

Federal Lands Access Program

FLMA Webinar

CENTRAL FEDERAL LANDS HIGHWAY DIVISION
Planning, Programming & Environment

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U.S. Department
of Transportation
**Federal Highway
Administration**

For External Use

Presentation Outline

Key Points



- **Who is Federal Lands Highways?**
- **FLAP Program Overview & Application Packet**
- **General Housekeeping and Q&A**



U.S. Department of Transportation
Federal Highway Administration

Federal Lands Highway (FLH)

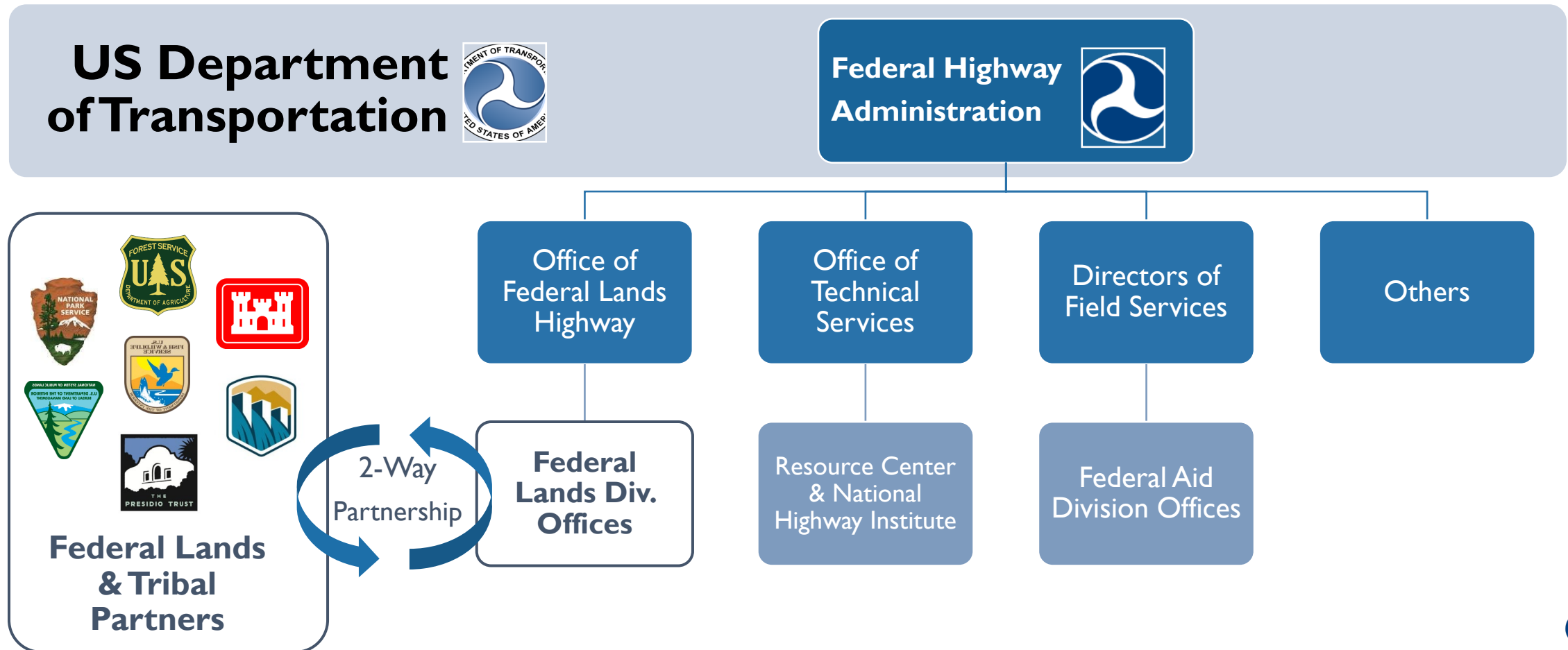
Mission

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.



Federal Lands Highway Organization



Federal Lands Highway

Division Offices



FLH

Core Capital Programs

The Program for Federal Partners	The Program for Non-Federal Partners for Federal
FLTP Federal Lands Transportation Program Improve transportation facilities owned <u>and</u> maintained by a <u>federal</u> agency – typically within a national park, forest, wildlife refuge, BLM lands, BOR lands, or USACE lands.	FLAP Federal Lands Access Program Improve transportation facilities owned <u>and/or</u> maintained by a <u>non-federal</u> 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	The Emergency Program for Federal Partners
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.	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.

Central Federal Lands (CFL)

- 14 central and SW States, Hawaii and & Pacific Territories.
- FLH is at the forefront of delivering distinctive, context sensitive, innovative, and sound engineering projects.
- “Cradle to Grave” transportation engineering services of highways and bridges providing access to/through federal lands.
- 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.



Mount Whitney Portal, CA



Partnerships

- Strong partnerships with local agencies and FLMAs
- The best projects bring together State, local, MPO, and FLMAs to address mutual needs



- Government to Government Relationship
- Strong PM centric organization
- Single POC – Project Manager
- Partner Agency and/or Federal Lands Management Agency (FLMA) involvement tailored to project needs



FLAP Program

Background

- Created in MAP-21 and continues 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.

