

NATIONALLY SIGNIFICANT FEDERAL LANDS & TRIBAL PROJECTS (NSFLTP) PROGRAM (FAST ACT § 1123(c))

The FY23 window for applying to the Nationally Significant Federal Lands & Tribal Projects Program is now closed. Information provided in this At-A-Glance summary is based on the FY23 Notice of Funding Opportunity, and will be updated upon release of the FY24 Notice.

FY23 Next Steps: The <u>FY23</u> <u>Notice of Funding Opportunity</u> (Notice) for the <u>Nationally Significant Federal Lands & Tribal Projects (NSFLTP) Program</u> was published on July 6, 2023. The NOFO included up to \$88.29 million in funding for nationally significant projects to construct, reconstruct, or rehabilitate transportation facilities within, adjacent to, or that provide access to Federal or Tribal lands, including wildlife infrastructure and other eligible wildlife-related projects as appropriate. The application due date was extended to November 6, 2023 at 11:59 pm.

Key features of the NSFLTP grant program are described below, including:

- ❖ The total amount of funding allocated to the program for Federal FY22-FY26
- ❖ A summary of eligible applicants and eligible wildlife-related projects
- ❖ An overview of the competitive grant process for accessing these funding sources
- ❖ The amount of the project that can be paid for using NSFLTP funds
- Other program details of potential interest
- ❖ Additional Resources:
 - ➤ NSFLTP Webpage
 - > FY23 Notice of Funding Opportunity
 - > FY22 Project Awards
 - ➤ Program Fact Sheet
 - ➤ <u>List of Sponsorship Coordinators</u>
 - ➤ <u>Biden-Harris Administration Announces \$130 Million for Seven Transportation Projects on</u> Federal and Tribal Lands as Part of President Biden's Investing in America Agenda

Amount: \$275M in FY22-26, plus up to an additional \$300M in annual appropriations; \$88.29M available in FY23 (Notice p. 4, 8).

Eligible wildlife-related activities: Wildlife-related mitigation measures that are part of a single continuous eligible project on a Federal lands transportation facility, a Federal lands access facility, or a Tribal transportation facility (Notice pp. 12-14)

• Under the Federal Lands Transportation Program (FLTP) and Tribal Transportation Program (TTP), eligible projects include environmental mitigation "(I) to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and (II) to mitigate the damage to wildlife, aquatic organism passage, habitat, and ecosystem connectivity, including the costs of constructing, maintaining, replacing, or removing culverts and bridges, as appropriate" (23 U.S.C. §§ 203 (FLTP), 202 (TTP).

• Under the Federal Lands Access Program (FLAP), eligible projects include "environmental mitigation in or adjacent to federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity" (23 U.S.C. § 204(a)(1)(A)(iv)).

Eligible applicants: Entities eligible to receive funds under the FLTP, FLAP, TTP and the Federal Lands Planning Program (23 U.S.C. § 201), except that a State, county, or local government may apply only if sponsored by an eligible FLMA or Tribe (Notice pp. 9-11).

Process: Competitive grant. FHWA will make awards based on statutory and discretionary selection criteria and policy considerations (<u>Notice</u> pp. 30-52). In addition to demonstrating project readiness and alignment with other key discretionary objectives, statutory criteria include the extent to which the project:

- Advances USDOT goals, including Safety, State of Good Repair, Economic Competitiveness and Quality of Life
- Improves the condition of critical transportation facilities
- Needs construction, reconstruction, or rehabilitation
- Is supported by non-NSFLTP funds from other sources
- Is included in or eligible for inclusion in the National Register of Historic Places
- Uses new technologies and innovations that enhance project efficiency
- Involves 2 or more States
- Serves land owned by multiple FLMAs or Tribes.

Federal-share payable: Federal funds may be used to pay for up to 100% of the total cost of projects on Tribal transportation facilities, and for up to 90% of the total cost of projects on all other eligible facilities. In addition, any other (non-NSFLTP) Federal funds, including those under Titles 23 and 49 of the United States Code, may be used to pay for any required non-Federal share (Notice pp. 4, 11-12).

Additional details of potential interest:

- Award Size: Projects must have an estimated construction cost of at least \$12.5M (Notice p. 9).
- Set-Asides:
 - Half of all funds shall go to projects on Tribal transportation facilities (Notice pp. 4, 8-9).
 - At least one eligible project submitted by the National Park Service for a unit with at least 3M visitors annually shall be funded (Notice p. 4).
- *NEPA*: The application must include a completed NEPA document (Notice pp. 15-16).
- Availability of Funds: Funds are available for obligation until September 30, 2026 (Notice p. 9).

Information provided in this At-A-Glance summary is based on USDOT's FY23 Notice of Funding Opportunity for the NSFLTP Program.