

**Chapter 2 – PLANNING AND PROGRAMMING**

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# CHAPTER 2

## PLANNING AND PROGRAMMING

### 2.1 GENERAL

Transportation planning is a process used to:

- Determine goals, policies, and strategies that create a decision-making framework for addressing transportation needs and issues;
- Provide guidance to Federal land management agency offices and units in evaluating programs and projects to address transportation needs and issues;
- Create opportunities for public involvement in transportation decision-making;
- Identify transportation system deficiencies, evaluate transportation needs and issues, and offer solutions;
- Develop performance measures to gauge success in meeting needs; and
- Program and implement transportation system improvements.

The *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* ([SAFETEA-LU](#)) requires the Federal Lands Highway Program ([FLHP](#)) to have transportation planning procedures in place for each of its Federal land management agency programs that are consistent with statewide and metropolitan planning processes.

Statewide and metropolitan planning includes several critical elements that form the foundation of the planning procedures for the FLHP. They are:

- Planning processes that are continuing, cooperative and comprehensive;
- Consideration of planning factors prescribed by law;
- Coverage of all modes;
- Long-range transportation plans that include a financial plan;
- Transportation improvement programs (TIPs);
- Development and use of management systems as a decision-making tool;
- Evaluation of air quality conformity in the development of plans and TIPs, as appropriate;
- Public involvement in the development of plans and TIPs; and
- Defined working relationships among States, Metropolitan Planning Organizations, Rural Planning Organizations, tribes, gateway communities, and other agencies, as appropriate.

Planning with respect to the FLHP includes periodic monitoring of the transportation system to carry out the following:

- Identify current and potential future transportation deficiencies by conducting transportation planning studies;

- Identify functional, structural or safety deficiencies, including an assessment of the condition of pavement, bridges, and traffic congestion;
- Identify the scope of a project and its respective limits; and
- Develop preliminary cost estimates for various improvement alternatives for use by the owner agency to balance capital improvements; Resurfacing, Rehabilitation, and Restoration (3R or RRR) projects; and maintenance programs.

Programming consists of scheduling those identified transportation improvements that provide access to or within Federal or Indian lands both through the FLHP and through the respective programs of the cooperating agencies. Funding requirements, personnel resources and the relative need for the projects are all considered when programming them in a long-range schedule.

Ultimately, this planning and programming process provides the delivery team with the projects and the funds to properly schedule a specific project for design.

The Federal roads associated with the FLHP consist of the following:

- [Public Lands Highways](#) (public roads providing access to, within or adjacent to Federal or Indian lands);
- The [Park Roads and Parkways](#) (PRP) system administered by the National Park Service (NPS);
- Designated [Forest Highways](#) (FH) on roads generally owned and maintained by State or local governments;
- The [Refuge Roads](#) (RR) system administered by the US Fish and Wildlife Service (USFWS); and
- The [Indian Reservation Roads](#) (IRR) system administered by the Bureau of Indian Affairs (BIA).

Other roads for which the FLH Divisions provide planning, design and construction services include forest roads administered by the USDA [Forest Service](#) (FS), public lands development roads administered by the [Bureau of Land Management](#) (BLM), various defense access roads off military reservations that are under the jurisdiction of a State or local government, Virgin Islands road and bridge projects administered by the Virgin Islands Government, Washington, DC road and bridge projects administered by the District of Columbia Government and roads and bridges of other Federal agencies, cooperating foreign countries and cooperating State agencies on a reimbursement basis. In addition to the FLHP, funds may also be provided for roads owned by the National Park Service, Fish and Wildlife Service and the Bureau of Indian Affairs through other appropriations.

■ Refer to *[EFLHD – CFLHD – WFLHD] Division Supplements for more information.*

## 2.2 GUIDANCE AND REFERENCES

There are many policy references that apply to the FLHP and the associated transportation systems. (See [Chapter 1](#) for definitions.) These include the following:

1. **Title 23 United States Code ([23 USC](#))**. The following sections of Title 23 apply:
  - Section 101 – Definitions and Declarations of Policy,
  - Section 125 – Emergency Relief,
  - Section 134 – Metropolitan Planning,
  - Section 135 – Statewide Planning,
  - Section 201 – Authorizations,
  - Section 202 – Allocations,
  - Section 203 – Availability of Funds,
  - Section 204 – Federal Lands Highway Program,
  - Section 205 – Forest Development Roads and Trails,
  - Section 210 – Defense Access Roads, and
  - Section 214 – Public Land Development Roads and Trails.
2. **Title 23 Code of Federal Regulations ([23 CFR](#))**. The following parts of Title 23 apply:
  - Part 450, Subpart B – Statewide Transportation Planning,
  - Part 450, Subpart C – Metropolitan Transportation Planning and Programming,
  - Part 660, Subpart A – Forest Highways,
  - Part 660, Subpart E – Defense Access Roads,
  - Part 661 – Indian Reservation Road Bridge Program,
  - Part 668 – Emergency Relief Program,
  - Part 771 – Environmental Impact and Related Procedures,
  - Part 970 – National Park Service Management Systems,
  - Part 971 – Forest Service Management Systems,
  - Part 972 – Fish and Wildlife Service Management Systems, and
  - Part 973 – Management Systems Pertaining to the Bureau of Indian Affairs and the Indian Reservation Roads Program.
3. **Title 25 Code of Federal Regulations ([25 CFR](#))**. The following parts of Title 25 apply:
  - [Part 170](#) – Indian Reservation Roads Program.
4. **Federal-Aid Policy Guide ([FAPG](#))**. The following sections of the *FAPG* apply:
  - *FAPG* 23 CFR 660A – FH Administration (includes 23 CFR 660A and non-regulatory supplement),
  - *FAPG* 23 CFR 660E – Defense Access Roads (includes 23 CFR 660E and non-regulatory supplements 1-5),
  - *FAPG* 23 CFR 668B – Emergency Relief Program Procedures for Federal Agencies for Federal Roads (includes 23 CFR 668B),
  - *FAPG* 6090.13 – Preliminary Engineering and Construction for Other Federal Agencies,

- *FAPG 6090.13A* – Preliminary Engineering and Construction for Other Federal Agencies, and
  - *FAPG 6090.17* – Indian Reservation Roads.
5. **Federal Lands Highway Manual (FLHM).** Refer to Chapter 2, “Planning and Programming”.
6. **National Interagency Agreements.** The following listed agreements are base agreements covering the standard procedures for coordinating the respective programs. These agreements, associated supplemental agreements and agreements for other programs administered by FLH are accessible through the FHWA’s Electronic Centralized Agreement Library ([E-CAL](#)):
- [Forest Service](#), effective May 11, 1981;
  - [Bureau of Land Management](#), Feb. 26, 1982;
  - [Bureau of Indian Affairs](#), May 24, 1983;
  - [National Park Service](#), May 19, 1983; and
  - [Fish and Wildlife Service](#), April 12, 1999.

## 2.3 PROGRAMS

The Office of Federal Lands Highway (FLHO) administers the FLHP and plays a role in delivering transportation projects for several other Federal agency transportation systems and programs.

### 2.3.1 FEDERAL LANDS HIGHWAY PROGRAM (FLHP)

The *Surface Transportation Assistance Act* of 1982 established the FLHP. This allowed Federal Highway Trust Funds (HTF) to be spent on Park Roads and Parkways and Indian Reservation Roads that were previously not eligible for HTF financing. Additionally, the Forest Highways and FLH Programs that were previously financed by HTF were brought under the umbrella of the FLHP. The Refuge Roads Program was added to the FLHP in 1998 as part of the *Transportation Equity Act for the 21st Century* ([TEA-21](#)). Passage of the [SAFETEA-LU](#) in 2005 continued all of these programs under the FLHP.

