

OREGON FEDERAL LANDS ACCESS PROGRAM MEETING
September 12, 2012
Western Federal Lands – Idaho Conference Room
Vancouver, WA
1:00 – 4:00

Agenda

Objectives:

- Common understanding of the Access Program
 - Understanding of roles and responsibilities
 - Short and long term strategies for moving forward
1. Introductions
 2. Review and adjust agenda
 3. Overview of MAP-21 and Federal Lands Access Program
 4. Roles and Responsibilities
 - a. Role of Programming Decisions Committee
 - b. Role of Federal Land Management Agencies
 - c. Role of Western Federal Lands
 5. Short Term Strategy for Moving Forward
 - a. FY13 Program – decision needed
 - i. Projects to fund
 1. Construction for FY 13 Programmed Projects
 2. Project Development for FY13 Programmed Projects
 6. Long Term Strategy
 - a. Call for projects – decision needed
 - i. Which projects re-compete
 - ii. Timing
 - iii. Goal areas
 7. Next Steps
 8. Schedule next meeting

Oregon Federal Lands Access Program Meeting

September 12, 2012

Western Federal Lands Division Office

Vancouver, WA

1) Introductions

Welcome to the first Oregon Programming Decisions Committee meeting for the new Federal Lands Access Program (FLAP) that was established from the Transportation Bill Reauthorization (MAP-21). The objective of this program is to improve access to federal lands on Public Roads, Highways, Trails, and Transit systems on transportation facilities that are under non-federal jurisdiction or maintenance.

The objectives of the meeting are:

- Develop a common understanding of the Access Program
- Understand roles and responsibilities of the parties involved
- Discuss short and long term strategies for moving forward

The meeting was attended by the PDC and representatives of the National Park Service, US Forest Service, and US Army Corps of Engineers. The BLM and Fish and Wild Service were contacted but could not attend. An Attendee List is attached.

2) Review and Adjust Agenda

- Agenda was adopted as presented

3) Overview of MAP-21 and Federal Lands Access Program

Western Federal Lands (WFLHD) gave an overview presentation on the portions of MAP-21 that apply to the FLTP and FLAP programs.

Discussion Topics:

- Are enhancement projects eligible – discussion revolved around the location and ownership issues of enhancement projects. Those projects that are along routes that are eligible for the FLAP are eligible even if the enhancement project is owned and operated by and FLMA.
- TRIP program (Paul Sarbanes) has not been reauthorized. Alternative Transportation projects are now eligible under the Access program.

4) Roles and Responsibilities

a) Programming Decisions Committee (PDC)

- The PDC by statute is composed of representatives from the State DOT, FHWA and an appropriate local political subdivision of the state.
- In Oregon, the PDC will be composed of the following representatives:
 - Bob Bryant, Oregon DOT
 - Jon Oshel, Association of Oregon Counties (AOC)
 - Phyllis Chun, Western Federal Lands Highway Division, FHWA
- The PDC is responsible for decisions related to the programming of projects for the FLAP.

b) Federal Land Management Agencies

- Purpose is to provide access to federal lands and thus the FLMAs need to be consulted. The PDC is required to consult with all appropriate Federal Land Management Agencies before programming decisions are made.
- MAP-21 specifies that preference will be given to High Use Recreation Sites and Federal Economic Generators. Each FLMA will need to define these terms as to how it applies to their agency. Most of the FLMAs are working on those definitions at a national level.
- Work with the appropriate public road agencies for project application and development.

c) Western Federal Lands

- Represent interests of all FLMAs
- Lead the PDC, coordinate the meetings, and lead development of program of projects.
- WFLHD has a full complement of expertise to deliver projects including planning, environmental, design and construction. WFLHD hopes to deliver much of the program.
- Receives the funding allocation from the Federal Lands national office and provides stewardship and oversight of the funds.

5) Short Term Strategy for Moving Forward FY 2013 Program

The group discussed that we need to keep the delivery of projects going through the transition to the full program.

