prepared for air,

noise, and water pollution analysis. Also revised guidelines for sedimentation and erosion control are anticipated. Detailed guidelines enumerating the steps to be followed in complying with NEPA are under preparation.

Advanced training for individuals will be necessary to effectively deal with problems such as noise barrier design and sedimentation and erosion control. Since there are design and construction problems, staff in design and construction must be trained to deal with them.

C. Assignment of Responsibilities

1. Bureau of Environmental Analysis

a) General

The Bureau of Environmental Analysis (BEA) will be responsible for the development of environmental awareness throughout the Department and the initiation of an effective program to consider and analyze SEE effects. BEA will have responsibility for the technical quality of SEE reports. Quality will be maintained and controlled through the use of guidelines and reviews. Reports dealing with SEE effects such as but not limited to EISs will be reviewed and approved by BEA prior to their release.

In order to keep the Department abreast of environmental issues, BEA will monitor current SEE research and disseminate "State of the art" information through the Department through the use of memorandums, seminars and the Environmental Newsletter.

BEA will also act as liaison between the Department of Transportation and other State departments as well as other agencies in environmental matters. This contact will enable BEA to keep abreast of environmental developments within these agencies.

b) Project Development

To insure adequate coverage of environmental issues in project development, BEA will become involved at the earliest point possible in the project initiation and development, and will be involved with preconstruction meetings. BEA will review the projects at this point and make preliminary environmental assessments which will identify sensitive environmental issues and potential SEE impacts of the project. The assessment will then be used as a basis for further environmental studies to be conducted in-home or by consultants. Scopes of work and need for outside expertise will also be identified.

During project development BEA will not be able to continuously monitor every stage of ongoing environmental studies except in special cases where staff expertise is required. Monitoring will however be done at intervals or as requested by the originating unit. For instance much of the information gathering will not be the responsibility of BEA. Everyday SEE effects will be identified by the originating unit with assistance of BEA as necessary. Where projects impacts upon particularly sensitive areas, BEA will monitor project development closely to insure that all SEE effects are identified. Outside agencies or consultants may be asked to aid in identification of SEE effects in these cases. BEA will be

responsible for evaluating the conclusion reached in these studies. Example of cases where outside expertise may be called in are in the air, noise and water pollution fields or for projects impacting ecologically sensitive areas such as wetlands.

Responsibility for the final content of environmental statements and conclusions reached will lie with BEA. Distribution, advertisement and processing of environmental statements also will lie with BEA.

2. Other Department Areas

a) General

Although BEA will contain the core interdisciplinary team and act as guiding light in identification of SEE effects, the Department's objective is to develop an awareness of and sensitivity toward environmental issues throughout the Department. This will be developed through the training methods mentioned earlier and the close involvement of BEA with other areas on specific projects. The end result will be the ability of staff in other areas to identify and evaluate SEE effects. In this way consideration of SEE effects will become an inherent part of project studies.

b) Total SEE Recognition

The tone of this section has already been set in previous discussion. To summarize it is the Department's philosophy that a true concern for SEE effects cannot be reflected merely by staffing one section with various disciplines. Concern must be developed

in other areas so that consideration of SEE effects is inherent in all decisions made during project development. To this end it is the intent that identification and evaluation of common SEE effects during project development be the responsibility of the originating unit. BEA will provide guidance, outline scopes of work and assist when necessary but cannot bear the full burden of identifying and reaching each and every impact due to the sheer volume of time and manpower needed. If BEA were to do this it would assume much of the workload and responsibilities of other areas, leaving little decision-making capability in those areas where it rightfully belongs.

CHAPTER X - LEVELS OF ACTION BY PROJECT CATEGORY

A. Project Category

The entire process described in the Action Plan is not applicable to all highway projects in its entirety. A further description of this is the fact that improvements of any kind on the State highway network do not necessarily apply themselves to all the steps indicated on both charts in Chapter III (Chart III-A and Chart III-B).

New routes on new alignments will utilize the entire process of the Action Plan. Routes which require widening, dualizations, resurfacing, intersection improvements, safety spot improvements or other miscellaneous improvements will utilize the Action Plan process partially due to the fact that the project impact on the environmental, social and economic factors might be very minimal, if at all. This determination will be made by the Chief, Bureau of Surface Design in coordination with the Bureau of Environmental Analysis. Utilizing the Action Plan process partially, we mean that if design plans are required they of course will be prepared in Design, however if right of way is not required these plans will not be sent to the Division of Right of Way. Most of the improvements which are made on the highway system are made in the best interest of relieving a traffic problem, usually brought to the Department's attention by local citizens or elected officials of the area concerned. The other major factor is the elimination of a hazardous factor, thereby providing an increase to the safety aspect on a particular route.

Projects which are generated by local governments through the Bureau of Local Federal Aid Program, and involve the expenditure of federal funds will utilize the Action Plan process partially, depending on the magnitude of the project. The determination from which point the Action Plan process

will be utilized will be determined by the Bureau of Local Federal Aid Program in coordination with local officials of the municipality involved and the Bureau of Environmental Analysis.

CHAPTER XI - IMPLEMENTATION

A. Timing

Implementation of this Action Plan will officially start at the time of its approval by FHWA. Implementation has in fact already started in respect to the interdisciplinary approach and public participation. Also, the Department reorganization in 1971 anticipated environmental multi-disciplinary needs.

B. Organization and Responsibility

The Department's Executive Director will be responsible for implementation. Specific actions will be the responsibility of the Director of Transportation Planning and Research, Director of Engineering and Operations, Director of Information Services, Director of Employee and Management Services. Division and bureau heads reporting to the aforementioned will be required to implement provisions of the Action Plan specified for their units.

C. Systems

Public meetings with respect to the revision of the 1972 New Jersey Department of Transportation Master Plan will begin in the fall of 1974. This is with the anticipation of a new master plan being produced in the fall of 1975.

The majority of factors brought out in Chapter IV - Systems Planning are presently in operation, those which are not will be brought in slowly to their full implementation by November 1, 1974.

D. Project Location

1. Feasibility and location studies currently being initiated in the Bureau of Project Location already are reflecting the wider planning perspective dictated by social, economic and environmental factors. Environ-

mental assessment at project initiation has been introduced and will be made a regular requirement at the time of final Action Plan approval. The Bureau of Environmental Analysis will participate with Bureau of Project Location in this assessment.

2. Coordination with other State departments has been practiced for some time and will continue under statutes and executive orders which give these departments approval responsibilities for flood plain and wetlands control, air quality, coordinated statewide planning.

3. Public information meetings to be staged during project studies are already being made a regular requirement of new projects. The Office of Information Services is already playing a part in planning and staging such meetings.

E. Design

New design studies will come under the same requirements as project location studies when the Action Plan becomes operative. If project location studies antecedent to the design studies have included social, economic and environmental factor studies and an environmental impact statement, a review environmental assessment will be required. If no social, economic and environmental studies were previously made, an environmental assessment will be made as in a new study. Currently, design studies which by earlier procedures were exempt from environmental impact statement requirements are being reassessed for social, economic and environmental effects. Projects found having significant social, economic and environmental effects will have environmental impact statements prepared.

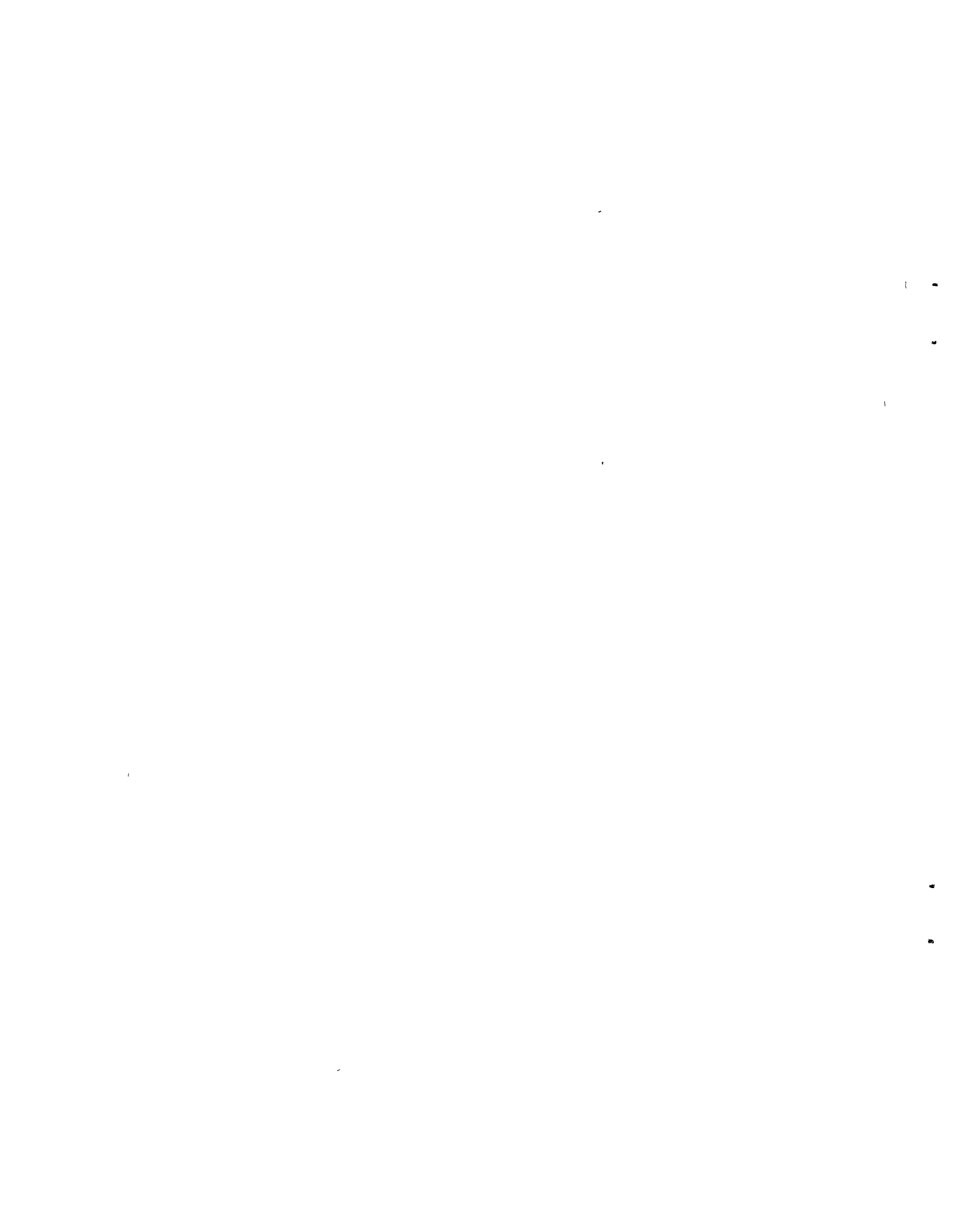
The above mentioned items will be implemented prior to November 1, 1974.

F. Monitoring and Updating

The monitoring for compliance to actions brought forth in the Action Plan and the periodic updating of this document are the responsibilities of the Director, Division of Economic and Environmental Analysis. These responsibilities will commence with the acceptance and approval of the Action Plan by FHWA.



A P P E N D I X



State of New Jersey
Executive Department

EXECUTIVE ORDER NO. 40

WHEREAS, planning for the protection of the environment, to assure that the development of the State and its resources is realized in an orderly manner and for the proper location of State facilities to encourage these goals will be fostered by the preparation of a comprehensive State plan, and

WHEREAS, natural constraints on the growth of the State must be considered in planning for the future, particularly the constraints of water supply, achievement of high air quality standards, assurance that the waters of the State will meet quality standards, and the environmental effects of major installations, such as power generation facilities, which may be required by future growth; and

WHEREAS, the municipalities, counties and regions of New Jersey seek guidance and assistance in the preparation of plans for their jurisdictions and such guidance may be provided through a State planning procedure; and

WHEREAS, the protection of the environment and the realization of orderly development of the State requires the evaluation and coordination of long-range capital programs among the various State departments; and

WHEREAS, the Congress of the United States is seeking to assist the State and local governments to improve upon their present land use planning and management efforts with respect to areas of critical environmental concern, key facilities, and developments and land uses of regional benefit;

NOW, THEREFORE, I, WILLIAM T. CAHILL, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER AND DIRECT:

1. There is hereby established a State Planning Task Force. Such Task Force shall be appointed by the Governor and serve at his pleasure. Its duties shall be:

(a) To coordinate the programs and activities of State departments which affect the environment and growth of New Jersey, by the preparation and continued maintenance of a comprehensive State physical development plan, and to advise the Governor with regard to the impact of land use programs and planning activities of each Department;

(b) To prepare recommendations to the Governor on the environmental, social and economic impact of major proposed developments within or affecting the State;

(c) To review the State's capital program as prepared by the Department of Treasury, Division of Budget and Accounting, as it relates to the State's physical development program;

(d) To coordinate Federal planning reviews within State departments in accordance with Federal Office of Management and Budget procedures and requirements;

(e) To assure that State planning policies are integrated into the plans of interstate planning agencies and in such planning committees, councils, and commissions as are or have been established to prepare plans affecting New Jersey;

(f) To assure coordination among and provision of adequate staff services to interdepartmental councils, study groups or committees, and commissions relating to matters of State physical development and in all interdepartmental activities and programs which affect State-wide planning.

2. The State Planning Task Force shall consist of:

(a) The Secretary of Agriculture, the Commissioner of Community Affairs, the Commissioner of Environmental Protection, the Commissioner of Labor and Industry, the Chancellor of Higher Education, the Commissioner of Institutions and Agencies, the Commissioner of Education, the Commissioner of Health, the Commissioner of Transportation and the State Treasurer;

(b) Three citizens of the State who shall be appointed by the Governor, one of whom shall be designated as chairman.

3. The Assistant Commissioner of the Department of Community Affairs (Planning) shall serve as Executive Secretary of the Task Force. The Division of State and Regional Planning shall provide all staff services to the Task Force.

4. The Task Force shall establish such committees as it shall find appropriate. Included among such committees shall be an environmental review committee responsible for assessing the probable environmental impact of plans and recommendations and of informing the Task Force of the likely environmental consequences of plans and recommendations. The environmental review committee shall be chaired by the Commissioner of the Department of Environmental Protection or his designee. The chairman of the environmental review committee shall appoint the members of the committee.

5. The Task Force is authorized to call upon any department, office, division, or agency of the State to supply such available statistical data, program reports, and other information and materials as it deems necessary to discharge its responsibilities under this Order.

6. Each department, office, division, or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Task Force and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

7. This Order shall take effect immediately.



GIVEN, under my hand and seal this
22nd day of December,
in the year of Our Lord, One
Thousand Nine Hundred and Seventy-
Two, and of the independence of the
United States, the one hundred and
ninety-seventh.

William F. Cahill
GOVERNOR

ATTEST:

Jean C. Muisford

Acting Secretary to the Governor

U S DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION	BUREAU OF PUBLIC ROADS	20-8
POLICY AND PROCEDURE MEMORANDUM		
January 14, 1969		
PUBLIC HEARINGS AND LOCATION APPROVAL		

- Par. 1. Purpose
2. Authority
3. Applicability
4. Definitions
5. Coordination
6. Hearing Requirements
7. Opportunity for Public Hearings
8. Public Hearing Procedures
9. Consideration of Social, Economic, and Environmental Effects
10. Location and Design Approval
11. Publication of Approval
12. Reimbursement for Public Hearing Expenses

1. PURPOSE

a. The purpose of this PPM is to ensure, to the maximum extent practicable, that highway locations and designs reflect and are consistent with Federal, State, and local goals and objectives. The rules, policies, and procedures established by this PPM are intended to afford full opportunity for effective public participation in the consideration of highway location and design proposals by highway departments before submission to the Federal Highway Administration for approval. They provide a medium for free and open discussion and are designed to encourage early and amicable resolution of controversial issues that may arise.

b. The PPM requires State highway departments to consider fully a wide range of factors in determining highway locations and highway designs. It provides for extensive coordination of proposals with public and private interests. In addition, it provides for a two-hearing procedure designed to give all interested persons an opportunity to become fully acquainted with highway proposals of concern to them and to express their views at those stages of a proposal's development when the flexibility to respond to these views still exists.

2. AUTHORITY

This PPM is issued under authority of the Federal-aid Highway Act, 23 U. S. C. 101 et seq., 128, 315, sections 2(a), 2(b)(2), and 9(e)(1) of the Department of Transportation Act, 49 U. S. C. 1651(a) and (a)(2), 1657(e)(1), 49 CFR § 1.4(c); and 23 CFR § 1.32.

3. APPLICABILITY

a. This PPM applies to all Federal-aid highway projects.

b. If preliminary engineering or acquisition of right of way related to an undertaking to construct a portion of a Federal-aid highway project is carried out without Federal-aid funds, subsequent phases of the work are eligible for Federal-aid funding only if the nonparticipating work after the effective date of this PPM was done in accordance with this PPM.

c. This PPM shall not apply to the construction of highway projects where the Federal Highway Administrator has made a formal determination that the construction of the project is urgently needed because of a national emergency, a natural disaster or a catastrophic failure.

4. DEFINITIONS (As used in this PPM)

a. A "corridor public hearing" is a public hearing that

(1) Is held before the route location is approved and before the State highway department is committed to a specific proposal; *as provided in 23 U.S.C. 101 (9)*

(2) Is held to ensure that an opportunity is afforded for effective participation by interested persons in the process of determining the need for, and the location of, a Federal-aid highway; and

(3) Provides a public forum that affords a full opportunity for presenting views on each of the proposed alternative highway locations and the social, economic, and environmental effects of those alternate locations.

b. A "highway design public hearing" is a public hearing that

(1) Is held after the route location has been approved, but before the State highway department is committed to a specific design proposal,

(2) Is held to ensure that an opportunity is afforded for effective participation by interested persons in the process of determining the specific location and major design features of a Federal-aid highway, and

PPM 20-8
Par. 4b(3)

(3) Provides a public forum that affords a full opportunity for presenting views on major highway design features, including the social, economic, environmental, and other effects of alternate designs.

c. "Social, economic, and environmental effects" means the direct and indirect benefits or losses to the community and to highway users. It includes all such effects that are relevant and applicable to the particular location or design under consideration such as:

- (1) Fast, safe and efficient transportation.
- (2) National defense.
- (3) Economic activity.
- (4) Employment.
- (5) Recreation and parks.
- (6) Fire protection.
- (7) Aesthetics.
- (8) Public utilities.
- (9) Public health and safety.
- (10) Residential and neighborhood character and location.
- (11) Religious institutions and practices.
- (12) Conduct and financing of Government (including effect on local tax base and social service costs).
- (13) Conservation (including erosion, sedimentation, wildlife and general ecology of the area).
- (14) Natural and historic landmarks.
- (15) Noise, and air and water pollution.
- (16) Property values.
- (17) Multiple use of space.
- (18) Replacement housing.
- (19) Education (including disruption of school district operations).
- (20) Displacement of families and businesses.