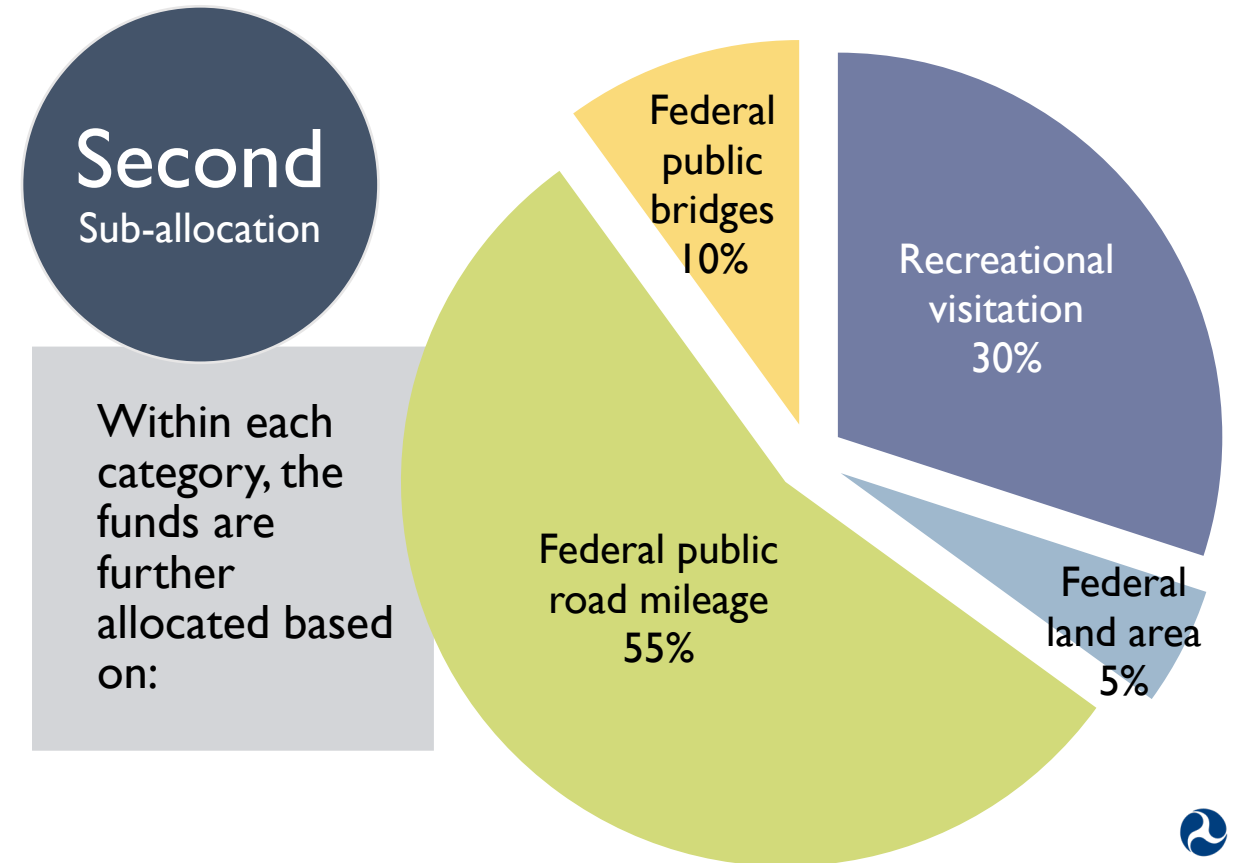
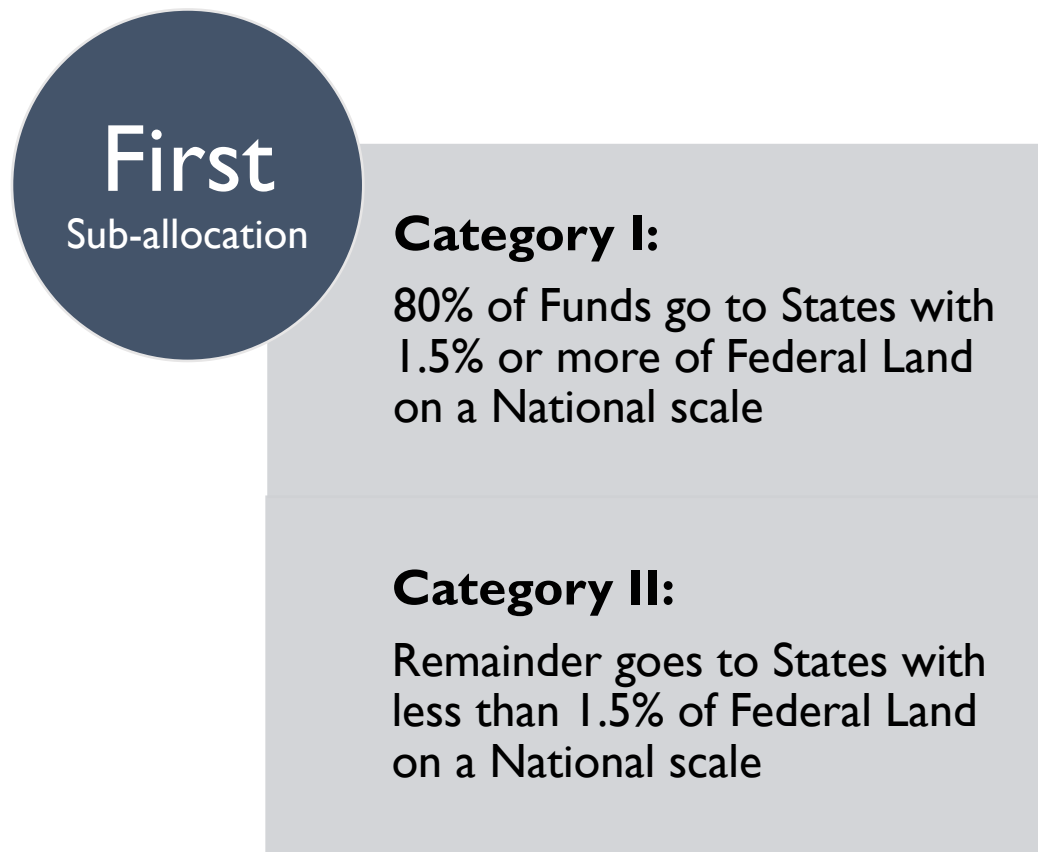
Goals

- 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.



