

National Scenic Byways Program - Grant Guidance and Information for Grant Applications

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Introduction

This document is the primary source of guidance when determining the eligibility and applying for National Scenic Byways Program funds administered by the Federal Highway Administration (FHWA).

Within the U.S. Department of Transportation, FHWA has lead responsibility for the National Scenic Byways Program. The Program is a grass-roots collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States. The Secretary of Transportation recognizes certain roads as America's Byways® – All-American Roads or National Scenic Byways – based on one or more archaeological, cultural, historic, natural, recreational and scenic intrinsic qualities.

The Secretary makes grants to States and Indian tribes to implement projects on highways designated as National Scenic Byways or All-American Roads, or as State or Indian tribe scenic byways. Funds are provided on a cost reimbursement basis. The maximum Federal share is 80 percent. Federal land management agencies are allowed to provide the match share for projects on Federal or Indian lands; 23 U.S.C. 162(f).

There are eight categories of eligible project activities; 23 U.S.C. 162(c):

- 1) *An activity related to the planning, design, or development of a State or Indian tribe scenic byway program.*
- 2) *Development and implementation of a corridor management plan to maintain the scenic, historical, recreational, cultural, natural, and archaeological characteristics of a byway corridor while providing for accommodation of increased tourism and development of related amenities.*
- 3) *Safety improvements to a State scenic byway, Indian tribe scenic byway, National Scenic Byway, or All-American Road to the extent that the improvements are necessary to accommodate increased traffic and changes in the types of vehicles using the highway as a result of the designation as a State scenic byway, Indian tribe scenic byway, National Scenic Byway, or All-American Road designation.*
- 4) *Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive facility.*
- 5) *An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation.*
- 6) *Protection of scenic, historical, recreational, cultural, natural, and archaeological resources in an area adjacent to a scenic byway.*
- 7) *Development and provision of tourist information to the public, including interpretive information about a scenic byway.*
- 8) *Development and implementation of a scenic byway marketing program.*

In addition to being on, along or associated with a designated byway, special emphasis is placed on how a proposed project benefits byway travelers. The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed project's benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Applicants should consult the lead organization or lead individual for the byway to determine support for project concepts. Most applicants should contact the State byways coordinator about possible eligibility questions and steps for submitting an application. Indian tribes may contact the FHWA division office byway contact about possible eligibility questions and steps for submitting an application directly to FHWA.

Once the Federal Highway Administrator and the U.S. Secretary of Transportation select a project, the applicant must work with the State byways coordinator, Tribal byways program coordinator, and/or FHWA division office byway contact to implement the project and be reimbursed for eligible expenses.

Participation of Indian Tribes in the National Scenic Byways Program

Indian tribes participate in the National Scenic Byways Program. For example, the Pyramid Lake Paiute Tribe has lead responsibility for the Pyramid Lake National Scenic Byway in Nevada. The Cheyenne River Sioux Tribe, the Lower Brule - Sioux Tribe and the Standing Rock Sioux Tribe share responsibility for the Native American National Scenic Byway in North Dakota and South Dakota. The Cheyenne River Sioux Tribe and the Standing Rock Sioux Tribe are developing Indian tribe byway programs.

In August 2005, the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) was enacted. SAFETEA-LU amended the transportation law to allow FHWA to provide byways funds to Indian tribes and for Indian tribes to nominate certain roads for national designation (directly to FHWA).

These changes mark a new era for byways and Indian tribes. With these opportunities come new responsibilities. Indian tribes may establish byway programs to guide the designation of Indian tribe scenic byways including:

- Research examples of existing Federal and State byway programs.
- Develop criteria for the designation of Indian tribe byways.
- Compile information for use in developing a corridor management plan for an Indian tribe byway.
- Designate Indian tribe byways. For portions of the road that a Federal land management agency (other than the Bureau of Indian Affairs), a State, or a political subdivision of a State has jurisdiction or responsibility for managing the road – the Indian tribe must obtain concurrence from the respective agency or jurisdiction in the road's designation as a byway.
- Coordinate route development and investments with other Federal or State entities where dual designation may already exist.
- Develop relationships with State and Federal byway coordinators whose routes overlap Tribal lands. Explore opportunities to jointly develop facilities, share resources, leverage available funding and coordinate marketing.
- Develop a relationship with the appropriate FHWA division office byway contact to learn more about the procedures for submitting grant applications directly to the FHWA division office a relationship with the FHWA division office byway contact to learn more about the procedures for submitting grant applications directly to the FHWA division office.

- Establish procedures for soliciting byway grants applications within the Tribe and developing criteria for ranking grant applications in priority order when submitting the applications to the FHWA division office or State byway coordinator for possible funding.
 - Assess the advantages and disadvantages of submitting projects through the State for review, prioritization, and submission or submitting projects directly to the FHWA division office.
 - Establish management guidelines, cost accounting procedures, and other methods for implementing a project with byways funds on a reimbursement basis.
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Roles

The purpose of this section is to provide an overview of the “who, what, when and how” about preparing and advancing applications for possible funding under the National Scenic Byways Program. It includes a summary of key roles in implementing projects selected for byways funds.

Anyone may prepare an application. The application must be submitted to the FHWA division office through the State or Tribal byways program coordinator. FHWA expects each State or Tribal byways program coordinator to determine the eligibility of a proposed project for byways funds, whether each application is complete, and rank projects in priority order for possible funding. FHWA division office and headquarters staff review applications to confirm eligibility and prepare the decision package for use by the Administrator and the Secretary when selecting projects.

Role of the Applicant:

Completing and Submitting an Application for National Scenic Byway Program Funds

- 1) Consult the byway's lead organization or lead individual to determine support for your project concept. Identify potential project sponsors.
- 2) Indian tribe applicants may consult the State or Tribal byways program coordinator. All other applicants should consult the State byways coordinator about possible eligibility questions and steps for submitting application. For State contacts, see <http://www.bywaysonline.org/contacts/states.html>.
- 3) Learn the key dates and unique criteria that your State or Tribal government uses to manage the byways grant program and administer byways funded projects.
- 4) Select the category for your proposed project. Read the Grants Guidance, especially the “Principles and Practices” for the eight categories of eligible project activities.
- 5) Prepare the project application on www.bywaysonline.org. Pay close attention to the tips for “Complete Applications Include” at the end of each category of eligible project activities. Applications may be found ineligible based on a lack of information provided or weak information explaining the relationship of the proposed project with the byway, and the benefits for the byway traveler's experience.

- 6) The proposed budget should accurately reflect the final costs to complete the proposed project. Contingency costs are not eligible
- 7) People reviewing an application likely are unfamiliar with the local area, byway and proposed project. Clearly, concisely, and completely summarize what will be accomplished, the relationship of the proposed project with the byway, and the benefits for the byway traveler's experience.
- 8) Compile supporting maps, plans or other documents. Maps should be detailed and accurate, so that a State or Tribal byways program coordinator or FHWA reviewer, using the map without additional information, can drive to the location and clearly identify the site of the proposed project.
- 9) While preparing the project application on www.bywaysonline.org, register on Grants.gov, see www.grants.gov, complete and submit the SF-424 electronically.
- 10) Verify the requirements used in your State or within your Tribal government to administer selected projects and receive reimbursements. It is important to understand these requirements in anticipation of your project being selected for funding.
- 11) Submit your bywaysonline.org application online and deliver a printed, signed copy with any attachments. Indian tribe byways program coordinators may submit and deliver tribal byways applications through the State Department of Transportation to FHWA or directly to the FHWA division office. All other applications must be submitted and delivered to the State byways coordinator.

Implementing a Project with National Scenic Byways Program Funds

- 1) National Scenic Byways Program funds are provided on a reimbursement basis.
- 2) A project agreement must be signed and approved by the appropriate State and/or Federal officials before costs for any work on the project would be reimbursed for eligible expenses. Costs incurred prior to a project agreement and authorization-to-proceed are not eligible for reimbursement.
- 3) Verify the requirements in your State or within your Tribal government to administer selected projects and receive reimbursements. Talk with your State or Tribal byways program coordinator to determine:
 - What environmental clearances are required for the project?
 - What are the requirements for acquiring land or a building?
 - What procedures do you need to follow before contracting with a firm to help implement some part of a project, design products, develop plans for construction and/or construct facilities?
- 4) Identify a project manager who works with byway leaders to accomplish each selected project.
- 5) Administrative costs will need to be documented in order to be eligible for reimbursement. FHWA cautions applicants about using an estimate of these expenses based on a percentage of the total cost of the project. FHWA will reimburse direct, documented costs associated with the carrying out the project. While this is true for all expenses, it is

particularly important to keep in mind for project management or administrative costs which usually do not have a clear set of receipts associated with expenses that are incurred.

