

Federal Lands Access Program

Prospective Applicants Presentation

EASTERN FEDERAL LANDS HIGHWAY DIVISION

Planning, Programming & Environment

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U.S. Department
of Transportation

**Federal Highway
Administration**

For External Use

Federal Lands Highway (FLH)

Mission

Improve transportation to and within Federal and Tribal Lands by:

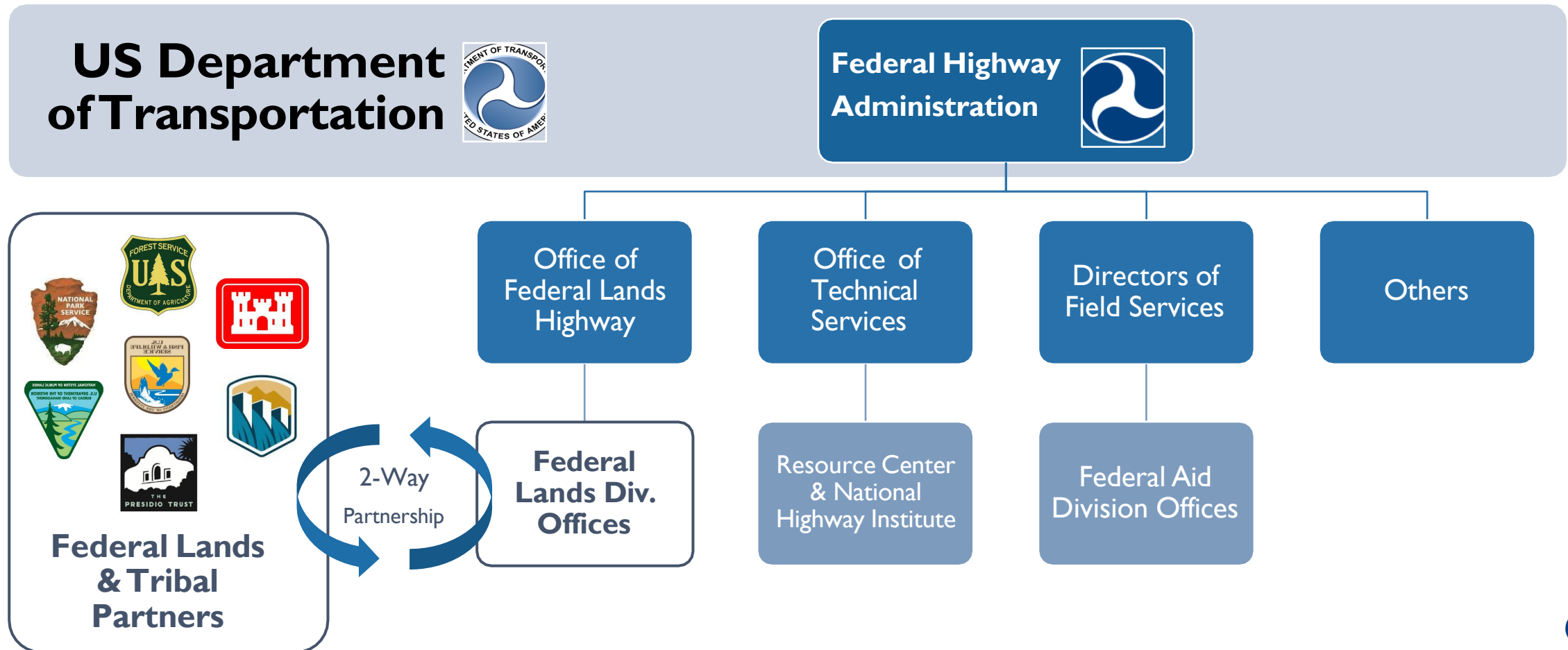
1. Building effective, efficient, and reliable networks of federal public roads and bridges; to protect and enhance the Nation's natural resources; and to provide needed transportation access for Native Americans.
2. Providing financial resources and transportation engineering assistance for public roads that service the transportation needs of Federal and Indian lands.



Great Smoky Mountains National Park- NC, TN



Federal Lands Highway Organization



Federal Lands Highway

Division Offices



FLH

Core Capital Programs



The Program for Federal Partners

FLTP

Federal Lands Transportation Program

Improve transportation facilities owned and maintained by a federal agency – typically within a national park, forest, wildlife refuge, BLM lands, BOR lands, or USACE lands.

The Program for Non-Federal Partners for Federal

FLAP

Federal Lands Access Program

Improve transportation facilities owned and/or maintained by a non-federal agency providing access to, adjacent to, or location within federal lands (typically National Parks, Forests, Wildlife Refuges, BLM lands, BOR lands, and/or USACE lands)

The Program for Tribal Partners for Tribal Lands

TTP

Tribal Transportation Program

Provide safe and adequate transportation and public road access to and within Indian reservations, Indian lands, and Alaska Native Village communities.

The Emergency Program for Federal Partners

ERFO

Emergency Relief of Federally Owned Transportation

The intent of the ERFO program is to pay the unusually heavy expenses for the repair and reconstruction of eligible facilities. The ERFO program is not intended to cover all repair costs but rather supplement Federal Land Management Agency (FLMA) repair programs.



Natchez Trace Parkway- TN, AL, MS

Eastern Federal Lands (EFL)

- 31 States, District of Columbia & Puerto Rico.
- FLH is at the forefront of delivering distinctive, context sensitive, innovative, and sound engineering projects.
- Proven experience and ability to solve and manage unique challenges in dynamic environments, geography and complexity, through engineering solutions sensitive to the context of the land.
- “Cradle to Grave” transportation engineering services for highways, bridges & trails providing access to/through federal lands.



EFL Areas of Expertise

Project Delivery

- **Project Management**
- **Project Development**
 - Design, survey, mapping, right-of-way, utilities
 - Environment (NEPA)
- **Technical Services**
 - Safety, geotechnical, structures, hydraulics, pavements & materials
 - Technology
- **Construction**
 - Closeout

Business Operations

- **Planning & Programs**
 - Alternative transportation & community planning
 - Programs: Federal Lands Transportation Program (FLTP), Federal Lands Access Program (FLAP), ERFO
 - Scoping, inventory, GIS,
 - Agreements
- **Administrative Services**
 - Acquisitions, contract administration, finance



FLAP Program

Background

- Created in MAP-21 and continued in the Bipartisan Infrastructure Law (BIL)/Infrastructure Investment Jobs Act (IIJA).
- \$286M to \$309M annually authorized (2022-2026) in BIL.
 - BIL expires 2026
 - Anticipate Congress to authorize new legislation or extension.