(21) Engineering, right-of-way and construction costs of the project and related facilities.

(22) Maintenance and operating costs of the project and related facilities.

(23) Operation and use of existing highway facilities and other transportation facilities during construction and after completion.

This list of effects is not meant to be exclusive, nor does it mean that each effect considered must be given equal weight in making a determination upon a particular highway location or design.

5. COORDINATION

a. When a State highway department begins considering the development or improvement of a traffic corridor in a particular area, it shall solicit the views of that State's resources, recreation, and planning agencies, and of those Federal agencies and local public officials and agencies, and public advisory groups which the State highway department knows or believes might be interested in or affected by the development or improvement. The State highway department shall establish and maintain a list upon which any Federal agency, local public official or public advisory group may enroll, upon its request, to receive notice of projects in any area specified by that agency, official, or group. The State highway departments are also encouraged to establish a list upon which other persons and groups interested in highway corridor locations may enroll in order to have their views considered. If the corridor affects another State, views shall also be solicited from the appropriate agencies within that State. All written views received as a result of coordination under this paragraph must be made available to the public as a part of the public hearing procedures set forth in paragraph 8.

b. Other public hearings or informal public meetings, clearly identified as such, may be desirable either before the study of alternate routes in the corridor begins or as it progresses to inform the public about highway proposals and to obtain information from the public which might affect the scope of the study or the choice of alternatives to be considered, and which might aid in identification of critical social, economic and environmental effects at a stage permitting maximum consideration of these effects. State highway departments are encouraged to hold such a hearing or meeting whenever that action would further the objectives of this PPM or would otherwise serve the public interest.

CORRECTED COPY



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D C 20590**

July 12, 1972

INSTRUCTIONAL MEMORANDUM 20-3-72
HEV-20

SUBJECT: PPM 20-8, Public Hearings and Location Approval
(Paragraph 6. Hearing Requirements)

Pending the revision of PPM 20-8, Public Hearings and Location Approval,
issued on January 14, 1969, the following changes are hereby effective:

1. Add to paragraphs 4.a.(1) and 4.b.(1) between "proposal".
and the following semicolon, "[except as provided in
paragraph 6.(g).]."
2. Add a new paragraph 6.(g), as follows:

6.(g). With respect to any project for which a public hearing has been held under Federal-aid procedures, and for which it is determined by the State highway department and the Division Engineer that a new hearing is desirable to consider supplemental information on social, economic or environmental effects relative to proposals presented at a previous public hearing or with respect to additional proposals, then, as appropriate, a new corridor or design hearing should be held. When recommended by the State and approved by the Division Engineer, a new corridor hearing held in accordance with this paragraph may be combined with the design hearing, whether or not a design hearing for the project has been previously held. In such instances, the location shall be reconsidered and a new request for location approval shall be submitted together with the request for design approval."

R.R. Bartelsmeyer
Acting Federal Highway Administrator

CORRECTED COPY

This page intentionally left blank.

6. HEARING REQUIREMENTS

a. Both a corridor public hearing and a design public hearing must be held, or an opportunity afforded for those hearings, with respect to each Federal-aid highway project that:

- (1) Is on a new location; or
- (2) Would have a substantially different social, economic or environmental effect; or
- (3) Would essentially change the layout or function of connecting roads or streets.

However, with respect to secondary road programs, two hearings are not required on a project covered by paragraph 6(a)(1) or (2) unless it will carry an average of 750 vehicles a day in the year following its completion.

b. A single combined corridor and highway design public hearing must be held, or the opportunity for such a hearing afforded, on all other projects before route location approval, except as provided in paragraph 6. c. below.

c. Hearings are not required for those projects that are solely for such improvements as resurfacing, widening existing lanes, adding auxiliary lanes, replacing existing grade separation structures, installing traffic control devices or similar improvements, unless the project:

- (1) Requires the acquisition of additional right-of-way; or
- (2) Would have an adverse effect upon abutting real property; or
- (3) Would change the layout or function of connecting roads or streets or of the facility being improved.

d. With respect to a project on which a hearing was held, or an opportunity for a hearing afforded, before the effective date of this PPM, the following requirements apply:

(1) With respect to projects which have not received location approval:

(a) If location approval is not requested within 3 years after the date of the hearing or an opportunity for a hearing, compliance with the corridor hearing requirements is required unless a substantial amount of right-of-way has been acquired.

(b) If location approval is requested within 3 years after the date of the hearing or an opportunity for a hearing, compliance with the corridor hearing requirements is not required.

(2) With respect to those projects which have not received design approval:

(a) If design approval is not requested within 3 years after the date of the hearing or an opportunity for a hearing, compliance with the design hearing requirements is required.

(b) If design approval is requested within 3 years after the date of the hearing or an opportunity for a hearing, compliance with the design hearing requirements is nevertheless required unless the division engineer finds that the hearing adequately dealt with design issues relating to major design features.

e. If location approval is not requested within 3 years after the date of the related corridor hearing held, or an opportunity for a hearing afforded, under this PPM, a new hearing must be held or the opportunity afforded for such a hearing.

f. If design approval is not requested within 3 years after the date of the related design hearing held, or an opportunity for a hearing afforded, under this PPM, a new hearing must be held or the opportunity afforded for such a hearing.

(g.) See Memo from S DOT

7. OPPORTUNITY FOR PUBLIC HEARINGS

a. A State may satisfy the requirements for a public hearing by (1) holding a public hearing, or (2) publishing two notices of opportunity for public hearing and holding a public hearing if any written requests for such a hearing are received. The procedure for requesting a public hearing shall be explained in the notice. The deadline for submission of such a request may not be less than 21 days after the date of publication of the first notice of opportunity for public hearing, and no less than 14 days after the date of publication of the second notice of opportunity for public hearing.

b. A copy of the notice of opportunity for public hearing shall be furnished to the division engineer at time of publication. If no requests are received in response to a notice within the time specified for the submission of those requests, the State highway department shall certify that fact to the division engineer.

c. The opportunity for another public hearing shall be afforded in any case where proposed locations or designs are so changed from those presented in the notices specified above or at a public hearing as to have a substantially different social, economic, or environmental effect.

d. The opportunity for a public hearing shall be afforded in each case in which either the State highway department or the division

engineer is in doubt as to whether a public hearing is required.

e. Public hearing procedures authorized and required by State law may be followed in lieu of any particular hearing requirement of paragraph 7 or 8 of this PPM if, in the opinion of the Administrator, such procedures are reasonably comparable to that requirement.

8. PUBLIC HEARING PROCEDURES

a. Notice of public hearing:

(1) When a public hearing is to be held, a notice of public hearing shall be published at least twice in a newspaper having general circulation in the vicinity of the proposed undertaking. The notice should also be published in any newspaper having a substantial circulation in the area concerned; such as foreign language newspapers and local community newspapers. The first of the required publications shall be from 30 to 40 days before the date of the hearing, and the second shall be from 5 to 12 days before the date of the hearing. The timing of additional publications is optional.

(2) In addition to publishing a formal notice of public hearing, the State highway department shall mail copies of the notice to appropriate news media, the State's resource, recreation, and planning agencies, and appropriate representatives of the Departments of Interior and Housing and Urban Development. The State highway department shall also mail copies to other federal agencies, and local public officials, public advisory groups and agencies who have requested notice of hearing and other groups or agencies who, by nature of their function, interest, or responsibility the highway department knows or believes might be interested in or affected by the proposal. The State highway department shall establish and maintain a list upon which any federal agency, local public official, public advisory group or agency, civic association or other community group may enroll upon its request to receive notice of projects in any area specified by that agency, official or group.

(3) Each notice of public hearing shall specify the date, time, and place of the hearing and shall contain a description of the proposal. To promote public understanding, the inclusion of a map or other drawing as part of the notice is encouraged. The notice of public hearing shall specify that maps, drawings, and other pertinent information developed by the State highway department and written views received as a result of the coordination outlined in Paragraph 5, a will be available for public inspection and copying and shall specify where this information is available; namely,

at the nearest State highway department office or at some other convenient location in the vicinity of the proposed project.

(4) A notice of highway design public hearing shall indicate that tentative schedules for right-of-way acquisition and construction will be discussed.

(5) Notices of public hearing shall indicate that relocation assistance programs will be discussed.

(6) The State highway department shall furnish the division engineer with a copy of the notice of public hearing at the time of first publication.

b. Conduct of public hearing:

(1) Public hearings are to be held at a place and time generally convenient for persons affected by the proposed undertaking.

(2) Provision shall be made for submission of written statements and other exhibits in place of, or in addition to, oral statements at a public hearing. The procedure for the submissions shall be described in the notice of public hearing and at the public hearing. The final date for receipt of such statements or exhibits shall be at least 10 days after the public hearing.

(3) At each required corridor public hearing, pertinent information about location alternatives studied by the State highway department shall be made available. At each required highway design public hearing information about design alternatives studied by the State highway department shall be made available.

(4) The State highway department shall make suitable arrangements for responsible highway officials to be present at public hearings as necessary to conduct the hearings and to be responsive to questions which may arise.

(5) The State highway department shall describe the State-Federal relationship in the Federal-aid highway program by an appropriate brochure, pamphlet, or statement, or by other means.

(6) A State highway department may arrange for local public officials to conduct a required public hearing. The State shall be appropriately represented at such public hearing and is responsible for meeting other requirements of this PPM.

(7) The State highway department shall explain the relocation assistance program and relocation assistance payments available.

(8) At each public hearing the State highway department shall announce or otherwise explain that, at any time after the hearing and before the location or design approval related to that hearing, all information developed in support of the proposed location or design will be available upon request, for public inspection and copying.

(9) To improve coordination with the State highway department, it is desirable that the division engineer or his representative attend a public hearing as an observer. At a hearing, he may properly explain procedural and technical matters, if asked to do so. A Federal Highway Administration decision regarding a proposed location or design will not be made before the State highway department has requested location or design approval in accordance with paragraph 10.

c. Transcript:

(1) The State highway department shall provide for the making of a verbatim written transcript of the oral proceedings at each public hearing. It shall submit a copy of the transcript to the division engineer within a reasonable period (usually less than 2 months) after the public hearing, together with:

(a) Copies of, or reference to, or photographs of each statement or exhibit used or filed in connection with a public hearing.

(b) Copies of, or reference to, all information made available to the public before the public hearing.

(2) The State highway department shall make copies of the materials described in subparagraph 8. c. (1) available for public inspection and copying not later than the date the transcript is submitted to the division engineer.

9. CONSIDERATION OF SOCIAL, ECONOMIC, AND ENVIRONMENTAL EFFECTS

State highway departments shall consider social, economic, and environmental effects before submission of requests for location or design approval, whether or not a public hearing has been held. Consideration of social, economic, and environmental effects shall include an analysis of information submitted to the State highway department in connection with public hearings or in response to the notice of the location or design for which a State highway department intends to request approval. It shall also include consideration of information developed by the State highway department or gained from other contacts with interested persons or groups.

10. LOCATION AND DESIGN APPROVAL

a. This section applies to all requests for location or design approval whether or not public hearings, or the opportunity for public hearings, are required by this PPM.

b. Each request by a State highway department for approval of a route location or highway design must include a study report containing the following:

(1) Descriptions of the alternatives considered and a discussion of the anticipated social, economic, and environmental effects of the alternatives, pointing out the significant differences and the reasons supporting the proposed location or design. In addition, the report must include an analysis of the relative consistency of the alternatives with the goals and objectives of any urban plan that has been adopted by the community concerned.

(a) Location study reports must describe the termini, the general type of facility, the nature of the service which the highway is intended to provide, and other major features of the alternatives.

(b) Design study reports must describe essential elements such as design standards, number of traffic lanes, access control features, general horizontal and vertical alignment, right-of-way requirements and location of bridges, interchanges, and other structures.

(2) Appropriate maps or drawings of the location or design for which approval is requested.

(3) A summary and analysis of the views received concerning the proposed undertaking.

(4) A list of any prior studies relevant to the undertaking.

c. At the time it requests approval under this paragraph, each State highway department shall publish in a newspaper meeting the requirements of paragraph 8. a. (1), a notice describing the location or design, or both, for which it is requesting approval. The notice shall include a narrative description of the location or design. Where practicable, the inclusion of a map or sketch of that location or design is desirable. In any event, the publication shall state that such maps or sketches as well as all other information submitted in support of the request for approval is publicly available at a convenient location.

PPM 20-8
Par. 10d

d. The following requirements apply to the processing of requests for highway location or highway design approval:

(1) Location approval. The division engineer may approve a route location and authorize design engineering only after the following requirements are met:

(a) The State highway department has requested route location approval.

(b) Corridor public hearings required by this PPM have been held, or the opportunity for hearings has been afforded.

(c) The State highway department has submitted public hearing transcripts and certificates required by section 128, title 23, United States Code.

(d) The requirements of this PPM and of other applicable laws and regulations.

(2) Design approval. The division engineer may approve the highway design and authorize right-of-way acquisition, approve right-of-way plans, approve construction plans, specifications, and estimates, or authorize construction, only after the following requirements have been met:

(a) The route location has been approved.

(b) The State highway department has requested highway design approval.

(c) Highway design public hearings required by this PPM have been held, or the opportunity for hearings has been afforded.

(d) The State highway department has submitted the public hearing transcripts and certificates required by section 128, title 23, United States Code.

(e) The requirements of this PPM and of other applicable laws and regulations.

e. The division engineer, under criteria to be promulgated by the Federal Highway Administrator, may in other appropriate instances authorize the acquisition of right-of-way before a design hearing.

f. Secondary Road Plans shall be amended as necessary to incorporate procedures similar to those required for other projects. Secondary Road Plans shall include provisions requiring:

(1) route location and highway design approval,

(2) preparation of study reports as described in paragraph 10(b), and

(3) corridor and highway design public hearings in all cases where they would be required for Federal-aid projects not administered under the Secondary Road Plan. Project actions by the division engineer or submissions to the division engineer which are not now required should not be established for Secondary Road Plan projects as a result of this PPM.

11. PUBLICATION OF APPROVAL

In cases where a public hearing was held, or the opportunity for a public hearing afforded, the State highway department shall publish notice of the action taken by the division engineer on each request for approval of a highway location or design, or both, in a newspaper meeting the requirements of paragraph 8. a. (1), within 10 days after receiving notice of that action. The notice shall include a narrative description of the location and/or design, as approved. Where practicable, the inclusion of a map or sketch of that location or design is desirable. In any event, the publication shall state that such maps or sketches as well as all other information concerning the approval is publicly available at a convenient location.

12. REIMBURSEMENT FOR PUBLIC HEARING EXPENSES

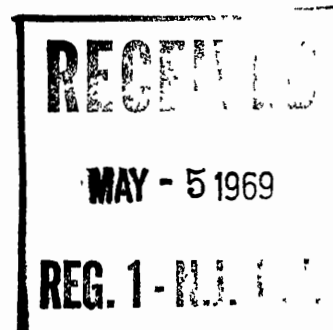
Public hearings are an integral part of the preliminary engineering process. Reasonable costs associated with public hearings are eligible for reimbursement with Federal-aid funds on the same basis as other preliminary engineering costs.

F. C. Turner

F. C. Turner
Director of Public Roads

Lowell K. Bridwell

Lowell K. Bridwell
Federal Highway Administrator



POLICY AND PROCEDURE MEMORANDUM

90-1

September 7, 1972

ENVIRONMENTAL IMPACT AND RELATED STATEMENTS

- Par. 1. Purpose
2. Authority
3. Definitions
4. Policy
5. Application
6. Procedures

Appendix A - Procedures on Historic Preservation

Appendix B - Example of Design Concurrence Letter

Appendix C - Location Stage Flow Chart

Appendix D - Design Stage Flow Chart

Appendix E - Environmental Statements - Contents and Format

Appendix F - Evaluating Highway Section Environmental Effects

Appendix G - Inter-Agency Review of Draft Environmental Statements

Appendix H - Selections from PPM 20-8, for Use in Preparing Environmental Statements

Appendix I - Purchasing Copies of Environmental Statements

1. PURPOSE

To provide guidelines to highway departments and Federal Highway Administration (FHWA) field offices to assure that the human environment is carefully considered and national environmental goals are met when developing federally financed highway improvements.

2. AUTHORITY

a. Section 4332(2)(C), Title 42, United States Code (popularly known as Section 102 (2)(C) of the National Environmental Policy Act of 1969, P. L. 91-190) states in part that all agencies of the Federal Government shall

"include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible officials on ---

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies which are authorized to develop and enforce environmental standards, shall accompany the proposal through the existing agency review processes."

b. Section 1653(f), Title 49, United States Code 1/, Section 138, Title 23, United States Code, (hereafter referred to as "Section 4(f)") permits the Secretary of Transportation to approve a program or project which requires the use of publicly owned land from a park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State or local officials having jurisdiction thereof, or land from an historic site of national, State, or local significance as so determined by such officials (hereafter "Section 4(f) land") only if

(1) there is no feasible and prudent alternative to the use of such land, and

(2) such program includes all possible planning to minimize harm to the Section 4(f) land resulting from such use.

1/ Section 1653(f), Title 49, United States Code, is identical to Sections 138, Title 23, United States Code, and 4(f) of the Department of Transportation Act as amended by Section 18 of the Federal-Aid Highway Act of 1968."

c. Section 470f, Title 16, United States Code 2/ provides that the head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation a reasonable opportunity to comment with regard to such undertaking.

d. Section 1857h-7, Title 42, United States Code (popularly known as Section 309 of the Clean Air Act of 1970 - P. L. 91-604), provides:

"(a) The Administrator (Environmental Protection Agency) shall review and comment in writing on the environmental impact of any matter relating to duties and responsibilities granted pursuant to this chapter or other provisions of the authority of the Administrator, contained in any . . . (2) newly authorized Federal projects for construction and any major Federal agency action (other than a project for construction) to which Section 4332 (2)(C) of this Title applies . . . Such written comment shall be made public at the conclusion of any such review."

3. DEFINITIONS (as used in this memorandum)

a. Highway Section - a substantial length of highway between logical termini (major crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study. (See paragraph 6).

b. Federal Agency Decision - FHWA approval of the location of a highway improvement (approval of the design, right-of-way acquisition; the plans, specifications, and estimates (PS&E) or authorization to construct a project within the highway section is not, for the purposes of this memorandum, an additional agency decision.)

