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NEW JERSEY DEPARTMENT OF TRANSPORTATION

ACTION PLAN

DRAFT 3

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

July 1974

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8. PPM 50-9; Urban Transportation Planning

9. IM 50-2-65; Urban Transportation Planning - Federal-Aid Highway Program Approvals after July 1, 1965

10. Office of Management and Budget Circular No. A-95

G L O S S A R Y

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 representing 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 - The head of the New Jersey Department of Transportation.

Commission Action - A document executed by the Commissioner indicating 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, providing 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.

3C - A Continuing, Comprehensive, Cooperative transportation planning process required by Section 134 of Chapter 1, Title 23, United States Code. See Chapter IV and Appendix. FHWA, PPM 50-9.

NEPA - National Environmental Policy Act of 1969 which included the requirements of a written evaluation of the environmental impacts of each significant project be circulated to other Agencies and the public; that project development include a multi-disciplinary approach; and that alternate plans be developed.

Policy Board Committee - A committee of elected officials or their representatives in each Urban Area whose task it is to develop long range, area wide systems plans based on comprehensive planning input.

SMSA - Standard Metropolitan Statistical Area - A county or group of contiguous counties which contain at least one city of 50,000 or

more, or twin cities with a combined population of at least 50,000.

Plan Development - The process of gathering, coordinating, analyzing and forecasting data with the results being used as input to tasks performed in Planning, leading to transportation systems plans.

Corridor - A strip of land through which a highway can be developed to satisfy traffic demands and the environmental considerations of the community through which it traverses.

Location - A study line within a corridor.

Environmental Appraisal - A preliminary report discussing potential impacts of a project, usually prepared during the course of a feasibility study.

WRAP - Workable Relocation Assistance Program - The program established by Right of Way division for each project to insure that all payments, benefits and services required by law will be provided to the occupants and displacements will not exceed the available housing resources.

BEA - Bureau of Environmental Analysis within the Division of Economic and Environmental Analysis.

Statewide Traffic Simulation Model - A computerized process that simulates existing and forecasted traffic volumes on a Statewide highway network, This process will provide a better understanding of statewide travel patterns, will provide improved capabilities in analyzing system performance for alternative highway systems, and ensure compatibility between urban study group highway proposals.

CHAPTER I

INTRODUCTION

A. Purpose

The purpose of the NJDOT Action Plan is to assure adequate consideration will be given to potential environmental, economic and social effects, and the decisions on projects will be made in the best overall public interest.

In formulating the Action Plan the Department has tried to make known to the general public, the highway project development process and where 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 NJDOT 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 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 segments.

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 Transportation Planning & Research of a Division of Economic and Environmental Analysis. A primary assignment of this unit is to assess environmental impacts of transportation improvements and assure that the Department's highway and public transportation projects are compatible with the environment and, wherever possible, enhance the environment. How this is accomplished and how coordination with this unit is developed throughout the Department will be described later on in the text.

To help make the Department responsive to the desires of citizens, officials, and others, an Office of Information Services was created. Its principal assignment is development of early and continuing dialogue communities and local governmental agencies. As a direct result of the requirements of PPM 90-4, this unit will also develop mailing lists to further promote contacts especially with citizen groups and interested individuals. (See Chapter 3, Paragraph A-3) 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, where supervisory responsibility of implementing and executing the requirements of this Action Plan has been placed.

Upon restructuring the Department organization, a series of Administrative Directives were developed. These documented the official Departmental structures and revision of organizational units, established unit objectives and assignment of broad areas of responsibility within the Department.

B. Objectives and Functions

Major objectives of the reorganization were to facilitate adequate planning for all transportation modes and to make provision for meeting growing requirements for social, economic, and environmental studies as background and inputs to transportation projects. To fulfill these objectives, a significant expansion of the planning capability took place. Four new planning divisions were established under the Director of Transportation Planning and Research. One of these was the Division of Economic and Environmental Analysis. It is charged with developing environmental policy and environmental studies and preparation and processing of environmental impact statements.

In its Action Plan, the Department has included 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 the Design process, where a major portion of decisions on projects are made, have been developed, together with detailed explanations

as to the individual transactions and the units responsible for their completion.

C. Responsibility and Implementation

The 1971 reorganization enhanced the Department's ability to implement requirements of the Action Plan. Expansion of its 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 include 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 Serivces has resulted in a restructuring of responsibility and procedure for public hearings and augmenting them with preview meetings to inform the public prior to formal hearings. This office will also assist the Planning and the Design units in staging future public information meetings which are to be an inherent part of the Action Plan.

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

DEPARTMENT OF INSURANCE

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

Chart II-A

NEW JERSEY DEPARTMENT OF TRANSPORTATION

ORGANIZATION CHART

APRIL 1974

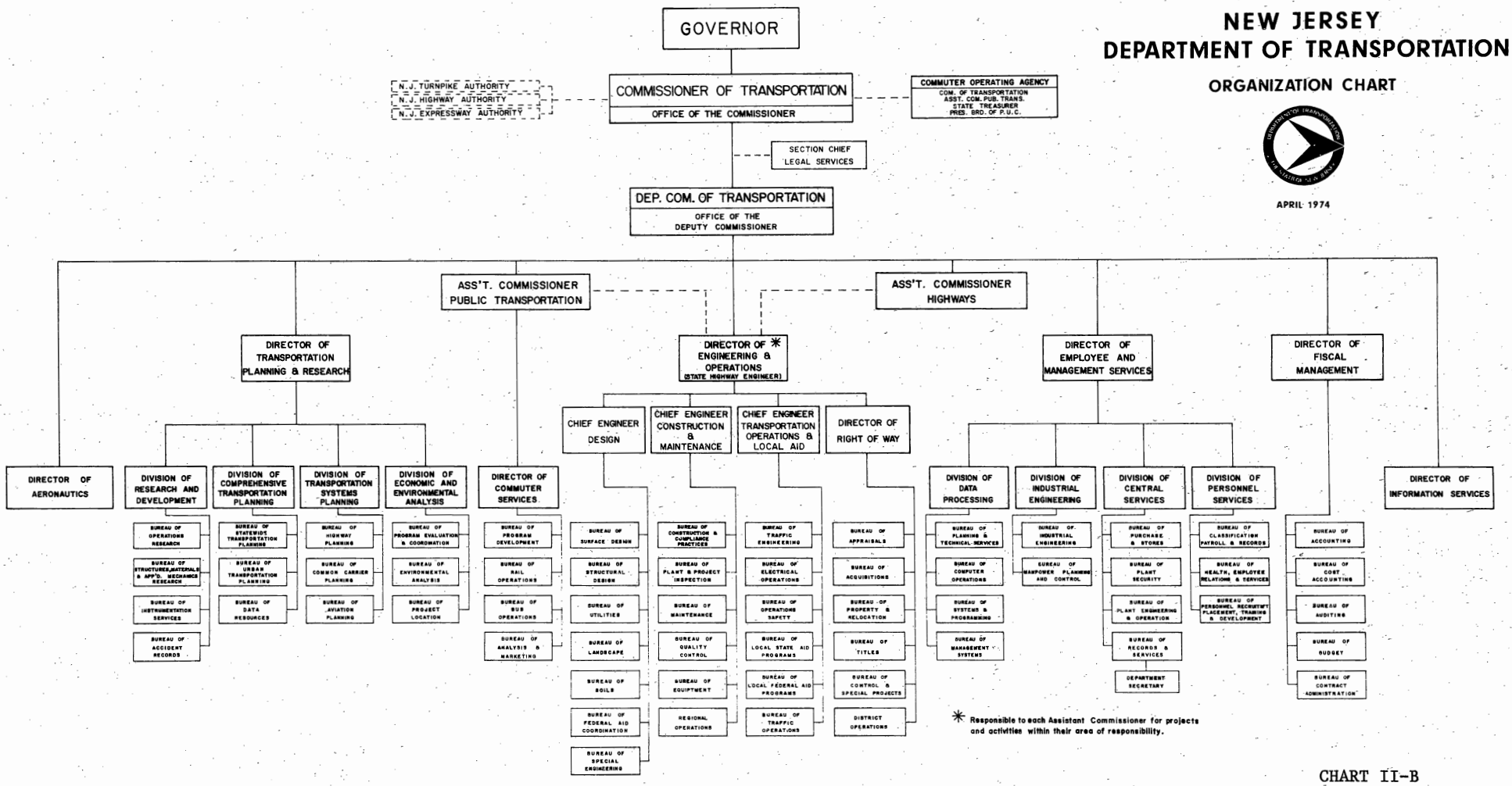


CHART II-B

CHAPTER III

ORIENTATION OF HIGHWAY PROJECT DEVELOPMENT PROCESS

In order to understand the highway project development process and the layout of this Action Plan, two charts have been developed which provide orientation on the process and reflect the whole structure of this Plan.

A. Chart III-A: Tasks and Time

Chart III-A indicates by phrases the major tasks which are to be completed before a project becomes a usable highway, and they, by no means should be construed to be all encompassing. The chart provides a visual aid to emphasize:

1. Sequence of highway project development and major phases in the planning, design, and right of way processes
2. Approximate time required to complete indicated tasks
3. Where in the process public involvement will occur

1. Sequence of Highway Project Development - 20 Phases

While the complete planning, design, and right of way processes are

presented later in this text in their own chapters, the explanations of the major phases on the illustrated chart are as follows:

PHASES:

1. The Plan Development Process is the responsibility and is supervised by the Director of Transportation Planning and Research (See Chart II-B). Any unit in the Department may be contacted to provide input data to this Plan Development.
2. Input is also received from citizen organizations, Chambers of Commerce, local officials, county planning boards, and regional urban transportation study agencies. (A list of the regional agencies may be found in Chapter IV.)
3. Following collection and interpretation of data obtained in the two previous phases, the Bureau of Statewide Transportation Planning has responsibility for formulating the New Jersey Department of Transportation Master Plan. (See Chapter IV, STEP 2.)
4. This phase indicates that all new routes which are constructed on new alignments should have legislative approval. (See Chapter IV, STEP 3.)
5. Project priority determinations are considered by:
   a. Transportation Planning Board
   b. Commissioner
   c. Bureau of Statewide Transportation Planning

   Further treatment of this very important phase is provided in Chapter IV, STEP 4.
6. An engineering feasibility study is undertaken by one or more bureaus in the Planning or Design units. As part of this process

a preliminary analysis of SEE effects relative to the particular project is performed. (Chapter V, STEP 5.) An A-95 Review is initiated. (Chapter VII Paragraph B.)

7.- 10. These four phases constitute an abridged version of location planning and involve:

a. Development and determination of corridor and final project location.

b. A detailed analysis of SEE effects which are expressed in both draft and final Environmental Impact Statement (EIS). (Chapter V, STEPS 7 & 11.)

c. Prehearing meeting and corridor public hearing

d. Submission and approval of project location and transfer to Design.

11. Funds are designated for design, by virtue of the development review and approval of the Construction Program.

12.- 15., and 17. An A-95 Review is initiated. (Chapter VIII, Paragraph C.) The next five steps consist of preparing construction plans (Design):

a. Reviews and approval by Federal Highway Administration

b. Meetings with public, municipal and county officials

c. Consideration of SEE effects brought forth in the EIS

d. Prehearing informational program and design public hearing

e. Refining and modifying an 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. Federal Highway Administration reviews and provides

project approval for right of way acquisition

b. Appraise properties and set fair market value

c. Develop workable relocation assistance plan (WRAP) (includes lead time requirements)

d. Review and approval of WRAP by Federal Highway Administration.

e. Institute negotiations

f. Purchase property by agreement or condemnation

g. Provide relocation assistance, services, payments and replacement housing

h. Close property titles

i. Issue Right of Way Certificate of availability for construction

18. The project is advertised and contracts awarded

19. Pre-Construction Conference

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

2. Time Consumption

Chart III-A also shows the approximate time required to perform the above 20 phases.

Planning, for example, could take approximately four years; design, three years; and acquisition of right of way and relocation could take up to six years, barring litigation on any phase.

3. Public Involvement

Public participation, an integral part of highway project development, is indicated by the dark triangles on Chart III-A at Phases 1, 2, and 3 in Systems Planning; at Phases 6, 7, and 8 in Location Planning; and at Phases 12 and 13 in the Design Process.

The Office of Information Services will coordinate this effort by developing and maintaining mailing lists for highway projects. Lists pertaining to a particular highway project will expire when that highway project has been completed. Organizations, citizen groups, and individuals who indicate an interest on a regional level will be kept on a regional mailing list. This list will expire annually and names will be reactivated if requested by specific groups or individuals.

Any group or individual wanting to be put on a mailing list for a particular project or region of interest should write:

Project Mailing List
Office of Information Services
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

Further explanation of projects on which a mailing list will be maintained is provided in Chapters X (Levels of Action) and Chapter XI (Implementation).

B. Chart III-B: Functions and Responsibilities

Chart III-B indicates units responsible for performing functions shown in the center ovals. The main reason for indicating the functions or phases in the ovals is that they show an interdisciplinary approach to highway project development, and may involve citizen groups or individuals and various units throughout the Department and in state and federal agencies.

Departmental units primarily responsible for performing the functions indicated and those providing major input are shown below the oval function line. Inputs from outside the Department are indicated above the

function line.

C. NJDOT Action Plan Text

The NJDOT Action Plan is structured to reflect the highway project development process as indicated on Chart III-B. It may be necessary to refer to this chart while reading the Action Plan in order to realize the progressive development of a highway project.

Bureaus involved as major contributors are shown below the oval function line. Where all bureaus of a division contribute, the division is indicated instead of each bureau within that division. See NJDOT Organization Chart II-B for bureaus and divisions.

D. Reconsideration Points

The small flag symbols on the function line of Chart III-B indicate points where reconsideration of earlier decisions is made. These reconsideration points provide opportunity for changes resulting from public participation, social, economic and environmental input and engineering considerations. However, the main point of consideration will continue to be the provision of a transportation facility or improvement which benefits the public.

MAJOR PHASES IN NJDOT PLANNING, DESIGN AND RIGHT OF WAY AND RELOCATION PROCESSES FOR FEDERAL - AID HIGHWAYS

PHASE:

1 — APPRAISAL OF CURRENT AND FUTURE CONDITIONS OF: HIGHWAY, RAIL, BUS AND AIR TRANSPORTATION FACILITIES AND SERVICES. DATA COLLECTION PROCESS

2 — INPUT FROM CITIZEN ORGANIZATIONS, REGIONAL AND COUNTY TRANSPORTATION AGENCIES CHAMBERS OF COMMERCE, OTHER OFFICIALS

3 — TRANSPORTATION MASTER PLAN FOR: HIGHWAYS, RAILROAD PASSENGER SERVICE, BUS SERVICE, OTHER PUBLIC TRANSPORTATION IMPROVEMENTS, AIRPORT DEVELOPMENT

4 — ROUTE LEGISLATION. ADOPTION BY THE COMMISSIONER

5 — PROJECT PRIORITY

6 — ENGINEERING FEASIBILITY STUDY. A-95 REVIEW NOTIFICATION

7 — PROJECT LOCATION STUDY. DEVELOP AND DETERMINE ALTERNATIVE ALIGNMENT. DRAFT ENVIRONMENTAL IMPACT STATEMENT

8 — PREHEARING INFORMATIONAL PROGRAM. HOLD CORRIDOR PUBLIC HEARING. HEARING EVALUATION ✳

9 — FINAL ENVIRONMENTAL IMPACT STATEMENT. RECOMMEND ALIGNMENT TO THE FEDERAL HIGHWAY ADMINISTRATION ✳

10 — ALIGNMENT SUBMISSION AND APPROVAL BY FHWA AND THE COMMISSIONER OF TRANSPORTATION

AVERAGE TIME IN MONTHS

CONTINUOUS PLANNING PROCESS — 6-8 MONTHS — 18-24 MONTHS — 2 MONTHS — 2 MONTHS — 12 MONTHS

UNDER THE ACTION PLAN PUBLIC PARTICIPATION WILL OCCUR BY VIRTUE OF

- ▲ MUNICIPAL, COUNTY, AND REGIONAL STUDY AREAS INPUT
- ▲ PUBLIC MEETINGS ON MASTER PLAN COUNTY AND REGIONAL INPUT
- ▲ MEETINGS WITH LOCAL OFFICIALS AND INTERESTED ORGANIZATIONS OR GROUPS
- ▲ MEETINGS WITH MUNICIPALITIES AND COUNTY OFFICIALS AS WELL AS INTERESTED ORGANIZATIONS OR GROUPS
- ▲ PUBLIC HEARING

11 — • PREPARATION • SUBMISSION AND • APPROVAL OF THE CONSTRUCTION PROGRAM

12 — INITIATION OF PRELIMINARY DESIGN STUDY, PREPARATION OF PLAN PROFILE AND INTERCHANGE, SUBMISSION OF PLANS FOR APPROVAL A-95 REVIEW

13 — PREHEARING INFORMATIONAL PROGRAM. HOLD DESIGN PUBLIC HEARINGS. EVALUATION OF PUBLIC HEARINGS ✳

14 — PREPARATION OF PRELIMINARY PLAN, NJDOT & FHWA REVIEW AND APPROVAL

15 — FEDERAL SUBMISSION AND APPROVAL, DEVELOP AND REVIEW FINAL DESIGN PLANS, OBTAIN FEDERAL APPROVAL OF ROW PLANS

16 — PROGRAM APPROVAL FOR R/W. APPRAISE PROPERTIES. TITLE SEARCH. RELOCATION PLAN. ACQUISITIONS ✳

17 — REFINE FINAL DESIGN PLANS, SUBMISSION AND APPROVAL OF FINAL PLANS AND SPECIFICATIONS

18 — ADVERTISE AND AWARD CONTRACT ✳

19 — PRE-CONSTRUCTION CONFERENCE

20 — CONSTRUCTION OF PROJECT BEGINS. COORDINATION, MONITORING AND INSPECTION, COMPLIANCE WITH QUALITY CONTROL

AVERAGE TIME IN MONTHS

2 MONTHS — 12 MONTHS — 6 MONTHS — 12 MONTHS — LEAD TIME VARIES 6-72 MONTHS — 3 MONTHS — 2 MONTHS

- ▲ MEETINGS WITH PUBLIC, MUNICIPAL AND COUNTY OFFICIALS
- ▲ PUBLIC HEARING

"ACTION PLAN"
CHART III - A

✳ INDICATES STEPS WHICH MIGHT BE PROLONGED DUE TO LITIGATION

PLANNING, DESIGN AND RIGHT-OF-WAY PROCESSES OF FEDERAL-AID HIGHWAYS

N.J. DEPARTMENT OF TRANSPORTATION

"ACTION PLAN"

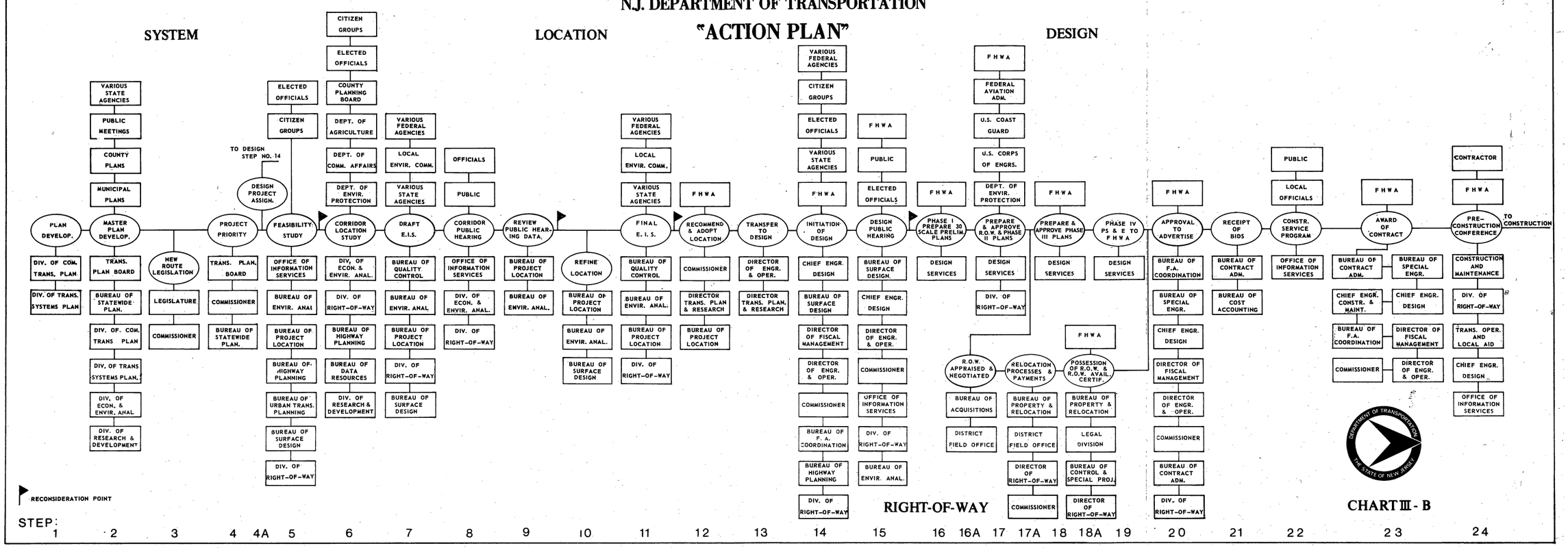


CHART III - B

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. The process involves activity at various levels of government and includes state, county and municipal agencies, public authorities, citizen organizations, regional transportation planning agencies, and others concerned with transportation needs. Systems Planning is concerned with the identification of potential social, economic and environmental consideration and those courses of action necessary to bring about transportation development which is truly reflective of the needs of the people.

The end product of Systems Planning is reflected in the Department's Master Plan for Transportation development. The Master Plan is a comprehensive plan encompassing the various travel modes. It outlines the needs for each mode to serve travel demand estimates for the present and future, and recommends specific improvements for highways, railroads, buses and airports.

STEP 1: PLAN DEVELOPMENT

Plan development is the process of gathering, coordinating, analyzing, and forecasting data, with the results being used as input to tasks performed in Planning leading to transportation systems plans.

Section 1: Systems Planning Responsibilities

The responsibility within the New Jersey Department of Transportation for analyzing transportation systems and determining future transportation needs 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 the recommendations of the Transportation Planning Board.
   c. Ascertains that all project proposals are consistent with the master plan 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 rural highway requirements as developed 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 area study groups are composed of the following:

Tri-State Regional Planning Commission, Delaware Valley Regional Planning Commission (DVRPC), Atlantic City Urban Area Transportation Study, Salem County Urban Area Transportation 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

Performs various studies which gather data in order to project transportation requirements. For example: 1974 National Transportation Study and 1974 National Highway Needs Study, the latter one being an update of the 1972 National Highway Functional Classification and Needs 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. National Transportation Study, 2. Comprehensive Bus Study (This study is presently in progress).

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.

Section 2: Systems Planning Activities

As noted previously, Systems Planning is a process which is complex and one which involves many activities and responsibilities. Although many of the activities are supportive to the systems planning process and may occaisonally change to better suit the objectives of the process, a typical highway work program includes the following:

Road Inventory
National Defense Requirements, Bridge Records
Interstate Traveled Way Study
Straight Line Diagram and Mileposting
Mapping (General Highway Series)
Annual Truck Weight Study
Traffic Volumes Estimates
Motor Vehicle, Operators & Fuel Statistics
Financial Statistics
Bicycle Path Studies
Urban Aid System
Increasing Right-of-Way Widths
Master Plan
Statewide Planning
Delaware Valley Regional Planning Commission
Atlantic City Urban Area Transportation Study
Salem County Urban Area Study
Tri-State Transportation Commission
Phillipsburg Urban Area Transportation Study
Project Notification and Review System (A-95)
Cumberland County Urban Area Transportation Study
TOPICS Comprehensive Planning for Small Urban Areas
Annual Speed Checks
National Highway Functional Class. & Needs Study
National Truck Commodity Flow Study
Development Highway Demonstration Projects

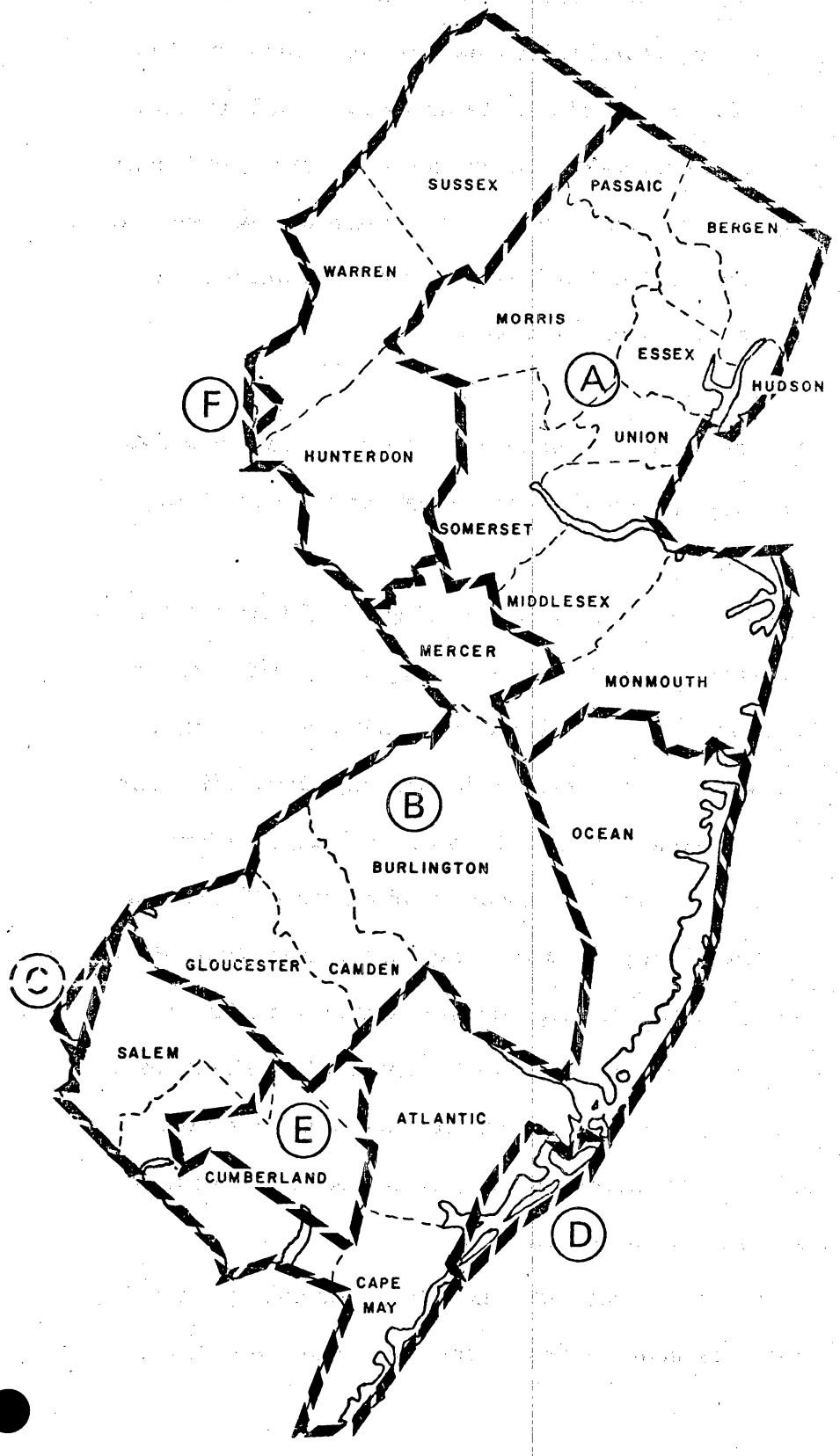
Of the above there are three major areas of activity which serve as the core of the Systems Planning process.

A. Urban Area Transportation Study Groups

The areas in New Jersey covered by this planning process contain approximately 85 percent of the state's population. Currently, there are six areas in this category ranging widely in size and character from the complex nine-county metropolitan area in the North-East of the state to the relatively small urban area of Phillipsburg (see Map IV-A).

Two of these planning agencies, the Tri-State Regional Planning Commission (New Jersey-New York-Connecticut) and Delaware Valley Regional Planning Commission (New Jersey-Pennsylvania), were formed by and operate

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

CHART IV-A

under an Interstate Compact between the states involved. The Salem County and Phillipsburg Urban Area Transportation Studies are also multi-state in nature. Respectively, they are part of the study areas of Wilmington in Delaware and Allentown-Bethlehem-Easton in Pennsylvania and are coordinated by Memoranda of Understanding with these areas. The remaining two New Jersey studies in the Atlantic City and Cumberland County Urban Transportation Study areas, are wholly within the state boundary.

1. The Planning Process

The planning activity in these areas is comprehensive, cooperative, and continuing in nature and is commonly known as the 3-C planning process.

This process, in a general and simplified description determines the present interrelationship between a region's socio-economic characteristics and activity and its travel behavior and transportation system. After thorough analysis of present conditions and identification of regional transportation problems, the area's future transportation needs are established. These are based on a series of diverse forecasts such as population, employment, labor force, income, dwelling units, etc. In turn, these forecasts are closely tied to estimates and location of future land use in the categories of residential, commercial, industrial, open space, and park development. Other factors of consideration deal with the timely availability of utilities to support estimated growth as well as the limits of the region's resources.

Above all, this look into the future, normally covering a span of 20 years, is guided by a set of regional goals and objectives

agreed upon by the member governments and agencies of a given study area. By their very nature, some of these objectives are in conflict with each other. In addition, in the case of a large region, a uniform set of goals and objectives, once achieved, invariably will have diverse impacts on the various sub-areas. This points out another aspect in the 3-C process namely, the rather complex political factor.

The influence of this factor in the strictly technical portion of the planning process is manyfold. Its forces might originate from local, state, and federal governments, or from, at times, a large number of special interest groups. In Systems Planning, their influence is usually most noticeable in goal and objective formulation, budget considerations, land use forecasting, transportation model decisions, the evaluation of long range transportation plan alternatives, and especially the adoption of the official transportation plan of the region by the Policy Board.

After a region's transportation plan adoption, the planning process does not come to a halt. At best, long range forecasting can only approximate actual development. Major project proposals, for a number of reasons, might become impossible to implement. Since these projects were developed to serve a definite portion of the region's transportation need, the whole transportation system, both highway and transit, will then have to be reevaluated and new alternatives found. Certainly, significant deviations in an area's growth with regard to rate, type, and location from those used in the future estimates will call for revisions in the planning models and future forecasts.