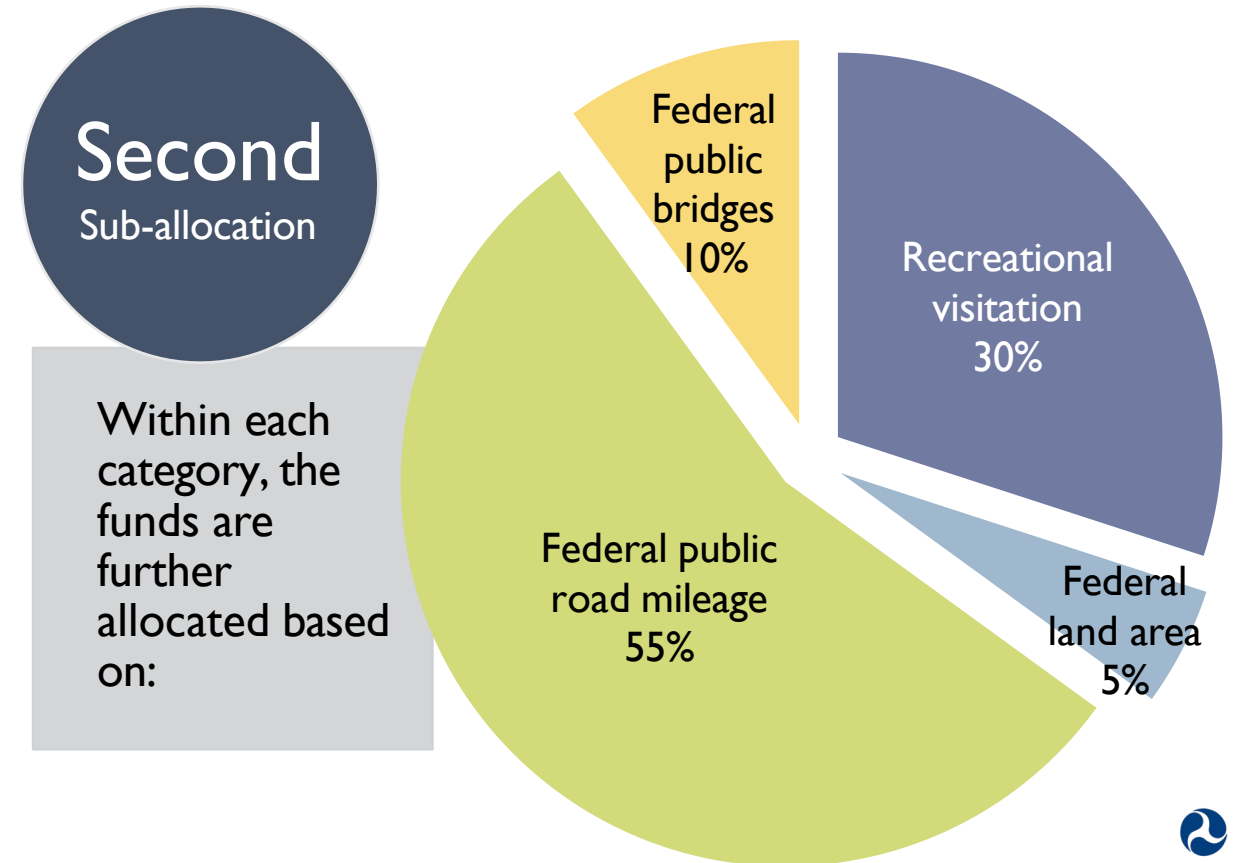
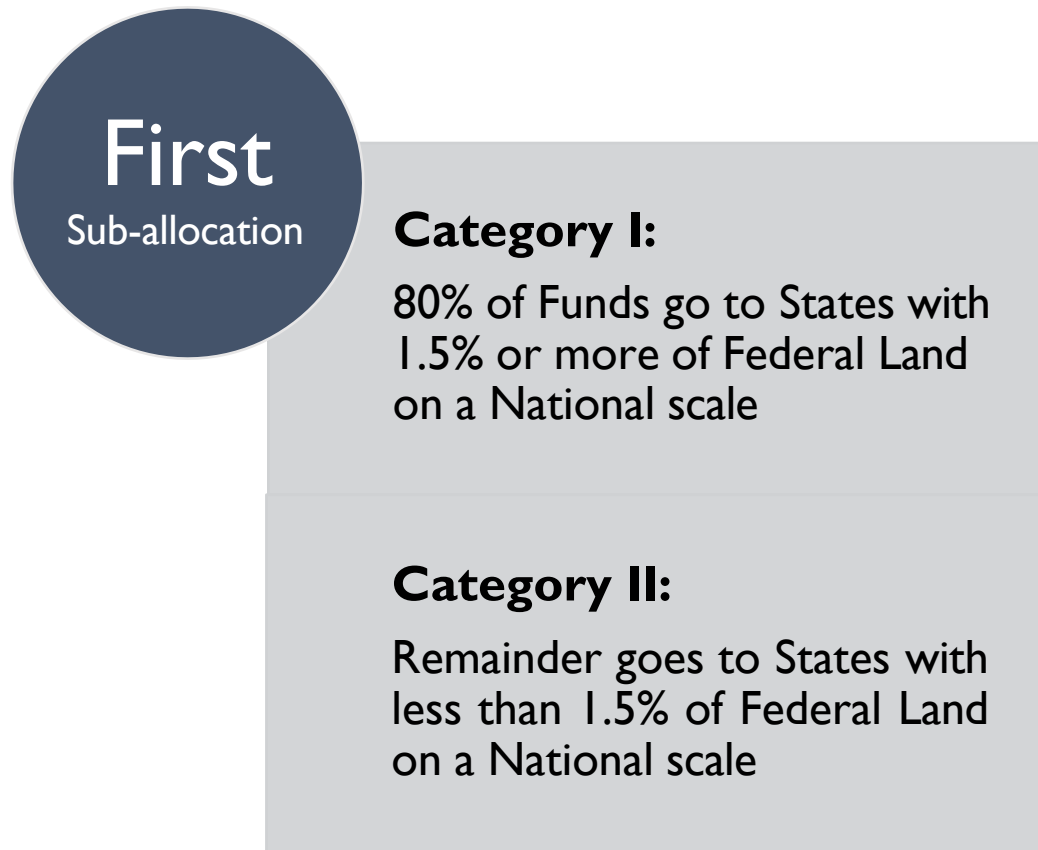
Goals

- Improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands.
- Emphasis on high-use Federal recreation sites and Federal economic generators.