2/ This requirement is also found in Section 106 of the National Historic Preservation Act of 1966.

(1) A decision for a change in either the highway location or design (See paragraph 6p) of sufficient magnitude to require a public hearing or which significantly alters the environmental impact discussed in the statement previously filed would be the basis to prepare and process a supplemental environmental statement.

c. Environmental Statement - a written statement containing an assessment of the anticipated significant beneficial and detrimental effects which the agency decision may have upon the quality of the human environment for the purposes of

(1) assuring that careful attention is given to environmental matters,

(2) providing a vehicle for implementing all applicable environmental requirements, and

(3) to insure that the environmental impact is taken into account in the agency decision.

d. Negative Declaration - a written document in support of a determination that, should the proposed highway section improvement be constructed, the anticipated effects upon the human environment will not be significant.

e. Highway Agency (HA) - the agency with the primary responsibility for initiating and carrying forward the planning, design, and construction of the highway. For highway sections financed with Federal-aid highway funds, the HA will normally be the appropriate State highway department. For highway sections financed with other funds, such as Forest highways, Park roads, etc., the HA will be the appropriate Federal or State highway agency.

f. Human Environment - the aggregate of all external conditions and influences (aesthetic, ecological, biological, cultural, social, economic, historical, etc.) that affect the life of a human.

4. POLICY

It is a national policy that all Federal agencies promote efforts for improving the relationship between man and his environment and to make special effort for preserving the natural beauty of the countryside and public park and recreational lands, wildlife and waterfowl refuges, and historic sites. It is also national policy that Federal agencies consult with other

appropriate Federal, State, and local agencies; assess in detail the potential environmental impact in order that adverse effects are avoided and environmental quality is restored or enhanced, to the fullest extent practicable, and utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and decisionmaking which may have an impact on man's environment. The environmental assessments include the broad range of both beneficial and detrimental effects.

5. APPLICATION

a. An environmental statement or combined environmental/Section 4(f) statement or negative declaration, whichever is appropriate, shall be prepared and processed in accordance with this memorandum for each highway section proposed for construction with funds administered by the FHWA, including in appropriate cases any section financed from funds transferred to the FHWA from other agencies, which receives or received design approval (see paragraph 5e) on or after February 1, 1971.

b. An environmental statement or combined environmental/Section 4(f) statement, whichever is appropriate, shall be prepared and processed in accordance with this memorandum for each highway section which received design approval on or after January 1, 1970, and before February 1, 1971, and which constitutes a major action significantly affecting the environment (see Appendix F, paragraphs 2 and 3) if, in the judgment of the FHWA division engineer, implementation of the National Environmental Policy Act to the fullest extent possible requires preparation and processing of an environmental statement. In making his judgment the FHWA division engineer should consider, in addition to the written reassessment prepared by the HA (see paragraph 5c) for each such highway section, the status of the design; right-of-way acquisition including demolition of improvements within the right-of-way; number of families already rehoused and those yet to be rehoused, construction scheduling, benefits to accrue from the proposed highway improvement, significant impacts; and measures to minimize any adverse impacts of the highway.

c. Highway sections which received design approval on or after January 1, 1970, and before February 1, 1971, that are classed as a major action are to be reassessed by the HA in consultation with the FHWA division engineer or his representative. The written reassessment should consider if the highway plans were developed in such a manner as to minimize adverse environmental consequences.

d. A highway section involving an historic site included in the National Register of Historic Places shall be coordinated with the State Liaison Officer for Historic Preservation and representatives of the Office of Archeology and Preservation of the National Park Service, Department of the Interior, as set forth in Appendix A. The provisions of 16 U.S.C. 470f, should be satisfied before submitting the final environment/Section 4(f) statement to the FHWA (see paragraph 2c).

e. Design approval may be regarded as having been obtained prior to February 1, 1971, if any one of the following conditions is satisfied.

(1) Prior to the issuance of revised PPM 20-8 dated January 14, 1969, procedures of the FHWA did not require a HA to receive a formally documented FHWA design approval before undertaking right-of-way acquisition and/or preparation of the plans, specifications and estimate (PS&E). Therefore, design approval was that action or series of actions by which the FHWA indicated to the HA that the essential elements of the highway as set out in PPM 20-8 were satisfactory or acceptable for preparation of the PS&E. Such actions may have consisted of review and comments upon preliminary plans, schematic drawings, design studies, layouts or reports or unconditional approval to acquire all the right-of-way for a project. The HA shall identify those projects (both Federal-aid and non-Federal-aid) in the above category which it anticipates Federal-aid funds will be requested for a subsequent stage and furnish the FHWA division engineer for his concurrence a letter similar to Appendix B of this memorandum citing the document(s) or action(s) which it believes are equivalent to design approval. The FHWA division engineer's concurrence in the HA's determination will serve as verification that the previous actions or approvals were in effect design approval.

(2) Written approval by the FHWA of the design submitted in accordance with PPM 20-8.

(3) Similar type evidence that an official of the State highway department approved the design prior to February 1, 1971, for projects administered under an approved Secondary Road Plan. Such evidence need not be submitted to the FHWA division engineer for concurrence but shall be available in the State highway department's files.

f. A single environmental statement, or negative declaration, is applicable to jointly planned undertakings between the FHWA and other Federal agencies. The lead agency will

be responsible for the appropriate document (i. e. the HA for a proposed highway section that also requires a U. S. Coast Guard action for bridge clearance over navigable water). Highway section proposals submitted for an FHWA approval shall include a copy of the statement prepared and processed by another Federal agency or reference to such a statement previously furnished to FHWA. A highway section in this category will generally be of the nature where there is no actual transfer of funds to the FHWA and the FHWA acts only in the capacity of a review agency or consultant advisor to the other Federal agency.

g. An environmental statement shall not be required in connection with any highway section that is urgently needed because of a national emergency, a disaster, a catastrophic failure, or similar great urgency. The HA may request and the FHWA may exempt such urgently needed highway sections from the environmental statement requirement after consultation with the Office of the Secretary of Transportation and the Council on Environmental Quality.

6. PROCEDURES (See Appendixes C and D for a flow chart)

The highway section included in an environmental statement should be as long as practicable to permit consideration of environmental matters on a broad scope. Piecemealing proposed highway improvements in separate environmental statements should be avoided. If possible, the highway section should be of substantial length that would normally be included in a multi-year highway improvement program.

a. A proposal to develop or improve a highway section should be coordinated in the early stages with appropriate local, State, and Federal agencies (PPM 20-8 and IM 50-1-70). Initiation of coordination at the beginning of the location study will assist in identifying natural and cultural areas of significance, agency and public concerns, and help in determining the need for and preparation of an environmental statement. Existing coordination mechanisms, such as above cited, (public hearings, Office of Management and Budget Circular No. A-95 reviews) and other established procedures for coordination should be used to the greatest extent practicable.

(1) The information obtained through coordination and the highway studies (technical, engineering, social, economic, and environmental, as appropriate) should be used in making an assessment of the potential environmental impact (both beneficial and detrimental) of the proposed action. This environmental assessment should be accomplished utilizing a systematic, interdisciplinary approach to

assure that proper consideration is given to the identification and evaluation of potential environmental impacts. This environmental assessment, performed in consultation with FHWA for all projects, will provide the basis for determining whether an environmental statement will be prepared.

(2) The environmental statement and/or Section 4(f) statement may be a part of the study report for the highway location, if desired, however, if included in the study report, the statements are to be consolidated in one place in the report and in a form that can be reproduced separate from the report.

b. A draft environmental statement shall be prepared only for those sections for which the HA or division engineer determine that construction and operation of the highway section will have a significant impact upon the environment. Appendix F lists guidelines to assist in determining significant impacts associated with the construction and operation of a highway. In addition, the HA or FHWA may wish to consult other local, State and Federal agencies with specific expertise when determining the significance of an impact. The draft environmental impact statements, including Section 4(f) information, shall be prepared and circulated by the HA in cooperation with the FHWA during the location study. A representative of the FHWA division office shall indicate his review and adoption of the draft environmental statement by signing and dating before it is released for comment.

c. The draft environmental statement, including necessary Section 4(f) information when required, is to be circulated by the HA to the appropriate agencies (see Appendix G) for comment, and made available to the public not later than the first required notice of location public hearing (30 to 40 days before date of hearing) or notice of opportunity for a public hearing as set out in PPM 20-8 (see Appendix H). If the highway section qualifies for exemption from public hearing procedures, a draft environmental statement, if required, (including necessary Section 4(f) information) is to be prepared and circulated for comment, and made available to the public as early as practicable. Regardless of whether or not there is a public hearing, a notice should be placed in the newspaper advising the public that the draft environmental impact statement is going to be circulated for review and comment. The notice should include information on where the statement is available for review and how copies can be obtained.

(1) The HA shall request a determination of significance from the Section 4(f) lands agency and include the letter requesting such determination and the determination, if received, as exhibits to the draft statement.

(2) An additional location or design public hearing will not be required for the sole purpose of presenting and receiving comments on the draft environmental statement for those projects which were processed in accordance with procedures in effect at the time.

(3) The comments received on the draft statement are to be made available at the HA office for public review.

d. The HA shall furnish 17 copies of each draft environmental statement to the FHWA division engineer who shall distribute 16 copies to the following recipients:

FHWA Regional Office	1
FHWA (to the Office of Environmental Policy, HEV-10)	2
DOT's Office of Environment and Urban Systems (TEU)	3
Council on Environmental Quality (CEQ)	10
722 Jackson Place, NW, Washington, D.C. 20006	

NOTE: The HA is to make distribution to all other required local, State, and Federal agencies (see Appendix G).

e. The HA shall announce the availability of and briefly explain the draft environmental statement or negative declaration in its presentation at the location public hearing (or at the highway design hearing when a draft statement is prepared and circulated in conjunction with design studies).

f. The HA may establish a date not less than 30 days from the date of transmittal, plus a normal time for mail to reach and be returned from the recipient, for return of the comments, except 45 days plus mailing time shall be allowed for the Environmental Protection Agency (EPA) to comment. The FHWA division engineer should include a similar time period (30 days plus mailing) for return of comments in his distribution correspondence. If an agency does not respond by the indicated date, the HA may assume the agency had no comments. The HA should endeavor to grant requests for a time extension of up to 15 days for return of comments unless a 45 day review period, plus mailing time, was originally established.

g. Draft environmental statements shall be available for review by the public at the HA headquarters; the State, regional, and

metropolitan clearinghouses, the FHWA division, regional, and headquarters offices, and at the appropriate public hearings. The HA and FHWA may charge non-governmental individuals and organizations for copies of environmental statements in accordance with established fee schedules.

(1) The public and private organizations may also order copies of draft and final environmental statements from the National Technical Information Service, U.S. Department of Commerce (See Appendix I).

h. Similar procedures apply to highway sections which have received location approval but did not have design approval before February 1, 1971. In such instances the environmental statement, combination environmental/Section 4(f) statement or negative declaration shall be prepared and processed during the design studies. The final environmental statement or negative declaration for such highway sections shall be furnished to FHWA before or with the request for design approval. If the design public hearing was held prior to the issuance of this memorandum, an additional design public hearing will not be required for the sole purpose of presenting and receiving comments on the draft statement. All other requirements for circulation for comment and availability to the public will apply.

i. The HA shall prepare a final environmental statement or combined environmental/4(f) statement in consultation with the FHWA for each project for which it prepared and circulated a draft environmental statement following the format in Appendix E. The final statement shall include a copy of all comments received and the consideration and disposition of environmental comments raised at the public hearing and on the draft statement. The correspondence included in the final statement should contain marginal notes indicating where in the statement the comments are treated or discussed (any other suitable method of showing where the comments are discussed is satisfactory).

j. FHWA review and adoption of the final environmental statement shall be the responsibility of the Regional Federal Highway Administrator. The Regional Federal Highway Administrator shall indicate his adoption by signature thereon, and forward 15 signed copies of the final statement to the Office of Environmental Policy, HEV-10. A copy of a signed statement may also be returned to the originating office. The HA and FHWA may, upon request of an individual or organization, make a copy of the statement as signed by

the Regional Federal Highway Administrator available, but such document should be marked "NOT Official - Subject to Approval by U. S. Department of Transportation."

k. FHWA's Office of Environmental Policy shall be responsible for:

- (1) submitting copies of the final statement to TEU,
- (2) forwarding copies of the final statement to CEQ,
- (3) informing the Regional Federal Highway Administrator when CEQ is furnished copies of the final statement.

l. The Regional Federal Highway Administrator shall be responsible for:

(1) assuring that a copy of the final statement as sent to CEQ is furnished the HA, the appropriate State, regional, and metropolitan clearinghouses, and the FHWA division, and

(2) assuring that the following time limitations have expired prior to FHWA's approval of the location (or design if the location was previously approved).

(a) Ninety (90) days have expired since the draft environmental statement was circulated for comment, sent to CEQ (post-marked), and made available to the public as described in 6g.

(b) Thirty (30) days have expired since the final environmental statement was made available to both CEQ and the public. This time period may run concurrently with the ninety (90) day period.

m. Negative declarations shall be prepared by the HA when the anticipated impact of construction and operation of a highway section is determined to be not significant (not of major importance). Appendix F outlines several types of highway section improvements which may warrant a negative declaration, however, each highway section should be evaluated to determine whether its impact is significant. Their purpose is to include in the written record evidence that the highway section was evaluated and a determination made that it would have no significant effect upon the quality of human environment. They should be based on the information developed during the highway study and coordination with local, State, and Federal agencies.

n. A negative declaration need not be circulated for comment, but its availability should be included in the notice of the public hearing or opportunity for public hearing. The

FHWA division engineer shall concur in the negative declaration before he approves the location or design, whichever is appropriate.

o. The HA or FHWA may, based upon comments at the public hearing, rescind a negative declaration and prepare and process an environmental statement if in their judgment significant impacts have been identified which were not previously considered. It would not be necessary in such instances to hold additional public hearings for the purpose of presenting the draft environmental statement.

p. The HA shall include reference to the previous environmental statement, negative declaration, or reassessment when requesting design approval, authorization for right-of-way acquisition, approval of PS&E, and construction authorization.

(1) A new environmental statement, or a supplemental statement will be necessary for a highway section when the proposal being processed introduces a new or changed environmental effect of significance to the quality of environment. The FHWA may also request an environmental statement for a highway section which received design approval before February 1, 1971, when in its judgment changes in the highway subsequent to the reassessment (see paragraph 5c) introduce significantly different impacts on the environment.

(2) A supplemental statement is to be processed in the same manner as a new environmental statement. Where the need for a supplemental statement results from the use of Section 4(f) land only, a Section 4(f) statement may be prepared in lieu of a supplemental environmental statement and coordinated with the Departments of the Interior and Housing and Urban Development by the HA. The coordinated Section 4(f) statement, with comments and suggestions and the HA disposition of same, shall be furnished to the FHWA for appropriate processing.

q. State highway agencies operating in accordance with a Secondary Road Plan approved pursuant to 23 U. S. C. 117 have the responsibility for approval of most Federal-aid project actions, including the highway location and design. However, environmental statements and negative declarations require Federal approvals as indicated in this memorandum.



R. R. Bartelsmeyer
Acting Federal Highway Administrator

Attachments

PROCEDURES FOR HISTORIC PRESERVATION

1. The provisions of 16 U.S.C. 470(f) require that all proposed highway sections that are federally assisted be developed with consideration to effected districts, sites, buildings, structures, or objects that are included in the National Register for Historic Preservation. This authority derives from Section 106 of the National Historic Preservation Act. Procedures for compliance have been implemented by the Advisory Council on Historic Preservation, and the National Park Service, Department of the Interior, as follows:

a. At the earliest stage of planning or consideration of any undertakings carried out, licensed, or financially assisted by the Federal Government, the HA and FHWA should follow these steps:

(1) Consult the National Register of Historic Places to determine if a National Register property is involved in the undertaking. The National Register is maintained by the Office of Archeology and Historic Preservation, National Park Service, and monthly addenda are published in the FEDERAL REGISTER.

(2) Apply the "Criteria for Effect." If there is no effect, the undertaking may proceed. (See paragraph 3 of this appendix.) This determination of effect should be made by the HA in consultation with the division engineer, the State Liaison Office and a representative of the Office of Archeology and Historic Preservation. If there is documented agreement that a project will not have an effect on the National Register Historic Site, no further review is required under the National Historic Preservation Act.

(3) If there is an effect, the HA in consultation with the FHWA division engineer, State Liaison Officer 1/ and a representative of the Office of Archeology and Historic Preservation of the National Park Service shall:

(a) Determine if the effect is adverse--if not, the undertaking may proceed,

(b) Upon finding an adverse effect, select and agree upon a prudent and feasible alternative to remove the adverse effect, in which case the undertaking may proceed;

(c) Failing to find and agree upon an alternative, recommend all possible planning to minimize the adverse effect and delay further

1/ State Liaison Officers are appointed by the Governors to be responsible for State activities under the National Historic Preservation Act.

processing of the undertaking pending the receipt of comments from the Advisory Council.

(4) Provide written notice affording the Advisory Council an opportunity to comment upon doubtful or unresolved situations of adverse effect and upon request submit a report of the undertaking.

2. If there is a finding of adverse effect, the proposed highway section is to be processed in accordance with these procedures and the Office of Environmental Policy should be notified and kept informed of further developments. If it becomes necessary to provide a written notice affording the Advisory Council on Historic Preservation an opportunity to comment in doubtful or unresolved situations of adverse effect, the Office of Environmental Policy will act as the coordinating element for the FHWA.

3. Criteria for Effect

a. A federally financed or licensed undertaking shall be considered to have an effect on a National Register listing (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking creates a change in the quality of the historical, architectural, archeological, or cultural character that qualified the property under the National Register criteria for listing in the National Register.

b. Generally, adverse effect occurs under conditions which include but are not limited to:

(1) Destruction or alteration of all or part of a property,

(2) Isolation from or alteration of its surrounding environment,

(3) Introduction of visual, audible, or atmospheric elements that are out of character with the property and its setting (i. e. introduction of a new highway or a higher type functional highway, such as a freeway for an arterial, into the environment of a historic site).

EXAMPLE OF DESIGN CONCURRENCE LETTER

Mr. John Doe
Division Engineer
Federal Highway Administration

Dear Mr. Doe:

The initial phases (PE - ROW) for the proposed improvement of State Route 35 between State Route 64 and Springfield were accomplished without Federal-aid highway funds. Preliminary drawings, which included the elements outlined in paragraph 10b(1)(b) of PPM 20-8, were commented upon in your letters of August 18, 1966, and September 12, 1967. We have, therefore, determined that your review and comments were equivalent to design approval of this project.