The programs that come under the FLHP legislation are [Public Lands Highways](#), [Park Roads and Parkways](#), [Indian Reservation Roads](#) and [Refuge Roads](#). The Public Lands Highways Program is comprised of both the Forest Highway Program and the Public Lands Highway Discretionary Program.

#### 2.3.1.1 Public Lands Highways

The Public Lands Highways category incorporates two subcategories: (1) [Forest Highways](#) and (2) [Public Lands Highways Discretionary](#) (PLHD). Title 23 allocates sixty-six percent of Public Lands Highways funding to Forest Highways, and thirty-four percent to PLHD. The following subsections briefly describe each of these highway categories:

##### 2.3.1.1.1 Forest Highways

The Forest Highways (FH) Program provides funding for selected transportation projects providing access to, within, or adjacent to National Forests and Grasslands.

**Administration** – Forest Highways as described in [23 CFR 660](#) are roads that are: (1) wholly or partly within or adjacent to and serving the National Forest System, (2) under the jurisdiction of and maintained by a public authority and (3) open to public travel. Forest highways are designated from the eligible roads by FHWA, in consultation with the FS and the appropriate State Department of Transportation (State DOT).

FH route designation is delegated to the FLH Division Engineer. Either the FS or the State can nominate a route, but it must adhere to the following criteria:

- The route is under the jurisdiction of a public authority and open to public travel.

- The route provides a connection between adequate and safe public roads and the resources of the National Forest System that are essential to the local, regional or national economy and/or the communities, shipping points or markets that depend upon those renewable resources.
- The route serves other local needs (e.g. schools, mail delivery, commercial supply, etc.) and access to private property within the National Forest System; serves high-volume traffic, which is generated by use of the National Forest System and its resources; or serves National Forest System-generated traffic volumes that have a substantial impact on roadway design and construction.

**Program of Projects** – Long-range transportation programs and project schedules are developed at program meetings that are generally held annually. A meeting is held in each State that has an operating tri-agency agreement among the FHWA, FS and State DOT (See [Exhibit 2.4-A](#)). At these meetings, potential projects are discussed and a FH program developed. Representatives of the tri-agency partnership and other interested agencies attend the meetings.

FH projects are selected based on the following criteria:

- The development, utilization, protection and administration of the National Forest System and its renewable resources.
- The enhancement of economic development at the local, regional and national level.
- The continuity of the transportation network serving the National Forest System and its dependent communities.
- The mobility of the users of the transportation network and the goods and services provided.
- The improvement of the transportation network for economy of operation and maintenance, and for the safety of its users.
- The protection and enhancement of the rural environment associated with the National Forest System and its renewable resources.
- The results from the pavement, bridge and safety management systems.

The objective of the program meetings is to reach agreement on a minimum five-year FH program that can be accomplished with the available funding and the project delivery capabilities of each agency.

**Funding** – FH funds are allocated by formula to States having national forest lands. Since the allocations are made for each State, project costs must fit within the available funds. FH funds may be borrowed by one State from another State with unobligated monies provided that these funds are returned by the end of the current highway authorization period. Allocations are managed in the FLH Division offices, but obligation limitation is controlled at Headquarters.

### 2.3.1.1.2 Public Lands Highways Discretionary

Public Lands Highways Discretionary (PLHD) provides funding for select transportation projects providing access to, within, or adjacent to Federal and Indian lands. Public lands highways are those main highways through unappropriated or unreserved public land, non-taxable Indian lands or other Federal reservations, which are on the Federal-aid system.

The FHWA Office of Infrastructure and FLHO co-administer the funds for PLHD. The States submit applications for the projects, and the FHWA verifies eligibility. Once eligibility has been determined, funding is made available and the customary project development process can proceed.

### 2.3.1.2 Park Roads and Parkways

The [Park Roads and Parkways](#) (PRP) Program provides funding that may be used by the NPS and the FHWA for the planning, design, construction, or reconstruction of designated public roads that provide access to or within national parks, recreation areas, historic areas, and other units of the National Park Service.

**Administration** – The National Park Service and the Federal Highway Administration through the FLHO jointly administer the program, in accordance with Interagency Agreements. FLHO is tasked with overall stewardship and oversight of the Program. In addition, the FLH Divisions undertake the majority of the design and construction work. They also conduct the inventory and condition assessments for park roads, parkways, bridges and tunnels. The NPS develops the priority program of projects and is responsible for planning, environmental compliance and protection of park values.

Routes on the PRP system are those designated with a functional classification I, II, III, VII and VIII, based on the [Park Road Standards](#). There is no formal approval required for roads in this system.

**Program of Projects** – A priority program of projects developed by the NPS and approved by FHWA is used to allocate funds for PRP. Annually, the NPS issues a call for projects, and each park unit submits to its regional office a list of improvement priorities. The regional office then develops its list of projects based on the budget provided by NPS headquarters (WASO). Each FLH Division meets periodically with appropriate NPS Regions to establish a program of projects to be funded five to ten years into the future. This regional program of projects is then submitted to WASO for coordination and consolidation into a nationwide PRP program that WASO subsequently submits to the FLHO for approval.

**Funding** – Funding is provided for the planning, design, construction, reconstruction or improvement of park roads and parkways, including bridges, tunnels, and trails located within units of the National Park System. Some of the funds are used for alternative transportation systems including buses, trails, ferries and transit facilities. Title 23 also authorizes funding to be used for other projects such as pedestrian and bicycle facilities, adjacent vehicular parking, interpretive signage, acquisition of scenic easements and scenic or historic sites, and construction or reconstruction of roadside rest areas.

Most funds are allocated to projects in three categories:

1. Rehabilitation (3R) and Reconstruction (4R) Projects
  - Paving
  - Bridge rehabilitation, painting and replacement
  - Safety improvements
  - Drainage
  - Tunnel rehabilitation
2. Congressionally Mandated Parkway Completion Projects:
  - Natchez Trace Parkway – Multi-use Trail
  - Foothills Parkway – Missing Link, 8E Section
3. Transportation Management Program (TMP).

The TMP, formerly the Alternative Transportation Program (ATP), integrates all modes of travel within a park including transit, ferries, rail, bicycle and pedestrian linkages, and the personal vehicle.

### 2.3.1.3 Indian Reservation Roads

The Indian Reservation Roads (IRR) Program provides funding that may be used by Indian tribal governments, the Bureau of Indian Affairs, and the FHWA for the [planning](#), design, construction, or reconstruction of designated public roads that provide access to or within an Indian reservation, Indian lands, Indian communities, and Alaska native villages.

**Administration** – The IRR Program is co-administered by the Bureau of Indian Affairs (BIA) and FLHO. IRR system roads are public roads that are located within or provide access to:

- An Indian reservation or Indian trust land; or
- Restricted Indian land that is not subject to fee title alienation without the approval of the Federal Government; or
- Indian or Alaska Native Villages, groups or communities in which Indians and Alaska Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians.

The BIA regional offices designate routes on the IRR system after nomination by the Tribal governing body. BIADOT does the final quality assurance/quality control of a proposed inventory route prior to its being accepted into the inventory. Up to 25 percent of a tribe's IRR Program funds may be used for maintenance.

**Program of Projects** – The IRR Transportation Improvement Program (IRRTIP) incorporates projects by region as submitted through the BIA region-wide control schedule, with input from the tribes through the tribal priority list or a Tribal Transportation Improvement Program. The IRRTIP is submitted to the BIADOT for review and concurrence. FLHO has final approval of the IRRTIP.

