



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

Subject Addressing Congestion Management System
Requirements in Environmental Documents

Date **JUL 23 1993**

From Director, Office of Environment and Planning
Washington, D.C. 20590

Reply to
Attn of: HEP-31

To Regional Federal Highway Administrators
Federal Lands Highway Program Administrator

Purpose

The purpose of this memorandum is to provide information on the preparation of the environmental documentation for projects that would provide a significant increase in single occupancy vehicle (SOV) capacity in Transportation Management Areas (TMAs) that are nonattainment for carbon monoxide and/or ozone. All those responsible for the preparation of project environmental documentation should be provided with copies of this memorandum.

Background

Title 23 U.S.C. and the Federal Transit Act, as amended by the Intermodal Surface Transportation Efficiency Act (ISTEA), prohibits programming of Federal funds for highway or transit projects that provide a significant increase in SOV capacity in TMAs that are nonattainment for carbon monoxide and/or ozone, unless the project results from an approved Congestion Management System (CMS). Projects in this category must be drawn from a conforming transportation plan and program.

To aid States and Metropolitan Planning Organizations (MPOs) in complying with the new ISTEA metropolitan planning requirements, FHWA and FTA issued joint interim guidance on April 6, 1992. For projects which have not advanced beyond the NEPA process, as noted in the interim guidance, the analysis requirements apply. Projects in this status must be reviewed to determine the appropriate documentation and commitments required prior to further implementation. The portion of this guidance that addressed the SOV/CMS requirement was supplemented and clarified by FEBBS planning questions and answers No. 25 and 27. The interim guidance will remain in effect until final metropolitan planning and congestion management regulations have been issued.

Analysis Requirements

The interim guidance specifies that during the period prior to full implementation of a CMS, a currently self-certified planning process, in conjunction with the NEPA process (with certain stipulations), can constitute an interim CMS. The stipulations are:

- 1) Through the planning process and/or the NEPA process, an appropriate analysis of all reasonable (including multimodal) travel demand reduction and operational strategies for the corridor in which an SOV project is proposed must be performed. (Reasonable strategies could include, but are not limited to: HOV facilities, improved/new transit service, consideration of employer trip reduction programs; staggering of work hours; carpooling and vanpooling facilities, programs, and incentives; parking management; operational improvements to existing facilities; and elimination of bottlenecks. The determination of reasonable strategies to be analyzed should be made through the cooperative transportation planning process and this action should be documented).
- 2) The analysis must demonstrate how far such reasonable strategies can go in eliminating the need for additional SOV capacity in the corridor.
- 3) Where the analysis demonstrates that additional SOV capacity in the corridor is warranted, appropriate strategies for managing the proposed SOV facility and other travel demand reduction and operational strategies appropriate for the corridor, but not applicable to the proposed SOV facility itself, must be identified. The decision on appropriate strategies should be made through the cooperative transportation planning process and the action should be documented.

Basis for Approval

The analyses made above must demonstrate that additional SOV capacity in the corridor is warranted (i.e., reasonable alternates do not exist). If all reasonable strategies to manage the proposed SOV facility (or facilitate its management in the future) are incorporated into the SOV project and other travel demand reduction or operational improvement strategies appropriate for the corridor, but not applicable to the proposed SOV facility itself, are committed to by the State and the MPO for implementation in a timely manner, the project may then be approved for Federal funding. If the area does not already have traffic management and carpool/vanpool programs, the establishment of such programs must be part of the commitment.

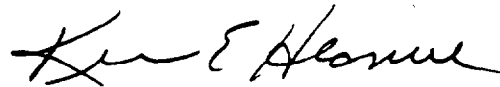
NEPA Document Requirements

The NEPA document must demonstrate that the SOV project resulted from an interim CMS process that meets the above requirements. More specifically, the NEPA document must:

- 1) Demonstrate in the purpose and need section that capacity increases, in addition to travel demand reduction and operational management strategies, are necessary. A summary of the above analyses, including a description of the various strategies and the benefits of these strategies, should be presented in either the "Purpose and Need" or the "Alternatives" sections of the environmental assessment (EA) or environmental impact statement (EIS).

- 2) Include adequate information to demonstrate how the analyses required by the interim guidance were considered in the decision making process. In addition, the document must reflect the commitment made by the State and the MPO to manage the proposed facility as well as a commitment to other management strategies appropriate to the corridor.

In addition to ensuring that the environmental document demonstrates that the SOV/CMS requirements have been met, it is important that some stewardship mechanism be established to ensure that commitments made by the State and MPO in the environmental document are fulfilled.



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