Role of State or Tribal Byways Program Coordinator:

Reviewing and Submitting an Application for National Scenic Byway Program Funds

- 1) Establish the State or Tribal specific criteria and procedures for making eligibility decisions, prioritizing projects and submitting applications to the FHWA division office.
- 2) Manage the expectations of byway leaders and potential applicants within your State or for your Tribe by setting reasonable limits on either the total number of projects submitted or the total dollar volume of submitted projects. Please consider the amount of funding your State or Tribe has received previously, plus authorizations for byways funding nationwide – about \$35 million authorized for FY 2007, \$40 million for FY 2008, and \$43.5 million for FY 2009. By gauging the amount of the overall funding request submitted by your State or Tribe, you may improve the likelihood of nearly all projects having a realistic opportunity for being selected for funding.
- 3) Use this Grants Guidance, especially the “Principles and Practices” for each of the eight categories of eligible project activities, and work with applicants to ensure that only eligible projects are submitted for consideration by the FHWA.
- 4) Review and evaluate project proposals. As needed, seek assistance from the FHWA division office byway contact regarding eligibility of proposed projects, budget elements or the proposed match.
- 5) Verify that applications include the required supporting documents mentioned in the “Complete Applications Include” subsection for each category of eligible activities before submitting applications to the FHWA division office.
- 6) Return incomplete or ineligible applications to applicants for refinement and resubmission – if any additional effort can result in a complete application for an eligible project.
- 7) Use the Online Grants Review System to record specific information about each project and the priority order for all projects.
- 8) Submit only complete applications to FHWA division office. Deliver a printed, signed copy of the applications with any attachments to the FHWA division office. FHWA views the submission of an application by the State or Tribal byways program coordinator, as reflecting the coordinator’s determination that a project is eligible and the application is complete based on the Grants Guidance.

Implementing Projects with National Scenic Byways Program Funds

- 1) Advise and guide project sponsors through the development of the project agreement including environmental reviews.
- 2) Develop project agreements.
- 3) Work with the FHWA Division to obligate byways funds for the project, tracks each project through his or her agency.
- 4) Monitor progress and use of byways funds. Ensure a quality product for the byway.

- 5) Advance vouchers for reimbursement.
 - 6) Close out completed projects.
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Role of FHWA Division Office Byway Contact:

Reviewing and Submitting Applications for National Scenic Byway Program Funds

- 1) Advise the State or Tribal byways program coordinator on eligibility questions for proposed work, proposed sources of match, procedures required to implement projects, or how to modify the application to address Federal requirements. Confirm eligibility.
- 2) Use the Online Grant Review System to perform the initial review of submitted applications. When needed, return ineligible or incomplete applications to the State or Tribal byways program coordinator for re-evaluation, refinement and resubmission – if any additional effort can result in a complete application for an eligible project.
- 3) Use the Online Grants Review System to record comments on each project and submit only complete applications to FHWA headquarters. Advise headquarters on priorities for Tribal byway applications. Also deliver the printed, signed copy with any attachments to FHWA headquarters.

Implementing Projects with National Scenic Byways Program Funds

- 1) Approve project agreements and authorizations necessary for obligating byways funds.
- 2) Advise and answer State or Tribal byways program coordinator's questions.
- 3) Approve reimbursements and close out of completed projects.

Role of FHWA Headquarters National Scenic Byways Program Staff:

Reviewing Applications

- 1) Verify eligibility – using the Grants Guidance, especially the “Principles and Practices” for the eight categories of eligible project activities.
- 2) Consolidate and prepare written comments on applications.
- 3) Prepare the decision package for use by the Federal Highway Administrator and the U.S. Secretary of Transportation when selecting eligible projects for funding.
 - Consider State and Tribal priorities.
 - Consider amount of available byways funds and the amount of byways funds that States and Tribes received in previous years.

Announcement of National Scenic Byways Program Funding Decisions:

- 1) Representatives of the Secretary's office notify Congress following the Administrator's and the Secretary's selection of project for funding. Once the notifications are complete, the Secretary or Administrator may announce the funding decisions through a press release.

- 2) FHWA headquarters staff notify FHWA division office byway contacts and State and Tribal byway program coordinators simultaneously of the selected projects.
 - 3) FHWA headquarters staff provide written comments on each application.
 - 4) FHWA prepares and distributes an allocation memo. The allocation memo includes the necessary Federal accounting codes for posting funds in the Federal Management Information System (FMIS).
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Selection Criteria

The Federal Highway Administration encourages States, Indian tribes, and byway groups to creatively explore ideas that will benefit their byway and their byway's travelers. The National Scenic Byways Program is founded upon the strength of your leadership. It is a voluntary, grassroots program. It recognizes and supports outstanding roads. It provides resources to help better manage the intrinsic qualities to be treasured and shared within the byway's corridor.

When evaluating the projects submitted for selection, several statutory and administrative criteria are considered.

Statutory Criteria:

The law guiding implementation of the National Scenic Byways Program is in Section 162, Title 23 of the United States Code; 23 U.S.C. 162. It states that the Secretary of Transportation may make grants to States and Indian tribes to –

- (A) implement projects on highways designated as –
 - (i) National Scenic Byways;
 - (ii) All-American Roads;
 - (iii) America's Byways;
 - (iv) State Scenic Byways; or
 - (v) Indian tribe scenic byways; and
- (B) plan, design, and develop a State scenic or Indian tribe byway program.

The following subparagraph under paragraph (a) in Section 162 provides the priorities for the Secretary of Transportation in making grants:

- (2) PRIORITIES – In making grants, the Secretary shall give priority to –
 - (A) each eligible project that is associated with a highway that has been designated as a National Scenic Byway or All-American Road or 1 of America's Byways; and that is consistent with the corridor management plan for the byway;
 - (B) each eligible project along a State or Indian tribe designated scenic byway that is consistent with the corridor management plan for the byway, or is intended to foster the development of such a plan, and is carried out to make the byway eligible for designation as a National Scenic Byway or All-American Road; and
 - (i) National Scenic Byways;
 - (ii) All-American Roads; or
 - (iii) America's Byways; and
 - (C) each eligible project that is associated with the development of a State or Indian tribe scenic byway program.

These three priorities are treated equally; they are not considered to be listed in priority order.

Administrative Criteria:

The law provides a general framework for the Secretary in making grants to States and Indian tribes. The Secretary also has the discretion to use additional administrative criteria. The following criteria are used in the consideration of projects for funding under the National Scenic Byways Program:

- 1) **State, Indian Tribe and Byway Priorities:** State's and Indian tribe's priority ranking of projects is a key factor for the Federal Highway Administrator and the U.S. Secretary of Transportation when selecting projects.
- 2) **Project Benefits:** A project should benefit the byway traveler's experience, whether it will help manage the intrinsic qualities that support the byway's designation, shape the byway's story, interpret the story for visitors, or improve facilities along the byway used by visitors. The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed project's benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.
- 3) **Projects Meeting Critical Needs:** FHWA encourages State and Indian tribes to give priority consideration to projects meeting critical needs on National Scenic Byways and All-American Roads relative to needs on State or Indian tribe byways. Critical needs include activities to build and strengthen a sustainable organization to manage byway activities and implement projects or other initiatives.
- 4) **Funding Expenditures:** States, Indian Tribes and byways showing greater progress toward the completion of prior approved projects are considered better candidates for project selection.
- 5) **Ready to Implement:** Projects that can be obligated and begin soon after authorization to proceed are given preference. Obligating funds is the first step in ensuring the timely use of byways funds and fulfilling the **Funding Expenditures** criteria.
- 6) **Leveraging of Private or Other Public Funding:** Commitment of other funding sources to complement requested byways funding enable more projects can be funded.
- 7) **Complete Applications:** FHWA determines project eligibility based on the information provided in the submitted application and the attachments. Applications may be found ineligible based on a lack of information provided or weak information explaining the relationship of the proposed project with the byway, and the benefits for the byway traveler's experience.
- 8) **Other Considerations:** Because the concept of equity was important in the development of SAFETEA-LU, project selection will consider national geographic distribution among all FHWA discretionary programs, as well as Congressional direction or guidance provided on specific projects or programs.

Note: For information on FHWA discretionary programs, visit www.fhwa.dot.gov/discretionary.

Principles and Practices for Eight Categories of Eligible Project Activities

There are eight categories of eligible project activities. After reviewing the Grant Guidance for each category, select the category that most completely reflects what you expect will be accomplished through the proposed project. Respond to the Principles, Practices and “Complete Applications Include” sections of this guidance for the category. The online application will include additional statements to help applicants focus their proposals. See <http://www.bywaysonline.org/grants/>.

