

**Intermountain Region
Long Range Transportation Plan 2014-2035**

**Appendix A
LRTP-Related Laws, Regulations, and Policies**

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Appendix A: LRTP-Related Laws, Policies and Guidance

GENERAL

- NPS Organic Act (16 USC 1; 1916) – created the National Park Service
- National Park Service mission “...to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations”
- NPS Directors Orders, particularly:
 - DO 22: Recreation Fees
 - DO 42: Accessibility for Park Visitors
 - DO 75A: Civic Engagement and Public Involvement
 - DO 80: Real Property Asset Management
 - DO 87A: Park Roads and Parkways (being developed)
 - DO 87B: Alternative Transportation Systems (being developed, eligibility guidelines available)
 - DO 87D: Non-NPS Roads
- NPS Management Policies 2006, particularly 9: Park Facilities (includes 9.2, Transportation Systems and Alternative Transportation)
- NPS WASO policies not included in Management Policies, such as:
 - America’s Great Outdoors
 - Green Parks Plan
 - Healthy Parks, Healthy People
 - Climate Change Response Strategy and individual park Climate Change Action Plans
 - NPS – A Call To Action
 - for resource stewardship goals #12, 24, 25
 - for visitor experience, goals #4, 5, 12, 17, 19
 - for sustainability, goals #1, 4, 5, 6, 11, 12, 14, 24, 23, 25, 27
- National Environmental Policy Act of 1969 (based on an opinion from the Solicitor General, the IMR LRTP does not require NEPA compliance)
- Transportation bills:
 - MAP (Moving Ahead for Progress in the 21st Century)-21 Act, 2012, funds surface transportation programs for FY13-14.
 - (no longer in effect) Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 2005, superceded by MAP-21 in 2012.
- Title 23 USC, which generally states that “Federal Lands Highway, in consultation with the Federal land management agencies (FLMAs), develop planning procedures that are consistent with statewide and metropolitan planning processes.”
- Program Agreement between NPS and FHWA for Highway Safety, 1999
- Interagency Agreement between NPS and FHWA Relating to Park Roads and Parkways, 1983
- Park Roads and Parkways Program Handbook, 2008
- NPS Park Planning, Facilities and Land, Fiscal Year 2016, Servicewide Comprehensive Call, Umbrella Memorandum

RESOURCE STEWARDSHIP

Natural Resources

- Endangered Species Act of 1973, as amended
- Endangered Species Conservation Act of 1969
- Executive Order 11990: Protection of Wetlands and Executive Order 13112: Invasive Species
- Migratory Bird Conservation Act
- Protection and Enhancement of Environmental Quality
- Rivers and Harbors Act of 1899
- Soil and Water Resources Conservation Act of 1977
- Watershed Protection and Flood Prevention Act
- National Historic Preservation Act, 1966
- Clean Air Act
- Clean Water Act
- Estuary Protection Act Executive Order 11988: Floodplain Management
- Federal Water Pollution Control Act (commonly referred to as the Clean Water Act)
- Fish and Wildlife Coordination Act as amended
- Flood Disaster Protection Act of 1973
- Marine Mammal Protection Act
- Marine Protection, Research, and Sanctuaries Act of 1972 (commonly known as the Ocean Dumping Act)
- National Park System Final Procedures for Implementing E.O. 11988 and 11990
- Water Resources Planning Act of 1965 and Water Resource Council's Principles and Standards

Cultural Resources

- Antiquities Act of 1906
- Archaeological and Historic Preservation Act of 1974
- Archaeological Resources Protection Act of 1979
- Executive Orders 11593 and 13007
- Historic Sites Act of 1935
- Protection of Historic and Cultural Properties, E.O. 11593; 36 CFR 60, 61, 63, 800; 44 FR 6068
- Public Buildings Cooperative Use Act of 1976
- National Trust Act of 1949
- Native American Grave Protection and Repatriation Act
- Presidential Memorandum of April 29, 1994 "Government-to-Government Relations with Native American Tribal Governments"
- National Historic Preservation Act of 1966, as amended
- Historic Preservation Certifications Pursuant to the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, and the Economic Recovery Tax Act of 1981, 36 CFR 67
- Reservoir Salvage Act of 1960
- World Heritage Convention

VISITOR EXPERIENCE

- Title 36 of the Code of Federal Regulations
- Americans with Disabilities Act of 1990
- Architectural Barriers Act of 1968
- Rehabilitation Act of 1973
- 1998 Executive Summary to Congress, Progress Report to Congress, Volume I -- Overview and Summary (U.S. Department of the Interior, National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management; U.S. Department of Agriculture, Forest Service)
- National Parks and Recreation Act of 1978 (P.L. 95-625)

