

National Scenic Byways Program FY 2009 Grant Information

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Introduction

Within the U.S. Department of Transportation, FHWA has lead responsibility for the National Scenic Byways Program. The Program is a grassroots, 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 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, see http://www.bywaysonline.org/program/us_code.html. FHWA established the principle policy for the Program in its May 18, 1995 [Interim Policy](#) (60 FR 26759), see http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1995_register&docid=fr18my95-105.

The Interim Policy remains the current policy governing the program. However, both the Transportation Equity Act for the 21st Century (TEA-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) have since modified the National Scenic Byways Program. The current statutory language (23 U.S.C. Section 162) does have some inconsistencies with the Interim Policy. In such cases, the statutory language governs.

The Secretary of Transportation 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.

Projects submitted for consideration 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 visitor facilities along the byway.

Once the Secretary of Transportation selects a project for funding, the applicant must work with the State byway coordinator, Indian tribe byway coordinator, and/or FHWA division office byway contact to implement the project and to be reimbursed for eligible expenses.

This document provides applicants information on preparing applications for consideration and funding by the by the Federal Highway Administration (FHWA).

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

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Before You Begin

- 1) Review this document and the Interim Policy thoroughly.
- 2) Talk with your State or Indian tribe byway coordinator to:
 - Determine whether your proposed project is eligible for funding consideration, and if your organization has the capacity to implement your proposed project using National Scenic Byways Program funds.
 - Verify the requirements in your State or within your Tribal government to administer selected projects and receive reimbursements. *National Scenic Byways Program funds are provided on a reimbursement basis.*
 - Confirm application deadlines.

A list of State and Indian tribe byway coordinators and FHWA division office byway contacts can be found online at <http://www.bywaysonline.org/contacts/states.html>

Getting Started

The Principles and Practices section included in the FY 2009 Grant Information for each of the eight categories of eligible project activities provide a framework for thinking about eligibility, rather than a list of what's eligible and what's not, as it is not possible to develop an all inclusive list.

Things to be considered:

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 to the byway, to the intrinsic qualities supporting the byway's designation and to other projects currently planned or underway along the byway (especially those identified in the byway's corridor management plan); and the benefits to byway travelers.
- Applications may be found ineligible based on a lack of information provided or insufficient information describing the relationship of the proposed project to the byway, the intrinsic qualities supporting the byway's designation and the benefits of the project to byway travelers. Don't rely on attachments to tell your story. Integrate pertinent information into your application and provide specific references to the select attachments.

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 visitor facilities along the byway.

- Proximity to the road or byway does not necessarily mean that a project will enhance the byway traveler's experience or that the facility is eligible for National Scenic Byways Program funds.
- References to facilities, improvements, initiatives or actions detailed in the byway's corridor management plan do not necessarily mean that the proposed facilities, improvements, initiatives or actions are eligible for National Scenic Byways Program funds.
- The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed project's benefits to byway travelers. FHWA expects an applicant advancing a project benefiting the general public or other functions 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 visitor attractions.

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

- The following types of projects or activities are not typically eligible for National Scenic Byways Program funds:
 - 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 or properties.
 - Local trail projects that do not have a direct relationship to the byway.
- Entertainment and alcoholic beverages are not eligible for byway funds.
- Grants are subject to Office of Management and Budget Guidance for Grants and Agreements. See [Title 2, Code of Federal Regulations, Grants and Agreements](#) (GPO electronic CFR)
 - [Part 1-About Title 2 of the Code of Federal Regulations and Subtitle A](#)
 - [Part 180-OMB Guidelines to Agencies on Governmentwide Debarment and Suspension \(Nonprocurement\)](#)
 - [Part 215-Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations \(OMB Circular A-110\)](#)
 - [Part 220-Cost Principles for Educational Institutions \(OMB Circular A-21\)](#)
 - [Part 225-Cost Principles for State, Local, and Indian Tribal Governments \(OMB Circular A-87\)](#)
 - [Part 230-Cost Principles for Non-profit Organizations \(OMB Circular A-122\)](#)
- 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. FHWA cautions applicants about using an estimate of these expenses based on a percentage of the total cost of the project. Administrative costs should be associated with carrying out the specific project for which funding is awarded.

Matching Share:

- The maximum Federal share is 80 percent.
- Private, Local, Indian tribe and State funds may be used as the match share.
- Federal land management agencies are allowed to provide funds for 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. Coordination with the State or Indian tribe byway coordinator and FHWA is recommended prior to submitting an application proposing such a match.
- Federal funds from most other sources are not allowed as the match, such as:
 - o Transportation Enhancements
 - o Save America’s Treasures
 - o National Endowment for the Arts
- Property, materials, and services are accepted toward the match share as noted below:

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

In general, indirect costs are allowable only if a State or Indian tribe has an approved indirect cost rate approved by the Federal Highway Administration division office.