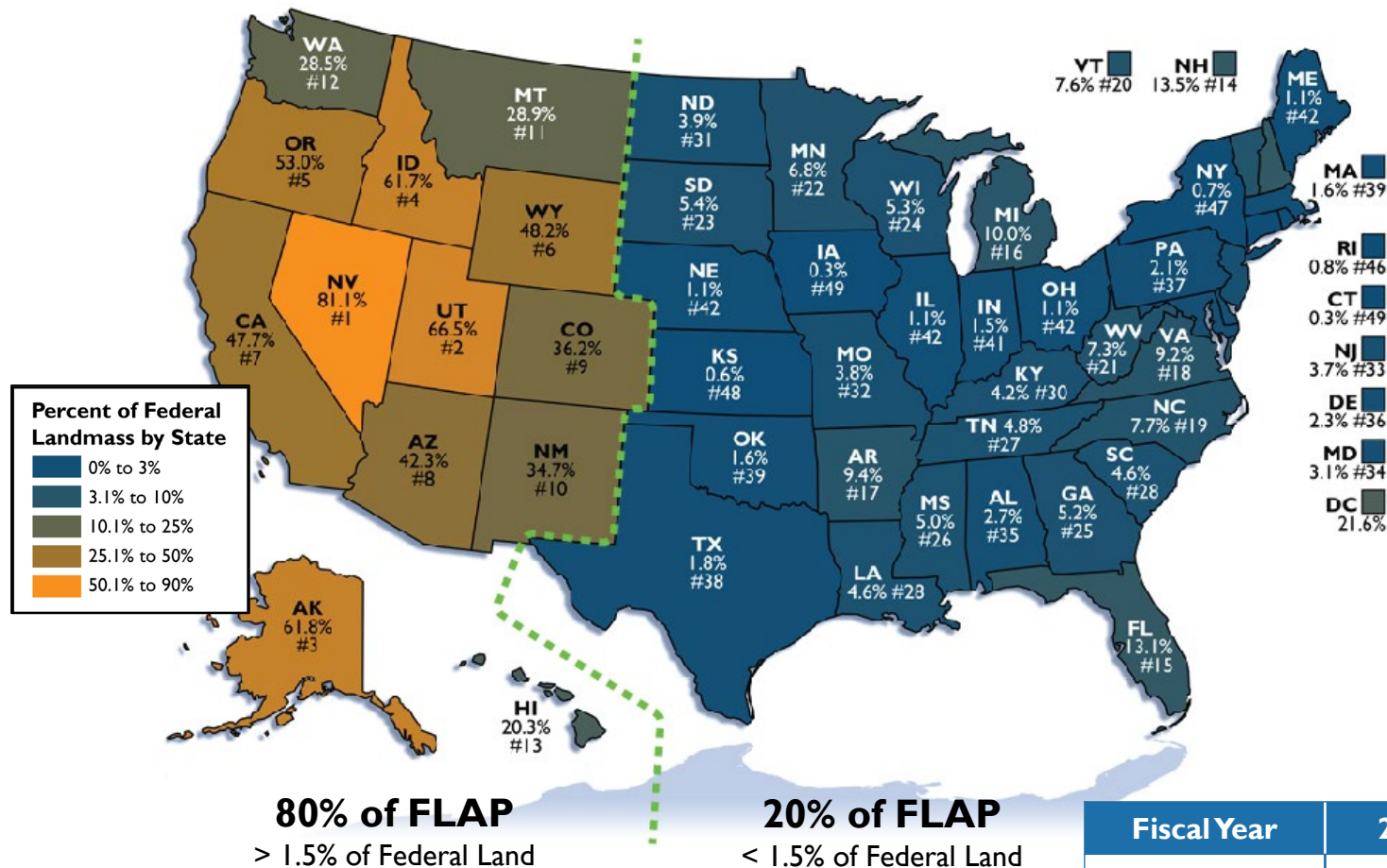
FLAP Funding

Allocated by Legislative Formula



FLAP Funding

Federal Land by State & 2023 Allocation



Central Federal Lands States

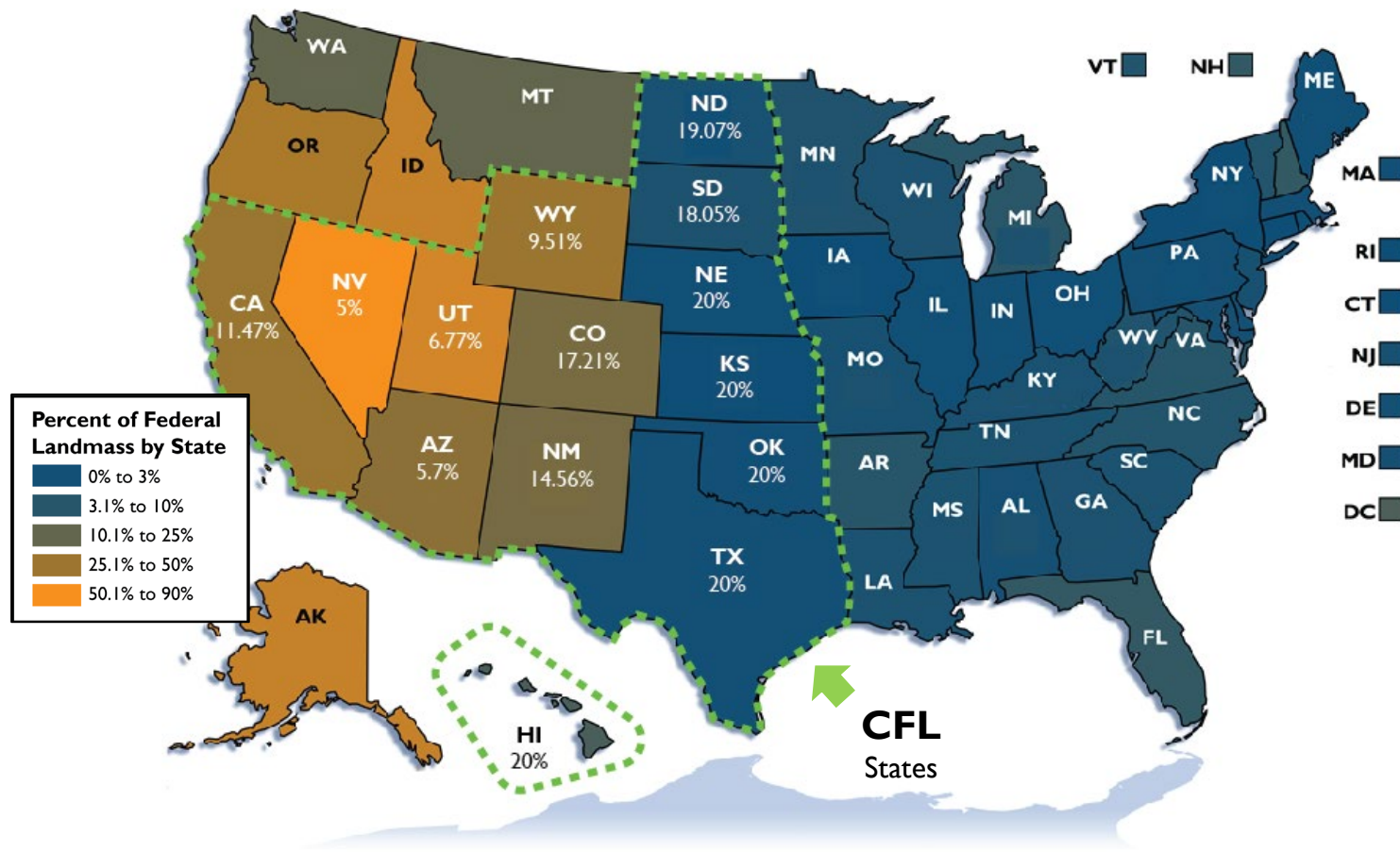
- California	\$30.7M
- Colorado	\$15.9M
- Utah	\$12.1M
- Nevada	\$11.9M
- Arizona	\$11.2M
- Wyoming	\$10.3M
- New Mexico	\$8.2M
- Texas	\$3.2M
- Oklahoma	\$1.2M
- South Dakota	\$1.2M
- North Dakota	\$1M
- Kansas	\$766K
- Nebraska	\$329K
- Hawaii	\$308K

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

FLAP Match Requirements



Match requirement was removed in BIL, this only applies to projects selected into the program prior to BIL



