

Eastern Federal Lands Access Program



U.S. Department of Transportation
Federal Highway Administration
Eastern Federal Lands Highway Division



Federal Lands Access Program (FLAP) Frequently Asked Questions:

What is the purpose of the program?

The goal of the Federal Lands Access Program is to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. The program is managed through the Federal Highway Administration - Federal Lands Highway Divisions. Please note that this is a Title 23 Federal Aid Highway Reimbursable Program and **not** a lump-sum grant program. <http://flh.fhwa.dot.gov/programs/flap/>

Who is eligible to apply?

Eligible applicants include State, county, tribal, or city government agencies that own or maintain the transportation facility. The term "Transportation Facility" means a public highway, road, bridge, trail or transit system that is located on, is adjacent to, or provides access to Federal lands for which title or maintenance responsibility is vested in a state, county, town, township, tribal, municipal, or local government. Maintenance means the preservation of the entire roadway surface, shoulders, roadside ditches, drainage structures, bridges, and traffic control devices necessary for safe and efficient operations. Vested maintenance responsibility means that the majority of the cost for these activities is borne by the state, county, town, township, tribal, municipal, or local government.

The FLAP program applicant must be the facility owner, have maintenance responsibility or must supply a letter from the facility owner/maintainer indicating that the application is being submitted on their behalf. Early coordination between the appropriate Federal Land Management Agency (FLMA) whose access would be improved by the proposed action and the applicant state/county/local/tribal government is encouraged to ensure adequate time for input and signature of concurrence before the submittal due date.

What types of projects will be considered?

The Federal Lands Access Program supplements State and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on the improvement of access to federally owned high-use recreation sites and Federal economic generators. Federal Lands Access Program funds are intended for:

Capital Improvements- These proposals include rehabilitation, restoration, construction, and reconstruction of roads, bridges, multiuse trails, and other long term transportation system asset improvements. This includes improvements such as safety improvements, widening, realignments, surfacing, culverts, signing, guardrail, walls and associated roadway appurtenances.

Enhancements- These proposals are road and trail related improvements such as interpretative signing, kiosks, viewpoints, adjacent vehicular parking areas, roadside rest areas (including sanitary and water facilities), provisions for pedestrians and bicycles, acquisition of scenic easement and scenic or historic sites, trailheads, trails, and improvements that improve public safety and reduce vehicle-wildlife mortality while maintaining habitat connectivity.

Surface Preservation- These proposals include surface preservation of roads, trails, and adjacent vehicular parking areas. They include chip sealing, crack sealing, and aggregate courses. FLAP funds are not intended for routine maintenance projects (e.g., potholes, mowing, snow removal, same type guardrail replacement, etc.).

Transit- These proposals include construction of transit facilities (e.g. ferry docks, helipads, boat ramps) and limited duration operation/maintenance of transit services and facilities (including vehicles) and the purchase of transit vehicles.

Planning- These proposals include engineering feasibility studies, corridor management planning, bicycle/pedestrian planning and alternative transportation system planning that will provide valuable information for future FLAP proposals.

Research- These proposals include evaluating solutions that enhance access, safety or sustainability. They address issues such as wildlife-vehicle collision avoidance measures, context sensitive roadside safety features, and congestion management strategies.

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Safety— Certain types of Highway Safety Improvement Projects (HSIP) are eligible to be funded at 100 percent of the federal share as provided in Title 23 U.S.C. 120(c) <http://www.fhwa.dot.gov/federalaid/141125.cfm>.

Eligibility of specific projects, strategies and activities generally are based on:

- consistency with a State's Strategic Highway Safety Plan;
- crash experience, crash potential, crash rate, or other data-supported means;
- compliance with Title 23 requirements; and
- State's strategic or performance based safety goals to reduce fatalities and serious injuries on all public roads.

Specific HSIP eligibility questions should be directed to the FHWA Division office in your State. A list of FHWA Division offices is available at <http://www.fhwa.dot.gov/about/field.cfm>.

Please coordinate up front with your State DOT HSIP Safety Manager (or similar title) or the FHWA Division Safety Engineer for eligibility approval of your project's scope. Include the signed Safety Approval form with your application.

Are matching funds required?

The program requires matching funds of approximately 20% of the total estimated project costs. Applicants may also provide additional funds beyond the minimum required matching funds to contribute to the project. Because of limited FLAP funding available in each state in any given federal fiscal year, proposals will receive additional consideration when funding is leveraged from other sources.

Typically, a cash match is preferred by most states. However, the project's preliminary engineering phase (planning, engineering design, NEPA and permitting, etc.), and the right-of-way acquisition and construction phases of the project may use a cash and/or "in-kind matches" such as toll credits, donated property, labor, materials, and CEI services. The use of any such "in-kind matches" are subject to Eastern Federal Lands Highway Division (EFLHD) and State DOT review and approval. Funds authorized under the Tribal Transportation Program and the Federal Lands Transportation Program as well as other Federal funds not authorized under Title 23 or 49 may also be used to satisfy the match requirements. Match must be mutually acceptable to both EFLHD and the proposal applicants.

Additional information regarding match may be found at the following website:

http://www.fhwa.dot.gov/legregs/directives/policy/fedaaid_guidance_nfmr.htm

How would the projects be delivered?

On the application form you will select from EFLHD, State DOT or Local Public Agency as the preferred delivery organization. EFLHD welcomes the opportunity to provide "cradle to grave" project delivery services under this program. This approach allows State or local resources to be utilized on their other priorities. If you would like to request EFLHD to deliver your project, please coordinate with EFLHD at a minimum of 30 days prior to the closing of the Call for Projects to request development of a cost estimate. Contact Lewis Grimm, EFLHD Planning Team Leader, 703-404-6289 or at Lewis.Grimm@dot.gov.

State DOTs are eligible to deliver their own projects. Local agencies requesting to deliver their own project must be certified by the State DOT or demonstrate prior experience with the use of federal transportation funds (Title 23) to deliver projects in compliance with Federal Highway Administration regulations. Additional information regarding local agency project delivery roles and responsibilities may be found at the following website:

<http://www.fhwa.dot.gov/federal-aidessentials/stateresources.cfm>

What happens if my project is selected?

On submission of a project application, the applicant agrees to provide the match funding portion for the project. After the Programming Decisions Committee (PDC) has reviewed, rated, and ranked the applications, successful applicants will receive a selection notification letter from EFLHD that their project has been "Recommended for Programming". The applicant will then be contacted by EFLHD Programs Office and will enter into a reimbursable Memorandum of Agreement (MOA) stipulating the scope of the project, the specific roles and responsibilities of all signatory parties, the anticipated project schedule and the funding arrangements. Please note that the outreach and execution of the MOA process will be prioritized by the Federal Fiscal Year for which the project is programmed for the receipt of FLAP funds.