Please remember to incorporate the property, materials, and services detailed in the match section into the Work Plan for the project to facilitate review.

Conditions for National Scenic Byways Program Funds

- A project agreement must be approved by the appropriate State or Indian tribe and Federal officials before costs for any work on the project will be reimbursed for eligible expenses. Costs incurred prior to the execution of a project agreement and authorization-to-proceed are not eligible for reimbursement.

- 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.
- Any administrative costs will need to be documented in order to be eligible for reimbursement. Administrative costs should be associated with 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 that usually do not have a clear set of receipts associated with incurred expenses.
- Scenic Byway facilities must meet accessibility guidelines under the Architectural Barriers Act or Americans with Disabilities Act (as appropriate). See the following link for guidance: www.fhwa.dot.gov/environment/bikeped/guidance.htm#Access. See also the US Department of Justice ADA homepage, <http://www.usdoj.gov/crt/ada/adahom1.htm>, or US Access Board, <http://www.access-board.gov/>.
- A building purchased, restored, or improved using National Scenic Byways Program funds should be owned or operated by a government entity, Indian tribe, or a legally organized not-for-profit entity or part of a not-for-profit entity. Land acquired using National Scenic Byways Program funds should be owned or controlled by a government entity, Indian tribe, 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, the State byway coordinator or the Indian tribe byway coordinator; see <http://www.bywayonline.org/contacts/states.html>.
- All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywayonline.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.bywayonline.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>.
- Photos, brochures, plans/designs, videos, CD-ROMs and DVDs 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 Program websites.

Roles

The purpose of this section is to provide an overview of the “who, what, when and how” about preparing and advancing applications for funding consideration under the National Scenic Byways Program.

Applications for National Scenic Byways Program funding must be submitted to the FHWA division office by the State or Indian tribe byway coordinator. FHWA expects each State or Indian tribe byway coordinator to determine the eligibility of a proposed project for byway funds, ensure the completeness of the application, and prioritize projects for funding consideration. FHWA division office and headquarters staff will review the applications to confirm eligibility. *Applications determined to be ineligible should not be forwarded to the FHWA division office nor to FHWA headquarters.*

Role of the Applicant:

Completing and Submitting an Application for National Scenic Byways Program Funds

- 1) Consult the byway’s lead organization or lead individual to determine support for your project concept. Identify potential project sponsors.
- 2) Consult the State or Indian tribe byway coordinator about eligibility questions and steps for submitting an application. For 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. Some State and Indian tribe programs set application due dates that are earlier than those set by FHWA. Some programs also limit the amount of funding for which each applicant can apply. Applicants are encouraged to contact their State or Indian tribe byway coordinator for further information.
- 4) Select the category for your proposed project. Read this document carefully, especially the “Principles and Practices” for the eight categories of eligible project activities.
- 5) Prepare the project application. 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 insufficient information describing the relationship of the proposed project to the byway, the intrinsic qualities supporting designation, and the benefits to the byway traveler.

Steps for submitting an application:

1. Register your organization with Grants.gov. The details of this registration process can be found on the Grants.gov website, http://grants.gov/applicants/organization_registration.jsp. Since there are a number of steps to this process, the time it takes to be confirmed may vary. It is suggested that you *begin the registration process as soon as possible*. If you are already registered with Grants.gov, please be advised that the Central Contractor Registry (CCR) portion of the registration process must be renewed once every 365 days to maintain

an active status. If your status with CCR lapses, you will not be able to submit your application to Grants.gov. Renew your CCR status at <http://www.ccr.gov>.

Note: Registration with Grants.gov does not have to coincide with the solicitation of National Scenic Byways Program grant applications. There are a number of grant opportunities on the Grants.gov website, and with an active registration, you may apply for any open opportunities that match your organization's needs.

2. Download the National Scenic Byways Program grant application package from Grants.gov. This will include the required SF-424 form. When you have completed the SF-424 form, submit the form electronically on Grants.gov. Instructions for submitting the form are available at www.grants.gov. Additional instructions for filling out this form are available both on page 42 of this document under "Instructions for Filling Out the Grants.gov Forms" and at www.bywaysonline.org/grants/application. *While some State or Indian tribe requirements may differ, FHWA does not require paper copies of the SF-424. Please check with your State or Indian tribe byway coordinator for any requirements that they may have.*
3. Complete the online application and submit it electronically at www.bywaysonline.org/grants/application. A signed paper copy must be submitted to your State or Indian tribe byway coordinator, who will then submit your application to the FHWA division office. Please note that FHWA only requires the submission of one (1) signed hard copy, but the requirements may vary depending on the guidelines established for submission of NSBP applications by your State or Indian tribe.

To be considered for National Scenic Byways Program funding, you must complete and electronically submit both the [bywaysonline.org](http://www.bywaysonline.org) application and the SF-424 form on Grants.gov.