SUSTAINABILITY

- Executive Orders 13423 and 13514
- DOI Strategic Sustainability Action Plan
- Draft WASO Sustainability Guidance for LRTPs
- Climate Change initiatives
 - Draft WASO Climate Change Guidance for LRTPs
 - Secretarial Order No. 3285
 - DOI Action Memorandum Climate Change Adaptation Plan (2009)

ASSET MANAGEMENT

- Capital Investment Strategy (CIS), including Total Cost of Ownership (TCFO)
- USDOT: FHWA's 2008 Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance
- NPS 2007 Life Cycle Business Practices – Volume 1
- November 2011 WASO Financial Guidance



Fiscal Year 2016
Servicewide Comprehensive Call

Umbrella Memorandum

Effective Date: September 10, 2013

End Date: Until Amended or Rescinded

The National Park Service (NPS) manages almost 70,000 individual facilities, collectively valued at approximately \$200 billion. The NPS deferred maintenance (DM) backlog presently exceeds \$11.5 billion (Figure 1); and absent corrective action, it will rise to more than \$15.2 billion by fiscal year (FY) 2022 (Figure 2). Clearly this is an indication that the NPS DM backlog is increasing at an alarming rate and that our ability to preserve resources and facilitate quality visitor experiences is rapidly diminishing. This level of deterioration within the asset portfolio has and will continue to negatively impact the overall financial sustainability of this agency as a whole.

The [NPS Capital Investment Strategy \(CIS\)](#) – launched with the FY 2015 Servicewide Comprehensive Call – initially targeted the Repair/Rehabilitation and Line Item Construction programs. It focused capital investment to facilities which parks had determined to be their highest priorities for meeting mission requirements. To ensure the sustainability of these high priority facilities, the CIS also mandated a commitment to routine and preventative maintenance – as outlined in Park Asset Management Plans (PAMPs) – to the greatest extent possible. In FY 2016, the NPS will expand application of the CIS priority-setting criteria beyond the Repair/Rehabilitation and Line Item Construction programs to include the Recreation Fee, Transportation and Housing programs. Repair/Rehabilitation projects will solely be prioritized using the CIS scoring. The other programs will utilize the CIS scoring in conjunction with program specific prioritization criteria.

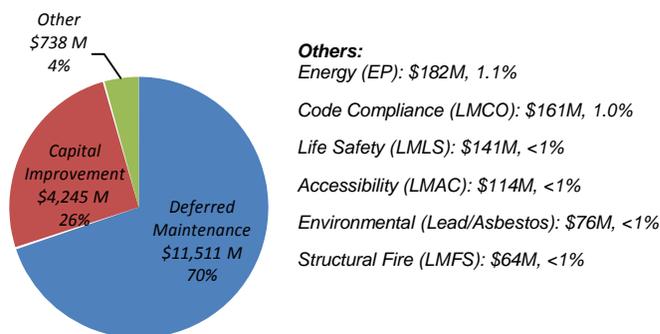


Figure 1. The NPS faces a staggering backlog of facility needs which today approximates \$16 billion as indicated in the chart above. Deferred maintenance alone stands at \$11.5 billion.

The CIS project scoring system sets priorities based on four elements – financial sustainability, visitor use, resource protection and health and safety. The CIS uses the PAMP optimizer bands (which set priorities for routine and preventative maintenance) as a key indicator of maintenance commitment and the resulting financial sustainability of capital investments. Parks are encouraged to review project requests for FY 2016 and beyond to determine whether focused PAMP [re-optimization](#) is required to provide accurate asset data in support of these funding requests.

Critical investment decisions affecting the extent and condition of the asset portfolio must accurately reflect asset life-cycle requirements and synchronize investment strategies with limited resources to emphasize attention to mission critical assets. A successful investment strategy must:

- Prioritize funding to maintain highest priority assets in acceptable condition
- Utilize PAMPs to focus on the highest priority assets with the greatest need

The CIS will align multiple fund sources to the highest priority DM and capital improvement needs. As a step in that direction, parks with high recreation fee revenues will be required to evaluate whether high-priority capital improvement projects could be funded by 80% recreation fees or concession franchise fees prior to submitting for competition in the Line Item Construction program. Regional directors will verify that such an analysis has taken place using the CIS scoring system to compare the relative priority of Line Item Construction and fee facility projects.

Recreation fee parks will also be required to produce full five-year recreation fee comprehensive plans. These five-year plans will identify needs to support reauthorization of the Federal Lands Recreation Act beyond 2014 and prepare the NPS to implement reauthorization.

