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# Montana Federal Lands Access Program

Informational Webinar

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# Webinar Agenda

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- Provide overview
    - Federal Lands Highway
    - MAP-21
    - The Federal Lands Access Program
    - Call for Project Proposals
  - Tips for preparing a good proposal
  - Questions and answers
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# Federal Lands Highway (FLH)

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- Office of Federal Highway Administration
  - 3 Division Offices
    - Eastern, Central, Western
  - Deliver projects that access
    - National Parks
    - National Forests System Lands
    - National Wildlife Refuges
    - BLM Lands
    - US Corp of Engineers Lands
    - Tribal Lands
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# Federal Lands Highway (con't)

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- Western Federal Lands (WFL)
    - Located in Vancouver, WA
    - Montana, Idaho, Washington, Oregon, Alaska
    - 200+ staff
    - Provide
      - Planning
      - Project development
      - Construction
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# Federal Lands Highway (con't)

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- Beartooth Highway



# Federal Lands Highway (con't)

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- Yellowstone National Park



# MAP-21 Overview

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- Moving Ahead for Progress in the 21st Century – MAP-21
  - Simplifies and focuses the Federal program
    - Substantial programmatic consolidation, over 100 programs combined into about 20
  - Supports the DOT's aggressive safety agenda
  - Accelerates project delivery and promotes innovation
  - Establishes a performance-based Federal program
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# Funding

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- Program authorized through FY14
    - Provisions went into effect on October 1<sup>st</sup>
  - Avg. annual funding at FY12 levels (plus minor inflation)
  - Extends Highway Trust Fund taxes and ensures 2 years of solvency for Highway Trust Fund
  - Most discretionary programs eliminated
    - No earmarks
  - Funds expire in 3 years
  - Requires minimum 4 year program of projects
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# Federal Lands & Tribal Transportation Programs

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	Annual \$
Federal Lands Transportation Program (FLTP)	\$300 million
Federal Lands Access Program (FLAP)	\$250 million
Tribal Transportation Program	\$450 million

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# Federal Lands Access Program

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- ***Not a grant program***
  - ***Where?***
    - On a Federal Lands Access Transportation Facility
      - public highway, road, bridge, trail or transit system
      - located on, is adjacent to, or provides access to Federal lands
      - title **or** maintenance responsibility is vested with State, County, Local Government, or Tribe
        - ❖ Vested – Settled, complete, or absolute: without contingency (Webster)
          - ❑ Easement
        - ❖ Must be vested prior to the project being programmed
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# Federal Lands Access Program (con't)

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- ***Who makes programming decisions?***
    - The Programming Decisions Committee (PDC)
    - Members include representatives from
      - Federal Highway Administration/Western Federal Lands (WFL)
      - Montana Department of Transportation (MDT)
      - Montana Association of Counties (MACo)
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# Federal Lands Access Program (con't)

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- ***How?***

- Priority shall be given to:
  - High-use Federal recreation sites
  - Federal economic generators
    - ❖ As determined by the FLMAs
- “Shall cooperate” with Federal Land Management Agencies (FLMA) prior to final decisions

# Federal Lands Access Program (con't)

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- ***Eligible Activities:***
    - Transportation planning, research, engineering
    - Preventive maintenance, rehabilitation, restoration, construction, and reconstruction
    - Adjacent vehicular parking areas
      - Can be under Federal maintenance responsibility
    - Acquisition of necessary scenic easements and scenic or historic sites
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# Federal Lands Access Program (con't)

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- ***Eligible Activities (con't):***
    - Provisions for pedestrian and bicycles
    - Environmental mitigation in or adjacent to Federal Land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
    - Roadside rest areas, including sanitary and water facilities
    - Operation and maintenance of transit facilities
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# Federal Lands Access Program (con't)

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- ***How are funds distributed?***
    - 80% of funds to States with  $\geq 1.5\%$  of total public land (i.e. western states)
    - Distributed by formula:
      - Recreational visitation (30%)
      - Federal land area (5%)
      - Federal public road mileage (55%)
      - Federal public bridges (10%)
    - MT authorized for **\$25** mil annually (net about **\$22.5** mil)
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# Match Requirement