4. Provide sufficient detail for each project element to clearly support the budgeted cost. Bundling items together in a single line item does not typically work to your advantage. Be sure to provide enough detail for each project element to enable the reviewer to make both an eligibility and funding determination based on the specific budget element. The proposed budget should accurately reflect the individual project elements and final costs to complete the proposed project. Contingency costs are not eligible.
5. Assume that people reviewing your application 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 to the byway, how it supports the intrinsic qualities supporting the byway's designation and the benefits for byway travelers.
6. Compile supporting maps, plans or other documents. Maps should be detailed and accurate, so that a State or Indian tribe byway coordinator or FHWA reviewer, using the map without additional information, can drive to the location and clearly identify the site of the proposed project (if possible, please provide the addresses/intersections and GPS coordinates for the proposed project(s) such that the project(s) can be located using basic mapping software).
7. 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.

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, Tribal and/or Federal officials before costs for any work on the project will 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 Indian tribe byway 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 will work 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. 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 Indian Tribe Scenic Byway Coordinator:

Review and Submit Applications for National Scenic Byway Program Funds to the FHWA division office by March 13, 2009.

- 1) Establish the State or Tribal specific criteria and procedures for making eligibility decisions, prioritizing projects and submitting applications to the FHWA division office. *Applications determined to be ineligible should not be forwarded to the FHWA division office.*
- 2) Use this Grant Information , 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.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) Use the Online Grants Review System at <http://www.bywaysonline.org/> to record specific information about each project and the priority order for all projects.
- 7) Coordinate with other States or Indian tribes on multi-state or multi-tribe byway projects to indicate the priority of the project in relation to other projects being advanced.
- 8) Submit only complete applications to the FHWA division office. Deliver a printed, signed copy of the application with any attachments to the FHWA division office by March 13, 2009. FHWA considers all application submissions to be complete and that projects are determined to be eligible by the State or Indian tribe byway coordinator. *Submissions determined to be ineligible should not be forwarded to the FHWA division office for review.*

After funding has been awarded:

- 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 office to obligate byway funds, and track each project through his or her agency.
- 4) Monitor progress and use of byway funds. Ensure a quality product for the byway.
- 5) Advance vouchers for reimbursement.
- 6) Close out completed projects and submit report on projects status to FHWA headquarters.

Role of FHWA Division Office Byway Contact:

Review and Submit Applications for National Scenic Byways Program Funds to FHWA headquarters by April 10, 2009.

- 1) Advise State or Indian tribe byway coordinators on eligibility questions for proposed work, proposed sources of match, procedures required to implement projects, and how to modify the application to address Federal requirements. Confirm eligibility.
- 2) Use the Online Grant Review System at <http://www.bywaysonline.org/> to perform the initial review of submitted applications. When needed, return ineligible or incomplete applications to the State or Indian tribe byway 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 and eligible applications to FHWA headquarters. Advise headquarters on priorities for Indian tribe byway applications. Also deliver the printed, signed copy of the application with any attachments to FHWA headquarters. *Submissions determined to be ineligible should not be forwarded to FHWA headquarters for review.*

After projects have been awarded:

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

Role of FHWA Headquarters National Scenic Byways Program Staff:

Review Applications

- 1) Verify eligibility.
- 2) Review applications for statutory and administrative criteria.

Announcement of National Scenic Byways Program Funding Decisions:

- 1) The Secretary of Transportation determines projects to be funded.
- 2) The Secretary's office notifies Congress following the selection of projects for funding.
- 3) FHWA headquarters staff notifies FHWA division office byway contacts and posts grant awards on the www.bywaysonline.org website.
- 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).

Selection Criteria

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 (b) 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) **Greatest Strategic Benefits:** Funding will be targeted toward projects that provide the greatest strategic benefits. FHWA is particularly focusing on projects with demonstrated benefits for the byway traveler and invites the application of large-scale, high-cost projects that provide strategic benefits to the byway.
- 2) **State, Indian Tribe and Byway Priorities:** The Priority ranking of projects is a key factor in selecting projects for funding.
- 3) **Project Benefits:** A project should benefit the byway traveler, 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 visitor facilities along the byway. The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed project's benefits to byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.
- 4) **Projects Meeting Critical Needs:** FHWA encourages States 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 scenic byways. Critical needs include activities to build and strengthen a sustainable organization, to manage byway activities, and to implement projects or other initiatives.
- 5) **Funding Expenditures:** States, Indian tribes and byways showing greater progress toward the completion of prior approved projects are considered better candidates for project selection.
- 6) **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.
- 7) **Leveraging of Private or Other Public Funding:** Commitment of other funding sources to complement requested byway funding to enable more projects to be funded.
- 8) **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 insufficient information describing the relationship of the proposed project to the byway and the benefit to byway travelers.
- 9) **Other Considerations:** Application selection will consider 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 FY 2009 Grant Information, select the category that most completely reflects what will be accomplished by the proposed project. Respond to the Principles, Practices and “Complete Applications Include” sections of these instructions for the selected category as you prepare your application. The electronic application form will include additional statements to help applicants focus their proposals. See <http://www.bywaysonline.org/grants/>.