Strategic investment guidance contained in the FY 2016 Servicewide Comprehensive Call remains consistent with and expands upon guidance provided in FY 2015. It encourages financial sustainability, resource preservation, visitor experience and health and safety. Project submissions that include strategic utilization of youth programs to leverage funding, maximize available resources and support NPS education and youth engagement goals are encouraged.

Key priorities that should be considered in FY 2015 – FY 2019 submissions include:

- Accessibility
- Disposition of replaced assets
- Climate change mitigation & adaptation
- Fire and code compliance
- Focus on “critical systems”
- Life, health and safety (LHS)
- Sustainable practices (see below)
- Youth engagement

Projects that incorporate energy, sustainability and “green” outcomes are encouraged. Projects addressing these initiatives will advance the goals of the Green Parks Plan. The following categories may be included to support funding justifications and will be considered regardless of the fund source:

- Alternative Fuels Infrastructure
- Energy/Water Conservation Improvements
- Energy, Water, Sustainable Building and Green House Gas Assessments
- Renewable Energy Infrastructure
- Waste Reduction and Management

To ensure accountability and reporting accuracy, all project submissions should follow existing Project Management Information System (PMIS) business practices and should be organized into measurable and separate components. The inclusion of discrete work orders that directly address desired outcomes and actual results will enhance the reliability of data captured in the Facility Management Software System (FMSS). FMSS work orders must contain sufficient detail associated with valid location asset data for all PMIS facility projects and components. The complexity, size, cost and scope of PMIS facility projects must be represented appropriately through related FMSS work orders and cost estimates. It is not acceptable to have only one or few FMSS work orders representing a major rehabilitation or capital improvement project. As many FMSS work orders and cost estimates should be created as there are logical pieces of work.

Recognizing that a single work order can include activities associated with multiple work sub-types, the predominance of work being accomplished should be considered in choosing to select the sub-type, or split the elements into separate work orders that better reflect the work. For example, if window components are replaced for energy efficiency and not specifically because the components are due for replacement, the sub-work type would be EP and not CR.

When appropriate, work orders should include Risk Assessment Codes (RAC or R-RAC) in addition to the above sub types. This will highlight the high risk to resources or health & life safety if the work is not completed. See [instructions](#) for further guidance.

In many cases, the FMSS work type/sub-type is the best method to differentiate the intent or accomplishment of work in program areas such as Accessibility, Sustainability and Life/ Safety. The Capital Investment Strategy and *A Call to Action* emphasize these program categories as areas for improvement. To demonstrate improvement, FMSS Work Orders must be categorized by the correct sub-work type:

- **Accessibility** - LMAC - Deficiencies that must be corrected in response to regulatory requirements. These activities include retrofitting for accessibility.
- **Energy Improvements** – EP – Installation or construction of energy efficient components or assets
- **Code Compliance** - LMCO - Deficiencies that must be corrected in response to regulatory requirements. These activities include retrofitting for code compliance and removing hazardous materials.
- **Life/Safety** - LMLS - Deficiencies that must be corrected due to regulatory requirements related to safety codes.
- **Structural Fire** - LMFS - Deficiencies that must be corrected in response to regulatory requirements related to structural fire protection codes.

As announced in previous budget calls, all new facility related projects must be entered into the PMIS via the [Project Scoping Tool](#) (PST). The PST technology interface provides an effective, direct link between life-cycle data and asset investment strategies, ensuring that park managers have the tools necessary to target funding to their highest priority assets. Specific project funding guidance is available at these links:

- [Cyclic Maintenance](#)
- [Dam Safety](#)
- Environmental Management Program
- [Housing Initiative](#)
- [Line Item Construction](#)
- Park Planning and Special Studies (contains [Unit Management Plans](#) and [Special Resource Studies](#), includes Rivers and Trails).
- [Recreation Fee Enhancement](#)
- [Repair/Rehabilitation](#)
- Seismic Safety
- [Transportation Program](#)

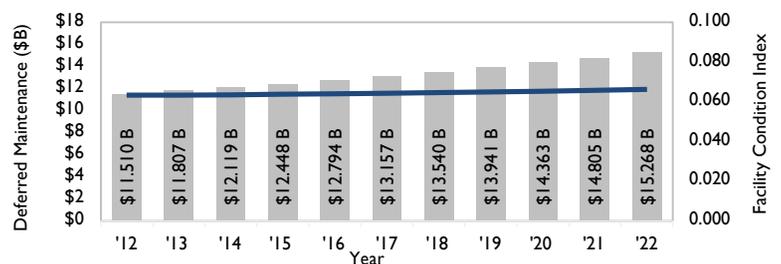


Figure 2. The DM backlog will exceed \$15.2 billion by 2022 if the NPS continues business as usual.