Central Federal Lands States

- Texas	20.00%
- Oklahoma	20.00%
- Hawaii	20.00%
- Nebraska	20.00%
- Kansas	20.00%
- North Dakota	19.07%
- South Dakota	18.05%
- Colorado	17.21%
- New Mexico	14.56%
- California	11.47%
- Wyoming	9.51%
- Utah	6.77%
- Arizona	5.70%
- Nevada	5.00%



FLAP Leveraged Funds

Eligible Fund Types

- Federal-Aid, Local, State, or Tribal Sources
- 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

! 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



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:

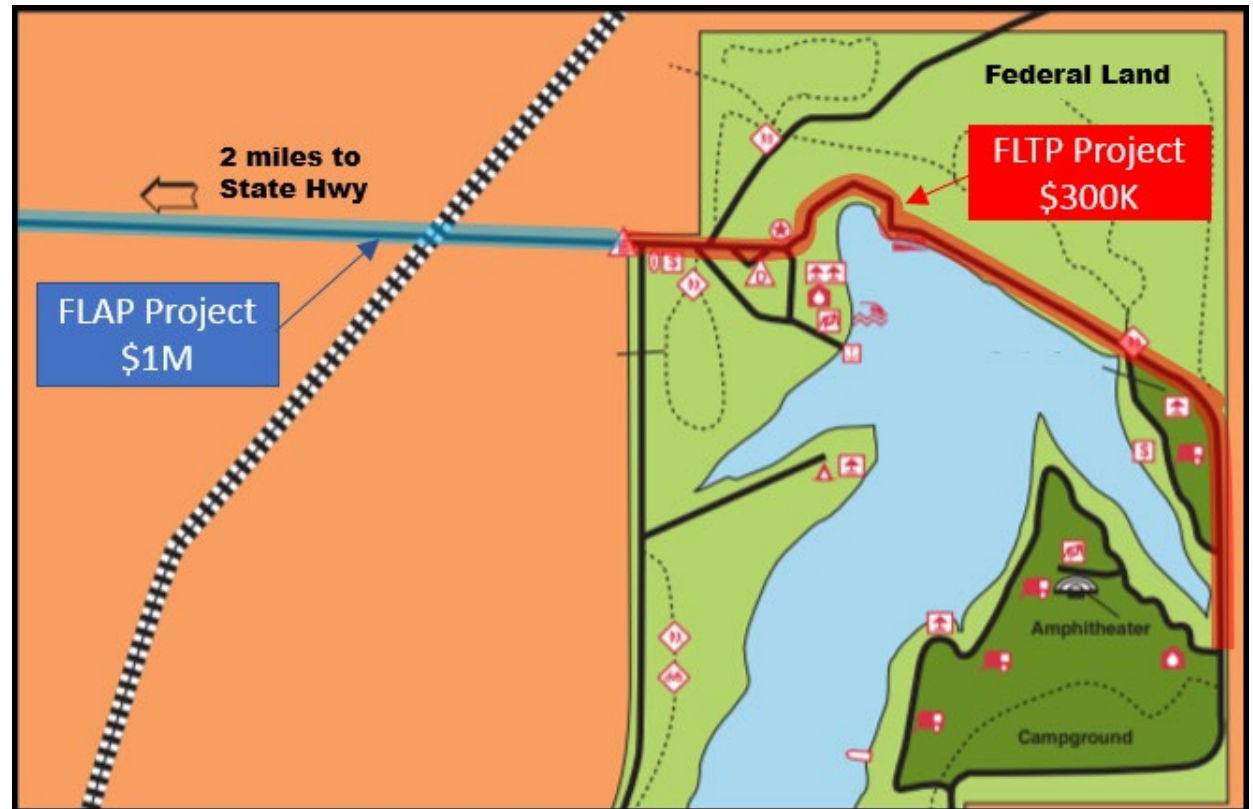
- FLAP Project (improve County Road) = \$1M
- FLTP Project (Scenic Drive to Parking = \$300K

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
- CFL can assume design & delivery of project
- Local agency can claim a 23% overmatch in the application



FLAP Project Delivery



Does CFL have to deliver/lead selected projects?

No, but our mission is to deliver the Program. We may choose a different delivery agency when:

- The Project has already been designed
- The Project scope doesn't fit into CFL's "niche". Some past examples have been:
 - High-speed divided highway auxiliary lanes
 - Bridge repairs
 - Transit projects

If FHWA-CFL is Lead Agency	If Other Agency
<ul style="list-style-type: none">• Typical for CFLHD to act as the lead agency from selection to completion• Capable of delivering most FLAP projects• Lead agency for NEPA and Title 23 requirements• Provides technical studies and information for partner agency to complete CEQA	<ul style="list-style-type: none">• Must provide justification, including examples of delivering Title 23 funded projects of similar size and complexity• Follow applicable Local Assistance Procedures Manual• FHWA Division Office and State DOT will have Stewardship & Oversight• FLAP funding typically fixed