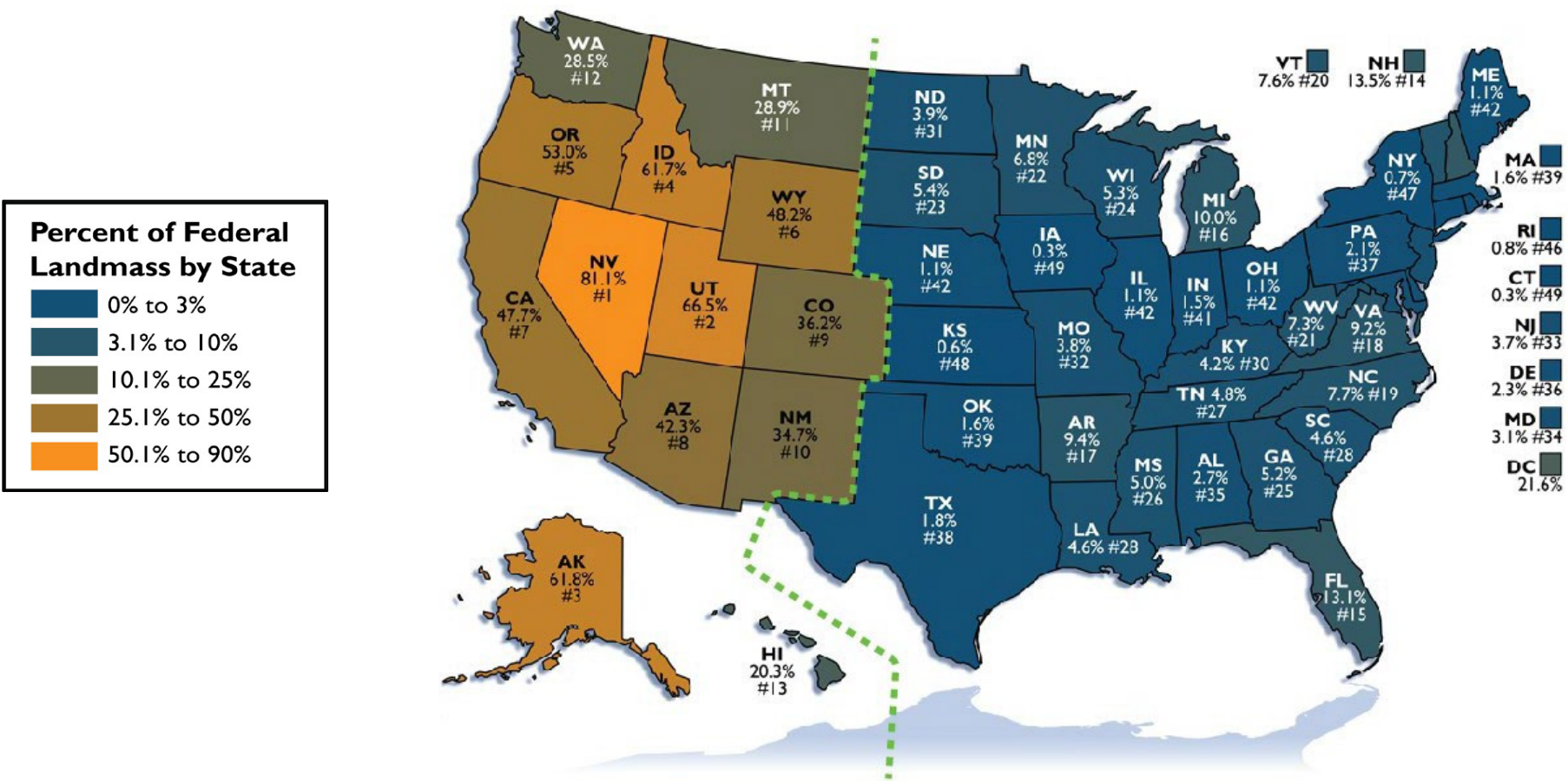


FLAP Funding

Allocated by Legislative Formula



FLAP Funding- Percent of Federal Land by State



80% of FLAP
> 1.5% of Federal Land

20% of FLAP
< 1.5% of Federal Land

Fiscal Year	2022	2023	2024	2025	2026	BIL Total
Authorization	\$286 M	\$292 M	\$297 M	\$304 M	\$309 M	\$1.44 B

Federal Land Management Agency Engagement

▶ Who are the Federal Land Management Agency (FLMA) Partners in this process?

▶ Traditional Partners

- ▶ Forest Service
- ▶ Fish and Wildlife Service
- ▶ National Park Service
- ▶ Tribes



▶ New Partners

- ▶ Bureau of Land Management
- ▶ Army Corps of Engineers
- ▶ Bureau of Reclamation
- ▶ Military (Army, Air Force, Navy, Marines)
- ▶ Other Federal Estate Owners (NASA, DOE, DHS, etc.)