Eight Categories of Eligible Project Activities:

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| 1. State and Tribal Programs | p.10 |
| 2. Corridor Management Plan | p.12 |
| 3. Safety Improvements | p.14 |
| 4. Byway Facilities | p.16 |
| 5. Access to Recreation | p.19 |
| 6. Resource Protection | p.21 |
| 7. Interpretive Information | p.24 |
| 8. Marketing Program | p.27 |

1. State and Tribal Programs

An activity related to the planning, design, or development of a State or Indian tribe scenic byway program, 23 U.S.C. 162(c)(1).

Principles

- 1) National Scenic Byways Program funds may be used to establish a State or Indian tribe scenic byway program.
- 2) National Scenic Byways Program funds may not be used for the ongoing administrative or operating expenses of a State or Indian tribe scenic byway program.

Practices

- 1) Planning, design and development of a State or an Indian tribe byway program includes:
 - research or studies leading to the development of designation criteria, the structure of the State’s or Indian tribe’s scenic byway program and designation process, and the development of themes for byways on a statewide basis;
 - technical assistance (workshops, conferences, seminars, and program coordination) to specifically provide awareness and education about the management, operation, and development of the byway program; and
 - activities associated with identifying and planning tourist services on byways on a statewide basis.
- 2) Byways funds may be used for activities associated with assessing the economic impact of an individual byway or a statewide or Tribal program of byways.

- 3) Byways funds may be used for meeting materials, meeting facilities, equipment expenses, and speaker expenses directly related to State and Tribal technical assistance activities, including an annual State or Indian tribe's scenic byway conference.
- 4) Entertainment and alcoholic beverages are not eligible for byways funds. See *OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments*; http://www.whitehouse.gov/omb/circulars/a087/a87_2004.pdf. See *OMB Circular A-122, Cost Principles for Non-Profit Organizations*; http://www.whitehouse.gov/omb/circulars/a122/a122_2004.pdf
- 5) When considering how best to organize and prepare an application for an eligible project in the State and Tribal Programs category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What is the overall vision for the State or an Indian tribe byway program? What is the status of the program?
 - What are the significant dates for establishing the State or an Indian tribe byway program or advancing new elements of the program?
 - What information is available or needed to authorize or establish the State or Indian tribe byway program such as:
 - State legislation,
 - a declaration by the Tribal government, Governor, or other State official acting on behalf of the Governor,
 - an agreement among two or more State or Tribal agencies, or
 - byway designation or program criteria, plans or guidelines.
 - Recognizing effectiveness of many byway programs rests on multi-agency partnerships,
 - What partnerships has the State or Tribal Byway Program Coordinator established through the development and implementation of the program?
 - What partnerships will be established?
 - What partnerships will be strengthened?
 - How will the coordinator use the partnerships to achieve the vision for the program and to advance the interests and sustainability of individual byways?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips for a complete application for a project in the State and Tribal Programs category.

- **STATE AND TRIBAL PROGRAMS:** Respond to the questions posed in item five of the Practices section – in the Narrative Section of the bywayonline.org application.
- **MAP(s):** Provide a map showing existing State or Indian tribe designated byways and discuss those routes, in the Narrative Section of the bywayonline.org application. Provide GIS data for the byways if available.
- **PROGRAM REASSESSMENTS:** A State or Tribal Byway Program Coordinator proposing major reassessment or reformulation of an existing byways program should include the following information in the Narrative Section of the bywayonline.org application:
 - o explanations for why the reassessment is needed and the outcomes expected from the work,
 - o the scope of the reassessment and anticipated action(s), product(s), and document(s), e.g., legislation, implementing guidelines, etc., and
 - o the target date for completing the reassessment or reformulation of the State or Indian tribe byway program.

2. CORRIDOR MANAGEMENT PLAN

Development and implementation of a corridor management plan to maintain the scenic, historical, recreational, cultural, natural, and archaeological characteristics of a byway corridor while providing for accommodation of increased tourism and development of related amenities, 23 U.S.C. 162(c)(2).

Principles

- 1) National Scenic Byways Program funds may be used to develop, update, and implement a corridor management plan for one of America's Byways® or for a State or Indian tribe scenic byway.
- 2) National Scenic Byways Program funds may be used to implement byway projects consistent with the corridor management plan and eligibility criteria.

Practices

- 1) A corridor management plan is a written document that specifies the actions, procedures, controls, operational practices, and strategies to maintain the archaeological, cultural, historic, natural, recreational, and scenic qualities that support the byway's designation. The plan should
 - be developed with community involvement,

- provide for the conservation and enhancement of the byway's intrinsic qualities as well as the promotion of tourism and other economic development, and
 - provide an effective management strategy to balance these concerns while providing for the users' enjoyment of the byway.
- 2) The plan must address the 14 points of corridor management planning that are included in the Federal Highway Administration's Interim Policy for the National Scenic Byways Program published in *Federal Register* on May 15, 1995; see <http://www.bywaysonline.org/library/display/29607/FedReg.pdf>.
- 3) Development of a corridor management plan includes:
- inventories of the intrinsic qualities that form the byway's story and the byway travelers' experience,
 - public outreach, involvement and participation,
 - partnerships,
 - maps, and
 - preparation and printing of the plan.
- 4) Implementation of the corridor management plan may include activities that otherwise could be advanced as a safety improvement, byway facility, access to recreation improvements, resource protection, interpretive project or marketing program initiative.
- 5) Implementation of the corridor management plan may include activities to build and strengthen a sustainable organization to manage byway activities and implement projects or other initiatives, similar to what many applicants formerly viewed as a "seed grant" such as
- the overall implementation of the plan including start-up expenses associated with forming, expanding or strengthening a byway organization, including managing byways funded projects and coordinating volunteer initiatives; and
 - travel and per diem expenses for byway representatives to participate in the biennial National Scenic Byways conferences, as well as other training or technical assistance activities for advancing their byway or the National Scenic Byways Program, such as peer-to-peer exchanges, regional workshops, statewide conferences, or national conferences.
- 6) When considering how best to organize and prepare an application for an eligible project in the Corridor Management Plan category, FHWA expects the applicant to consider and respond to the following questions
- What would be accomplished with this proposed project?
 - What is the overall vision for the byway? What are the byway's intrinsic qualities that support the byway's designation? What actions have been and are being taken to ensure that the byway continues to possess the qualities that support its designation?
 - What specific strategies or actions in the corridor plan have been implemented? What are the important accomplishments to date?
 - Is the primary focus of this project to revise or update a corridor management plan?
 - Why does the corridor management plan need to be revised or updated? What is the scope of the revisions or updates?
 - How will communities along the byway be involved in revisions and updates?
 - What is the target date for printing or adopting the new corridor management plan?
 - Is the primary focus of this project to implement the corridor management plan?

- Why is this project being submitted in the Corridor Management Plan category rather than being advanced as a safety improvement, byway facility, access to recreation improvements, resource protection, interpretive project or marketing program initiative?
- Does the byway have a self-sustaining organization?
- Does the organization have existing or potential partners?
- Has the byway received byway funds previously for implementing the corridor management plan?
- What would be accomplished as part of this project's implementation that is new and different, yet builds on previous accomplishments? How would these efforts relate to other projects that are underway or planned?
- Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
- Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips for a complete application for a project in the Corridor Management Plan category.

- CORRIDOR MANAGEMENT PLAN: Respond to the questions posed in item six of the Practices section (above) – in the Narrative Section of the bywayonline.org application.
- MAP(s): Provide a map locating the individual byway within the State or on Tribal lands and additional maps displaying broad corridor boundaries, and/or maps that provide information on the major attributes or qualities that exist adjacent to the road such as communities, rivers, parks or other resource sites that contribute to the special nature of the road. Provide GIS data for the byway if available.
- SUPPORTING DOCUMENTS: Use the Attachments Section of the bywayonline.org application to include byway brochures, excerpts from the corridor management plan, or other materials that give reviewers a sense of the byway travel experience, of the organization supporting the route, or the attributes and intrinsic qualities.

3. Safety Improvements

Safety improvements to a State scenic byway, Indian tribe scenic byway, National Scenic Byway, or All-American Road to the extent that the improvements are necessary to accommodate increased traffic and changes in the types of vehicles using the highway as a result of the designation as a State scenic byway, Indian tribe scenic byway, National Scenic Byway, or All-American Road, U.S.C. 162(c)(3).

Principles

- 1) National Scenic Byways Program funds may only be used for safety improvements when the applicant demonstrates that the improvements are necessary to accommodate increased traffic and changes in the types of vehicles using the road as a result of the designation as one of America's Byways® or as a State or an Indian tribe scenic byway.