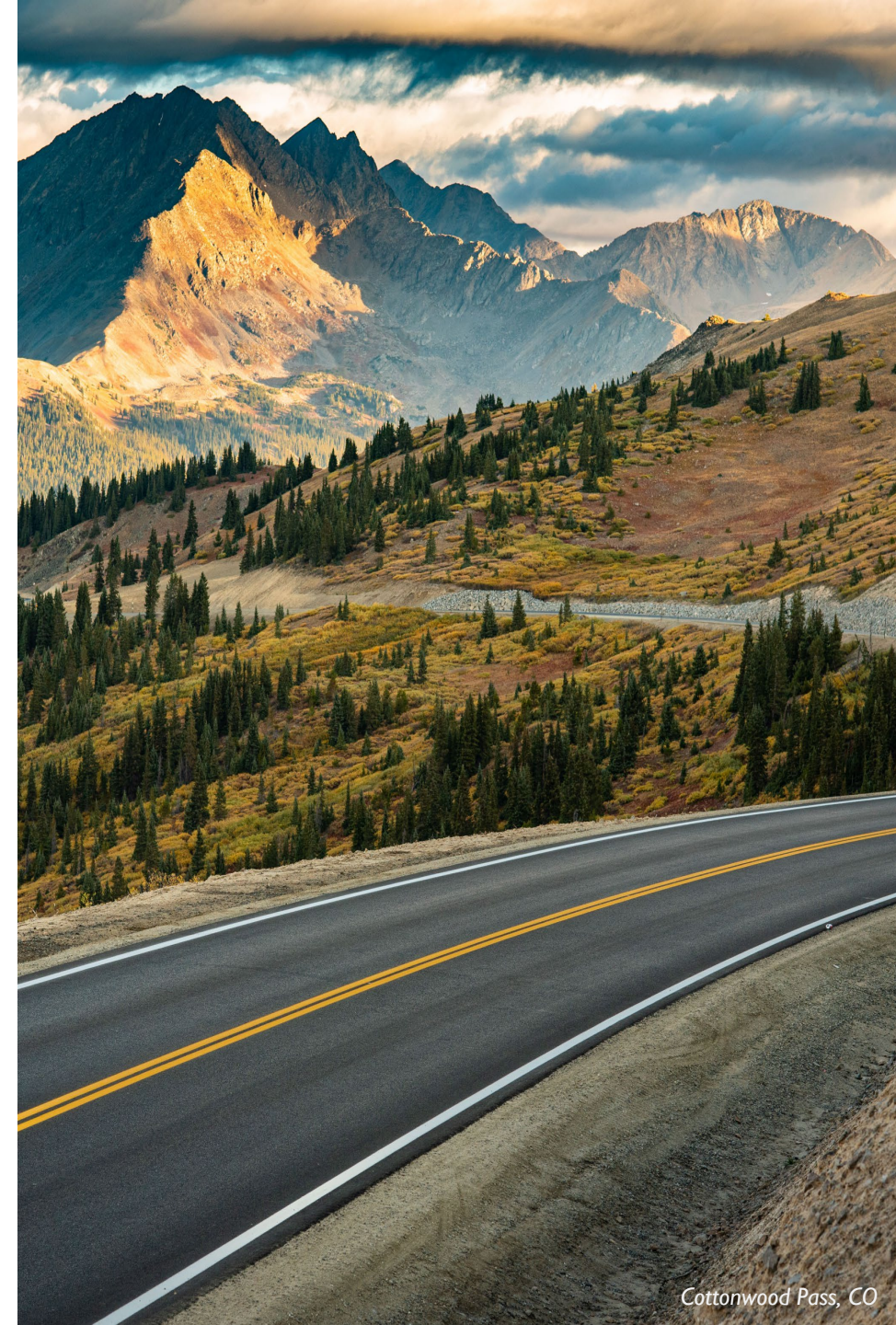
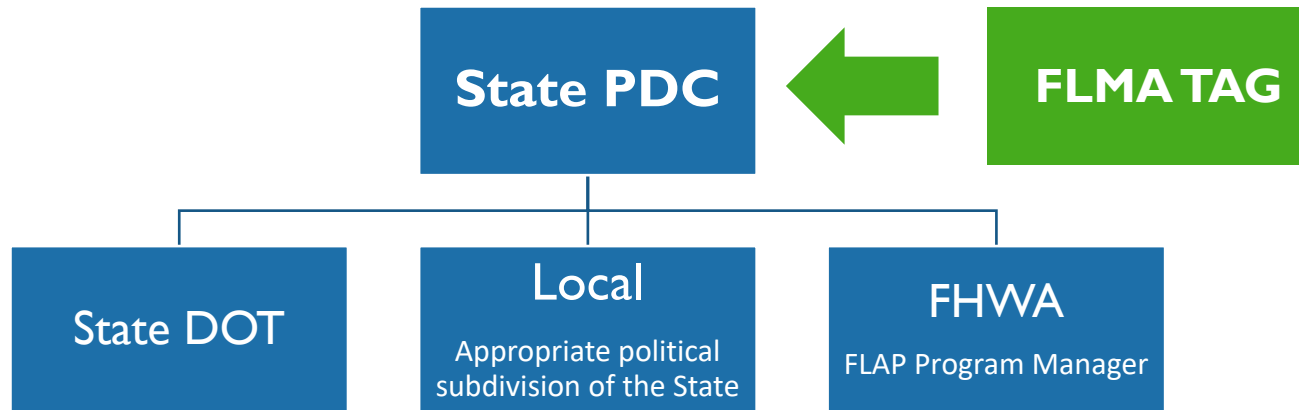
FLAP Programming

⚠ Who makes programming decisions?

Each state has a Programming Decisions Committee (PDC), a volunteer board.

PDC responsibilities include:

- Develop their own processes and evaluation criteria
- Establish the next call for projects
- Review applications
- Shortlist and select projects