FLAP Leveraged Funds



Match requirement was removed in BIL, however leveraged funds can help extend the impact of a state's FLAP allocation

Eligible Fund Types

- Local, State, or Tribal Sources (**Federal Aid**)
- Title 23: Federal Lands Transportation Program (**FLTP**)
(NPS, USFS, FWS, BOR, BLM, USACE, Presidio Trust)
- Tribal Transportation Program Funds
- Other Title 23 Funds: Surface Transportation Block Program, Highway Bridge Improvement Funds, High Risk Rural Roads (HRRR), BUILD, INFRA, etc.
- Other Federal Funds that are not Title 23 or 49, if their statutes and policies allow

Notes:

- FHWA cannot receive non-profit and private funding directly
- Funding source needs to be identified, but can be transferred in installments over duration of project if needed



FLAP Leveraged Funds

Typically Allowed:	Typically <u>NOT</u> Allowed:
• Direct ROW acquisition and Utility relocation costs paid by applicant (i.e. Consultant fees, Landowner compensation, Payment to utility companies) • Labor	• Equipment • Materials • Force Account • Any work done prior to execution of agreement with FHWA

Notes:

- Cash is preferred, if applicable
- All decisions on non-cash match are at the sole discretion of the Programming Decisions Committee (PDC)
- Work must be done according to federal law
- Costs agreed upon upfront in executed agreement
- Paid invoices required



FLAP Leveraged Funds

 **Federal Lands Transportation Program (FLTP – federally owned & maintained) projects can be combined with FLAP projects to bundle projects of mutual interest (FLMA & locals)**

Conditions:

- PDC and FLMA agree
- Projects are contiguous/adjacent
- Managed as a single construction contract.
 - Preference to be single PS&E designed by single agency
- PDC may require local agency to contribute funding. This is meant to:
 1. Ensure local involvement or
 2. Extend the FLAP program in the state



Acadia National Park, ME

FLAP Leveraged Funds



Federal Lands Transportation Program (FLTP – federally owned & maintained) projects can be combined with FLAP projects to bundle projects of mutual interest (FLMA & locals)

Example:

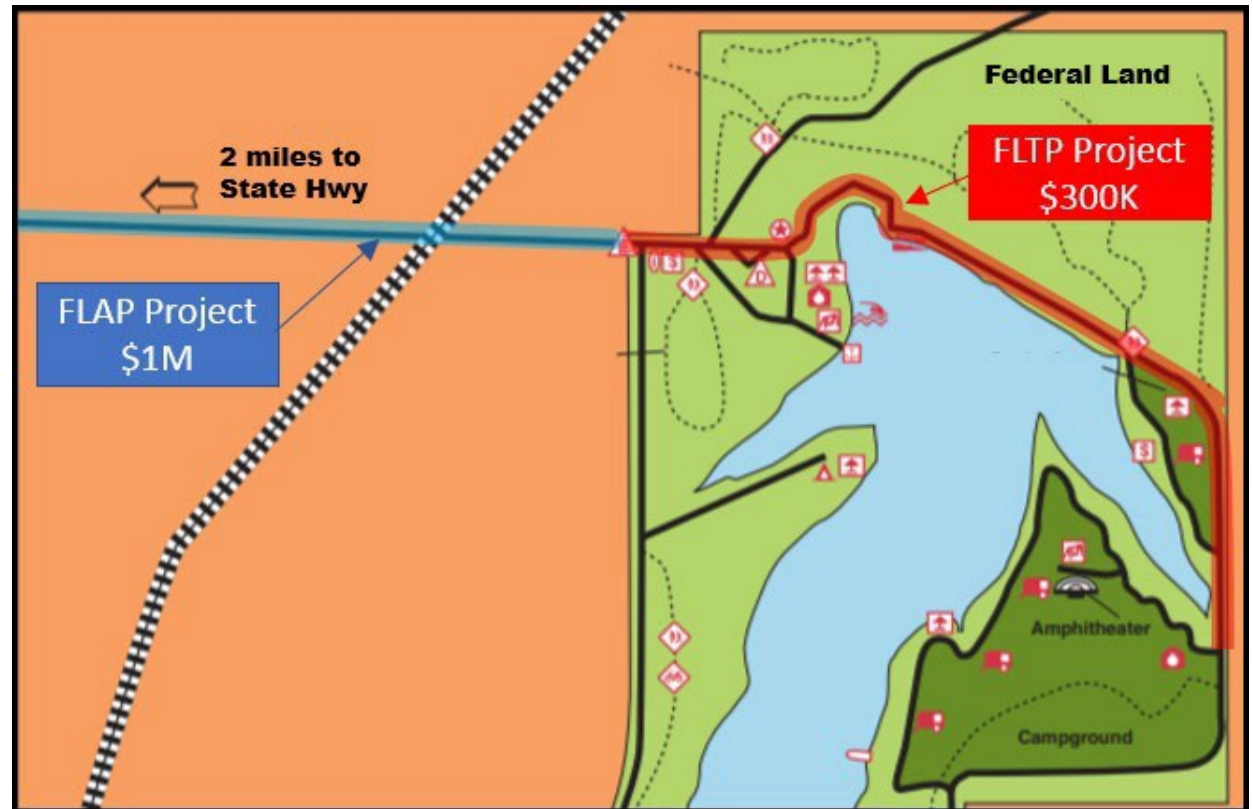
- FLAP Project (improve County Road) = \$1M
- FLTP Project (Scenic Drive to Parking) = \$300K

Total Project = \$1.3M

- FLAP: \$1M
- FLTP: \$300K
 - FLTP funds CAN be combined with FLAP funds, they qualify as leveraged funds