To keep abreast with the region's activity and to maintain its transportation plan an orderly continuing planning procedure is followed, described in detail in each region's Operations Plan. Basically, the process consists of two parts, an annual surveillance task monitoring the parameters used in the initial planning phase, and plan reappraisal on a periodic basis, leading, when appropriate, to complete plan reevaluation.

An annual report summarizes all surveillance items and indicates the degree to which the planning process has been successful. It is a tool for communicating with the public, making citizens aware of the transportation planning activity in their area and keeping them informed about plan elements that have been or shortly will be implemented.

2. Organization

The day-to-day activity in the two largest study areas (the Tri-State and Delaware Valley Regional Planning Commissions) is carried out by independent staffs. In the other four studies (the urban areas of Atlantic City, Cumberland County, Salem County and Phlllipsburg) this task is performed by N.J.D.O.T. staff. In each case, planning policy, including adoption of the regional transportation plan, is set by various forms of Policy Boards whose membership usually consists of elected officials (or their designated representatives) at the state, county, and municipal levels. This cooperative effort between state and local member governments is expressed in executed Memoranda of Understanding.

Technical guidance and identification with the local character of the areas is provided by Technical Advisory Committees. In addition to technicians representing the various local governments, their

membership can include representatives of transit operators, other planning agencies and in some instances, representatives of special interest groups and citizen representation.

3. Citizen Participation

To broaden the base of citizen knowledge about transportation problems and needs, and to provide an opportunity for the citizen to be heard on these issues are objectives all urban study agencies presently strive to achieve. Because of the diversity in size and character of the six urban study areas in New Jersey, each region differs in its approach to introduce citizen involvement in the planning process. In addition, each Policy Board strongly influences the particular methods under consideration.

a. Tri-State Regional Planning Commission

The Tri-State Regional Planning Commission is presently relying, because of the vastness of its region, on sub-regional levels of citizen involvement through County Planning Boards and on a series of surveys, polling a cross-sectional sample of the population on transportation related facts and opinions. The agency 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.

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.

More will be done in the future as the Commission pursues other avenues toward citizen participation.

b. Delaware Valley Regional Planning Commission (DVRPC)

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

1. Regional Citizen's Advisory Committee

   This Committee is composed of low income and minority group representatives. At the present time, this Committee consists of 22 members which are appointed by the elected official or officials representing the areas indicated below:

In Pennsylvania	In New Jersey
Bucks County	Burlington County
Chester County	Camden County
Delaware County	Camden City
Chester City	Gloucester County
Montgomery County	Mercer County
Philadelphia City	Trenton City

2. Pennjerdel Open Space Committee

   This unit is composed of individuals living in the Delaware Valley having as their prime interest the orderly and well planned

development of open space.

3. Delaware Valley Citizens Transportation Committee

   The membership in this organization is open to all responsible persons (admittance on vote by Committee) 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.

c. Wilmington Metropolitan Area Planning Council (WILMAPCO)

   In the Wilmington Metropolitan Area Planning Council region (includes the Salem County urban area) the citizen contact is achieved through a Citizen Advisory Committee. This group consists of two representatives from each of the three counties forming the region. In cases of high interest generating policies and projects, this relatively small committee provides the forum for a large range of interest groups.

   The Citizen Committees discussed at DVRPC and WILMAPCO have representation of one or more members in the Technical Advisory Committees (TAC) of these studies.

d. Remaining Three Studies

The Atlantic City, Cumberland County, and Phillipsburg Urban Area Transportation Studies have not, at this time, finalized specific mechanisms for effecting a meaningful citizen involvement in their planning process. The Policy Committees are seriously searching for the most suitable procedure for their particular area considering such alternatives as citizen representation on a voting basis in the Policy Committees and/or Technical Advisory Committees, separate Citizen Advisory Committees, town meeting forums and presentation of the planning process and alternative transportation plans on the State Public Broadcasting System. It is anticipated that, since various interest groups have been contacted and are taking part in the deliberations, public involvement in regional urban planning in these areas will be developed in the near future.

4. Transportation Plan Development

One of the major products of the 3-C planning process is the long range transportation plan. As the name implies, this plan is not restricted to only one mode but includes elements of highway and public transportation facilities.

While traditionally highway and transit planning activities have been carried out as separate entities, serious efforts are being made to integrate these activities within

the planning agencies throughout the development of the plan. With this approach, multi-modal considerations receive not only early attention in the process, but in the important alternative systems evaluation phase a larger number of trade-off factors become available for discussion and compromise between opposing factions.

Ideally, the plan should contain proposals offering the best possible transportation service to the area's population yet still be financially responsible and feasible. In addition, the plan should promote orderly growth of the region along the guidelines laid out in plans dealing with housing, land use, economic development, open space, recreation, water, and sewers.

To help the Policy Board in the selection and adoption of a transportation plan which meets this criterion, a technical staff with interdisciplinary capabilities is imperative. Furthermore, a procedure must exist which allows free exchange of ideas between the staff's different functional planning sections and which assures cross-review of respective proposals as they are developed. The specific disciplines available in the Tri-State and Delaware Valley Regional Planning Commission are indicated below:

TRI-STATE	DVRPC
Regional Planners	Economist
Urban Planners	System Analyst
Economists	Highway Engineers

TRI-STATE	DVRPC
Transportation Planners	Traffic Engineers
Geographers	Biologist
Environmental Science	Political Scientist
Political Science	Urban Planners
Geologist	Environmental Analyst
Operations Researcher	Sociologist - Demographer
	Planners

As a standard operating procedure, meetings between senior members of the functional planning sections are held either on a weekly or, as a minimum, on a monthly basis at both of these agencies. Major reports are exchanged between section chiefs for review and comment. In their capacity as A-95 review agencies (see Chapter VIII for detail) for projects, proposed for implementation, both commissions follow a similar inter-functional review and comment procedure as described above for the systems planning phase.

Interdisciplinary consultations for the other four urban studies in New Jersey occur within the Department and other state agencies (see also Chapter IX). Growing awareness of the potential impact on the environment by the implementation of transportation plans requires cooperation between the Bureaus of Urban Transportation Planning and Environmental Analysis prior to plan adoption. Bureau of Envoronmental Analysis will identify environmentally sensitive areas where the implementation of transportation projects

could have severe impacts. To assure compatibility of the urban transportation planning process and resulting plans with New Jersey's air quality control plan, a recently executed Memorandum of Understanding between the N.J. Departments of Transportation and Environmental Protection stipulates that the Bureau of Urban Planning shall initiate annual formal reviews by the Department of Environmental Protection in consultation with the respective Policy Boards of the urban transportation planning areas.

In the development of the four urban areas' future land use plans, reference is made to existing plans and forecasts by the N.J. Departments of Community Affairs, Labor and Industry, and Agriculture. For planning activities relating to public transportation services coordination exist with the Bureau of Common Carrier Planning. Any implementation projects of the Atlantic City Urban Area Transportation Study are reviewed with the Department of Environemntal Protection as they relate to the N.J. Wetlands Act prior to extensive engineering studies.

5. Short Range Capital Transportation Program

In the past, strong emphasis was placed on the long range planning aspect in urban transportation planning The resulting plan, since they were truly regional, contained

primarily major, high capital cost facilites. The short range projects, in many instances sub-regional in nature, tended to be excluded from the regional planning process and were planned and programmed by the implementing agencies.

In order to make these precesses more complementary, both the FHWA and UMTA request the preparation of annually updated highway and transit short range (five to six years) capital programs in the urban areas. These programs are developed by local governments, the Department, the regional planning agencies, and the transit operating agencies. The Bureau of Common Carrier Planning is the Department's Coordinator for transit projects. In the case of highway projects, the Department's involvement is through the Bureaus of Program Evaluation and Coordination, Statewide Transportation Planning, Urban Transportation Planning, Local Federal-Aid Programs, and Local State Aid Programs.

The latter two Bureaus work closely, through their field representatives, with local governments on lower highway systems improvements.

When the short range programs are assembled they are presented for review to the respective Technical Advisory Committees. At this time, possible conflicting project submissions by the various agencies and the designation of high and low priority projects should be resolved before

submittal of the programs to the Policy Boards.

Approval of the short range capital program is a responsibility of the Policy Board. Program inclusion of a project then assures its eligibility for the typical feasibility study and engineering process, as described later in the Action Plan, leading towards implementation.

B. National Transportation 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 participates 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 the 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 aid in 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 using private terminals (buses, railroads, trucks).

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

1. 1974 National Transportation Study

The second effort in this series, the 1974 National Transportation Study, was untertaken 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 National Transportation 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 desirable by Federal, State and local governments; private citizens and industry.

2. Procedure

The organization originally developed for the development of the 1972 National Transportation Needs Study was retained and improved for the 1974 National Transportation 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 study 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 study 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 Treasurey

Division of Taxation

Urban Area Planning Study Agencies:

Tri-State Regional Planning Commission
Delaware Valley Regional Planning Commission
Bureau of Urban Transportation Planning
(For remaining agencies see Map IV-C)

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 Commission
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 Cay 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 Traznport)
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

3. 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 Needs Study. Additional improvements and additions are incorporated into the 1972 Study as suggested by the designated urban area planning study groups and by the New Jersey Department of Transportation staff.

The continuing process then incorporates these projects listed in the New Jersey submission to the 1972 National Transportation Needs Study into the Master Plan for Transportation, 1972, which was the most recent update for NJDOT. The inputs into the Master Plan had been subjected to review

by the Urban Area Planning Study Agencies, if projects were located in their assigned area of responsibility, and by the NJDOT.

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 study 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 partial 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 study groups, the local levels of government involved and the New Jersey Department of Transportation.

C. Statewide Traffic Simulation Model

The Department is now undertaking to develop a statewide highway traffic simulation model. The successful implementation of this model will provide the Department with a vehicle that will promote the preparation and evaluation of alternative highway plans and the recommendation of highway improvement programs.

This model will not seek to reproduce the efforts of the urban study groups in scope and detail as this would be impractical at the statewide level. Instead, the model will attempt to evaluate alternative highway plans of statewide significance in the rural and small urban areas of the state, as well as, attempt to insure compatibility and continuity among regional highway plans promoted by the urban study groups.

To provide these capabilities the model will be sufficiently responsive and flexible enough to provide input to a study that will 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 decisions 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.

Social, economic and environmental considerations at the statewide level would be impractical in any but the broadest terms. Since highway considerations at this level define a wide corridor, it would be impossible to evaluate these variables to the same degree as achieved in the feasibility or location study phase. Consequently, the statewide traffic simulation model will be concerned with anticipating and forecasting directions of growth in terms of land use and social and economic activity in broad terms. The model will attempt to develop alternative highway networks that will best serve these changing patterns.

Considerations of air quality, noise and ecology are basically project oriented and will be considered in detail in the feasibility and location stages. (Also see Chapter IX). One very important outgrowth of the traffic simulation model will be the identification of constraints to transportation development. This activity will involve the identification and mapping of parklands, open space lands, wet lands and other areas immune to transportation development.

STEP 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".

MASTER PLAN DEVELOPMENT FLOW CHART

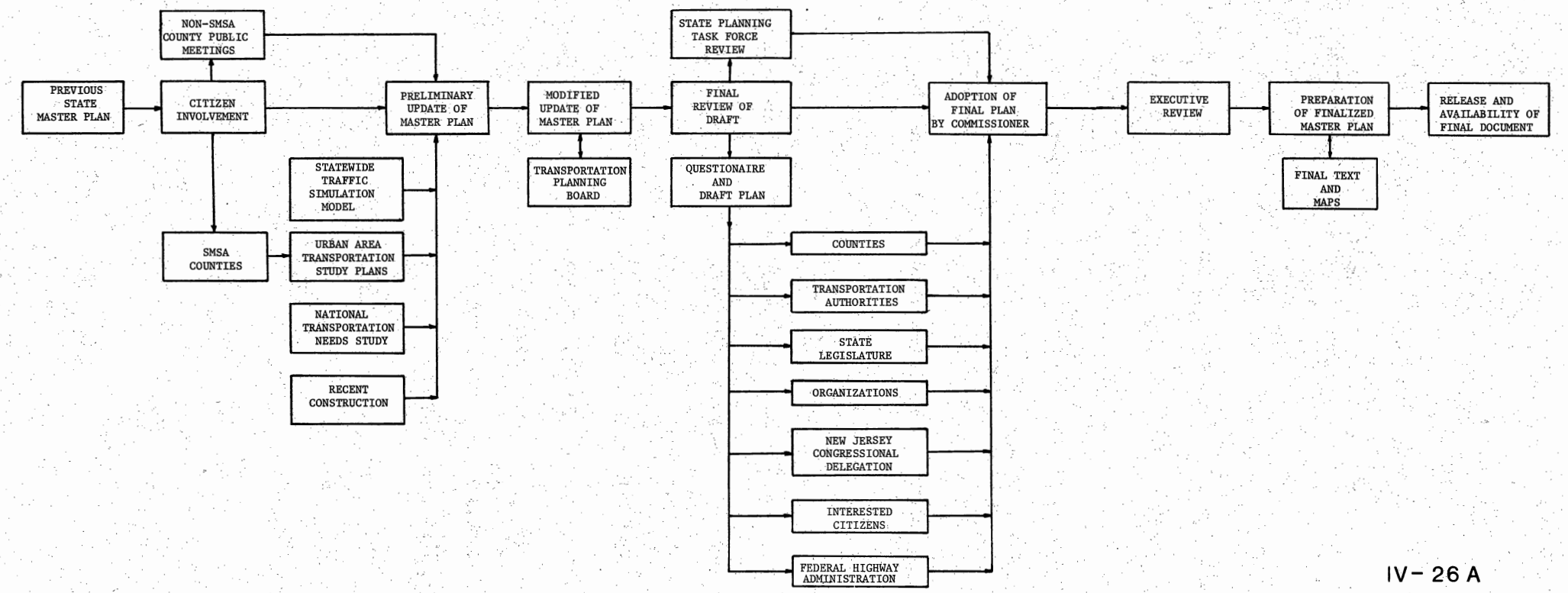


CHART IV-3

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. It is the efforts of the previous continuing activities that serve as the major source of technical input to the master plan.

To comply with the dynamic requirement of the Transportation Act of 1966, 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 system, or portions thereof, for which the New Jersey Department of Transportation is responsible.

It is a plan encompassing various travel modes, outlining the need of each mode to serve travel demand through 1990 and recommending specific improvements for highways, passenger rail and bus operations, as well as, identifying 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 effort 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 minimun 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, in addition to coordinating the efforts of numerous units within the Department, development of the 1972 Master Plan 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 procedure utilized in developing the 1972 Master Plan will be retained and strengthened for future updates of the Master Plan.

1. Previous NJDOT Master Plan

The most recent plan, in existence at the time of the update will serve as the basis for a subsequent update. Goals, objectives and transportation needs identified in the existing plan will be reviewed through the activities listed below. It should be noted that the order of presentation does not necessarily imply order of action. Many of these actions will occur simultaneously. The process of development will generally follow the flow chart indicated by chart IV-B.

2. Citizen Involvement

Citizen involvement in the master planning process will be solicited at the earliest stage possible. The mechanics and responsibilities for obtaining citizen input will vary for various areas of the state.

a. SMSA Counties

Citizen's input for the SMSA counties will be achieved as described in the previous section of Urban Area Transportation Study Groups. (See Section 2A, Page IV-6) As stated previously, Systems Planning activities culminate in the Department's Master Plan. One of the requirements of the Urban Planning Process, as stated in PPM 50-9 is that the process be done cooperatively. Cooperation is construed to mean that "each jurisdiction having authority and responsibility for actions of region wide significance should have appropriate voice in the transportation planning process, either through direct participation of through adequate representation."

The SMSA counties falling within their respective Urban Area Study Groups are as follows:

Tri-State Regional Planning Commission

Bergen County
Essex County
Hudson County
Middlesex County
Monmouth County
Morris County
Passaic County
Somerset County
Union County

Delaware Valley Regional Planning Commission

Burlington County
Camden County
Gloucester County
Mercer County

Wilmington Metropolitan Area Planning Coordinating Council

Salem County

Atlantic City Urban Area Transportation Study

Atlantic County

Cumberland County Urban Area Transportation Study

Cumberland County

Phillipsburg Urban Area Transportation Study

Warren County

b. Non-SMSA Counties

Citizen's input for the remaining non-SMSA counties, i.e., Cape May, Hunterdon, Ocean and Sussex, will be achieved through a series of public information meetings, or information forums. These meetings will be held, one per county, in the evenings at a time and 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 appropriate county newspapers. In addition, notification will be made to interested citizen groups contained on a listing developed and maintained by the Office of Information Services. (See Chapter III)

Interested citizen groups not included in the O.I.S. listing will have an opportunity at the public meetings to have their groups included on the listing for notification of future master plan public meetings.

The responsibility for conducting the public meetings will fall under the Director of Comprehensive Transportation Planning. He may, at his discretion, assign the responsibility of conducting the meeting to responsible people within the Division. In addition, a representative from the Office of Information Services will be available so that all proceedings may be recorded for future evaluation. Finally, the Director of Comprehensive Transportation Planning may request personnel from other areas of the Department to be in attendance so that a meaningful and informative session can be conducted.

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 anticipated population and employment distributions, environmentally sensitive areas, and a presentation of the existing master plan. Following the presentation

the public will be invited to comment on current transportation policy and proposed improvements.

At the present time, the requirements of Section 136(b) of the 1970 Federal Aid Highway Act 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 most recent Master Plan. To fragment the plan into selective modes would detract from 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 questionnaire will serve not only as useful information for the updated plan but will also provide people who are reluctant to speak at an open forum with an avenue of communication with the Department.

One additional avenue of exposure to the general public that will be examined as a means of obtaining citizen input, not only for the non-SMSA counties, but for all counties as well, is the use of television

as an avenue 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.

3. Preliminary Update of Master Plan

In addition to the public meeting concept there are four areas of activity which will serve as principle input to a preliminary update of the Master Plan.

a. Statewide Traffic Simulation Model

The nature of this study was discussed in a previous section. If successful in its implementation, this statewide highway traffic simulation model will be utilized to evaluate rational new highway proposals of statewide importance not included on the previous Master Plan.

b. Urban Area Transportation Study Plans

Highway plans formulated by the Urban Area Transportation Study Groups will be evaluated to see if any new highway proposals of regional or statewide

significance have evolved since the previous Master Plan was published.

c. National Transportation Needs Study

Assuming that the Federal Government will continue the Needs Study in scope and magnitude, improvements set forth in each National Transportation Needs Study will, in the future, form a basis of input to the succeeding New Jersey Department of Transportation Master Plan. As each successive iteration of the Needs Study occur, it presents an opportunity for a fuller and more positive particpation and interaction by both the urbanized area planning groups, the local levels of government involved and the New Jersey Department of Transportation.

d. Recent Construction

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

4. Modified Update of Master Plan

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 technical staff. Since adoption of the final Master Plan within the Department 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. This 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.

Although the Board's involvement in the master planning process appears as a one-time effort in the flow chart, their involvement is actually a continuing review and guidance process.

5. Final Review of Draft Master Plan

Subsequent to the final review of the Transportation Planning Board the draft Master Plan will undergo a series of external Department reviews prior to adoption of the final plan.

a. 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.

b. Questionnaires and Draft Plan

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, New Jersey Congressional delegation, and the Federal Highway Administration. In addition, questionnaires will be sent to interested citizen groups identified on the Office of Information Services listing. (See Chapter III, Paragraph E) Groups or individual citizens will also have an opportunity at the public meetings to sign up for the questionnaires if they are not already on the listing.

The questionnaire will solicit final comments on the draft Master Plan. The returns will be processed by technical personnel within the Division of Comprehensive Transportation Planning and submitted to the Transportation Planning Board for evaluation.

6. Adoption of Final Plan by Commissioner

Following completion of the preceding step, the plan

will be finalized and adopted by the Commissioner of Transportation. It should be stressed that at any point in the preceding process where significant changes in the draft Master Plan occur, the new proposals will be fed back through the process in a manner which is realistic and feasible in terms of the overall scope of the process.

7. Executive Review

The Transportation Master Plan in its final form 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.

8. Preparation of Finalized Master Plan

Subsequent to final adoption of the plan, the text and project descriptions will be finalized, data put in final form and maps will be prepared as input to the final Master Plan document. All technical data will be prepared by the Bureau of Statewide Planning. Preparation of the final document will be achieved through utilization of the graphics section of the Bureau of Data Resources, as well as outside commercial establishments where necessary.

9. Release and Availability of Final Document

The initial release of the Master Plan will be to the Governor's Cabinet and members of the New Jersey State Legislature. This will be followed by announcements to the general

public through newspaper press releases.

As a public document, the Master Plan is available to the general public. Copies can be obtained by placing a request with the Office of Information Services. It will be necessary to charge the general public a nominal fee for the Master Plan document. This is necessary to cover the cost of printing and will be determined by the Department at the time of publication.

STEP 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 Department Action.

STEP 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 of 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 phase 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 for highways are initially developed by the Bureau of Statewide Transportation Planning and transmitted to the Transportation Planning Board for concurrence. The Board 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 are provided 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, transportation authorities, organizations, citizen groups and interested individuals.

The individual factors given weight in priority determination are:

- environmental, social and economic effects
- volume - capacity relationship
- accident rates
- network integrity
- project activity
- travel patterns
- land development

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

STEP 4A: DESIGN PROJECT ASSIGNMENT

Highway projects which do not require a location study or are classified to be minor projects by the Levels of Action Committee (See Chapter X) will be undertaken directly by the Chief Engineer, Design. In reference to Chart III-B, they would move to STEP 14, Chapter VI.

These highway projects deal usually with widenings, dualizations, safety spot improvements and all other improvements where new locations on new right of way are not involved. (Further explanation of these projects is discussed in Chapter X - Levels of Action)

CHAPTER V

FEASIBILITY AND LOCATION STUDIES

The majority of projects which move forth to a feasibility study are taken directly, by priority needs, from the current Transportation Master Plan. However, some projects may go to a feasibility study without appearing on the Master Plan, since we realize that transportation requirement is a changing picture and it is impossible to forsee all future transportation modifications that may be necessary and include them in a Master Plan. The study of projects which do not appear in the Master Plan may be undertaken as the result of a request from the Commissioner, Assistant Commissioner Highways, Director of Engineering and Operations, or the Director of Transportation Planning and Research.

Feasibility and location studies for highways which are on new locations are performed in Planning. All other feasibility studies

pertaining to highways will be done in Design unless the work load necessitates a Planning assignment.

Feasibility studies determine a project's justification and scope, they do not determine mode. However, if a feasibility study for a highway project indicates a non-highway solution of the transportation problem, that project will revert back to Systems Planning for an alternate mode consideration. Using Chart III-B, this means, a project would go back from STEP 5 to either STEP 1 or 2. This, of course, will also occur if a mass transit feasibility study is conducted and facts brought forth indicate a highway solution.

As stated previously, this Action Plan will concentrate and describe feasibility and location studies pertaining to highways only.

STEP 5: FEASIBILITY STUDY

A. Definition

A feasibility study is an investigation which analyzes available or researched data and is the initial step which justifies, defines scope, and promotes further development of a particular project. To this end, a feasibility study, which usually precedes the location study, determines:

1. The extent of public support for the project,
2. The appropriateness or desirability for further study of other modes,
3. The general locations on which such support exists,
4. The extent to which the project on such locations would satisfy its regional as well as local objectives.

However, in cases where these four items concerning a project can be satisfactorily assessed without a feasibility study, the project moves directly into a location study.

As a measure of feasibility, 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. Physical restraints

f. Cost of the project.

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

B. New Locations and Improvements

Projects which are to be located on new locations and certain upgradings such as widenings, dualization, and safety spot improvements could require a feasibility study. (See Chapter X - Levels of Action by Project Category) While projects on new locations usually require this study, the improvements mentioned above sometimes do not. The criteria to perform a feasibility study 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 likelihood 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.

C. Responsibility

As indicated earlier in this chapter and emphasized under STEP 5 of Chart III-B of this Action Plan, there are two units which have the responsibility for performing feasibility studies:

1. Bureau of Project Location (Planning unit)

   This Bureau has the responsibility of performing feasibility studies on projects which require new alignments or locations. More specifically the responsibility would be with a Project Engineer in this Bureau. The steps required to perform this study are described in the latter part of this section.

2. Bureau of Surface Design (Design unit)

   Feasibility studies for dualization, widenings, and safety spot improvements will be done by a Design Group in this Bureau. More specifically the responsibility would be with an Area Engineer in this Bureau.

D. Phases in Highway Feasibility Studies

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 a feasibility study are indicated below but should not be construed to mean that a feasibility study will necessarily follow this sequence:

1. Regional and available 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 2A.), County Planning Boards or local planning boards.

Multi-modal considerations already given to the project are also obtained from these agencies.

2. To identify areas and officials which should be contacted regarding the project and to elicit the interest of the pertinent public in these areas, the Project or Area Engineer delineates tentative general corridors within which the project may be located.

3. The Project or Area Engineer then familiarizes himself with the nature and local traffic problems of the area through field investigation and consultation with local municipal officials and planning boards. Through this information, the project is oriented toward relieving local traffic problems, conformity with local plans and joint development planning possibilities in accord with PPM 90-3. He also advises local officials of the need for public involvement in the planning of the project and requests from them a list of organized groups in hhe area and information regarding sensitive areas such as parks, wetlands, low income housing, etc.

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 3. above.

5. The no-build alternative is checked for its effectiveness to achieve the transportation objectives set forth in 1. and 3. above and its adequacy or shortcomings are defined.

6. SEE sensitive areas are identified and potential impacts assessed. The primary responsibility for this function lies with the Bureau of Environmental Analysis. The Division of Right of Way will have an important role in this function and will be requested to provide an appropriate input. The identification and assessment of these areas will be accomplished utilizing the disciplines within the Bureau of Environmental Analysis. Field investigations, published data and data from public officials, citizens, pertinent agencies and consultants will be utilized to the extent necessary. The above described actions will culminate in the development of a SEE sensitive area map by the Bureau of Environmental Analysis.

7. Working through the Office of Information Services and using their mailing list (Chapter III., Par.A3) in conjunction with advertising in newspapers, direct letters, or other effective means, meetings are arranged and coordinated to apprise local organizations and citizen groups of: 1. The proposal 2. Suggested tentative corridors 3. The objectives to be served and 4. The extent to which they would be served by each suggested alternate. At such meetings, direct public

reaction to the project and its objectives as well as proposals for alternatives are solicited. In addition, information on sensitive areas such as public parks and recreation areas, historical sites, or any other area to be avoided, is also solicited.

8. The SEE sensitive area map and the local objectives are now updated from information obtained in 7. above.

9. In cases where local participation indicates public desire for multi-modal treatment of the project, if such treatment has not yet been considered, the Project Engineer determines, if possible, its appropriateness, or recommends it for system evaluation. If the alternate mode is compatible with the system plan, it is accorded further treatment in the study. However, if it is incompatible, it is dropped from further consideration.

10. Utilizing the SEE sensitive area map, the Project Engineer with the assistance of the Bureau of Environmental Analysis and the Division of Right of Way, proposes alternate locations for the project within tentative corridor(s), avoiding, where possible, sensitive areas. Each alternate is then checked for its effectiveness in satisfying the regional and local transportation objectives established above. The no-build alternative is again considered in terms of any change in local objectives resulting from public involvement. In addition, he checks each alternate to determine its plaus-

ibility based on engineering considerations. Alternates not satisfying the regional or major local objectives of the project are eliminated from further development.

11. Traffic volume projections are obtained from the Bureau of Highway Planning.

12. 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.

13. Alternates are modified to reflect input from the municipal officials.

14. The Bureau of Environmental Analysis is provided by the Project Engineer with all the alternate locations being considered, so they may begin their study for the evaluation of probable social, economic and environmental impacts of each alternate location. The Bureau of Environmental Analysis will accomplish this function in consultation with the Division of Right of Way. Environmental impacts, other than those considered for the "SEE Map", are assessed only for those alternatives that would satisfy the transportation objectives of the project.

15. The alternates are reassessed to reflect any additional information received from the public.

16. Preliminary cost estimates for each alternate are developed. These costs are rough, and are intended to give approximate total cost of each alternate.

17. If there was not an acceptable proposal reached in Step 10, that particular procedure will be repeated with modifications or other alternates considered and analyzed in Step 13.

18. Working through the office of Public Information, a meeting is held to present the alternatives studied to the general public and all interested groups within the Study area. The purpose of this meeting is to invite comments on the alternatives and to insure that all input is received prior to the preparation of the Feasibility Report.

19. A report is prepared evaluating each alternate, utilizing the six point criteria described under (A) of this Chapter. This report will include the social, economic and environmental appraisal by the Bureau of Environmental Analysis for each of the alternates proposed.

20. The Report, together with any public reaction to it, 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.

    Copies of the report are made available to officials, agencies, groups, and the public having interest in the project for review and comment.

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 at various stages of the study.

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 document 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 locations, 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, review of 200 scale plans and maps, 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 will provide information and recommendations regarding SEE effects related to Right of Way takings. Comparative cost studies, comparative relocation problems, and socio-economic problems are examples of information which can be generated by Right of Way disciplines. The Right of Way Division also provides information and analyses 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 search for 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 Bureau of Environmental Analysis will be responsible for preparation of the environmental appraisal with the assistance of the Bureau of Project Location. 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 be responsible for the evaluation of impacts and the conclusions reached in the final document.

3. Coordination with Other Agencies

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.

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 contacted to aid in the identification, determination and significance of natural areas, fish and wildlife areas and existing and proposed park and recreational areas. Frequent contact will also be made with the Bureau of Air Pollution Control, Division of Water Resources, Bureau of Marine Lands Management, and the Historic Sites section. A formal Memorandum of Understanding is being finalized between DEP and DOT to have the Bureau of Air Pollution Control perform preliminary reviews of air quality studies required for highway projects.

The Department of Community Affairs will be consulted in areas concerning community development and planning. The Departments of Labor and Industry and Treasury will be consulted as necessary for economic data.

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. Contact will be established at the beginning of the study with these agencies. Initial contact will be established by Bureau of Project

Location, through a formal letter outlining the scope of the proposed project. Outside local groups will be contacted by the office of Informational Services, through their formal mailing list, at this time. (See Chapter III, Paragraph A-3) If the outside agencies and local groups determine they have input, meetings can be arranged, and through this initial contact, avenues of communication for further consultation can be established.

Perhaps the most important of all the contacts in the development of an overview assessment will be with local officials and community groups. They are familiar with local environmental and socio-economic problems and other important issue areas. County and municipal officials and other groups such as, planning boards, school boards, environmental commissions, unofficial local action groups, and informal public meetings can offer valuable insight into local areas of concern. It will be essential to establish early contact with these local interest groups so that local problems are not overlooked.