- 2) National Scenic Byways Program funds may be used for safety improvements on the byway or a road providing direct and immediate access from the byway to an interpretive site or other resource directly related to the byway or its intrinsic qualities as identified in conjunction with the byway's designation or the byway's corridor management plan.
- 3) National Scenic Byways Program funds may not be used for road maintenance or to correct preexisting deficiencies or deficiencies arising from the normal use of the road. Road paving typically is not a safety improvement eligible for byways funds.
- 4) Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywayonline.org/contacts/states.html>.
- 5) The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed safety improvements' benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) Safety improvements are construction features necessary to reduce or eliminate the incidence or likelihood of crashes, or motor vehicle, bicycle and/or pedestrian conflicts.
- 2) Proposed improvements to roadside features such as guardrails, shoulders, bridge rails, and comparable road improvements are only eligible for byways funds when the project corrects a demonstrated safety deficiency that is the result of byway designation.
- 3) References to desirable facilities or improvements in the byway's corridor management plan do not necessarily mean that the proposed safety improvements are eligible for byways funds.
- 4) When considering how best to organize and prepare an application for an eligible project in the Safety Improvements category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What data, information or supporting documents are available that identify safety deficiencies on the road? What methods are available to document the impact of byway designation?
 - Are before-and-after data or estimates available showing that increased traffic or changes in the types of vehicles are a direct result of the road's designation as a byway as opposed to normal traffic changes?
 - If before-and-after data are not available, is other information available analyzing traffic volumes or patterns on a specific byway or in general for several byways within a State or on Tribal lands that have comparable traffic patterns? Are byway marketing evaluations available demonstrating increased visitation and associated traffic along the byway?

- To what extent would the proposed safety improvements benefit byway travelers or local residents? For example, is the location near an identified site where byway travelers learn an important byway story associated with the byway's intrinsic qualities? Is the proposed amount of National Scenic Byways Program funds proportionate to the proposed project's benefits for byway travelers?
- Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
- Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
- Are agreements in place to ensure the maintenance or operation of the proposed Safety Improvements over their useful, economic life (generally considered to be 20 years)?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Safety Improvements category.

- ☐ SAFETY IMPROVEMENTS NEEDED TO ACCOMMODATE INCREASED TRAFFIC AND CHANGES IN THE TYPES OF VEHICLES: Reviewers can determine eligibility only when the application demonstrates the increased traffic and changes in the types of vehicles using the road is a result of the byway's designation. Respond to the questions posed in item four of the Practices section (above) – in the Narrative Section of the bywaysonline.org application.
- ☐ MAP(s): Provide a map that locates the individual byway within the State or on Tribal lands including the end points of the byway. A map should also identify the single location or multiple locations of the proposed Safety Improvement project(s) on the byway. Provide GIS data for the byway and the proposed improvements if available.
- ☐ PLANS AND SUPPORTING DOCUMENTS: Use the Attachments Section of the bywaysonline.org application to provide available plans showing the proposed safety improvements for the road. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Describe what the plans illustrate and what elements of the proposed safety improvements would be implemented with byways funds – in the Narrative section of the bywaysonline.org application, relating this description to the details in the Budget section.

4. BYWAY FACILITIES

Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive facility, 23 U.S.C. 162(c)(4).

Principles

- 1) National Scenic Byways Program funds may be used for facilities or improvements directly related to the byway and the byway's intrinsic qualities that support the byway's designation.
- 2) The relationship of each intrinsic quality and the byway may vary in distance from the road or highway right-of-way.

- 3) Proximity to the road or byway does not necessarily mean that a facility will enhance the byway travelers experience or that the facility is eligible for National Scenic Byways Program funds.
- 4) The facilities or improvements should increase the quality of the byway traveler's experience by:
 - informing the byway traveler or visitor of the significance of the byway's intrinsic qualities that form the byway's story, or
 - fulfilling multi-modal recommendations of the byway's corridor management plan.
- 5) To the extent practicable, byway travelers and visitors should have free access (without charge) to facilities developed or constructed with National Scenic Byways Program funds.
- 6) A building purchased, restored, or improved using National Scenic Byways Program funds must be owned or operated by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 7) Land acquired using National Scenic Byways Program funds must be owned or controlled by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 8) Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywaysonline.org/contacts/states.html>.
- 9) The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed byway facilities' benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) Construction includes the development of environmental documents, design, engineering, purchase of right-of-way, land, or property, as well as supervising, inspecting, actual building, and all costs incidental to the construction or reconstruction of the project or facility. Land acquired using byways funds must be owned or controlled by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 2) Byways funds may be used to improve facilities operated by Federal, State, Tribal, local or non-profit entities to the extent the project has a clear, demonstrated role in telling the byway story or enhancing the byway traveler experience (rather than primarily serving the existing customer base of the operator of the facility).
- 3) References to desirable facilities or improvements in the byway's corridor management plan do not mean that proposed byway facilities are eligible for byways funds.

- 4) All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywaysonline.org/logo> and click on the *America's Byways Graphic Standards Manual* for attribution guidelines, and, where appropriate, the use of the America's Byways logo.
- 5) When considering how best to organize and prepare an application for an eligible project in the Byway Facilities category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What is the relationship of this proposed facility and similar existing or proposed facilities along the byway? How many trails, rest areas, turnouts, overlooks, or byway visitor or interpretive centers are needed along the byway? Where are they located or planned to be located?
 - What would byway travelers learn and experience at the location(s) of the proposed byway facilities under this project? How does the experience relate to the byway's intrinsic qualities that support the byway's designation?
 - How will byway travelers find the proposed facility, e.g., trail, rest area, turnout, overlook, or byway visitor or interpretive center? Would directional signs (to the facility) be placed along the byway? Who will pay for the signs? Will the road management authority agree to the location(s) for directional signing? Would directional information be available in byway publications or exhibits?
 - Is the proposed amount of National Scenic Byways Program funds proportionate to the proposed project's benefits for byway travelers? For example, if a proposed byway visitor or interpretive center is a multi-purpose facility, would byways funds be used only for the portion (square footage) of the facility that would be used for byway displays, information counters, restrooms, or serving other specific byway visitors' needs? Similarly, is it a facility for the overall byway, or is it a facility serving the immediate surrounding area, forest, or park? What part of the byway's story or intrinsic qualities will be shared or interpreted? To what extent will the byway travelers experience be enhanced, compared to the primarily existing customer base of the operator of the facility?
 - Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
 - Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
 - Are agreements in place to ensure the maintenance or operation of the proposed byway facilities over their useful, economic life (generally considered to be 20 years)?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Byway Facilities category.

- **BYWAY FACILITIES:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item five of the Practices section – in the Narrative Section of the bywaysonline.org application.
- **MAP(s):** Provide a map that locates the individual byway within the State or on Tribal lands including the end points of the byway. A map should also identify the single location or multiple locations of the proposed Byway Facilities project(s) on the byway. A map should also identify the relationship of this proposed facility and similar existing or planned facilities along the byway. Provide GIS data for the byway and the location(s) of the Byway Facilities project(s) if available.
- **PLANS:** Use the Attachments Section of the bywaysonline.org application to provide available plans showing the proposed byway facilities. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Proposed design or floor plans (even in a sketch form) for a proposed byway visitor or interpretive center are especially useful. Describe what the plans illustrate and what elements of the proposed byway facilities would be implemented with byways funds – in the Narrative section of the bywaysonline.org application, relating this description to the details in the Budget section.

5. Access to Recreation

An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation, 23 U.S.C. 162(c)(5).

Principles

- 1) National Scenic Byways Program funds may be used for improvements on the byway or a facility providing direct, immediate access from the byway to a recreational area directly related to the byway and the byway's intrinsic qualities that support the byway's designation.
- 2) The relationship of each intrinsic quality and the byway may vary in distance from the road or highway right-of-way.
- 3) The improvements should increase the quality of the byway traveler experience by:
 - providing access for vehicles or visitors who otherwise would not be able to access the recreational area, or
 - fulfilling multi-modal recommendations of the byway's corridor management plan.
- 4) To the extent practicable, byway visitors should have free access (without charge) to facilities developed or constructed with National Scenic Byways Program funds.