Applying Local Agency

- No or low cost burden
- May expedite project



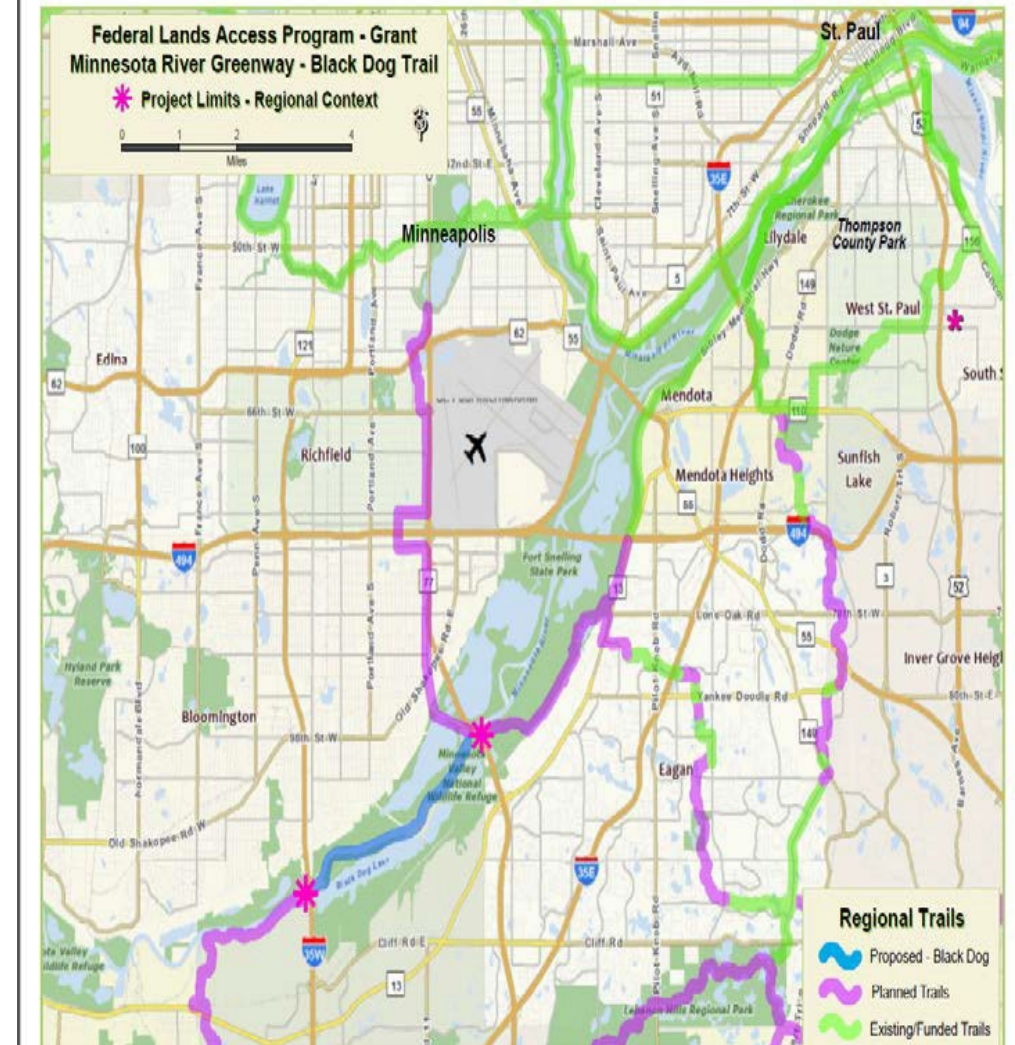
FLAP Project Delivery

Who is the responsible project delivery Agency? All projects must follow Title 23 and require a NEPA document for engineering projects.

Request FHWA-EFL as Lead Agency	If Other Agency
 • If you would like EFL to deliver your project, you must contact Lewis.Grimm@dot.gov at least <u>30 days prior</u> to the closing of the Call for Projects so that EFL may develop a cost estimate. • Capable of delivering most FLAP projects as well as feasibility/planning studies. • Lead agency for NEPA and Title 23 requirements	• Provide examples of delivering Title 23 funded projects of similar size and complexity • Follow applicable Local Assistance Procedures Manual and obtain certification if applicable. • Local Public Agencies requesting to deliver their own project must deliver projects in compliance with Federal Highway Administration regulations. http://www.fhwa.dot.gov/federal-aidessentials/stateresources.cfm • FHWA Division Office and State DOT will have Stewardship & Oversight (unless the EFL or the FLMA is the selected delivery agency)

EFL FLAP Framework

- ◆ Call for Projects issued with call timeframes that vary by state, Calls for Projects are open for 90 days
- ◆ Multi-year program contingent on available funding and authorizing legislation by Congress
- ◆ PDC will score and rank project applications based on criteria listed in the State's Call for Projects
- ◆ PDC coordinates priorities with each FLMA in each State before any joint PDC discussion prior to making programming decisions
- ◆ Selected projects will be programmed in the EFL Access Transportation Improvement Program (TIP) and included in the State Transportation Improvement Program (STIP)



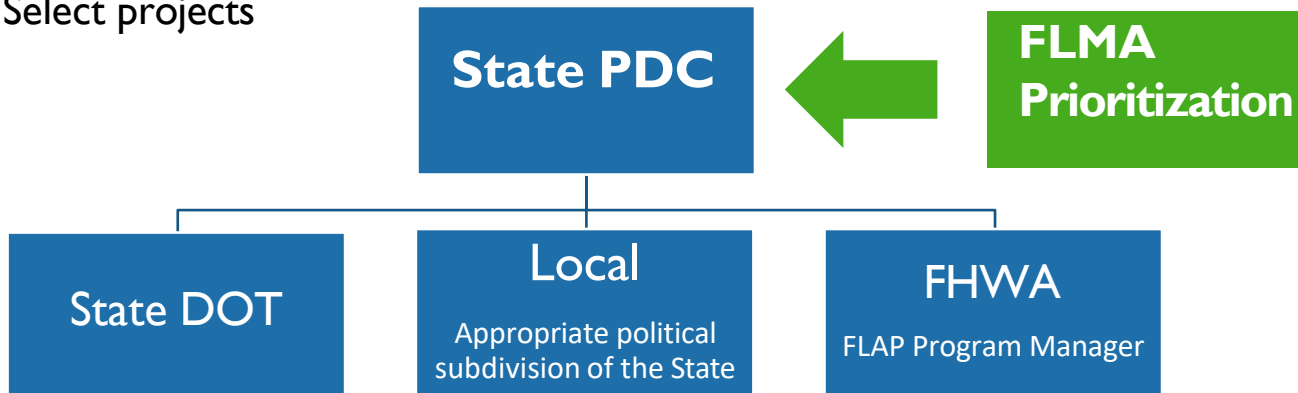
FLAP Programming

Each state has a **Programming Decisions Committee (PDC)**, a volunteer board. The State PDC must be comprised of a representative from:

- The Federal Highway Administration (FHWA) Eastern Federal Lands (EFL)
- The State Department of Transportation
- An appropriate political subdivision of the State (i.e. State Association of Counties)

PDC responsibilities include:

- Develop their own processes and evaluation criteria
- Review and score applications
- Select projects



Delaware Water Gap National Recreation Area, PA, NJ

FLAP Eligibility Requirements



What kinds of projects are FLAP eligible?