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- Statute (23 USC 120); FedAid Rules
  - Montana Match is **13.42%**
  - Match can be:
    - Cash (Non-Federal see below)
    - In kind services (labor), r/w, materials (rock, culvert, etc), equipment
      - Valued at fair market value
      - For services, work eligible after funding agreement signed
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# Match Requirement (con't)

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- Limitations:
    - Non-Federal Funds unless specific statutory authority otherwise. Exceptions include:
      - Federal Lands Transportation Program/Tribal Transportation Funds
      - Federal Land Management Agency funds (Non Title 23/49)
    - Access funds **cannot** be used as non-Federal match for other programs
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# Other Important Related Provisions

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- Up to 5% taken off top for FLMA planning activities
    - System wide transportation planning
    - Asset management
    - Inventory
    - Data collection
    - Managed between FLMA HQ and FLH HQ
  - Loan/Borrow authority between and within the FLTP and the Access Program partners/States
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# Call for Projects

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- Types of projects
    - Capital improvement projects
      - Rehabilitation, restoration, construction, and reconstruction of roads, bridges and trails. Such as safety improvements, widening, realignments, surfacing, culverts, signing, and associated roadway appurtenances.
    - Enhancement projects
      - Road and trail related improvements such as interpretive signing, kiosks, viewpoints, restrooms, provisions for pedestrians and bicycles, scenic easements, trailheads and improvements to reduce vehicle-wildlife conflicts.
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# Call for Projects (con't)

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- Soliciting projects for construction FY 2014 to FY 2018
  - PDC should issue calls for preventive maintenance, transit, planning and research project proposals spring 2013.
  - Contingent on available funding and authorizing legislation
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# Call for Projects (con't)

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- Previously programmed Forest Highway projects
  - Check the Status list
    - Funded- do nothing
    - Not funded- resubmit proposal

# Call for Projects (con't)

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- Proposals must be submitted jointly by State, county, town, tribal, municipal or local government and the Federal Land Management Agency(ies) being accessed.
  - Submit project proposals by **February 8, 2013**. Should not exceed 10 megabytes.
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# Call for Projects (con't)

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- Evaluation criteria is:
    - Safety, preservation, recreation, economic, mobility, and environmental areas
    - Preference shall be given to projects that access high-use Federal recreation sites or Federal economic generators
      - As defined by Federal Land Management Agencies
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# Call for Projects (con't)

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- Project Selection Process
    - Project Selection Team (PST)
      - Includes representatives from WFL, MDT, MACo, NPS, USFS, USFWS, BLM
    - Review proposals and preliminary ranking by PST
    - Field review of some projects by PST
    - Project Identification Reports (PIRs) done on more complex projects by WFL Staff
    - Make final recommendations to PDC
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# Call for Projects (con't)

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- PDC will make final decision also considering:
    - Project support, project readiness
    - Agency priorities
    - Applicant's share of the project costs, previous federal investment specifically related to project, availability of funds
    - Project delivery schedules
    - Environmental and right-of-way constraints
  - PDC “shall cooperate” with FLMAs prior to making a final decision
  - Target date for programming decision is Fall 2013  
(subject to future funding and legislation)
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# Tips for preparing a good proposal

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- Be succinct and concise
  - Answer the questions
  - Use best data available, include any assumptions
  - Photos can help tell the story, but remember the 10 megabyte size limit
  - Be realistic, don't look at it thru "rose colored glasses"
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# Tips for preparing a good proposal (con't)

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- Use your partners
  - The “Problem Statement” is the beginnings of “purpose and need” in NEPA
  - If road maintenance not currently vested with State, county... describe plans for getting it transferred
  - Be practical, “right size the proposal”, think context
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# Tips for preparing a good proposal (con't)

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- For traffic volumes, include % accessing the Federal Lands
  - Good quality map
  - Get signatures from authorized agency officials
  - If multiple submittals
    - Prioritize
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# Questions

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  - Call for projects packet  
<http://wfl.fhwa.dot.gov/programs/flap/mt/index.htm>
  - Guidance  
<http://www.fhwa.dot.gov/map21/guidance/index.cfm>
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