- 5) Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywaysonline.org/contacts/states.html>.
- 6) The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed access improvements' benefit for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) Improvements for enhancing access to a recreation area include bicycle and pedestrian facilities as well as modifications to the roadway or parking facilities in order to accommodate buses, recreational vehicles, or vehicles pulling trailers.
- 2) Construction or creation of a recreational attraction is not eligible for byway funds. While access improvements such as parking and trails serving water-related recreation are eligible for byways funds, water-related recreation facilities, such as a marina or boat dock, is not eligible for byways funds.
- 3) Byways funds may be used to improve a roadway or related facility operated by Federal, Tribal, State, local or non-profit entities to the extent that the project and recreational area have a clear, demonstrated role in enhancing the byway traveler experience (rather than primarily serving the existing customer base of the operator of the recreational area).
- 4) When considering how best to organize and prepare an application for an eligible project in the Access to Recreation category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What do byway travelers learn and experience at recreation areas along the byway? How does the experience at the recreation area(s) where access would be improved under this project relate to the byway's intrinsic qualities that support the byway's designation? What will byway travelers learn and experience at the recreation area(s) where access would be improved under this project?
 - How do byway travelers find recreational areas, especially the area(s) where access would be improved under this project? Are directional signs or directional information available in byway publications or exhibits? Would directional signs (to the recreational area) be placed along the byway? Who will pay for the signs? Will the road management authority agree to the location(s) for directional signing? Would directional information be added in byway publications or exhibits?
 - Is the proposed amount of byway funds proportionate to the proposed project's benefits for byway travelers? To what extent will byway travelers experience and access be enhanced, compared to the primary existing customer base of the operator of the recreational area?

- Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
- Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
- Are agreements in place to ensure the maintenance or operation of the proposed access improvements over their useful, economic life (generally considered to be 20 years)?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Access to Recreation category.

- **ACCESS TO RECREATION:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item four of the Practices section (above) – in the Narrative Section of the bywayonline.org application.
- **MAP(s):** Provide a map that locates the individual byway within the State or on Tribal lands including the end points of the byway. A map should also identify the single location or multiple locations of the proposed access improvement(s) to the recreational area(s) on the byway. A map should also identify all recreational areas on the byway, highlighting the area(s) where access would be improved under this project. Provide GIS data for the byway and the location(s) of the proposed access improvement(s) if available.
- **PLANS:** Use the Attachments Section of the bywayonline.org application to provide available plans showing the proposed access improvements. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Describe what the plans illustrate and what elements of the proposed access improvements would be implemented with byways funds – in the Narrative section of the bywayonline.org application, relating this description to the details in the Budget section.

6. Resource Protection

Protection of scenic, historical, recreational, cultural, natural, and archeological resources in an area adjacent to a scenic byway, 23 U.S.C. 162(c)(6).

Principles

- 1) National Scenic Byways Program funds may be used for enhancing, protecting, or preserving resources directly related to the byway's intrinsic qualities that support the byway's designation.
- 2) The relationship of each intrinsic quality and the byway may vary in distance from the road or highway right-of-way.
- 3) The protection of the resources should increase the quality of the byway traveler experience

by enhancing the intrinsic qualities that form the byway's story.

- 4) Proximity to the road or byway does not necessarily mean that a facility will enhance the byway travelers experience or that the facility is eligible for National Scenic Byways Program funds.
- 5) A building purchased, restored, or improved using National Scenic Byways Program funds must be owned or operated by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 6) Land acquired using National Scenic Byways Program funds must be owned or controlled by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 7) Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywayonline.org/contacts/states.html>.
- 8) To the extent practicable, byway visitors and travelers should have free access (without charge) to resources enhanced, protected or preserved with National Scenic Byways Program funds.
- 9) The proposed amount of byway funds should be proportionate to the proposed resource protection project's benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) Resource protection includes:
 - Inventories or analyses of resources directly related to the byway's intrinsic qualities that support the byway's designation such as:
 - the development of strategies to manage, enhance, protect, or preserve specific resources and sites;
 - scenic and land conservation planning, planning for zoning overlays, transfer of development rights, and other byway protection activities such as community registry, recognition or notification programs; and
 - efforts leading to the inclusion of a property (related to surface transportation) on the National Register of Historic Places.
 - Actions to enhance, protect, or preserve resources directly related to the byway's intrinsic qualities that support the byway's designation, such as
 - the purchase, restoration or improvement of land, property or a historic building as a byway interpretive facility;
 - restoration or improvement to historic highway features that form the byway's story;
 - a scenic or conservation easement for a specific property, only after it is determined that all other protection measures are unsuccessful and the property is not (or expected to become) involved in litigation; and

- removal of an outdoor advertising sign, display, or device.
- 2) Public access may be restricted to a property involving a scenic or conservation easement if the continuation of the property's existing use, such as farming or ranching, constitutes the resource that is being protected or preserved in relation to the byway's intrinsic qualities.
 - 3) Byway funds must be used to protect a specific proposed resource or property. A project proposing to protect a pool of possible properties is not eligible for byways funds.
 - 4) References to resources or properties in the byway's corridor management plan do not mean that their protection is eligible for byways funds,
 - 5) When considering how best to organize an eligible project proposal in the Resource Protection category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What resource(s) would be protected? Why does the resource(s) need protecting? What possible actions have been explored already to protect the resource? What are the results? What protection(s) is proposed? Would public access to the resource be appropriate and allowed?
 - What is the relationship of the resource(s) proposed for protection through this project and other resources that are protected or have been identified for possible protection along the byway? Where are the resources located?
 - If a property is being acquired or protected for use as a byway facility, then what specific function would it serve? *Note to Applicant:* Please also see the Byway Facilities category.
 - What will byway travelers learn and experience at the location(s) of the resource(s) proposed for protection through this project? How is the resource related to the byway's intrinsic qualities that support the byway's designation?
 - How will byway travelers find the resource(s) proposed for protection through this project? Would directional signs (to the resource) be placed along the byway? Who will pay for the signs? Will the road management authority agree to the location(s) for directional signing? Would directional information be available in byway publications or exhibits?
 - Is the proposed amount of byway funds proportionate to the proposed project's benefits for byway travelers? For example, what possible benefits would be realized to the existing property owner and owners of adjacent properties? How will the byway travelers' experience be enhanced?
 - Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
 - Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
 - What type of agreement does the applicant believe is appropriate for the resource(s) that would be protected and the protection(s) proposed through this project? Are agreements in place to protect the resource in perpetuity? Are agreements in place to ensure the maintenance or operation of the reused protected property over its useful, economic life (generally considered to be 20 years)? Are some other appropriate agreements in place or envisioned by the applicant?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Resource Protection category.

- ❑ **RESOURCE PROTECTION:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item five of the Practices section (above) – in the Narrative Section of the bywayonline.org application.
- ❑ **MAP(s):** Provide a map that locates the individual byway within the State or on Tribal lands including the end points of the byway. A map should also identify the single location or multiple locations of the resource(s) that would be protected. A map should also identify other resources that are protected or have been identified for possible protection along the byway, highlighting resource(s) that would be protected through this project. Provide GIS data for the byway and the location(s) of the resource(s) that would be protected if available.
- ❑ **PLANS AND OTHER SUPPORTING DOCUMENTS:** Use the Attachments Section of the bywayonline.org application to provide specific documents about the property to be acquired, such as plot maps of land boundaries or any agreements associated with the long-term protection of the resource. Provide an estimate of the fair market value of the property based upon its most recent appraisal and the date of the appraisal.

If the property would be re-used as a byway facility, then a proposed design or floor plans (even in a sketch form) for the facility are especially useful. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Describe what the plans illustrate and what elements of the proposed access improvements would be implemented with byways funds – in the Narrative section of the bywayonline.org application, relating this description to the details in the Budget section.

7. Interpretive Information

Development and provision of tourist information to the public, including interpretive information about a scenic byway, 23 U.S.C. 162(c)(7).

Principles

- 1) National Scenic Byways Program funds may be used for the development and implementation of an interpretive plan, including tourist or interpretive information directly related to the byway and the byway's intrinsic qualities that support the byway's designation.
- 2) National Scenic Byways Program funds may be used to develop and provide information on
 - the State's or Indian tribe's total network of byways,
 - a specific byway's intrinsic qualities, and
 - related byway amenities.
- 3) Products (including written materials, printed items or other media) produced with National

Scenic Byways Program funds may be offered for sale under certain circumstances. See the Associated Guidance section labeled “Income Earned Under the National Scenic Byways Program” on page XX, for additional information on the circumstances when sale income can be generated.