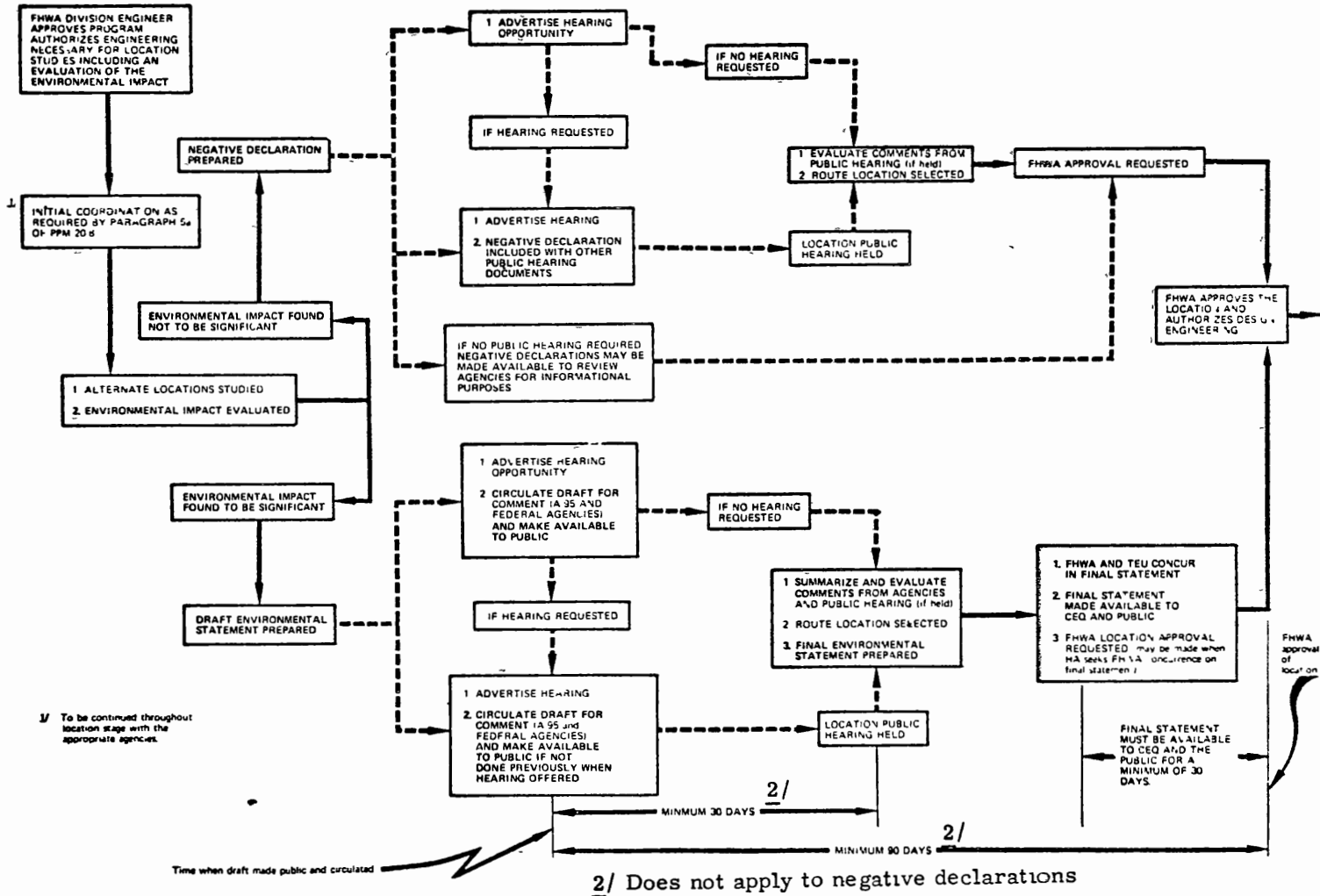
For your convenience we have included below a space for your concurrence in our determination.

Sincerely,

Endorsement to (SHD)

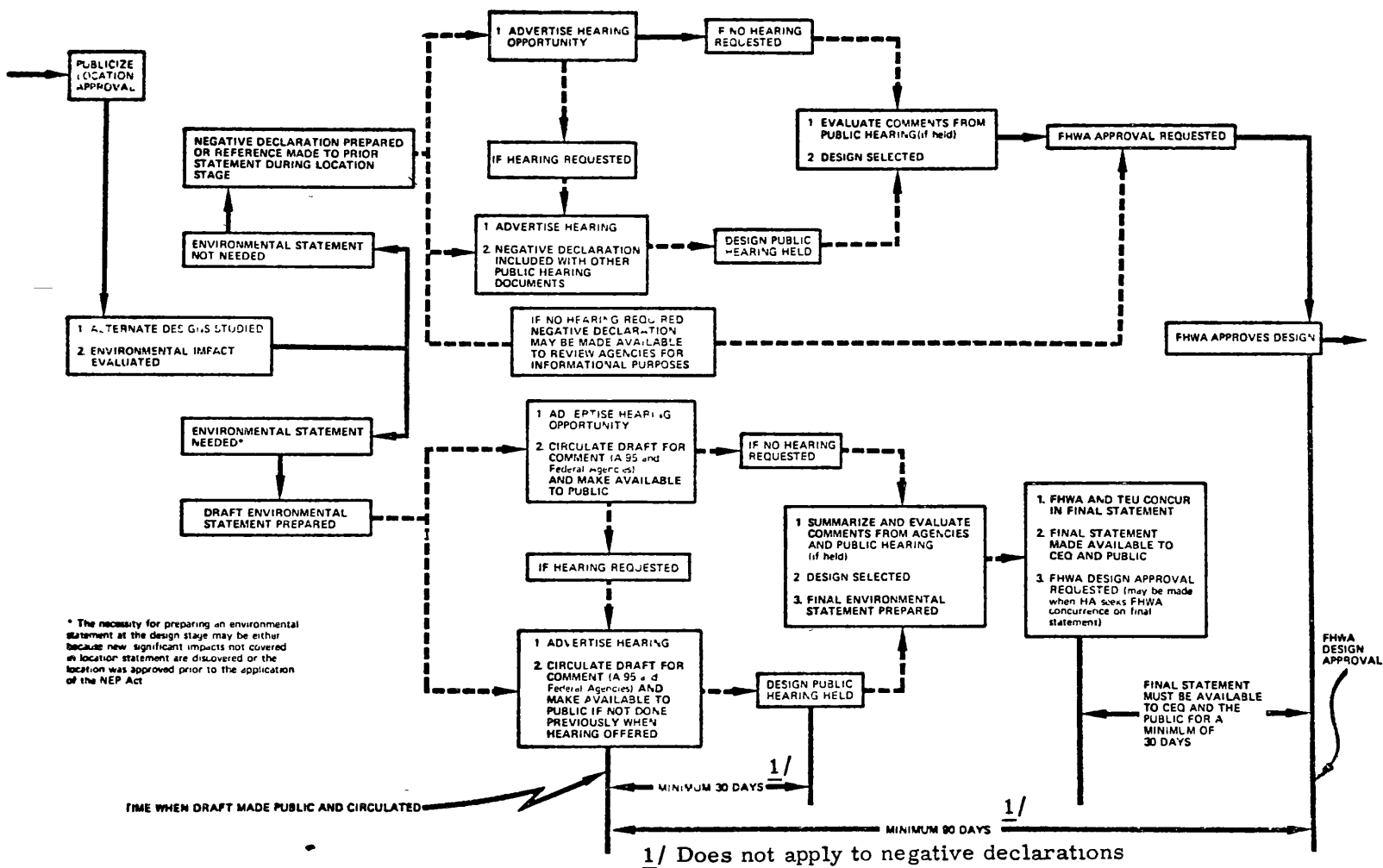
Concur _____ Date _____

APPENDIX C
LOCATION STAGE FLOW CHART



C-1

APPENDIX D
DESIGN STAGE FLOW CHART



D-1

Transmittal 257
September 7, 1972

ENVIRONMENTAL STATEMENTS -
CONTENTS AND FORMAT

1. Environmental statements and combination environmental/Section 4(f) statements (draft and final) shall have a title page similar to the examples attached to this Appendix and numbered by the method shown.

2. The following sections, as a minimum, are to be covered in environmental statements

a. A description of the proposed highway improvement and its surroundings. The description should include the following type information: type of facility, length, termini; traffic data, right-of-way width (including existing ROW), lengths on existing and new location, major design features such as number of lanes, access control, location of bridges and interchanges, etc.; a general description of the surrounding terrain, existing land use and proposed land use (a map preferable), and other existing environmental features, existing highway facilities including their deficiencies; the need for the proposal, the benefits to the State, region, and community, an estimate of when the proposal will be constructed, and the current status of the proposal with a brief historical resume. Inventory of economic factors such as employment, taxes, property values, etc., should be included as appropriate. The description should also include any involvement with Section 4(f) land (Paragraph 3 of this Appendix). A vicinity map(s) shall be furnished which will show the proposed highway section and its relationship to surrounding natural and cultural features such as towns, lakes, streams, mountains, historic sites, landmarks, institutions, developed areas, principal roads and highways and similar features that are pertinent to a highway study. Detailed maps, sketches, pictures, and other visual exhibits should be used to show specific environmental involvements as necessary. Maps and layouts of the proposed highway/Section 4(f) land involvement should be sufficiently detailed to give a layman reviewer a reasonable understanding of the highway impact and proposed measures to minimize harm.

b. The probable impact of the proposed development or improvement. The evaluation and discussion should specifically emphasize significant beneficial and detrimental environmental consequences upon the State or region or community, as appropriate, of building a new highway into or through an area, or modernizing the existing highway by upgrading and/or relocation.

(1) This section, for instance, would discuss and evaluate the broad impacts on the area or region such as the problems relating

to anticipated increase in urbanization or the probable impact of displacing people (if these are significant elements of the highway proposal). Efforts to minimize impact should also be discussed in broad items. For example, measures necessary to insure proper rehousing should be discussed and other differences of the alternatives. The significant environmental impacts of alternative locations and, as appropriate, designs, including a "do nothing" alternative is a proper subject for discussion under "Alternatives" paragraph 2d of this Appendix.

(2) Impacts upon the narrow band (i. e., about 1000 feet) adjacent to the highway may be included when significant to the whole of the region or community. However, the discussions under this section should address the probable significant impacts of the highway proposal (as opposed to individual alternative locations or designs) which might include the probable impact upon such elements, factors, and features listed in paragraph 3 of Appendix F.

c. Any probable adverse environmental effects which cannot be avoided should the proposal be implemented such as water or air pollution, effect upon Section 4(f) land, damage to life systems, urban congestion, threats to health or other consequences adverse to the environment identified under paragraph 2b of this Appendix. Adverse effects should include those which cannot be reduced in severity and those which can be reduced (but not eliminated) to an acceptable level unless the reduction is a result of a different location in which case it should be included in the discussion of alternatives (paragraph 2d of this Appendix).

d. Alternatives The locations and/or designs studied in detail by the HIA are to be described (narratively and with maps and other visual aids, as necessary) and the probable beneficial and/or adverse effects of each alternative (including a do-nothing alternative) identified to the extent practicable consistent with the scale of the proposed highway improvement and significance of the impact. The exploration of alternatives should include an objective evaluation and analysis of estimated costs (social and transportation), engineering factors, transportation requirements, and environmental consequences. The description of alternatives will include information, as appropriate, similar to that suggested in paragraph 2a of this Appendix. The discussion of environmental impacts will include more detailed impacts for each alternative that the broad environmental consequences for the corridor identified in paragraphs 2 b and 2c of this Appendix. The draft environmental statement should indicate that all alternatives are under consideration and that a specific alternative will be

selected by the HA following the public hearing. The final environmental statement will be prepared for the selected alternative. Unless the final statement is included in the location study report (design report when prepared and circulated during design study), the final statement should include a brief discussion of the data supporting the selected alternative. This section should also include a discussion of alternatives to the use of Section 4(f) lands.

e. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity. The short-term uses should be evaluated (construction, changes in traffic patterns, the taking of natural features such as trees, etc., and man-made features such as homes, churches, etc.) as compared to the long-term effects (foreseen changes in land use resulting from the highway improvement or other similarly related items that may either limit or expand land use, affect water, air, wildlife, etc., and other environmental factors.)

f. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. Highways require use of natural resources such as forest or agricultural land, however, these are generally not in sufficient quantity to be significant. The improved access and transportation afforded by a highway may generate other related actions that could reach major proportion and which would be difficult to rescind. An example would be a highway improvement which provides access to a nonaccessible area, acting as a catalyst for industrial, commercial, or residential development of the area.

g. Where unavoidable adverse environmental effects are encountered, planning and measures taken and proposed to minimize harm should be identified. These include procedural and standard measures which are required by standard specifications or standard operating procedures such as erosion control, stream pollution prevention, borrow pit screening or rehabilitation, fencing, relocation of people and businesses, land acquisition procedures, joint development, etc. Measures unique to a specific project should be discussed in detail. Examples of such would be depressing an urban highway to minimize audio and visual effects, providing buffer zones for esthetic purposes, replacement of parklands, etc.

h. Final statements shall incorporate all comments received on the draft (including environmental comments contained in the public hearing transcript) along with a discussion of the comments and suggestions. The HA shall describe its disposition of the comments and suggestions (e. g., revisions to the

proposed development or improvement to overcome anticipated problems or objections, reasons why specific comments and suggestions could not be accepted, factors of overriding importance prohibiting the incorporation of suggestions, etc.). This section may be added at the end of the review process in the final text of the environmental statement.

1. Measures to minimize harm to Section 4(f) lands should be included under a separate paragraph even though discussed elsewhere in the final statement.

j. Each draft and final environmental statement shall include a summary sheet. (See paragraph 4 of this Appendix.)

3. The following information, when pertinent and available, should be included in the combination environmental/Section 4(f) statements. (See paragraphs 2a, 2c, 2d, and 2i of this Appendix.) To the extent practicable, this information should be included in the draft to initiate the necessary interagency review.

a. The description of the project (see paragraph 2a of this Appendix) shall include information about the Section 4(f) land in sufficient detail to permit those not acquainted with the project to have an understanding of the relationship between the highway and park and the extent of the impact, such as:

(1) Size (acres or square feet) and location (maps or other exhibits such as photographs, slides, sketches, etc., as appropriate).

(2) Type (recreation, historic, etc)

(3) Available activities (fishing, swimming, golf, etc.).

(4) Facilities existing and planned (description and location of ball diamonds, tennis courts, etc.

(5) Usage (approximate number of users for each activity if such figures are available).

(6) Patronage (local, regional, and national).

(7) Relationship to other similarly used lands in the vicinity.

(8) Access (both pedestrian and vehicular).

(9) Ownership (city, county, State, etc.)

(10) If applicable, deed restrictions or reversionary clauses.

(11) The determination of significance by the Federal, State, or local officials having jurisdiction of the Section 4(f) land.

(12) Unusual characteristics of the Section 4(f) land (flooding problems, terrain conditions, or other features that either reduce or enhance the value of portions of the area).

(13) Consistency of location, type of activity, and use of the Section 4(f) land with community goals, objectives, and land use planning.

(14) If applicable, prior use of State or Federal funds for acquisition or development of the Section 4(f) land.

b. A description of the manner in which the highway will affect the Section 4(f) land (include within paragraph 2c of this Appendix) such as:

(1) The location and amount of land (acres or square feet) to be used by the highway.

(2) A detailed map or drawing of sufficient scale to discern the essential elements of the highway/Section 4(f) land involvement.

(3) The facilities affected.

(4) The probable increase or decrease in physical effects on the Section 4(f) land users (noise, fumes, etc.).

(5) The effect upon pedestrian and vehicular access to the Section 4(f) land.

c. A specific statement (with supporting reasons) that there is no feasible and prudent alternative. (Include in discussion of alternatives, paragraph 2d of this Appendix.)

d. Information to demonstrate that all possible planning to minimize harm is or will be included in the highway proposal. (See paragraph 2i of this Appendix.) Such information should include:

(1) The agency responsible for furnishing the highway right-of-way.

(2) Provisions for compensating or replacing the Section 4(f) land and improvements thereon, including the status of any agreements. (Include agreed upon compensation, replacement acreages, and type land, etc., when known.)

(3) Highway design features developed to enhance the Section 4(f) land or to lessen or

eliminate adverse effects (improving or restoring existing pedestrian or vehicular access, landscaping, esthetic treatment, etc.).

(4) Coordination of highway construction to permit orderly transition and continual usage of Section 4(f) land facilities (new facilities constructed and available for use prior to demolishing existing facilities, moving of facilities during off-season, etc.).

e. Evidence that the provisions of 16 U.S.C. 470(f) (Section 106 of the Historic Preservation Act of 1966) have been satisfied when National Register Properties are involved.

4. Summary Sheet

a. Check Appropriate Box(es)

Administrative Action

() Draft () Final

() Environmental Statement

() Combination Environmental/
Section 4(f) Statement

b. Brief description of highway improvement indicating route, termini, length, county, city, State, etc., as appropriate.

c. Summary of environmental impacts (identified in paragraphs 2b and 2c of this Appendix).

d. Summarize alternatives considered (as described under paragraph 2d of this Appendix).

e. (1) (For draft statements) List Federal, State, and local agencies and other organizations from which comments are being requested.

(2) (For final statements) List Federal, State, and local agencies and other organizations from which comments were requested and identify those that returned written comments.

f. Date draft statement was made available to CEQ (date mailed) which will also be considered the date the draft statement was made available to the public.

Report Number FHWA-State-EIS-Year-Number (Sequential for each State)-Draft or Final
(Example: FHWA-Az -EIS-72-01-D)

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
AND

Appropriate Highway Agency

DRAFT

Whichever is appropriate

FINAL

Environmental Statement or Environmental/Section 4(f) Statement

ADMINISTRATIVE ACTION

for

(Brief Description of Highway Improvement. Route, Termini, County, City, etc.)

THIS HIGHWAY IMPROVEMENT IS PROPOSED FOR FUNDING UNDER TITLE 23, UNITED STATES CODE. THIS STATEMENT FOR THE IMPROVEMENT WAS DEVELOPED IN CONSULTATION WITH THE FEDERAL HIGHWAY ADMINISTRATION AND IS SUBMITTED PURSUANT TO:

42 U. S. C. 4332(2)(C)
and
(when applicable)
49 U. S. C. 1653(f)

FINAL ONLY

Date

Signature of Appropriate Highway
Agency Official

Reserve 3" x 3"
space for DOT
approval

APPROVED AND ADOPTED BY THE FHWA

Date

Signature of FHWA Reviewing Official

The number placed at the top left-hand corner of the title page on all draft and final environmental statements is as follows:

FHWA-Az-EIS-72-01-D or F

FHWA - Name of Federal agency
Az - Name of State (cannot exceed four characters)
EIS - Environmental Impact Statement
72 - Year draft statement was prepared
01 - Sequential number of statement for each calendar year
D or F - D-designates the statement as the draft statement
F-designates the statement as the final statement

The first draft statement prepared each year is numbered one (1) and other draft statements prepared in that same year are numbered sequentially in accordance with the date prepared. Final statements carry the same number based upon the date the draft was prepared.