**Funding** – Funds are distributed according to the Tribal Transportation Allocation Methodology as defined in [25 CFR 170](#), Indian Reservation Roads Program. A majority of the IRR program funds is distributed either to the 12 BIA regions or directly by the BIA to self-governance tribes based on a relative needs distribution factor defined in the regulation. The factor is derived from a combination of cost-to-construct, vehicle miles traveled and population. After the IRRTIP is reviewed and approved by the FLHO, funds are transferred from the BIA Division of Transportation (BIADOT) to the BIA regions for those projects being administered by the BIA, by the tribes under Public Law 93-638 contracts, or directly to self-governance tribes based on their Annual Funding Agreement with the BIA. Funds may be allocated to the respective Division offices for those projects where the BIA or tribe has requested assistance.

#### 2.3.1.4 Refuge Roads

The [Refuge Road Program](#) (RRP) provides funds that may be used by the USFWS and the FHWA for the maintenance and improvement of public roads that provide access to or within a unit of the National Wildlife Refuge System. Construction of new roads is not permitted, except to accommodate spot traffic safety improvements.

**Administration** – The RRP is co-administered by the FLHO and the USFWS. The program provides a means to pay the cost of maintenance and improvement of public roads that provide access to or within a unit of the National Wildlife Refuge System and for which title and maintenance responsibility is vested in the Federal government.

**Program of Projects** – Projects are selected taking the following into consideration:

- The Comprehensive Conservation Plan for each refuge,
- Access needs as identified through land use planning,
- Impact of land use planning on existing transportation facilities,
- The National Wildlife Refuge System Act of 1966.

Projects are selected by the USFWS and approved by FLHO. Annually, each refuge submits to its regional office a list of improvement priorities. Regional priorities are developed using the refuge requests. The regional directors then cooperatively develop a list of service-wide priorities. Each FLH Division meets periodically with appropriate USFWS regions to establish a five-year program of projects.

**Funding** – No legislative formula has been established for allocating funds. Funds are allocated according to the relative needs of the various refuges in the National Wildlife Refuge System. The formula for distributing funds between the USFWS regions is based on four attributes of a region's Refuge Road network:

- Refuge road mileage, and the surface area of parking facilities and bridges,
- Condition of roads and bridges,
- Traffic volumes, and
- Traffic crash rates.

The use of RR funds is restricted to:

- Maintenance and improvement of Refuge Roads;

- Maintenance and improvement of adjacent vehicular parking areas, interpretive signage, provision for pedestrians and bicycles, and construction and reconstruction of roadside rest areas including sanitary and water facilities that are located in or adjacent to wildlife refuges;
- Administrative costs associated with maintenance and improvements;
- The non-Federal share of the cost of any project funded under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transportation), and
- Maintenance and improvement of recreational trails (limited to 5 percent of available funds for each fiscal year).

### **2.3.2 OTHER FEDERAL AGENCY TRANSPORTATION SYSTEMS**

Other Federal agencies have jurisdiction or responsibility over transportation systems. From time-to-time, FHWA will perform work for these agencies. The following subsections describe these systems and activities. The FLH Divisions may provide engineering services for the improvement of highways for other Federal agencies, cooperating foreign countries, US territories and cooperating State agencies on a reimbursement basis.

#### **2.3.2.1 Forest Service**

The Forest Service (FS) has jurisdiction over the forest transportation system. The forest transportation system includes roads which are:

- [Forest roads](#) under the jurisdiction of the FS such as public forest access roads or forest development roads;
- Wholly or partly within or adjacent to and serving the National Forest System; and
- Necessary for the protection, administration, use and development of FS resources.

When requested by the FS and subject to the appropriate project agreement, FLH Divisions may provide engineering services for projects on the FS system.

#### **2.3.2.2 National Park Service**

Some National Park Service (NPS) projects on which FLH Divisions are asked to provide engineering services are funded through agency appropriations with special funding rather than through the FLHP. These include major special interest projects, cyclic maintenance projects and projects with special features. In addition, the NPS also has road programs for roads within their jurisdictional boundaries that are not open to the public (e.g., administrative, maintenance, fire control, and other service roads).

### **2.3.2.3 Bureau of Indian Affairs**

Most Bureau of Indian Affairs (BIA)\ projects on which FLH Divisions are asked to provide engineering services are funded through the FLHP. Others may be specially designated projects funded through agency appropriations or other established programs.

### **2.3.2.4 Bureau of Land Management**

The Bureau of Land Management (BLM) has jurisdiction over public lands development roads and trails that are the public roads determined by the Department of the Interior to be of primary importance for the development, protection, administration and utilization of public lands and resources.

BLM also has jurisdiction over forest access roads on and to the O&C lands (i.e., revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands) in Oregon.

When requested by BLM and subject to the appropriate project agreement, FLH Divisions may provide engineering services for projects on the BLM system.

### **2.3.2.5 Department of Defense**

Department of Defense (DOD) access roads are roads designated by DOD as important to the military because they access military reservations, defense industry sites and sources of raw materials. These roads are most often owned by State or local governments and are generally not within the boundaries of military reservations. Other roads that also meet the criteria of DOD access roads are highways and highway connections that are shut off from general public use by closures or restrictions at military reservations or defense industry sites. From time-to-time, DOD will request through the appropriate project agreement that an FLH Division provide engineering services for a specific site.

## **2.3.3 EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS (ERFO) PROGRAM**

### **2.3.3.1 Program Intent**

The ERFO Program is intended to help pay the unusually heavy expenses associated with the repair and reconstruction of Federal roads and bridges seriously damaged by a natural disaster over a wide area or catastrophic failure. Restoration in-kind to pre-disaster conditions is expected to be the predominant type of repair. The following definitions apply:

1. **Serious Damage.** Heavy, major or unusual physical damage to the highway that severely impacts the safety, capacity or usefulness of the highway or results in road closure. Serious damage must be beyond the scope of heavy maintenance.

2. **Wide Area.** An area sufficiently large enough to encompass parts of all or several entities (e.g., counties, States, Federal agency management units (individual forests, parks, refuges, regions, districts, etc.)) and can include areas outside of the land administered by a Federal agency applying for emergency relief.
3. **Catastrophic Failure.** A catastrophic failure of a road or bridge is a failure that is sudden and complete due to an external cause. The failure must occur on a major segment or element of the road system and cause a disastrous impact that results in unusually high expenses.
4. **Disastrous Impact.** Denotes severe disruption of access to critical facilities (e.g., schools, hospitals, residences) or severe economic impact to an industry important to the local economy or elimination of access to a major portion of Federal lands.
5. **Federal Roads.** Forest highways, forest development roads and trails, park roads and trails, parkways, refuge roads and trails, public lands highways, public lands development roads and trails, and Indian reservation roads as defined under [23 USC 101\(a\)](#).

### 2.3.3.2 Funding Source

The Highway Trust Fund is the source of Emergency Relief funds. Funding for emergency and permanent repairs of Federal-aid and other federally owned roads and bridges is authorized by [23 USC 125](#). Congress can also authorize additional emergency relief funds through supplemental appropriations.

### 2.3.3.3 Administrative Procedures

The administrative procedures for this program are outlined in the [Emergency Relief for Federally Owned Roads, Disaster Assistance Manual](#), FHWA-FLH-04-007, April 2004.

## 2.4 PLANNING AND PROGRAM COORDINATION

FLH uses a variety of mechanisms for program planning and coordination, including interagency, State, local and other miscellaneous project agreements. Additionally, there are standing agreements with several agencies, including the FS, BLM, BIA, FWS and NPS, that cover the standard procedures for coordinating the respective programs (see [Section 2.2](#)).

### 2.4.1 INTERAGENCY AGREEMENTS

Whenever FLH performs work for other agencies or other agencies perform work for FLH, an interagency agreement is executed between the organizations. The agreement must spell out the responsibilities and the method of payment for the services rendered. This agreement may cover a continuing program or cover an individual project.