- 4) Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywaysonline.org/contacts/states.html>.
- 5) The proposed amount of byway funds should be proportionate to the proposed interpretive project's benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) An interpretive plan is a document identifying the intrinsic qualities that form the byway's story; strategies for informing byway travelers about the significance of the intrinsic qualities; and initiatives planned, underway or in place along the byway for providing tourist and interpretive information.
- 2) Tourist and interpretive information includes signs, brochures, pamphlets, maps, video tapes, audio tapes, CD's, a byway website, interpretive exhibits and kiosks. It includes coordination of volunteers for living history demonstrations, docents or step-on guide programs, and training for individuals to inform the byway traveler of the significance of the byway's intrinsic qualities that form the byway's story.
- 3) The information should reflect the entire byway and inform the traveler of the significance of the intrinsic qualities that form the byway's story.
- 4) Interpretive information or products may include information on commercial establishments to the extent such establishments are directly related to the byway or its intrinsic qualities as identified in conjunction with the byway's designation or the corridor management plan.
- 5) Sponsors or advertising may be included in information developed or printed with byways funds; however any revenue derived directly or indirectly from such sponsorships or advertising must be used for activities eligible under the National Scenic Byways Program, 23 U.S.C. 162(c).
- 6) Byways funds may be used for initial printing of up to a one-year supply of printed materials and other media, intended for free distribution, but not for additional reprints.
- 7) Byways funds may be used to revise and update interpretive information in order to refresh the byway's themes and stories for the byway travelers' interpretive understanding.
- 8) Eligible expenses associated with distribution of promotional materials and media packets are limited to shipping costs for mass mailings.

- 9) All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywaysonline.org/logo> and click on the *America's Byways Graphic Standards Manual* for attribution guidelines, and, where appropriate, the use of the America's Byways logo.
- 10) A website must provide a link to the National Scenic Byways website for travelers www.byways.org or the National Scenic Byways Community Website www.bywaysonline.org, as appropriate.
- 11) When considering how best to organize an eligible project proposal in the Interpretive Information category, FHWA expects the applicant to consider and respond to the following questions.
 - What would be accomplished with this proposed project?
 - What are the byway's intrinsic qualities that support the byway's designation and would be interpreted as part of this proposed interpretive project? How would information developed and provided through this proposed interpretive project inform byway travelers about the significance of the byway's intrinsic qualities?
 - Are directional signs currently along the byway? Would directional signs be placed along the byway as part of this proposed interpretive project? Who will pay for the signs? Will the road management authority agree to the location(s) for directional signing?
 - Is directional information available to byway travelers in byway maps, publications, exhibits or other mediums? Would directional information be developed and provided as part of this proposed interpretive project?
 - Who is currently developing or providing interpretive information along the byway? From the byway traveler's perspective, are the byway stories coordinated? How would the interpretive information help create a continuous experience for the visitor with minimum intrusions or gaps? How would the information be developed and provided through this proposed interpretive project help achieve these objectives?
 - What related projects have been completed or are planned or underway along the byway? How would the information developed and provided under this proposed interpretive project complement these other efforts?
 - Is the proposed amount of byway funds proportionate to the proposed project's benefits for byway travelers? To what extent would the interpretive information emphasize the overall byway or the immediate surrounding area, forest, or park? How would the interpretive information be integrated or coordinated with the byway stories or experience?
 - Does the multi-year work plan include this project, and how does it compare to other priority projects along the byway?
 - Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
 - Are agreements in place to sustain the information that would be developed and provided under this proposed interpretive project? For example, who will pay for reprints of publications, or who will pay to maintain interpretive exhibits or directional signs?

Complete Applications Include

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Interpretive Information category.

- ❑ **INTERPRETIVE INFORMATION:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item eleven of the Practices section (above) – in the Narrative Section of the bywayonline.org application.
- ❑ **MAPS:** Provide a map that locates the individual byway within the State or on Tribal lands including the end points of the byway. If signs, exhibits or kiosks would be developed or installed as part of this proposed interpretive project, then a map should also identify the single location or multiple locations of these signs or structures. A map should also identify the relationship of these signs or structures and similar existing or planned signs or structures along the byway. Provide GIS data for the byway and the location(s) of the project element(s) if available.
- ❑ **PLANS AND OTHER SUPPORTING DOCUMENTS:** If signs, exhibits or kiosks would be developed or installed as part of this proposed interpretive project, provide available plans showing the proposed work. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Include concepts for kiosk structures, sign panel placement schemes, mockups of brochures or other available information that helps reviewers understand the scope of the proposed interpretive project. Use the Attachments Section of the bywayonline.org application to include any documents.

8. Marketing Program

Development and implementation of a scenic byway marketing program, 23 U.S.C. 162 (c)

Principles

- 1) National Scenic Byways Program funds may be used to develop and implement marketing programs for:
 - The State's or Indian tribe's total network of byways
 - A cooperative multi-state, multi-tribal or regional program
 - A particular byway
- 2) Marketing programs and information must reflect the entire National Scenic Byway, All-American Road, State or Indian tribe designated byway, and be directly related to the byway and the byway's intrinsic qualities that support the byway's designation.
- 3) National Scenic Byways Program funds may not be used for the ongoing administrative or operating expenses of a byway marketing program.

- 4) The Federal Highway Administration encourages cooperative marketing initiatives for multiple byways within a State or Tribal system, a multi-state or multi-tribal system, or a market niche.
- 5) The proposed amount of byway funds should be proportionate to the proposed marketing project's benefits for byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

Practices

- 1) A byway marketing program includes initiatives and activities that support the overall marketing strategy such as developing and implementing a byway marketing plan, marketing and public relations activities, development of collateral materials, and identification and development of cooperative advertising, partnerships and/or sponsorships.
- 2) A byway marketing plan is a detailed, written account and timetable of the objectives and methods to be used to achieve marketing goals. A marketing plan could include research, branding a byway, and/or marketing strategies, e.g. advertising, trade shows, expos and conferences, public relations, media relations, promotions, electronic marketing, and traveler's tools.
- 3) Byways funds may be used for byway marketing training, including meeting materials, meeting facilities, equipment expenses, and speaker expenses directly related to training.
- 4) Byways funds may be use for trade show registration costs; development, purchase or rental of exhibit booth; and trade show booth expenses (e.g., furnishings, posters and materials).
- 5) All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywaysonline.org/logo> and click on the *America's Byways Graphic Standards Manual* for attribution guidelines, and, where appropriate, the use of the America's Byways logo.
- 6) A website must provide a link to the National Scenic Byways website for travelers www.byways.org or the National Scenic Byways Community Website www.bywaysonline.org, as appropriate.
- 7) Expenses associated with distribution of promotional materials and media packets are limited to shipping costs for mass mailings.
- 8) Certain activities are not eligible for byways funds such as:
 - Trade show travel, media and travel/tour operator familiarization trips.
 - Entertainment and alcoholic beverages. See *OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments*; http://www.whitehouse.gov/omb/circulars/a087/a87_2004.pdf. See *OMB Circular A-122, Cost Principles for Non-Profit Organizations*; http://www.whitehouse.gov/omb/circulars/a122/a122_2004.pdf
 - Ongoing administrative or operating expenses of a byway marketing program such as organizing or sponsoring annual promotional events or festivals, maintaining byway websites and toll-free phone numbers, responding to calls and inquiries, and postage for brochures and other products mailed to individual travelers.

- 9) When considering how best to organize an eligible project proposal in the Marketing Program category, FHWA expects the applicant to consider and respond to the following questions.
- What would be accomplished with this proposed project?
 - Is the byway ready to meet travelers' expectations? Are directional signs currently along the byway? Is directional information available to byway travelers in byway maps, publications, exhibits or other mediums? Are byway interpretive materials (brochures, maps, etc.) ready and available to visitors?
 - Are traveler services available along the byway? How are travelers informed where to find food, gas, and lodging? How are travelers informed about seasonal limitations, vehicle restrictions and safety precautions?
 - What is the marketing position and goals for the byway? What is the byway's target market(s), including segmentation and niche markets? What actions are needed to achieve the marketing objective(s)?
 - How does the marketing message for the byway relate to the byway's stories and to byway travelers' experience? What distinguishes the byway from other byways in the area, State, or region of the country? How would this proposed marketing project help differentiate the travel experience of the byway?
 - What would be accomplished through this proposed marketing project? When would it be accomplished? What marketing materials and distribution venues would be developed and or/used to attract target customers, e.g. brochures, flyers, postcards, and/or newsletters?
 - Is the proposed amount of byway funds proportionate to the marketing program's emphasis on byway travelers? To what extent would the marketing program emphasize the byway, the region, surrounding area or particular sites or attractions?
 - Is the proposed marketing program leveraging opportunities through multi-byway, Statewide, multi-State, multi-Tribal, regional or national marketing or promotional initiatives?
 - Have potential partners been identified to support marketing activities and achieve marketing objectives for the byway?

Complete Applications Include:

One of the Administrative Criteria on page 9 includes preparation of Complete Applications. Below are some tips to the applicant when preparing a complete application for a project in the Marketing Program category.