Per Legislation: Any public highway, road, bridge, trail or transit system located on or adjacent to federal lands.

- ***Any transportation project eligible for assistance under Title 23***
 - Rehabilitation / Restoration / Construction / Reconstruction
 - Engineering and Environmental Compliance
 - Operation & maintenance of transit facilities
 - Planning & Research
- Title and/or maintenance responsibility is vested with State, County, Local Government, or Tribes (non-Federal)

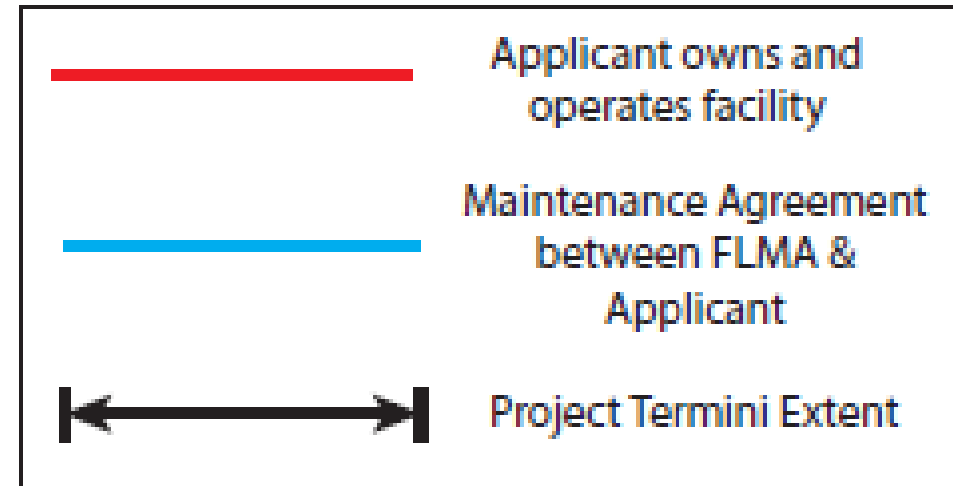
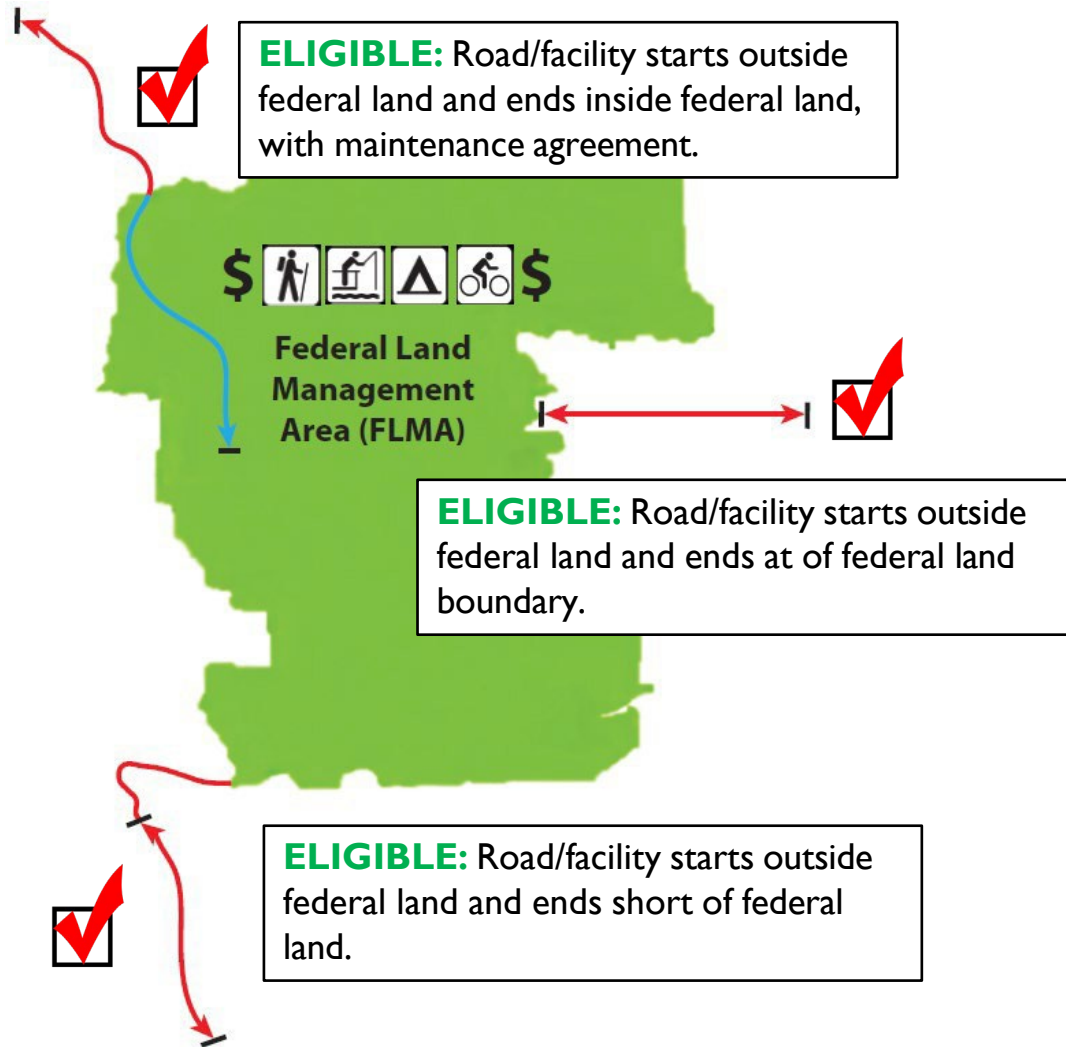