### 2.4.2 FEDERAL/STATE FOREST HIGHWAY TRI-AGENCY AGREEMENTS

Each State participating in the Forest Highway (FH) program is required to enter into an agreement setting forth the terms by which FH projects will be planned, programmed, designed, constructed and maintained. A sample Forest Highway Tri-Agency Agreement is shown in [Exhibit 2.4-A](#). These agreements are commonly known as tri-agency or tri-party agreements and include the appropriate FLH Division, the FS and the respective State DOT.

### 2.4.3 FEDERAL/COUNTY FOREST HIGHWAY INTERAGENCY AGREEMENTS

Each county participating in the FH program is asked to enter into an agreement similar to the tri-agency agreements. It is important to insure that roles and responsibilities are clear, since counties are generally not familiar with Federal-aid requirements such as the [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970](#). A sample cooperative agreement with a county is shown in [Exhibit 2.4-B](#).

### 2.4.4 FOREST HIGHWAY PROJECT AGREEMENTS

Every project constructed under the FH program should have a project agreement implementing the terms of the FH tri-agency agreement. [Exhibit 2.4-C](#) is a sample project agreement. However, the FH regulations require a project agreement only when the following conditions exist:

- A cooperator's funds are to be made available to FHWA for the project or any portion of the project;
- Federal funds are to be made available to a cooperator for any work;

- Special circumstances exist that make a project agreement necessary for payment purposes, or to clarify any aspect of the project; and
- It is necessary to document jurisdiction and maintenance responsibility.

#### **2.4.5 MISCELLANEOUS INTERAGENCY AGREEMENTS**

In addition to the above agreements, the FLH Divisions enter into agreements with utilities, railroads, other Federal agencies, State agencies and local governments to perform specific tasks (e.g., utility removal, railroad crossing protection, signing and markings, materials testing or investigation, special project design, construction management activities).

## Exhibit 2.4–A

## SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT

**Parties to Agreement.** [Eastern][Central][Western] Federal Lands Highway Division, Federal Highway Administration, U.S. Department of Transportation, hereinafter referred to as the FHWA unless otherwise noted; the U.S. Department of Agriculture (USDA) Forest Service, hereinafter referred to as the FS; and the [State] Department of Transportation, hereinafter referred to as the [State] DOT.

**Purpose:** The purpose of this Forest Highway Statewide Agreement (Agreement) is to set forth the general Statewide procedures, mutually acceptable to the parties hereto, for the cooperative planning, programming, survey, design, construction, and maintenance of Forest Highways (FH) in the State of [State], pursuant to the provisions of Title 23 United States Code (USC), Sections 202, 203 and 204, and the regulations issued thereunder by the Secretary of Transportation and the Secretary of Agriculture. The Agreement also incorporates the public involvement/public hearing requirements of Title 23 Code of Federal Regulations (CFR) Part 771.111 and 40 CFR Parts 1500 through 1508, other associated environmental review procedures under 23 CFR Part 771, and applicable FS requirements.

Under the Federal Lands Highway Program, Congress has authorized funds for FH that are within, or provide access to the National Forest System (NFS). Recognizing (1) that substantial benefits will accrue to the State and to the Nation from the construction and maintenance of such FH and (2) that the FH are under the jurisdiction of a public road authority, and further (3) that the [State] DOT has systems planning, maintenance, right-of-way acquisition, and interdisciplinary facilities available to assist in the accomplishment of the work, as required by 23 CFR Part 660; it is deemed fitting and desirable to the Parties hereto to express by this Agreement the general terms of their cooperation in order to achieve maximum benefits in the public interest.

As stated in 23 CFR Part 660.111, the design and construction of FH projects will be administered by the FHWA unless otherwise provided for in a Federal-Aid Project Agreement (PR-2) approved under that Subpart. Through this Agreement, it is recognized that the [State] DOT may administer the design and construction of the FH projects.

In addition, the Parties may enter into a specific project agreement that identifies a different design and construction agency.

**Forest Highway Routes.** This Agreement shall cover the FH routes, previously approved for inclusion in the designated FH network dated \_\_\_\_\_, and any approved amendments. The FHWA shall maintain the inventory of the approved designated FH network. The list of such approved routes may be varied from time to time by agreement between the [State] DOT and the FS, with the approval of the FHWA, either by adding routes or removing routes or by altering the description of any route to give it proper identity. Each such action shall be indicated by a revised list showing the effective date of the revision.

**Exhibit 2.4–A            SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
(Continued)

**Transportation Planning/Management Systems.** It is recognized that FH are an integral part of the road network in any State. Transportation planning will be performed by the [State] DOT. The [State] DOT will work with the FS and the FHWA on long-range planning activities of mutual concern. The [State] DOT agrees that it will adhere, in performing these functions, to the environmental review/public involvement/public hearing procedures required under the guidelines of 23 CFR Part 771; to the statewide and metropolitan planning requirements of 23 CFR Part 450, and to appropriate agency implementing procedures and policies. The [State] DOT, the FHWA, and the FS agree to incorporate the long range FH transportation plan into the State's long range transportation plan. The [State] DOT agrees to share information on FH routes in bridge, pavement, and safety management systems.

**Program of Projects.** A program meeting will be held biennially, or more frequently if deemed necessary, including the [State] DOT, the FHWA, and the FS, in accordance with 23 CFR Part 660.109(a). After agreement has been reached on the program of projects, the FHWA will prepare the updated program and forward copies to the [State] DOT and the FS.

The FHWA will provide the FH project data to the [State] DOT prior to the [State] DOT's public involvement process on the proposed Statewide Transportation Improvement Program (STIP). After the conclusion of the public involvement process, the [State] DOT will incorporate the program of projects into its STIP. The [State] DOT will also forward a copy of the program to the appropriate Metropolitan Planning Organization (MPO) for incorporation into its Transportation Improvement Program (TIP) before April 1 of each year.

**Development of Projects.** As stated previously, either the FHWA or the [State] DOT will be the agency administering the design and construction of FH projects. If it is determined to be in the public interest to have an agency other than the FHWA or the [State] DOT be responsible for the administration of the FH project, a Memorandum of Agreement specific to the project will be prepared which will establish the responsibilities of each party. Regardless of which agency is administering the project, once projects are included in an approved FH program, the agency administering the project shall proceed promptly, and projects shall be carried forth through completion in accordance with the approved program.

Design standards for the FH projects shall be appropriate to the use of the road, scope of the project and in consideration of the natural and cultural environment. Standards specific to FH or to a particular project will be established by agreement between the [State] DOT and the FS, with the approval of the FHWA.

It is the intent of the project development process to keep all agencies informed of progress, to request the [State] DOT, FS and FHWA attendance at the scheduled plan reviews, and to obtain written concurrence of the plans, specifications, and estimate (PS&E) and FHWA approval prior to advertisement. If it becomes evident during the development of the project, that the scope of the project or the anticipated construction cost needs to be changed, the agency administering the project will initiate coordination with the other parties to obtain concurrence and approval of the change in the project.

**Exhibit 2.4–A                    SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
(Continued)

Specifically, if the FHWA is administering the project, the FHWA will coordinate all plan reviews with the [State] DOT and the FS and obtain written concurrence in the PS&E prior to advertisement of the project for construction. The FHWA will follow established Federal Lands Highway Program procedures for the development of the project, taking established [State] DOT and FS practices into consideration, where appropriate.

If the [State] DOT is administering the project, the [State] DOT will coordinate with the FS during the development of the project, obtain written concurrence of the PS&E from the FS, and submit the advertisement PS&E package with evidence of the FS concurrence to the FHWA for FHWA project authorization. Upon FHWA approval that the project was developed in accordance with the approved program, FHWA will obligate funds and authorize the [State] DOT to proceed with the advertisement and construction of the project. Except as stated previously for coordination with the FS and FHWA approval and funding authorization, the [State] DOT will follow approved Federal-aid procedures in the administration of the project.