The NPS is committed to a financially sustainable and holistic effort that will expand upon past successes and produce policies, business practices and tools to support effective, data-driven decisions. Concurrently, the new NPS planning framework is driven by Foundation Documents which articulate park purpose, significance and fundamental resources. Reliable data merged with focused planning products will enable greater levels of responsiveness to the highest priority park management needs and enable consistency.

FY 2016 TRANSPORTATION AND FACILITIES PLANNING BRANCH SCC GUIDANCE

In an effort to ease the burden on park and regional staff, the Transportation and Facilities Planning branches consolidated the transportation eligible funding categories to:

- 1) Federal Highway Administration Transportation
- 2) Transportation Fee Authority

When drafting transportation related Project Management Information System (PMIS) funding request, parks should submit projects based on their needs. Parks should then select one of the above eligible funding categories.

Regional transportation program managers are responsible for ensuring projects submitted under the transportation eligible funding categories adhere to the formulated fund source guidance. Regional transportation program managers are responsible for regional prioritization, for "WASO Formulated" programs, and formulation, for "Regionally Formulated" programs. They should ensure that projects that address a specific emphasis area (e.g., Alternative Fuel, Call to Action, Climate Change Response) or that requires a specific title (e.g., Long Range Transportation Plan, Transportation Alternative Program) are included in the project. Links to each of the "formulated fund sources" found below provide fund source description, goals, eligibility requirements, PMIS pick list information and evaluation criteria. A number of the formulated fund sources require a match. Regions are responsible for choosing an appropriate formulated fund source for this match. If a match is required and a formulated fund source is used, regions should identify this match as a component of the overall PMIS project. Previously funded projects/components must be marked as such and should have status completion reports finalized so that projects/components can be closed.

New this year

A new surface transportation authorization bill, *Moving Ahead for Progress in the 21st Century* or *MAP-21* (Public Law 112-141) was passed in June 2012, replacing SAFE-TEA LU. *MAP-21* created the new Federal Lands Transportation Program (FLTP) – (formally known as the Park Roads and Parkways Program). Though, *MAP-21* expires on September 30, 2014, parks and regions are asked to submit projects for planning and programming purposes for the timeframe of the SCC.

Under *MAP-21* a number of formulated fund sources were eliminated. These eliminated formulated fund sources should not be selected when formulating a project. However, they will remain accessible to the regional transportation program managers until all previous projects are complete and closed per the PMIS standard process. Once this step is complete, all eliminated fund sources (i.e., Public Lands Highway Discretionary, Transportation Grants, Transportation Earmarks, Ferry Boat Discretionary, Paul S. Sarbanes Transit in Parks Program and Scenic Byways) will be disabled as a possible pick in the formulated fund source area. Reports can still be run based on prior formulation and funded projects under these fund sources.

Region reviewed and formulated project needs should be consistent with their adopted Long Range Transportation Plans (LRTPs), if applicable, with completed or to be completed ATS "Enhanced Financial Proformas," and with the Transportation Improvement Program (TIP).

Specific to the FLTP Category 1 projects, the Capital Investment Strategy (CIS) financial sustainability factor will be used as an initial screening tool to identify a pool of project proposals (within Category I only) which will then be prioritized using regional FLTP project criteria. This improves the project selection process by ensuring that after an FLTP project is completed, parks are committed to on-going operations and maintenance of the improved transportation facility.

New or expanded Transportation projects (Category I & III) will be considered for implementation under MAP-21 on a case-by-case basis based on justification received. Information on the required justification needed can be found in the individual guidance. Washington Office (WASO) Transportation Branch Chief or Associate Director, Park Planning, Facilities and Lands approval is required before a region may formulate a project.

Formulated Fund Sources under Federal Highway Transportation

Transportation Special Projects and Operations

[FLTP Category I - 3R](#)

[FLTP Category I - 4R](#)

[FLTP Category II – Completion of Parkway Gaps Authorized by Congress](#)

[Transportation 5 percent Cap](#)

[FLTP Category III – Alternative Transportation Program](#)

[Transportation Grants & Earmarks](#) (*Transportation Alternatives Program [TAP], Congestion Mitigation Air Quality Program [CMAQ], Transportation Investment Generating Economic Recovery Discretionary Grant Program [TIGER] and Construction of Ferry Boats and Ferry Terminal Facilities Program [FBP]*)

Environmental Mitigation

Formulated Fund Source under Transportation Fee Authority

[Transportation Fee Authority](#)