F. Feasibility Reconsideration Point

The reconsideration point in the feasibility was in the evaluation of the Feasibility Report by the Transportation Planning Board as mentioned under D. 20., above.

FEASIBILITY STUDY FLOW CHART "ACTION PLAN"

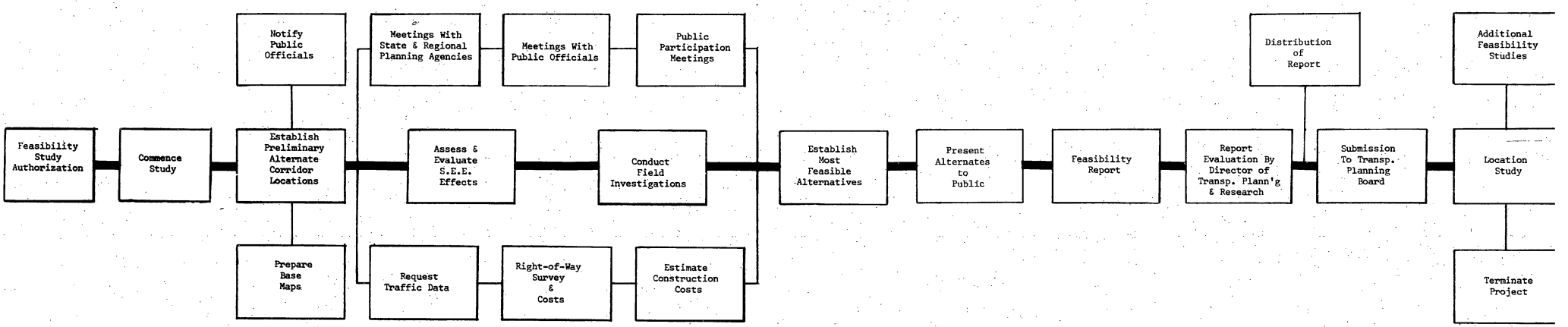


CHART V-A

STEP 6: CORRIDOR LOCATION STUDY

A. Introduction

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 the proper engineering and environmental 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, joint use, cost and other social, economic and environmental effects.

B. Commence Study

Before the study may commence, the Director of Transportation Planning and Research initiates a Department 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, planning agencies and the public of the start and scope of the location study. In this respect, he also notifies those groups who were involved in the feasibility study. In cases where the project traverses tidal waterways, the U. S. Coast Guard and the U. S. Corps of Engineers are requested to comment. At this stage, the Project Engineer submits the project, through the Bureau of Urban Transportation Planning, for "A-95 Review". (See Chapter VIII for A-95 Review process).

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 to date. Through the Office of Information Services, he also meets with citizen groups and representatives of industry within the study area who have indicated an interest in the project. Such groups and industries would include those previously involved in the feasibility study, the Department mailing list maintained by the Office of Information Services, and newly formed groups. The Project Engineer apprises the Bureau of Environmental Analysis and the Division of Right of Way of such meetings so that they may be represented by a staff member.

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

D. Involvement of Division of Right of Way

As soon as the Project Engineer determines 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 is used in the preparation of the draft environmental impact statement and displays at the public hearing. See 1) Chapter VII for a more detailed explanation of right-of-way procedures and 2) STEP 7 & 11 of this Chapter for details regarding preparation of the environmental impact statement and additional inputs from the Division of Right of Way.

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 this stage, a draft environmental statement is completed by the Bureau of Environmental Analysis and processed as discussed in STEP 7 of this Chapter. The draft statement is developed for the do-nothing alternative as well as all alternatives developed to date.

STEP 8: CORRIDOR PUBLIC HEARING

A. Corridor Public Hearing

The Project Engineer recommends to the Director of Transportation Planning and Research that a public hearing be held to present the alternates to the public. He in turn requests authorization, from the Commissioner, to hold the hearing. Upon receipt of the Commissioner's authorization, the Project

Engineer so advises the Office of Information Services. It is the responsibility of the Office of Information Services to set a tentative date for the public hearing and arrange for a suitable place at a location convenient for attendance of persons within 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 determined by the Project Engineer in coordination 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,and supplements thereto, (See Appendix) by means of a public notice in a newspaper which has circulation in the study area. Such public notice will specify the time, place and date of the hearing and include a statement referring to the availability of the draft environmental impact statement.

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.

B. Prehearing Information Center

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 alternate locations, along with their estimated costs are presented.

The prehearing center is attended by a public 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 the prehearing center for the purpose of getting more familiar with what will be presented at the corridor public hearing and decide upon their interest of involvement in the public hearing. The prehearing centers have had great success in the past by creating a better understanding of the project and providing for a more orderly, participated in and involved public hearing.

STEP 9: REVIEW PUBLIC HEARING DATA

The corridor public hearing is held with a transcript of record being kept by the staff provided 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 to prepare comments.

A. Hearing Review

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 in coordination with the Bureau of Environmental Analysis.

As a result of the hearing transcript and recommendations from other units involved in the hearing, the Project Engineer will make the decision whether the comments received warrant additional studies.

B. Reconsideration Point

In reviewing the public hearing data and performing additional studies if warranted, the Project Engineer will utilize this information to evaluate the project. This will result in a recommendation to the Director of Transportation Planning and Research.

STEP 10: REFINE LOCATION

As a result of the Public Hearing and the comments received on the Draft EIS minor refinements or movements of the project location may be made during this phase. These minor shifts will not require a new hearing or a new treatment in the EIS. However, it may be pointed out in the final EIS where adjustments have been made to avoid SEE damages.

At about this time, the Bureau of Environmental Analysis will have received practically all comments on the Draft EIS and SEE aspects brought out at the public hearing. The BEA can then begin preparation of the final EIS. In this endeavor, the Bureau of Environmental Analysis coordinates with the Project Engineer so as to obtain input regarding the engineering aspects of the alternates for proper assessment of potential environmental, economic or social impacts. The responsibility for selection of the best alternate rests with the Project Engineer.

STEP 12: RECOMMEND AND ADOPT LOCATION

A. Location Study Report

After all comments have been received and revisions have been made the location study report is compiled. Contents of the report must conform with the requirements of PPM 20-8 and IM 20-4-72 (Appendix). One requirement is that it must recommend the best alternative based upon an evaluation of all alternates. Such evaluation is based on the environmental assessment, public reaction, economic and engineering considerations.

Upon completion of the final EIS, the Bureau of Environmental Analysis submits the statement to the Federal Highway Administration for review and approval. (See STEP 11 of this Chapter)

B. 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 (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 project area. Upon receipt of location approval from the FHWA, the Project Engineer also ensures its publicity.

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

In certain critical cases the Department Action for adoption of the recommended location may precede FHWA approval in order to protect the right of way 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 location 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 by that particular project.

STEP 13: TRANSFER TO DESIGN

The project with all information pertaining to it, is next transferred by the Director of Transportation Planning and Research to the Director of Engineering and Operations for continuation of the project by commencement of construction plans.

STEPS 7 & 11: ENVIRONMENTAL IMPACT STATEMENTS

A. Description and Purpose

During the course of feasibility and location studies, information on existing SEE conditions will continue to be gathered. As locations are further developed, the investigation of potential SEE effects can be centered around the particular locations which have been chosen for further study. The culmination of this investigation 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 commitment of resources which would be involved in the proposed action should it be implemented.

If environmental reviews indicate no significant adverse impacts are anticipated to result from the project, a negative declaration rather than

an EIS will be prepared. A negative declaration is 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. Negative declarations are generally prepared for projects with limited scopes, such as signalization, resurfacing, signing, lighting, minor widening, etc.

If the initiating unit feels that potential adverse impacts will be minimal, the project is submitted to BEA for their determination as to whether a negative declaration will suffice. BEA will submit their decision to FHWA for concurrence. If BEA and FHWA determine that an EIS is not necessary, the initiating unit is given approval to prepare a negative declaration. BEA will review the finished document which is submitted by the Director, Division of Economic and Environmental Analysis, to the Federal Highway Administration Division Engineer for his concurrence. If a public hearing is required, the negative declaration is advertised and made available 30 days prior to the public hearing. On projects not requiring a public hearing, the document is still advertised and available for review.

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. In both stages several draft documents are prepared and reviewed by N.J.D.O.T. and the Division Office of the Federal Highway Administration before approval is requested from FHWA for printing and circulation of the Draft and Final Statements. Draft EIS's (STEP 7) are circulated to concerned federal, state,

and local agencies and the public for review 30 days prior to the public hearing. 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. Pertinent comments are reproduced in the final document and replies are made to each topic of comment. In this way, reviewers are assured that their comments are considered in project development, and they are informed of the resolution of their comments. A list of itemized commitments to be followed in further project development are also included in the Final EIS.

Final EIS's (STEP 11) are signed and submitted by the Director, Division of Economic and Environmental Analysis to the Federal Highway Administration for processing and acceptance by the Regional Federal Highway Administrator and by the U.S. Department of Transportation. Upon acceptance by the Federal Highway Administration, 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).

B. Responsibilities

Preparation of Environmental Impact Statements is a joint task of the initiating unit (Project Location, Design, etc.) and the Bureau of Environmental Analysis, and the Division Office of the Federal Highway Administration. 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 and the Division

Office of the Federal Highway Administration.

C. Coordination with Other Agencies

In the development of Environmental Impact Statements information relative to project impacts will be gathered from other agencies, local officials, and interested citizen groups. 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. Agencies are also contacted to insure that there is no conflict with stated agency objectives and goals and planned proejcts. This includes Local, State, and Federal agencies. Important among the latter are the U.S. Coast Guard and U.S. Army Corps of Engineers which have jurisdiction over navigable waterways and flood control projects.

D. Final EIS Reconsideration Point

After comments have been received on the Final EIS, the project Engineer and Bureau of Environmental Analysis will review the project from an environmental standpoint. They will then make a recommendation concerning the continuation of the project to the Director, Transportation Planning and Research.

PROJECT LOCATION STUDY
FLOW CHART
"ACTION PLAN"

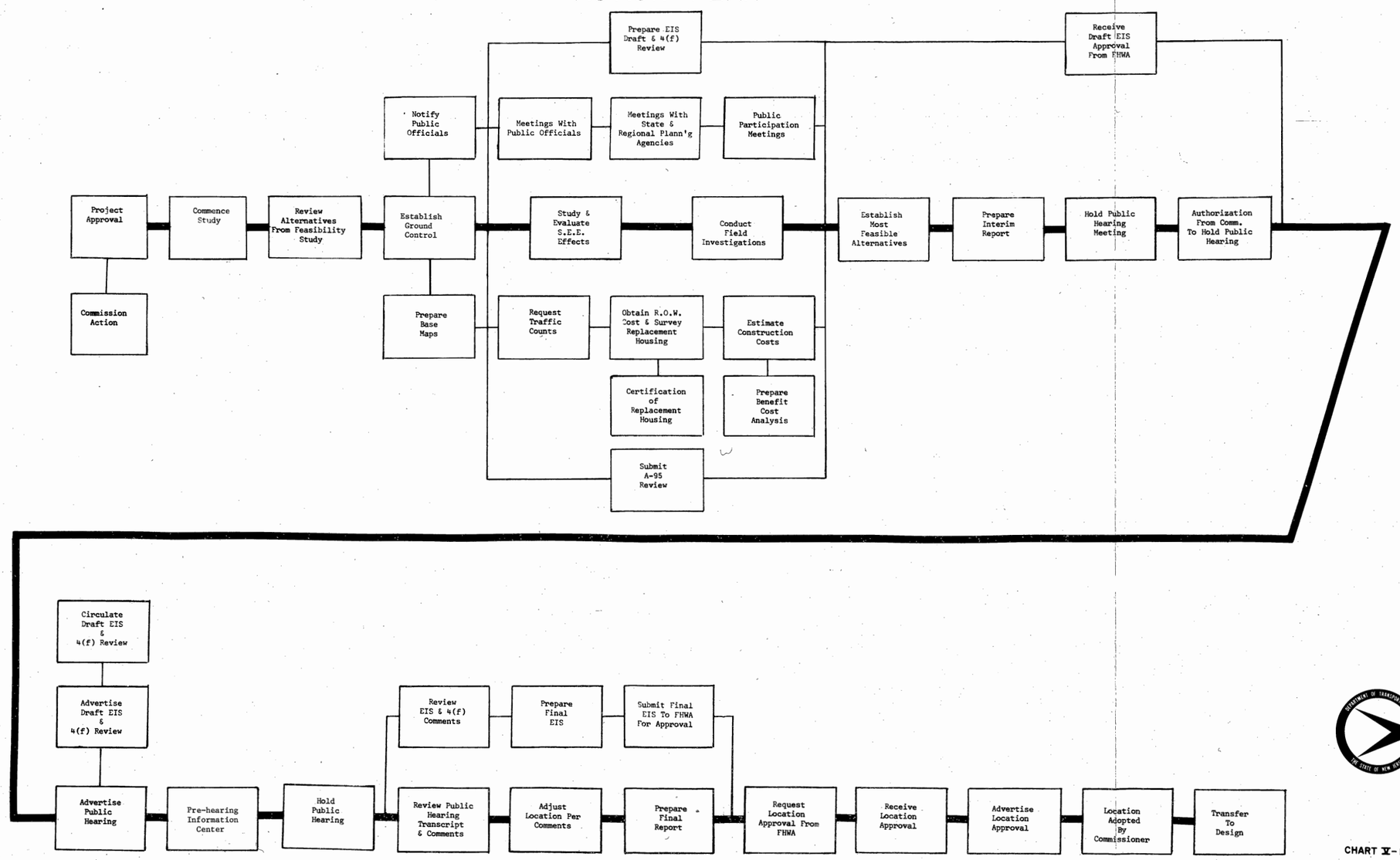


CHART V-B

CHAPTER VI

DESIGN

Design is that area in which the Project Design Process is followed in the preparation of Contract Plans, Contract Specifications and the Engineers Estimate and culminates with the Award of Contract for construction by the Commissioner of Transportation (refer to Chart III-B).

STEP 14: INITIATION OF DESIGN

Upon the location approval by the Commissioner of Transportation and the FHWA, the Director of Transportation Planning & Research transmits to the Director of Engineering & Operations material developed in the Project Location Study that is pertinent to the Project Design Process. This transmission generally consists of the following material:

1. Final Environmental Impact Statement
2. Project Location Report
3. Location Maps and Aerial Photographs
4. Project Correspondence necessary or related to the Project Design Process
5. List of citizens and/or citizen groups and organizations contacted during the Location Study

6. List of Federal and State Agencies contacted during the Location Study

The above listed material in turn is transmitted to the Chief Engineer, Design where the project is evaluated and programmed with projects that do not require location approval.

Projects which do not require location approval (as described in Chapter V) are taken directly from the Transportation Master Plan as indicated on Chart III-B STEP 4A. Additional projects are compiled from staff reviews and recommendations based on evaluations from one or more of the following sources:

a. Various Planning units within the Department

b. Bureau of Surface Design

c. Bureau of Structural Design

d. Bureau of Landscape

e. Regional Engineers

f. Construction Engineers

g. Maintenance Supervisors

h. Bureau of Traffic Engineering

i. Local public officials

j. Citizen groups and individuals

Those projects considered by the Staff include projects that provide improvements to existing facilities to increase safety, improve highway aesthetics, rehabilitate substandard and/or outmoded highways, increase capacity of highways which are deficient, and the construction of full or parital interchanges in critical areas. Current and future travel demands and trends

along with accident rates are a determining factor in these recommendations.

The establishment of the Project Design Program is a function of the Chief Engineer, Design subject to approval by the Commissioner of Transportation. This program is, out of necessity, a continuing reappraisal of New Jersey's transportation needs and is related to fiscally appropriated State Transportation Funding.

Based on this Project Design Program, the Chief Engineer, Design requests the Chief, Bureau of Surface Design to initiate a Department Action for the implementation of the Project Design Process. This Department Action requires approval from the Chief Engineer, Design, the Director of Engineering & Operations, and the Commissioner of Transportation. For those projects that require services of a consulting Engineering firm, the Director of Fiscal Management must also certify as to the availability of funds required for the Project Design Process.

Upon approval of the Department Action request for project design implementation, the Project Design Process commences in the Bureau of Federal Aid Coordination with the preparation of and processing of the necessary project program application for obtaining Federal Aid Funds. Federal Aid Funds are available to States on a project cost sharing basis which is generally either 90% Federal Funds and 10% State Funds or 70% Federal Funds and 30% State Funds. Project information generally submitted in the initial program application processing includes a key map showing the project location and length, and the project estimated construction cost.

A. Design Study

The Design Study begins with the Chief, Bureau of Surface Design

assigning the project to an Area Engineer. The Area Engineer, under the direction of the Chief, Bureau of Surface Design, is responsible for the supervision and control of the planning, development, and implementation of design projects for a particular area within the State (See Map VI-A entitled "Design Areas"). These responsibilities of the Area Engineer are further described throughout this Chapter. The Area Engineer and a selected Design Group then contact the Bureau of Project Location to assure that information and local contacts established in the Project Location Study are made known to the Design Group. From this point, the Design Group proceeds in the development of the preliminary Design Studies within the approved project location. The development of the Preliminary Design Study begins with obtaining the following data:

1. Existing and/or projected Traffic Data for the proposed project, as well as for existing local crossroads.
2. Photogrammetry and/or Topographic Survey Data.
3. Preliminary Sub-Soil Data.

At this time the project is submitted for "A-95 Review" through the Bureau of Urban Transportation Planning. See Chapter VIII for a description of the A-95 Review process.

The Design Group in the development of the Preliminary Design Study also uses both the Environmental Impact Statement and the Project Location Report which describe Social, Economic and Environmental effects. Those projects that do not require location approval still necessitate the preparation and approval of an Environmental Impact Statement or Negative Declaration. The process is similar to that described in Chapter V, STEPS 7 and 11. The Design Group will supplement these reports by field trips

for more specific information and contact the Bureau of Environmental Analysis within the NJDOT to insure that specific project environmental commitments are considered and can be fulfilled under the Project Preliminary Design Study. Later in the Design Process, the Bureau of Environmental Analysis and the Division of Right of Way will have opportunities to review the project plans as related to the specific project Environmental, Social, and Economic impacts.

During the Project Preliminary Design Study the Design Group develops alignment schemes graphically on 200 scale plans. These plans are used to visualize potential Social, Economic and Environmental effects or impacts. Upon the selection of a scheme by the Area Engineer, the FHWA is requested to review the selected scheme and make comments and/or concur on the alignment and access facilities proposed.

After the selection of a Preliminary Design Scheme the Bureau of Surface Design, through the designated Area Engineer's Office, proceeds in holding informal meetings, prior to the formal Design Public Hearing, with State agencies that will be involved in the proposed design. These State agencies generally consist of those agencies which were originally contacted in the Project Location Stage. However, if potential fringe areas of involvement appear to exist with additional agencies, the Area Engineer's Office will also contact these agencies for information that may tend to affect the project design.

B. Elected Officials & Citizen Group Contact

Prior to the formal Design Public Hearing, informal meetings are held with local officials and interested citizen groups to discuss and obtain comments on the Preliminary Design Scheme. These informal meetings are arranged by the Department's Office of Information Services at the

request of the Area Engineer. The Department is represented at these meetings by the Area Engineer and, as may be necessary, by other Department representatives, such as the Division of Right of Way, the Bureau of Environmental Analysis, or other representatives which might be requested by local officials or citizens prior to the meeting confirmation.

Individual citizens and/or citizen groups not on the Department mailing list (See Chapter III, Paragraph E) are made aware of these informal meetings by means of news releases in local papers. These news releases are disseminated by the Department's Office of Information Services at the request of the Area Engineer.

Recommendations and comments received at these meetings on the Preliminary Design Scheme and on related Social, Economic and Environmental effects are analyzed and reviewed by the appropriate areas of responsibility within the Department. Upon the resolution of these comments by the Chief Engineer, Design, the groups or individuals that had made a written recommendation or request are notified as to the disposition of their suggestions.

C. FHWA Preliminary Plans Approval

Upon completion of the Design Study the FHWA is requested to give approval of the Preliminary Plans in order to hold the Design Public Hearing. A copy of these Preliminary Plans are sent to the Director, Division of Right of Way, by the Area Engineer for the following purposes:

1. To provide the Bureau of Surface Design with a Conceptual Stage Relocation Study which when completed, is forwarded to the FHWA prior to the Design Public Hearing. (For explanation of the Conceptual Stage Relocation Study see Right of Way Chapter VII.)

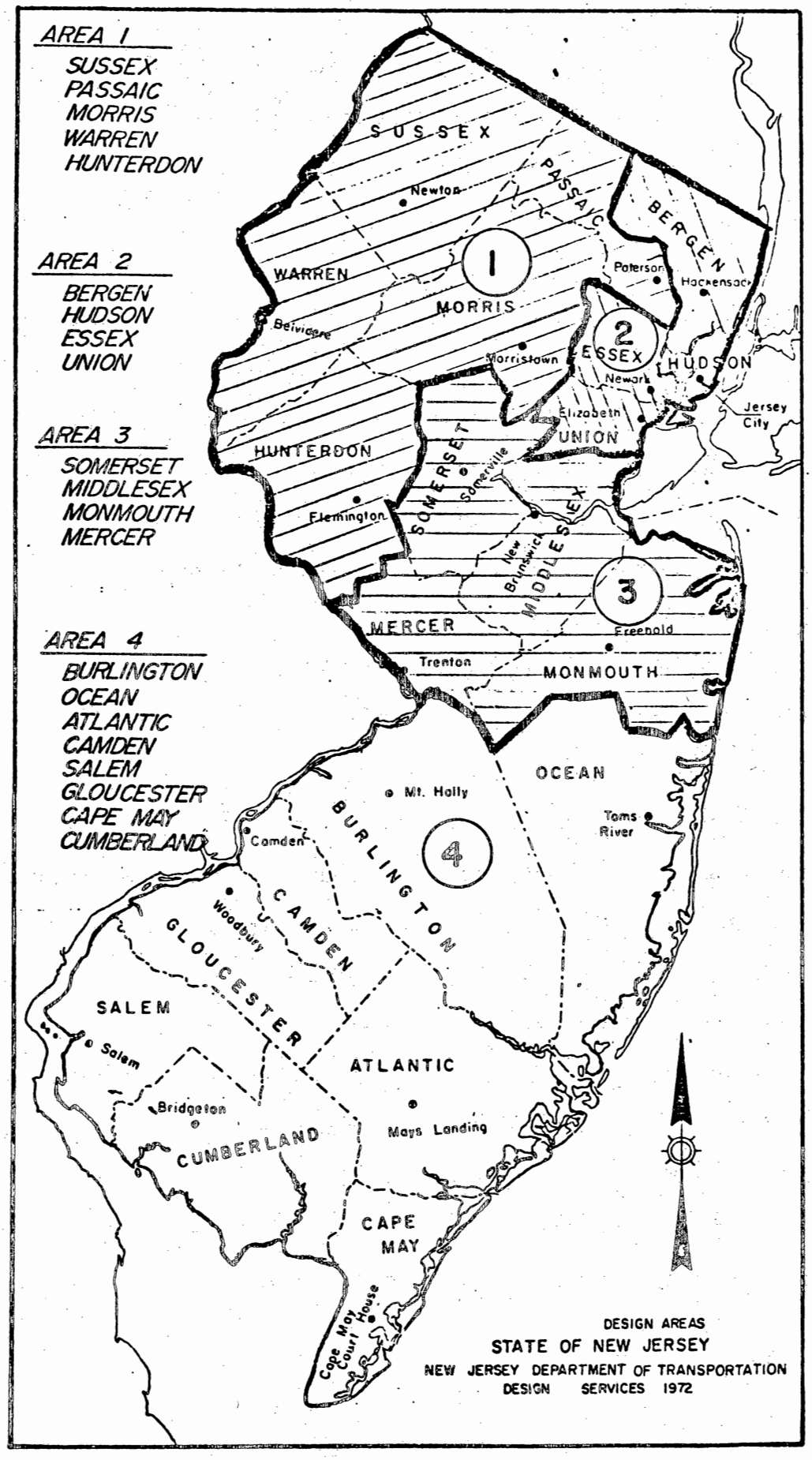
2. To review the Preliminary Plans and comment on Right of Way impacts.

Upon receiving FHWA approval of the Preliminary Plans to be presented at the Design Public Hearing, contacts are again made with the various State Agencies with whom previous meetings were held. This is done to maintain the early contact established with these agencies and to provide them with current project information.

If agencies such as the U.S. Corps of Engineers, the U.S. Coast Guard and/or the Federal Aviation Administration are involved, Preliminary Plans and current project information are also furnished to them for their information prior to the Design Public Hearing. This is done to maintain the early contact established with these agencies during the Project Location Study and to provide them with further awareness of the project.

STEP 15: DESIGN PUBLIC HEARING

When all known aspects of Social, Economic and Environmental effects have been considered in the Design Study, the study is reviewed by the Bureau of Environmental Analysis to ascertain conformance with the Social, Economic and Environmental effects and commitments before submission to the FHWA for approval to hold the Design Public Hearing. Upon receiving approval to hold the Design Public Hearing from the FHWA, a request to schedule the Design Public Hearing is made by the Area Engineer to the Chief, Bureau of Surface Design; Chief Engineer , Design; Director of Engineering & Operations; the Assistant Commissioner, Highways; and if approved, to the Commissioner of Transportation. If approval is received, the Area Engineer then contacts the Chief Hearing Officer in the Office of Information Services to make the necessary arrangements for the date and location of the Design Public Hearing. The Chief Hearing Officer or his representative has the responsibility to


AREA 1
SUSSEX
PASSAIC
MORRIS
WARREN
HUNTERDON
AREA 2
BERGEN
HUDSON
ESSEX
UNION
AREA 3
SOMERSET
MIDDLESEX
MONMOUTH
MERCER
AREA 4
BURLINGTON
OCEAN
ATLANTIC
CAMDEN
SALEM
GLOUCESTER
CAPE MAY
CUMBERLAND
SUSSEX
Newton
PASSAIC
BERGEN
Paterson
Hackensack
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MORRIS
Morristown
ESSEX
Newark
HUDSON
Jersey City
Elizabeth
UNION
HUNTERDON
Flemington
SOMERSET
Somerville
New Brunswick
MIDDLESEX
MERCER
Trenton
Freehold
MONMOUTH
OCEAN
Toms River
Mt. Holly
BURLINGTON
Camden
CAMDEN
Woodbury
GLOUCESTER
SALEM
Salem
ATLANTIC
Mays Landing
Bridgeton
CUMBERLAND
CAPE MAY
Cape May Court House
DESIGN AREAS
STATE OF NEW JERSEY
NEW JERSEY DEPARTMENT OF TRANSPORTATION
DESIGN SERVICES 1972

MAP VI-A

coordinate and establish the hearing presentation format with the Chief, Bureau of Surface Design and the Area Engineer and to conduct the formal Design Public Hearing.

A. Design Public Hearing Notice and Pre-Hearing Information Center

Reference: PPM 20-8 (See Appendix)

Notice of the Design Public Hearing will be published at least twice by the Secretary of the NJDOT in a newspaper having general circulation in the vicinity of the proposed project. The first notice shall be from 30 to 40 days before the date of the hearing and the second shall be from 5 to 12 days before that date.

About a week prior to the Design Public Hearing, the Chief Hearing Officer will establish a Pre-Hearing Information Center in the vicinity of the proposed project. The Pre-Hearing Information Center will publicly display the public hearing map and will be attended by Department representatives to answer questions which the general public may ask. Notice of this Information Center will be published by the Office of Information Services as a news release in a newspaper having general circulation in the vicinity of the proposed project.

B. Design Public Hearing

At the Design Public Hearing, the Area Engineer, his staff, and Design Group representatives are formally available to respond to the public's questions regarding project design features and the relationship of the essentials of design to individual properties.

The Right of Way Division will also have a representative available at the Design Public Hearing to explain and respond to questions regarding

property acquisition, relocation assistance, and relocation payments. (For explanation of property acquisition, relocation assistance, and relocation payments see Right of Way Chapter VII.)

The Design Public Hearing provides an opportunity for interested citizens and local officials to comment on the design project which is proposed in the best overall public interest. These comments may be either oral or written statements and/or other exhibits which may be submitted to the Department either in place of or in addition to oral statements. The final date for submission of such exhibits or statements will be as indicated as the Design Public Hearing and shall be not less than ten (10) days after the public hearing nor, as dictated by the amount of interest generated at the hearing, greater than 30 days after the date of the public hearing.

As required by FHWA regulations the Department must provide a verbatim written transcript of the oral proceedings at the public hearing. This hearing transcript is reviewed and evaluated by the Area Engineer under the direction of the Chief, Bureau of Surface Design and others including the Division of Right of Way and the Bureau of Environmental Analysis.

After the Design Public Hearing transcript has been reviewed, including the consideration of Social, Economic, and Environmental effects in accordance with Federal requirements of PPM 20-8 (See Appendix) and as modified by IM 20-4-72 (See Appendix), revisions determined warranted by the Area Engineer are incorporated and the FHWA is requested to grant approval to proceed with the final design of the project.

C. Post-Hearing Notice

Upon final disposition of the Design Public Hearing comments, local officials, citizen groups and/or citizens who had requested in writing at the Design Public Hearing to be notified as to the disposition of their suggestions, are so notified.

This notice may be in the form of a written response or announcement of a Post-Hearing Information Center which will be established by the Office of Information Services in the vicinity of the proposed project. If a Post-Hearing Information Center is established the Design Public Hearing exhibit maps and/or revisions will be available for public display together with Department representatives to answer questions.

At the time the Department requests design approval from the FHWA to proceed with the final design of the project, the Department is required to 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 NJDOT. The Department of Transportation is further required to publish a notice of the action taken by the FHWA regarding this request to proceed with the project final design in a newspaper having general circulation in the vicinity of the proposed undertaking as required by PPM 20-8. This notice will be published by the Secretary of the NJDOT within 10 days after receiving notice of that action.

D. Reconsideration Point

After review of the public hearing data by the various units involved on the project, the Chief Engineer, Design will be responsible of taking all

data under consideration and providing a recommendation on the project to the Director of Engineering and Operations.

STEP 16: PHASE I - PREPARE 30 SCALE PRELIMINARY PLANS

Upon approval from the FHWA to proceed with the final design, the Design Group begins development of preliminary graphical plans generally on a scale of 1 inch equals 30 feet. These graphical plans are for the purpose of conveying to the engineer as well as to the layman, a pictorial representation of the proposed design. They are drawn to scale and indicate design specifics symbolically.