EVALUATING HIGHWAY SECTIONS ON
ENVIRONMENTAL EFFECTS

1. Draft and final environmental statements should be prepared and processed in accordance with the procedures required by this memorandum for all highway sections falling under one or more of the following three categories:

a. Highway sections where organized opposition has occurred or is anticipated to occur.

b. Highway sections significantly affecting historic or conservation lands (public or private) independent of whether they are Section 4(f) cases.

c. Highway sections which are classed as major actions and are also likely to significantly affect the quality of the human environment. This category requires a two-step analysis. First, it must be determined if the proposed highway section is a major action (paragraph 2 of this Appendix), secondly, the significance of the effects upon the human environment must be determined (paragraph 3 of this Appendix).

2. The following should be used to determine whether a proposal to construct or improve a highway section is a major action.

a. Highway sections entirely or generally on new location.

b. Major up-grading of an existing highway section resulting in a functional characteristic change (e. g., a local road becoming an arterial highway). Such changes usually result by adding lanes, interchanges, access control, medians, etc., and require extensive right-of-way acquisition and construction (grading, base, paving, bridges, etc.) which have the potential of significantly affecting the human environment.

3. Any of the following highway sections should ordinarily be considered as significantly affecting the quality of the human environment.

a. A highway section that is likely to have a significantly adverse impact on natural ecological, cultural, or scenic resources of national, State or local significance.

b. A highway section that is likely to be highly controversial regarding relocation housing resources.

c. A highway section that divides or disrupts an established community or disrupts orderly, planned development or is inconsistent with plans or goals that have been adopted by

the community in which the project is located or causes increased congestion.

d. A highway section which involves inconsistency with any national, State or local standard relating to the environment, has a significantly detrimental impact on air or water quality or on ambient noise levels for adjoining areas, involves a possibility of contamination of a public water supply system, or affects ground water, flooding, erosion or sedimentation.

The comments, suggestions and information obtained during the highway studies, including the coordination and evaluation required by paragraphs 5a and 4c of PPM 20-8 will in most instances supply the information necessary to make the determination required above.

4. Negative declarations shall be prepared for all highway sections which are not major actions and for highway sections, even though classed as major actions, where it is determined there is no significant effect upon the quality of human environment as a result of the study and early coordination. Highway improvements of the following types are not likely to have significant impacts upon the environment:

a. Signing, marking, signalization and railroad protective devices.

b. Acquisition of scenic easements,

c. Modernization of an existing highway by resurfacing, less than lane width widening; adding shoulders, auxiliary lanes for localized purposes (weaving, climbing, speed-changing, etc.)

d. Correcting substandard curves,

e. Reconstruction of existing stream crossings where stream channels are not affected,

f. Reconstruction of existing highway/ highway or highway/railroad separations,

g. Reconstruction of existing intersections including channelization,

h. Reconstruction of existing roadbed (existing curb to curb for urban cross sections), including minor widening, shoulders and additional right-of-way,

i. Rural two-lane highways on new or existing location which are found to be generally environmentally acceptable to the public and local, State, and Federal officials.

INTER-AGENCY REVIEW OF DRAFT
ENVIRONMENTAL STATEMENTS

1. Draft environmental statements are to be circulated to appropriate Federal, State, and local agencies. State and local agency review comments will be solicited from State, regional, and metropolitan clearinghouses. Federal agencies are those having jurisdiction by law or special expertise with respect to any environmental impact involved.

2. Careful attention should be given to the selection of agencies having jurisdiction by law or special expertise in an anticipated impact to avoid the unnecessary solicitation of agencies. Appendix II to CEQ's guidelines published in the April 23, 1971, Federal Register (copy attached) lists agencies with their respective areas of jurisdiction by law or special expertise. A majority of the areas are the concern of the Departments of Housing and Urban Development, the Interior, Agriculture, and the Environmental Protection Agency.

3. The Department of Housing and Urban Development (HUD) generally deals with urban aspects of historic and archeological sites, flood plains and watersheds, parks, forests, outdoor recreation, noise, congestion, low-income neighborhoods, and urban planning. Draft environmental statements in urban areas and all draft combination environmental/Section 4(f) statements should be furnished to HUD for comment.

a. It is desirable to develop a written understanding with the regional office of HUD about which rural statements it wishes to review. HUD has delegated review of environmental statements to its regional offices.

4. The Department of the Interior has an interest in several environmental impact areas, including energy transmission, land use, historic and archeological sites, flood plains and watersheds, parks, forests, outdoor recreation, erosion, urban congestion, low-income neighborhoods, urban planning, rivers, canals, stream control, and wildlife. It may be advantageous to include the Department of the Interior in the mailing list for all draft environmental statements.

5. The Department of Agriculture is oriented towards rural matters. It has an interest in rural electrical energy transmission, toxins, pesticides, herbicides, land use, flood plains, watersheds, parks, forests, outdoor recreation, erosion, rivers, canals, stream control, and wildlife. Accordingly, it should be furnished draft statements on rural highway sections.

6. The Environmental Protection Agency (EPA) has jurisdiction by law or expertise in all major Federal actions significantly affecting the environment. The EPA should be furnished five copies of all draft statements. Comments should be solicited under both Section 102(2)(C) of the National Environmental Policy Act and Section 309 of the Clean Air Act of 1970.

7. The Department of the Army, Office of the Chief of Engineers (Corps of Engineers), is interested in land use and management (coastal areas and navigable waters), flood plains and watersheds, soil and plant life, transportation (harbors, channels, inlets, inland waterways, locks and dams, dredged spoil disposal), and water quality and pollution control. Early coordination is the best guide in determining if the Corps of Engineers has an interest in commenting on the highway section. This early coordination will establish which projects will subsequently require a Corps of Engineers permit.

8. Other agencies, that should be consulted and furnished a copy of the draft environmental statements for comment, will usually be identified during early coordination.

9. Other administrations within the Department of Transportation will need to be solicited for comment in some cases such as a proposed highway section with a bridge over navigable water that requires a permit from the Coast Guard. The administration from which comments are sought (preferably local offices) may be contacted directly by the HA.

10. In its letter asking an agency for comment on any anticipated environmental impacts for which the agency has jurisdiction by law or special expertise, it is suggested that the HA identify which impacts described in the statement the HA would specifically wish discussed. The Federal agency should be asked to comment on each alternative and, if it desires, state a preference and reasons therefor. When the HA places a time limit on the commenting period, the Federal agencies are to be advised at the time comments are solicited and should be informed that if no comments are received within that time period, the HA will assume that the review agency has no comments to offer. The HA should clearly indicate where responding agencies are to return their comments.

7727

7724

**COUNCIL ON
ENVIRONMENTAL QUALITY**
**STATEMENTS ON PROPOSED FEDERAL
ACTIONS AFFECTING THE EN-
VIRONMENT**
Guidelines

**APPENDIX II—FEDERAL AGENCIES WITH JURIS-
DICTION BY LAW OR SPECIAL EXPERTISE TO
COMMENT ON VARIOUS TYPES OF ENVIRON-
MENTAL IMPACTS**

AIR

Air Quality and Air Pollution Control

Department of Agriculture—
Forest Service (effects on vegetation)
Department of Health, Education, and Wel-
fare (Health aspects)
Environmental Protection Agency—
Air Pollution Control Office
Department of the Interior—
Bureau of Mines (fossil and gaseous fuel
combustion)
Bureau of Sport Fisheries and Wildlife
(wildlife)
Department of Transportation—
Assistant Secretary for Systems Develop-
ment and Technology (auto emissions)
Coast Guard (vessel emissions)
Federal Aviation Administration (aircraft
emissions)

Weather Modification

Department of Commerce—
National Oceanic and Atmospheric Ad-
ministration
Department of Defense—
Department of the Air Force
Department of the Interior—
Bureau of Reclamation

ENERGY

**Environmental Aspects of Electric Energy
Generation and Transmission**

Atomic Energy Commission (nuclear power).
Environmental Protection Agency—
Water Quality Office
Air Pollution Control Office
Department of Agriculture—
Rural Electrification Administration (rural
areas)
Department of Defense—
Army Corps of Engineers (hydro-facilities)
Federal Power Commission (hydro-facilities
and transmission lines)
Department of Housing and Urban Develop-
ment (urban areas)
Department of the Interior—(facilities on
Government lands)

**Natural Gas Energy Development,
Transmission and Generation**

Federal Power Commission (natural gas pro-
duction, transmission and supply)
Department of the Interior—
Geological Survey
Bureau of Mines

HAZARDOUS SUBSTANCES

Toxic Materials

Department of Commerce—
National Oceanic and Atmospheric Admin-
istration
Department of Health, Education and Wel-
fare (Health aspects)
Environmental Protection Agency
Department of Agriculture—
Agricultural Research Service
Consumer and Marketing Service
Department of Defense
Department of the Interior—
Bureau of Sport Fisheries and Wildlife

Pesticides

Department of Agriculture—
Agricultural Research Service (biological
controls food and fiber production)
Consumer and Marketing Service

Forest Service
Department of Commerce—
National Marine Fisheries Service
National Oceanic and Atmospheric Admin-
istration
Environmental Protection Agency—
Office of Pesticides
Department of the Interior—
Bureau of Sport Fisheries and Wildlife
(effects on fish and wildlife)
Bureau of Land Management
Department of Health, Education, and Wel-
fare (Health aspects)

Herbicides

Department of Agriculture—
Agricultural Research Service
Forest Service
Environmental Protection Agency—
Office of Pesticides
Department of Health, Education, and Wel-
fare (Health aspects)
Department of the Interior—
Bureau of Sport Fisheries and Wildlife
Bureau of Land Management
Bureau of Reclamation

**Transportation and Handling of Hazardous
Materials**

Department of Commerce—
Maritime Administration
National Marine Fisheries Service
National Oceanic and Atmospheric Admin-
istration (impact on marine life)
Department of Defense—
Armed Services Explosive Safety Board
Army Corps of Engineers (navigable water-
ways)
Department of Health, Education, and Wel-
fare—
Office of the Surgeon General (Health
aspects)
Department of Transportation—
Federal Highway Administration Bureau of
Motor Carrier Safety
Coast Guard
Federal Railroad Administration
Federal Aviation Administration
Assistant Secretary for Systems Develop-
ment and Technology
Office of Hazardous Materials
Office of Pipeline Safety
Environmental Protection Agency (hazardous
substances)
Atomic Energy Commission (radioactive
substances)

LAND USE AND MANAGEMENT

**Coastal Areas Wetlands Estuaries Waterfowl
Refuges, and Beaches**
Department of Agriculture—
Forest Service
Department of Commerce—
National Marine Fisheries Service (Impact
on marine life)
National Oceanic and Atmospheric Admin-
istration (Impact on marine life)
Department of Transportation—
Coast Guard (bridges navigation)
Department of Defense—
Army Corps of Engineers (beaches dredge
and fill permits Refuse Act permits)
Department of the Interior—
Bureau of Sport Fisheries and Wildlife
National Park Service
US Geological Survey (coastal geology)
Bureau of Outdoor Recreation (beaches)
Department of Agriculture—
Soil Conservation Service (soil stability,
hydrology)
Environmental Protection Agency—
Water Quality Office

Historic and Archeological Sites

Department of the Interior—
National Park Service
Advisory Council on Historic Preservation.

7728

NOTICES

Department of Housing and Urban Development (urban areas)
Flood Plains and Watersheds
Department of Agriculture—
Agricultural Stabilization and Research Service
Soil Conservation Service
Forest Service
Department of the Interior—
Bureau of Outdoor Recreation
Bureau of Reclamation
Bureau of Sport Fisheries and Wildlife
Bureau of Land Management
U S Geological Survey
Department of Housing and Urban Development (urban areas)
Department of Defense—
Army Corps of Engineers
Mineral Land Reclamation
Appalachian Regional Commission
Department of Agriculture—
Forest Service
Department of the Interior—
Bureau of Mines
Bureau of Outdoor Recreation
Bureau of Sport Fisheries and Wildlife
Bureau of Land Management
U S Geological Survey
Tennessee Valley Authority
Parks, Forests, and Outdoor Recreation
Department of Agriculture—
Forest Service
Soil Conservation Service
Department of the Interior—
Bureau of Land Management
National Park Service
Bureau of Outdoor Recreation
Bureau of Sport Fisheries and Wildlife
Department of Defense—
Army Corps of Engineers
Department of Housing and Urban Development (urban areas)
Soil and Plant Life Sedimentation, Erosion and Hydrologic Conditions
Department of Agriculture—
Soil Conservation Service
Agricultural Research Service
Forest Service
Department of Defense—
Army Corps of Engineers (dredging, aquatic plants)
Department of Commerce—
National Oceanic and Atmospheric Administration
Department of the Interior—
Bureau of Land Management
Bureau of Sport Fisheries and Wildlife
Geological Survey
Bureau of Reclamation

NOISE
Noise Control and Abatement
Department of Health Education, and Welfare (Health aspects)
Department of Commerce—
National Bureau of Standards
Department of Transportation—
Assistant Secretary for Systems Development and Technology
Federal Aviation Administration (Office of Noise Abatement)
Environmental Protection Agency (Office of Noise)
Department of Housing and Urban Development (urban land use aspects, building materials standards)

PHYSIOLOGICAL HEALTH AND HUMAN WELL BEING
Chemical Contamination of Food Products
Department of Agriculture—
Consumer and Marketing Service

Department of Health Education and Welfare (Health aspects)
Environmental Protection Agency—
Office of Pesticides (economic poisons)
Food Additives and Food Sanitation
Department of Health Education, and Welfare (Health aspects)
Environmental Protection Agency—
Office of Pesticides (economic poisons, e.g. pesticide residues)
Department of Agriculture—
Consumer Marketing Service (meat and poultry products)
Microbiological Contamination
Department of Health Education, and Welfare (Health aspects)
Radiation and Radiological Health
Department of Commerce—
National Bureau of Standards
Atomic Energy Commission
Environmental Protection Agency—
Office of Radiation
Department of the Interior—
Bureau of Mines (uranium mines)
Sanitation and Waste Systems
Department of Health, Education, and Welfare—(Health aspects)
Department of Defense—
Army Corps of Engineers
Environmental Protection Agency—
Solid Waste Office
Water Quality Office
Department of Transportation—
U S Coast Guard (ship sanitation)
Department of the Interior—
Bureau of Mines (mineral waste and recycling, mine acid water urban solid wastes)
Bureau of Land Management (solid wastes on public lands)
Office of Saline Water (deminalization of liquid wastes)
Shellfish Sanitation
Department of Commerce—
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Department of Health, Education, and Welfare (Health aspects)
Environmental Protection Agency—
Office of Water Quality

TRANSPORTATION
Air Quality
Environmental Protection Agency—
Air Pollution Control Office
Department of Transportation—
Federal Aviation Administration
Department of the Interior—
Bureau of Outdoor Recreation
Bureau of Sport Fisheries and Wildlife
Department of Commerce—
National Oceanic and Atmospheric Administration (meteorological conditions)
Water Quality
Environmental Protection Agency—
Office of Water Quality
Department of the Interior—
Bureau of Sport Fisheries and Wildlife
Department of Commerce—
National Oceanic and Atmospheric Administration (impact on marine life and ocean monitoring)
Department of Defense—
Army Corps of Engineers
Department of Transportation—
Coast Guard

URBAN
Congestion in Urban Areas Housing and Building Displacement
Department of Transportation—
Federal Highway Administration
Federal Highway Administration
Office of Economic Opportunity
Department of Housing and Urban Development
Department of the Interior—
Bureau of Outdoor Recreation
Environmental Effects With Special Impact in Low-Income Neighborhoods
Department of the Interior—
National Park Service
Office of Economic Opportunity
Department of Housing and Urban Development (urban areas)
Department of Commerce (economic development areas)
Economic Development Administration
Department of Transportation—
Urban Mass Transportation Administration
Rodent Control
Department of Health Education, and Welfare (Health aspects)
Department of Housing and Urban Development (urban areas)
Urban Planning
Department of Transportation—
Federal Highway Administration
Department of Housing and Urban Development
Environmental Protection Agency
Department of the Interior—
(biological survey)
Bureau of Outdoor Recreation
Department of Commerce—
Economic Development Administration

WATER
Water Quality and Water Pollution Control
Department of Agriculture—
Soil Conservation Service
Forest Service
Department of the Interior—
Bureau of Reclamation
Bureau of Land Management
Bureau of Sport Fisheries and Wildlife
Bureau of Outdoor Recreation
Geological Survey
Office of Saline Water
Environmental Protection Agency—
Water Quality Office
Department of Health, Education, and Welfare (Health aspects)
Department of Defense—
Army Corps of Engineers
Department of the Navy (ship pollution control)
Department of Transportation—
Coast Guard (oil spills ship sanitation)
Department of Commerce—
National Oceanic and Atmospheric Administration
Marine Pollution
Department of Commerce—
National Oceanic and Atmospheric Administration
Department of Transportation—
Coast Guard
Department of Defense—
Army Corps of Engineers
Office of Oceanographer of the Navy
River and Canal Regulation and Stream Channelization
Department of Agriculture—
Soil Conservation Service
Department of Defense—
Army Corps of Engineers

NOTICES

7729

Department of the Interior--
Bureau of Reclamation,
Geological Survey
Bureau of Sport Fisheries and Wildlife
Department of Transportation--
Coast Guard

WILDLIFE

Environmental Protection Agency,
Department of Agriculture--
Forest Service
Soil Conservation Service
Department of the Interior--
Bureau of Sport Fisheries and Wildlife
Bureau of Land Management
Bureau of Outdoor Recreation

FEDERAL AGENCY OFFICES FOR RECEIVING AND
COORDINATING COMMENTS UPON ENVIRON-
MENTAL IMPACT STATEMENTS

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Robert Garvey, Executive Director, Suite 618,
801 19th Street NW, Washington, DC 20004,
343-8607

DEPARTMENT OF AGRICULTURE

Dr T O Byerly, Office of the Secretary,
Washington, D C , 20250, 388-7803

APPALACHIAN REGIONAL COMMISSION

Orville H Lerch, Alternate Federal Co-Chair-
man, 1666 Connecticut Avenue NW, Wash-
ington, DC 20235, 987-4103

DEPARTMENT OF THE ARMY (CORPS OF
ENGINEERS)

Col J B Newman, Executive Director
of Civil Works Office of the Chief of En-
gineers, Washington, D C '0314, 693-7168

ATOMIC ENERGY COMMISSION

For nonregulatory matters Joseph J Di-
Nunno, Director, Office of Environmental
Affairs, Washington, D C 20545, 973-3391.