1. State and Indian Tribe Scenic Byway 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, operating or maintenance expenses of a State or Indian tribe scenic byway program (e.g., hosting and maintenance of a website, organizing and sponsoring annual promotional events or festivals, and costs associated with the fulfillment of individual information requests).

Practices

- 1) Planning, design and development of a State or Indian tribe scenic 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 in the State or Indian tribe collection.
- 2) Byway funds may be used for activities associated with assessing the economic impact of an individual byway or a statewide or Indian tribe scenic byway program.
- 3) Byway 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 scenic byway conference.
- 4) Entertainment and alcoholic beverages are not eligible for byway funds.

- 5) When considering how best to organize and prepare an application for an eligible project in the State and Indian tribe scenic byway program 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 Indian tribe scenic byway program? What is the status of the program?
 - What are the significant dates for establishing the State or Indian tribe scenic byway program or advancing new elements of the program?
 - What information is available or needed to authorize or establish the State or Indian tribe scenic 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 that the effectiveness of many byway programs rests on multi-agency partnerships,
 - What partnerships has the State or Indian tribe byway 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:

Below are some tips for submitting a complete application for a project in the State and Indian Tribe Scenic Byway Programs category.

- STATE AND INDIAN TRIBE SCENIC BYWAY PROGRAMS: 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 showing existing State or Indian tribe designated scenic byways (if possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway(s) such that the byway(s) can be located using basic mapping software) and discuss those routes in the Narrative Section of the electronic application. Provide GIS data for the byways if available.
- PROGRAM REASSESSMENTS: A State or Indian tribe byway coordinator proposing major reassessment or reformulation of an existing byways program should include the following information in the Narrative Section of the electronic application:
 - Explanations for why the reassessment is needed and the outcomes expected from the work,
 - The scope of the reassessment and anticipated action(s), product(s), and document(s), e.g., legislation, implementing guidelines, etc., and
 - The target date for completing the reassessment or reformulation of the State or Indian tribe scenic 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 specific activities identified in 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 specific byway projects consistent with a corridor management plan and eligibility criteria. Inclusion of a project in the byway's corridor management plan does not necessarily mean that the proposed project is eligible for byways funds.
- 3) National Scenic Byways Program funds may not be used for the ongoing administrative, operating or maintenance expenses of a byway organization (e.g., hosting and maintenance of a website, organizing and sponsoring annual promotional events or festivals, and costs associated with the fulfillment of individual information requests).

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 the *Federal Register* on May 15, 1995; see http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1995_register&docid=fr18my95-105.
- 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, resource protection, interpretive project or marketing program initiative. If your project is part of your corridor management plan, but is also eligible under another category, it is recommended that you select that other category. For example, if you have “develop a marketing plan” as part of your corridor management plan, you should submit under the Marketing Program instead of Corridor Management Program.
- 5) Please remember that in applying for funding, project requests should be tied directly to specific activities identified and prioritized in the byway’s corridor management plan.
- 6) Please keep in mind that salary requests for the byway coordinator or general administration of all projects or programs identified in a byway’s corridor management plan are not considered eligible expenses for NSBP funding unless the time devoted and how it is directly related to the performance of a specific NSBP award and each NSBP funded project(s) identified in the corridor management plan can be documented. As might be expected, it is also important that the costs proposed be proportionate to the work proposed.
- 7) Implementation of the corridor management plan may include activities to build and strengthen a sustainable organization and to manage byway activities related to specific projects and initiatives such as:
 - Start-up expenses associated with forming, expanding or strengthening a byway organization.
 - 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, tribal conferences or national conferences. In applying for funding, applicants are encouraged to highlight how these training and technical assistance opportunities will help strengthen their byway organization and/or manage byway activities.
- 8) 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 management 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 the update build upon/refine the existing corridor management plan? Will specific projects be identified and prioritized for funding and implementation?
 - 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 a specific activity or activities identified in 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 improvement, 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 currently underway or planned?
- Does the corridor management 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:

Below are some tips for submitting a complete application for a project in the Corridor Management Plan category.