During the development of the final design plans, the approved design scheme is further evaluated considering the relationship of the environmental effects with the economics of construction and the needs of safe and efficient operation and service. This consideration is given not only to the main highway facility but to the treatment of local roads being carried over or under or adjacent to the proposed facility.

In the development of the preliminary graphical plans, local officials are kept abreast of developments on items which may be on primary concern to them or their local constituency through the Area Engineer's office.

All stages of the plan preparation are under the direction of the Area Engineer and are subject to the approval of the Chief, Bureau of Surface Design and the Chief Engineer, Design. Those Bureaus within the NJDOT which are responsible for the development of the final contract plans and documents are indicated in this Action Plan under the term "Design Services" and are shown in Chart VI-B and are further described hereinafter.

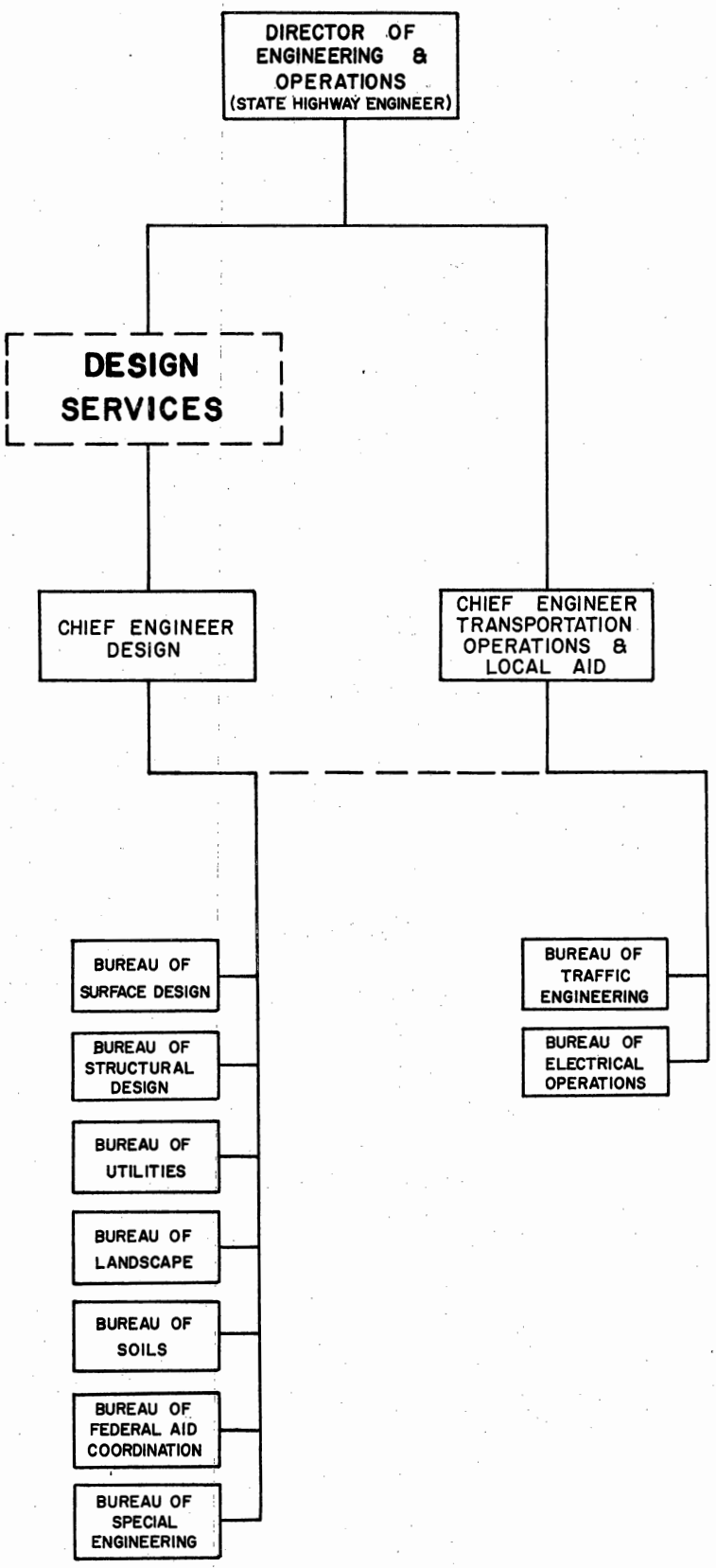

DIRECTOR OF ENGINEERING & OPERATIONS (STATE HIGHWAY ENGINEER)
DESIGN SERVICES
CHIEF ENGINEER DESIGN
CHIEF ENGINEER TRANSPORTATION OPERATIONS & LOCAL AID
BUREAU OF SURFACE DESIGN
BUREAU OF STRUCTURAL DESIGN
BUREAU OF UTILITIES
BUREAU OF LANDSCAPE
BUREAU OF SOILS
BUREAU OF FEDERAL AID COORDINATION
BUREAU OF SPECIAL ENGINEERING
BUREAU OF TRAFFIC ENGINEERING
BUREAU OF ELECTRICAL OPERATIONS

CHART VI - B

A. Bureau of Surface Design

The Bureau of Surface Design is responsible for the development and review of all design programs associated with all modes of transportation under the jurisdiction of the NJDOT.

The Area Engineer, under the direction of the Chief, Bureau of Surface Design, is responsible for the supervision and control of the planning, development, and implementation of design projects for a particular area within the State. These responsibilities are further described throughout this Chapter.

1. Geometric Design Section

The Geometric Design Section working in conjunction with the Design Group and under the direction of the Chief, Bureau of Surface Design provides staff assistance in the design and/or review of the highway layout to assure that proper traffic operation is provided in a safe, efficient, and economic manner.

This section also reviews the proposed project typical section which indicates the number and width of traffic lanes and shoulders and establishes the minimum horizontal and vertical clearances.

2. Hydraulic Section

The Hydraulic Section working in conjunction with the Design Group and under the direction of the Chief, Bureau of Surface Design, is responsible for the review of surface drainage facilities, erosion control devices, and sedimentation control devices. This section also reviews hydraulic and hydrological data submitted by the Design Group for effects on

existing and/or proposed waterway openings. These waterway openings are further considered for flood plain effects and are subject to the approval of the New Jersey Department of Environmental Protection.

B. Bureau of Structural Design

The Bureau of Structural Design is responsible for the design and/or review of bridges and related structures within the transportation system of New Jersey. This work involves aesthetics, structural design, specifications, plan review, and the processing of structural design plans. The Bureau also provides numerous structural services for other units within the Department.

C. Bureau of Utilities

The Bureau of Utilities is responsible for the coordination required to relocate and/or provide for new utility installations. This work is accomplished through meetings with both the Design Group and the utility company affected to discuss potential utility conflicts. These meetings may be related to existing and/or proposed utility installations and are held to determine the means which will resolve these conflicts while at the same time maintain customer service.

The Department's Utility Accommodation Policy also takes into consideration the effect that utility relocation will have upon the environment and the aesthetics of the area. Utility rearrangements, when feasible, incorporate both safety and aesthetic features and may be placed underground. Poles and other features that remain above ground are located as far as possible from the traveled lanes to minimize hazardous conditions for the traveling public.

D. Bureau of Landscape

The Bureau of Landscape is responsible for the preparation of and/or review of complete landscape plans and contracts as well as plans and specifications for contracts prepared by other Design Groups. These plans are developed under guidelines established by the Highway Beautification Act and with consideration for project related SEE effects.

In considering project related SEE effects the Bureau reviews the Environmental Impact Statement and, as necessary, maintains contact with the Bureau of Environmental Analysis for additional disciplines necessary in areas of concern.

The work of the Bureau of Landscape is coordinated with all Bureaus under the direction of the Chief Engineer, Design and includes areas of work such as: landscape aesthetics, acquisition of additional property for preservation of natural growth areas adjacent to the right of way, the restoration of disturbed areas within the project right of way, the control of surface erosion through the use of grasses or other vegetation, mulches and/or other natural means and the acquisition and development of sites and buildings suitable for rest areas, information areas, and scenic area overlooks.

E. Bureau of Soils

The Bureau of Soils is responsible for providing and/or reviewing comprehensive subsurface data necessary in the project design process. Such recommendations and/or reviews are made for the following aspects of the design:

a. Roadway Foundations

b. Rock Slope Treatment

c. Pavement Recommendations

d. Soil Stability

e. Structural Foundations

F. Bureau of Federal Aid Coordination

The Bureau of Federal Aid Coordination is responsible for preparing and processing the design project program with the Federal Government for various Federal Aid program reimbursements.

This Bureau also coordinates and distributes within the NJDOT written material published by the U.S. Department of Transportation governing Federal Aid programs, Federal Laws, FHWA Policy & Procedure and other material relating to highways or transportation in general.

G. Bureau of Special Engineering

The Bureau of Special Engineering is responsible for reviewing the project plans, preparing and/or reviewing the project specifications, preparing the project cost estimate, and negotiating engineering agreements as necessary. These responsibilities are further described within this Chapter.

The Bureau of Special Engineering also reviews the plans at Phase II and determines if any County or Municipal roads are to be incorporated in the project and if any proposed roads to be constructed under the project can be turned back to the County or Municipality following completion of construction. If such roads are involved the Bureau prepares jurisdictional limit maps and agreements which indicate the legal and maintenance responsibilities of each governmental body. These maps and agreements are then submitted to

the affected County or Municipal Officials for their approval.

H. Bureau of Traffic Engineering

The Bureau of Traffic Engineering is responsible for:

1. The preparation of sign messages & message plans and the selection of sign sizes & locations.

2. The review of plans to determine the need for traffic control signals and/or other traffic control devices and the adequacy of of lane lines & other pavement markings.

3. The review and approval of plans for detour roads.

4. The review and comments on construction staging and maintenance of traffic plans.

I. Bureau of Electrical Operations

The Bureau of Electrical Operations is responsible for the design and/or review of highway lighting, traffic signalization and for other related electrical or electronic highway apparatus.

Plans for such electrical or electronic apparatus may be completed by the Design Group under established guidelines or developed separately by the Bureau of Electrical Operations.

STEP 17: PHASE II - PREPARE AND APPROVE RIGHT OF WAY & PHASE II PLANS

Phase II plans are now graphically developed and upon completion of this phase the design plans are considered to be approximately 60% complete. Right of way acquisition documents are completed during this Phase and are given a final review by the Bureau of Special Engineering in conjunction with the Area Engineer.

A. Permit Requirements

Early in Phase II plan development, the permit requirements from governmental and/or other agencies determined to be involved in the proposed

project are confirmed. These agencies have generally been advised of the project in the Location and/or Design Study and are now formally applied to for the required project permits.

These permits should be received before completion of Phase II and generally involve one or more of the following Governmental agencies:

1. Federal Aviation Administration

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

2. U.S. Coast Guard

If a navigable waterway or waterway within the limits of tidal influence is involved, an application for a permit must be prepared and submitted to the U.S. Coast Guard for approval. This permit application must describe and show by map the flood of record, the depth of channel, any proposed or existing obstructions, and the proposed vertical and horizontal clearances of the new structure. The project Environmental Impact Statement must accompany the permit application as well as a Water Quality Certificate from the agency having appropriate jurisdiction.

3. U.S. Corps of Engineers

If tidal lands are involved an application for a permit must be prepared and submitted to the U.S. Corps of Engineers for approval

by the Chief of Engineers and the Secretary of the Army. Tidal land involvement, such as encroachment, dredging, and/or discharge, requires a permit which must describe and show by map the work to be performed and the quantity of earth involved.

4. New Jersey Department of Environmental Protection

If work upon Riparian Lands or lands designated under the Wetlands Order is involved, an application for a permit to perform this work must be submitted to the Department of Environmental Protection. This application must describe the type of construction to be performed, with an estimate of cost and must be filed with a Water Quality Certificate issued by the agency having appropriate jurisdiction.

B. Right of Way Division

Before completion of Phase II, preliminary plans are transmitted to the Division of Right of Way. This unit might provide minor alignment changes to either avoid adverse effects or to mitigate damages by acquiring or dropping certain parcels. Following their review, the right of way plans and acquisition documents are transmitted to the Right of Way Division for estimating parcel preliminary costs and the time required for right of way acquisition and relocation. Upon receipt of the estimated right of way time requirements, a tentative project design schedule is established for FHWA approval of the PS&E (Plans, Specifications and Estimates) and the construction advertising date.

When the right of way parcel preliminary cost estimate is completed, the estimate is submitted to the Bureau of Federal-Aid Coordination for

Federal Aid programming authorization. Upon authorization, the Bureau of Federal-Aid Coordination notifies the Right of Way Division of the project program approval by transmission of a fiscal budget note. This note requires approval by the Director of Engineering & Operations, the Chief Engineer, Design, and the Director of Fiscal Management. If approvals are granted, the Division of Right of Way proceeds with the acquisition and relocation process. (For explanation of the acquisition and relocation process, see Right of Way, Chapter VII). The Division of Right of Way will notify the Bureau of Landscape when parcels are available for potential beautification as a result of takings.

C. Review and Comments on Right of Way and Phase II Plans

Before completing Phase II, the following Bureaus are requested to review and comment on Right of Way and Phase II plans in the areas of their responsibility. Upon completion of the Phase II review, the comments warranted are incorporated into the Phase II Plans:

Bureau of Surface Design
Bureau of Structural Design
Bureau of Utilities
Bureau of Landscape
Bureau of Soils
Bureau of Special Engineering
Bureau of Traffic Engineering
Bureau of Electrical Operations
Bureau of Maintenance
Bureau of Environmental Analysis
Division of Right of Way (Phase II only)

STEP 18: PHASE III - PREPARE AND APPROVE PHASE III PLANS

In Phase III, the plans are essentially completed and are subject only to minor modifications. During this phase the Bureau of Special Engineering submits the Phase III Plans to the FHWA for preliminary review and comments, and to those Bureaus that were involved in the Phase III review conference with the project Design Group involved in the preparation of the plans. This review conference is used to discuss any aspect of the final plans and to

determine compliance with NJDOT and FHWA policies and standards. Upon completion of the Phase III review, the comments waranted are incorporated into the Phase III Plans.

STEP 19: PHASE IV - PS&E TO THE FHWA

In Phase IV, the Bureau of Special Engineering requests the final plan review from all Bureaus that participated in the project development and previous Phase Plan reviews in order to insure the incorporation of Phase III comments. Upon completion of the Phase IV review, the Bureau of Federal Aid Coordination submits the PS&E and other project documents to the FHWA.

Upon receipt of FHWA comments on the PS&E submission, such comments are submitted to the appropriate Department Bureaus for resolution under the direction of the Chief Engineer, Design.

STEP 20: APPROVAL TO ADVERTISE

Upon notification of tentative right of way availability from the Division of Right of Way, the project is tentatively scheduled for advertising. After receipt of the right of way availability certification from the Director of Right of Way and the utility clearance letter from the Chief, Bureau of Utilities, the Bureau of Federal Aid Coordination completes the submittal of the PS&E and the request for project advertising authorization from the FHWA Division Office. Upon the approval of the project advertising request from the FHWA, the Bureau of Federal Aid Coordination notifies the Bureau of Special Engineering and the Bureau of Contract Administration of this authorization. The Bureau of Special Engineering then prepares a

Department Action for approval to advertise the project and processes the contract plan key sheet for signatures. This Department Action advertising request requires approval from the Chief Engineer, Design, Director of Fiscal Management, Director of Engineering & Operations and the Commissioner of Transportation.

If the Department Action advertising request is approved, the Bureau of Contract Administration places legal advertisements as required by statute. These legal advertisements indicate the time and place that bids will be received and where interested classified bidders may purchase Contract Plans, Contract Specifications and Contract Bid Documents. County and Municipal Governments and Public Utility Companies within the project limits receive Contract Plans and Contract Specifications without charge.

STEP 21: RECEIPT OF BIDS

In accordance with the project advertisement and the contract specifications which include the pre-qualification of Bidders, as required by statute, sealed bid proposals are received and publicly opened by the Bureau of Contract Administration at the time and place indicated in the legal advertisements. Upon publicly opening the bids, the Bureau of Contract Administration declares the apparent low and second low bidders.

Before the Award of Contract, all bid proposals are sent to the Bureau of Cost Accounting for review,verification, and if necessary, mathematical correction, as established under the contract specifications.

STEP 22: CONSTRUCTION SERVICES PROGRAM

After a project has been advertised, but prior to the award of contract,

the Construction Services unit of the Office of Information Services holds meetings with local officials and other interested groups within the job or project area. These meetings are held to determine any problems that might be encountered and to dispell rumors that usually abound prior to the start of projects. These meetings usually include the local officials, municipal and county engineers, street and highway superintendents, Police business managers and anyone else who can contribute information or gain knowledge of the project. The locations of traffic controls, schools, playgrounds, detours and local happenings are checked for coordination.

One important function of the meeting is to set up an information center, if required, where residents and business people located within the project area can come to get information as to just how, where, when, and for how long they can expect to be affected by the construction operations. The information center is usually held in a public building where color coded plans and other exhibits are displayed. Department representatives from Right-of-Way, Permits, Information Services, Construction and Traffic Engineering as well as contractor personnel staff the center. Questions are fielded, problems noted and some handled on the spot. Others are studied and answers given at a later date.

In order to have maximum attendance at these public meetings they are announced in local newspapers, on radio and TV and local service groups and the chamber of commerce are asked to circularize it in their house publications. Many times a Department circular is taken home by school children from schools located in the area.

All phases of public relations are also utilized to make the forthcoming project work with as few problems as possible.

STEP 23: AWARD OF CONTRACT

Upon the return of the bid proposals from the Bureau of Cost Accounting, the Bureau of Contract Administration prepares a Certificate of Award which certifies to the project Advertisement Notices and lists a summary of bidders and bids received.

The Bureau of Special Engineering then reviews the proposals and confirms the responsible low bidder for the Award of Contract by initiating a Department Action. This Department Action is forwarded through the following offices listed below and if in order culminates with the Award of Contract by the Commissioner of Transportation:

1. The Chief Engineer, Design for review and recommendation.
2. The Chief Engineer, Construction and Maintenance for review and recommendation.
3. The Bureau of Federal Aid Coordination to request FHWA concurrence in the Award of Contract.
4. The Director of Fiscal Management to verify the availability of funds required for the project construction.
5. The Director of Engineering & Operations for review and recommendation of approval for the Award of Contract.
6. The Commissioner of Transportation for the Award of Contract to the approved low bidder.

STEP 24: PRE-CONSTRUCTION CONFERENCE

Upon award of a contract for a particular project, a letter is sent by the Supervising Construction Engineer to the Contractor, Federal Highway Administration and the Department's representatives from Right of Way, Information Services, Design, Construction and Maintenance, and Transportation Operations and Local Aid requesting attendance at a Pre-Construction Conference. Included in the letter is an agenda listing the topics for discussion and what

information or data the various DOT units and Contractor will be expected to furnish.

The Contractor is expected to supply the following information:

Copies of his Proposed Progress Schedule
List of proposed subcontractors
List of the estimated cost of the Speciality items
List of sources of the major materials
List of the contractor's key project personnel
Erosion Control Plan (if provided in the contract)
Training Program (if trainees are provided in the contract)

The Primary Items that are discussed are:

1. Up-to-date information from the Division of Right of Way on the status of acquisitions and vacation of affected parcels and the future action to be taken.

2. Up-to-date information from the Engineer of Utilities concerning utility relocations and need for a separate utility conference.

3. Necessity for the Contractor designating one man responsible for traffic protection and safety.

4. Requirements pertaining to E.E.O., minimum wage rate and payrolls and training requirements if applicable.

5. Requirements pertaining to Williams-Steiger Occupational Safety and Health Act of 1970 (OSHA).

6. Desirability for holding an "Information Center".

7. Time schedule for construction

8. Review of our Environmental Commitments.

The Office of Information Services informs the Contractor and Supervising Construction Engineer of what community action involvement has occured to date, problems encountered and what future public information work is necessary. The local officials and citizens are kept informed of department actions by meetings, letters, public information centers and news releases.

PROJECT DESIGN FLOW CHART ACTION PLAN

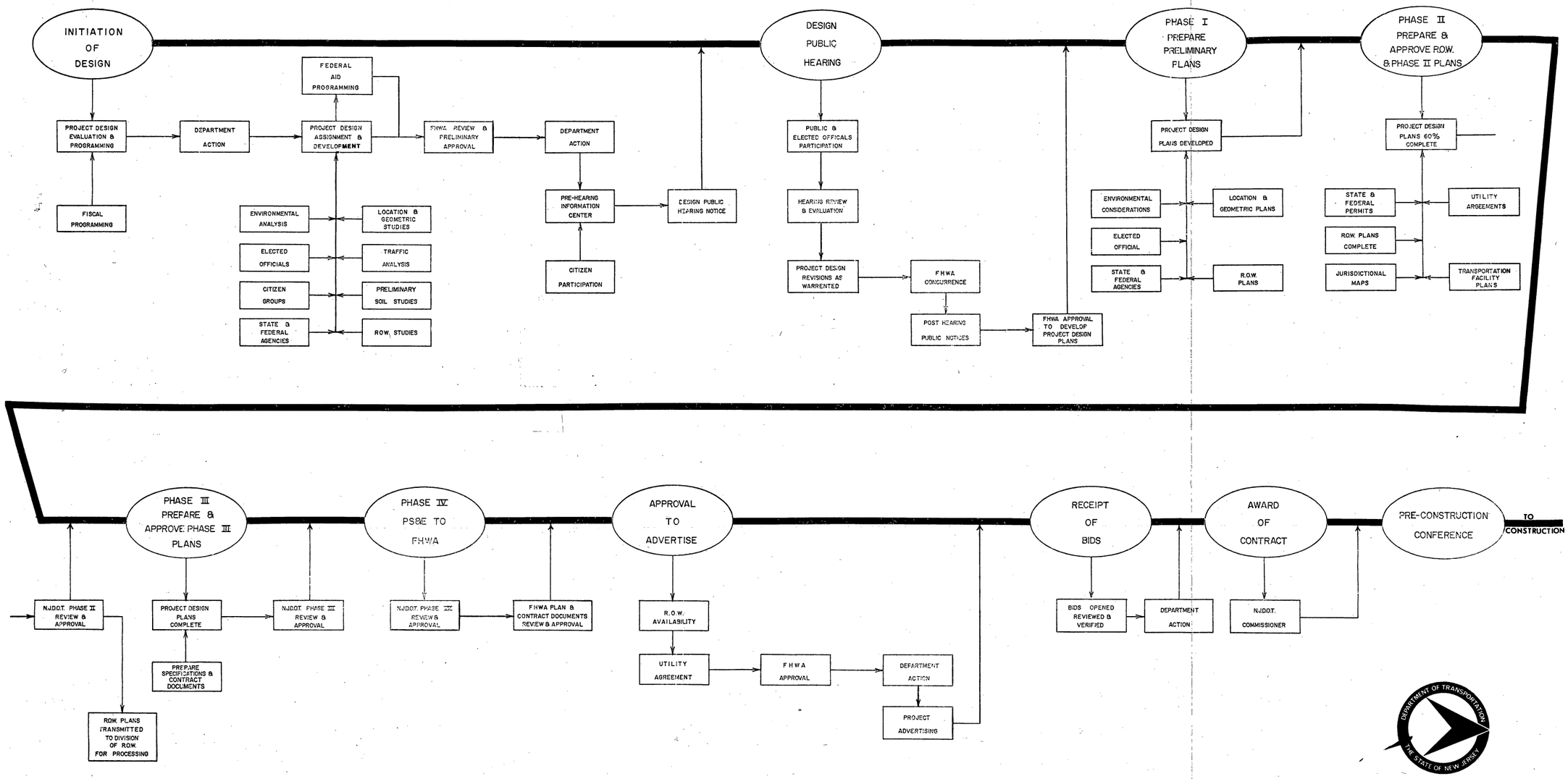


CHART VI-C

CHAPTER VII

RIGHT OF WAY

A. Introduction

Right of Way's involvement is as early as the feasibility study where they cooperate with the Bureau of Environmental Analysis in gathering data on SEE effects. Right of Way also provides information on replacement housing and cost estimates for various alternates being considered during the location study. This data will be one of the impacts used in determining the most feasible alternate for the locations under study, which will satisfy the transportation goals of the project and minimize the SEE impact of the area.

Right of Way involvement in project development continues during the design phase, where they review potential social and economic impacts of the project. Both negative and positive impacts are provided to design for their consideration in the development of construction plans. The Right of Way Division also 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 (when applicable), payment of rent supplements, down payment alternates 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 an well as demolition costs and tax rateables 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 Units 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:

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. (Charts VII-A and VII-B)

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

Bureaus	Supervisor's Title
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 department 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:

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

ORGANIZATION CHART — DIVISION OF RIGHT OF WAY

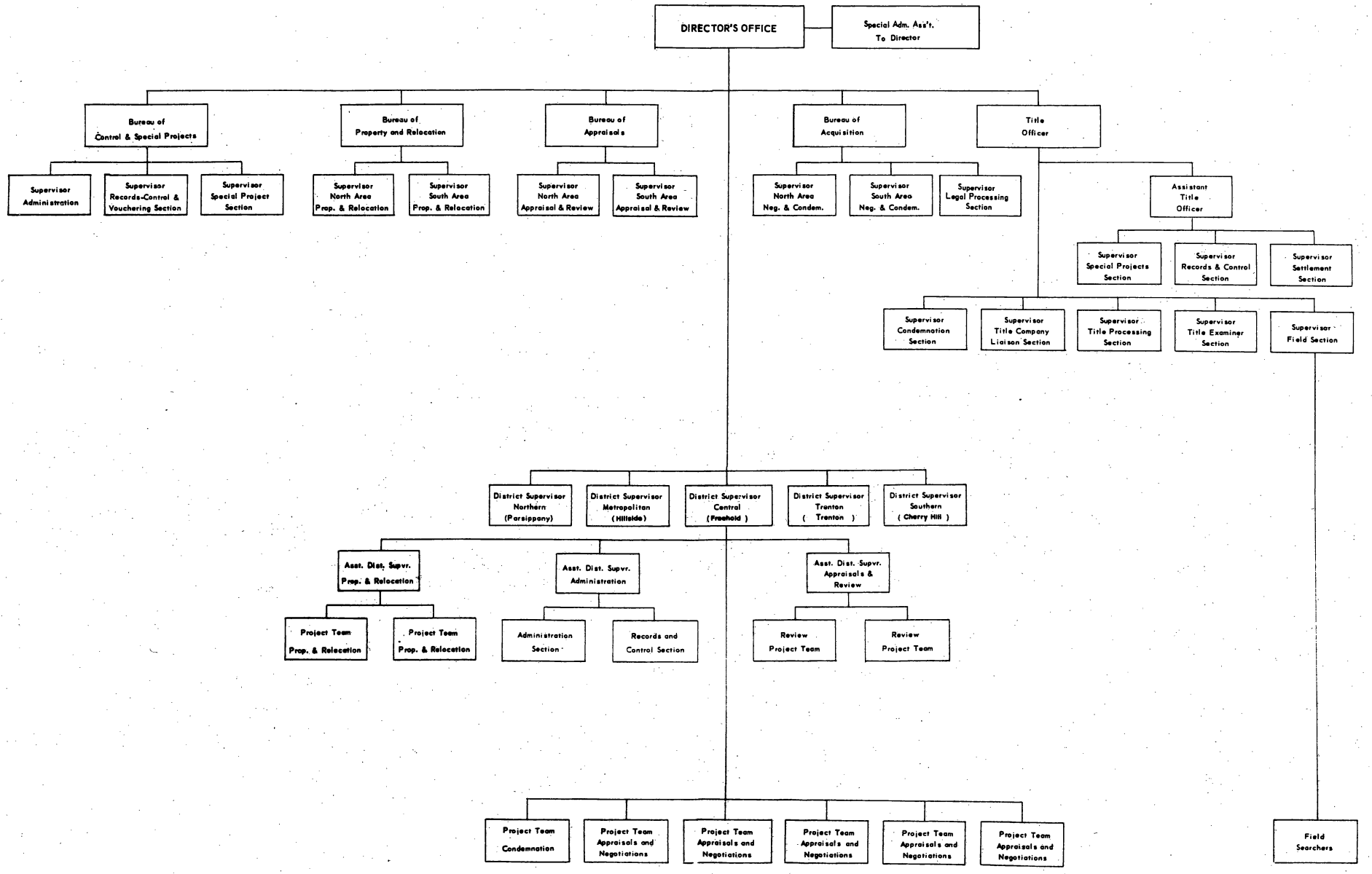
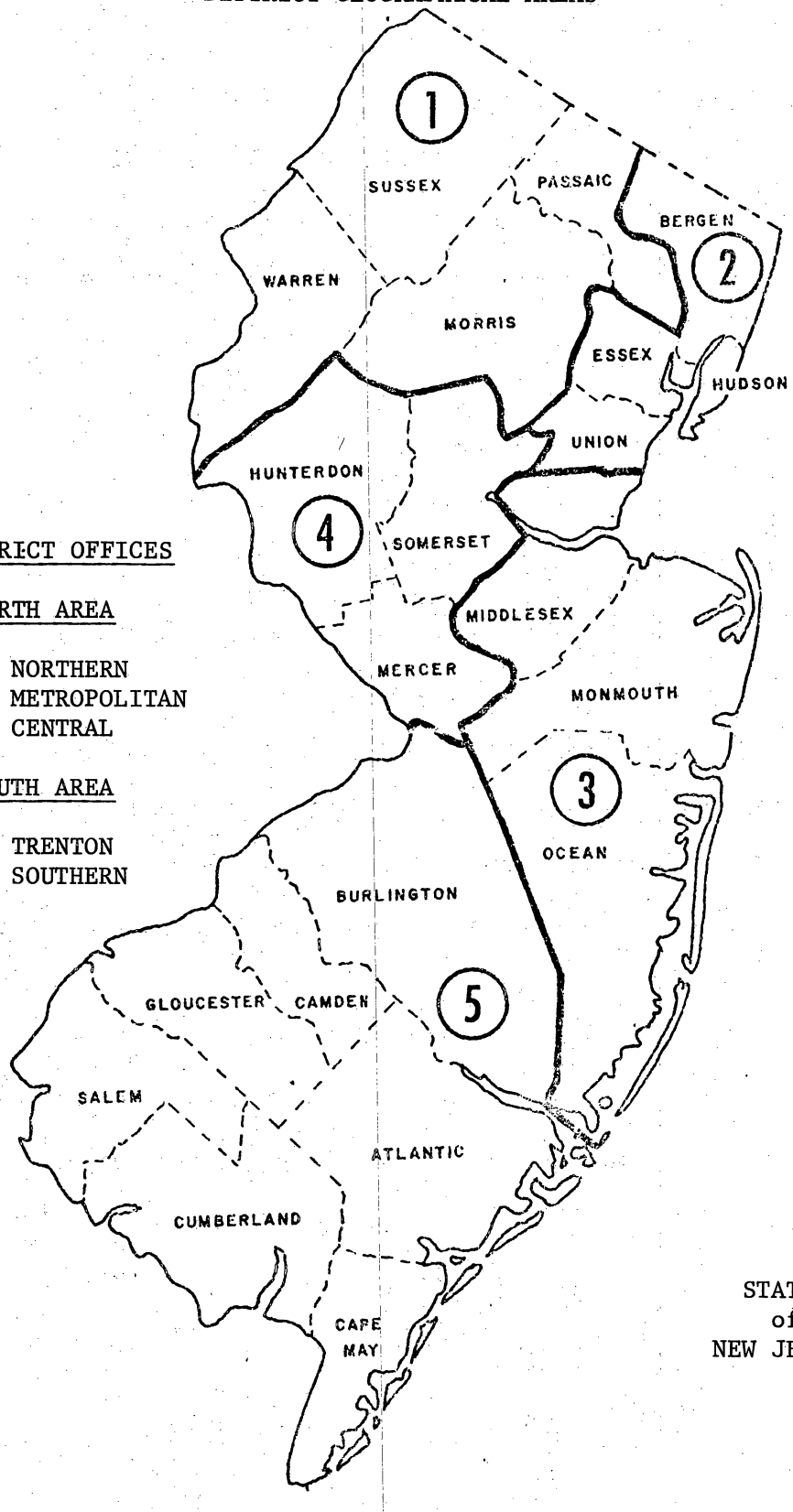


Chart VII-A
VII-5A

DIVISION OF RIGHT OF WAY
DISTRICT GEOGRAPHICAL AREAS



DISTRICT OFFICES

NORTH AREA

1. - NORTHERN
2. - METROPOLITAN
3. - CENTRAL

SOUTH AREA

4. - TRENTON
5. - SOUTHERN

STATE
of
NEW JERSEY

Chart VII-B

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.