Changes to FLAP in BIL

- Local match no longer required!
- New eligibility!
 - Context sensitive solutions
 - Interpretation, signage & wayfinding
 - Visual mitigation & landscaping



FLAP Eligibility Scenarios

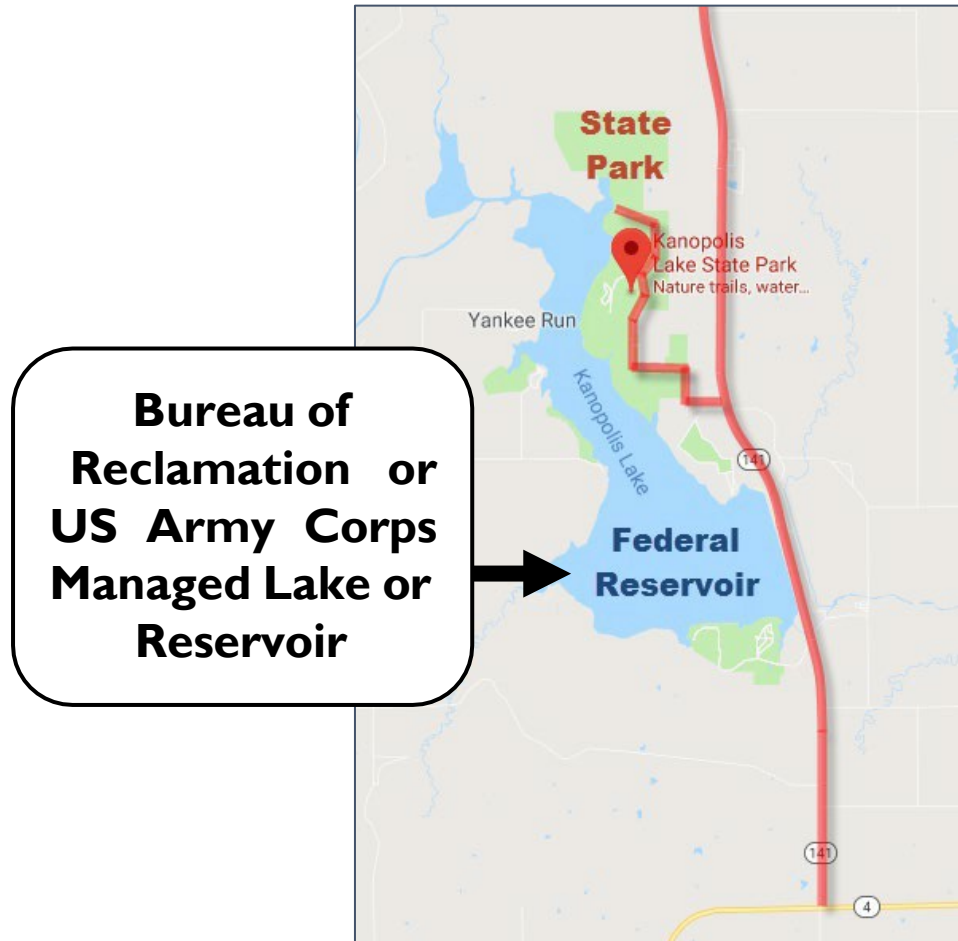


Notes:

- Tribal roads maintained by the tribe are **eligible**. BUT the roadway must access Federal Lands other than tribal (ex. NPS, FWVS, etc.)
- Tribal lands are **not eligible** Federal Lands as the destination for this program (TTP)
- Land leased by the Federal Government is **not eligible**.



FLAP Eligibility Scenarios



Common Scenario:

- Access to reservoir/lake is typically through State or County Park
- Roads leading to or within the Park that are not federally maintained: **eligible**.
- Potential to leverage FLAP, FLTP, State, and Local Funds



FLAP Preferred Projects

⚠ Preference is given to transportation facilities providing access to Federal **high-use recreation** sites and **economic generators**.

- Federal recreation: Any site used by the public to recreate on federal public lands
- 'High-use' is defined for a region/local area and not compared across the state (not every county has a Grand Canyon!)
- Federal economic generator: Any use of/on federal lands that is an economic generator for local community and/or region (ski area, energy production, timber etc.)



Osceola National Forest, FL



Strong Applications

Selected Projects Typically Include:

- | | |
|--|--|
| <ul style="list-style-type: none">• Full roadway reconstruction<ul style="list-style-type: none">• Roadway realignment• Shoulder widening• Multimodal (bike lanes, multi-use path) | <ul style="list-style-type: none">• Roadway rehabilitation<ul style="list-style-type: none">• Full depth reclamation• Guardrail replacement• New, full-depth asphalt |
| <ul style="list-style-type: none">• Bridge replacement | <ul style="list-style-type: none">• Multi-use trail (additions, expansions, or improvements) |
| <ul style="list-style-type: none">• Reasonable Scope + Realistic Project Estimate + FLMA coordination & support + Proposed Project Meets the FLAP Vision = Successful Application | |



NOTE: PDCs set selection criteria and have the ultimate programming decision.



Weak Applications

Risk Factors That Can Reduce Competitiveness of a Project:

• Maintenance-only focus • i.e. Chipseals, mill and overlay	• Lack of photos, maps, and exhibits that convey the purpose & need
• Underlying issues not addressed in application scope • Poor subgrade left as is • Damaged and/or undersized culverts to remain • Deficient guardrail to be left in place	• Poorly written applications • Questions left unanswered • Unrealistic cost estimates • Unaccounted engineering & NEPA costs • Insufficient unit prices and/or contingency
• Does not access high-use federal recreation sites	• Lack of coordination with Federal Land Management Agency (FLMA)
• ADT majority traffic is commuters & residential • Suggestion: If the project accesses a high-use recreation site, but there are many residences or businesses, consider proposing local leveraged funds.	