- ❑ **MARKETING PROGRAM:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item nine of the Practices section – in the Narrative Section of the bywaysonline.org application.
- ❑ **MAPS:** Provide a map that locates the individual byway within the State or Indian reservation including the end points of the byway or, in the case of a Statewide or a regional proposal, a map showing the byways covered by the marketing proposal.
- ❑ **SUPPORT DOCUMENTATION OR MATERIALS:** Use the Attachments Section of the bywaysonline.org application to include:
 - Sample designs for collateral materials, interpretive signage, maps, ads, trade show exhibits, or videos; and/or
 - Sample marketing research methodology and/or questionnaires.
 - Maps, existing brochures, promotional products or information you believe a reviewer would need to understand the scope of your proposed Marketing project and its connections to the byway and benefits to byway travelers.

Associated Guidance Documents:

When developing your grant application, it is often necessary to refer to one of a series of Associated Guidance Documents that offer additional information or perspectives about how to understand or structure your grant application. These associated documents include:

List of Associated Documents:

- | | |
|--|------|
| 1. Multi-State, Multi-Tribal and Coordinated Grants | p.30 |
| 2. Matching Funds Requirements | p.32 |
| 3. Income Earned Under the National Scenic Byways Program | p.35 |
| 4. Final Reminders When Preparing and Submitting Applications for National Scenic Byways Program Funds | p.36 |

1. Multi-State, Multi-Tribal and Coordinated Grants

States may submit multi-State byway applications and Indian tribal governments may submit multi-Tribal byway applications for funding. The decision to submit a multi-State grant, multi-Tribal or a coordinated grant request should be driven by the nature of the project activity and the administrative convenience of the grant recipient.

For purposes of the grant administration, a **multi-State** or **multi-Tribal grant** is an arrangement whereby one State or Indian tribal government agrees to serve as the lead-State or lead Indian tribe for preparing and submitting a single grant application, as well as administering the grant. The lead-State or lead Indian tribe determines the priority for the multi-State or multi-Tribal grant.

A ***coordinated grant*** is an arrangement whereby more than one State or Indian tribal government receives separate grants for related activities that they intend to coordinate closely during the implementation. Each State or Indian tribal government submits a separate application. All applicants should indicate in the Narrative Section of the bywayonline.org application whether all of the applications must be funded to make the overall project work, or can each application be funded independent of the others. Each State or Indian tribe sets the priority for its coordinated grant application.

Potential Projects for Multi-State and Coordinated Grants

This information will be most useful for projects on a byway with designated segments in more than one State, in more than one Indian reservation, or nationally designated byways in the same region or market niche. Two options are available to coordinate work. An array of projects may lend themselves to coordinated development and implementation, such as resource assessment, marketing plans, marketing and interpretive signing.

Administrative Options

If, for example, a group of byways and States or Indian tribes are planning to undertake an initiative for which they intend to advertise a single request for proposals, then they may decide to use the *multi-State* or *multi-Tribal* option whereby the lead-State or lead Indian tribal government would advertise and contract for the work. The grant (or contract) could include travel expenses for a steering group of the participating States, Indian tribes, and/or byways to meet periodically with the consultant and provide direction for the effort.

Alternately, if the byways intend to advertise separate requests for proposals (for each byway, State, or Indian tribe), then they may decide to use the *coordinated grant* option - which could include travel expenses for a steering or coordinating group to meet periodically to coordinate efforts, avoid duplication, and develop complementary products.

FHWA will use the following principles and practices for the administration of multi-State and multi-Tribal grant or coordinated grants.

Principles

- 1) For purposes of the grant administration, a *multi-State* or *multi-Tribal grant* is an arrangement whereby one State or Indian tribal government agrees to serve as the lead-State or lead Indian tribe for preparing and submitting the grant application, as well as administering the grant.
- 2) A *coordinated grant* is an arrangement whereby more than one State or Indian tribal government receives separate grants for related activities which they intend to coordinate closely during the implementation. Each State or Indian tribal government submits a separate application.
- 3) The decision to submit a multi-State or multi-Tribal grant or a coordinated grant request should be driven by nature of the project activity and the administrative convenience of the grant recipient(s).

Practices

- 1) States, Indian tribes, and/or byway organizations should decide how to approach a particular project from both a technical and administrative standpoint, e.g., the scope of the initiative, the skills and expertise of the participants, the authority of the entities to enter multi-party agreements (across State or Tribal boundaries), and the ease of using funds for out-of-State travel, for staff from other States or byways to travel, or any similar considerations affecting the travel of Indian tribal government representatives.

Note: To the extent that any of these or other considerations significantly influence the approach agreed upon by the participating States, Indian tribes, and/or byway organizations, these factors should be noted in the grant proposal(s).

- 2) FHWA will assume the State or Indian tribal government submitting the application for a *multi-State or multi-Tribal grant* proposal is the lead-State or lead Indian tribal government for both the technical and administrative aspects of the grant.

Note: If a different State, Indian tribe, or byway organization has lead responsibility for the technical aspects of the grant, it should be noted in the grant proposal. The grant agreement will be between FHWA and the lead-administrative-State or between FHWA and the lead-administrative Tribal government. FHWA will allocate all of the funds to the lead-State or lead Tribal government.

- 3) The grant proposals for *coordinated grants* should include brief information on the coordination and planning that occurred in the development of the applications.

Note: Each State or Indian tribal government submits a separate application. All applicants should indicate in the Narrative Section of the bywaysonline.org application whether all of the applications must be funded to make the overall project work, or can each application be funded independent of the others.

- 4) If a steering or coordinating group will oversee the effort, the grant proposal(s) should list the contact information for each member of the steering committee. If travel and per diem expenses are included in the proposal, it should include the number of times the steering committee plans to meet and the relationship of each meeting to major milestones in the proposed work plan for the effort. Otherwise, the proposal should indicate that any travel and per diem expenses will be covered from funding sources other than the National Scenic Byways Program.

2. Matching Funds Requirements

The law guiding implementation of the National Scenic Byways Program is in Section 162, Title 23 of the United States Code; 23 U.S.C. 162. Subsection (f) governs the matching share:

(f) FEDERAL SHARE - The Federal share of the cost of carrying out a project under this section shall be 80 percent, except that, in the case of any scenic byway project along a public road that provides access to or within Federal or Indian land, a Federal land management agency may use funds authorized for the use by the agency as the non-Federal share.

Thus, there must be a minimum of 20 percent in matching funds for the project. This matching requirement can be satisfied in whole or in part with State, local government, private sector, or

Federal land management agency funds. Additionally, third party in-kind donations can be credited toward the State's share of the project cost.

Sources for the 20-percent Matching Funds:

❖ **State Government**

State funds are defined under 23 U.S.C. 101(a):

(33) STATE FUNDS. - The term "State funds" includes funds raised under the authority of the State or any political or other subdivision thereof, and made available for expenditure under the direct control of the State transportation department.

❖ **Local Government**

As counties, parishes, cities, towns, townships and other units of local government are subdivisions of a State, the definition of State funds is apropos for local funds. Thus, local funds include funds raised under the authority of a unit of local government and made available for expenditure under the direct control of a local agency or department.

❖ **Private Sector**

Private funds that have been donated to the State pursuant to State law for general transportation purposes are considered to be "State funds" for Title 23 purposes and may therefore be applied to the State's matching share.

❖ **Federal Land Management Agency or Indian Tribes**

Funds authorized for use by a Federal land management agency, including such funds available to an Indian tribe or Tribal government, can be used as the matching share for a project that is located along a public road that provides access to or is within Federal or Indian land.

These funds may include funds appropriated to a Federal land management agency. They may also include funds made available to a Federal land management agency under the Federal Lands Highway Program, 23 U.S.C. 204 and paragraph 1101(a)(9) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, P.L. 109-59.

❖ **In-Kind Contributions**

The value of third party in-kind contributions or donations may be accepted as the State match when they are directly associated with the byway project and the period during which it is undertaken. Third party donations include services, property, materials, and equipment. The donations must not have been used as a match for any other federally funded project. Donated services may be accepted from private sources and local government agencies; 23 U.S.C. 323.

| | An Individual or a Private Entity | Local Government | State Government | Federal Agency |
|---------------------|-----------------------------------|------------------|------------------|----------------|
| Property, materials | allowed | allowed | allowed | not allowed |
| Services | allowed | allowed | not allowed | not allowed |

All in-kind contributions or donations must meet the same requirements as if the item is being paid for with byways funds. If the project is funded, then the value and the source of the in-kind or non-cash match must be documented and supported in the project records when carrying out the project.

Documenting Breakdown of the 20-percent Project Match

The Budget Section of the bywaysonline.org application provides space to include information on the description, source, type, and amount of the match. All parts of the match must be identified in this section.

- *Source:* Who is providing the in-kind donations?
- *Type:* Select the type of match for each line item. Is it cash, materials, property, and/ or non-government services?
- *Description:* What cash, materials, property, equipment, and/or non-government services are being provided? What is the value of the in-kind donations, and how was the value determined?