- CORRIDOR MANAGEMENT PLAN: Respond to the questions posed in item eight 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 Indian lands (if possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway as well as for the proposed project such that both the byway and the project can be located using basic mapping software) 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. *Please include only those materials that specifically support your application.*

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 considered 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 the 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, the State byway coordinator, or the Indian tribe byway coordinator; see <http://www.bywaysonline.org/contacts/states.html>.
5. The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed safety improvements' benefits to byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byway 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 byway 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 byway 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 (e.g., analyzing traffic volumes or patterns on a specific byway or in general for several byways within a State or on Indian 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 to byway travelers?
 - Does the corridor management 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:

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 Indian lands including the beginning and 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. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and the location(s) of the proposed project(s) such that the project(s) can be located using basic mapping software).
- 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 traveler's experience or that the facility is eligible for National Scenic Byways Program funds.
- 4) Scenic Byway facilities must meet accessibility guidelines, <http://www.fhwa.dot.gov/environment/bikeped/guidance.htm#Access>, under the Architectural Barriers Act or Americans with Disabilities Act (as appropriate). See also the US Department of Justice ADA homepage, <http://www.usdoj.gov/crt/ada/adahom1.htm>, or US Access Board, <http://www.access-board.gov/>.
- 5) 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.
- 6) 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.
- 7) A building purchased, restored, or improved using National Scenic Byways Program funds should be owned or operated by a government entity, Indian tribe, or a legally organized not-for-profit entity or part of a not-for-profit entity.
- 8) Land acquired using National Scenic Byways Program funds should be owned or controlled by a government entity, Indian tribe, or a legally organized not-for-profit entity or part of a not-for-profit entity. Applicants are encouraged to familiarize themselves with any State and Indian tribe restrictions regarding land acquisition.
- 9) Private property purchased or used for a byway 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, the State byway coordinator or Indian tribe byway coordinator; see <http://www.bywayonline.org/contacts/states.html>.

- 10) The proposed amount of National Scenic Byways Program funds should be proportionate to the proposed byway facilities' benefits to byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byway funds.

Practices

- 1) Construction includes the development of environmental documents, planning, 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 byway funds should be owned or controlled by a government entity, Indian tribe, legally organized not-for-profit entity or part of a not-for-profit entity.
- 2) Visitor/interpretive centers and other byway facilities that share a building or spaces with other functions should include a clear breakdown of how the space will be used and by whom. If you are submitting an application for a visitor/interpretive center or other byway facility, please include the following:
 - a site plan for the project
 - a floor plan of the project with the proposed uses and dimensions clearly identified
 - an explanation of how specific areas of the building will be used to directly serve and benefit byway visitors
 - an explanation of how any proposed interpretive elements will relate to/underscore the intrinsic qualities supporting the byway's designation
 - an explanation of how the proposed facility relates to other visitor/interpretive centers or byway facilities either planned or existing on the byway
 - a finance plan identifying proposed sources of funding needed to complete the project
 - a budget that clearly delineates between work that is to benefit the byway traveler and work that is to benefit other functions. The budget should be proportionate to the benefit to byway travelers
- 3) Byway funds may be used to improve facilities operated by Federal, State, Indian tribe, 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).
- 4) References to facilities or improvements in the byway's corridor management plan do not mean that the proposed byway facilities are eligible for byways funds.
- 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) 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 to 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? Why is this facility important?
- 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 its designation? How will the information provided complement/expand on information already being provided at other facilities along the byway? How will promotion of the facility be coordinated with similar existing or proposed facilities along the byway to provide a comprehensive byway traveler experience?
- 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 to byway travelers? For example, if a proposed byway visitor or interpretive center is a multi-purpose facility, would byway 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 traveler's experience be enhanced, compared to the existing customer base of the facility operator?
- Does the corridor management 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:

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 six of the Practices section – in the Narrative Section of the bywayonline.org application.
- **MAP(s):** Provide a map that locates the individual byway within the State or on Indian lands including the beginning and 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. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and the proposed project(s) such that the project(s) can be located using basic mapping software)
- **PLANS:** Use the Attachments Section of the bywayonline.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 a sketch that communicates significant details) for a proposed byway visitor or interpretive center are especially useful as an indication of the square footage that will be dedicated to the byway(s) in the event of a multi-use facility. Describe what the plans illustrate and what elements of the proposed byway facilities would be implemented with byway funds – in the Narrative Section of the bywayonline.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 quality(s) 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 byway 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 byway coordinator; see <http://www.bywayonline.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 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).
- 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 byway funds, water-related recreation facilities, such as a marina or boat dock, are not eligible for byway funds.
- 3) Byway funds may be used to improve a roadway or related facility operated by Federal, Indian tribe, 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 to byway travelers? To what extent will byway travelers' experience and access be enhanced, compared to the existing customer base of the facility operator?
- Does the corridor management plan include this project, and how does it compare to other priority projects along the byway? How does it complement what already exists?
- 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:

