

Establishing PDC

June 19, 2013

EFL's approach to administering the Access Program

As a result of the recent MAP-21 legislation which established the Federal Aid Access Program (Access Program) and with the receipt of initial program implementation guidance from Federal Lands Highway Headquarters staff (FHWA, HQ), the EFL staff will contact our new partners and establish the appropriate Points of Contact (POCs) for each partner. Our program network will include both internal and external staff resources.

The internal staff resources will consist of, but not be limited to, EFLHD, HQ FLH, and the Federal Aid Division Office (DO) for each of the states within the EFLHD geographic area of responsibility. The external staff partners will come from the various Federal Land Management Agencies (FLMAs), State DOTs (SDOTs), local public agencies and/or local government agencies (LPAs and/or LGAs), and possibly the metropolitan planning organizations (MPOs) within each of our states. The FLMA partners in each state will consist of the five legislatively defined principal partner agencies, i.e., the US Forest Service, the Bureau of Land Management (BLM), the US Army Corps of Engineers (USACOE), the National Park Service (NPS), and the US Fish and Wildlife Service (FWS) who own and maintain at least one federal land parcel in that state. The FLMA partners will also include, as appropriate, any other FLMA who owns and maintains a federal land parcel in that state where access to that parcel is provided via any travel mode deemed eligible for the receipt of funds under the Access Program requirements.

Our primary task for the first 6 months of FY2013 will be to create the blanket Programming Decision Committee (PDC) agreement in each state. As defined in the MAP-21 legislation, the membership of the tri-party PDC in each state will consist of the FHWA Eastern Federal Lands, the SDOT, and the LPA or LGA, each organization with one member representative. Reflective of the initial Access Program implementation guidance issued by FLH HQ, the FHWA representative in each state will be an EFL staff member. During this process, EFL staff will work with the respective FHWA DOs and SDOTs to establish a suitable and acceptable LPA representative. This will be accomplished by the conduct of the following activities:

1. Establish PDC representatives
 - a. The EFL Access Program Manager and Coordinators will each be assigned a group of state, District of Columbia, or territory entities for which they will preside as the PDC representative for the FHWA. Other FHWA staff, from either the appropriate Federal Aid or Federal Lands division office, may be included as support staff when needed.
 - b. EFL will contact their respective Federal Aid DO Forest Highway (FH) contact and solicit the DO's recommendation as to the specific LPA agency and/or member position. If no appropriate agency or position is recommended by the DO, then the SDOT will be contacted and requested to recommend an SDOT and LPA PDC member.

- c. The EFL program manager will set up an initial conference call to verify all POC's for the PDC members. EFL will provide the meeting minutes to all PDC participants.
 - d. The EFL Access Program Managers will notify the FLMA representatives in that state of the PDC member selection including member contact information in order to promote the required consultation between the FLMAs and the State and local governments.
2. After the initial phone calls, EFL will send a letter to the SDOT commissioner/director, with copy to the FHWA DO, notifying that the Access program PDC is established and will include the member position titles. The PDC members will be notified of the MAP-21 legislation and MAP-21 DOT website. The following links will be included:
 - a. Access Program Legislation: <http://www.gpo.gov/fdsys/pkg/BILLS-112hr4348enr/pdf/BILLS-112hr4348enr.pdf>
 - b. Access Program Guidance: <http://www.fhwa.dot.gov/map21/guidance/guideflap.cfm>
 - c. [EFLHD Website link: http://www.efl.fhwa.dot.gov/programs/federal-lands-access.aspx](http://www.efl.fhwa.dot.gov/programs/federal-lands-access.aspx)
3. After the PDC is established, draft state-wide program agreements will be sent to the SDOT and LPA PDC representatives for their review and concurrence. The specific statewide program agreements will be forwarded to EFL legal counsel for review and concurrence. Upon acceptance of the terms and conditions contained in each program agreement by the three PDC members, EFL will coordinate preparing and distributing the final agreement for signature and final execution. SOPs may include the following:
 - a. EFL will issue calls for projects to State and local facility owners, as necessary to develop and maintain the TIP.
 - b. State and local facility owners should cooperatively engage with the respective FLMAs to identify FLMA priorities for access to and within Federal lands within the State. FLMA priorities should be consistent with the statewide long-range plan.
 - c. Facility owners should submit proposed projects in a standard form. (See Federal Lands Access Program Project Application)
 - i. EFL may request supplementary information as warranted.
 - ii. Only the State, local or tribal entity may submit a project application to the PDC.
 - iii. A local FLMA acknowledgement is required.
 - iv. The State, local or tribal entity is responsible for maintenance or operation of the facility.
 - v. The State, local or tribal entity is responsible for providing or coordinating the required local match.