For regulatory matters Christopher L Hen-
derson, Assistant Director for Regulation,
Washington, D C 20545, 973-7531

DEPARTMENT OF COMMERCE

Dr Sydney R Galler, Deputy Assistant Sec-
retary for Environmental Affairs Washing-
ton, DC 20210 967-4335

DEPARTMENT OF DEFENSE

Dr Louis M Rousselot, Assistant Secretary
for Defense (Health and Environment),
Room JE172, The Pentagon, Washington,
DC 20301, 697-2111

DELAWARE RIVER BASIN COMMISSION

W Brinton Whitall, Secretary, Post Office
Box 360, Trenton, NJ 08603, 609-883-9500.

ENVIRONMENTAL PROTECTION AGENCY

Charles Fabrikant, Director of Impact State-
ments Office 1626 K Street NW, Wash-
ington, DC 20460, 632-7719

FEDERAL POWER COMMISSION

Frederick H Warren, Commission's Advisor
on Environmental Quality, 441 G Street
NW, Washington, DC 20426, 386-6084.

GENERAL SERVICES ADMINISTRATION

Rod Kreger, Deputy Administrator, General
Services Administration-AD, Washington,
DC 20405 343-6077

Alternate contact Aaron Woloshin Director,
Office of Environmental Affairs General
Services Administration-ADF, 343-4161

DEPARTMENT OF HEALTH EDUCATION AND
WELFARE

Roger O Egeberg Assistant Secretary for
Health and Science Affairs, HEW North
Building, Washington, D C 20202 963-4254

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT¹

Charles Orlebeke Deputy Under Secretary,
451 Seventh Street SW, Washington, DC
20410, 755-6960

Alternate contact George Wright Office of
the Deputy Under Secretary, 755-8192

¹Contact the Deputy Under Secretary with
regard to environmental impacts of legisla-
tion policy statements program regulations
and procedures, and precedent-making project
decisions For all other HUD consultation,
contact the HUD Regional Administrator
in whose jurisdiction the project lies, as
follows

James J Barry, Regional Administrator I,
Attention Environmental Clearance Of-
ficer Room 405 John F Kennedy Federal
Building Boston, MA 02203, 617-223-4066

S William Green, Regional Administrator II,
Attention Environmental Clearance Of-
ficer, 26 Federal Plaza, New York, NY 10007,
212-264-8068

Warren P Phelan, Regional Administrator
III, Attention Environmental Clearance
Officer, Curtis Building, Sixth and Walnut
Streets, Philadelphia, PA 19106, 215-597-
2560

Edward H Baxter, Regional Administrator
IV, Attention Environmental Clearance
Officer, Peachtree-Seventh Building, At-
lanta, GA 30323, 404 526-5585

George Vavoulis Regional Administrator V,
Attention Environmental Clearance Of-
ficer, 360 North Michigan Avenue, Chicago,
IL 60601, 312-353-5680.

DEPARTMENT OF THE INTERIOR

Jack O Horton Deputy Assistant Secretary
for Programs, Washington D C 20240, 343-
6181

NATIONAL CAPITAL PLANNING COMMISSION

Charles H Conrad, Executive Director, Wash-
ington, D C. 20570, 382-1163.

OFFICE OF ECONOMIC OPPORTUNITY

Frank Carlucci, Director, 1200 19th Street,
NW, Washington, DC 20506 254-6000

SUSQUEHANNA RIVER BASIN COMMISSION

Alan J Summerville Water Resources Co-
ordinator, Department of Environmental
Resources, 105 South Office Building, Har-
risburg PA 17120, 717-787-3315

TENNESSEE VALLEY AUTHORITY

Dr Francis Gartrell, Director of Environ-
mental Research and Development 720
Edney Building, Chattanooga, TN 37401,
615-755-2002

DEPARTMENT OF TRANSPORTATION

Herbert F DeSimone, Assistant Secretary for
Environment and Urban Systems, Wash-
ington, D C 20590, 426-4563

DEPARTMENT OF TREASURY

Richard E Siltor, Assistant Director, Office
of Tax Analysis, Washington, DC 20220,
964-2787

DEPARTMENT OF STATE

Christian Herter, Jr, Special Assistant to the
Secretary for Environmental Affairs, Wash-
ington, D C 20520, 632-7964.

[FR Doc 71-5705 Filed 4-22-71, 8 50 am]

Richard L Morgan, Regional Administrator
VI Attention Environmental Clearance
Officer Federal Office Building 819 Taylor
Street, Fort Worth, TX 76102, 817-334-
2867

Harry T Morley, Jr, Regional Administrator
VII, Attention Environmental Clearance
Officer, 811 Walnut Street, Kansas
City, MO 64108, 816-374-2661

Robert C Rosenheim Regional Administrator
VIII, Attention Environmental Clearance
Officer, Samsonite Building, 1031 South
Broadway, Denver CO 80209 303-817-4081

Robert H Balda, Regional Administrator IX
Attention Environmental Clearance Of-
ficer, 450 Golden Gate Avenue, Post Office
Box 36003, San Francisco, CA 94102, 415-
556-4752

Oscar P Pederson, Regional Administrator
X, Attention Environmental Clearance
Officer, Room 226, Arcade Plaza Building,
Seattle, WA 98101, 206-583-5415

PURCHASING COPIES OF ENVIRONMENTAL
STATEMENTS

1. A copy of any draft or final environmental statement prepared by a Federal agency can be obtained by sending report number or order number and payment, and return address to the National Technical Information Service, Department of Commerce, Springfield, Virginia 22151.
2. The report number can be obtained from the FHWA or HA while the order number is found at the end of the summary of each statement in the 102 Monitor which is published by the Council on Environmental Quality (722 Jackson Place, NW., Washington, D.C. 20006) and sent to State clearinghouses and other interested agencies.
3. Payment is normally \$3.00. Copies over 300 pages require \$6.00 and will be noted in the 102 Monitor.

Selections from PPM 20-8, dated January 14, 1969, for use with the National Environmental Policy Act guidelines:

5. COORDINATION

a. When a State highway department begins considering the development or improvement of a traffic corridor in a particular area, it shall solicit the views of that State's resources, recreation, and planning agencies, and of those Federal agencies and local public officials and agencies, and public advisory groups which the State highway department knows or believes might be interested in or affected by the development or improvement.

6. HEARING REQUIREMENTS

a. Both a corridor public hearing and a design public hearing must be held, or an opportunity afforded for those hearings, with respect to each Federal-aid highway project that:

- (1) Is on a new location; or
- (2) Would have a substantially different social, economic or environmental effect; or
- (3) Would essentially change the layout or function of connecting roads or streets.

However, with respect to secondary road programs, two hearings are not required on a project covered by paragraph 6(a)(1) or (2) unless it will carry an average of 750 vehicles a day in the year following its completion.

b. A single combined corridor and highway, design public hearing must be held, or the opportunity for such a hearing afforded, on all other projects before route location approval, except as provided in paragraph 6.c. below.

c. Hearings are not required for those projects that are solely for such improvements, as resurfacing, widening existing lanes, adding auxiliary lanes, replacing existing grade separation structures, installing traffic control devices or similar improvements, unless the project:

- (1) Requires the acquisition of additional right-of-way, or
- (2) Would have an adverse effect upon abutting real property; or
- (3) Would change the layout or function of connecting roads or streets or of the facility being improved.

7. OPPORTUNITY FOR PUBLIC HEARINGS

a. A State may satisfy the requirements for a public hearing by (1) holding a public hearing, or (2) publishing two notices of opportunity for public hearing and holding a public hearing if any written requests for such a hearing are received. The procedure for requesting a public hearing shall be explained in the notice. The deadline for submission of such a request may not be less than 21 days after the date of publication of the first notice of opportunity for public hearing, and no less than 11 days after the date of publication of the second notice of opportunity for public hearing.

8. PUBLIC HEARING PROCEDURES

a. Notice of public hearing

(1) When a public hearing is to be held a notice of public hearing shall be published at least twice in a newspaper having general circulation in the vicinity of the proposed undertaking. The notice should also be published in any newspaper having a substantial circulation in the area concerned, such as foreign language newspapers and local community newspapers. The first of the required publications shall be from 30 to 40 days before the date of the hearing, and the second shall be from 5 to 12 days before the date of the hearing. The timing of additional publications is optional.

(2) In addition to publishing a formal notice of public hearing, the State highway department shall mail copies of the notice to appropriate news media, the State's resource, recreation, and planning agencies, and appropriate representatives of the Departments of Interior and Housing and Urban Development. The State highway department shall also mail copies to other federal agencies, and local public officials, public advisory groups and agencies who have requested notice of hearing and other groups or agencies who, by nature of their function, interest, or responsibility the highway department knows or believes might be interested in or affected by the proposal.

(3) Each notice of public hearing shall specify the date, time, and place of the hearing and shall contain a description of the proposal. To promote public understanding, the inclusion of a map or other drawing as part of the notice is encouraged. The notice of public hearing shall specify that maps, drawings, and other pertinent information developed by the State highway department and written views received as a result of the coordination outlined in Paragraph 5, a will be available for public inspection and copying and shall specify where this information is available.

POLICY AND PROCEDURE MEMORANDUM

90-2

February 8, 1973

NOISE STANDARDS AND PROCEDURES

- Par. 1. Purpose
2. Authority
3. Noise Standards
4. Applicability
5. Procedures

Appendix A - Definitions
Appendix B - Noise Standards

1. PURPOSE

To provide noise standards and procedures for use by State highway agencies and the Federal Highway Administration (FHWA) in the planning and design of highways approved pursuant to Title 23, United States Code, and to assure that measures are taken in the overall public interest to achieve highway noise levels that are compatible with different land uses, with due consideration also given to other social, economic and environmental effects.

2. AUTHORITY

Sections 109(h) and (i), Title 23, United States Code, state that guidelines shall be promulgated "to assure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe and efficient transportation, public services, and the costs of eliminating or minimizing such adverse effects and the following (1) air, noise, and water pollution, . . ." and that "The Secretary, after consultation with appropriate Federal, State, and local officials, shall develop and promulgate standards for highway noise levels compatible with different land uses and after July 1, 1972, shall not approve plans and specifications for any proposed project on any Federal-aid system for which location approval has not yet been secured unless he determines that such plans and specifications include adequate measures to implement the appropriate noise level standards."

3. NOISE STANDARDS

a. Noise standards are appended as Appendix B. Federal Highway Administration encourages application of the noise standards at the earliest appropriate stage in the project development process.

b. There may be sections of highways where it would be impossible or impracticable to apply noise abatement measures. This could occur where abatement measures would not be feasible or effective due to physical conditions, where the costs of abatement measures are high in relation to the benefits achieved, or where the measures required to abate the noise condition conflict with other important values, such as desirable esthetic quality, important ecological conditions, highway safety, or air quality. In these situations, highway agencies should weigh the anticipated noise impacts together with other effects against the need for and the scope of the project in accordance with other FHWA directives (PPM's 20-8, 90-1, and 90-4).

4. APPLICABILITY

In order to be eligible for Federal-aid participation, all projects to which the noise standards apply shall include noise abatement measures to obtain the design noise levels in these standards unless exceptions have been approved as provided herein.

a. Projects to which noise standards apply. The noise standards apply to all highway projects planned or constructed pursuant to Title 23, United States Code, except projects unrelated to increased traffic noise levels, such as lighting, signing, landscaping, safety and bridge replacement. Pavement overlays or pavement reconstruction can be considered as falling within this category unless the new pavement is of a type which produces more noise than the type replaced.

b. Approvals to Which Compliance with Noise Standards Is Prerequisite

(1) Projects for which location was approved prior to July 1, 1972 Compliance

with noise standards shall not be a prerequisite to any subsequent approval provided design approval is secured prior to July 1, 1974. If design approval is not secured for such a project prior to July 1, 1974, compliance with the noise standards shall be a prerequisite to securing both design approval and approval of plans and specifications. However, such compliance shall not be a basis for requiring reconsideration of the highway location or any other approval action which has previously been taken for such projects.

(2) Projects for which location is approved on or after July 1, 1972

(a) If location approval was requested on or before December 31, 1972, compliance with the noise standards shall be a prerequisite to obtaining design approval and approval of plans and specifications. Compliance with the noise standards shall not be a prerequisite to obtaining location approval, nor shall such compliance be a basis for requiring reconsideration of the highway location or any other approval action which has previously been taken for such projects. Combined location and design approval shall be handled in the same manner as separate design approval.

(b) If location approval is requested after December 31, 1972, compliance with the noise standards shall be a prerequisite to obtaining location and design approvals as well as approval of plans and specifications.

5. PROCEDURES

The noise standards should be implemented at the earliest appropriate stage in the project development process. These procedures have been developed accordingly.

a. Project Development. A report on traffic noise will be required during the location planning stage and the project design stage. The reports may be sections in the location and design study reports, or they may be separate. The procedures for noise analysis, identification of solutions, coordination with local officials, and incorporation of noise abatement measures are as follows:

(1) Nonapplicable Projects. If a State highway department determines (in accordance with paragraph 4a that noise standards do not apply to a particular project, the requests for location approval and design approval shall contain statements to that effect, including the basis on which the State made its determination.

(2) Noise Analysis. For applicable projects, analyses of noise and evaluation of effects are to be made during project development studies using the following general steps:

(a) Predict the highway-generated noise level as described in the standards for each alternative under detailed study.

(b) Identify existing land uses or activities which may be affected by noise from the highway section.

(c) By measurement, determine the existing noise levels for developed land uses or activities.

(d) Compare the predicted noise levels with the design level values listed in the standards. Also compare the predicted noise levels with existing noise levels determined in paragraph 5a(2)(c). These comparisons will be the basis for determining the anticipated impact upon land uses and activities.

(e) Based upon the noise impacts determined in paragraph 5a(2)(d), evaluate alternative noise abatement measures for reducing or eliminating the noise impact for developed lands.

(f) Identify those situations where it appears that an exception to the design noise levels will be needed. Prepare recommendations to be included in the traffic noise report. (This report may be a portion of the location and design study reports or it may be a separate report.)

(3) Location Phase and Environmental Impact Statement Requirements. To the extent this PPM is applicable to the location phase of projects under paragraph 4, the noise report shall describe the noise problems which may be created and the plans for dealing with such problems for each alternative under detailed study. The level of detail of the noise analysis in the location phase should be consistent with the level of detail in which the location study itself is made. This information including a preliminary discussion of exceptions anticipated, shall be set forth in the location study report and summarized in the environmental impact statement (if one is prepared) and, as appropriate, at the location hearing (for location hearings after December 31, 1972). Studies and reports for highway locations approved before December 31, 1972, need not include an analysis and report on noise. In such instances, the noise analysis and report will be required only for the design approval.

(4) Design Phase Requirements. The noise analysis prepared for the location phase is to be updated and expanded using the refined alignment and design information developed during the design studies. The report on traffic noise will include a detailed analysis of the anticipated noise impact, alternative or proposed abatement measures, discussion of coordination with local officials, and recommended exceptions.

(5) Coordination with Local Officials on Undeveloped Lands. Highway agencies have the responsibility for taking measures that are prudent and feasible to assure that the location and design of highways are compatible with existing land use. Local governments, on the other hand, have responsibility for land development control and zoning. Highway agencies can be of considerable assistance to local officials in these efforts with a view toward promoting compatibility between land development and highways. Therefore, for undeveloped lands (or properties) highway agencies shall cooperate with local officials by furnishing approximate generalized future noise levels for various distances from the highway improvement, and shall make available information that may be useful to local communities to protect future land development from becoming incompatible with anticipated highway noise levels.

(6) Noise Abatement Measures for Lands Which are Undeveloped at Time of Location Approval

(a) Noise abatement measures are not required for lands which are undeveloped at the time of location approval, however, the highway agency may incorporate noise abatement measures for such undeveloped lands in the project design (if approved by FHWA) when a case can be made for doing so based on consideration of anticipated future land use, future need, expected long term benefits, and the difficulty and increased cost of later incorporating abatement measures.

(b) For land uses or activities which develop after location approval, noise abatement measures should be considered for incorporation in the project in the following situations

1 It can be demonstrated that all practicable and prudent planning and design were exercised by the local government and the developer of the property to make the activity compatible with the predicted noise levels which were furnished to the local government and especially that a considerable amount of time has elapsed between location approval and highway construction

thus limiting local government's ability to maintain control over adjoining land uses.

2 The benefits to be derived from the use of highway funds to provide noise abatement measures is determined to outweigh the overall costs.

3 The noise abatement measures can be provided within the highway's proposed right-of-way or wider rights-of-way or easements acquired for that purpose.

(c) There are some situations where the design noise levels should be applied to lands which are undeveloped at the time of location approval. Some of these instances occur where the development of new land uses or activities is planned at the same time as the highway location studies. Other instances occur where planning for the new development has preceded the highway location studies but the development has been delayed. These types of situations should be treated as though the land use or activity were in existence at the time of location approval provided

1 The State highway agency is apprised of such prior planning.

2 The construction of the new land use or activity is started prior to highway construction or there is good reason to believe that it will start before highway construction.

(7) Incorporation of Noise Abatement Measures in Plans and Specifications. For those projects to which the standards apply, the plans and specifications for the highway section shall incorporate noise abatement measures to attain the design noise levels in the standards, except where an exception has been granted.

(8) Requests for Exceptions. Requirements and supporting materials for requests for exceptions to the design noise levels are described in paragraph 2 of Appendix B to this PPM. To the extent possible, consistent with the level of detail of the location study, identifiable exceptions should be reported in the location study report. The request for location approval shall contain or be accompanied by a request for approval of exceptions that have been identified in the location stage. Supporting material may be contained in the location study report. Subsequent requests for review and approval of additional exceptions, if any, will be similarly processed in conjunction with design approval.

b. Federal Participation

(1) Shifts in alignment and grade are design measures which can be used to reduce noise impacts. The following noise abatement measures may also be incorporated in a project to reduce highway-generated noise impacts. The costs of such measures may be included in project costs.

(a) The acquisition of property rights (either in fee or a lesser interest) for providing buffer zones or for installation or construction of noise abatement barriers or devices.