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 bywaysonline.org application.
- **MAP(s):** Provide a map that locates the individual byway within the State or on Indian lands including the beginning and 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. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and proposed improvements as well as existing facilities along the byway such that the project and existing facilities can be located using basic mapping software.)
- **PLANS:** Use the Attachments Section of the bywaysonline.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 bywaysonline.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 should be owned or operated by a government entity, Indian tribe, 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 should be owned or controlled by a government entity, Indian tribe, legally organized not-for-profit entity or part of a not-for-profit entity.
- 7) Private property purchased or used for a byway 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 necessarily 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(s)? What are the results? What protection(s) is proposed? Would public access to the resource(s) 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(s) 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 corridor management 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:

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 bywaysonline.org application.
- **MAP(s):** Provide a map that locates the individual byway within the State or on Indian lands including the beginning and 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. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and proposed project such that the project can be located using basic mapping software.)
- **PLANS AND OTHER SUPPORTING DOCUMENTS:** Use the Attachments Section of the bywaysonline.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 bywaysonline.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 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 printed items or other media) produced with National Scenic Byways Program funds may be offered for sale under certain circumstances. See the Other Considerations section labeled "Income Earned Under the National Scenic Byways Program" on pages 40-41 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 to 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, but is not limited to, signs, brochures, pamphlets, maps, video tapes, audio tapes, CD's, podcasts, 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 byway 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), http://www.bywaysonline.org/program/us_code.html.
- 6) Byway funds may be used for the 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) Byway funds may be used to revise and update interpretive information (e.g. byway's themes and stories) to aid the byway travelers' interpretive understanding. Applicants are encouraged to highlight how the current request will build upon activities already funded or underway.
- 8) Eligible expenses associated with the distribution of promotional materials and media packets are limited to shipping costs for mass mailings. Costs associated with the fulfillment of individual information requests are not eligible for NSBP funding.
- 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 Program website for travelers www.byways.org or the National Scenic Byways Program Community Website www.bywaysonline.org, as appropriate. Websites developed using Federal funding should 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>.
- 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? Will specific projects and priorities be identified in the development of the Interpretive Plan? If an Interpretive Plan is already in place, how does this project specifically relate to the activities and priorities identified in the Plan?
 - What are the byway's intrinsic qualities that support the byway's designation and that would be interpreted as part of this proposed interpretive project? How would information be developed and provided through this proposed interpretive project to inform byway travelers about the significance of the byway's story and 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 to help achieve these objectives?

- What related projects have been completed or are planned or underway along the byway? How would the information be developed and provided under this proposed interpretive project to complement these other efforts?
- Is the proposed amount of byway funds proportionate to the proposed project's benefits to 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 corridor management 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:

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 Indian lands including the beginning and 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. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and proposed installations such that the sites can be located using basic mapping software).
- **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-tribe 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 (e.g., website hosting and maintenance, toll free number maintenance, sponsoring annual promotional events or festivals, fulfillment of individual information requests, etc.).
- 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) When submitting an application for the development of a marketing plan, applicants should include the following:
 - a detailed written account and timetable of objectives and anticipated methods to be considered to achieve the marketing goals, along with any anticipated performance measures for the strategies identified. This should be addressed within the context of the byway's target market, and clearly address how the plan will showcase the byway, the intrinsic qualities supporting the byway's designation, and the region.

When requesting funds to implement a specific component of a marketing plan, applicants should:

- provide information on which specific components of the marketing plan will be addressed, discuss prior marketing efforts conducted to date, how the proposed project will build on/complement/expand on prior marketing initiatives and how results/performance will be measured. The application should also include information regarding the byway's target market, including segmentation and niche markets.
 - identify specific project components in both the Work Plan and Budget sections of the application (e.g., creative development, media buys, advertising, etc. and quantities). For example, if you are requesting funding for Public Service Announcements (PSAs), the narrative should address why this is considered an effective strategy, what market they will target, intended outcomes and how performance will be measured and how this fits into the goals identified in the marketing plan for the byway(s). The Work Plan section of the application should outline specific tasks to accomplish these activities and the Budget should include the quantity, length, and frequency of PSAs, as well as development and placement costs.
- 4) Byway funds may be used for byway marketing training, including meeting materials, meeting facilities, equipment expenses, and speaker expenses directly related to training.
 - 5) Byway funds may be used for trade show registration costs; development, purchase or rental of an exhibit booth; and trade show booth expenses (e.g., furnishings, posters and materials). Byways funds may be used for both domestic and international marketing activities.
 - 6) 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.
 - 7) A website should provide a link to the National Scenic Byways Program website for travelers www.byways.org or the National Scenic Byways Program Community Website www.bywaysonline.org, as appropriate. Websites developed using Federal funding should 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>.
 - 8) Expenses associated with distribution of promotional materials and media packets are limited to shipping costs for mass mailings.
 - 9) Certain activities are not eligible for byways funds such as:
 - Trade show travel, media and travel/tour operator familiarization trips.
 - Entertainment and alcoholic beverages.
 - Ongoing administrative or operating expenses of a byway marketing program such as organizing or sponsoring annual promotional events or festivals, hosting and maintaining byway websites and toll-free phone numbers, responding to calls and inquiries, and postage for brochures and other products mailed to individual travelers.
 - 10) 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? Will specific projects and priorities be identified in the development of the marketing plan? If a marketing plan is already in place, how does this project specifically relate to the activities/initiatives and priorities identified in the plan? How will success be measured (e.g., number of "hits" on a website, market penetration in the case of media outreach, etc.)?