Discussion:

- Have a program of projects but we need to review what projects are on it
- We want to be able to include needs expressed by the new FLMAs (NPS, FWS, BLM, USACE).
- Need to deliver projects in 2013

What do we want to do in 2013 to allow the new FLMAs to participate?

- We should keep projects moving if there has been a significant investment in them already

- If new call is done this winter, additional projects could be considered both in the short and long term.
- We could program through 2014 as a short term strategy and then do a call and start PE on new projects for 2015 and out
- Is there something in between the application – like a 1 pager needs list? Or a 2 step application:
 - Notice of intent – 1 pager
 - Application

This would help with the conversation so you can weed out the ones that won't be supported. And develop a "Needs List"

- Phyllis explained the existing Forest Highway program sheet as a possible place to start and went over what was on the program for delivery in 2013. Additional things to consider:
 - There will be some additional funds based on non-federal match (10.27%) which would be available for new projects
 - There are some additional enhancement projects that could serve multiple FLMA partners

Projects Programmed:

The following projects were discussed and accepted to be funded with FLAP funds:

- **FY 2013**
 - Ritter Road (Old OR PFH 30(1))
 - Project was programmed for (CN) \$3.5M in 2013 and \$5.7M in 2014 (Total of \$9.2M). Match is provided through \$2.9 M from the county and \$4.5M from ODOT. FH program has already allocated \$2M of PE to this project.
 - Background – Located on Hwy 140, between Klamath Falls and Lakeview. It is the last section that has length restrictions for freight. It also carries significant recreation traffic that is destined for the Fremont/Winema National Forests. The project reconstructs the section over Bly Mountain (~ 9 miles). Includes climbing lanes, realignment, grade, and pave
 - There was a limit on FH funds because of the amount and distribution of traffic as much of the traffic is cross state freight.
 - USFS is still supportive of project

Decision – Fully Fund as previously in the Forest Highway Program for 2013 and 2014. Match is provided through the funds provided by the county. Project Agreement needs to be executed formalizing the match requirements.

- Skyliners Road (Old OR PFH 247(1))
 - Background – Road goes east/west out of Bend and carries heavy recreation traffic and is a primary linkage to the Deschutes National Forest. It's also the

transportation corridor for City of Bend water supply (not funded through FH funds).

- County is very supportive of project as it carries heavy use by bicycles and the pavement is in poor condition.
- County has stated that they can find the required match but they would of course need approval from the county commissioners.
- NEPA – FS has completed NEPA but there is an appeal (USFS appeal regulations). The USFS intends to grant a special use permit for the water line.

Decision – program and revise estimate to reduce the Access programs funds by the amount for non-federal match. Program for \$7.986M CN (was programmed at \$8.9M less the non-federal match of 10.27%). Fund remaining PE and CE with FLAP funds.

- Kapka Butte Snow Park (old OR PFH 244(2))
 - Forest Highway Tri-Agency decided to use FH carryover funds for this project. No FLAP funds.

- Marion Forks (CN and CE) (Old OR PFH 24(3))
 - How far along is this project? - Project is in design and WFLHD has allocated PE funds to the Willamette NF. Should the project re-compete?

Decisions:

- Use existing PE allocation to continue design
- If project is ready for CN/CE in 2013 then fund the CN with FLAP funds. If not ready, they can keep allocated PE \$ and the project would need to re-compete for the CN/CE in the next call for projects.
- USFS will need to seek where the match will come from (USFS, ODOT?)

- Skyliners Trail Enhancement, Phil's Trailhead (old OR PFH 247(2))
 - Background – this was included in the reconstruction project of Skyliners road for economy of scale reasons.
 - County has stated they will not agree to provide the non-federal match for this project.

Decisions:

- FS is responsible for coming up with the match
- If project is ready for CN in 2013 then fund the CN/CE with FLAP funds. If not ready, they can keep allocated PE \$ and the project would need to re-compete for the CN/CE in the next call for projects.
- USFS will need to seek where the match will come from

- Schlinder Landing Enhancement (old PFH 7(1))
 - This was a 2015 enhancement project on the FH program. The County informed that they could deliver this in 2013 if the PDC chose to do so.