EFL FLAP Project Selection

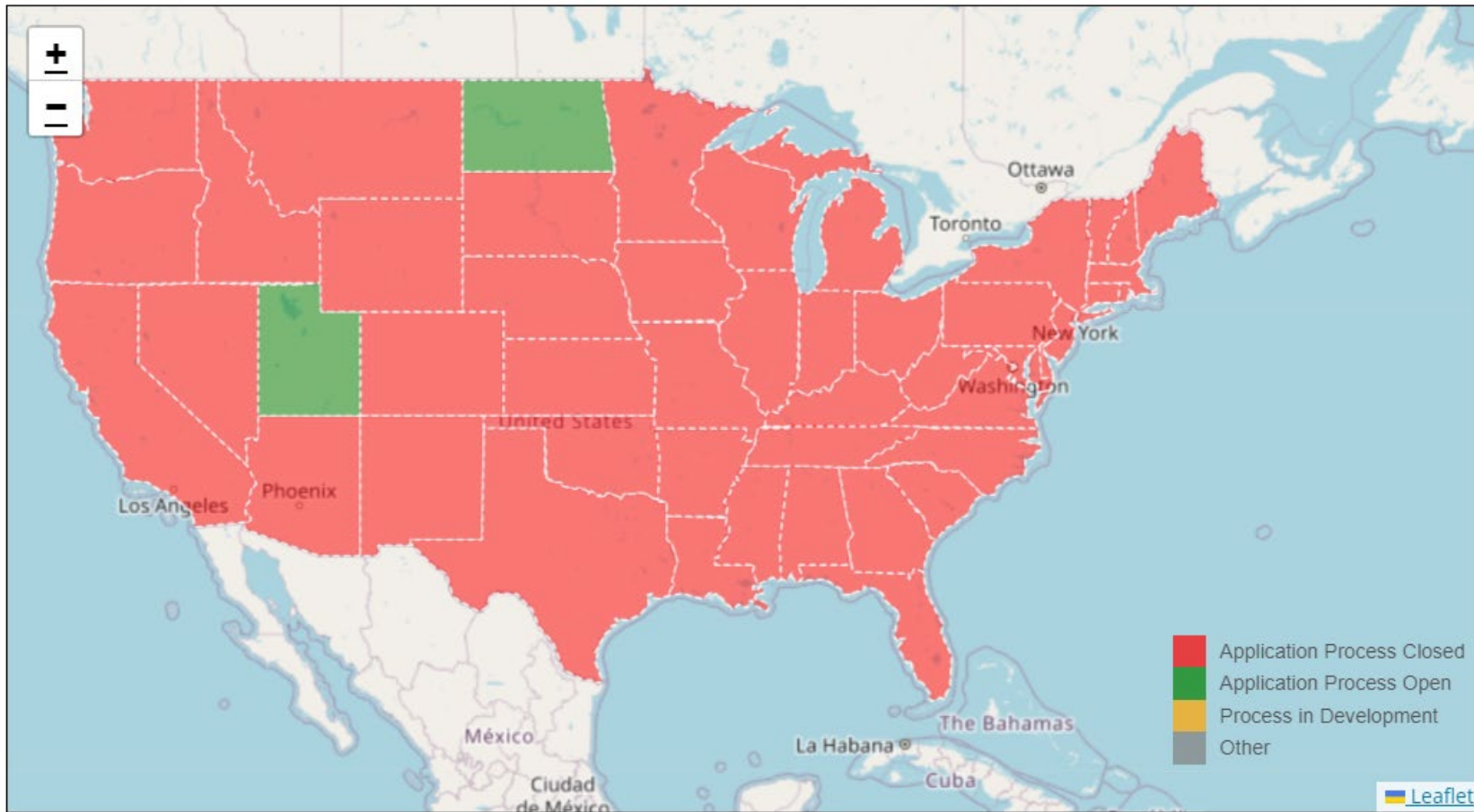
Eastern Federal Lands Highway Division - Federal Lands Access Program Project Selection Process											
Month											
12											
Activities	EFLHD	EFLHD Planning prepares CFP materials; Sends CFP Alert to appropriate individuals; Update Website		EFLHD Issues Call for Projects (90 days); Assists applicants with any questions; Develop EFLHD project delivery cost estimates as requested by applicants			EFLHD Screens all applications for eligibility and conducts follow up for missing information; Distributes all applications to members of the PDC for scoring/ranking;		EFLHD schedules & holds PDC Programming Meeting & conducts any required follow up actions to finalize the Program of Projects		EFLHD notifies applicants of awards; CFP results posted on website
								EFLHD sends applications to Regional FLMAs with more than 1 application for their prioritization	EFLHD prepares summary score sheet of all projects for PDC		
	FLMA	FLMAs Notified of upcoming CFP Kick-Off	FLMAs engage state & local facility owners for potential projects	FLMAs encourage local entities & State DOTs to submit projects; FLMA provides initial acknowledgement/concurrence via letter or on application (signature page)			FLMAs provide prioritized list of projects for their Regions				FLMAs are copied on all notifications;
	PDC	PDC Notified of upcoming CFP Kick-Off	PDC shares CFP information to DOT Districts, Local Public Agencies etc.	Call for Projects (90 days); PDC assists applicants with any questions or defers them to EFLHD			PDC independently scores and ranks applications (up to 30 days)		PDC Programming Meeting & final project selection; PDC may conduct follow up actions with applicants as needed		PDC is copied on all notifications;
Applicants				Applications prepared and submitted						All applicants will receive notification letters; Programmed project applicants will complete worksheet included in notification letter; A 2nd detailed programming letter will be sent from EFLHD Programs Team based on programmed year of funding	



FLAP Web & Call for Projects

FLAP Webpage: Find your state and FLAP Call for Projects application materials

<https://highways.dot.gov/federal-lands/programs-access>



To directly access a State FLAP webpage, click on any of the State names below:



U.S. Department
of Transportation

Tips for Success

- FLMA coordination is crucial- Provide application signature and/or letters of support from each FLMA or stakeholder(s)
- Review program guidance for eligibility
- Test forms early – download and save
- Answer as many questions (as completely) as possible
- Review evaluation criteria
- Provide best data available
 - ADT / Visitation data if available, if not make estimates/assumptions
 - ROW and utility information
 - Bridge and pavement reports, if available
- Include photos and quality maps showing the project location, termini and linkage to the Federal Land accessed.



Flight 93 National Memorial, PA



U.S. Department of Transportation
Federal Highway Administration

EFL Contacts

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