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

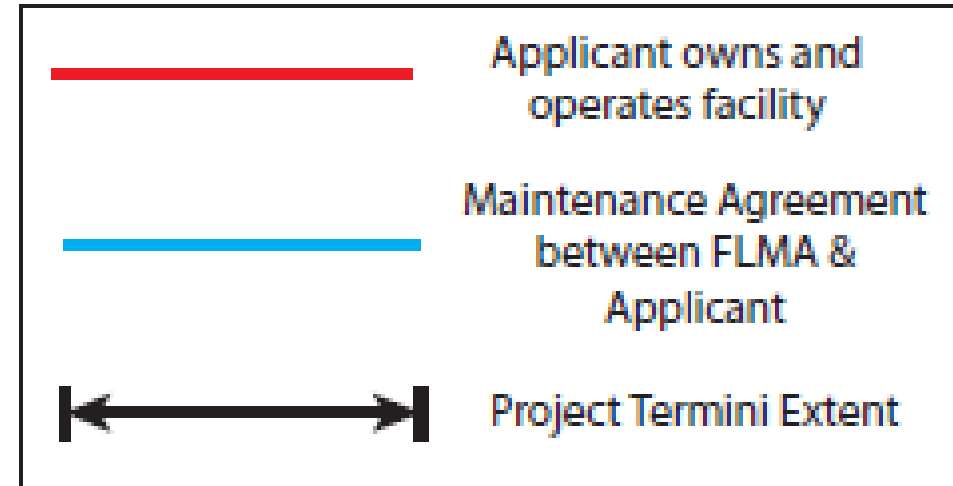
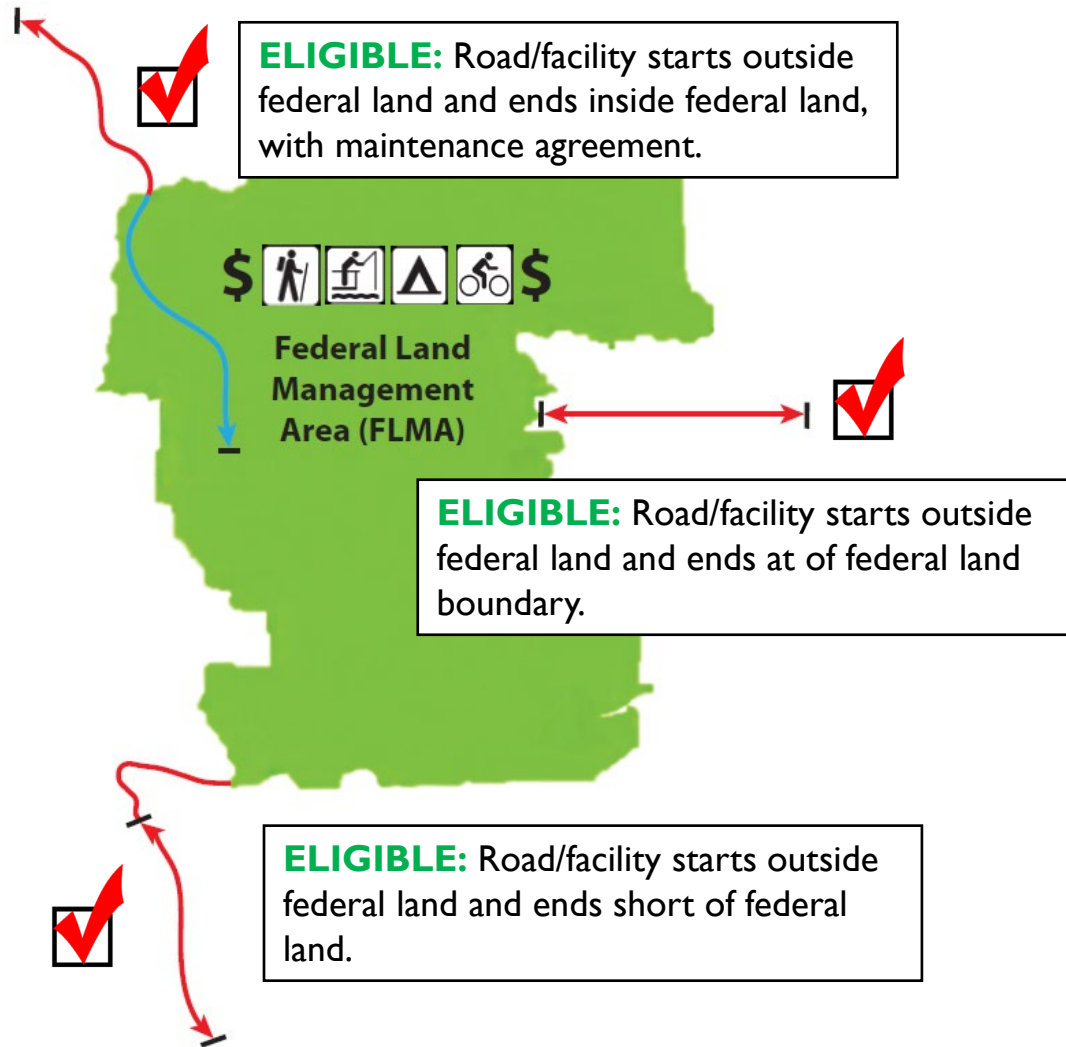


Changes to FLAP in BIL

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



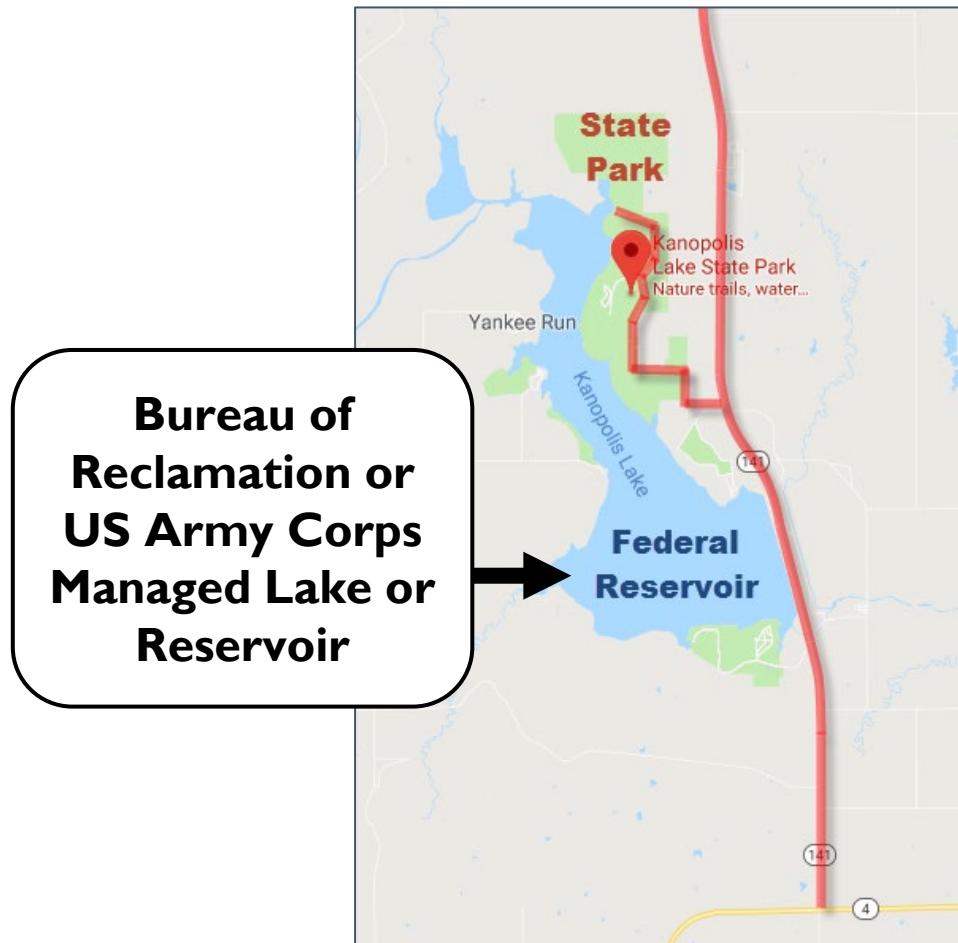
FLAP Eligibility Scenarios



Notes:

- Tribal roads maintained by the tribe are **eligible**. BUT the roadway must access Federal Lands other than tribal (ex. NPS, FWS, 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 increases aggregate investment or economic activity for local community and/or region (ski area, energy production, etc.)