Right Of Way Work Flow Processes

STEP 16A: RIGHT OF WAY APPRAISED AND NEGOTIATED

A. Right of Way Involvement

The Right of Way Division is involved in a project as early as the Feasibility and Location studies, see Chapter V, Pages 8, 13 and 15.

B. Conceptual Studies

Right of Way provides Project Location with Right of Way cost estimates and a conceptual relocation study. 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.

C. Public Hearing Participation

A representative from Right of Way attends both Location and Design public hearings, providing information on property acquisition, relocation assistance and payments. Information on individual properties are not discussed at a location hearing but is available at the Design hearing when the location has become refined.

D. Plans and Federal-aid Programming

All Right of Way plans originate from the Chief Engineer, Design. Upon completion of Phase II plans and transmittal of same by the Director of Engineering & Operations 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 Coordination, 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.

E. State Right of Way Project Programming

The Right of Way Director initiates a department 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".

F. 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 department 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.

G. 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.

STEP 17A: RELOCATION PROCESSES AND PAYMENTS

A. Relocation Plan and Right of Way Lead Time Estimates

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.

B. 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.

Lead Time Estimate

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

C. 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. Anyone who has made an appraisal on a property may not conduct the negotiations on the same parcel.

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 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 maximum of approximately only 10% of properties having to be acquired by condemnation, statewide of which only 1.5% are due to faulty title or absentee title.

D. 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 department action for execution. One copy of the executed agreement 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 department 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 Legal Services 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.

E. 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.

F. 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 department action.

G. 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 Director of Fiscal Management. 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.

G. 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 Judgement 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.

STEP 18A: POSSESSION OF ROW AND ROW AVAILABILITY CERTIFICATION

A. 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 his needs and within his means.

The Title Bureau also processes court deposit checks authorized by department action through the Director of Fiscal Management to the Acquisition Condemnation Processing Section for deposit. The amount deposited is deducted from any later and ultimate negotiated settlement award or verdict.

B. Tax Reimbursements

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

C. 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.

D. 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 leiu 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.

E. 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.

F. 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. 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.

G. 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 department 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.

H. 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".

I. 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.

J. 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 department action.

K. 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.

L. 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.

M. Temporary Housing

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

N. Property Sales

Time permitting, dwellings are sold at public auctions 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 contained 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 department 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.

O. 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 Bureau of Federal-aid Coordination for transmittal to the FHWA as a part of the PS&E and advertising authorization request.

P. 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.

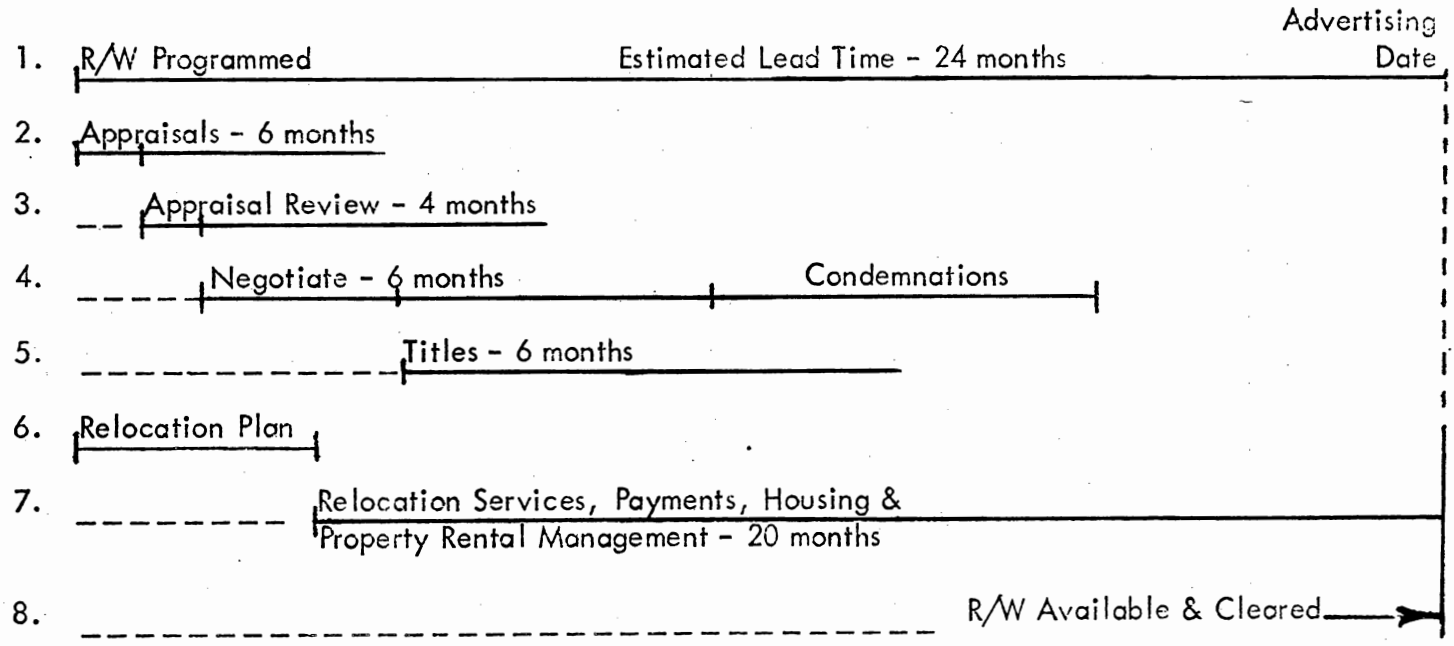
Q. Programming

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.

R. 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 form 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.

S. 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 Point 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.

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. This procedure is covered in IM 50-1-70, a copy of which is included in the Appendix. 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 threefold; first, to insure coordination of planning efforts at the systems planning phase by the review of the State's annual highway planning and research program by the areawide review and planning agencies; second, to determine capability of the proposed project with

existing development and approved plans or programs, third, 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-A 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

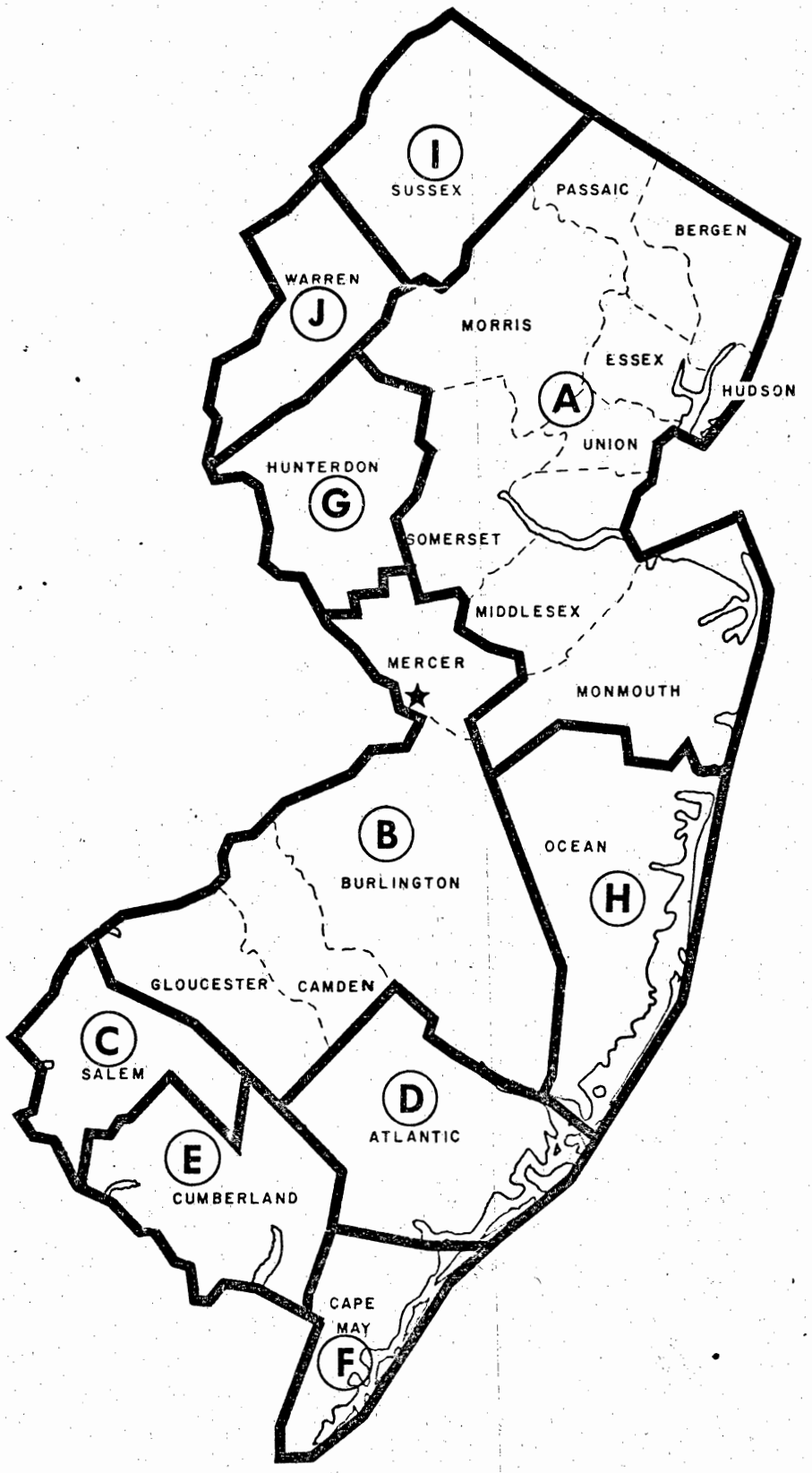
(2) Delaware Valley Regional Planning Commission (DVRPC) - Burlington, Camden, Gloucester and Mercer Counties

(3) Wilmington Metropolitan Area Planning Coordinating Council (WILMAPCO)- Salem County

(4) Atlantic County Planning Board - Atlantic County

(5) Cumberland County Planning Board - Cumberland County

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

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 proposed by other reviewing agencies. These comments are then submitted to 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 Commsission, 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 oppostition, 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 reason 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 routing 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

A-95 NOTIFICATION & REVIEW PROCEDURE

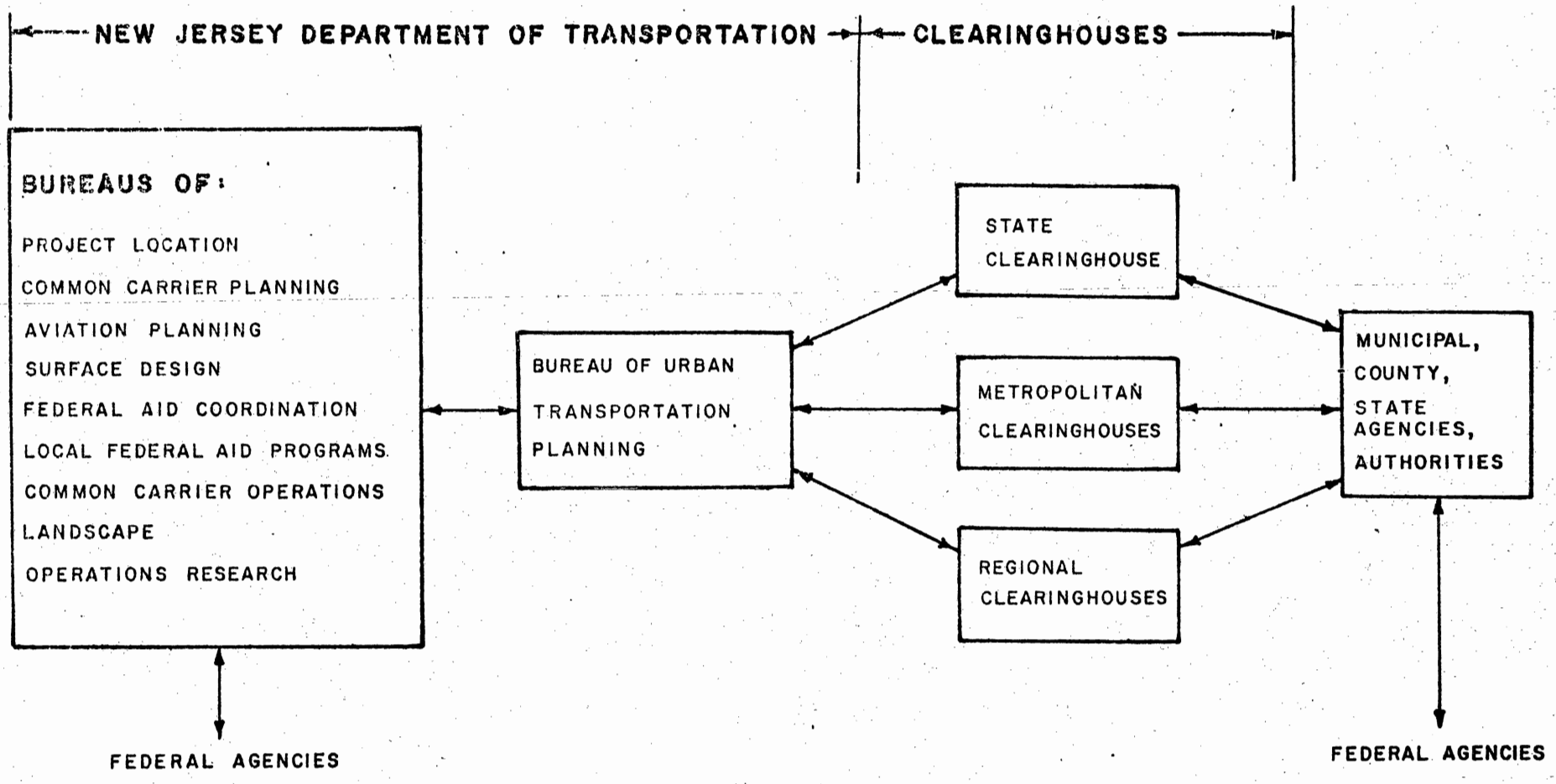


Chart VIII-B

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 to the appropriate Metropolitan or Regional Clearinghouse. Chart VIII-B indicates the flow of information in the review procedure for both N.J.D.O.T. initiated projects and those projects transmitted to the N.J.D.O.T., 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 Transportation Planning to the appropriate functional units within the N.J.D.O.T. for evaluation and comments. Projects reviewed are those in 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 projects 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. <u>Notification</u>

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 the recommended location 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 interest

Again, 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 findings 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" present 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. INTRODUCTION

In the formulation of a plan for the development of an interdisciplinary approach to planning and decision making which may have an impact on man's environment, the Department considered three alternatives:

(1) Recruit new personnel to develop a complete in-house interdisciplinary staff.

(2) Provide training for existing staff in the fields of natural and social sciences, and the environmental design arts to develop required interdisciplinary expertise.

(3) Rely upon interdisciplinary expertise to be found outside the Department, such as consultants, university staff personnel, or other agencies of the State Government.

It was concluded that no alternative by itself could provide the best solution, but that a combination of the best aspects of all three would be the most prudent approach.

B. Organization and Development

1. Core Interdisciplinary Team

The immediate objective of the DOT is to staff the Bureau of Environmental Analysis with a variety of disciplines so that it may apply broad sensitivity and considerable measure of varied expertise to the identification and review of SEE effects throughout planning, location, and design 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.

The following disciplines are presently represented within the Bureau of Environmental Analysis and are utilized on a day to day basis:

Air and Water Resources

Civil Engineering

Biology

Marketing

Sociology

Urban Planning

Economics

Of the individuals now within the Bureau, there has been actual work experience with local, county, regional, state and federal agencies covering

many of the areas normally considered in environmental impact statements.

In close coordination with the Bureau of Environmental Analysis, the Division of Right of Way, if requested, will gather data and analyze the following social and economic factors:

Social	Economic
Neighborhood structure and Impact	Land Values
Parks and recreation	Tax base-impact and benefits
Life style and activities	Employment
Effect of local government	Income
Community structure	Housing and public social services
School system	
Historic and unique areas	Commercial activity and economic factors

Technical studies concerning air, noise and water resources and the gathering of raw data associated with highway plans and projects will be undertaken by the Bureau of Quality Control. This Bureau is already staffed with expertise in the following areas: Civil Engineering, Biochemistry, Meteorology, Chemistry, Geology and Biology. The Bureau has current staff and equipment capability to prepare noise and air quality studies.

In order to keep pace with the increasing number and complexity of requirements associated with highway projects, the Bureau of Quality Control is attempting to increase its inventory of technical staff and equipment. If this effort is successful, the Bureau will be able to monitor air pollutants and meteorological data for air quality reports, and do water quality reports in-house.

2. Existing Department Interdisciplines

Even though core teams will be in the Bureau of Environmental Analysis and the Bureau of Quality Control, other areas of the Department need to and are developing sensitivity to SEE considerations. Present Department disciplines are already quite varied. For example, the Bureau of Landscape, which employs landscape architects, is concerned with aesthetics of highway design and erosion control. The Right of Way Division's Bureau of Property and Relocation, which administers relocation assistance is highly sensitive to community concerns of relocations, and community economic and social impacts. Right of Way staff are trained in relocation assistance programs which require community economic and social input.

As many of the above areas and others will be involved during the feasibility stage to evaluate SEE effects, and all of the above areas and others will be involved at some stage of project development. Generally Landscape, Soils, and Drainage become active during design studies and continue through construction. Right of Way is involved from feasibility studies through construction. The Action Plan concept will require that these areas be involved as early in the planning phase as possible to aid in identifying potential problem areas.

Staff training will play an important role in developing interdisciplinary awareness throughout the Department. Sections such as Planning, Design, Construction, Landscape, Soils, Drainage, and Right of Way, even though they possess much and varied expertise, will need to develop awareness of other possible areas of impact such as air, noise and water which will be evaluated in the E.I.S. Formalized training courses will be initiated,

particularly in the areas of air, noise and water. For example, on April 1st through April 5th, 1974, a 40-hour Highway Air Pollution Workshop was attended by representatives from Environmental Analysis, Quality Control, Project Location, Design, Research, Construction, and Maintenance.

The same participation is anticipated at similar training courses, such as noise pollution analysis, which is being scheduled for the near future, and a workshop in soil erosion control for which a program is being developed. Seminars have already been held on the National Environmental Policy Act and the preparation of environmental statements.

In addition to staff training, guidelines will be formulated and circulated by the Bureau of Environmental Analysis to insure implementation of requirements of Departmental environmental policy.

In order to further develop a Department awareness on environmental issues, the distribution of the monthly newsletter from the New Jersey Department of Environmental Protection will be arranged. It is anticipated that this newsletter will serve as an informal educational tool.

3. Use of Consultants and Outside Agencies

(a) Consultants

Consultants will be used when appropriate to supplement manpower or expertise. Their employment might be particularly useful when the Department is working toward several project deadlines at the same time. Consultants might also be used for specialized studies such as those required for projects in which impacts are unique to that project or a small number of projects. An example would be a study of the impact of 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 Agencies

The New Jersey Department of Transportation deals with local, regional, state and federal agencies on a regular basis.

The most frequent coordination is with the Tri-State Regional Planning Commission, Delaware Valley Regional Planning Commission, and the New Jersey Department of Environmental Protection. These three agencies possess interdisciplinary expertise which can be utilized by N.J.D.O.T. In the case of Tri-State and DVRPC, the Department is represented on policy boards and commissions (see Chapter IV, Section 2 Paragraph A.) and consultation between staffs is on an informal basis.

An active line of communication has been maintained between N.J.D.O.T. and the New Jersey Department of Environmental Protection. 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 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.

A Memorandum of Understanding has been drafted between N.J.D.O.T. and N.J.D.E.P. which will insure timely review of highway plans and projects for consistency with the applicable Implementation Plan for achieving

National Air Quality Standards. These reviews will be undertaken by the Bureau of Air Pollution Control. Informal review of project effects upon wetlands, historic sites, noise standards, and water quality is accomplished by appropriate state agencies.

In addition, the Bureau of Environmental Analysis has established formal working relationships with the Bureau of Air Pollution Control, Bureau of Marine Lands Management, Division of Water Resources, and Division of Fish, Game and Shellfisheries. Staff members of BEA consult almost weekly and sometimes daily with these groups.

(c) Universities

N.J.D.O.T. is fortunate to have nearby centers of learning such as Princeton University, Rutgers University, Newark College of Engineering, Stevens Institute of Technology, Drexel University, Villinova University, and the University of Pennsylvania.

These Universities provide a ready source of varied expertise to the Department when required.

4. Responsibilities and Implementation

Although BEA will contain the core interdisciplinary team and act to identify SEE effects of plans and projects, the objective is to develop an awareness and sensitivity toward environmental issues throughout the Department. This will be developed through the training methods mentioned earlier and the close involvement between BEA and other areas concerned with Departmental plans and projects. The end result will be the ability of Departmental staff outside BEA to identify SEE effects. In this way consideration of SEE effects will become an inherent part of the project development process.

In order to insure a systematic interdisciplinary approach, BEA will be involved in Departmental projects in Planning, Location, Design, and Construction phases. The Bureau of Environmental Analysis will be responsible for content of, and conclusions reached, in all environmental documents. This responsibility will be met in one of the following ways:

1. Produce the environmental documents in-house through the interaction of the interdisciplinary staff of BEA and other Departmental staffs as appropriate.

2. Oversee the production of environmental documents prepared by workers outside the Department, such as consultants, university staff personnel, or other agencies of the State Government.

(a) Planning

During systems planning, Planning staff will review proposals giving consideration to the objectives of:

1. Reducing adverse impacts on the natural environment.

2. Identifying social and environmental restraints.

This review will help effectuate the broad policy guidelines of:

1. Avoiding or amelioration of social and economic impact.

2. Avoiding encroachment on park lands, recreational areas, and historic sites.

Impacts assessed at this point will necessarily be broad because of the broad scope of these studies. Nevertheless, potential impacts can be identified at this point and appropriate action taken. To facilitate this assessment process, readily available maps, documents and regulations prepared by various federal, state and county agencies will be reviewed. For example, aerial photographs and delineation maps of New Jersey's wetlands, wastelands, forests, farmlands and floodways are available from the appropriate state or federal agencies. Various state commissions have

prepared planning and assessment data on certain geographical sectors of the state such as the Hackensack Meadowlands and the Pinelands of south Jersey. This data is also used. Additionally, the Bureau of Environmental Analysis maintains a file of current County Master Plans.

(b) Location

To insure adequate coverage of environmental issues in the Location Stage, BEA will become involved at the earliest point possible in project development. BEA will review the projects at this time and make preliminary environmental assessments as part of feasibility studies. This review, to be undertaken by representatives of each discipline in BEA, will identify sensitive environmental issues and potential SEE impacts of the project. The analysis will then be used as a basis for further environmental studies to be conducted in-house or by consultants. Scopes of work and need for outside expertise will also be determined and identified.

As location studies became more refined, additional data will be gathered and incorporated into an Environmental Impact Statement. This process is described in more detail in Chapter V: Feasibility and Location Study. All pertinent disciplines identified earlier will be involved in analysis of impacts to insure an interdisciplinary approach. Each project will be assigned an environmental coordinator within BEA and he will have responsibility for controlling the quality and completeness of the study as it pertains to SEE factors. Other staff members, as needed, will be assigned to help gather information, make analyses or undertake reviews. Staff members of broad experience will advise the environmental coordinator and participate in reviews of draft environmental documents.

(c) Design and Construction

Environmentally sensitive areas will be identified and project impacts assessed generally in the systems stage and more specifically in the location stage. Commitments to be followed in design and construction will be developed in Location and listed in the Final EIS. These commitments will then serve as constraints during design and construction. To insure that environmental constraints are recognized and followed, BEA will monitor some of those projects recognized as being environmentally sensitive and will prepare a post-construction report on how well objectives have been achieved. Monitoring will not be continuous, but will occur at designated major checkpoints in the design and construction process. Plans will be reviewed for environmental commitment by BEA at the initiation of the design and during Phases II and III. Construction will be monitored during phases which could impact the areas of environmental concern. This will vary by project according to the environmental and construction parameters involved. In addition to designated check points, random monitoring will also be undertaken by BEA.

BEA has in the past and will continue in the future to investigate complaints on completed projects. Many of these complaints will ralate to excessive noise, but BEA involvement will not be limited to these. On occasion, BEA has investigated and made recommendation on problems of erosion, flooding, fencing, and wild life. This role will continue as part of the Action Plan program.

CHAPTER X

LEVELS OF ACTION

A. Levels of Action Committee

The entire process described in the Action Plan will not apply to every highway project. Each project has a varied amount of impacts which are influenced by some of these factors:

a. Social, economic and environmental impact

b. Urban or rural areas

c. Number of families and businesses relocated

d. Magnitude and type of improvement

To classify a project and to determine at what point or to what extent the Action Plan will be followed by a particular project will be determined by a Levels of Action Committee. This committee has a Department wide representation and will consist of representatives from the following units:

1. Bureau of Surface Design

2. Area Engineer (depending on location of project)

3. Bureau of Project Location

4. Bureau of Environmental Analysis

5. Division of Right of Way

6. Bureau of Landscape

7. Director of Community Involvement

Additional Department personnel may attend these meetings, if the Director of Engineering and Operations or the Director of Transportation Planning and Research considers their presence will aid in the determination of the levels of actions for projects. The Levels of Action Committee will be the responsibility of either: Chief, Bureau of Surface Design if the project will be a design assignment or the Chief, Bureau of Project Location if the project will be a planning assignment.

The Levels of Action Committee will place projects into the four categories indicated below and determine to what extent the project will follow the Action Plan concept. The extent will be indicated by the level of impact and the step where the project should commence utilizing Chart III-B.

B. Levels of Impact

All projects for which federal funds will be utilized will be classified by one of the four levels indicated below:

Level 1. Major Impact

a. project will have significant economic, social and environmental factor considerations

b. an extensive amount of parcels will have to be acquired with substantial amount of people and/or businesses to be relocated

c. the project is expected to have extensive community involvement in its development

Projects in this category are likely to be in urban areas with dense population.

The projects which fall into this level will be routes on new locations and certain widenings, dualizations and major reconstructions.

Level 2. Moderate Impact

a. impact on the economic, social and environmental factors might not be as extensive as under Level 1.

b. property required might be extensive, but the relocation problem will not be a major factor. Not many businesses to be relocated

c. regular community involvement, but opposition on project not too extensive

Projects in this level might be in urban areas, but generally will be in rural areas. Environmental factors can be considered and solved within a short period of time.

Examples of projects which might fall into this area are: dualizations, certain widenings, new interchanges, and some minor new routes or bypasses.

Level 3. Minor Impact

a. would have minor impact on the environment and abutting property

b. would require property with minor relocation of people and businesses

c. projects would not be controversial and will move to construction quickly.

In general, these project will consist of widenings, some resurfacing, rest areas, drainage and certain dualizations and improvements.

The environmental consideration could be satisfied by a Negative Declaration.

Level 4. Negligible Impact

a. will have no significant impact upon the environment

b. no property will be acquired and no people relocated

c. controversy will be minimal, if any, and the project will be designed and constructed quickly

Minor and safety spot improvements such as TOPICS will be included in this category. Also included would be certain minor widenings, jug handles, and resurfacing.

The levels shown in the above examples, are not the levels to which the project must be assigned. In general, most improvements of the same work type will fall into the same level, however, this may not always be true. The criteria listed for each level will be the governing factor in the decision, not just the type of work to be accomplished.

As has been stated previously, each level of impact will not require the same process from planning to construction. Each level will have a minimum process that must be followed but within each level the procedure may vary according to the complexity and controversy of the project.

Level 1 projects will follow the entire process described in this Action Plan. An Environmental Impact Statement will be prepared and corridor and design hearings will be held. An ample opportunity for public involvement will be afforded.

Level 2 projects might not have to follow the entire process described in the Action Plan. This determination will be made by the Levels of Action

Committee. If a project does not follow the entire process shown on Chart III-B, it will commence in STEP 14 or in the case of projects on new locations, STEP 5. An Environmental Impact Statement or a Negative Declaration will be prepared and appropriate hearings held. Public participation might not be as extensive as under Level 1.

Level 3 projects might require an EIS but most of the time they will be satisfied by a Negative Declaration. Community involvement will be minor because of the relatively small projects under this level. An opportunity for a public hearing will be afforded; involvement and the amount of new right of way to be acquired.

Level 4 projects are expected to move along quickly. Environmental Impact will be negligible and will be satisfied with a Negative Declaration. Reverse public hearings will be the rule and involvement with the community will be through local officials.

