

Chapter 26

**SHORT-TERM USES  
AND  
LONG-TERM PRODUCTIVITY**

**MDT ENVIRONMENTAL MANUAL**

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**Table of Contents**

<b><u>Section</u></b>	<b><u>Page</u></b>
26.1 OVERVIEW.....	26-1
26.2 LAWS, REGULATIONS AND GUIDANCE.....	26-2
26.2.1 23 USC 139 “Efficient Environmental Reviews for Project Decision-Making”.....	26-2
26.2.2 FHWA Technical Advisory T 6640.8A.....	26-2
26.3 PROCEDURES.....	26-3
26.3.1 Information Gathering.....	26-3
26.3.2 Analysis and Findings.....	26-3
26.3.3 Mitigation and Commitments.....	26-4



## Chapter 26

# SHORT-TERM USES AND LONG-TERM PRODUCTIVITY

### 26.1 OVERVIEW

The *National Environmental Policy Act* (NEPA) (42 USC 4332) and the *Montana Environmental Policy Act* (MEPA) (MCA 75-1-201) specifically require proposals for major actions significantly affecting the quality of the human environment to include a detailed statement that addresses, among other factors, the relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity.

The level of analysis necessary should be commensurate with the level of the proposed project's potential short-term impacts. For purposes of the analysis, "short-term" and "long-term" should be considered in the context of the environmental consequences of the project, rather than in terms of some fixed time periods.

The purpose of the required discussion is to address, in general terms, the effects of local short-term uses of resources associated with a project and how they affect the long-term productivity of the project area (e.g., attainment of long-term transportation and economic development objectives for the area at the expense of some short-term social, aesthetic, biological, noise and other land-use impacts).

This Chapter provides guidance and procedures for evaluating and documenting the short-term effects of a proposed project and their effect on the long-term productivity of the project area, in compliance with the requirements of NEPA and MEPA.

## 26.2 LAWS, REGULATIONS AND GUIDANCE

### 26.2.1 23 USC 139 “Efficient Environmental Reviews for Project Decision-Making”

For projects involving preparation of an environmental impact statement and for environmental assessments being prepared in accordance with the FHWA “SAFETEA-LU Environmental Review Process Final Guidance,” this Part of the *United States Code* (USC) requires that, at appropriate times during the study process, the lead agency or agencies for the project collaborate with agencies serving as participating agencies to determine the methodologies to be used and the level of detail required for assessing impacts, including those involving short-term uses and potential effects on long-term productivity. See [Chapters 11 “Preparing Environmental Documentation,”](#) [13 “Environmental Assessment/FONSI”](#) and [14 “Environmental Impact Statement/ROD”](#) for further guidance on this requirement.

### 26.2.2 FHWA Technical Advisory T 6640.8A

FHWA Technical Advisory T 6640.8A, dated October 30, 1987, includes guidance for addressing the relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity.

The guidance indicates the environmental document should discuss, in general terms, the relationship of the proposed action’s local short-term impacts, use of resources and the maintenance and enhancement of long-term productivity. This general discussion might recognize that the build alternatives would have similar impacts. The discussion should point out that transportation improvements are based on State and/or local comprehensive planning that considers the need for present and future traffic requirements within the context of present and future land use development. In this situation, the local short-term impacts and use of resources by the proposed action is consistent with the maintenance and enhancement of long-term productivity for the local area, State, etc.

## 26.3 PROCEDURES

### 26.3.1 Information Gathering

The Preliminary Field Review (PFR) is the initial step in the analysis of the relationship between a project's local short-term uses of the human environment and the maintenance and enhancement of long-term productivity. The Design Team (DT) notifies and invites appropriate MDT personnel, including the Project Development Engineer (PDE) within the MDT Environmental Services Bureau (ESB), to the field review. The PDE reviews the list of ESB attendees and includes others as necessary to ensure appropriate ESB personnel are in attendance. The PDE participates in the PFR to make a preliminary evaluation of available information on the project scope and the project's potential short-term, construction-related effects. Following the field review, the DT prepares a PFR Report summarizing the issues discussed during the PFR, including the relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity. The DT distributes the final PFR report for review and comment. Within ESB, the PDE serves as the document champion to collect and coordinate comments from the other Sections. The PDE compiles the comments into a PFR review memorandum for signature by the Environmental Services Bureau Chief.

For projects subject to the requirements of 23 USC 139 "Efficient Environmental Reviews for Project Decision-Making," the PDE, in cooperation with FHWA, collaborates with participating agencies in determining the appropriate methodologies to be used and the level of detail required in the analysis of the relationship between local short-term uses of the human environment, and the maintenance and enhancement of long-term productivity associated with project alternatives.

As the PDE gathers and documents information on the affected environment for the project area, the PDE continues coordination with the DT to evaluate the project scope and gather and document information on the potential construction-related effects of the proposed project build alternatives.

The PDE also coordinates with the DT to evaluate and document potential mitigation measures for addressing the project's short-term, construction-related impacts identified for the project build alternatives.

### 26.3.2 Analysis and Findings

The PDE uses the information gathered on the affected environment for the project area and the anticipated short-term, construction-related effects identified for the proposed project build alternatives to evaluate and document how these short-term effects will impact the full range of environmental considerations for the project area, including the following, as applicable:

- traffic flow and access to residential areas and businesses;
- land use;
- farmland;
- social conditions;
- economic conditions;
- highway right-of-way and relocations;

- Environmental Justice;
- pedestrian and bicycle considerations;
- parks, recreation areas, and wildlife and waterfowl refuges;
- air quality;
- noise;
- water quality and flow;
- wetlands;
- water bodies and aquatic resources;
- vegetation;
- wildlife resources;
- threatened and endangered species and State species of concern;
- floodplains;
- cultural resources;
- hazardous materials;
- visual resources;
- energy consumption; and
- geology and soils.

For identified short-term impacts, the PDE coordinates with the DT to evaluate the practicability of mitigation measures for the impacts and documents those measures that will be incorporated in the project.

The PDE evaluates whether any of the identified short-term impacts, along with any mitigation measures that will be implemented, would affect the long-term productivity of the project area. The PDE also evaluates the consistency of the proposed project with local and regional planning for land use and the transportation corridor in the project area. The PDE documents the results of the analysis of short-term impacts and associated mitigation measures, any effects on long-term productivity and documents the consistency of the project with local and regional planning.

The PDE ensures the results of the analysis of short-term uses and long-term productivity, including proposed mitigation measures, are appropriately reflected in the project environmental document (see [Chapters 11 “Preparing Environmental Documentation,”](#) [13 “Environmental Assessment/FONSI”](#) and [14 “Environmental Impact Statement/ROD”](#)) and included in the project file.

### **26.3.3 Mitigation and Commitments**

The PDE and DT ensure the project plans accurately reflect mitigation measures that are to be implemented for the project. To the extent possible, the PDE and DT should prepare the contract documents using the *MDT Standard Specifications* to minimize the need for special provisions.

The District Environmental Engineering Specialist monitors project construction to ensure that all mitigation measures are implemented in accordance with the approved project plans.