- Is the byway ready to meet travelers' expectations? Are directional signs currently installed 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 are 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, the intrinsic qualities supporting designation and to byway travelers' experience? What distinguishes the byway from other byways in the area, State, Indian lands, or region of the country? How would this proposed marketing project help differentiate the byway travel experience?
- 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-tribe, 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:

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 ten 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 on Indian lands including the beginning and 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 (If possible, please include the addresses/intersections and GPS coordinates for the end points of the byway(s) such that the byway(s) can be located using basic mapping software.)
- **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 a reviewer would need to understand the scope of the proposed marketing project and its connections to the byway and benefits to byway travelers.

Other Considerations:

- | | |
|---|--------|
| 1. Multi-State, Multi-Tribe and Coordinated Grants | pg. 36 |
| 2. Matching Funds Requirements | pg. 38 |
| 3. Income Earned Under the National Scenic Byways Program | pg. 40 |

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

States may submit multi-state byway applications and Indian tribes may submit multi-tribe byway applications for funding. The decision to submit a multi-state grant, multi-tribe 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-tribe grant** is an arrangement whereby one State or Indian tribe 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-tribe grant.

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

Potential Projects for Multi-State and Multi-Tribe Coordinated Grants

This information will be most useful for projects on a byway with designated segments in more than one State or Indian land, 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 (e.g., coordinated branding), and, interpretive and wayfinding 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-tribe* option whereby the lead State or lead Indian tribe 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-tribe grant or coordinated grants.

Principles

- 1) For purposes of the grant administration, a *multi-state or multi-tribe grant* is an arrangement whereby one State or Indian tribe 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 tribe receives separate grants for related activities which they intend to coordinate closely during the implementation. Each State or Indian tribe submits a separate application.
- 3) The decision to submit a multi-state or multi-tribe grant or a coordinated grant request should be driven by the 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, Indian tribes or byways to travel, or any similar considerations affecting the travel of Indian tribe 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 Tribal government submitting the application for a *multi-state or multi-tribe grant* proposal is the lead State or lead Indian tribe 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 Indian tribe. FHWA will allocate all of the funds to the lead State or lead Indian tribe.

- 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 tribe submits a separate application. All applicants should indicate in the Narrative Section of the electronic application whether all of the applications must be funded to make the overall project work, or whether each application can be funded independently 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. Only costs directly associated with the NSBP project award will be reimbursed. 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, Federal land management agency or Indian tribe funds. Additionally, third party in-kind donations can be credited toward the State or Indian tribe'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. Private funds that have been donated to an Indian tribe may also be applied to the 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**

All in-kind contributions or donations must meet the same requirements as if the item is being paid for with byway funds (i.e., the costs must otherwise be eligible for National Scenic Byway Program 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.

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

In general, indirect costs are allowable only if a State or Indian tribe has an approved indirect cost rate approved by the Federal Highway Administration division office.

The value of third party in-kind contributions or donations may be accepted as the State or Indian tribe 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.

<http://frwebgate6.access.gpo.gov/cgi-bin/TEXTgate.cgi?WAISdocID=029026430509+0+1+0&WAIAction=retrieve>

Documenting Breakdown of the 20-percent Project Match

The Budget Section of the electronic 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 match?
- *Type:* 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 for *specialized services* pertinent to the execution of the funding award 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.

General volunteer labor must be valued at a general volunteer rate, unless the volunteer is performing a specific specialized service (see above). The value is based on the type of labor or service provided as a donation, not the volunteer's normal wage rate. For most volunteer rates, see the rates from Independent Sector:

www.independentsector.org/programs/research/volunteer-time.html. For Specialized Skills Donated, see rates from the Bureau of Labor Statistics: www.bls.gov/bls/blswage.htm.

- **Materials** - The donation will be valued at the fair market value of the materials and/ or supplies at the time of the donation.
- **Property** - The current fair market value of property donated may be counted as a matching share. The title of the land passes to the State or Indian tribe that has jurisdiction over the land on 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 the 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 sponsors) 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 Byway Coordinator, Indian Tribe Byway Coordinator or FHWA Division Office: Applicants considering the option of product sales are encouraged to contact their State byway coordinator, Indian tribe byway coordinator or FHWA division office byway 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 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.

