# NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM (NSFLTP)

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Federal Highway Administration

# **OVERVIEW**

- Nationally Significant Federal Lands and Tribal Projects Program Description
- What changed under the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, Nov. 15, 2021)\*
- What projects are eligible
- How to apply
- How will applications be reviewed
- Where can you find more information
- Federal Award Administration Information

\*Also known as the Bipartisan Infrastructure Law (BIL)



# NSFLTP Program Description

- Program purpose To provide funding for the construction, reconstruction, and rehabilitation of nationallysignificant projects on Federal or tribal lands.
- Statutory citation FAST Act § 1123, IIJA § 11127
- Eligible Applicants:
  - Federal Land Management Agencies (FLMA)
  - Tribal Governments
  - States and local transportation agencies may also apply, but only if sponsored by an FLMA or Tribal Government.

## NSFLTP - Changes Made under IIJA

- Increase funding NSFLTP FY22 NOFO makes available
  \$125.215 Million
- Decrease in minimum Project Construction Cost Now
  \$12.5 Million
- Removed priority for projects over \$50 Million
- 50% of the funds must go to Tribal transportation facilities
- One eligible project from National Park Service for a unit with 3,000,000 annual visitors or more must receive funds
- Federal share of projects on Tribal transportation facilities is now 100%
- Allows the use of all Federal funding as match, including Title 23 and 49 funds

# Changes to NSFLTP NOFO from FY 2021

- Section A, Program Description
  - Identifies changes made by IIJA
  - Highlights DOT priorities
- Section E's Discretionary criteria now include:
  - Project Readiness
  - Underserved Community\*
  - Climate Change and Environmental Justice\*
  - Racial Equity and Barriers to Opportunity\*
  - Job Quality, Workforce Development and Workforce Equity (new)\*
    - \*Not applicable to applications on Tribal transportation facilities
- Benefit/Cost Analysis requirement removed

## NSFLTP Project Eligibility Information

- A single continuous project on a Federal lands transportation facility, a Federal lands access transportation facility\*, or a tribal transportation facility\*
  - \* Facility is not required to be included in an inventory described in section 202 or 203 [FAST Act, section 1123(c)(1)];
- NEPA must be complete, as demonstrated through—
  - a record of decision with respect to the project;
  - o a finding that the project has no significant impact; or
  - a determination that the project is categorically excluded; and
- Has an estimated total project cost equal to or exceeding \$12,500,000



# NSFLTP Eligibility Information

- Eligible Activities:
  - Construction related costs only
  - No design or preliminary engineering
- Eligible Applicants:
  - Federal Land Management Agencies (FLMA)
  - Tribal Governments
  - States and local transportation agencies\* may also apply, but only if sponsored by an FLMA or Tribal Government.
    - \*This includes States, local governments, political subdivisions of a State or local government, MPOs, and special purpose districts or public authorities with a transportation function, including port authorities.

## Application and Submission Information

- All applications will be through Grants.gov
- Content and Form of Application Submission
  - Standard Form 424, 424C, 424D, LLL, and Key Contacts
  - Cover Page
  - Narrative, including a project description, location, parties involved, funding, budgeting, project risks, and a discussion of how the project addresses Statutory and Discretionary criteria.
  - NEPA documentation, maps, letters of support

## Application and Submission Information

#### Sponsorship Coordinator

- Sponsorship Coordinator provides
  - FHWA a list of sponsored applications, including their own.
  - Enough detail to match the projects with applications
- Each Tribe and FLMA should designate one person to be Sponsorship Coordinator.
- A list of Sponsorship Coordinators can be obtained from <u>https://highways.dot.gov/federal-lands/programs/significant/list-sponsorship-coordinators</u>

## Application Review Information, overview

#### Technical Review Team –

- Technical staff from FHWA
- Reviews projects for eligibility and against selection criteria.
- Rate applications: Highly Recommended, Recommended, Acceptable, and Not Recommended

#### Senior Team

- Executive leaders from FHWA
- Decide which Acceptable, Recommended, and Highly Recommended applications to send to the Secretary as Highly Rated
- Secretary makes the final selections

### Application Review Information, Statutory Criteria

- Statutory criteria Applications will be evaluated against the nine criteria provided in statute and in the NOFO.
  - Furthers the Department's goals, including state of good repair, economic competitiveness, quality of life, and safety;
  - Improves the condition of critical transportation facilities, including multimodal transportation facilities;
  - Needs construction, reconstruction, or rehabilitation;
  - Has matching funds (projects with a greater percentage of matching funds rank higher than projects with a lesser percentage of matching funds);
  - Is included on or eligible for the National Register of Historic Places;
  - More ...