**Compliance with Environmental Review/Public Involvement/Public Hearing Requirements in Project Development.** The FHWA and the [State] DOT will adhere to the environmental review/public involvement/public hearing procedures required under the guidelines of 23 CFR Part 771 and appropriate agency implementing procedures and policies. These procedures include providing early and continuing opportunities during the project development process for the public to be involved in the identification of social, economic and environmental impacts. When the FHWA is administering the project, consideration will be given to following the [State] DOT and FS public involvement procedures. When the [State] DOT is administering the project, the FHWA Federal-aid Division office will take all formal approval action on the environmental document in accordance with Federal-aid procedures.

The National Environmental Policy Act (NEPA) requires all Federal agencies and their agents to evaluate and disclose environmental impacts of their actions. This environmental evaluation process often involves several agencies. It is the intent under the Council of Environmental Quality (CEQ) regulations for a project to be evaluated one time comprehensively by a designated lead agency. Because highways are a charged responsibility of the FHWA and its companion State Departments of Transportation, it is reasonable to expect the FHWA to coordinate and complete the environmental process consistent with all State and Federal regulations.

The role and level of involvement of the FS will vary dependent upon the scope of the proposed action. Many projects will be confined within the limits of existing road rights of way and easements. This work will have minimal off-site impact and minor influence on the management program of the FS. Coordination for this type of project will ensure conformance with the approved FH program of projects and require a limited level of environmental resource coordination.

**Exhibit 2.4–A                    SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
(Continued)

Projects that encroach on National Forest System lands need a greater level of FS review of project area resources and potential project impacts, and more detailed documentation by both the agency administering the project and the FS. Because the highway project is the proposed action triggering the environmental review process, the FS is to be a Cooperating Agency. Because the FS is required to conduct an evaluation of the proposed highway action resulting in the consent to the appropriation and transfer of lands to the [State] DOT, it is appropriate to document the review process and conclusions independently and attach these to the environmental document by appendices. When encroachment of National Forest System lands is anticipated, the agency administering the project and the FS should meet and agree upon the specific scope of the resource surveys, the type and frequency of public involvement actions to be used in the development of the project and the time frame for the FS to complete its decision process for the appropriation of the lands. These procedures will allow both the agency administering the project and the FS to fulfill their obligations in their own documentation formats, yet tie the coordinated reviews in a single NEPA document consistent with CEQ guidelines. In coordinating the environmental process and the anticipated Federal land transfer, the intent is to coordinate the issuance with the FS Decision Notice for the pending Federal land transfer and the NEPA public involvement process to achieve one joint public involvement process.

**Construction of Projects.** Minor changes in grade, alignment, surface course, or structures made necessary by unforeseen contingencies or deemed desirable by conditions that develop during the progress of work may be made by the agency administering the construction project without the prior or separate approval of the other parties to this Agreement. It is incumbent upon the agency administering the project to ensure that any such changes are not in conflict with any of the environmental and/or design parameters agreed to in the development of the project.

All construction is to be performed by contract entered into by competitive bids unless some other method is deemed to be more advantageous and in the public interest.

Following the award of the construction contract, the agency administering the project will notify the other parties in writing of the award of the construction contract, and invite their attendance to a preconstruction conference. Such meetings will provide an opportunity for all interested parties to discuss their mutual concerns regarding project construction. During construction, the FS (and the [State] DOT, if FHWA is administering the project) will consult with the Project Engineer on matters pertaining to project construction, environmental and resource coordination required in the stipulation of special use permits for activities such as clean up, borrow pit seeding, or other similar activities.

The FS (and the [State] DOT if FHWA is administering the project) will be invited to participate in the final inspection. FS and [State] DOT participation is to ensure that the project was constructed in accordance with the approved FH program.

The FHWA will administer projects in accordance with established Federal Lands Highway Program procedures, and in accordance with the applicable Federal acquisition regulations and procedures. The [State] DOT will administer projects in accordance with approved Federal-aid procedures.

**Exhibit 2.4-A            SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
(Continued)

**Funding.** When any proposed construction is to be administered by the [State] DOT and financed in whole or in part with Federal funds, such circumstances will be set forth in the Project Agreement (PR-2) together with a statement of the amount of Federal funds obligated for the project. The expenditure of Federal funds shall not exceed the amount shown on the PR-2. If it appears that the project cost may exceed the estimate and additional Federal funds may be needed, no obligation on the part of FHWA shall occur until the [State] DOT requests and receives an approved Modification of Federal-Aid Project Agreement (PR-2A).

As the work progresses, the [State] DOT shall submit Form PR-20 vouchers to the FHWA or shall submit electronic billing claims to the FHWA using the FHWA PR-20 Electronic Billing System for payment of the Government's pro rata share of the cost of the work. The [State] DOT shall send Form PR-20 to: [Eastern][Central][Western] Federal Lands Highway Division, Federal Highway Administration, [fill in address here]. Upon completion of the work, the [State] DOT shall send a final voucher form PR-20 to the FHWA at the above address.

When the FHWA is administering projects funded entirely with FH funding or other funding provided directly to the [Eastern][Central][Western] Federal Lands Highway Division, all project financial transactions will be processed in the Federal Lands Highway Division office.

If State, local, other Federal-aid funds or FS funds are made available on projects, the cost responsibilities and procedures to transfer these funds or to reimburse either the [State] DOT or the FHWA for eligible project costs shall be covered by a Memorandum of Agreement specific to the project. Any unused balance of these funds will be returned to the provider after closure of the financial records. The amount of cooperative funds as set forth in the Memorandum of Agreement specific to the project shall be the maximum commitment to the project, unless a modification of the Memorandum of Agreement specific to the project is executed.

When [State] DOT and/or FS funds are involved, the agency administering the project shall furnish to the other parties a summary statement of the cost of the project. The FHWA will provide a statement of the FH portion of the project cost as reported in periodic FH financial reports. All financial information will be available at any time to the parties to this Agreement upon request.

**Project Agreement.** A specific project agreement is to be entered into between the [State] DOT and the FHWA for each project for which (1) the survey, construction, acquisition of rights-of-way, or maintenance in connection with a project included in an approved FH program is to be accomplished in a different manner from that set forth in this Agreement, or (2) cooperative funds, including Federal funds from programs other than the Federal Lands Highway Program, are to be made available to the FHWA for the project.

**Rights-of-Way.** Rights-of-way or other interests in property are to be acquired by and in the name of the [State] DOT. The cost of such rights-of-way or other interests in property acquired by the [State] DOT is to be at the [State] DOT's expense, unless otherwise provided in a Memorandum of Agreement specific to the project. The Agency administering the project will perform the title searches, surveys, write the description, and prepare right-of-way plans. Regardless of whether the FHWA or the [State] DOT administers the project, the [State] DOT will administer the right-of-way acquisition. The [State] DOT shall certify to the FHWA that the right-of-way has been acquired in accordance with Federal-aid procedures.

**Exhibit 2.4–A                    SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
(Continued)

For Federal land transfers, the agency administering the project will prepare a Highway Easement Deed. All Federal land transfers will be completed in accordance with the Federal-aid procedures that stipulate the coordination process with the Federal agency, the [State] DOT, and the FHWA Division office to execute the Federal lands transfer.

Access across National Forest Lands needed for such uses as access to gravel or fill sources and temporary use of lands (such as material source sites, stockpile sites, disposal sites, minor sloping, etc.) outside of the right-of-way required for the construction and maintenance of the highway facility, will be authorized by the FS issuance of an appropriate special use permit.

**Claims.** The agency administering the project is responsible for resolution of any claim that arises as a result of any project design or construction contract. For [State] DOT administered projects, reimbursement of the settlement will be made in accordance with established Federal-aid procedures.

**Maintenance.** The [State] DOT will maintain the FH project, or, by formal agreement with appropriate officials of a county, municipal government, or other public road authority, cause it to be maintained.