(b) The installation or construction of noise barriers or devices, whether within the highway right-of-way or on an easement obtained for that purpose.

(2) In some specific cases there may be compelling reasons to consider measures to "sound-proof" structures. Situations of this kind may be considered on a case by case basis when they involve such public or non-profit institutional structures as schools, churches, libraries, hospitals, and auditoriums. Proposals of this type, together with the State's recommendation for approval, shall be submitted to FHWA for consideration.

c. Approval Authority

(1) Exceptions to the Design Noise Levels. The FHWA Division Engineer is authorized to approve exceptions to the design noise levels and alternate traffic characteristics for noise prediction as provided in paragraph 3b, Appendix B.

(2) Noise Prediction Method. Noise levels to be used in applying the noise standards shall be obtained from a prediction method approved by FHWA. The noise prediction method contained in National Cooperative Highway Research Program Report 117 and the method contained in Department of Transportation, Transportation Systems Center Report DOT-TSC-FHWA-72-1 are approved as of the date of this issue for use in applying the noise standards. Other noise prediction methods or variations of the above should be furnished to the FHWA Office of Environmental Policy together with supporting and validation information for approval.



R. R. Bartelsmeyer
Acting Federal Highway Administrator

DEFINITIONS (As used in this PPM)

Design Approval - the approval (described in PPM 20-8) given by the Federal Highway Administration (FHWA) (at the request of a State highway department) based upon a design study report and a design public hearing or opportunity therefor. This action establishes FHWA acceptance of a particular design and is prerequisite to authorization of right-of-way acquisition and construction.

Design Noise Level - the noise levels established by the noise standards set forth herein for various land uses or activities to be used for determining traffic noise impacts and the assessment of the need for and type of noise abatement treatment for a particular highway section.

Design Year - the future year used to estimate the probable traffic volume to be used as one of the primary bases for the roadway design. A time 20 years from construction is common for multilane and other major projects. Periods of 5 or 10 years are not uncommon for low volume roads.

Developed Land Uses or Activities - those tracts of land or portions thereof which contain improvements or activities devoted to frequent human use or habitation. The date of issue of a building permit (for improvements under construction or subsequently added) establishes the date of existence. Park lands in categories A and B of Table 1, Appendix B, include all such lands (public and private) which are actually used as parks on the date the highway location is approved and those public lands formally set aside or designated for such use by a governmental agency. Activities such as farming, mining, and logging are not considered developed activities. However, the associated residences could be considered as a developed portion of the tract.

Highway Section - a substantial length of highway between logical termini (major cross-roads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study.

L10 - the sound level that is exceeded 10 percent of the time (the 10th percentile) for the period under consideration. This value is an indicator of both the magnitude and frequency of occurrence of the loudest noise events.

Level of Service C - traffic conditions (used and described in the Highway Capacity Manual - Highway Research Board, Special Report 87) where speed and maneuverability are closely controlled by high volumes, and where vehicles are restricted in freedom to select speed, change lanes, or pass.

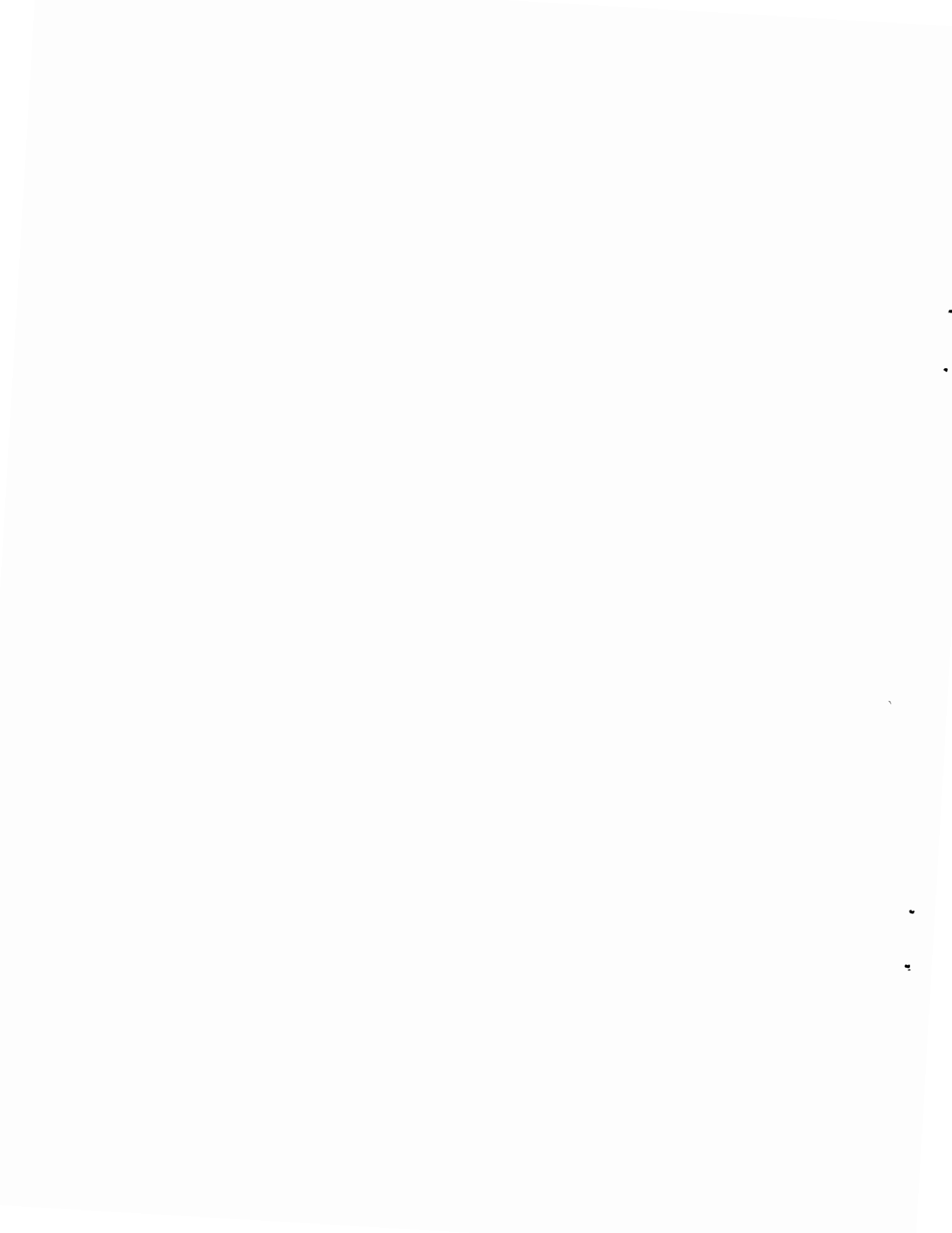
Location Approval - the approval (described in PPM 20-8) given by the FHWA (at the request of a State Highway Department) based upon a location study report and a corridor public hearing or opportunity therefor. This action establishes a particular location for a highway section and is prerequisite to authorization to proceed with the design. (Concurrent location and design approval is sometimes given for projects involving upgrading existing roads. In these instances, location approval is not a prerequisite to authorization of design.)

Noise Level - the weighted sound pressure level obtained by the use of a metering characteristic and weighting A as specified in American National Standard Specification S1.4-1971. The abbreviation herein used is dBA.

Operating Speed - the highest overall speed at which a driver can travel on a given highway under favorable weather conditions and under prevailing traffic conditions without at any time exceeding the safe speed as determined by the design speed on a section-by-section basis.

Project Development - studies, surveys, coordination, reviews, approvals, and other activities normally conducted during the location and design of a highway project.

Truck - a motor vehicle having a gross vehicle weight greater than 10,000 pounds and buses having a capacity exceeding 15 passengers.



NOISE STANDARDS

1. Design Noise Level/Land Use Relationship

a. The design noise levels in Table 1 (page B-4) are to be used during project development of a highway section to determine highway traffic noise impacts associated with different land uses or activities in existence at the time of location approval. In addition, the table is to be used to determine the need for abatement measures for traffic generated noise for developed land uses and activities in existence at the time of location approval. Exceptions to the design noise levels may be granted on certain types of highway improvements or portions thereof when the conditions outlined in paragraph 2 are met.

b. The exterior noise levels apply to outdoor areas which have regular human use and in which a lowered noise level would be of benefit. These design noise level values are to be applied at those points within the sphere of human activity (at approximate ear level height) where outdoor activities actually occur. The values do not apply to an entire tract upon which the activity is based, but only to that portion in which the activity occurs. The noise level values need not be applied to areas having limited human use or where lowered noise levels would produce little benefit. Such areas would include but not be limited to junkyards, industrial areas, railroad yards, parking lots, and storage yards.

c. The interior design noise level in Category E applies to indoor activities for those situations where no exterior noise sensitive land use or activity is identified. The interior design noise level in Category E may also be considered as a basis for noise abatement measures in special situations when, in the judgment of FHWA, such consideration is in the best public interest. In the absence of noise insulating values for specific structures, interior noise level predictions may be estimated from the predicted outdoor noise level by using the following noise reduction factors

<u>Building Type</u>	<u>Window Condition</u>	<u>Noise Reduction Due to Exterior of the Structure</u>	<u>Corresponding Highest Exterior Noise Level Which Would Achieve an Interior Design Noise Level of 55 dBA</u>
All	Open	10 dB	65 dBA
Light Frame	Ordinary Sash		
	Closed	20	75
	With Storm Windows	25	80
Masonry	Single Glazed	25	80
Masonry	Double Glazed	35	90

Noise reduction factors higher than those shown above may be used when field measurements of the structure in question indicate that a higher value is justified. In determining whether to use open or closed windows, the choice should be governed by the normal condition of the windows. That is, any building having year round air treatment should be treated as the closed window case. Buildings not having air conditioning in warm and hot climates and which have open windows a substantial amount of time should be treated as the open window case.

2. Exceptions

a. The design noise levels set out in these standards represent the highest desirable noise level conditions. State highway departments shall endeavor to meet the design noise levels in planning, locating, and designing highway improvements. However, there may be sections of highways where it would be impracticable to apply noise abatement measures. This could occur where abatement measures would not be feasible or effective due to physical conditions, where the costs of abatement measures are high in relation to the benefits achieved or where the measures required to abate the noise condition conflict with other important values, such as desirable esthetic quality, important ecological conditions, highway safety, or air quality.

b. A request for an exception to the design noise levels can be approved by the FHWA provided the highway agency has supported its request by a written summary report demonstrating that the following steps have been taken and outlining the results.

(1) Identified noise sensitive land uses along the section of highway in question which are expected to experience future highway traffic noise levels in excess of the design levels.

(2) Thoroughly considered all feasible measures that might be taken to correct or improve the noise condition.

(3) Weighed the costs or effects of the noise abatement measures considered against the benefits which can be achieved as well as against other conflicting values such as economic reasonableness, esthetic impact, air quality, highway safety, or other similar values, and thereby established that reduction of noise levels to desirable design levels is not in the best overall public interest for that particular highway section.

These decisions must ultimately be based upon case-by-case judgment. However, every effort should be made to obtain detailed information on the costs, benefits and effects involved to assure that final decisions are based on a systematic, consistent and rigorous assessment of the overall public interest.

(4) Considered lesser measures that could result in a significant reduction of noise levels though not to the design levels, and included such partial measures in the plans and specifications to the extent that they meet the test of economic reasonableness, practicability, and impact on other values, in the same manner as outlined in paragraph 2b(3).

c. In reviewing request for exception, the FHWA will give consideration to the type of highway and the width of the right-of-way. New freeway projects and most projects for the major reconstruction or upgrading of freeways allow for the use of noise control measures. Noise control measures are progressively more difficult to apply on other highways, particularly on local roads and streets because of numerous points of access, at-grade inter-sections, limited ability to acquire additional right-of-way as buffer zones, and the impossibility of altering roadway grades, constructing noise barriers and taking advantage of the terrain and other natural features.

d. Except in the most unusual situations, exceptions will be approved when the predicted traffic noise level from the highway improvement does not exceed the existing ambient noise level (originating from other sources) for the activity or land use in question.

3. Noise Level Predictions

a. Noise levels to be used in applying these standards shall be obtained from a predictive method approved by the FHWA. The predictive method and the noise level predictions should account for variations in traffic characteristics (volume, speed, and truck traffic), topography (vegetation, barriers, height, and distance), and roadway characteristics (configuration, pavement type, and grades). In predicting the noise levels, the following traffic characteristics shall be used:

(1) Automotive volume - the future volume (adjusted for truck traffic) obtained from the lesser of the design hourly volume or the maximum volume which can be handled under traffic level of service C conditions. For automobiles, level of service C is considered to be the combination of speed and volume which creates the worst noise conditions. For those highway sections where the design hourly volume or the level of service C condition is not anticipated to occur on a regular basis during the design year, the average hourly volume for the highest 3 hours on an average day for the design year may be used.

(2) Speed - the operating speed (as defined in the Highway Capacity Manual) which corresponds with the design year traffic volume selected in paragraph 3a(1) and the truck traffic predicted from paragraph 3a(3). The operating speed must be consistent with the volume used.

(3) Truck volume - the design hourly truck volume shall be used for those cases where either the design hourly volume or level of service C was used for the automobile volume.

Where the average hourly volume for the highest 3 hours on an average day was used for automobile traffic, comparable truck volumes should be used.

b. There are instances where activities associated with a particular land use (such as churches, schools, and resort hotels or residences) do not coincide with design hourly volumes. This may be particularly true when the design hourly volumes are seasonally oriented or where the activity associated with the land use is somewhat infrequent. There are other instances where changes in land use can be reasonably expected to occur before design year volumes are realized. In such instances, State highway agencies may request approval to compute noise predictions using traffic characteristics different from those specified in paragraph 3a. Such requests should be made on a project-by-project basis and should be accompanied by a justification.

TABLE 1
DESIGN NOISE LEVEL/LAND USE RELATIONSHIPS

<u>Land Use Category</u>	<u>Design Noise Level - L₁₀</u>	<u>Description of Land Use Category</u>
A	60dBA (Exterior)	Tracts of lands in which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces which are dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet.
B	70 dBA (Exterior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks.
C	75 dBA (Exterior)	Developed lands, properties or activities not included in categories A and B above.
D	--	For requirements on undeveloped lands see paragraphs 5a(5) and (6), this PPM.
E*	55 dBA (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.

* See paragraph 1c of this Appendix for method of application.

B-4

POLICY AND PROCEDURE MEMORANDUM

90.4

June 1, 1973

PROCESS GUIDELINES (SOCIAL, ECONOMIC, AND ENVIRONMENTAL
EFFECTS ON HIGHWAY PROJECTS)

- Par. 1. Purpose
2. Authority
3. Definitions
4. Policy
5. Application
6. Procedures
7. Implementation and Revision
8. Contents of the Action Plan
9. Identification of Social, Economic, and Environmental Effects
10. Consideration of Alternative Courses of Action
11. Involvement of Other Agencies and the Public
12. Systematic Interdisciplinary Approach
13. Decisionmaking Process
14. Interrelation of System and Project Decisions
15. Levels of Action by Project Category
16. Responsibility for Implementation
17. Fiscal and Other Resources
18. Consistency with Existing Laws and Directives

1. PURPOSE

To provide to Highway Agencies and Federal Highway Administration (FHWA) field offices guidelines for the development of Action Plans to assure that adequate consideration is given to possible social, economic, and environmental effects of proposed highway projects and that the decisions on such projects are made in the best overall public interest. These guidelines identify issues to be considered in reviewing the present organization and processes of a Highway Agency as they relate to social, economic, and environmental considerations, and in developing desirable improvements. The guidelines recognize the unique situation of each State and do not prescribe specific organizations or procedures.

2. AUTHORITY

Section 109(h), Title 23, United States Code, directs the following: "Not later than July 1, 1972, the Secretary, after consultation with appropriate Federal and State officials, shall submit to Congress, and not later than 90 days after such submission, promulgate guidelines designed to assure that

possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe and efficient transportation, public services, and the costs of eliminating or minimizing such adverse effects and the following.

- (1) air, noise, and water pollution,
- (2) destruction or disruption of man-made and natural resources, esthetic values, community cohesion and the availability of public facilities and services,
- (3) adverse employment effects, and tax and property value losses,
- (4) injurious displacement of people, businesses and farms, and
- (5) disruption of desirable community and regional growth.

Such guidelines shall apply to all proposed projects with respect to which plans, specifications and estimates are approved by the Secretary after the issuance of such guidelines."

3. DEFINITIONS

a. Highway Agency - The State highway department or State department of transportation with the primary responsibility for initiating and carrying forward the planning, design, and construction of Federal-aid highway projects.

b. Human Environment - The aggregate of all external conditions and influences (esthetic, ecological, biological, cultural, social, economic, historical, etc.) that affect the lives of humans.

c. Environmental Effects - The totality of the effects of a highway project on the human and natural environment.

d. A-95 Clearinghouse - Those agencies and offices in States, metropolitan areas, and multi-State regions which perform the coordination functions called for in Office of Management and Budget (OMB) Circular A-95.

e. The following definitions are provided solely to clarify the terms "system planning," "location," and "design" as they are used in these guidelines. A Highway Agency may choose to use different definitions in responding to these guidelines. If not stated otherwise, the following definitions will be assumed to be applicable.

(1) System Planning - Regional analysis of transportation needs and the identification of transportation corridors.

(2) Location - From the end of system planning through location approval.

(3) Design - From location approval through the approval of plans, specifications, and estimates.

4. POLICY

* a. It is the FHWA's policy that full consideration shall be given to social, economic, and environmental effects throughout the planning of highway projects including system planning, location, and design, that provisions for ensuring such consideration shall be incorporated in the decisionmaking process; and that decisions shall be made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing possible adverse social, economic, and environmental effects.

b. The process by which decisions are reached should be such as to merit public confidence in the Highway Agency. To achieve this objective, it is the FHWA's policy that:

(1) Social, economic, and environmental effects be identified and studied early enough to permit analysis and consideration while alternatives are being formulated and evaluated.

(2) Other agencies and the public be involved in project development early enough to influence technical studies and final decisions.

(3) Appropriate consideration be given to reasonable alternatives, including the alternative of not building the project and alternative modes.

* 5. APPLICATION

a. These guidelines apply to highway agencies that propose projects on any Federal-aid system for which plans, specifications, and estimates are approved by the FHWA.

b. These guidelines apply to all processes that will be used for all Federal-aid projects, including Secondary Road Plan projects.

c. These guidelines apply to system planning decisions, including those made in the urban transportation planning process established by 23 U.S.C. 134, and to project decisions made during the location and design stages.

d. These guidelines and the Action Plan shall only be applied to the future development of on-going projects and to future projects. They are not retroactive, and shall not apply to any step or steps taken in the development of a project prior to the time of the implementation of the parts of the Action Plan applicable thereto.

