

FEDERAL LANDS ACCESS PROGRAM

Year	2013	2014
Authorization	\$ 250 M	\$ 250 M

Program purpose

The Federal Lands Access Program (Access Program) provides funds for projects on Federal Lands access transportation facilities that are located on or adjacent to, or that provide access to Federal lands.

Statutory citation(s): MAP-21 §1119; 23 USC 201, 204

Funding features

Funded by contract authority from the Highway Account of the Highway Trust Fund. Funds are subject to the overall Federal-aid obligation limitation.

Funds are distributed by formula among States that have Federal lands managed by the National Park Service, the U.S. Forest Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Army Corps of Engineers.

80% of funds go to States that contain at least 1.5% of the national total of public lands, and the remaining 20% going to States with less than 1.5% of the national total.

Funds are distributed by formula based on the following factors *:

- 30% based on the State's share of total recreational visitation in all States.
- 5% based on the State's share of total Federal land area in all States.
- 55% based on the State's share of total Federal public road miles in all States.
- 10% based on the State's share of total number of Federal public bridges in all States.

* Necessary data is to be provided by the Federal Land Management Agencies (FLMAs).

Prior to distribution of Access Program and Federal Lands Transportation Program (FLTP) funds, the Secretary may set aside up to 5% of funds each fiscal year under both programs to conduct transportation planning, asset management, road and bridge inventory, and condition data collection. [§1119; 23 USC 201(c)(7)]

Federal share: Determined in accordance with 23 USC 120. [§1119; 23 USC 201(b)(7)]

Federal funds other than those made available under title 23 and title 49 may be used to pay the non-Federal share of Access Program projects. [§1508; 23 USC 120(j)]

Eligible activities

- Transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of Federal lands access transportation facilities located on or adjacent to, or that provide access to, Federal land, and—
 - adjacent vehicular parking areas;
 - acquisition of necessary scenic easements and scenic or historic sites;
 - provisions for pedestrians and bicycles;
 - environmental mitigation in or adjacent to Federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;

- construction and reconstruction of roadside rest areas, including sanitary and water facilities; and
- other appropriate public road facilities, as determined by the Secretary.
- Operation and maintenance of transit facilities.
- Any transportation project eligible for assistance under title 23 of the United States Code that is within or adjacent to, or that provides access to, Federal land.

[§1119; 23 USC 204(a)(1)]

Program features

Definition

Federal lands access transportation facility— 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.

[§1103; 23 USC 101(a)(7)]

Programming decisions committee

- Each State is required to create a committee composed of a representative of the FHWA, a representative of the State DOT, and a representative of the appropriate political subdivisions of the State. This committee will make programming decisions for Access Program funds.
- The committee is required to cooperate with applicable Federal agencies within the State prior to any joint discussion or final programming decision.
- The committee shall give preference to projects that provide access to, are adjacent to, or are located within high-use Federal recreation sites or Federal economic generators, as identified by the FLMAs.

Program administration

- *Point of obligation* is the authorization by the Secretary, or the Secretary of the appropriate FLMA if the agency is the contracting office, of engineering and related work for the development, design, and acquisition associated with a construction project, whether performed by contract or agreement authorized by law, or the approval of plans, specifications, and estimates (PS&E) (except for Federal salaries and expenses) for all project work performed by USDOT or FLMAs, regardless of funding source.
- *Planning*
 - Transportation planning procedures for the Access Program must be consistent with Statewide and Metropolitan planning processes.
 - Regionally significant Access Program projects must be developed in cooperation with State and metropolitan planning organizations and included in Federal lands access program plans, Federal lands transportation plans, tribal transportation program plans, State and metropolitan plans, and transportation improvement programs.
- *Data collection* --FLMAs are required to collect data necessary to support the Access Program, FLTP, and Tribal Transportation Program, including inventory and condition of Federal lands and tribal transportation facilities and bridge inspection and inventory information on tribal bridges and any Federal bridge open to the public.
- *Reimbursable agreements* may be used with State, local and/or tribal governments, in addition to agreements between Federal agencies.
- *Transfers* -- Funds made available for the Access Program and the FLTP may be voluntarily transferred by the Secretary of Transportation within and between those programs with the concurrence, as appropriate, of the affected FLMAs, State DOTs, and local government agencies. Transferred funds must be credited back at a later date.

[§1119; 23 USC 201]