The project shall be inspected by the FS, the FHWA, and the [State] DOT to identify and resolve any mutual concerns, prior to final construction acceptance by the contracting authority.

**Exhibit 2.4-A                      SAMPLE FOREST HIGHWAY TRI-AGENCY AGREEMENT**  
 (Continued)

**Amendments to FH Statewide Agreements.** This Agreement together with the environmental review/public involvement/public hearing procedures may be modified by advance notice of 60 days from any of the three parties to the other two.

This Agreement shall be effective as of the \_\_\_<sup>th</sup> day of \_\_\_\_, 20\_\_ and shall supersede all prior existing cooperative agreements for the same routes entered into pursuant to 23 USC Sections 202, 203, and 204, "Federal Lands Highway Program" except those involving commitment of funds or arrangement for the performance of construction work on projects underway but not yet completed and final settlement made.

[STATE]  
 DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF AGRICULTURE  
 FOREST SERVICE  
 REGION [Number]

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: State Highway Administrator

Title: Regional Forester

Date: \_\_\_\_\_

Date: \_\_\_\_\_

DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION

[EASTERN][CENTRAL][WESTERN] FEDERAL LANDS HIGHWAY DIVISION

By: \_\_\_\_\_

Title: Division Engineer

Date: \_\_\_\_\_

## Exhibit 2.4-B

## SAMPLE FOREST HIGHWAY AGREEMENT WITH A COUNTY

**FOREST HIGHWAY AGREEMENT  
(with COUNTY)**

**Parties to Agreement.** Federal Highway Administration, US Department of Transportation, hereinafter called "FHWA," and the County of \_\_\_\_\_, State of \_\_\_\_\_, hereinafter called the "County."

**Purpose.** The purpose of this Agreement is to set forth the general terms and conditions, mutually acceptable to the parties hereto, for the project selection, project agreements, survey, design, construction, rights-of-way acquisition and maintenance of Forest Highways in \_\_\_\_\_ County, \_\_\_\_\_, pursuant to the provisions of Title 23 USC §204 and Title 23 CFR 660 Subpart A.

**Project Selection.** Projects will be selected by mutual agreement of FHWA, the Forest Service (FS), and the [State] Department of Transportation ([State] DOT), acting on behalf of the County, in accordance with Title 23 CFR Part 660.109.

**Project Agreement.** In addition to this Forest Highway Agreement, a project agreement shall be entered into between FHWA and the County for each project prior to the expenditure of Federal funds. The purpose of the project agreement is to spell out the project specifics that cannot be covered in this general agreement, including project length, geometrics, rights-of-way requirements and utility relocation requirements.

The project agreement shall set forth the procedure between FHWA and the County when:

- the survey, construction, acquisition of right-of-way or maintenance in connection with a project included in an approved Forest Highway program is to be accomplished in a different manner from that set forth in this Forest Highway Agreement;
- Federal funds are to be made available to the County for the project; or
- County funds are to be made available to FHWA for the project; project agreements are to be executed in triplicate, one executed copy being for the County, one for the Forest Service and one for FHWA.

**Survey, Design and Construction.** FHWA will administer the survey, design and construction of each Forest Highway project unless otherwise provided for in a project agreement. The location of the survey and the general design will be accomplished to the mutual satisfaction of the County, FS and FHWA. The County is encouraged to provide input in the project development phase.

The project will be constructed as promptly as possible after funds are made available. Minor changes in grade, alignment, surface course or structures made necessary by unforeseen contingencies or deemed desirable by conditions developing during the progress of the work may be made by FHWA without the prior or separate approval of the County. FHWA will, to the extent practicable, ensure that any such changes are not in conflict with any of the environmental and/or design considerations agreed to in the development of the project.

**Exhibit 2.4–B                    SAMPLE FOREST HIGHWAY AGREEMENT WITH A COUNTY**  
(Continued)

All work will be performed by contract entered into by competitive bids unless another method is mutually deemed to be in the public interest. No construction shall be undertaken on any Forest Highway project until plans, specifications and estimates have been concurred with by the County and FS, and approved by FHWA.

**Compliance with Federal-aid Procedures.** Projects or phases of projects administered by the County will be developed in accordance with applicable Federal-aid procedures, including appropriate environmental procedures as set out in Title 23. Projects or phases of projects administered by FHWA will be developed in accordance with 23 CFR Parts 660 and 771.

**Rights-of-Way and Utilities.** The County or their agent in the name of the County will acquire right-of-way or other interests in property needed for a project. The cost of such right-of-way or other interest in property will be at the County's expense unless otherwise provided in the project agreement. Federal-aid procedures (23 CFR Part 710) shall be used for rights-of-way acquisition.

FHWA will cooperate in the procurement of rights-of-way over or upon Federal lands or other lands under the jurisdiction of the United States government that is required for any project and will furnish the County copies of survey notes, maps and other records unless otherwise provided for in a project agreement.

Pending the execution and recording of deeds or other instruments for the rights-of-way over private lands, the County shall obtain right-of-entry thereon for construction purposes. Utilities that are located within the construction limits of the proposed rights-of-way shall be relocated at the expense of the County prior to awarding the construction contract. Utilities may be accommodated on the rights-of-way when such utilities do not interfere with the free and safe flow of traffic or otherwise impair the highway or its visual quality.

**Maintenance.** After construction of Forest Highway projects, the County agrees to operate and maintain the highway at the County's expense. Maintenance is the preservation of the entire highway, including surface, shoulders, roadside, structures and such traffic-control devices as are necessary for its safe and efficient utilization.

During construction, the contractor shall bear all expense of maintaining traffic over the project other than during the period of winter suspension. If the facility is to remain open for public use during the winter suspension, the County agrees to provide routine maintenance, including all snow removal, as necessary.

A Forest Highway project shall be accepted by the County for operation and maintenance when all construction work has been completed in substantial conformity with the approved plans and specifications, and the project has been inspected by the County, FS and FHWA.

**Exhibit 2.4-B                      SAMPLE FOREST HIGHWAY AGREEMENT WITH A COUNTY**  
(Continued)

**Amendments to Forest Highway Agreements.** This Forest Highway Agreement may be modified by mutual agreement of the parties. Either party may prepare a modification by giving notification at least 60 days in advance of the proposed effective date of the modification.

This agreement shall be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, and shall supersede all prior existing cooperative agreements for the same routes entered into pursuant to 23 USC §204 and 23 CFR Part 660, Subpart A except those involving a commitment of funds or arrangement for the performance of the construction work on projects underway but not yet completed and final settlement made.

\_\_\_\_\_ County, \_\_\_\_\_

Department of Transportation  
Federal Highway Administration  
\_\_\_\_\_ Federal Lands Highway Division

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: Division Engineer

By: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Exhibit 2.4-C SAMPLE PROJECT AGREEMENT**

US DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION  
 CENTRAL FEDERAL LANDS HIGHWAY DIVISION

**FOREST HIGHWAY PROJECT AGREEMENT**

State: Colorado Forest: Flatland

County: Clark Forest Highway Route No.: FH Route 75, Glasgow to Opheim

Project No.: FH75-2(1) Project Length (mi [km]): 1.3+ [2.1+] Terrain: Mountainous

This Agreement is entered into between the undersigned parties pursuant to the provision of 23 USC 204, and the Forest Highway regulations issued thereunder jointly by the Secretary of Transportation and the Secretary of Agriculture, and in accordance with the terms of the Forest Highway Agreement dated July 14, 1988.

**Project Location.** The bridge over Willow Creek located about 5 miles southwest of Opheim, Colorado, on Clark County Route No. 236.

**Description of Work.** The replacement of Willow Creek Bridge and reconstruction of the approaches.

**Funding.** The cost of preliminary engineering, construction engineering and physical construction will be the responsibility of the Federal Highway Administration (FHWA). The cost of rights-of-way, utility relocation and maintenance after completion of the project will be the responsibility of Clark County.