C. Local Federal Aid Projects

Projects which are generated by local governments through the Bureau of Local Federal Aid Programs will also follow the process described in the Action Plan. The determination to what extent they follow that process will be made by:

a. Chief Engineer, Transportation Operations and Local Aid

b. Chief, Bureau of Local Federal Aid Programs

c. Local officials requesting project or funding for a project

d. Chief, Bureau of Environmental Analysis

The environmental, social and economic requirements or standards for all Federal-Aid Projects will be set by the Bureau of Environmental

Analysis.

D. Project Mailing List

The Levels of Action Committee will determine for which projects a mailing list will be developed. This is the same mailing list which was discussed in Chapter III, Paragraph 3. Projects which fall under Levels 1 and 2 will have a mailing list. Projects which are under Levels 3 and 4 might not have a mailing list developed because of the limited scope and complexity for those particular projects.

E. Review of Levels of Action Assignments

All Levels of Action assignments which are made by the Levels of Action Committee will be reviewed by the Director of Engineering and Operations or by the Director of Transportation Planning and Research. This of course, will depend on whether the project is a design or planning assignment.

Local Federal Aid Projects for which a Level of Action has been determined will be reviewed by the Director of Engineering and Operations.

Public officials, organizations, or private citizens may request for a review of the level in which a project is placed. Levels of action reviews will be conducted when the project reaches a reconsideration point indicated on Chart III-B in Chapter III.

F. Public Notification

Levels of Action for projects for which a mailing list will be maintained will be advertised in local newspapers having general circulation within the area where the project is located. This will be done by the Office of Information Services at the request of the Area or Project Engineer.

CHAPTER XI

IMPLEMENTATION

A. Timing

Implementation of the NJDOT Action Plan will officially start at the time of its approval by FHWA. Unofficially, the Department has started implementing items such as the interdisciplinary approach for highway projects and a wider public participation on those projects. Also, the Department reorganization in 1971 anticipated environmental and multi-disciplinary approaches.

B. Organization and Responsibility

The Deputy Commissioner of Transportation is responsible for the total Action Plan concept implementation. Specific actions will be the responsibility of the :

1. Director of Transportation Planning and Research
2. Director of Engineering and Operations
3. Director of Employee and Management Services
4. Director of Fiscal Management
5. Director of Community Involvement

Division and bureau heads reporting to the aforenamed will be required to implement provisions of the Action Plan specified for their units.

C. Highway System Planning

The next development of a Transportation Master Plan will adhere to the items mentioned in Chapter IV, such as:

a. Public meetings through the Urban Area Transportation Study Groups for Standard Metropolitan Statistical Areas (SMSA).

b. Public meetings by NJDOT for counties not covered by SMSA areas.

c. Circulation of Master Plan Draft to receive comments.

The use of television to obtain statewide input or review of the Master Plan draft will be investigated. The implementation of this approach will depend upon the funds available for Master Plan development and time scheduling of the New Jersey Public Broadcasting Authority.

1. Traffic Simulation Model

This particular program or model is still in the development stage. We however anticipate model testing late 1974 and possible small working model in the summer of 1975.

2. Public Involvement in SMSA Areas

The diversity in size and character of the six urban study areas in New Jersey makes it impossible to set a schedule for developing public participation within their particular areas. However, all Regional Transportation Planning Agencies have taken steps to develop a public participation program. Their success in finding a working approach in each area will be the goal for the next year.

D. Project Location

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

Environmental Appraisal at the feasibility study level will become a regular requirement at the time of final Action Plan approval. The Bureau of Environmental Analysis will coordinate this process with both the Project Location Bureau and the Surface Design Bureau depending on who is performing the feasibility study.

Coordination with other State and Federal agencies, which has been developed through regulations, will be expanded, especially from the veiwpoint of getting them involved earlier in the process.

Public involvement will be greatly expended through the new unit of Community Involvement.

E. Design

A review of all highway projects within the Department will be undertaken and a determination made which projects will follow the Action Plan requirements. Generally speaking, all projects which have not had a corridor public hearing in planning or a design public hearing in design might fall under Action Plan requirements. Final classification of these projects will be made by the Levels of Action Committee.

Officials in counties and townships will be notified by direct letter, which will provide the Action Plan status of highway projects in their particular area. This will be applicable to projects which are present under active consideration by the Department.

The above mentioned procedure will commence when the Action Plan is approved, however, steps are being taken at the present time to institute this review.

New design studies will come under the same requirement as project location studies when the Action Plan becomes operative. If project location studies antecedent to the design studies have included social, eocnomic and environmental factor studies and an environmental impact statement, a review environmental appraisal will be required. If no social, economic and environmental studies were previously made, an environmental appraisal will be made as in a new study. Current design studies that have not had a design Public Hearing, and which by earlier procedures were exempt from environmental impact statement requirements, are being reassessed for social, economic and environmental effects and will have environmental impact statements or negative declarations prepared where applicable.

F. Monitoring and Updating

The monitoring for compliance to actions brought forth in the Action Plan is the responsibility of the Deputy Commissioner of Transportation.

An annual review for the purpose of updating, will be undertaken by the Director, Office of Community Involvement.

These responsibilities will commence with the acceptance and approval of the Action Plan by FHWA.

ADDENDUM

The Community Involvement Office, recently established in the Department will bear specific responsibility for coordinating the Department's public participation activities. The staff of this Office consists of a Director; an Assistant Director; four Area Coordinators; two Public Hearing Officers; and the appropriate support personnel. Although references to the community involvement efforts of other offices will be found throughout this draft of the Action Plan, it may be assumed that many of these activities will now be under the direction of the Community Involvement Office.

The focus of the Office, as previously stated, will be:

1. The development and standardization of procedures for communicating with elected officials and the general public. An immediate goal will be to standardize the meeting notification and general information procedures that presently exist. All meeting notices and communications with elected officials will have copies sent to the Director of the Community Involvement Office. This correspondence would include the preparation of form letters to be used as meeting invitations; the development of mailing lists and classifications of Officeholders, Appointed Officials and types of organizations that should be asked to participate in our meetings; and the preparation of standard informational letters that could easily be edited to describe a particular project.

2. The identification of appropriate stages for community participation and the monitoring of in-house and consultant activities at these stages. Pinpointing stages at which community participation should be encouraged will constitute a major function of the Office. The Office, in consultation with departmental planners and engineers and with the consultants, will be responsible for determining the approximate number of meetings and the suitable times at which these meetings should be held within each phase of project development -- feasibility, route location, design, construction.

3. The development of procedures and guidelines for the preparation and conduct of public meetings. The Community Involvement Office will serve as a central clearinghouse for setting up and conducting all community meetings. To this end, the Office will prepare specific guidelines and procedures for community meetings and develop a detailed description of the functions of departmental representatives and consultants at these meetings. In addition, in-house briefing sessions, designed to structure and coordinate activities at community meetings, will be held prior to each meeting.

4. The coordination of all in-house public participation activities. A principal function of the Office will be to consolidate all public participation efforts; eliminate the existing duplication of effort; maximize the effectiveness of personnel; and alleviate the paperwork load of the planning and engineering divisions.

5. The evaluation and monitoring of all public participation proposals submitted by our consultants. The Community Involvement function will include evaluating the scope and content of all consultants' proposals; redesigning them, when necessary, to meet departmental goals and standards; and monitoring the activities contracted for in the approved document.

Eventually the Office hopes to create individual Community Involvement "packages" which would include a comprehensive community meeting program; press releases; newsletters; manned community information centers at project locations, and the formation of local policy committees to serve as liaisons with the Department.

Ultimately, the Community Involvement program will aim at faster identification and resolution of problems; a shorter project planning and development period; favorable media coverage; and, most importantly, the development of transportation systems that will more effectively meet the needs of the communities they serve.

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.

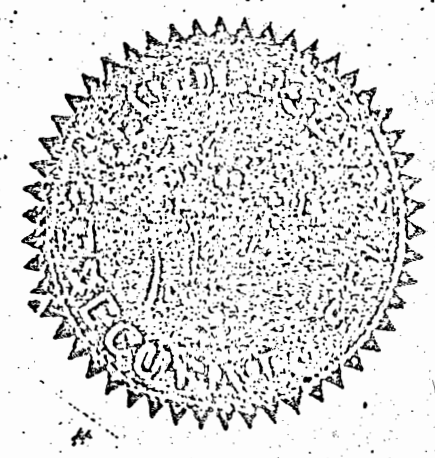
3. The Assistant Commissioner of the Department of Community Affairs (Planning) shall serve as Executive Secretary of the Task Force. The Division of State and Regional Planning shall provide all staff services to the Task Force.

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 Waldegrave

GOVERNOR

ATTEST:

Jean E. Mulford

Acting Secretary to the Governor

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
BUREAU OF PUBLIC ROADS

POLICY AND PROCEDURE MEMORANDUM

20-8

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 Par. 6.g.

(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

(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.

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:

"(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

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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.) per memo from SDOT.

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.

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
Director of Public Roads

Lowell K. Bridwell
Federal Highway Administrator

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

POLICY AND PROCEDURE MEMORANDUM

Transmittal 257

90-1

September 7, 1972

ENVIRONMENTAL IMPACT AND RELATED STATEMENTS

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3. Definitions
4. Policy
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6. Procedures

Appendix A - Procedures on Historic Preservation
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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.)

(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

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

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.

(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
FINAL

Whichever is appropriate

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 SECTION 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) independant 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; auxillary 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.

COUNCIL ON ENVIRONMENTAL QUALITY

STATEMENTS ON PROPOSED FEDERAL ACTIONS AFFECTING THE ENVIRONMENT

Guidelines

APPENDIX II—FEDERAL AGENCIES WITH JURISDICTION BY LAW OR SPECIAL EXPERTISE TO COMMENT ON VARIOUS TYPES OF ENVIRONMENTAL IMPACTS

AIR

Air Quality and Air Pollution Control

Department of Agriculture—
Forest Service (effects on vegetation).
Department of Health, Education, and Welfare (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 Development and Technology (auto emissions).
Coast Guard (vessel emissions).
Federal Aviation Administration (aircraft emissions).

Weather Modification

Department of Commerce—
National Oceanic and Atmospheric Administration.
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 Development (urban areas).
Department of the Interior—(facilities on Government lands).

Natural Gas Energy Development, Transmission and Generation

Federal Power Commission (natural gas production, transmission and supply).
Department of the Interior—
Geological Survey.
Bureau of Mines.

HAZARDOUS SUBSTANCES

Toxic Materials

Department of Commerce—
National Oceanic and Atmospheric Administration.
Department of Health, Education and Welfare (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 Administration.
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 Welfare (Health aspects).

Herbicides

Department of Agriculture—
Agricultural Research Service.
Forest Service.
Environmental Protection Agency—
Office of Pesticides.
Department of Health, Education, and Welfare (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 Administration (impact on marine life).
Department of Defense—
Armed Services Explosive Safety Board.
Army Corps of Engineers (navigable waterways).
Department of Health, Education, and Welfare—
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 Development and Technology.
Office of Hazardous Materials.
Office of Pipeline Safety.
Environmental Protection Agecny (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 Administration (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.
U.S. 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.

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 Measurement.
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 wastes, urban solid wastes).
Bureau of Land Management (solid wastes on public lands).
Office of Saline Water (demineralization 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—
Geological 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 Sports 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.

Department of the Interior—
Bureau of Reclamation.
Geological Survey.
ureau 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 ENVIRONMENTAL IMPACT STATEMENTS

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Robert Garvey, Executive Director, Suite 618, 801 19th Street NW., Washington, DC 20006, 343-6007.

DEPARTMENT OF AGRICULTURE

Dr. T. C. Byerly, Office of the Secretary, Washington, D.C., 20250, 388-7803.

APPALACHIAN REGIONAL COMMISSION

Orville H. Lerch, Alternate Federal Co-Chairman, 1666 Connecticut Avenue NW., Washington, DC 20235, 967-4103.

DEPARTMENT OF THE ARMY (CORPS OF ENGINEERS)

Col. J. B. Newman, Executive Director of Civil Works, Office of the Chief of Engineers, Washington, D.C. 20314, 693-7168.

ATOMIC ENERGY COMMISSION

For nonregulatory matters: Joseph J. DiNunno, Director, Office of Environmental Affairs, Washington, D.C. 20545, 973-5391.

For regulatory matters: Christopher L. Henderson, Assistant Director for Regulation, Washington, D.C. 20545, 973-7531.

DEPARTMENT OF COMMERCE

Dr. Sydney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Washington, D.C. 20230, 967-4335.

DEPARTMENT OF DEFENSE

Dr. Louis M. Rousselot, Assistant Secretary for Defense (Health and Environment), Room 3E172, 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 Statements Office, 1626 K Street NW., Washington, 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, D.C. 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 DEVELOPMENT[1]

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.

[1] Contact the Deputy Under Secretary with regard to environmental impacts of legislation, 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 Officer, Room 405, John F. Kennedy Federal Building, Boston, MA 02203, 617-223-4066.

S. William Green, Regional Administrator II, Attention: Environmental Clearance Officer, 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 Street, Philadelphia, PA 19106, 215-597-2560.

Edward H. Baxter, Regional Administrator IV, Attention: Environmental Clearance Officer, Peachtree-Seventh Building, Atlanta, GA 30323, 404-526-5585.

George Vavoulis, Regional Administrator V, Attention: Environmental Clearance Officer, 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, Washington, D.C. 20576, 382-1163.

OFFICE OF ECONOMIC OPPORTUNITY

Frank Carlucci, Director, 1200 19th Street, NW., Washington, DC 20506, 254-6000.

SUSQUEHANA RIVER BASIN COMMISSION

Alan J. Summerville, Water Resources Coordinator, Department of Environmental Resources, 105 South Office Building, Harrisburg, PA. 17120, 717-787-2315.

TENNESSEE VALLEY AUTHORITY

Dr. Francis Gartrell, Director of Environmental 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, Washington, D.C. 20590, 426-4563.

DEPARTMENT OF TREASURY

Richard E. Slitor, Assistant Director, Office of Tax Analysis, Washington, D.C. 20220, 964-2797.

DEPARTMENT OF STATE

Christian Herter, Jr., Special Assistant to the Secretary for Environmental Affairs, Washington, 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, 911 Walnut Street, Kansas City, MO 64106, 816-374-2661.

Robert C. Rosenheim, Regional Administrator VIII, Attention: Environmental Clearance Officer, Samsonite Building, 1051 South Broadway, Denver, CO 80209, 303-837-4061.

Robert H. Baida, Regional Administrator IX, Attention: Environmental Clearance Officer, 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.

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 14 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.

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.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

POLICY AND PROCEDURE MEMORANDUM

Transmittal 279
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

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 crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study.

L_{10} - 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:

Building Type	Window Condition	Noise Reduction Due to Exterior of the Structure	Corresponding Highest Exterior Noise Level Which Would Achieve an Interior Design Noise Level of 55 dBA
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 intersections, 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

Land Use Category	Design Noise Level - L_{10}	Description of Land Use Category
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.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

POLICY AND PROCEDURE MEMORANDUM

Transmittal 293

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.

R. R. Bartelsmeyer

R. R. Bartelsmeyer
Acting Federal Highway Administrator

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
BUREAU OF PUBLIC ROADS
WASHINGTON, D.C. 20591

December 29, 1967

INSTRUCTIONAL MEMORANDUM 20-6-67
32-01

SUBJECT: Prevention, Control, and Abatement of Water Pollution Control by Federal Activities -- Executive Order 11288

Instructional Memorandums 20-3-66 (June 7, 1966) and 20-2-67 (May 24, 1967) provide guidance and outline procedures for minimizing pollution of water occurring during and following highway construction. These memorandums provide for the implementation of Executive Order 11258 (November 17, 1965), revised as Executive Order 11288 (July 2, 1966), both of which pertain to the furtherance of the purpose and policy of the Federal Water Pollution Control Act, as amended, which is administered by the Federal Water Pollution Control Administration under the direction of the Secretary of the Interior.

In addition to the above Executive Orders the Congress in Section 14 of the Federal-Aid Highway Act of 1966, amended Section 109 of Title 23, USC, by adding subsection (g) which directed the Secretary (of Transportation) to consult with the Secretary of Agriculture with respect to guidelines for minimizing possible soil erosion from highway construction and report to Congress such guidelines not later than July 1, 1967. A report of these guidelines was developed by a task force of engineers from the Soil Conservation Service of the Department of Agriculture and the Bureau of Public Roads. The report received the concurrence of the Secretary of Agriculture and was submitted to the Congress by the Secretary of Transportation on June 28, 1967. While the report has been acknowledged by the Congress it has not been published. A copy of this report is attached.

It is Public Roads position that by careful attention to the guidelines submitted to Congress and their application in the planning and location, the design, the construction practices, and the maintenance of highways; the pollution of water during and following highway construction would be reduced to a practicable and feasible minimum.

Accordingly, highway agencies constructing projects with funds authorized under the Federal-aid highway acts are to apply the guidelines as are appropriate for the conditions of the locations of the projects. Whenever such projects are subject to approval by the Bureau of Public Roads such approval is not to be given until a determination has been made that the guidelines have been applied and that water pollution is minimized. It is also expected that corrective actions during construction are to be taken as determined necessary to obtain the objectives of Executive Order 11288, the guidelines, and the provisions of the construction specifications.

(more)

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

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
HEV-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,

-more-

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, FHWA 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 PPMs 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

R. R. Bartelsmeyer
Acting Federal Highway Administrator

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

BUREAU OF PUBLIC ROADS

POLICY AND PROCEDURE MEMORANDUM

Transmittal 162
50-9
November 24, 1969

URBAN TRANSPORTATION PLANNING

Par. 1. Purpose
2. Authority
3. Jurisdiction
4. Definition
5. Scope of the elements of the transportation planning process
*6. Citizen Participation

1. PURPOSE

To provide the definitions and interpretations of the urban transportation planning process which is required as a prerequisite to program approval for projects in urban areas of more than fifty thousand population. Guidelines are provided for developing each element of the transportation planning process.

2. AUTHORITY

The authority for the transportation planning requirements rests in Section 9 of the Federal-Aid Highway Act of 1962, approved October 23, 1962, which amended Chapter 1 of Title 23, United States Code, by the addition of a new Section 134 which reads as follows:

"It is declared to be in the national interest to encourage and promote the development of transportation systems embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under Section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section."

3. JURISDICTION

The following sections define the areas where the planning process definitions and interpretations will apply as a prerequisite to program approval.

a. Urbanized Areas: The planning requirements of Section 134, Title 23, United States Code, are applicable for urban areas of more than fifty thousand population which are identified as fitting into the following two categories:

(1) Urban areas of more than 50,000 population identified by decennial census: These areas are identified as the "urbanized areas" established by the U.S. Bureau of the Census in the latest available census of population of the United States and Puerto Rico.

(2) Urban areas of more than 50,000 population identified between decennial census periods: These areas are identified subsequent to a decennial census as a result of a finding by the U.S. Bureau of the Census based on a special census, or an evaluation of newly annexed areas, that the population of a city or urban area is now in excess of 50,000 population. Other official findings may come from the U.S. Bureau of the Budget in the nature of additions to their list of Standard Metropolitan Statistical Areas.

b. Boundaries

(1) Urbanized Area boundaries: The boundaries of the urbanized areas established by the U.S. Bureau of the Census shall be controlling in determining the eligibility for approval of Federal-aid projects in programs, unless other limits for this purpose shall be agreed upon by the U.S. Bureau of Public Roads and the States. Since urbanized area boundaries are only established by the U.S. Bureau of the Census at the time of the decennial census, the municipal boundaries will be controlling in determining the eligibility for approval of any program of Federal-aid projects until such time as urbanized area boundaries are officially established, unless other limits for this purpose shall be agreed upon by the U.S. Bureau of Public Roads and the States. In the event that a city, included within an established urbanized area extends its boundaries by annexation beyond the boundaries of

the urbanized area, the area included in the expanded municipal boundaries will also be subject to the provision of Section 134.

(2) Comprehensive planning area boundaries: The boundaries of the urbanized area established by the U. S. Bureau of Census or in Section 3b(1) above should not, however, necessarily restrict the area to be encompassed in a comprehensive transportation planning process. For planning purposes all of the area likely to be urbanized within the forecast period, usually 20 years, should be included. In those instances where urbanized areas as defined by the U. S. Bureau of the Census are adjoining or are likely to become adjoining in the forecast period, the planning process should embrace the entire area. Except in unusual circumstances the planning area shall not be less than the urbanized area delimited by the U. S. Bureau of the Census.

(3) Boundary restrictions: The boundaries of urbanized areas as defined herein either for planning purposes or for determining eligibility of proposed Federal-aid highway projects are not necessarily coincidental with urban area boundaries defined in Policy and Procedure Memorandum 10-5, and the revisions thereto.

4. DEFINITION

The following definitions and interpretations will apply to the planning process:

a. Transportation planning process:

(1) The planning process includes the operational procedures and working arrangements by which short and long-range highway and transportation plans are soundly conceived and developed, and continuously evaluated in a manner that will:

(a) Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs.

(b) Guide private individuals and groups in their planning decisions which can be important factors in the pattern of future development and redevelopment.

(2) Transportation planning is concerned with all facilities used for the movement of persons and goods, including terminal facilities and traffic control systems. The process is based on the collection, analysis, and interpretation of pertinent data concerning existing conditions and historical growth; the establishment of community goals and objectives; and the forecasting of future urban development and future travel demands. It includes not only the initial preparation and evaluation of a transportation plan through an appraisal of practicable alternatives, but also periodic review and modification to meet changing conditions. In addition, it includes the preparation and dissemination of pertinent information needed by official agencies in their consideration of planning proposals and improvement programs, and for the encouragement of public understanding and support; and, the preparation of recommendations concerning scheduling and financing of highway improvements, coordination with other urban development programs, revision of ordinances and regulations, and additional legislation, if necessary.

(3) The planning process should be closely coordinated with policy making and program administration and should be organized with the objectives of achieving agreement on interrelated action programs founded on factual information.

(4) Basic elements for which inventories and analyses are required are as follows:

(a) Economic factors affecting development
(b) Population
(c) Land use
(d) Transportation facilities including those for mass transportation
(e) Travel patterns
(f) Terminal and transfer facilities
(g) Traffic control features
(h) Zoning ordinances, subdivision regulations, building codes, etc.
(i) Financial resources
(j) Social and community-value factors

(5) The scope of the inventories and the extent to which the various analyses need to be carried will, of course, vary depending upon such factors as city size, age, and growth potential.

b. Comprehensive - The comprehensive character of the planning process requires that the economic, population, and land use elements be included; that estimates be made of the future demands for all modes of transportation both public and private for both persons and goods; that terminal and transfer facilities and traffic control systems be included in the inventories and analyses; and, that the entire area, within which the forces of development are interrelated and which is expected to be urbanized within the forecast period, be included.

c. Continuing - The maintaining of current valid data on land use, travel and transportation and related facilities by staff at State or local level to provide for updating and re-evaluating the transportation plan as conditions change from those initially analyzed and forecasted. Maintenance of data can range from full time day-to-day operations for the large urban areas to part-

time or intermittent operations for the smaller urban areas. Either type of operation should insure that land use changes differing from those forecasted are recorded in a manner that will permit a ready evaluation of their significance with respect to the transportation plan. Similarly, as each portion of a transportation plan is placed in operation an evaluation of its effectiveness should be made. Travel habits should be reappraised and transportation plans updated whenever the departures from the land use forecast are significant or the effectiveness of new facilities differs materially from that anticipated. In any event, transportation plans should be re-evaluated and updated when necessary, but not less frequently than every five years.

d. Cooperatively -

(1) The establishment of a formal procedure - supported by a written memorandum of understanding - between the State highway departments and the governing bodies of the local communities for carrying out the transportation planning process in a manner that will insure that the planning decisions are reflective of and responsive to both the programs of the State highway department and the needs and desires of the local communities. The agreement may be directly between the State highway department and the local governing bodies or by way of an agreement between the State highway department and an agency or agencies embracing the urban area encompassed in the transportation planning process and qualified to act in behalf of the local jurisdictions for this purpose. The State highway department will be expected to show by suitable evidence that scrupulous efforts have been made to carry out the intent of the Act with respect to cooperative action by all political subdivisions. If there is an unwillingness on the part of a local political unit within an urban area to participate in the transportation planning process in such area, a determination shall be made as to whether the percentage of the urban area affected is such as to negate an effective planning process for the whole area.

(2) Cooperation is construed to mean that each jurisdiction having authority and responsibility for actions of regionwide significance should have appropriate voice in the transportation planning process, either through direct participation or through adequate representation. State highway departments should solicit the cooperation of all political subdivisions having such authority and responsibility. This solicitation can be made directly to the governing bodies of each individual political subdivision or through an appropriate local agency.

(3) Ideally, all political subdivisions should participate in the transportation planning process. This would insure full consideration of all pertinent factors and contribute to the resolution of any differences of opinion during the process of developing proposals for improvements. However, individual, direct participation by all jurisdictions will generally not be practical in the large urban areas, and in such cases it may be necessary for the smaller jurisdictions to be represented by the larger or more inclusive ones. Many small incorporated places included in large urbanized areas do not have authority to exercise land use controls or to construct transportation improvements, and their participation need not necessarily be solicited.

(4) Each urbanized area has State and local legislation pertaining to authorities and responsibilities of local political subdivisions which make it impractical to establish uniform criteria for determining the specific political subdivisions with which a memorandum of understanding is required. It will be the responsibility of the regional Federal Highway Administrator to make this determination for each urbanized area within his region.

(5) In cases where the urbanized area is located in more than one State, the initial agreement should be between the State highway departments involved. The responsibility for effecting State and local cooperation rests with the particular State highway department concerned.

(6) The memorandum of understanding need not follow any prescribed format but should clearly indicate that a continuing comprehensive transportation planning process is to be carried on cooperatively by the States and the local political subdivisions. The administrative procedure by which this cooperation is to be effected, including an assignment of duties and responsibilities, should be covered in the memorandum or by reference to a prospectus.

5. SCOPE OF THE ELEMENTS OF THE TRANSPORTATION PLANNING PROCESS

The following sections supplement the definitions of the ten elements in the transportation planning process as set forth in paragraph 4a(4).

a. Economic factors affecting development

(1) An economic study should provide an estimate of the total change in the level of economic activity in the study area from the present to the forecast year. This forecast of future economic activity together with the population forecast will provide the basic input for the land use and travel forecasts.

(2) The economic study should consist of the collection, analysis, and forecasting of the following elements:

(a) Employment (by Standard Industrial Classification)

(b) Per capita income or median family income, in constant dollars

(c) Income-consumption patterns

(d) Vehicle ownership

(e) Labor force

(3) The economic study should also include an inventory and analysis of all pertinent economic forecasts made by others for the larger region, the study area, or for any of its subunits.

(4) Economic data are required at two levels of geographic detail; (1) for the study area as a whole, and (2) for traffic analysis zones, census tracts, or other small areal units. At the study area level, data should be collected for current and past years in sufficient detail to permit a thorough analysis.

(5) At the small area level, data are needed for the current period for trip generation and land use analyses. In addition, it is desirable to have small area data for a past time period to determine whether current relationships have been stable over time.

(6) In making the forecasts of future economic activity, the study area's economic advantage in holding and attracting industries and workers should be analyzed and evaluated. Industry location decisions are influenced by such factors as costs of production, access to resources, characteristics of the labor force (i.e., its occupational skills, productivity, educational level, age, sex, etc.), the quality of the area's nonhuman resources, including the geography of the region (i.e., the future supply of these resources, climate, terrain, water, transportation, recreational facilities, etc.), and the fiscal and financial policies guiding the area's governing unit (i.e., its tax structure, borrowing powers, etc.).

(7) Moreover, analyses of data forecasts should take account of the effect on the local economy of variations (recent or otherwise) in the national economy; the effect of economic fluctuations on different industries, and the probable effect of technological developments on local industries over time.

(8) Forecasts which are merely extrapolations of recent trends may give misleading estimates of the future. An analysis of relationships between factors found within recent trends, however, form an important part of any forecast and provide a basis for forecasts that diverge from these trends.

(9) Regardless of the method used to make future estimates, the results obtained should be tested for reasonableness and consistency. For example, an important check is to prepare a population forecast based on the employment forecast and compare this with the independent population forecast based on demographic techniques.

b. Population studies

(1) A population forecast is required to provide an estimate of the total potential tripmakers at some future time. The population and economic forecasts together form the basis for estimating future land use and travel demands, since the number of people and jobs are the major determinants of tripmaking.

(2) The first step in a population study should be a survey of all available historical data on total population, its distribution by small areas, and its characteristics. Using these data, analyses can be made of changes in rates of growth and in composition of the population. Such analyses will aid in determining the appropriate forecasting technique to be used.

(3) All available pertinent population studies previously conducted by others should be fully utilized to the extent they are applicable and acceptable. These may include estimates of current population as well as forecasts, and may relate to the study area, parts of the area, or to larger regions containing the study area.

(4) Several forecasting methods are in common use today. The technique used to forecast population will depend upon the input requirements of other phases of the study, the detail of the available data, and the special characteristics of the study area (size, composition, and growth rate). The most important information that should be provided by the forecast is an estimate of future total population and average household size (or number of households).

(5) All assumptions and the reasons for making them should be documented. The population forecast should be checked for consistency with other forecasts independently prepared, especially those relating to employment.

c. Land use

(1) The land use study incorporates a wide variety of undertakings, all of which are aimed at providing an accounting of the current land use activity structure of the study area and the most probable or desirable future structure.

(2) The land use study should include the following items for the entire study area:

(a) An inventory of the location and intensity of existing land use activities, including vacant land. The inventory of vacant land should take account of land subject to flood, to the extent such information is available. Requests for flood hazard information may be addressed to the appropriate district office of the Corps of Engineers, U.S. Army. Inventory should also be made of authorized public and private capital improvement plans and programs, and existing pertinent zoning and subdivision regulations.

(b) An analysis of past trends to aid in determining land consumption rates and the most likely location patterns of households and business firms.

(c) The distribution of an area-wide forecast of population and economic activity to small areas (zones). The forecast should give full consideration to officially approved plans or programs and community goals and objectives.

(3) The land use data needed as a base for developing the forecast may be obtained from field surveys, local planning agencies, other secondary sources, or a combination of these. All existing land use data, such as those available in local planning departments, should be fully utilized, provided they are adequate for the needs of the transportation study. Where a new field survey is necessary, it should be jointly undertaken by local and regional planning agencies working with the transportation study group.

