

Part 610 – National Environmental Compliance Handbook

Subpart H – Exhibits

610.121 Sample Statement of Financial Interest (SOFI) Disclosure

Disclosure Statement on Conflict of Interest Associated with the Preparation of Documents Required by the National Environmental Policy Act or Its Implementing Regulations

I, the undersigned, am the chairperson of Envision Utah, a nonprofit, Public/Private Partnership that has entered into a contract with the Wasatch Front Regional Council (WFRC) and a Memorandum of Understanding with WFRC, Utah Department of Transportation (UDOT), Mountainland Association of Governments (MAG), and the Utah Transit Authority (UTA) that relate to activities held in conjunction with the preparation of an Environmental Impact Statement (EIS) for the Mountain View Corridor. Envision Utah receives Federal funds. The EIS is being prepared by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) in cooperation with UDOT and UTA to comply with the National Environmental Policy Act (NEPA) and its implementing regulations (40 CFR Parts 1500-1508 and 23 CFR Part 771). The NEPA regulations of the Council on Environmental Quality (CEQ) require that contractors involved in the preparation of an EIS execute a disclosure statement on the firm's interest, if any, in the outcome of the NEPA process. (40 CFR §1506.5(c))

Accordingly, Envision Utah states that it has no financial or other interest in the outcome of the NEPA review of the Project. Envision Utah will not acquire nor accept a financial or other interest in the outcome of the NEPA review of the Project until either one of two events has occurred: (1) FTA/FHWA have issued a Record of Decision on the Project in accordance with 40 CFR §1505.2; or (2) the Envision Utah's involvement in preparing NEPA documents for the Project has ended.

Although Envision Utah has no promise of future work or other interest in the outcome of the proposal, the CEQ guidance memorandum entitled Forty Most Asked Questions Concerning CEQ's NEPA Regulations, 23 March 1981, states that the firm may "later bid in competition with others for future work on the project if the proposed action is approved." (Question 17b.)

The CEQ guidance memorandum also indicates that the disclosure statement of a consulting firm that has been involved in developing initial data and plans for a project should "state the scope and extent of the firm's prior involvement to expose any potential conflicts of interest that may exist." (Question 17a.) Prior to the initiation of the NEPA process for the Project, Envision Utah assisted UTA/UDOT in conducting the planning-level Alternatives Analysis or Major Investment Study that is required by FTA regulations for New Starts projects (49 CFR Part 611) and that identified the need for the Project.

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Signature

Date

Name

Title

Envision Utah
254 South 600 East, Suite 201
Salt Lake City, Utah