**Responsibility for the Survey, Design and Construction.** FHWA will administer the survey, design and construction as stipulated in the Forest Highway Agreement. Additionally, FHWA will obtain all the necessary environmental clearances, Section 404 fill permits, materials source permits and other Federal or State required permits.

**Design Standards.** The project will be designed in accordance with the AASHTO *Policy on Geometric Design of Highways and Streets*, 2000 edition.

Structures will be designed in accordance with the AASHTO *Standard Specifications for Highway Bridges*, 15<sup>th</sup> Edition, 1982, as supplemented.

The following general criteria will be applied for this project:

Design speed: 35 mph [50 km/h ] Roadway surface: Asphalt concrete

Design volume: Less than 400 ADT Roadway width: 24 ft [7.3 m]

Design loading: HS-20 [MS-18] Bridge width: 28 ft [8.5 m]

**Rights-of-Way.** The County or their agent in the name of the County will acquire rights-of-way needed for this project.

**Exhibit 2.4-C      SAMPLE PROJECT AGREEMENT**  
(Continued)

FHWA will prepare rights-of-way plans and legal descriptions of the necessary property needed for the project.

Pending the execution and recording of deeds or other instruments for the rights-of-way over private lands, the County shall obtain right-of-entry thereon for construction purposes.

**Utility Relocation.** Utilities that are located within the construction limits of the proposed rights-of-way shall be relocated at the expense of the County prior to awarding the construction contract. Utilities may be accommodated on the rights-of-way when such utilities do not interfere with the free and safe flow of traffic or otherwise impair the highway or its visual quality.

**Construction.** As soon as practical after the plans are complete and as soon as funds are available, FHWA will either advertise for or negotiate with a contractor to construct the project in accordance with the *Federal Acquisition Regulations* (48 CFR 1) and the *Transportation Acquisition Regulations* (48 CFR 12). During the construction phase, FHWA will provide a project engineer to oversee and inspect the work to assure a quality product. The construction will be governed by the plans supported by the *Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects* (FP-03). The project engineer is the designated FHWA contact for the County and the Forest Service during the construction phase.

**Maintenance.** After construction, the County shall operate and maintain the highway at the County's expense. Maintenance is the preservation of the entire highway, including surface, shoulders, roadside, structures and such traffic control devices as are necessary for its safe and efficient utilization.

During construction, the contractor shall bear all expense of maintaining traffic over the project other than during the period of winter suspension. If the facility is to remain open for public use during the winter suspension, the County shall provide routine maintenance, including all snow removal, as necessary.

**Amendments to the Project Agreement.** This Project Agreement may be modified by mutual agreement of the parties. This Agreement shall be effective as of the 30<sup>th</sup> day of September, 2006.

|   |  |
|---|--|
| <p><u>Clark</u> County, <u>Colorado</u></p> | <p>Department of Transportation<br/>Federal Highway Administration<br/><u>Central</u> Federal Lands Highway Division</p> |
| By: _____                                   | By: _____  |
| Title: _____                                | Title: _____   |
| By: _____                                   | DEPARTMENT OF AGRICULTURE<br>FOREST SERVICE  |
| Title: _____                                | ROCKY MOUNTAIN REGION  |
| By: _____                                   | By: _____  |
| Title: _____                                | Title: <u>Regional Engineer</u>  |

## 2.5 PLANNING STUDIES AND REPORTS

Complete, concise and accurate data are needed for informed and judicious decisions on needs, priorities and costs of projects. Continuous application of such data during the project life cycle is described as [Asset Management](#).

FLH and owner agencies conduct studies to assist in the transportation planning, programming and project development process. These include corridor studies, project scoping investigation and assessment, special technical studies, road and bridge inventories, unit-wide transportation planning studies, and unit-wide engineering studies. Such studies help to identify needs, costs and alternatives. In addition, they help to establish relative priorities for improvements.

The technical issues evaluated in corridor studies, and project scoping studies are outlined in [Section 4.5](#). Special technical studies are evaluations of specific engineering problems and are usually conducted by the appropriate engineering staff specialist. Examples of these types of studies are referenced in the individual *PDDM* chapters devoted to specific technical disciplines.

The Road Inventory Program (RIP) and Bridge Inspection Program (BIP) consist of periodic rating and assessment of the condition of roads and bridges for the NPS, USFWS and FS. The RIP covers all roads under the jurisdictions of the NPS and USFWS, and is undertaken on a three-year cycle for paved roads in most Parks and Refuges. The Forest Highway system is a more complex system comprised mostly of state and county roads. Only a small portion of the system is owned and maintained by the FS. Therefore, the FLH Divisions use RIP data received from states and local agencies to the extent possible. Generally, the Divisions will supplement this data by collecting additional data, as needed. For example, the Eastern Federal Lands Highway Division collects additional RIP data for the FS in the Eastern United States.

A BIP is required for all bridges open to public traffic, and the inspection program conducted by the FLH Divisions covers all bridges and tunnels on roads under the jurisdiction of the NPS. Bridges are inspected on a two-year cycle. The inspections are used to monitor and identify structural conditions that may lead to bridge failure, as well as identify on-going maintenance requirements.

Unit-wide transportation planning studies are conducted to identify future transportation needs as a result of regional/local growth and transportation activities in the vicinity of the unit under study. Transportation planning studies result in short and long-term recommendations for improvements. They provide valuable information that may be incorporated into NPS Park General Management Plans, USFWS Refuge Comprehensive Conservation Plans, or FS Forest Plans as their transportation component. Transportation planning studies go beyond the scope of work for engineering studies and investigate a wide range of elements involved in shaping the future pattern of transportation activities within the unit under study such as regional/local employment, land use, environmental issues, and socio-economic characteristics of the population. These studies should be carefully coordinated with the local community, including the Metropolitan Planning Organization (MPO) in an urbanized area.

Unit-wide engineering studies are investigations, through data collection and evaluation, to identify and assess various alternative courses of action, and make pre-design recommendations to restore, resurface, rehabilitate or reconstruct roads and bridges with the most reasonable and cost-effective design. In certain cases, these studies may involve the development of alternatives for transit, operational improvements, Intelligent Transportation Systems (ITS) applications, or similar types of projects to address congestion and mobility needs.

These studies provide preliminary information for preparing long-range plans and programs, and for undertaking project design or development activities. They are intended to provide direction and scope for evaluating alternative courses of action for proposed improvements identified in RIP/BIP or transportation planning. The types of engineering studies to be conducted are typically completed at the request of the Federal land management agency when significant road construction or transportation system improvements are anticipated.

Such studies can include, but are not limited to, the following:

- Unit-wide road engineering studies,
- Unit-wide alternative transportation system studies,
- Project planning studies, and
- Travel forecasting and analysis.

Supplemental or special engineering studies may also be needed for traffic engineering, traffic safety, geotechnical evaluations, pavement design and similar activities.

Typically, these studies examine a range of alternatives, identify needs, evaluate costs and set priorities for implementation of a transportation improvement program. The selection process should consider those studies that identify, evaluate and compare impacts of each alternative; address safety issues; establish design flexibility; define commitments to protect and preserve the environment; and provide long-term planning guidance.

There is an ongoing effort to link this phase of the planning process with the NEPA phase of project development to provide an opportunity for the public and other agencies to be involved in the discussion and evaluation of issues earlier in the planning process. Detailed project-level alternatives analysis and decision-making are done later during the NEPA compliance phase of project development. (See [Chapter 3](#) for more information.)

The scope and extent of the data gathering, analysis and reporting will vary for each study. Engineering studies should be in sufficient detail to support alternative engineering solutions, estimates and schedules. A preferred recommended alternative should be identified. These studies may incorporate extensive engineering, economic, traffic and environmental data collection and analysis to support the resulting recommendations

Engineering studies are used for budgeting and programming purposes to form the basis for initial cost estimates. In most instances, further in-depth field investigations and engineering analyses will be required during the design scoping stage.