(4) The land use data should be collected in a form that will allow their use for a variety of public and private planning purposes, including study of the area's land use characteristics and growth trends. To accomplish these objectives, it is desirable to list land use by specific activity rather than to classify land use into general categories. The Standard Land Use Coding Manual is a valuable guide for identifying and coding detailed land use activities. Adherence to the system recommended in the manual will maintain detailed data in a form that will permit its application to specific needs of various users as they arise.

(5) A forecast of land uses within an area - their type, intensity, and geographic distribution - is based on the long range goals and objectives of the individual communities, the broad planning concepts for the entire urban region, and the market forces inherent in private and public capital expenditures. The land use forecast is essential for determining future travel movements and transportation needs for the entire urban area.

(6) Land use forecasts provide the information needed for the travel forecasts. Normally these will be required for both a short-range period of about five years, as well as for a long-range period of about 20 years, to correspond to capital improvement program periods. In some cases, the forecasting process itself, as well as the requirements of the other phases of the study, may warrant forecasts for each five-year increment of the 20-year forecast period. The estimates of the future distribution of land use activities should permit periodic comparison of forecasts to actual development.

(7) The specific information to be provided by the forecast will vary considerably with the size of the study area. As a minimum, however, the following estimates should be provided for each zone, for each forecast period:

(a) Population

(b) Number of occupied dwelling units

(c) Net residential density

(d) Automobile ownership

(e) Total employment

(f) Retail employment or other indicators of the amount of retail activity such as retail sales, or floor area in retail use

(g) Amount of nonresidential land by major land use categories

(h) Amount of vacant land

d. Transportation facilities including those for mass transportation

(1) The inventory of the existing transportation system should provide complete information on the physical features and operational characteristics of each link of the major street system (freeways, expressways, arterials, and collectors). Among the physical features of roads and streets that should be inventoried are right-of-way width, roadway width, roadway type and condition, parking regulations, and traffic control regulations and devices. Other items that may be included are listed in the National Committee on Urban Transportation (NCUT) Procedure Manual 5A, Inventory of the Physical Street System. The items to be included should fit the specific needs of each urban area study.

(2) Operational characteristics needed include the capacities of the roadways and the major street intersections; the volume of traffic

on each segment of the system; the speed of traffic movement at different volumes; and the frequency and location of accidents. NCUT Procedure Manual 3E, Maintaining Accident Records, may be used as a guide for making accident studies.

(3) The street capacity study should utilize the techniques described in the Highway Capacity Manual.[1] Data from the physical street inventory will be required for the capacity study.

(4) Procedures for measuring traffic volumes are provided in the Bureau of Public Roads Guide for Traffic Volume Counting Manual. Traffic volumes should be measured at a sufficient number of points to describe the traffic being carried by the major street system. Both the annual average daily traffic (ADT) and the morning and evening peak-hour volumes are needed. The total traffic counting program should also include manual and machine counts at selected cordons and screenlines, turning movement counts at important intersections, and vehicle classification counts at points representative of conditions on different types of roads and streets.

(5) A functional classification should be made of the existing street system using the procedures given in the National Committee on Urban Transportation Procedure Manual 1A, Determining Street Use, and 7A, Standards for Street Facilities and Services, and in Highway Planning Technical Report, Number 3.[2]

(6) The inventory of the transportation system should also provide information on public transportation. Transit studies should provide data which will be useful in estimating the choice of mode of travel in the forecast year. The following data should be collected for each transit line by period of the day for an average weekday for the survey year:

(a) Transit route map by type of service and transit vehicle

(b) Passenger counts at the CBD cordon or maximum load points

(c) Passenger fare distribution by single or combination fares

(d) Operating data, consisting of:

1 Revenue vehicle-miles

2 Average seating capacity by type of service and standard regulations

3 Route-miles and terminal-to-terminal running time

4 Headways

5 Regularity of service as measured by ability to maintain schedules

(7) Often additional information is needed on the character of trips within the central business district. To collect this information, "on and off" counts may be necessary.

e. Travel patterns

(1) Urban transportation planning requires specific knowledge of the current travel patterns of the area being studied. Information is needed on the location and amount of travel by the various modes, and on such trip characteristics as purpose, length, and time of day. Although similarities in certain trip characteristics are found in urban areas, there is enough evidence of differences to require these data be obtained in each area.

(2) For urban areas of over 50,000 population, it is considered essential that the base year travel for all types of trips (zone-to-zone, zone-to-external station, and external station-to-external station) by automobile, transit, truck, and taxi be established by purpose and time of day. This is usually done by conducting a comprehensive origin-destination survey.

(3) The zones into which the planning area is subdivided for analysis purposes should be sufficiently small to permit the transportation planning process to develop traffic assignments meaningful at the arterial street level. Normally there should not be more than 10,000 future trip ends (origins and destinations) in any zone.

(4) The zones should not be so large that the assigned volumes would be unrealistic, and the shape of each zone should be suitable

1/ Highway Capacity Manual, 1965. Special Report 87 by the Highway Research Board, Washington, D.C.

2/ "Developing and Analyzing Functionally Classified Networks Utilizing Traffic Simulation-Phase 1," Highway Planning Technical Report, Number 3, Bureau of Public Roads, February 1966.

for representation by a point. Preferably zones should be square and of homogenious land uses. Consideration should also be given to the compatibility of the selected zones with census tracts.

(5) It is recommended that the travel information be obtained by an external cordon and a home interview survey using methods described in the Bureau of Public Roads Home Interview Procedure Manual. Sample rates suggested in the manual are recommended. Other survey techniques are acceptable, provided adequate sampling procedures are used and adequate controls are established for expansion purposes.

(6) In preparing estimates of travel patterns for the forecast year, it is recommended that mathematical models be used. The models must be calibrated against the current travel patterns and, if results are to be acceptable, procedures used should meet the following tests:

(a) The total number of person trips, auto driver trips, transit trips, truck trips, taxi trips, and work trips are in reasonable agreement with controls independently established.

(b) Trip generation relationships used for estimating travel should be in reasonable agreement with actual relationships in the area being studied, and the trip length (time) frequency distribution and mean trip length values of estimated and actual travel should be similar.

(c) The number of work trips estimated to be destined for selected employment areas within the city should compare with actual employment data within reasonable limits.

(d) The distribution of trips crossing preselected screenlines should compare within acceptable limits with actual volumes measured on facilities crossing these lines. These screenlines should be placed so as to measure different portions of the travel pattern. The check should be made for vehicle trips and for transit person trips where the latter are significant.

(e) Weighting factors used to calibrate the travel distribution formula must be correlated logically with characteristics of the area where applied. The use of factors merely to provide a "match" between estimated and actual travel patterns will not be considered acceptable.

(f) The assignment of the synthesized vehicular travel to the current highway network should produce a reasonable comparison with actual ground counts and vehicle-miles of travel.

(7) Estimates must be made of the future travel by all modes. Zone-to-zone, zone-to-external station, and external station to-external station traffic should be forecast, and it is recommended that estimates be made of the peak period travel as well as of the total 24-hour travel. Estimates of the future travel that will be generated from and attracted to each zone should be based on relationships between travel, land use, and socio-economic characteristics found significant in the base year analysis.

f. Terminal and transfer facilities

(1) The effectiveness and efficiency of the urban transportation system is dependent to a large measure upon the availability of adequate terminal and transfer facilities at trip origins and destinations.

(2) An inventory of the present supply of parking space should be made as outlined in Procedure Manuals 3C, Conducting a Limited Parking Study, or 3D, Conducting a Comprehensive Parking Study, of the National Committee on Urban Transportation. The inventory should cover parking facilities, both at the curb and in offstreet garages and lots. Also, information on the location and use of truck loading and unloading facilities is needed. In addition, information on parking rates and on the average time, by hour of the day, required to park and unpark vehicles in offstreet facilities will be useful in estimating choice of mode of future trips.

(3) Special studies should be made of selected major terminal facilities serving substantial volumes of commercial traffic whether located inside or outside of critical areas. The study of these facilities will provide information useful for determining future parking, loading, and unloading requirements for similar terminals which may be required in the future.

(4) Estimates should be made of the future requirements for both parking and commercial loading and unloading facilities in critical areas. These estimates should be developed, utilizing the travel forecasts (as discussed under "Travel patterns") by trip purpose and time of day. Parking estimates should be consistent with forecasts of vehicle trip ends in a given area. The feasibility of satisfying future parking demands should be determined considering their compatibility with existing and future land uses, ordinances, codes, other regulations, and their effects upon the operational characteristics of freeways, expressways, arterial streets, and transit networks.

g. Traffic control features

(1) Many engineering techniques for increasing the traffic capability of facilities are known. Some involve, for the most part, relatively minor expenditures and little or no construction. The traffic control features analysis in the transportation planning process should include studies leading to recommendations for the fullest utilization of the capacity of existing expressways and arterial streets. Traffic engineering techniques include improved signal operations, turning movement controls, parking restrictions, unbalanced lane operations, one-way street operations, through street systems, uniformity of signs, signals, and markings, simple channelization, street lighting, and pedestrian controls.

(2) These techniques are more fully defined in the report Increasing the Traffic-Carrying Capability of Urban Arterial Streets, by the Bureau of Public Roads, and available from the U.S. Government Printing Office.

h. Zoning ordinances, subdivision regulations, building codes, etc.

(1) Zoning ordinances, setback requirements, subdivision controls, building codes, tax policies, and the official map, together with licensing powers, are basic techniques used to control community development. The forecasting of future land uses is subject to considerable error at best, but lacking adequate controls, "planned" development will in most instances have little chance of becoming reality. Further, land use controls are important to protect the traffic-carrying capability of, and public investment in, transportation facilities.

(2) Existing State, regional, and local laws and ordinances should be analyzed in the light of the objectives for future development and deficiencies carefully documented. The review of such laws and ordinances should be made as they are initiated or approved.

i. Financial resources

(1) One of the more critical factors influencing programs devised to implement an urban transportation system plan is the availability of adequate financial resources. In addition to determining the transportation system needs for a study area and the estimated costs to fulfill these needs, the transportation planning process should also survey and analyze the ability of the affected governmental units in the study area to finance the needed improvements.

(2) A financial resources study should begin with an inventory of the sources and amounts of revenue available for the construction, maintenance, and operation of transportation facilities in the study area over the past 5 to 10 years. In addition, a historical record of the disbursements actually made for transportation purposes over the same period of time should be obtained.

(3) It is also well to determine the overall financial condition of the local governmental units involved by analyzing the trend of their funded debt. This trend, along with any laws specifying debt limitations or taxing restrictions may help indicate to what extent the governmental units within the study area will be able to contribute to the financing of the area's transportation system.

(4) The next step in the analysis is to prepare estimates of the revenues expected to be available for transportation improvements within the study area. For many urban areas, estimates are usually available for short-time periods.

j. Social and community value factors

(1) In the development of transportation plans, it is important that full consideration be given to the possibility of utilizing these facilities to raise the standards of the urban area. Open space, parks, and recreational facilities are important environmental factors. It is becoming more and more important in our transportation planning that additional attention be given not only to the preservation and enhancement of existing open space, but also to the providing of additional open space in anticipation of future development. Similarly, conscientious attention should be given to the preservation of historical sites and buildings.

(2) In planning the location of transportation facilities, every effort should be made to avoid areas subject to flooding. If an encroachment of flood plain appears necessary, an evaluation should be made of the flood potential on the highway and the effect of the highway construction on the flood hazard.

(3) Care also should be exercised in selecting locations for new transportation facilities so that neighborhoods are not disrupted. To the maximum extent possible, cutting through school districts, fire station districts, etc., should be avoided and the appearance of the facility from the viewpoint of the motorist, the pedestrian and the nearby residents should be considered.

* 6. CITIZEN PARTICIPATION

a. Citizen participation is needed at all stages of the planning process beginning with the spelling out of goals and objectives and extending through the choice between alternatives for both land use and transportation. Lines of communication should be established and maintained which will not only seek the views of those affected by proposed programs but demonstrate to them in ways they understand that their views receive full and sincere consideration. This may well require the aggressive use of newspapers, radio and television in addition to public meetings and organized citizens committees.

b. The organization responsible for the planning process shall make provisions to inform the public completely, to obtain the public views, and to use these views in developing transportation plans.

R. R. Bartelsmeyer

R. R. Bartelsmeyer
Director of Public Roads

U.S. DEPARTMENT OF COMMERCE

BUREAU OF PUBLIC ROADS

WASHINGTON, D.C. 20235

April 28, 1965

INSTRUCTIONAL MEMORANDUM 50-2-65
38-36

SUBJECT: Urban Transportation Planning - Federal-aid Highway Program Approvals After July 1, 1965

This memorandum is issued to clarify procedures to be followed with respect to the approval of programs for projects in urban areas of over 50,000 population after July 1, 1965.

A good many of the urban areas over 50,000 population will be able to comply fully with the planning requirement of the Federal-Aid Highway Act of 1962. In practically all of the others the planning process will be in varying stages, and, in many, some projects can be approved even though the planning process will not have progressed through the transportation system analysis phase. The following instructions are intended to assure uniformity in our administration of the law.

A. Urban areas over 50,000 population in which the planning process is being carried on in accordance with the procedures outlined in Instructional Memorandums 50-2-63 and 50-2-63(1) and the work has progressed through the transportation system analysis phase.

Program actions shall be in accordance with PPM 21-1 as amended, provided:

1. The division engineer shall assure himself that the planning work is in fact being carried on cooperatively. A written memorandum of understanding, or similar document, between the State and the local communities (or evidence that the State has diligently attempted to obtain such an agreement) is required to support this finding.

2. The division engineer shall determine from support data provided by the planning process that:

- more -

a. The proposed project is on a route that is or will become a part of a highway network compatible with anticipated programs for improvement of other forms of transportation. (Such route must, of course, be included in one of the Federal-aid highway systems.)

b. In the location and design of the project due consideration has been given to anticipated land uses in the area affected.

c. The design of the facility is based on acceptable traffic estimates in which consideration has been given to future land uses and the probable usage of other forms of transportation.

d. Provisions can be made for traffic to approach and leave the facility in a manner that will permit the project to operate efficiently.

e. Additional terminal facilities needed to insure that the improvement will be effective can be provided in the areas affected without conflict with anticipated land uses.

In those instances in which the planning process has progressed through the transportation system analysis phase and is in a continuing state the division engineer shall assure himself that the data on which the above determinations are made are currently valid.

B. Urbanized areas over 50,000 population for which the planning process has not advanced through the transportation system analysis phase.

1. No new projects, except planning projects, spot improvement projects and preliminary engineering projects involving the investigation of alternative route locations shall be approved by the division engineer until such time as the planning process has advanced through the transportation system analysis phase. New projects are defined as projects on which no Federal-aid funds have been obligated (between the project termini), and includes replacement and resurfacing projects.

2. Projects providing for the completion of construction, as defined in PPM 21-12, of sections for which some phase of construction has been previously authorized may be approved by the division engineer. The termini for such projects must, however, be the same as for the previous authorization.

3. Construction, as defined in PPM 21-12, may be authorized by the division engineer on projects for which a substantial portion of the right-of-way has been acquired, with or without Federal funds, provided he has previously approved the detailed location and preliminary design and provided there is evidence of the acceptance of the location and design by the governing bodies of all of the affected jurisdictions.

4. Authorization to acquire right-of-way in itself is not considered as necessarily committing us to the completion of a project. Between now and July 1, 1965, authorizations to acquire right-of-way should be issued by the division engineer only with written evidence that the location and design are acceptable to the governing bodies of all of the affected jurisdictions. Authorizations to acquire right-of-way previously issued under which acquisition has not proceeded promptly, should be scrutinized and withdrawn if evidence of acceptability as specified above is lacking.

5. All projects in proposed programs which do not clearly qualify under (1), (2), and (3) above but for which, in the opinion of the division engineer, available planning data provide adequate support, shall be submitted to the Washington office for review. Each such submission shall be accompanied by documentation as necessary to permit a judgment concerning the following determinants:

   a. Acceptance of the project by the governing bodies of the local jurisdictions affected.

   b. Relation of the project to anticipated transit improvement programs.

   c. Compatibility of the project, as regards both location and design, to the anticipated land uses in the area affected.

   d. Adequacy of the traffic estimating procedure and the extent of the network to which assignments were made.

   e. Compatibility of any additional terminal facilities (needed to insure that the improvement will be effective) with anticipated land uses in the area affected, when applicable.

Projects which in the opinion of the division engineer cannot be supported by the available planning data should not be submitted or approved.

F. C. Turner

F. C. Turner
Chief Engineer

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D.C. 20591

October 28, 1971

INSTRUCTIONAL MEMORANDUM 50-1-70(3)
HP-25

SUBJECT: Procedures for Program Evaluation, Review, and Coordination Required by Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, and Title IV of the Intergovernmental Cooperation Act of 1968

This is to amend IM 50-1-70, dated January 12, 1970, in accordance with Office of Management and Budget's (OMB) February 9, 1971, revision of Circular A-95. The OMB Circular A-95, as revised, became effective April 1, 1971, and added the following provisions:

1. Encourages early notification of clearinghouses of intent to apply for Federal assistance.

2. Uniformity in the identification of proposed projects.

3. Securing the comments and views through clearinghouses of State and local agencies which are authorized to develop and enforce environmental standards on Federal or federally assisted projects affecting the environment pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, and regulations of the Council on Environmental Quality.

4. Standardization of 30-day period for review and comment by State, regional, and metropolitan clearinghouses.

5. Notifying affected clearinghouses within 7 days of any action taken by Federal agencies on project applications that have been reviewed by such clearinghouses.

Accordingly, IM 50-1-70, dated January 12, 1970, is amended as follows:

Section 4(a), Notifications

1. In the first sentence, 2d line, following the word "notify" add "at the earliest feasible time . . . ."

(more)

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2. The following should be added to Section 4(a), item (4), ". . . as indicated in the Catalog of Federal Domestic Assistance (April 1970 and subsequent editions.)"

3. OMB Circular A-95, revised, requires a statement be included in the notification to clearinghouses of proposed projects as to whether or not an environmental statement is required. Accordingly, a new paragraph (6) is added to Section 4(a), as follows:

   (6) "A brief statement of whether or not an environmental impact statement is required and, if so, an indication of the nature and extent of environmental impact anticipated. Where local and State comments are sought on draft environmental impact statements, clearinghouses should be requested by the State highway agency to obtain comments from State and local agencies authorized to develop and enforce environmental standards, on the environmental impact of the proposed highway improvement(s). Such comments should be clearly identified as to the source and forwarded by the appropriate clearinghouse(s) to the State highway agency for evaluation."

4. The time provided clearinghouses (State, regional, and metropolitan) for review and comment on proposed applications is now standardized at 30 days. Therefore the following changes are made in Section 4(c), Consultation and Comment.

   Item 4 is revised in its entirety by the elimination of the second and third paragraphs. References to specific categories of clearinghouses are also eliminated and item 4 changed to read, as follows:

   (4) "Clearinghouses will then have 30 days to submit any comments of their own or transmit the comments of any affected local government or their regional or sub-regional agencies in the area."

5. Item 5, Section 4(c), has also been amended to provide for early notifications to clearinghouses of action by the FHWA on proposed applications, as follows:

   After the word clearinghouse(s), add "within 7 days. . . ."

(more)

The addition of the following paragraph should also be made under item 5, Section 4(c):

> "In all instances, where a State clearinghouse has assigned an identification number to an application, affected FHWA offices will refer to such identification number in notifying clearinghouses of action on the application."

6. Section 4(f), Location Approval

   a. Item (2) is revised to eliminate the 60-day review period formerly granted to metropolitan clearinghouses;

      (2) The State highway department may request, and the division engineer may approve a proposal upon the State highway departments certifying that its proposal and request had been before affected State, regional, and metropolitan clearinghouses for 30 days without comment by the agency.

   b. Item (3) is amended by adding "within 7 days" after the word "clearinghouses."

A copy of the OMB Circular A-95 is attached.

R. R. Bartelsmeyer
Deputy Federal Highway
Administrator

Attachment

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 13, 1973

CIRCULAR NO. A-95
Revised

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Evaluation, review, and coordination of Federal and federally assisted programs and projects

1. Purpose. This Circular furnishes guidance to Federal agencies for added cooperation with State and local governments in the evaluation, review, and coordination of Federal assistance programs and projects. The Circular promulgates regulations (Attachment A) which provide, in part, for:

a. Encouraging the establishment of a project notification and review system to facilitate coordinated planning on an intergovernmental basis for certain Federal assistance programs in furtherance of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968 (Attachment B).

b. Coordination of direct Federal development programs and projects with State, areawide, and local planning and programs pursuant to Title IV of the Intergovernmental Cooperation Act of 1968.

c. Securing the comments and views of State and local agencies which are authorized to develop and enforce environmental standards on certain Federal or federally assisted projects affecting the environment pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (Attachment (C)) and regulations of the Council on Environmental Quality.

d. Furthering the objectives of Title VI of the Civil Rights Act of 1964.

This Circular supersedes Circular No. A-95 (Revised), dated February 9, 1971 as amended by Transmittal Memoranda No. 1, dated July 26, 1971, and No. 2, dated March 8, 1972. It will become effective January 1, 1974.

2. Basis. This Circular has been prepared pursuant to:

a. Section 401(a) of the Intergovernmental Cooperation Act of 1968 which provides, in part, that

> "The President shall . . . establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development..."

and the President's Memorandum of November 8, 1968, to the Director of the Bureau of the Budget ("Federal Register," Vol. 33, No. 221, November 13, 1968) which provides:

> "By virtue of the authority vested in me by section 301 of title 3 of the United States Code and section 401(a) of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), I hereby delegate to you the authority vested in the President to establish the rules and regulations provided for in that section governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basis objectives.
>
> "In addition, I expect the Bureau of the Budget to generally coordinate the actions of the departments and agencies in exercising the new authorizations provided by the Intergovernmental Cooperation Act, with the objective of consistent and uniform action by the Federal Government."

b. Title IV, section 403, of the Intergovernmental Cooperation Act of 1968 which provides that:

> "The Bureau of the Budget or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this Title."

c. Section 204(c) of the Demonstration Cities and Metropolitan Development Act of 1966 which provides that:

> "The Bureau of the Budget, or such other agency as may be designated by the President, shall prescribe such rules and regulations as are deemed appropriate for the effective administration of this section," and

d. Reorganization Plan No. 2 of 1970 and Executive Order No. 11541 of July 1, 1970, which vest all functions of the Bureau of the Budget or the Director of the Bureau of the Budget in the Director of the Office of Management and Budget.

3. Coverage. The regulations promulgated by this Circular (Attachment A) will have applicability to:

a. Under Part I, all projects and activities (or significant changes thereto) for which Federal assistance is being sought under the programs listed in Attachment D or Appendix I of the Catalog of Federal Domestic Assistance whichever bears the later date. Limitations and provisions for exceptions are noted therein.

Projects and activities under other Federal programs in certain States, where State law (or administrative regulations developed pursuant thereto) so require, unless the head of the Federal program agency determines that such requirement would be inconsistent with the Federal law on which the program is based and the objectives of this Circular.

b. Under Part II, all direct Federal development activities, including the acquisition, use, and disposal of Federal real property.

c. Under Part III, all Federal programs as listed in Appendix II of the Catalog of Federal Domestic Assistance requiring, by statute or administrative regulation, a State plan as a condition of assistance and certain multi-source programs.

d. Under Part IV, all Federal programs providing assistance to State, local, and areawide projects and activities that are planned on a multijurisdictional basis.

4. Inquiries. Inquiries concerning this Circular may be addressed to the Office of Management and Budget, Washington, D.C. 20503, telephone (202) 395-3031.

DIRECTOR

Attachments

REGULATIONS UNDER 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

PART I: PROJECT NOTIFICATION AND REVIEW SYSTEM

1. Purpose. The purpose of this Part is to:

a. Further the policies and directives of Title IV of the Intergovernmental Cooperation Act of 1968 by encouraging the establishment of a network of State and areawide planning and development clearinghouses which will aid in the coordination of Federal or federally assisted projects and programs with State, areawide, and local planning for orderly growth and development.

b. Implement the requirements of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 for metropolitan areas within that network.

c. Implement, in part, requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, which require that State, areawide, and local agencies which are authorized to develop and enforce environmental standards be given an opportunity to comment on the environmental impact of Federal or federally assisted projects.

d. Provide public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to participate in the review process established under this Part.

e. Encourage, by means of early contact between applicants for Federal assistance and State and local governments and agencies, an expeditious process of intergovernmental coordination and review of proposed projects.

2. Notification.

a. Any agency of State or local government or any organization or individual undertaking to apply for assistance to a project (or a renewal or major modification thereto) under a Federal

program covered by this Part will be required to notify the State and areawide planning and development clearinghouse in the jurisdiction of which the project is to be located, of its intent to apply for assistance.

In the case of applications for an activity that is Statewide or broader in nature (such as for various types of research) and does not have specific applicability to nor affects areawide or local planning and programs, the notification need be sent only to the State clearinghouse. Involvement of areawide clearinghouses in the review in such cases will be at the initiative of the State clearinghouse.

Notification will include a summary description of the project for which assistance will be sought. The summary description will contain the following information, as appropriate and available:

(1) Identity of the applicant agency, organization, or individual.

(2) The geographic location of the project to be assisted. A map should be provided, if appropriate.

(3) A brief description of the proposed project by type, purpose, general size or scale, estimated cost, beneficiaries, or other characteristics which will enable the clearinghouses to identify agencies of State or local government having plans, programs, or projects that might be affected by the proposed projects.

(4) A statement as to whether or not the applicant has been advised by the funding agency from which assistance is being sought that he will be required to submit environmental impact information in connection with the proposed project.

(5) The Federal program title and number and agency under which assistance will be sought as indicated in Attachment D or the latest Catalog of Federal Domestic Assistance. (The Catalog is issued annually in the spring and is updated periodically during the year.)

(6) The estimated date the applicant expects to formally file an application.

Many clearinghouses have developed notification forms and instructions. Applicants are urged to contact their clearinghouses for such information in order to expedite clearinghouse review.

b. In order to assure maximum time for effective coordination and so as not to delay the timely submission of the completed application to the funding agency, notifications containing the preliminary information indicated above should be sent at the earliest feasible time.

c. Applications from Federally recognized Indian tribes are not subject to the requirements of this Part. However, Indian tribes may voluntarily participate in the Project Notification and Review System and are encouraged to do so. Federal agencies will notify the appropriate State and areawide clearinghouses of any applications from Federally-recognized Indian tribes upon their receipt.

3. Clearinghouse functions. Clearinghouse functions include:

a. Evaluating the significance of proposed Federal or federally assisted projects to State, areawide, or local plans and programs, as appropriate.

b. Receiving and disseminating project notifications to appropriate State agencies in the case of the State clearinghouse and to appropriate local governments and agencies and regional organizations in the case of areawide clearinghouses; and providing liaison, as may be necessary, between such agencies or bodies and the applicant.

c. Assuring, pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, that appropriate State, areawide, or local agencies which are authorized to develop and enforce environmental standards are informed of and are given opportunity to review and comment on the environmental significance of proposed projects for which Federal assistance is sought.

d. Providing public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to review and comment on the civil rights aspects of the project for which assistance is sought.

e. Providing, pursuant to Part II of these regulations, liaison between Federal agencies contemplating direct Federal development projects and the State or areawide agencies or local

governments having plans or programs that might be affected by the proposed project.

4. Consultation and review.

a. State and areawide clearinghouses may have a period of 30 days after receipt of a project notification in which to inform State agencies and local or regional governments or agencies (including agencies authorized to develop and enforce environmental standards and public agencies charged with enforcing or furthering the objectives of State and local civil rights laws) that may be affected by the proposed project and arrange, as may be necessary, to consult with the applicant thereon.

b. During this period and during the period in which the application is being completed, the clearinghouse may work with the applicant in the resolution of any problems raised by the proposed project.

c. Clearinghouses may have, if necessary, an additional 30 days to review the completed application and to transmit to the applicant any comments or recommendations the clearinghouse (or others) may have. Written comments submitted to the areawide clearinghouse by other jurisdictions, agencies, or parties will be included as attachments to the comments of areawide clearinghouses, when they are at variance with the clearinghouse comments; and others from whom comments were solicited should be listed.

d. In the case of a project for which Federal assistance is sought by a special purpose unit of government, clearinghouses will assure that any unit of general local government having jurisdiction over the area in which the project is to be located has opportunity to confer, consult, and comment upon the project and the application.

e. Applicants will include with the completed application as submitted to the Federal agency (or to the State agency in the case of projects for which the State, under certain programs, has final project approval):

(1) Any comments and recommendations made by or through clearinghouses, along with a statement that such comments have been considered prior to submission of the application; or

(2) A statement that the procedures outlined in this section have been followed and that no comments or recommendations have been received.

f. Where areawide clearinghouse jurisdictions are contiguous, coordinative arrangements should be established between the clearinghouses in such areas to assure that projects in one area which may have an impact on the development of a contiguous area are jointly studied. Any comments and recommendations made by or through a clearinghouse in one area on a project in a contiguous area will accompany the application for assistance to that project.

5. Subject matter of comments and recommendations. Comments and recommendations made by or through clearinghouses with respect to any project are for the purpose of assuring maximum consistency of such project with State, areawide, and local comprehensive plans. They are also intended to assist the Federal agency (or State agency, in the case of projects for which the State under certain Federal grants has final project approval) administering such a program in determining whether the project is in accord with applicable Federal law. Comments or recommendations, as may be appropriate, may include, but need not be limited to, information about:

a. The extent to which the project is consistent with or contributes to the fulfillment of comprehensive planning for the State, area, or locality.

b. The extent to which the proposed project:

(1) Duplicates, runs counter to, or needs to be coordinated with other projects or activities being carried out in or affecting the area; or

(2) Might be revised to increase its effectiveness or efficiency.

c. The extent to which the project contributes to the achievement of State, areawide, and local objectives and priorities relating to natural and human resources and economic and community development as specified in section 401 of the Intergovernmental Cooperation Act of 1968, including;

(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

(2) Wise development and conservation of natural resources, including land, water, mineral, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement or people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

(7) Concern for high standards of design.

d. As provided under section 102(2)(C) of the National Environmental Policy Act of 1969, the extent to which the project significantly affects the environment including consideration of:

(1) The environmental impact of the proposed project;

(2) Any adverse environmental effects which cannot be avoided should the proposed project be implemented;

(3) Alternatives to the proposed project;

(4) The relationship between local short term uses of man's environment and the maintenance and enhancement of long term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed project or action, should it be implemented.

e. The extent to which the project contributes to more balanced patterns of settlement and delivery of services to all sectors of the area population, including minority groups.

f. In the case of a project for which assistance is being sought by a special purpose unit of government, whether the unit of general local government having jurisdiction over the area in which the project is to be located has applied, or plans to apply for assistance for the same or a similar type project. This information is necessary to enable the Federal (or State) agency

to make the judgments required under section 402 of the Intergovernmental Cooperation Act of 1968.