6. PROCEDURES

a. To meet the requirements of these guidelines, each Highway Agency shall develop an Action Plan which describes the organization to be utilized and the processes to be followed in the development of Federal-aid highway projects from initial system planning through design.

b. The Action Plan should be consistent with the requirements of PPM's 20-8, 90-1, and of other applicable directives.

* c. Involvement of the public and local, State, and Federal officials and agencies, including A-95 clearinghouses and the 23 U.S.C. 134 metropolitan transportation planning process agencies, should be sought throughout the development of the Action Plan. Comments should be solicited during the draft and final stage of development of the Action Plan.

* d. The Action Plan submitted to the Governor of the State and to the FHWA should be accompanied by a description of the procedures followed in developing the Action Plan, the steps taken to involve the public and other agencies during development of the Plan, and a summary of comments received on the Plan (including the sources of such comments) and the State's disposition of these comments.

e. The FHWA, through its division and regional offices, will consult with the State in the development of the Action Plan and, within the limits of its resources, will be prepared to assist or advise.

f. The Action Plan shall be submitted to the Governor of the State for review and approval as a means of obtaining a high degree of interagency and intergovernmental coordination. Approval by the Governor may occur prior to submittal of the Action Plan to the FHWA, or, if desired by the State, may occur concurrently with FHWA approval.

g. The Action Plan should be submitted to the FHWA not later than June 15, 1973, for approval. The FHWA will not give location approval on projects after November 1, 1973, unless the Action Plan has been approved.

* h. Review and approval of the Action Plan and revisions thereto will be the responsibility of the Regional Federal Highway Administrator.

7. IMPLEMENTATION AND REVISION

a. The FHWA shall review the States' implementation of their Action Plans at appropriate intervals. The FHWA may withhold location approvals, or such other project approvals as it deems appropriate, if the Action Plan is not being followed.

b. The Action Plan shall be implemented as quickly as feasible. A program of staged implementation for the period up to November 1, 1974, shall be developed and described in the Action Plan. It is expected that all aspects of the Action Plan will be implemented by this date. If the Highway Agency believes that any provision in its Action Plan cannot be implemented prior to November 1, 1974, it shall present a schedule for the implementation of such provisions to the FHWA, which will consider the proposed schedule on a case-by-case basis.

c. If the schedule for implementation set forth in an approved Action Plan is not met, the FHWA may withhold location approvals or such other project approvals as it deems appropriate.

* d. An approved Action Plan may be revised to meet changed circumstances or to permit adoption of improved procedures or assignments of responsibilities.

(1) The Action Plan should identify the assignment of responsibility for developing Action Plan revisions.

(2) Paragraph 6f (Governor's approval) shall apply to revision of the Action Plan; except that the Highway Agency, with the Governor's approval, may include a provision in the Action Plan to allow all or some type of revisions in the approved Action Plan without review and approval by the Governor. In such instances, the Action Plan should include a description of the types of such revisions.

(3) The Highway Agency in consultation with the FHWA shall determine the extent to which involvement of the public and other agencies is necessary in the development of proposed Action Plan revisions.

8. CONTENTS OF THE ACTION PLAN

The Action Plan shall indicate the procedures to be followed in developing highway projects, including organizational structure and assignments of responsibility by the chief administrative officer of the Highway Agency to positions or units within the Agency. Where participation of other agencies or consultants will be utilized, this should be so indicated. The topics to be covered by the Action Plan are outlined in the following paragraphs of this PPM.

9. IDENTIFICATION OF SOCIAL, ECONOMIC, AND ENVIRONMENTAL EFFECTS

* a. Identification of potential social, economic, and environmental effects, both beneficial and adverse, of alternative courses of action should be made as early in the study process as feasible. Timely information on such effects should be produced so that the development and consideration of alternatives and studies can be influenced accordingly. Further, the costs, financial and otherwise, of eliminating or minimizing possible adverse social, economic, and environmental effects should be determined.

b. The Action Plan should identify:

(1) The assignment of responsibility for

(a) Providing information on social, economic, and environmental effects of alternative courses of action during system planning, location, and design stages.

(b) Controlling the technical quality of social, economic, and environmental studies.

(c) Monitoring current social, economic, and environmental research, monitoring environmental effects of completed projects, where appropriate, and disseminating "state-of-the-art" information within the agency.

(2) Procedures to be followed to ensure that timely information on social, economic, and environmental effects:

(a) Is developed in parallel with alternatives and related engineering data, so that the development and selection of alternatives and other elements of technical studies can be influenced appropriately.

(b) Indicates the manner and extent to which specific groups and interests

are beneficially and/or adversely affected by alternative proposed highway improvements.

(c) Is made available to other agencies and to the public early in studies.

(d) Is developed with participation of staffs of local agencies and interested citizens.

(e) Is developed sufficiently to allow for the estimation of costs, financial or otherwise, of eliminating or minimizing identified adverse effects.

10. CONSIDERATION OF ALTERNATIVE COURSES OF ACTION

a. Alternatives considered should include, where appropriate, alternative types and scales of highway improvements and other transportation modes. The option of no highway improvement should be considered and used as a reference point for determining the beneficial and adverse effects of other alternatives. Appropriate alternatives which might minimize or avoid adverse social, economic, or environmental effects should be studied and described, particularly in terms of impacts upon specific groups and in relationship to 42 U. S. C. 2000d-2000d-4 (Title VI of the Civil Rights Act 1964) and 42 U. S. C. 3601-3619 (Title VIII of the Civil Rights Act of 1968).

b. The Action Plan should identify the assignment of responsibility and the procedures to be followed to ensure that:

(1) The consequences of the no-highway-improvement option are set forth, with data of a level of completeness and of detail consistent with that developed for other alternatives.

(2) A range of alternatives appropriate to the stage is considered at each stage from system studies through final design.

(3) The development of new transportation modes or the improvement of other modes are adequately considered, where appropriate.

(4) Non-transportation components, such as replacement housing, joint development, multiple use of rights-of-way, etc., are in coordination with transportation components.

(5) Suggestions from outside the Agency are given careful consideration.

11. INVOLVEMENT OF OTHER AGENCIES AND THE PUBLIC

a. The President has directed Federal agencies to "develop procedures to insure the fullest practicable provision of timely public information and understanding of Federal plans and programs with environmental impact in order to obtain the views of interested parties" (Executive Order 11514). Policy and Procedure Memorandum 20-8 contains similar provisions. Interested parties should have adequate opportunities to express their views early enough in the study process to influence the course of studies, as well as the actions taken. Information about the existence, status, and results of studies should be made available to the public throughout those studies. The required public hearings (PPM 20-8) should be only one component of the agency's program to obtain public involvement.

b. The Action Plan should identify the assignment of responsibility and procedures to be followed.

(1) To ensure that information is made available to other agencies and the public throughout the duration of project studies, and that such information is as clear and comprehensible as practicable concerning:

(a) The alternatives being considered.

(b) The effects of alternatives, both beneficial and adverse, and the manner and extent to which specific groups are affected.

(c) Right-of-way and relocation assistance programs and relocation plans.

(d) The proposed time schedule of project development, including major points of public interest.

* (2) To clearly indicate the organizational unit or units within the Highway Agency to which the public can go for information outlined in paragraph 11b(1), and for assistance to clarify or interpret the information.

(3) To ensure that interested parties, including local governments and metropolitan, regional, State and Federal agencies, and the public have an opportunity to participate in an open exchange of views throughout the stages of project development.

(4) To select and coordinate procedures, in addition to formal public hearings, to be used to inform and involve the public.

(5) To utilize appropriate agencies with area-wide responsibilities to assist in the coordination of viewpoints during project development.

(6) To involve appropriately the organization which is officially established in urbanized areas of over 50,000 population to conduct continuing, comprehensive, cooperative transportation planning (consistent with PPM 50-9 and IM 50-3-71).

12. SYSTEMATIC INTERDISCIPLINARY APPROACH

a. United States Code, Title 42, Section 4332 (National Environmental Policy Act, 1969) requires that agencies use "a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment."

* b. The Action Plan should indicate procedural arrangements and assignments of responsibilities which will be necessary to meet this requirement, including:

(1) The organization and staffing of interdisciplinary project groups which are systematic and interdisciplinary in approach, including the possible use of consultants and representatives of other State or local agencies.

(2) Recruitment and training of personnel with skills which are appropriate to add on a full-time basis, and the development of appropriate career patterns, including management opportunities.

(3) Additional training for present personnel to enhance their capabilities to work effectively in an interdisciplinary environment.

13. DECISIONMAKING PROCESS

a. The process of reaching various decisions on highway improvement projects should be reviewed to assure that it provides for the appropriate consideration of all economic, social, environmental, and transportation factors as required by these guidelines.

b. The Action Plan should identify:

(1) The processes through which other State and local agencies, government officials, and private groups may contribute to reaching decisions, and the authority, if any, which other agencies or government officials can exercise over decisions.

(2) Different decision processes, if any, for various categories of projects (e. g.,

Interstate, Primary, Secondary, TOPICS) and for various geographic regions of the State (e. g., in various urban and rural regions) to reflect local differences in the nature of potential environmental effects or in the structure of local governments and institutions.

(3) The processes to be used to obtain participation in decisions by officials of appropriate agencies in other States for those situations in which the potential social, economic, and environmental effects are of interstate concern.

14. INTERRELATION OF SYSTEM AND PROJECT DECISIONS

a. Many significant economic, social, and environmental effects of a proposed project are difficult to anticipate at the system planning stage and become clear only during location and design studies. Conversely many significant environmental effects of a proposed project are set at the system's planning stage. Decisions at the system and project stages shall be made with consideration of their social, economic, environmental, and transportation effects to the extent possible at each stage.

b. The Action Plan should identify:

(1) Procedures to be followed to:

(a) Ensure that potential social, economic, and environmental effects are identified insofar as practicable in system planning studies as well as in later stages of location and design.

(b) Provide for reconsideration of earlier decisions which may be occasioned by results of further study, the availability of additional information, or the passage of time between decisions.

(2) Assignment of responsibility for ensuring that project studies are effectively coordinated with system planning on a continuing basis.

15. LEVELS OF ACTION BY PROJECT CATEGORY

a. A Highway Agency may develop different procedures to be followed depending upon the economic, social, environmental, or transportation significance of the highway section to be developed. Different procedures may also be adopted for various categories of projects, such as TOPICS, new route locations, or secondary roads, and for various regions of the State, such as urban areas or zones of particular environmental significance.

b. The Action Plan should identify.

(1) The categories which the Highway Agency will use to distinguish the different degrees of effort which under normal circumstances will be devoted to various types of projects.

(2) Assignment of responsibility for determining, initially and in periodic reviews, the category of each ongoing highway project.

(3) Procedures to be followed for each category (including identification of impacts, public involvement, decision process, and other issues covered in these guidelines).

16. RESPONSIBILITY FOR IMPLEMENTATION

Assignment of responsibility for implementation of the Action Plan should be identified.

17. FISCAL AND OTHER RESOURCES

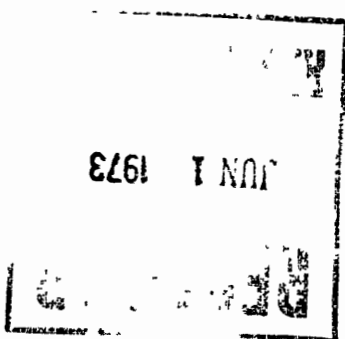
a. An important component of the Action Plan is identification of resources of the Highway Agency and of other agencies required to perform the identified procedures and execute the assigned responsibilities.

b. The Action Plan should identify:

(1) The resources of the Highway Agency (in terms of personnel and funding) that will be utilized in implementing and carrying out the Action Plan.

(2) Resources that are available in other agencies to provide necessary information on social, economic, and environmental effects.

(3) Programs for the addition of trained personnel or fiscal or other resources to either the Highway Agency itself or other agencies.



18. CONSISTENCY WITH EXISTING LAWS AND DIRECTIVES

The Highway Agency should identify and report, either in the Action Plan or otherwise, areas where existing Federal and State laws and administrative directives prevent or hamper full compliance with these guidelines. Where appropriate, recommendations and proposed actions to overcome such difficulties should be described.

Handwritten signature of R. R. Bartelsmeyer

R. R. Bartelsmeyer
Acting Federal Highway Administrator

In accordance with the requirements of IM 20-3-66, the State highway departments have reviewed their procedures and specifications for minimizing erosion during construction. Most departments have made revisions which indicate an intent on the part of State highway officials to control operations during contract construction and to otherwise achieve the objectives set forth in the now effective Executive Order 11288.

To assure compliance with the guidelines in the attached report, all States are requested again to review their existing construction specifications and incorporate any necessary changes to accomplish the objectives and intent of the guidelines and Executive Order 11288. It is expected that necessary changes to existing specifications will be adopted for incorporation in proposals to be advertised on and after April 1, 1968.

A recent supplemental specification submitted by the Virginia Department of Highways was approved on September 14, 1967, for use on Federal-aid projects in that State. It is considered that the provisions of this supplemental specification under (a) Erosion and Siltation Control and (b) Pollution, provide the controls that are desirable for conditions in that State. A copy of this portion of the supplemental specification is attached for reference.

Instructional Memorandum 20-3-66 provided the language in Section 8, Article 8.3(g), of Public Roads Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP-61. Supplemental Specifications revising the cited Article 8.3(g) are in preparation and will be issued soon. They are to be applicable to all Federal projects administered directly by the Bureau of Public Roads. They will contain provisions considered proper to further implement Executive Order 11288 and to apply the guidelines as set forth in the report as submitted to the Congress.

The requirements of this memorandum are applicable to projects to be constructed under the Secondary Road Plan. Amendments to such plans indicating that these projects will conform with these requirements are to be submitted for approval before April 1, 1968.

The highway agencies are urged to consult with appropriate officials of the Federal Water Pollution Control Administration as called for by the Executive Order 11288 and of the Soil Conservation Service as suggested by the guidelines of the attached report.



F. C. Turner
Director of Public Roads

Attachments



U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D. C. 20590

August 30, 1972

INSTRUCTIONAL MEMORANDUM 20-4-72
IEN-20

SUBJECT: Guidelines for Consideration of Economic, Social, and Environmental Effects (PPM 20-8 Modification)

1. Purpose

a. This memorandum is issued to assure that:

- (1) Possible adverse economic, social, and environmental effects relating to any proposed federally funded project on any Federal-aid highway system have been fully considered in developing such project.
- (2) Final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing adverse effects.

b. Policy and Procedure Memorandum 20-8, issued January 14, 1969, provided guidance for the consideration of social, economic, and environmental effects in the design and location of highways. This instructional memorandum supersedes the list of effects in paragraph 4.c. of PPM 20-8 by consolidating it with the effects listed in 23 U.S.C. 109 (h). It also sets forth reporting procedures to assure that the general types of consequences that may be expected from construction of the proposed highway improvement are being considered with respect to costs, gains and losses.

2. Authority

Sections 135(a), 135(b) and 136(b) of the Federal-Aid Highway Act of 1970; 23 U.S.C. 109 (h), 128(a) and 128(b).

3. Application

This memorandum applies to proposed projects which have not received PS&E (plans, specifications, and estimates) approval as of the effective date of this memorandum. These guidelines do not apply to projects which are already in various stages of physical construction or are exempt under the emergency provisions of paragraph 3.c. of PPM 20-8.

4. Procedures

a. As of the effective date of this memorandum, projects which have received design approval (as defined in PPM 90-1), may receive PS&E approval, if otherwise satisfactory, on the basis of past State highway department submissions which identify and document the economic,

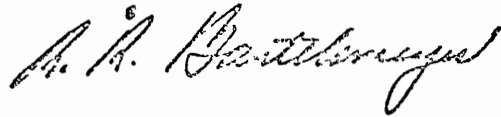
social and environmental effects previously considered with respect to these advanced projects, together with a supplemental report, if necessary, covering the consideration and disposition of the items not previously covered and now listed herein in paragraph 4.b. The supplemental report shall be prepared by the State and submitted to the division engineer not later than the time of submission of PS&E documents for the next Federal-aid improvement of the highway section. This supplemental documentation may take the form of statements in the program submission (PR-1 or PR-9 forms and attachments), relative to the overall proposal being advanced, unless the division engineer determines that a more detailed report is warranted.

- b. After the effective date of this memorandum, a State highway department request for location and design approval, as required under PPM 20-8, shall be accompanied by reports and other documents showing that the development of the project has taken into consideration the need for fast, safe, and efficient transportation together with highway costs, traffic benefits and public services including provisions of national defense; and which discuss the anticipated economic, social, and environmental effects of the proposal and alternatives under consideration, to the extent applicable, on the following:

- (1) Regional and Community Growth including general plans and proposed land use, total transportation requirements, and status of the planning process.
- (2) Conservation and Preservation including soil erosion and sedimentation, the general ecology of the area as well as man-made and other natural resources, such as: park and recreational facilities, wildlife and waterfowl areas, historic and natural landmarks.
- (3) Public Facilities and Services including religious, health and educational facilities; and public utilities, fire protection and other emergency services.
- (4) Community Cohesion including residential and neighborhood character and stability, highway impacts on minority and other specific groups and interests, and effects on local tax base and property values.
- (5) Displacement of People, Businesses, and Farms including relocation assistance, availability of adequate replacement housing, economic activity (employment gains and losses, etc.).
- (6) Air, Noise, and Water Pollution including consistency with approved air quality implementation plans, FFWA noise level standards (as required under PPM 90-2), and any relevant Federal or State water quality standards.
- (7) Aesthetic and Other Values including visual quality, such as: "view of the road" and "view from the road," and the joint development and multiple use of space.

- c. In addition to coverage of the significant differences and reasons supporting the alternative locations and designs, discussions of the above items and other economic, social, and environmental effects, which were raised during public hearings or which were otherwise considered, shall include: (1) identification of the adverse effects, (2) appropriate measures to eliminate or minimize the adverse effects, (3) the estimated costs [expressed in either monetary, numerical or qualitative terms] of the measures considered.
 - d. The degree of analysis of the items may vary, depending upon the scope and the nature of project, the stage of project development, and the extent of the adverse effect.
 - e. Where material required by this memorandum has been previously submitted pursuant to other requirements, such as those in PEMs 20-8 or 90-1, the State highway department may either resubmit such material or make reference to it.
5. Effective date

The effective date of this memorandum is September 29, 1972.



R. R. Bartelsmeyer
Acting Federal Highway Administrator