A diligent effort should be made to complete these types of studies at the earliest possible time to assist in developing a program of projects. Coordination is needed to ensure that decisions and tasks accomplished in the engineering studies will be compatible with owner-agency management plans and transportation system requirements. Proper timing of these studies is critical to the support of further engineering and design activities.

### 2.5.1 PARK ROADS AND PARKWAYS (PRP) STUDIES

There are a variety of studies performed under the PRP program.

1. **Road Inventory Program (RIP).** An inventory and condition rating has been completed on all NPS roads and is now being maintained by the EFLHD. During the initial RIP, the entire paved PRP system was photo logged and roadway data collected. Subsequent digital photo logging and data collection are now being done during inventory update cycles. A RIP report is available for each of the National Park Service (NPS) units both in hardcopy and web-based formats.
2. **Bridge Inspection Program (BIP).** FLH has inventoried and rated all NPS bridges and tunnels. A biannual inspection is conducted as part of the national BIP. A BIP report is available for all NPS bridges and tunnels from the FLH BIP Coordinator.
3. **Parkwide Road Engineering Studies (PRES).** PRES are complete evaluations of parkwide road systems for individual park units. The studies include evaluations of the condition, safety and signing of a park's road system with a recommended program for upgrading deficiencies.

The PRES evaluations and recommendations are used by the NPS when considering the overall goals and objectives of a park's General Management Plan (GMP) relative to the park road system.

4. **Road System Evaluation Reports.** These reports are evaluations of the existing roadways conducted by the NPS. The reports make recommendations for needed maintenance, rehabilitation or reconstruction.
5. **Safety and Traffic Crash Studies.** These NPS studies evaluate the safety aspects of a park transportation system and evaluate crash data. Safety improvements are recommended when needed.

To support these studies, NPS has developed a system-wide traffic counting program and a Service-wide Traffic Accident Reporting System (STARS). This data is collected by the NPS Denver Service Center transportation staff, and is available for input into NPS and FLH Division project planning and development.

### **2.5.2 FOREST HIGHWAY (FH) STUDIES**

Inventories are conducted on all FH routes as directed by FLH Headquarters. The information collected includes average daily traffic, Forest Service (FS) related traffic, physical data and estimated cost of improvements. This data is maintained in various formats and varies among FLH Divisions.

### **2.5.3 IRR STUDIES**

Inventory and condition ratings are continuously being updated by the Tribes and BIA and are kept and maintained by the BIA Division of Transportation.

### **2.5.4 REFUGE ROAD STUDIES**

Inventory and condition rating information has been collected on Refuge Roads and is now being maintained by the Central Federal Lands Highway Division. The data is updated and maintained by FLH based on a RIP cycle agreed upon with the USFWS.

### **2.5.5 OTHER STUDIES**

FLH conducts special engineering studies for other agencies as requested (e.g., the defense access roads studies). Other corridor and engineering studies are discussed in [Section 4.10.1](#).

## 2.6 PROJECT IDENTIFICATION

Formal fiscal procedures have been developed for allocating funds, establishing accounts and account numbers, recording obligations, producing project cost reports and closing out project accounts. Procedures have also been adopted for using a standardized project numbering system.

### 2.6.1 PROJECT NUMBERING SYSTEM

The use of a formal numbering system assists in tracking and identifying the type, location and source of funding for a particular project.

A uniform project numbering system has been adopted for projects being administered by FLH. See [Exhibit 2.6-A](#).

Project reports (e.g., the Advertise and Award Schedule) that contain the following information should be submitted in all uppercase letters using the following format to permit FLH-wide compilation of data:

1. **Project Number and Common Name.** For example, PRA BIBE 15(5), ROSS MAXWELL ROAD.
2. **State.** Use uppercase two-letter designation. If multiple States, list the one within which the greatest proportion of the work occurs.
3. **Description.** Begin with work category (see [Exhibit 2.6-B](#) for examples), then list length or Number of Bridges if a Bridge project and, finally, list major items of work. For example, REC, 1.2 KM, GR, DR, BS, PAVE.
4. **Engineers Estimate.** Include estimated incentives.
5. **Date Planned/Actually Advertised.** Use actual date, not an estimated quarter.
6. **Set Asides.** Use an X under each category heading, SB, LS, 8a.
7. **Date Planned/Actually Awarded.** Use actual date, not an estimated quarter.
8. **Award Amount.** Include obligated incentives.
9. **Number of Bids Received.** Include only the number of responsive bids.

Refer to *[EFLHD – CFLHD – WFLHD] Division Supplements for more information.*

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**Exhibit 2.6-A PROJECT IDENTIFICATION NUMBERS**

| <b>Source of Funding</b>                                | <b>Preferred Prefix<sup>10</sup></b> | <b>Route Number</b> | <b>Section or Sequence Number</b> |
|---|--------------------------------------|---------------------|-----------------------------------|
| <b>FLHP/Highway Trust Funded</b>                        |                                      |                     |                                   |
| Park Roads and Parkways <sup>1</sup>                    | PRA                                  | See Note 2          | See Note 6                        |
| Forest Highway  | PFH                                  | See Note 3          |                                   |
| Indian Reservations Roads                               | IRR                                  | See Note 4          |                                   |
| Refuge Roads  | RRP                                  | See Note 4          |                                   |
| Public Lands Highways <sup>7</sup>                      | PLH                                  | See Note 4          |                                   |
| Emergency Relief for Federally Owned Roads <sup>8</sup> | ERFO                                 | See Note 4          |                                   |
| <b>Allocations/Transfer (Other Federal Agencies)</b>    |                                      |                     |                                   |
| National Park Service <sup>1</sup>                      | NPS                                  | See Note 2          | See Note 6                        |
| Forest Service  | FS                                   | See Note 4          |                                   |
| Bureau of Indian Affairs                                | BIA                                  | See Note 4          |                                   |
| Fish and Wildlife Service                               | FWS                                  | See Note 4          |                                   |
| Bureau of Land Management <sup>9</sup>                  | BLM                                  | See Note 5          |                                   |
| Department of Army                                      | AAD                                  | See Note 5          |                                   |
| Department of Navy                                      | NAD                                  | See Note 5          |                                   |
| Department of Air Force                                 | RAD                                  | See Note 5          |                                   |
| Department of Air Force (O&M)                           | OMAD                                 | See Note 5          |                                   |

Notes:

1. On park road projects, use official NPS Park Abbreviations (see Planning and Coordination Unit).
2. Use road inventory route number.
3. Use designated FH route number.
4. Use official system route number.
5. Headquarters, HFPD-8, coordinates route and section number.
6. Section and sequence numbers as agreed upon with appropriate Federal or State agency.
7. State Highway Agency may designate route number.
8. Project number may need coordination with appropriate Federal-aid Division.
9. Bureau of Land Management will generally provide the numbers.
10. Other prefixes may be warranted for special legislative requirements.

**Exhibit 2.6-B                      WORK DESCRIPTIONS**

| <b>Work Description</b>      | <b>Abbreviation</b> |
|------------------------------|---------------------|
| <b>Work Category</b>         |                     |
| New                          | NEW                 |
| Reconstruction               | 4R                  |
| Rehabilitation               | 3R                  |
| Bridge                       | BR                  |
| <b>Major Items of Work</b>   |                     |
| Grading                      | GR                  |
| Drainage                     | DR                  |
| Base                         | BS                  |
| Graveling                    | GRVL                |
| Paving                       | PAVE                |
| Bituminous Surface Treatment | BST                 |
| Slide Repair                 | SLIDE REP           |
| Bridge                       | BR                  |

## 2.6.2      ACCOUNTING PROCEDURES

*Reserved*