

# **MONTANA FEDERAL LANDS ACCESS PROGRAM MEETING**

**September 21, 2012**

**Montana Department of Transportation** (next to Les Schwab Tire Center)

**2960 Prospect Street**

**Helena, MT 59620**

**Conference Room A**

**11:00 – 2:00**

## **Agenda**

**Telephone Conference Number: 1-866-859-0785**

**Passcode: 9115754**

*Please bring a sack lunch, will be a working meeting*

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

# Montana Federal Lands Access Program Meeting

September 21, 2012

Montana Department of Transportation Office

Helena, MT

## 1) Introductions

Welcome to the first Montana 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.

Objectives of the meeting:

- 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 US Forest Service and BLM. The NPS, Fish and Wild Service, and USACE were contacted but could not attend. An Attendee List is attached.

On the phone:

- Elizabeth Ching, Senator Baucus Office, Economic Office Director
- Kirby Campel Rierson (sp?), Senator Baucus MT Office
- Tom Lynch, Senator Baucus DC office
- Dave Kennedy, WFLHD

## 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.

## 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 Montana, the PDC will be composed of the following representatives:
  - Lynn Zanto, Montana DOT
  - Harold Blattie, Montana Association of Counties (MACO)
  - Phyllis Chun, Western Federal Lands Highway Division, FHWA
- The PDC is responsible for decisions related to the programming of projects for the FLAP.
- We need to contact the Bureau of Reclamation

### 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.
- All the FLMAs will be invited to meetings of the PDC

### 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.

### d) County and State DOTs

- Roles of County/DOTs- you own the road, work with the FLMAs in proposing projects and providing information

Question:

- Will there be a staff level?
  - Staff worked really well for the old FH program. We would like to have that the same way.
  - Lynn and Harold want to do the same process
  - Support staff to go out and make site visits and develop info for calls, All FLMAs will have a representative

## 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
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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 there is a new call this winter, additional projects could be considered both in the short and long term.
- 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 (13.42%) which would be available for new projects
  - New projects are going to take years to develop
  - Desire to keep the projects programmed, we do not want to stop projects in 2013

### Projects Programmed:

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

- **FY 2013**
  - Pioneer Mountain Scenic Byway (Old MT PFH 73(7))
    - Project was programmed for \$4M CN in 2013.
    - Background – Frost heave
    - Wayne suggested that 2 – 2.5M may be available (FH) to return

### Decision:

- Program for CN/CE/PE, assuming a match can be found
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- Copper Creek Road (Old MT PFH 105(1))
  - Project was programmed for \$850K CN and has had PE already obligated through RA with the USFS. County would do work.
  - Background – Road is an old BST surface that was proposed to grind and put back to gravel.

- Update since Meeting – USFS contacted local NF doing the design and discussed the match. The USFS will come up with the match for this project. Estimate is coming in lower than what was programmed.

**Decisions:**

- Program for CN/CE
  - USFS will come up with the match as it will move it to county maintenance
- Rimini Road (old MT PFH 98-1(1))
    - If we need CE for RIMINI we can use Access funds if we need to. First priority over the others in 2013. There is a good possibility that Forest Highway carry over funds may be available from release of funds on Pipe Creek/S Fk Yaak.

• **FY 2014**

- Crystal Lake Chip Seal (Old MT PFH 87(2))
  - Background – Funds already obligated
  -

**Decisions:**

- This project was programmed already so no match required

- West Fork Road Creek (Old MT PFH 101(1))
  - Background – provides access to ski area. County very committed to project
  - Would be good to do to keep the program full. County is spending resources right now for preparation of this project.

**Decisions:**

- Fund PE/CN/CE for this project if the county can provide a match – we assume they will
- When will match be required?
  - This is still under discussion. WFLHD will need the match for CN/CE for PS&E sign off because we have to have to certify the funds are available in order to advertise the project for contract.
  - WFLHD is still figuring out how match will be required for PE development. Current discussion is to have the match for PE at least annually for the PE that is expected to be incurred for that year.

- Will need to change the project agreement to include overall budget and the match details.
  - Uncommitted Pavement Pres amount - \$3.4 M
    - Do not program, will be available funds for the new call
- **FY 2015+** - All projects in 2015 and beyond on the old Forest Highway program need to re-compete with a new call for project along with new projects that are submitted for a new call.

## 6) Long Term Strategy

### a) Call for Projects

- Pete presented DRAFT timeline, criteria, call letter, and proposal and explained the contents. Very draft and needs work.
  - Start a new call for projects in Nov 2012. Due date back by mid Jan 2013. Goal is to program short term and long term projects.
  - There are potential projects that are ready to go from MDT but they would need to know soon (by Feb 1 – quick to deliver list). MDT will need to submit these projects in the new call for projects for consideration.
  - WFLHD requests a working team to review and edit criteria, forms, etc and come back to the PDC with recommendations.
  - PDC should re-convene once there is a initially ranked list of projects.
- How will call go out?
  - Call documents will be sent to MDT, MACO and FLMA contacts.
  - Can emphasize certain types of work
  - Some benefit to have a broad call
  - Would like some quick delivery projects to fill 2013 and 2014 projects that can fill the program holes.
- Project Evaluation Criteria
  - Criteria #2 deals with pavement conditions and preservation projects – Change the terminology to Surface Preservation – aggregate roads should be able to compete for this too.
- Much more discussion needs to occur on the documents
- Selection committee staff will be composed of:
  - George Fekaris (WFLHD)
  - Fred Bower (USFS)
  - Greg Bergum or Scott ? (BLM)
  - Jayne Schaeffer (NPS)

- Kevin Paff (USACE)
  - Jim Graves (FWS)
  - Wayne Noem (MDT)
  - Harold Blattie or other rep (MACO) – Harold will get back to us (Jack Nohr is a possibility)
  - Gary Campbell (BOR in Billings )
- George will set up time with the selection committee staff to work on revising the draft documents for the call for projects.
- Emphasizing particular Goal Areas or types of work:
  - Decided to see what comes in on the call for projects and then have a discussion on particular types of work that could be emphasized.

**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 getting project agreements modified for the match.
- WFLHD will start working on a new charter or MOU for how the PDC will operate and send out for review. No problem in calling it an MOU with state/county. May not have to have the FLMAs sign the MOU.
- Notification of Project Sponsors from old FH program (2015 and on) – WFLHD (George) will develop letters and send to Joel/Fred of the USFS to notify partners.

## 8) Schedule Next Meeting

- To discuss call documents and how the call 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)
- Target for the next PDC meeting is late October. Don't pick the last week of the month. Possibly the 1<sup>st</sup> week of Nov.