6. Federal agency procedures. Federal agencies having programs covered under this Part will develop appropriate procedures for:

a. Informing potential applicants for assistance under such programs of the requirements of this Part (1) in program information materials, (2) in response to inquiries respecting application procedures, (3) in pre-application conferences, or (4) by other means which will assure earliest contact between applicant and clearinghouses.

b. Assuring that all applications for assistance under programs covered by this part have been submitted to appropriate clearinghouses for review prior to their submission to the funding agency.

c. Notifying clearinghouses within seven days of any action (approvals, disapprovals, return for amendment, etc.) taken on applications that have been reviewed by such clearinghouses. Where a State or areawide clearinghouse has assigned an identification number to an application, the Federal agency will refer to such identification numbers in notifying clearinghouses of actions taken on the application.

d. Where a clearinghouse has recommended against approval of an application or approval only with specific and major substantive changes, and the funding agency approves the application substantially as submitted, the funding agency will provide the clearinghouse, in writing, with an explanation therefor.

e. Assuring, in the case of an application submitted by a special purpose unit of government, where accompanying comments indicate that the unit of general local government having jurisdiction over the area in which the project is to be located has submitted or plans to submit an application for assistance for the same or a similar type project, that appropriate considerations and preferences as specified in section 402 of the Intergovernmental Cooperation Act of 1968, are accorded the unit of general local government. Where such preference cannot be so accorded, the agency shall supply, in writing, to the unit of general local government and the Office of Management and Budget its reasons therefor.

7. OMB Circular No. A-102. OMB Circular No. A-102 (Attachment M) provides standard application forms for all Federal grant pro-

grams to State and local governments except those Federal formula grant programs which do not require grantees to apply for Federal funds on a project basis. The Circular promulgates a Preapplication Form for all construction, land acquisition, and land development projects or programs for which the need for Federal funding exceeds $100,000.

a. Any applicant using the A-102 Preapplication Form for a project under a program covered by this Part will transmit copies of the preapplication to the appropriate State and areawide clearinghouses at the time it is submitted to the Federal agency from which assistance is being sought.

b. Circular No. A-102 requires the Federal agency to respond to a preapplication within 45 days of its receipt. Where a clearinghouse wishes to make any comments on the project, it may submit such comments directly to the Federal agency and the applicant. The Federal agency will consider any such comments received prior to completion of its own review of the preapplication and notify the clearinghouse of its action on the preapplication. Clearinghouses should also notify the Federal agency if they have no comment.

c. Any comment by a clearinghouse endorsing or withholding endorsement of the project during the preapplication stage will not be considered a substitute for review under this Part unless the clearinghouse so indicates. All consultations and conferences between applicants and clearinghouses subsequent to submission of the preapplication or review of completed final applications will be carried out as described under paragraph 4 of this Part.

8. Housing programs. Because of the unique nature of housing programs of the Department of Housing and Urban Development, the Veterans Administration, and the Farmers Home Administration of the Department of Agriculture a variation of the review procedure is necessary. For such programs, the following procedure for review will be followed:

a. The appropriate HUD, VA, or USDA/FHA office will transmit to the appropriate State and areawide clearinghouses a copy of the initial application for project approval.

b. Clearinghouses will have 30 days from receipt to review the applications and to forward to the HUD, VA, or USDA/FHA office any comments which they may have, including observations concerning the consistency of the proposed project with State and

areawide development plans, the extent to which the proposed project will provide housing opportunities for all segments of the community, and identification of major environmental concerns. Processing of applications in the HUD, VA, or USDA/FHA office will proceed concurrently with the clearinghouse review.

c. This procedure will include only applications involving new construction and will apply to applications for loans, loan guarantees, mortgage insurance, or other housing assistance:

(1) In cities over 50,000 population and contiguous urbanized areas having a population density of over 100 persons per square mile, to:

(a) Subdivisions having 25 or more lots.

(b) Multifamily projects having 50 or more dwelling units.

(c) Mobile home courts with 50 more more spaces.

(d) College housing provided under the debt service or direct loan programs for 200 or more students.

(2) In all other areas, to:

(a) Subdivisions having 10 or more lots.

(b) Multifamily projects having 25 or more dwelling units.

(c) Mobile home courts with 25 or more spaces.

(d) College housing provided under the debt service or direct loan programs for 100 or more students.

9. Exceptions.

a. Heads of Federal departments and agencies may, with the concurrence of the Office of Management and Budget, exclude certain categories of projects or activities under listed programs from the requirements of Attachment A, Part I. OMB concurrence will be based on the following criteria:

(1) Lack of geographic identifiability with respect to location or impact (e.g., certain types of technical studies);

(2) Small scale or size;

(3) Essentially local impact (within the applicant jurisdiction); and

(4) Other characteristics that make review impractical.

OMB will notify clearinghouses of such exclusions.

b. In the case of any exception, applicants are, nevertheless, required to send copies of the application to the clearinghouses at the time it is submitted to the Federal agency. The Federal agency will consider any clearinghouse comments up until the time the application has been processed. Comments should be sent directly to the Federal agency.

c. Exceptions will be reviewed periodically by the Office of Management and Budget.

d. Individual clearinghouses may except certain types of projects from review for reasons indicated above or for other reasons appropriate to the State or area.

10. Reports and directories.

a. The Director of the Office of Management and Budget may require reports, from time to time, on the implementation of this Part.

b. The Office of Management and Budget will maintain and distribute to appropriate Federal agencies a directory of State and areawide clearinghouses.

c. The Office of Management and Budget will notify clearinghouses and Federal agencies of any excepted categories of projects under covered programs.

PART II: DIRECT FEDERAL DEVELOPMENT

1. Purpose. The purpose of this Part is to:

a. Provide State and local government with information on projected Federal development so as to facilitate coordination with State, areawide, and local plans and programs.

b. Provide Federal agencies with information on the relationship of proposed direct Federal development projects and activities to State, areawide, and local plans and programs; and to assure maximum feasible consistency of Federal developments with State, areawide, and local plans and programs.

c. Provide Federal agencies with information on the possible impact on the environment of proposed Federal development.

2. Coordination of direct Federal development projects with State, areawide, and local development.

a. Federal agencies having responsibility for the planning and construction of Federal buildings and installations or other Federal public works or development or for the acquisition, use, and disposal of Federal land and real property will establish procedures for:

(1) Consulting with Governors, State and areawide clearinghouses, and local elected officials at the earliest practicable stage in project or development planning on the relationship of any plan or project to the development plans and programs of the State, area, or locality in which the project is to be located.

(2) Assuring that any such Federal plan or project is consistent or compatible with State, areawide, and local development plans and programs identified in the course of such consultations. Exceptions will be made only where there is clear justification.

(3) Providing State, areawide, and local agencies which are authorized to develop and enforce environmental standards with adequate opportunity to review such Federal plans and projects pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969. Any comments of such agencies will accompany the environmental impact statement submitted by the Federal agency.

(4) Through the appropriate clearinghouses providing State and areawide agencies which are authorized to perform comprehensive health planning (under Sections 314a and 314b of the Public Health Service Act) with adequate opportunity to review Federal projects for construction and/or equipment involving capital expenditures exceeding $200,000 for modernization, conversion, and expansion of Federal inpatient care facilities, which alter the bed capacity or modify the primary function of the facility, as well as plans for provision of major new medical care services. (Excluded are projects to renovate or install mechanical systems, air conditioning systems, or other similar internal system modifications.) The comments of such agencies will accompany the plan and budget requests submitted by the Federal agency to the Office of Management and Budget or a certification that the agencies had been provided a reasonable time to comment and had failed to do so.

3. Use of clearinghouses. The State and areawide planning and development clearinghouses established pursuant to Part I will be utilized to the greatest extent practicable to effectuate the requirements of this Part. Agencies are urged to establish early contact with clearinghouses to work out arrangements for carrying out the consultation and review required under this Part, including identification of types of projects considered appropriate for consultation and review.

PART III: STATE PLANS AND MULTISOURCE PROGRAMS

1. Purpose. The purpose of this Part is to provide Federal agencies with information about the relationship to State or areawide comprehensive planning of State plans or multisource programs which are required or form the basis for funding under various Federal programs.

2. State plans. To the extent not presently required by statute or administrative regulation, Federal agencies administering programs requiring by statute or regulation a State plan as a condition of assistance under such programs will require that the Governor, or his delegated agency, be given the opportunity to comment on the relationship of such State plan to comprehensive and other State plans and programs and to those of affected areawide or local jurisdictions. To the extent practical, the Governor is encouraged to involve areawide clearinghouses in the review of State plans.

a. The Governor will be afforded a period of 45 days in which to make such comments, and any such comments will be transmitted with the plan.

b. A "State plan" under this Part is defined to include any required supporting planning reports or documentation that indicate the programs, projects, and activities for which Federal funds will be utilized. Such reports or documentation will also be submitted for review at the request of the Governor or the agency he has designated to perform review under this Part.

c. Programs requiring State plans are listed in Appendix II of the Catalog of Federal Domestic Assistance.

3. Multisource programs. A "multisource program" under this Part is a program or programs of related activities for which assistance is sought, on a combined or coordinated basis, involving two or more Federal programs or funding authorities.

a. Federal agencies administering or participating in the administration of multisource programs will require that appropriate State and areawide clearinghouses be given the opportunity to comment on the relationship of any proposed multisource program to State or areawide comprehensive plans and programs. Clearinghouses will be afforded a period of 45 days in which to make such comments, and any comments will be transmitted with the application for assistance under such multisource program.

b. Multisource programs include the following programs, plus such other programs as the Office of Management and Budget shall specify from time to time:

(1) Integrated Grant Administration (IGA)

(2) Unified Work Program (DOT 1130.2)

(3) Environmental Protection - Consolidated Program Grants (EPA)

(4) Areawide Manpower Plans (DOL)

PART IV: COORDINATION OF PLANNING IN MULTIJURISDICTIONAL AREAS

1. Policies and objectives. The purposes of this Part are:

a. To encourage and facilitate State and local initiative and responsibility in developing organizational and procedural arrangements for coordinating comprehensive and functional planning activities.

b. To eliminate overlap, duplication, and competition in State and local planning activities assisted or required under Federal programs and to encourage the most effective use of State and local resources available for development planning.

c. To minimize inconsistency among Federal administrative and approval requirements placed on State and areawide development planning activities.

d. To encourage the States to exercise leadership in delineating and establishing a system of planning and development districts or regions in each State, which can provide a consistent geographic base for the coordination of Federal, State, and local development programs.

e. To encourage Federal agencies administering programs assisting or requiring areawide planning to utilize agencies that have been designated to perform areawide comprehensive planning in planning and development districts or regions established pursuant to subparagraph d above and that have been designated areawide clearinghouses pursuant to Part I of Attachment A of this Circular to carry out or coordinate planning under such programs. In the case of interstate metropolitan areas, agencies designated as metropolitan areawide clearinghouses should be utilized to the extent possible to carry out or coordinate Federally assisted or required areawide planning.

2. Common or consistent planning and development districts or regions.

a. Prior to the designation or redesignation (or approval thereof) of any planning and development district or region under any Federal program, Federal agency procedures will provide a period of 30 days for the Governor(s) of the State(s) in which the district or region will be located to review the boundaries thereof and comment upon its relationship to planning and devel-

opment districts or regions established by the State. Where the State has established such planning and development districts, the boundaries of areas designated under Federal programs will conform to them unless there is clear justification for not doing so.

b. Where the State has not established planning and development districts or regions which provide a basis for evaluation of the boundaries of the area proposed for designation, major units of general local government and the appropriate Federal Regional Council in such areas will also be consulted prior to designation of the area to assure consistency with districts established under inter-local agreement and under related Federal programs.

c. The Office of Management and Budget will be notified through the appropriate Federal Regional Council by Federal agencies of any proposed designation and will be informed of such designation when it is made.

3. Common and consistent planning bases and coordination of related activities in multijurisdictional areas. Each agency will develop procedures and requirements for applications for areawide planning and development assistance under appropriate programs to assure the fullest consistency and coordination with related planning and development being carried on by the areawide clearinghouse designated under Part I of this Circular in the multijurisdictional area.

Such procedures shall include provision for submission to the funding agency by any applicant for areawide planning assistance, if the applicant is other than an areawide comprehensive planning agency referred to in paragraph 1e of this Part, of a memorandum of agreement between the applicant and such areawide comprehensive planning agency covering the means by which their planning activities will be coordinated. The agreement will cover but need not be limited to the following matters:

a. Identification of relationships between the planning proposed by the applicant and that of the areawide agency and of similar or related activities that will require coordination;

b. The organizational and procedural arrangements for coordinating such activities, such as: overlapping board membership, procedures for joint reviews of projected activities and policies, information exchange, etc;

c. Cooperative arrangements for sharing planning resources (funds, personnel, facilities, and services);

d. Agreed upon base data, statistics, and projections (social, economic, demographic) on the basis of which planning in the area will proceed.

Where an applicant has been unable to effectuate such an agreement, he will submit a statement indicating the efforts he has made to secure agreement and the issues that have prevented it. In such case, the funding agency, in consultation with the Federal Regional Council and the State clearinghouse designated under Part I, will undertake, within a 30 day period after receipt of the application, resolution of the issues before approving the application, if it is otherwise in good order.

4. Joint funding. Where it will enhance the quality, comprehensive scope, and coordination of planning in multijurisdictional areas, Federal agencies will, to the extent practicable, provide for joint funding of planning activities being carried on therein.

5. Coordination of agency procedures and requirements. With respect to the steps called for in paragraphs 2 and 3 of this Part, departments and agencies will develop for relevant programs appropriate draft procedures and requirements. Copies of such drafts will be furnished to the Director of the Office of Management and Budget and to the heads of departments and agencies administering related programs. The Office, in consultation with the agencies, will review the draft procedures to assure the maximum obtainable consistency among them.

PART V: DEFINITIONS

Terms used in this circular will have the following meanings:

1. Federal agency -- any department, agency, or instrumentality in the executive branch of the Government and any wholly owned Government corporation.

2. State - any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State.

3. Unit of general local government -- any city, county, town, parish, village, or other general purpose political subdivision of a State.

4. Special purpose unit of local government -- any special district, public purpose corporation, or other strictly limited purpose political subdivision of a State, but shall not include a school district.

5. Federal assistance, Federal financial assistance, Federal assistance programs, or federally assisted program -- programs that provide assistance through grant or contractual arrangements. They include technical assistance programs, or programs providing assistance in the form of loans, loan guarantees, or insurance. The term does not include any annual payment by the United States to the District of Columbia authorized by article VI of the District of Columbia Revenue Act of 1947 (D.C. Code sec. 47-2501a and 47-2501b).

6. Funding agency. The Federal agency or, in the case of certain formula grant programs, the State agency which is responsible for final approval of applications for assistance.

7. Comprehensive planning, to the extent directly related to area needs or needs of a unit of general local government, including the following:

a. Preparation, as a guide for governmental policies and action, of general plans with respect to:

(1) Pattern and intensity of land use,

(2) Provision of public facilities (including transportation facilities) and other government services.

(3) Effect development and utilization of human and natural resources.

b. Preparation of long range physical and fiscal plans for such action.

c. Programming of capital improvements and other major expenditures, based on a determination of related urgency, together with definitive financing plans for such expenditures in the earlier years of the program.

d. Coordination of all related plans and activities of the State and local governments and agencies concerned.

e. Preparation of regulatory and administrative measures in support of the foregoing.

8. Metropolitan area -- a standard metropolitan statistical area as established by the Office of Management and Budget, subject, however, to such modifications and extensions as the Office of Management and Budget may determine to be appropriate for the purposes of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, and these Regulations.

9. Areawide -- Comprising, in metropolitan areas, the whole of contiguous urban and urbanizing areas; and in nonmetropolitan areas, contiguous counties or other multijurisdictional areas having common or related social, economic, or physical characteristics indicating a community of developmental interests; or, in either, the area included in a substate district designated pursuant to paragraph 1d, Part IV, Attachment A of this Circular.

10. Planning and development clearinghouse or clearinghouse includes:

a. "State clearinghouse" -- an agency of the State Government designated by the Governor or by State law to carry out the requirements of Part I of Attachment A of this Circular.

b. "Areawide clearinghouse" --

(1) In nonmetropolitan areas a comprehensive planning agency designated by the Governor (or Governors in the case of

regions extending into more than one State) or by State law to carry out requirements of this Circular; or

(2) In metropolitan areas an areawide agency that has been recognized by the Office of Management and Budget as an appropriate agency to perform review functions under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and this Circular.

11. Multijurisdictional area -- any geographical area comprising, encompassing, or extending into more than one unit of general local government.

12. Planning and development district or region -- a multijurisdictional area that has been formally designated or recognized as an appropriate are for planning under State law or Federal program requirements.

13. Direct Federal development -- planning and construction of public works, physical facilities, and installations or land and real property development (including the acquisition, use, and disposal of real property) undertaken by or for the use of the Federal Government or any of its agencies.

SECTION 204 OF THE DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966 as amended (80 Stat. 1263, 82 Stat. 208)

"Sec. 204. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities, law enforcement facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review--

"(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

"(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

"(b)(1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in pargraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted

for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

"(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph b(1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

"(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

"(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section."

TITLE IV OF THE INTERGOVERNMENTAL COOPERATION ACT OF 1968 (82 Stat. 1103)

"TITLE IV -- COORDINATED INTERGOVERNMENTAL POLICY AND ADMINISTRATION OF DEVELOPMENT ASSISTANCE PROGRAMS"

"DECLARATION OF DEVELOPMENT ASSISTANCE POLICY"

"Sec. 401. (a) The economic and social development of the Nation and the achievement of satisfactory levels of living depend upon the sound and orderly development of all areas, both urban and rural. Moreover, in a time of rapid urbanization, the sound and orderly development of urban communities depends to a large degree upon the social and economic health and the sound development of small communities and rural areas. The President shall, therefore, establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basic objectives. Such rules and regulations shall provide for full consideration of the concurrent achievement of the following specific objectives and, to the extent authorized by law, reasoned choices shall be made between such objectives when they conflict:

"(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

"(2) Wise development and conservation of natural resources, including land, water, minerals, wildlife, and others;

"(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

"(4) Adequate outdoor recreation and open space;

"(5) Protection of areas of unique natural beauty, historical and scientific interest;

"(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

"(7) Concern for high standards of design.

"(b) All viewpoints -- national, regional, State and local -- shall, to the extent possible, be fully considered and taken into account in planning Federal or federally assisted development programs and projects. State and local government objectives, together with the objectives of regional organizations shall be considered and evaluated within a framework of national public objectives, as expressed in Federal law, and available projections of future national conditions and needs of regions, State, and localities shall be considered in plan formulation, evaluation, and review.

"(c) To the maximum extent possible, consistent with national objectives, all Federal aid for development purposes shall be consistent with and further the objectives of State, regional, and local comprehensive planning. Consideration shall be given to all developmental aspects of our total national community, including but not limited to housing, transportation, economic development, natural and human resources development, community facilities, and the general improvement of living environments.

"(d) Each Federal department and agency administering a development assistance program shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

"(e) Insofar as possible, systematic planning required by individual Federal programs (such as highway construction, urban renewal, and open space) shall be coordinated with and, to the extent authorized by law, made part of comprehensive local and areawide development planning."

"FAVORING UNITS OF GENERAL LOCAL GOVERNMENT"

"Sec. 402. Where Federal law provides that both special-purpose units of local government and units of general local government are eligible to receive loans or grants-in-aid, heads of Federal departments and agencies shall, in the absence of substantial reasons to the contrary, make such loans or grants-in-aid to units of general local government rather than to special-purpose units of local government."

"RULES AND REGULATIONS"

"Sec. 403. The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this title."

ATTACHMENT C
Circular No. A-95
Revised

SECTION 102 (2) (C) OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (83 Stat. 853)

"Sec. 102. The Congress authorizes and directs that, to the fullest extent possible; (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall--...

"(C) 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 official 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 use of man's environment and the maintenance and enhancement of long-term productivity, and

"(v) any irreversible or 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 be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of Title 5, United States Code, and shall accompany the proposal through the existing agency review processes;...."

COVERAGE OF PROGRAMS UNDER ATTACHMENT A, Part I

1. Programs listed below are referenced several ways, due to transitional phases in program development, special revenue sharing, etc. Generally, citations are to programs as they are listed in the June, 1973 Catalog of Federal Domestic Assistance. Asterisks indicate references to the 1972 Catalog. For certain new legislation, Catalog citations have not yet been developed. In such cases, references are to Public Law number and section. When no funding is available for a program, it is not generally listed in the Catalog or this Attachment. The Catalog is issued annually and revised periodically during the year. Every effort will be made to keep Appendix I and Attachment D current. Reference should always be made to the one bearing the latest issue date.

2. Heads of Federal departments and agencies may, with the concurrence of the Office of Management and Budget, exclude certain categories of projects or activities under listed programs from the requirements of Attachment A, Part I. See Part I, paragraph 9.

3. Covered programs

Department of Agriculture

10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans

10.411 Rural Housing Site Loans

10.414 Resource Conservation and Development Loans

10.415 Rural Rental Housing Loans

10.418 Water and Waste Disposal Systems for Rural Communities

10.419 Watershed Protection and Flood Prevention Loans

10.901 Resources Conservation and Development

10.904 Watershed Protection and Flood Prevention (Exception: Small projects costing under $7500 for erosion and

sediment control and land stabilization and for rehabilitation and consolidation of existing irrigation systems)

Department of Commerce/EDA

11.300* Economic Development-Grants and Loans for Public Works and Development Facilities

11.302* Economic Development-Planning Assistance

11.303* Economic Development-Technical Assistance

11.304 Economic Development-Public Works Impact Projects

Department of Defense

12.101 Beach Erosion Control Projects

12.106 Flood Control Projects

12.107 Navigation Projects

12.108 Snagging and Clearing for Flood Control

Department of Health, Education, and Welfare

13.206 Comprehensive Health Planning-Areawide Grants

13.210 Comprehensive Public Health Services-Formula Grants

13.220 Health Facilities Construction-Grants

13.226* Health Services Research and Development Grants

13.235 Mental Health - Community Assistance Grants for Narcotic Addiction and Drug Abuse

13.240 Mental Health-Community Mental Health Centers

13.246 Migrant Health Grants

13.249* Regional Medical Programs

13.251 Mental Health - Community Assistance Grants for Comprehensive Alcoholism Services

13.252	Mental Health - Direct Grants for Special Projects (Alcoholism)
13.253	Health Facilities Construction-Loans and Loan Guarantees
13.254	Mental Health-Direct Grants for Special Projects (Narcotic Addiction and Drug Abuse)
13.256	Health Maintenance Organization Service (HMOS)
13.267	Urban Rat Control
13.340*	Health Professions. Teaching Facilities - Construction Grants
13.350	Medical Library Assistance-Regional Medical Libraries
13.369	Nursing School Construction
13.378*	Health Professional. Teaching Facilities - Loan Guarantees and Interest Subsidies
13.392	Cancer-Construction
13.401	Adult Education-Special Projects
13.408*	Construction of Public Libraries
13.477	School Assistance in Federally Affected Areas-Construction
13.493	Vocational Education-Basic Grants to States
13.494	Vocational Education-Consumer and Homemaking
13.495	Vocational Education-Cooperative Education
13.499	Vocational Education-Special Needs
13.501	Vocational Education-Work Study
13.502	Vocational Education-Innovation
13.516	Preschool, Elementary and Secondary Education-Special Programs and Projects

13.519 Supplementary Education Centers and Services, Guidance, Counseling, and Testing (PACE)

13.600 Child Development-Head Start

13.746 Rehabilitation Services and Facilities-Basic Support

13.753 Development Disabilities-Basic Support

13.756 Aging-Special Support Programs

13.763 Rehabilitation Services and Facilities-Special Projects

13.764 Youth Development and Delinquency Prevention

Department of Housing and Urban Development

14.103 Interest Reduction Payments-Rental and Cooperative Housing and Lower Income Families

14.105 Interest Subsidy-Homes for Lower Income Families

14.112 Mortgage Insurance-Construction or Rehabilitation of Condominium Projects

14.115 Mortgage Insurance-Development of Sales-Type Cooperative Projects

14.116 Mortgage Insurance-Group Practice Facilities

14.117 Mortgage Insurance-Homes

14.118 Mortgage Insurance-Homes for Certified Veterans

14.119 Mortgage Insurance-Homes for Disaster Victims

14.120 Mortgage Insurance-Homes for Low and Moderate Income Families

14.121 Mortgage Insurance-Homes in Outlying Areas

14.122 Mortgage Insurance-Homes in Urban Renewal Areas

14.124 Mortgage Insurance-Investor Sponsored Cooperative Housing

14.125 Mortgage Insurance-Land Development and New Communities

14.126 Mortgage Insurance-Management-Type Cooperative Projects

14.127 Mortgage Insurance-Mobile Home Courts

14.128 Mortgage Insurance-Hospitals

14.129 Mortgage Insurance-Nursing Homes and Intermediate Care Facilities

14.134 Mortgage Insurance-Rental Housing

14.135 Mortgage Insurance-Rental Housing for Moderate Income Families

14.137 Mortgage Insurance-Rental Housing for Low and Moderate Income Families, Market Interest Rate

14.138 Mortgage Insurance-Rental Housing for the Elderly

14.139 Mortgage Insurance-Rental Housing in Urban Renewal Areas

14.141 Nonprofit Housing Sponsor Loans-Planning Projects for Low and Moderate Income Housing

14.146 Public Housing-Acquisition (with or without rehabilitation) and Construction (new construction only)

14.149 Rental Supplements-Rental Housing for Lower Income Families

14.203 Comprehensive Planning Assistance

14.207 New Communities-Loan Guarantees

14.214 Urban Systems Engineering Demonstration Grants

14.307 Urban Renewal Projects

Department of the Interior

15.400 Outdoor Recreation-Acquisition and Development

15.401 Outdoor Recreation State Planning-Financial Assistance

15.501 Irrigation Distribution System Loans

15.503 Small Reclamation Projects

15.904 Historic Preservation

Department of Justice

16.500 Law Enforcement Assistance-Comprehensive Planning Grants

16.501 Law Enforcement Assistance-Discretionary Grants

16.502 Law Enforcement Assistance-Improving and Strengthening Law Enforcement

Department of Labor

17.211 Job Corps

17.212 Job Opportunities in the Business Sector (Excluding National Contracts)

17.226 Work Incentive Program-Training and Allowances

17.230 Migrant Workers

17.232 Manpower Revenue Sharing

Department of Transportation

20.102 Airport Development Aid Program

20.103 Airport Planning Grant Program

20.201 Forest Highways

20.204 Highway Beautification-Landscaping and Scenic Enhancement

20.205 Highway Research, Planning, and Construction

20.209 Public Lands Highways

20.500 Urban Mass Transportation Capital Improvement Grants (Planning and construction only)

20.501 Urban Mass Transportation Capital Improvement Loans (Planning and construction only)

20.505 Urban Mass Transportation Technical Studies Grants (planning and construction only)

Appalachian Regional Commission

23.003 Appalachian Development Highway System

23.004 Appalachian Health Demonstration

23.005 Appalachian Housing Fund

23.008 Appalachian Local Access Roads

23.010 Appalachian Mine Area Restoration

23.011 Appalachian State Research, Technical Assistance, and Demonstration Projects

23.012 Appalachian Vocational Education Facilities and Operations

23.013 Appalachian Child Development

23.016 Appalachian Vocational Education and Technical Education Demonstration Grants

Coastal Plains Regional Commission

28.001 Coastal Plain Regional Economic Development

Four Corners Regional Commission

38.001 Four Corners Regional Economic Development

National Science Foundation

47.036 Intergovernmental Science and Research Utilization

New England Regional Commission

48.001 New England Regional Economic Development

Office of Economic Opportunity*

49.002 Community Action (excluding administration, research, training and technical assistance, and evaluation)

49.003 Comprehensive Health Services (To HEW)

49.004 Drug Rehabilitation (To HEW)

49.006 Family Planning (To HEW)

49.009 Migrant and Seasonal Farmworkers Assistance (To DOL)

49.011 Community Economic Development (To OMBE/DOC)

Ozarks Regional Commission

52.001 Ozarks Regional Economic Development

Small Business Administration

59.013 State and Local Development Company Loans (Construction only)

Upper Great Lakes Regional Commission

63.001 Upper Great Lakes Regional Economic Development

Veterans Administration

64.004 Exchange of Medical Information (EMI)

64.005 Grants to States for Construction of State Nursing Home Care Facilities

64.017 Grants to States for Remodeling of State Home Hospital/Domiciliary Facilities

64.114 Veterans Housing-Guaranteed and Insured Loans (GI Home Loans)

Water Resources Council

65.001 Water Resources Planning

Environmental Protection Agency

66.001 Air Pollution Control Program Grants

66.005 Air Pollution Survey and Demonstration Grants

66.015 Construction Grants for Wastewater Treatment Works

66.017 Water Pollution Control-State and Interstate Program Grants

66.504 Solid Waste Research Grants

66.505 Water Pollution Control Demonstrations

66.600 Environmental Protection-Consolidated Program Grants

Action

72.001 Foster Grandparents

Other. The following covered programs have not yet been assigned Catalog numbers and descriptions.

P.L. 92-583. Coastal Zone Management Act of 1972. Grants for management, program development, and administration (Sections 305 and 306).

P.L. 92-500. Federal Water Pollution Control Act Amendments of 1972. Comprehensive Programs for Water Pollution Control (Sec. 102); Grants for areawide waste treatment planning, management, and construction (Title II); Water Quality Implementation Plans (Sec. 303).

P.L. 92-424. Economic Opportunity Amendments of 1972. Assistance under programs for New Special Emphasis (Sec. 11). Design and Planning Assistance (Sec. 226), Youth Recreation and Sports (Sec. 227), Consumer Action and Cooperation (Sec. 228), and for Community Economic Development (Title II).

P.L. 92-419. Rural Development Act of 1972. Assistance for Essential Rural Community Facilities (Sec. 104); Rural Industrialization Assistance (Sec. 118); Watershed Protection and Flood Prevention (Sec. 201(e), (f), (g)); water storage facilities (Sec. 301).

P.L. 92-318. Education Amendments of 1972. Grants for Programs and Projects Relating to National and Regional Problems (Sec. 102); for Construction of Academic Facilities (Sec. 161); and for Metropolitan Area Projects (Sec. 709).

P.L. 92-541. Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972.