The value of in-kind donations is determined as follows:

- **Services** - Donated services must be valued at a rate equivalent to that rate ordinarily paid for work in the project applicant's organization. If the project applicant does not have employees performing similar work, the rates will be consistent with those ordinarily paid by other employers for similar work.
- **Materials** - The donation will be valued at the market value of the materials and/ or supplies at the time of the donation.
- **Property** - The current market value of property donated may be counted as a matching share. The title of the land passes to the State in which the project is located. If any part of the donated property was purchased with Federal funds, only the non-Federal share of the property may be counted as the donation.

3. Income Earned under the National Scenic Byways Program

Income may be generated from the sale of products, royalties and license fees for copyrighted or patented items, fees for services provided to others, rental of property, etc. Applicants are encouraged to document income in the event audits or future use requires identification of fund sources.

When deciding whether to sell the products, please keep in mind that the public already has paid for the products in part through the Federal gas taxes they pay. Federal gas taxes are the primary source of revenue for the National Scenic Byways Program and other Federal transportation programs. Yet, the Federal Highway Administration encourages byways to become self-sustaining, so we understand your need for latitude in tapping multiple funding sources.

There are two government-wide “common rules” that cover administration of grants that affect how recipients (States and Indian tribal governments) and subrecipients (local sponsor) of Federal-aid funds treat income associated with Federally funded activities. The US DOT’s versions of these rules are: 49 CFR part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; and 49 CFR part 19, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations. The complete regulations can be found at <http://www.fhwa.dot.gov/hep/legreg.htm>

Check with your State Byways Coordinator, Tribal Byway Program Coordinator or FHWA Division Office: Applicants considering the option of product sales are encouraged to contact your State byways coordinator or the applicant’s other another primary program contact first. Decisions should not be made until you determine what additional requirements might affect income earned under a byways grant (State level) or subgrant (local level) within your State.

Definition of Program Income: Program income includes revenue from grant-supported activities, such as, but is not limited to, fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, or the sale of commodities or items produced under a grant/subgrant while the project is open (e.g., earned during the grant period).

Income from royalties and copyright fees is not considered to be program income unless such revenues are specifically identified in the grant/subgrant agreement.

Any net proceeds (income received less the cost to generate the income) from program income, must be deducted from the recipient’s or subgrant recipient’s expenditures before billing for the Federal share of the net expenditures. However, with prior FHWA approval, program income may be used to meet non-Federal matching funds requirement or for additional grant activities.

Documentation of Program Income: Generally, records related to program income must be retained for a period of three years after submission of the last financial report of the grant/subgrant.

Income after the Project is Closed Out: Income earned after a grant or project is closed out is not considered program income. There generally are no restrictions or offsets for income generated after a grant or project period has ended.

Authority for States to Impose Additional Requirements on Income Earned by Governmental Subgrantees: If funds are subgranted to a local or Indian Tribal government by a State agency, the State agency needs to notify the local government of the State’s requirements for disposition of income earned as a result of subgrant supported activities. As specified in section 37 of 49 CFR part 18, States must follow state law and procedures when awarding and administering subgrants (whether on a cost reimbursement or fixed amount basis) of financial assistance to local governments (as defined in 49 CFR 18.3). In such cases, the State agency may impose provisions that are different from or in addition to those in 49 CFR part 18 on the treatment of income earned by the local government subrecipient, including

restrictions on the use of income generated after grant or project period has ended. Appropriate restrictions or uses of such income could include continuing performance of similar program activities or providing the matching share for future federal grants.

4. Some Final Reminders When Preparing and Submitting Applications for National Scenic Byways Program Funds

The Principles and Practices for each of the eight categories of eligible project activities for National Scenic Byways Program funds provide a framework for thinking about eligibility, rather than a simple list of what's eligible and what's not. FHWA believes it is difficult to develop such a simple, all inclusive list without sacrificing a significant degree of flexibility that FHWA has built into the Grant Guidance.

Based on the collective experience of States' and FHWA's review of applications over the years, this section provides several key reminders when preparing an application.

Preparing an Application

- ☐ People reviewing an application likely are unfamiliar with the local area, byway and proposed project. Clearly, concisely, and completely summarize what will be accomplished, the relationship of the proposed project with the byway, and the benefits for the byway traveler's experience.
- ☐ Applications may be found ineligible based on a lack of information provided or weak information explaining the relationship of the proposed project with the byway, and the benefits for the byway traveler's experience.

Projects Benefits and Cost Sharing

- ☐ A project should benefit the byway traveler's experience, whether it will help manage the intrinsic qualities that support the byway's designation, shape the byway's story, interpret the story for visitors, or improve facilities along the byway used by visitors.
- ☐ Proximity to the road or byway does not necessarily mean that a project will enhance the byway travelers experience or that the facility is eligible for National Scenic Byways Program funds.
- ☐ References to desirable facilities, improvements, initiatives or actions in the byway's corridor management plan do not necessarily mean that the proposed the facilities, improvements, initiatives or actions are eligible for byways funds.
- ☐ The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed project's benefits for byway travelers.
- ☐ FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.
- ☐ Without significant cost-sharing from other sources, National Scenic Byways Program funds may not be used for local parks, expansion of park or forest land, or trails or bicycle pedestrian facilities serving primarily local residents or existing visitors of attractions.

Selected Improvements or Activities that are not Eligible for National Scenic Byways Program Funds

- ☐ In recent years, applicants continually have advanced several types of projects or activities that typically are not eligible for National Scenic Byways Program funds, such as:
 - streetscaping and local sidewalks.
 - routine road construction and maintenance.
 - routine landscaping, vegetation management and maintenance.
 - preserving a pool of possible properties, rather than a specific property.
- ☐ Entertainment and alcoholic beverages are not eligible for byways funds. See *OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments*; http://www.whitehouse.gov/omb/circulars/a087/a87_2004.pdf. See *OMB Circular A-122, Cost Principles for Non-Profit Organizations*; http://www.whitehouse.gov/omb/circulars/a122/a122_2004.pdf
- ☐ National Scenic Byways Program funds cannot be used to prepare grant applications for National Scenic Byways Program funds or any other Federal-aid highway funds.

Preparing the Proposed Budget

- ☐ The proposed budget should accurately reflect the final costs to complete the proposed project. Contingency costs are not eligible.
- ☐ Administrative costs will need to be documented in order to be eligible for reimbursement. FHWA cautions applicants about using an estimate of these expenses based on a percentage of the total cost of the project. FHWA will reimburse eligible, direct, documented costs associated with the carrying out the project. While this is true for all expenses, it is particularly important to keep in mind for project management or administrative costs which usually do not have a clear set of receipts associated with expenses that are incurred.

Matching Share:

- ☐ The maximum Federal share is 80 percent.
- ☐ Private, local and State funds may be used as the match share.
- ☐ Federal land management agencies are allowed to provide the match share for projects on Federal or Indian lands.
- ☐ An applicant proposing Federal funds from other sources must document that those Federal funds can be used to match National Scenic Byways Program funds.
- ☐ Federal funds from most other sources are not allowed as the match. Such as:
 - Recreational Trail Program
 - Transportation Enhancements
 - Save America's Treasures
 - National Endowment for the Arts
- ☐ Donated, property, materials, and services are accepted toward the match share as noted below:

| | An Individual or a Private Entity | Local Government | State Government | Federal Agency |
|---------------------|-----------------------------------|------------------|------------------|----------------|
| Property, materials | allowed | allowed | allowed | not allowed |
| Services | allowed | allowed | not allowed | not allowed |

Conditions for National Scenic Byways Program Funds

- ☐ The value and the source of the in-kind or non-cash match must be documented and supported in the project records when carrying out the project.
- ☐ Photos, brochures, plans/designs, and videos funded with National Scenic Byways Program funds should be made available to the National Scenic Byways Program for use in presentations, publications, and for posting on the websites.
- ☐ All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywaysonline.org/logo> and click on the *America's Byways Graphic Standards Manual* for attribution guidelines, and, where appropriate, the use of the America's Byways logo.
- ☐ A website funded with National Scenic Byways Program funds must provide a link to the National Scenic Byways website for travelers www.byways.org or the National Scenic Byways Community Website www.bywaysonline.org, as appropriate.
- ☐ Websites and materials posted on websites must meet accessibility requirements under Section 508 of the Rehabilitation Act of 1973 (as amended) (29 U.S.C. 794(d)). See <http://www.access-board.gov/508.htm>.
- ☐ A building purchased, restored, or improved using National Scenic Byways Program funds must be owned or operated by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity. Land acquired using National Scenic Byways Program funds must be owned or controlled by a government entity, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- ☐ Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywaysonline.org/contacts/states.html>.