Decision:

- Project must re-compete. With a match it will be competitive

- Soda/Goose Creek AOP Pipes (Old PFH 46(9))
 - Background – replacement of two culverts for native fish passage. Pipes are not structurally deficient at this time. Is located on the Deschutes county segment.
 - WLFHD has allocated \$116,030 so far in PE but it's unclear as to the status of the design.
 - Deschutes County is not supportive of replacing the pipes and will not provide a non-federal match. The purpose for the project was solely for fish passage.
 - If project can be ready for delivery in 2013, we will program CN/CE IF YOU CAN FIND A MATCH, if not re-compete
 - USFS will help to find the match

Decisions:

- FS is responsible for coming up with the match
- If project is ready for CN in 2013 then fund the CN/CE with FLAP funds. If not ready, they can keep allocated PE \$ and the project would need to re-compete for CN/CE in the next call for projects.

- **FY 2014**

- Powers/Agness (Old PFH 60(3))

- Background – Work includes landslide stabilization on a large land slide (Burma) plus 7 other slides and safety corrections. The Burma slide is very large and geotechnical engineers from WFLHD and ODOT have been working to find a cost effective solution but at this date that is still unknown. The other 7 landslides, have known solutions. Ongoing Geotech investigation is to determine if there is a less costly fix for Burma slide. WFLHD is moving ahead with the investigation and their report should be available this coming spring. There are also safety corrections in the existing project.
 - AOC suggests that the design keep going on the project that is solid – i.e. the 7 slides and safety improvements without the Burma slide. Mike Odom will determine a cost for PE for this limited scope.

- Decisions:**

- Re-compete for construction funding because it ties up so much money in 2014 & 2015.
 - Keep PE going in 2014 up to \$1M. ODOT will fund required match
 - Discussion on Palmer junction overlay – could get it ready to go, but pavement does not need work until when its programmed.
 - Tiller Trail Highway (Old PFH16(7))
 - Currently programmed for 2015 but the project could be ready for 2014
 - Jackson County has indicated that they can come up with the match in 2014
 - Project provides access to both USFS & BLM lands

- Decisions:**

- Program for CN in 2014, modify project agreement to document non-federal match.
 - Revise program amount up to \$3.5M CN for necessary design changes.
 - All 2014 enhancement Projects – that were programmed in the old Forest Highway Program for 2014:
 - Background - All have PE obligated already, except the HCRH Trail Starvation Creek to Hole in the Wall Falls. – which is now programmed for PE.

- Decisions:**

- Program old 163(9) HCRH Trail Starvation Creek to Hole in the Wall Falls for PE
 - Keep PE going on all others

- If project is ready for CN in 2014 then program for CN/CE.
 - If project is not ready for CN in 2014, the project will need to re-compete in the next call for projects.
 - Proponent needs to submit letter to address who will provide the non-federal match.
- There will be funds available for 2014 because of funds freed up from the non-federal match and Burma Slide. These funds will be available for projects from the next call that can be delivered in 2014 or that need PE funding in 2014.
- **Decision** - All projects in 2015 and beyond on the old Forest Highway program need to re-compete.

6) Long Term Strategy

a) Call for Projects

- George presented DRAFT timeline, criteria, call letter, and proposal and explained the contents.
- Much more discussion needs to occur on the call for projects documents
- The staff will meet on October 1 (1PM) at WFLHD office in Vancouver, to work on revising the drafts.

Decision:

- A new call for projects is needed to fill out the 2014 and beyond program.

7) Next Steps

- Official program guidance from FHWA HQ in the next few weeks
- WFLHD will start working on projects for 2013/2014 that were approved today
- WFLHD will start working on a new PDC Charter and get out for review.
- Notification of Project Sponsors from old FH program – WFLHD (George) will work with USFS on how they project sponsors are notified.

8) Schedule Next Meeting

- Objective is to discuss call for projects documents and how the call for projects will work. PDC will need to frame the objectives of the call and if there are certain types of projects that they want to emphasize. (i.e. size, type, scale, etc)
- Oct 18 is next PDC meeting at 0900 in Vancouver at WFLHD