Strong Applications

Shortlisted & 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

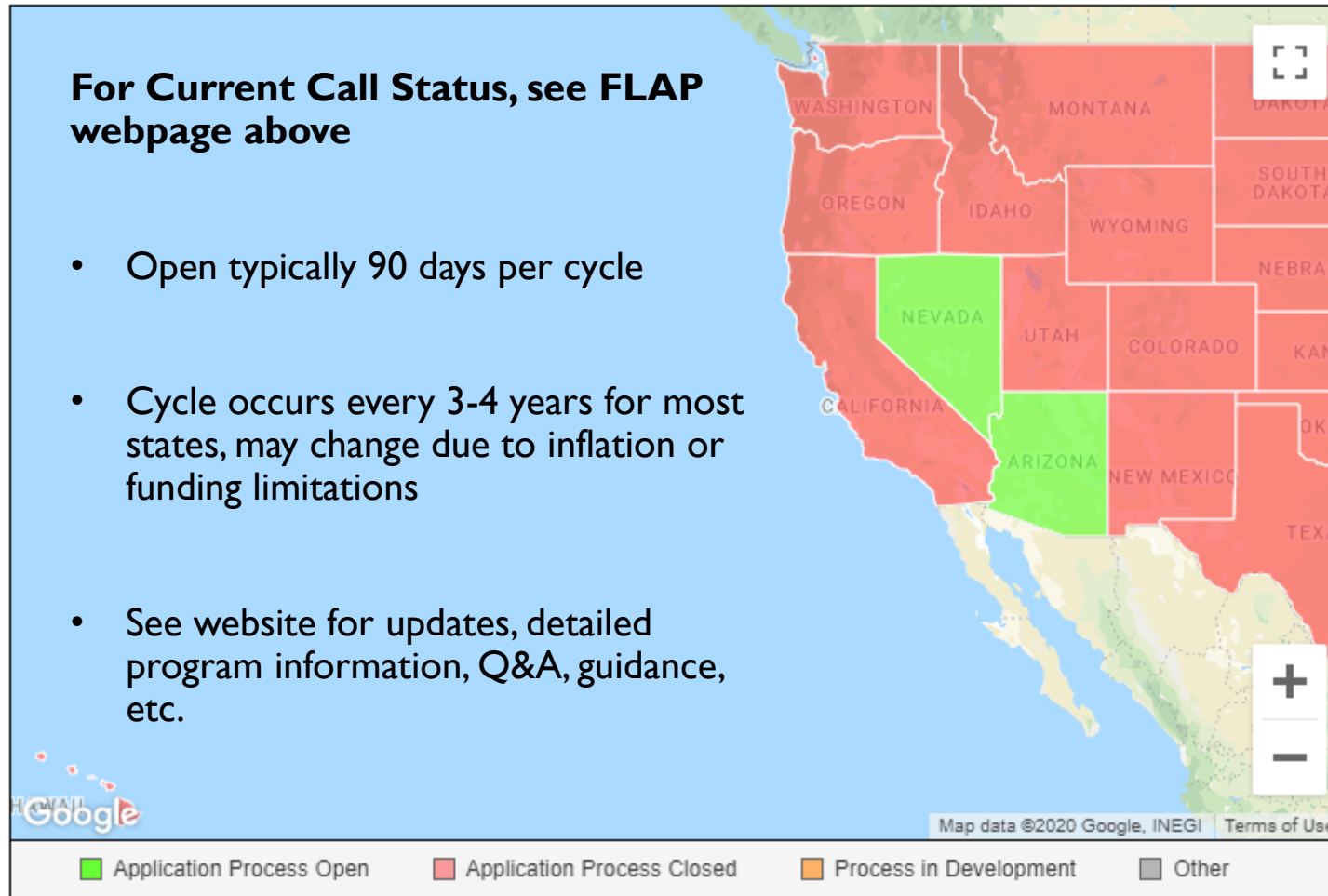
Risk Factors That Can Reduce Competitiveness of a Project:

<ul style="list-style-type: none">• Maintenance-only focus<ul style="list-style-type: none">• i.e. Chipseals, mill and overlay	<ul style="list-style-type: none">• Lack of photos, maps, and exhibits that convey the purpose & need
<ul style="list-style-type: none">• Underlying issues not addressed in application scope<ul style="list-style-type: none">• Poor subgrade left as is• Damaged and/or undersized culverts to remain• Deficient guardrail to be left in place	<ul style="list-style-type: none">• Poorly written applications<ul style="list-style-type: none">• Questions left unanswered• Unrealistic cost estimates<ul style="list-style-type: none">• Unaccounted engineering & NEPA costs• Insufficient unit prices and/or contingency
<ul style="list-style-type: none">• Does not access high-use federal recreation sites	<ul style="list-style-type: none">• Lack of coordination with Federal Land Management Agency (FLMA)
<ul style="list-style-type: none">• ADT majority traffic is commuters & residential<ul style="list-style-type: none">• Suggestion: If the project accesses a high-use recreation site, but there are many residences or businesses, consider proposing local leveraged funds.	



FLAP Web & Call for Projects

<http://flh.fhwa.dot.gov/programs/flap/>



1. General Info
2. Background
3. Proposed Project
4. Funding
5. Evaluation Criteria
6. Endorsement Form
7. Non-Construction
8. **FLMA Support Form**
9. Checklist

Application Overview

1. General Info
2. Background
3. Proposed Project
4. Funding
5. Evaluation Criteria
6. Non-Construction
7. Endorsement Form
- 8. FLMA Support Form**
9. Checklist

Submit more
than one if
multiple
FLMAs.

Ensure FLMA is
ready for the
project.

FLAP SAMPLE APPLICATION

Support Form - Acknowledgement of Coordination with Federal Land Management Agency (FLMA)

By signing this support form, the FLMA representative certifies that the projects provide access to, is adjacent to, or are located within a Federal recreation site or Federal economic generator. Please fill in all fields. This form can be signed and submitted electronically or be printed, signed, scanned and submitted electronically. Letters of support are highly recommended in addition to this signature page.

1. Project Title (From Application): _____

2. Applying Agency (From Application): _____

3. Federal Land Management Agency (FLMA) supporting project: _____

4. Name of FLMA representative: _____

5. Title: _____

6. Signature: _____ 7. Date (MM/DD/YYYY):

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8. E-mail: _____ 9. Telephone: _____ ext. _____

10. Comments on the proposed project. (Why is the project significant or critical access for your federal lands?):

11. Please explain how your unit is ready to support the improved, new, and/or increased access. (E.g. if the applicant is building a multimodal path to the entrance, does the unit have existing or proposed infrastructure in place that will support this type of access?)

12. Will Federal Land Transportation Program (FLTP) funds be provided as match for this project? Are there any FLTP projects adjacent to this project?

