

*“(1) NATIONWIDE PRIORITY PROGRAM.—The Secretary shall maintain a nationwide priority program for improving deficient bridges eligible for the tribal transportation program.*

*“(2) FUNDING.—Before making any distribution under subsection (b), the Secretary shall set aside not more than 2 percent of the funds made available under the tribal transportation program for each fiscal year to be allocated—*

*“(A) to carry out any planning, design, engineering, preconstruction, construction, and inspection of a project to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing composition; or*

*“(B) to implement any countermeasure for deficient tribal transportation facility bridges, including multiple-pipe culverts.*

*“(3) ELIGIBLE BRIDGES.—To be eligible to receive funding under this subsection, a bridge described in paragraph (1) shall—*

*“(A) have an opening of not less than 20 feet;*

*“(B) be classified as a tribal transportation facility;*

*and*

*“(C) be structurally deficient or functionally obsolete.*

*“(4) APPROVAL REQUIREMENT.—The Secretary may make funds available under this subsection for preliminary engineering, construction, and construction engineering activities after approval of required documentation and verification of eligibility in accordance with this title.*

*“(e) SAFETY.—*

*“(1) FUNDING.—Before making any distribution under subsection (b), the Secretary shall set aside not more than 2 percent of the funds made available under the tribal transportation program for each fiscal year to be allocated based on an identification and analysis of highway safety issues and opportunities on tribal land, as determined by the Secretary, on application of the Indian tribal governments for eligible projects described in section 148(a)(4).*

*“(2) PROJECT SELECTION.—An Indian tribal government, in cooperation with the Secretary of the Interior and, as appropriate, with a State, local government, or metropolitan planning organization, shall select projects from the transportation improvement program, subject to the approval of the Secretary and the Secretary of the Interior.*

*“(f) FEDERAL-AID ELIGIBLE PROJECTS.—Before approving as a project on a tribal transportation facility any project eligible for funds apportioned under section 104 in a State, the Secretary shall, for projects on tribal transportation facilities, determine that the obligation of funds for the project is supplementary to and not in lieu of the obligation of a fair and equitable share of funds apportioned to the State under section 104.*

**“§203. Federal lands transportation program**

*“(a) USE OF FUNDS.—*

*“(1) IN GENERAL.—Funds made available under the Federal lands transportation program shall be used by the Secretary of*

*Transportation and the Secretary of the appropriate Federal land management agency to pay the costs of—*

*“(A) program administration, transportation planning, research, preventive maintenance, engineering, rehabilitation, restoration, construction, and reconstruction of Federal lands transportation facilities, and—*

*“(i) adjacent vehicular parking areas;*

*“(ii) acquisition of necessary scenic easements and scenic or historic sites;*

*“(iii) provision for pedestrians and bicycles;*

*“(iv) 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 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;*

*“(v) construction and reconstruction of roadside rest areas, including sanitary and water facilities;*

*“(vi) congestion mitigation; and*

*“(vii) other appropriate public road facilities, as determined by the Secretary;*

*“(B) operation and maintenance of transit facilities;*

*“(C) any transportation project eligible for assistance under this title that is on a public road within or adjacent to, or that provides access to, Federal lands open to the public; and*

*“(D) not more \$10,000,000 of the amounts made available per fiscal year to carry out this section for activities eligible under subparagraph (A)(iv).*

*“(2) CONTRACT.—In connection with an activity described in paragraph (1), the Secretary and the Secretary of the appropriate Federal land management agency may enter into a contract or other appropriate agreement with respect to the activity with—*

*“(A) a State (including a political subdivision of a State); or*

*“(B) an Indian tribe.*

*“(3) ADMINISTRATION.—All appropriations for the construction and improvement of Federal lands transportation facilities shall be administered in conformity with regulations and agreements jointly approved by the Secretary and the Secretary of the appropriate Federal land managing agency.*

*“(4) COOPERATION.—*

*“(A) IN GENERAL.—The cooperation of States, counties, or other local subdivisions may be accepted in construction and improvement.*

*“(B) FUNDS RECEIVED.—Any funds received from a State, county, or local subdivision shall be credited to appropriations available for the class of Federal lands transportation facilities to which the funds were contributed.*

*“(5) COMPETITIVE BIDDING.—*

“(A) *IN GENERAL.*—Subject to subparagraph (B), construction of each project shall be performed by contract awarded by competitive bidding.