### Application Review Information, Statutory Criteria, cont.

- Uses new technologies and innovations to increase project efficiency;
- Is supported (whether for construction or for operation and maintenance) by funds other than those received under this program;
- Spans two or more States; and
- Serves land owned by multiple Federal agencies or Indian tribes.

### Application Review Information, Discretionary Criteria

- The first Discretionary criterion applies to all applications, including applications on Tribal transportation facilities
  - The project's demonstrated project readiness.

# Application Review Information, Discretionary Criteria, cont.

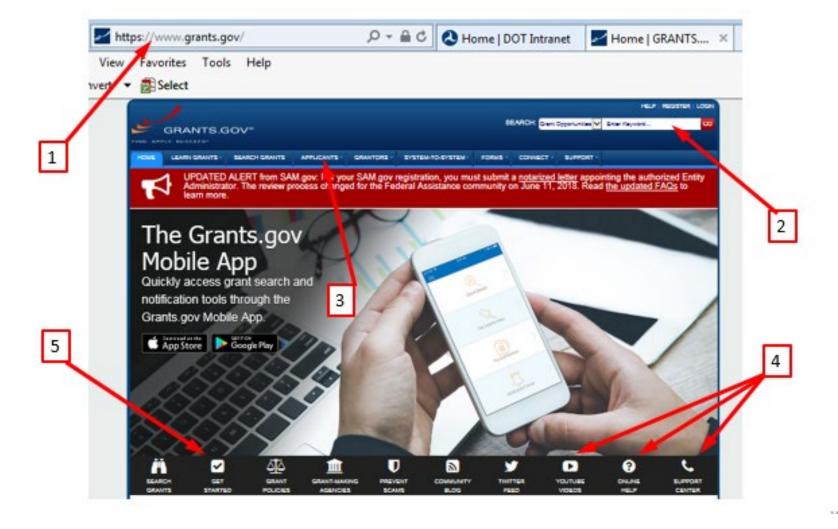
- The next four Discretionary criteria apply to applications on Federal lands access transportation facilities or on Federal land transportation facilities
  - Whether the project is located in an underserved community, as defined in Executive Order 13985;
  - The extent to which the project reduces greenhouse gas emissions and improves environmental justice;
  - The extent to which the project will advance the Racial Equity and Barriers to Opportunity Program objective; and
  - The extent to which the project will advance the Job Quality,
    Workforce Development, and Workforce Equity objective
- FHWA will not require or consider these criteria when reviewing applications for projects on Tribal transportation facilities

#### Websites

- There are several websites mentioned in the NOFO, including
  - Grants.gov
    - https://www.grants.gov/web/grants/view-opportunity.html?oppId=328898
  - SAM.gov
  - NSFLTP website
    - https://highways.dot.gov/federal-lands/programs/significant
- What are they?

