

October, 2016

National Park Service (NPS)
Interim Policy for Implementing the Fixing America's Surface Transportation Act (FAST Act)

Background:

The FAST Act (P.L. 114-94) was signed into law by President Obama on December 4, 2015. The FAST Act provides Federal Lands Transportation Program (FLTP) funding for FY 2016-2020 for the NPS through the Department of Transportation (DOT). Though the NPS is still digesting the new law, an important change when compared to the previous transportation authorization bill, Moving Ahead for Progress in the 21st century Act (MAP-21, P.L. 112-141), is that all programs funded under the Act are required to incorporate performance management methods into program management and execution. The Categories 1-3 referenced below are those defined in the MAP-21 Position Paper from the Associate Director, Park Planning, Facilities and Lands dated September 18, 2012 (attached). The following is interim policy for implementing the FLTP over the next 12-18 months until more comprehensive policy can be developed.

Interim Policy

Theme 1 – Maintaining Current Transportation Infrastructure:

1. Category 1 projects will be managed toward achieving performance goals and objectives outlined in regional and national long range transportation plans (LRTP). Initial focus will be on the performance targets associated with the condition of bridges and Functional Class 1, 2 (subset) and 7 roadways. A stepped approach to performance management will be implemented over the next five years of the FAST Act.
2. Regions and WASO PFMD will create LRTP implementation plans and/or LRTP performance reports to track, report and document progress on the goals, objectives and performance metrics therein.
3. Category 1 capital 4R projects, without a very direct link to safety improvements or the repair of structurally deficient bridges, new and expanded Category 3 projects and new Category 2 projects (except as discussed under Theme 2) are discouraged for the duration of the FAST Act. Spending for Category 1, 4R projects will be capped at 10% of regional allocations over the 5 year span of the regional multi-year program of projects. In kind replacement of bridges for safety reasons are exempt from the 10% cap. Project reviews required under the MAP-21 position paper of September, 2012 will not be required if regional 4R spending complies with this cap. Due to prior funding commitments, Theme 1 funds expended for construction of the Tamiami Trail will not be applied to this cap. For Category 3, new or expanded systems will continue to require written justification that is reviewed and approved by the Associate Director, Park Planning, Facilities and Lands, on a case-by-case basis over the life of the FAST Act.
4. The regional allocation formulas will be reviewed to help align funding with achieving performance benchmarks established in long range transportation plans. A workgroup will be convened under the direction of the WASO Transportation Branch to evaluate changes needed to align regional FLTP funding with appropriate performance goals outlined in regional and national long range plans. While changes are likely needed to

align the allocation formula with performance measures, no changes will be pursued under this interim policy. Any future changes or adjustments to the regional allocation formula will be coordinated with regions, approved by the Director, NPS and concurred with by the FHWA.

5. The Federal Lands Planning Program (FLPP) planning funds will be primarily dedicated to long range transportation planning and the development and operation of management systems oriented toward the Title 23 mandated systems for safety, pavement, bridge and congestion.
6. The development of a Transportation Safety Management System and a framework to implement safety mitigations leading to reductions in serious crashes on NPS roadways will continue to be a high priority for the transportation program under the FAST Act.

Theme 2 – Nationally Significant Transportation Enhancements/Repairs:

Transportation facilities that have become functionally obsolete or have exceeded their design life may frequently require large investments that severely limit the ability of the NPS to accomplish Theme 1 –taking care of the important NPS facilities that are in reasonably good condition, although in some cases these projects will help reduce deferred maintenance. The minimum cost for a Theme 2 project is \$20M. The best opportunity to improve and modernize these aging transportation assets is to develop partnerships with other entities/agencies/shareholders that have common interest. Partnerships require matching funds or services to successfully consummate a partnership agreement.

1. Regions are encouraged to develop an outreach strategy to create partnerships for meeting nationally significant transportation projects. This includes but is not limited to identifying potential partners including State Departments of Transportation, municipalities or others who share in the benefits of specific major transportation improvements.
2. \$20 million annually will be reserved at the WASO to help leverage other dollars and make the match for some of the new grant programs established under the FAST Act – which include the National Significant Freight (NSFH) and Highway and the National Significant Federal Lands and Tribal grant programs – as well as other partnering opportunities as applicable. A project identified as nationally significant (sometimes previously referred to as mega-projects) such as the replacement of the Arlington Memorial Bridge will receive priority for these matching funds. For example, this project has been approved by the Director, NPS for up to \$50 million in FLTP dollars to make a NSFH program grant match.
3. Regions will be required to also provide 25% of total project cost or the total regional FLTP allocation funding over 5 years, whichever is less, from any fund source. This will be combined with the Theme 2 funding to meet matching requirements. For example, NCR is committed to \$20 million of Theme 1 NCR formula funds to the Arlington Memorial Bridge project. In addition, some grant opportunities require non-Title 23 transportation funds to satisfy matching requirements.
4. All future parkway completion projects, also known as Category 2, will be addressed as Theme 2 projects. Category 2 commitments for current construction engineering will continue to be funded from Theme 1.
5. An NPS executive review board commissioned by the Associate Director, Park Planning, Facilities and Lands will be established to evaluate Theme 2 project

proposals and make recommendations to the Director, NPS with regard to proceeding with project grant submissions and implementation. FLTP Theme 2 funding commitments for these projects (for example, state or/and federal grant) are to be approved by the Director, NPS and will be documented with a commitment letter.

This interim policy represents some substantive changes regarding previous operation of the NPS Transportation Program and the FLTP. These include shifting to a more comprehensive performance management environment for the Transportation Program, establishing interim program rules for Theme 2, and working more closely within transportation goals and objectives as laid out in long range plans. While this policy sets the transportation program direction, considerable detail needs to be developed in order to implement it. WASO PFMD will request substantive input, collaboration and assistance from regional transportation experts in developing program rules and guidelines associated with these changes. WASO encourages suggestions be submitted over the next months as issues arise. The final policy will be coordinated with the regions, approved by the NPS Director and concurred in by the FHWA.