“(B) *EXCEPTION.*—Subparagraph (A) shall not apply if the Secretary or the Secretary of the appropriate Federal land management agency affirmatively finds that, under the circumstances relating to the project, a different method is in the public interest.

“(b) *AGENCY PROGRAM DISTRIBUTIONS.*—

“(1) *IN GENERAL.*—On October 1, 2011, and on October 1 of each fiscal year thereafter, the Secretary shall allocate the sums authorized to be appropriated for the fiscal year for the Federal lands transportation program on the basis of applications of need, as determined by the Secretary—

“(A) in consultation with the Secretaries of the applicable Federal land management agencies; and

“(B) in coordination with the transportation plans required under section 201 of the respective transportation systems of—

“(i) the National Park Service;

“(ii) the Forest Service;

“(iii) the United States Fish and Wildlife Service;

“(iv) the Corps of Engineers; and

“(v) the Bureau of Land Management.

“(2) *APPLICATIONS.*—

“(A) *REQUIREMENTS.*—Each application submitted by a Federal land management agency shall include proposed programs at various potential funding levels, as defined by the Secretary following collaborative discussions with applicable Federal land management agencies.

“(B) *CONSIDERATION BY SECRETARY.*—In evaluating an application submitted under subparagraph (A), the Secretary shall consider the extent to which the programs support—

“(i) the transportation goals of—

“(I) a state of good repair of transportation facilities;

“(II) a reduction of bridge deficiencies, and

“(III) an improvement of safety;

“(ii) high-use Federal recreational sites or Federal economic generators; and

“(iii) the resource and asset management goals of the Secretary of the respective Federal land management agency.

“(C) *PERMISSIVE CONTENTS.*—Applications may include proposed programs the duration of which extend over a multiple-year period to support long-term transportation planning and resource management initiatives.

“(c) *NATIONAL FEDERAL LANDS TRANSPORTATION FACILITY INVENTORY.*—

“(1) *IN GENERAL.*—The Secretaries of the appropriate Federal land management agencies, in cooperation with the Secretary, shall maintain a comprehensive national inventory of public Federal lands transportation facilities.

*“(2) TRANSPORTATION FACILITIES INCLUDED IN THE INVENTORIES.—To identify the Federal lands transportation system and determine the relative transportation needs among Federal land management agencies, the inventories shall include, at a minimum, facilities that—*

*“(A) provide access to high-use Federal recreation sites or Federal economic generators, as determined by the Secretary in coordination with the respective Secretaries of the appropriate Federal land management agencies; and*

*“(B) are owned by 1 of the following agencies:*

*“(i) The National Park Service.*

*“(ii) The Forest Service.*

*“(iii) The United States Fish and Wildlife Service.*

*“(iv) The Bureau of Land Management.*

*“(v) The Corps of Engineers.*

*“(3) AVAILABILITY.—The inventories shall be made available to the Secretary.*

*“(4) UPDATES.—The Secretaries of the appropriate Federal land management agencies shall update the inventories of the appropriate Federal land management agencies, as determined by the Secretary after collaborative discussions with the Secretaries of the appropriate Federal land management agencies.*

*“(5) REVIEW.—A decision to add or remove a facility from the inventory shall not be considered a Federal action for purposes of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

*“(d) BICYCLE SAFETY.—The Secretary of the appropriate Federal land management agency shall prohibit the use of bicycles on each federally owned road that has a speed limit of 30 miles per hour or greater and an adjacent paved path for use by bicycles within 100 yards of the road unless the Secretary determines that the bicycle level of service on that roadway is rated B or higher.*

**“§ 204. Federal lands access program**

*“(a) USE OF FUNDS.—*

*“(1) IN GENERAL.—Funds made available under the Federal lands access program shall be used by the Secretary of Transportation and the Secretary of the appropriate Federal land management agency to pay the cost of—*

*“(A) transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of Federal lands access transportation facilities located on or adjacent to, or that provide access to, Federal land, and—*

*“(i) adjacent vehicular parking areas;*

*“(ii) acquisition of necessary scenic easements and scenic or historic sites;*

*“(iii) provisions for pedestrians and bicycles;*

*“(iv) environmental mitigation in or adjacent to Federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;*

*“(v) construction and reconstruction of roadside rest areas, including sanitary and water facilities; and*