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Docket No. 70-3103-ML

RAS 11248

## **Staff Exhibit 63-M**

### **FEIS Purpose and Need**

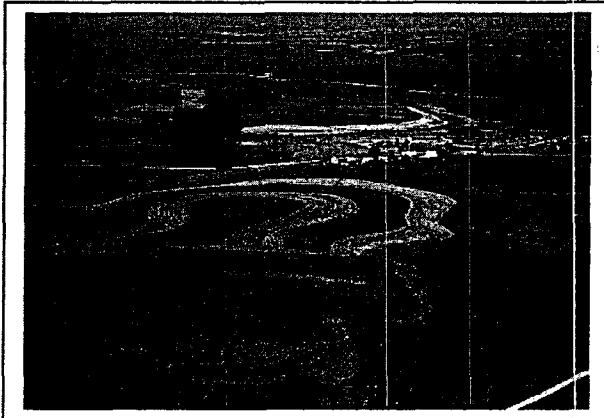
**Natural Resources Conservation  
Service, U.S. Dept. of Agriculture,  
“Writing a Purpose and Need  
Statement,” (2003)**

TEMPLATE= Secy-027

Secy-02.



# National Environmental Compliance Handbook



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## 610.27 Writing a Purpose and Need Statement

The statement of purpose and need is a section of an EA or EIS that describes the underlying need to be met and the other factors relevant to the choice between alternatives.

The statement of purpose and need defines the range of reasonable alternatives to be considered in an environmental document.

### Requirements

A need is a problem or an opportunity. An example of a need may be improvement of the quality of runoff water from a farm into an adjacent stream. For NRCS conservation programs, the need is usually related to improving the condition of one or more natural resources the program is authorized to address.

The purpose of an action is the goal to be attained, or an end or aim to be kept in view while meeting an underlying need. These are other objectives being pursued. An example may be to keep the farming operation economically viable or to meet total maximum daily load (TMDL) requirements.

The NEPA process starts when an action is proposed to meet an underlying need. This action supplies something that is lacking, or takes away something that is not wanted. The action fixes a problem, or seizes an opportunity. The action does not have to completely meet the underlying need, or be the only way to meet the underlying need, or even be the best way to meet the underlying need. But there is a connection between the proposal for action and the underlying need to which NRCS is responding in proposing the action.

Alternatives that meet both the underlying need and the purposes are the most reasonable alternatives and the ones that should be analyzed in greatest detail.

Careful statement of the purpose and need for an action is important because there may be many reasonable alternatives to analyze or a limited number depending on the breadth of the statement of need.

**Example:** If there is a need to prevent flooding of the community in Mary's Valley, then alternatives would likely include building a dam, building other floodwater-retarding structures, or relocating the community. But if the need is to prevent floodwaters from reaching Mary's Valley, then relocating the community is no longer an alternative that meets the underlying need and does not have to be analyzed.

### Environmental Assessments

Document a statement of need. Purposes may be documented, but are not required.

### Environmental Impact Statements

Document a statement of purpose and need.

### Helpful Tips

Ensure there is a succinct statement of need, which should be made in the form of a "finding."

- The ultimate conclusion is the statement of need(s) to be addressed (and also the authority to take action).

## National Environmental Compliance Handbook

- The basic conclusions and evidence proving the existence of the need are found in a description of the problems and opportunities.
- Purposes are goals to be attained while taking action to meet an underlying need. Purposes fall into 3 general categories: (1) environmental, (2) economic, and (3) technical (including legal).
- Purposes are decision factors and are used (1) in the environmental analysis process to evaluate the alternatives, and (2) again at the time of decision to choose between alternative courses of action.
- Divide “purpose” and “need” into 2 separate concepts. Needs as the first factor guarantees a hard look at all possible ways to deal with a problem or solution. Purposes as the second factor guarantees that only the more reasonable alternatives get the attention of a detailed analysis.

When challenged in court, agencies have won every case where the need statement was narrowly stated, and lost every case where the need statement was broadly stated or absent.