13. FLMA Point-of-Contact (POC) Name: _____

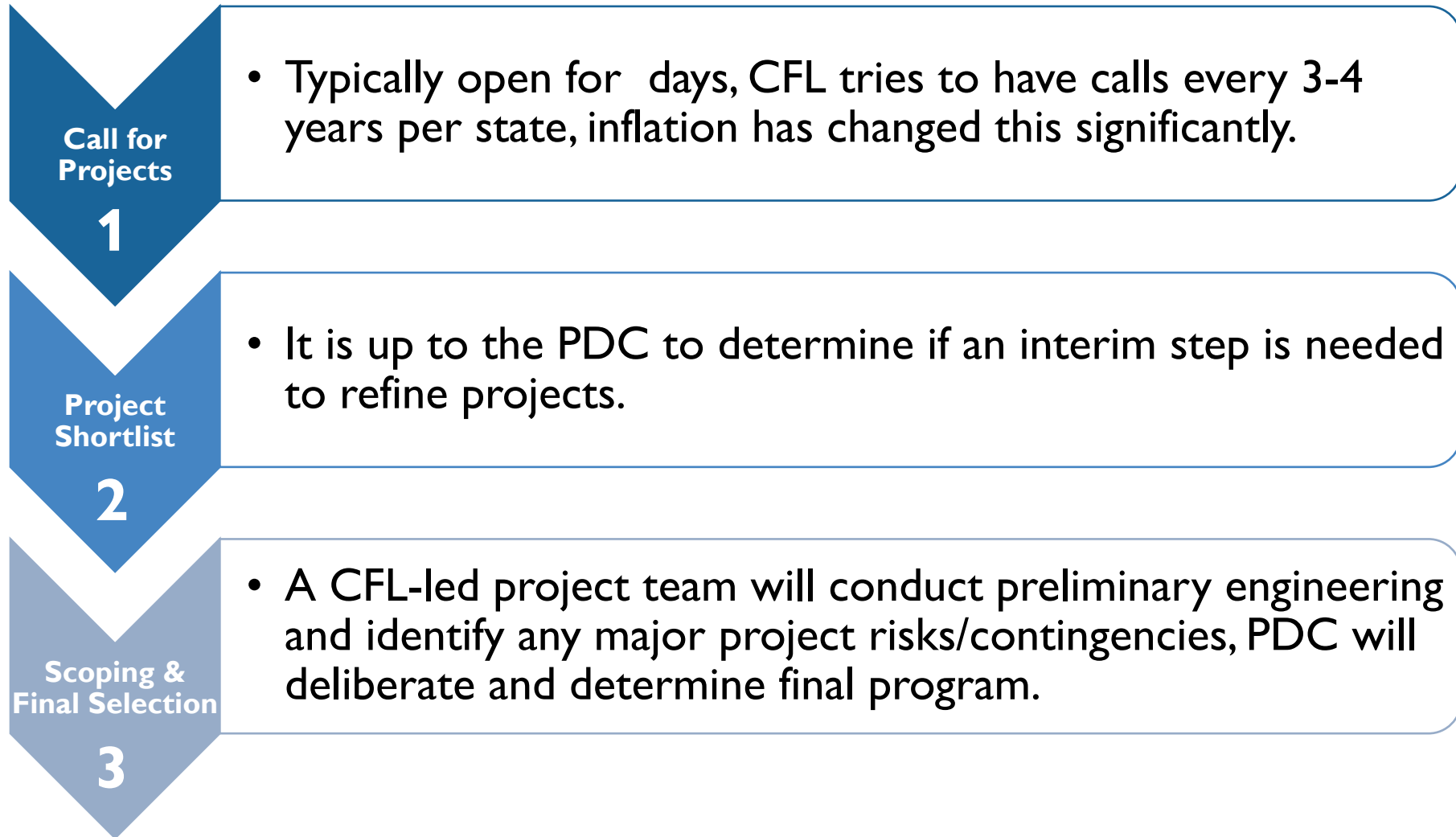
14. POC Telephone: _____ ext. _____ 15. POC e-mail: _____

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Additional information on the Federal Lands Access Program is located at <http://fh.fhwa.dot.gov/programs/flap/az/>



Selection Process



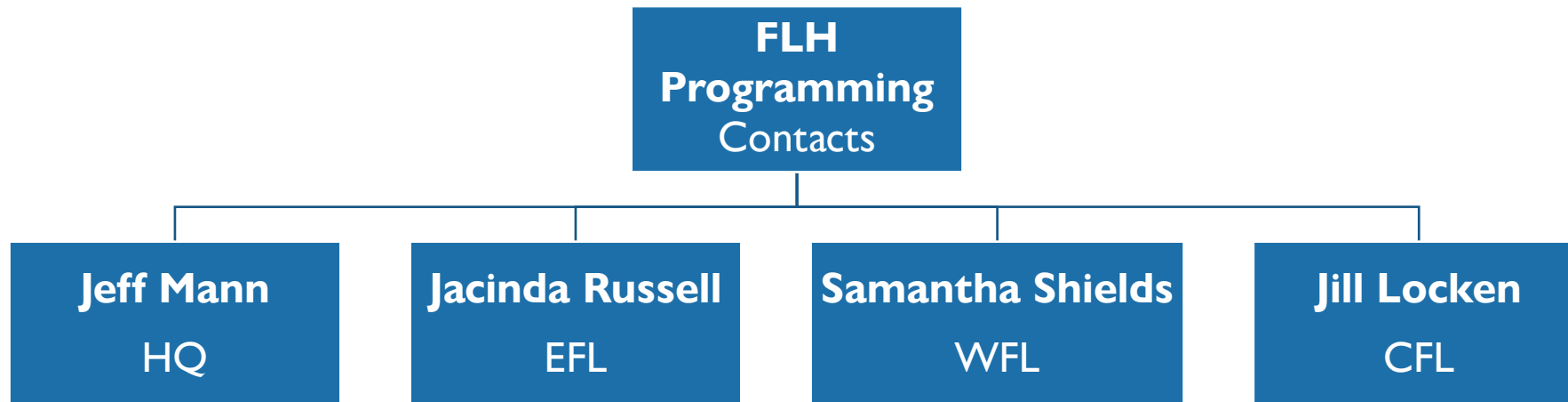
Wyoming Timeline

75 Days	45 Days	5 Months		2026-2027
Call for Projects Open February 15 th to April 30 th	PDC/FLMA/TAG Application Review & Selects Shortlist of Projects Shortlist Meeting June 15th	Project Scoping by CFL August 2024 to End of Year	PDC Selects Final Program By End of January 2025	Construction Project Design & Delivery



Final Housekeeping

- Loan-Borrow Between States
 - During Multi-year Highway Bill we can loan-borrow across states and programs
 - Loans must be repaid the final year of any transportation bill
 - Lack of Loan-Borrow impacts flexibility to obligate funds
- End of Year Specifics
 - Try to maximize obligations
 - BUT only if they make good business sense!
 - Cannot run afoul of “pick it and stick it” rule in Anti-Deficiency Act (can’t obligate and then swap funds)
 - Unobligated funds are carried over to next FY but are subject to lop-off
- Obligation Goals \geq 95% of funds





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Q&A

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