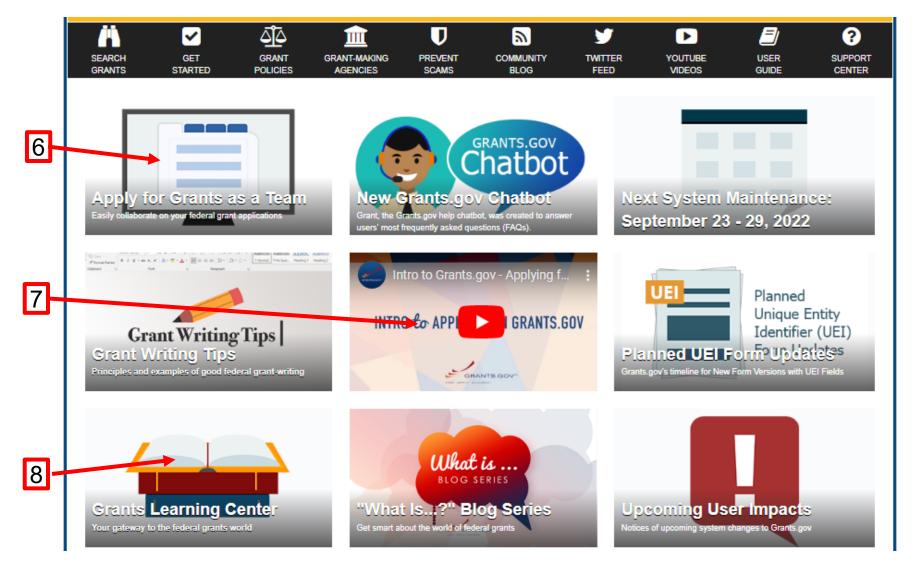


# Websites: Grants.gov





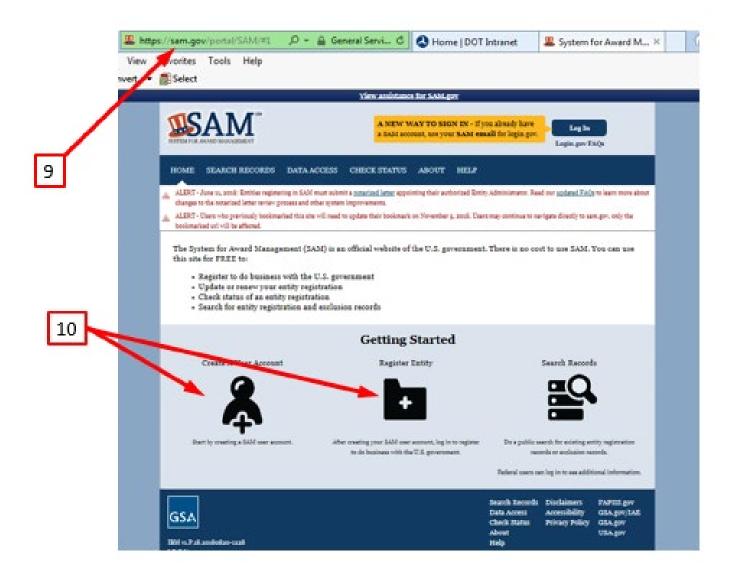
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## Websites: SAM.gov

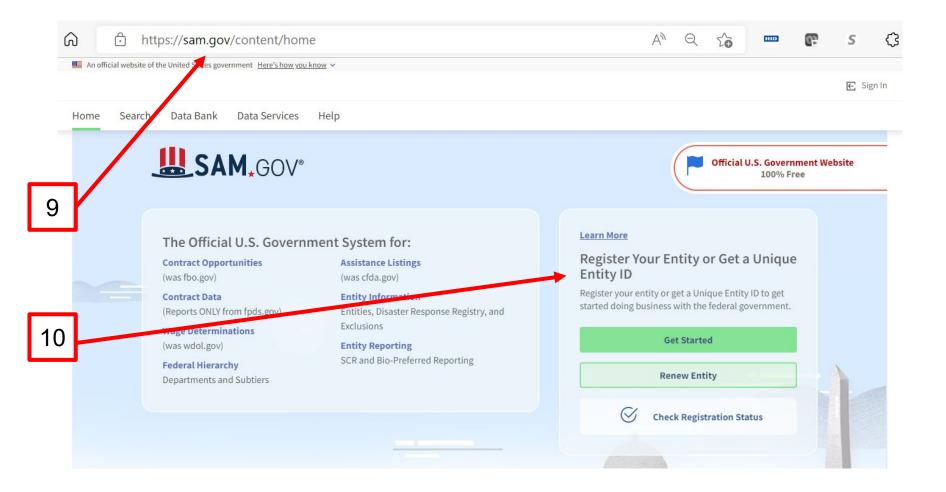
- What's SAM.gov? System for Award Management is the website where you register to do business with the U.S. Government
- How do you sign up?
  - Create a user account.
  - Register your entity to do business.
- What if we are Tribe or Alaskan Native Village? Yes, you must be registered in SAM.gov to receive a Federal award

# Websites: SAM.gov





# Websites: SAM.gov





#### Websites: NSFLTP

- What is the NSFLTP website? This website contains information specific to the Nationally Significant Federal Lands and Tribal Projects Program.
  - Program background
  - Frequently asked questions
  - Links to Grants.gov
    - Opportunity page
    - NOFO
  - https://highways.dot.gov/federal-lands/programs/significant

#### Federal Award Administration Information

#### Notification of Selection

- The FHWA will announce awarded projects by posting a list of selected projects at <a href="https://flh.fhwa.dot.gov/programs/significant/">https://flh.fhwa.dot.gov/programs/significant/</a>
- Following the announcement, FHWA will call the point of contact listed in form SF-424 to initiate negotiation of a project-specific agreement

#### Reporting –

- Recipients of NSFLTP Program funding are responsible for meeting reporting requirements
- Federal Financial Report (SF-425) on the financial condition of the project bi-annually
- Annual Budget Review and Program Plan to monitor the use of Federal funds and ensure accountability and financial transparency in the NSFLTP Program

#### Questions?

- https://highways.dot.gov/federallands/programs/significant
- fhwa.dot.gov/bipartisan-infrastructure-law



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