

# CENTER for LARGE LANDSCAPE CONSERVATION

## FIXING AMERICA'S SURFACE TRANSPORTATION (FAST) ACT & MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21) Synopsis of Wildlife Provisions

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***SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (FAST Act § 1109, 23 U.S.C. § 133(b)(15)).*** Eligible projects include activities to reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

***HIGHWAY SAFETY IMPROVEMENT PROGRAM (MAP-21 § 1112, 23 U.S.C. § 148).*** Eligible highway safety improvement projects include the addition or retrofitting of structures or other measures to eliminate or reduce crashes involving vehicles and wildlife.

***FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS (MAP-21 § 1119, 23 U.S.C. §§ 201-204).*** This section includes three programs: the Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program.

The purpose of the *Tribal Transportation Program (TTP)* is to provide access to basic community services to enhance the quality of life in Indian country.

- Funding from this program can be used to pay for environmental mitigation in or adjacent to tribal land (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.

The *Federal Lands Transportation Program (FLTP)* improves multi-modal access within national parks, forests, wildlife refuges, Bureau of Land Management lands, and U.S. Army Corps of Engineers facilities. The FLTP complements the Federal Lands Access Program. Where the Access Program provides funds for State and local roads that access the Federal estate, the FLTP focuses on the transportation infrastructure owned and maintained by Federal lands management agencies.

- Funding can be used to pay for environmental mitigation in or adjacent to Federal land open to the public (I) to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and (II) to mitigate damage to wildlife, aquatic organism passage, habitat, and ecosystem connectivity, including costs to construct, maintain, replace, or remove culverts and bridges.
- There is a cap of \$10,000,000 per fiscal year for eligible FLTP activities aimed at reducing wildlife mortality (FAST Act § 1119(1)(B), 23 U.S.C. § 203(a)(1)(D)).

The goal of the *Federal Lands Access Program* (FLAP) is to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. FLAP supplements State and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on high-use recreation sites and economic generators. FLAP complements other Federal transportation programs, such as FLTP, the Defense Access Roads program and the Forest Development Roads and Trails program.

- Funding can be used to pay for environmental mitigation on or adjacent to Federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.

***METROPOLITAN TRANSPORTATION PLANNING (MAP-21 § 1201, 23 U.S.C. § 134).*** A long-range transportation plan under this section shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

- The required discussion must be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

***STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING (MAP-21 § 1202, 23 U.S.C. § 135).*** A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

- The required discussion must be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

***DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS (MAP-21 § 1311, 23 U.S.C. § 169).***

As part of its planning process, a State or metropolitan planning organization may develop one or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

- Programmatic mitigation plans may be developed on a regional, ecosystem, watershed, or statewide scale.
- The plan may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parkland, or wildlife habitat.