Instructions for Filling Out the Grants.gov Forms

Introduction

This section provides detailed instructions for filling out the forms in the National Scenic Byways Program 2009 Grant Application Package. You can download this application package from Grants.gov, at <http://www07.grants.gov/search/basic.do>, by entering one of the following:

- CFDA Number: 20.205
- Funding Opportunity Number: FHWA-2009-BYWAYS

You will be using Adobe Acrobat Reader to fill out and submit your SF-424 through Grants.gov. You will not use PureEdge to fill out and submit this form. If you do not have Adobe Acrobat Reader installed on your computer, or if you have a version that does not support the SF-424 form, you can download the latest version at <http://www.adobe.com/products/acrobat/readstep2.html>. Adobe Acrobat Reader works on Windows, Macintosh, Linux and Solaris operating systems, so all applicants should be able to use this program. Please refer to Grants.gov's Apply for Grants section, http://grants.gov/applicants/apply_for_grants.jsp, for help in downloading, submitting and tracking your SF-424. If you are not sure if your current version of Adobe Acrobat Reader is compatible, instructions for how to test compatibility are included in this section.

Grants.gov often uses the language "Grant Application Package." The correct Grants.gov grant application package for the NSBP grant application will contain the SF-424 required form only. All other information for your project must be provided on the www.bywaysonline.org grant application.

Once you have downloaded and opened the application package, you will see the "Grant Application Package" start page. The top part of this page indicates both the opportunity and agency contact information. Please note that you must click on the name of the form to move it from the "Mandatory Documents" box on the left side to the "Mandatory Documents for Submission" box on the right side using the "Move Form to Complete" arrow between the two boxes. Once the form name appears in the right side box, click on the form name again, and then click "Open Form" to open it and fill it out. If you encounter a problem with opening or submitting the form, please consult the 3-step instructions at the bottom of the "Grant Application Package" start page.

Note: You must fill out all of the fields highlighted in yellow before you can submit your application. Some fields that are not highlighted initially may become mandatory based on the answers you provide.

Completing the SF-424 Form

Question 1

Select either “Application” or “Changed/Corrected Application”. Choose “Application” unless you have previously submitted this application this year. If you have selected “Changed/Corrected Application,” be sure to fill out Question 5b with the federal identifier that you received for this application on your first submission.

Question 2

Select “New” if you are submitting this application for the first time this year. Do not select “New” if you selected “Changed/Corrected Application” in Question 1.

If you select “Revision”, enter one or more of the following codes to indicate the type of revision. If you specify type “E”, then you must enter its explanation in “Other”. A. Increase Award (budget) B. Decrease Award (budget) C. Increase Duration (work plan schedule) D. Decrease Duration (work plan schedule) E. Other (specify)

Question 3

Leave this field blank. Grants.gov will put the current date in this field when you submit the application.

Question 4

Leave this field blank.

Question 5a

Leave this field blank.

Question 5b

If you selected “New” for Question 2, leave this field blank. Otherwise, enter the federal identifier that you received when you submitted this application the first time.

Question 6

Leave this field blank.

Question 7

Leave this field blank.

Question 8a

Enter the legal name of the organization applying for the grant.

Question 8b

Enter the Employer/Taxpayer Identification Number (EIN/TIN) for the organization identified in 8a.

Question 8c

Enter the DUNS number for the organization identified in 8a. If you don’t have this number, contact your organization’s Point of Contact (POC).

Question 8d

Fill out your organization’s complete mailing address.

Question 8e

If you have a department and/or division in your organization, fill them in here.

Question 8f

Provide a contact person for the organization identified in 8a. This can be the applicant, but should be the organization's POC.

Question 9

Select the Type of Applicant Organization that best represents the organization in 8a. If this is a joint Application then you may select multiple Types. If you select "Other", enter the Type in the "Other" field.

Question 10

No response necessary. It should already contain "DOT Federal Highway Administration". If it does not, then you may have the wrong Grants.gov application package.

Question 11

No response necessary. It should already contain 20.205 and the CFDA Title: "Highway Planning and Construction". If it does not, then you may have the wrong Grants.gov application package.

Question 12

No response necessary. It should already contain FHWA-2007-BYWAYS and the Title: "National Scenic Byways Program Discretionary Grants". If it does not, then you may have the wrong Grants.gov application package.

Question 13

Leave these fields blank.

Question 14

List the counties affected by the proposed project, for example, "Cache, Box Elder, and Wasatch Counties". If the project involves multiple states, include the state code in parentheses after each county name, for example, "Kane (UT), Coconino (AZ)."

Question 15

Enter a title that reflects the nature and goals of your project, e.g., "Phase 2 Enhancements to AK Marine Highway Forest Service Interpretive Programs."

Attachments

There are no required attachments.

Question 16a

Enter your Congressional District as a code in the following format: State abbreviation (2 characters) followed by your Congressional District number (2 digits). For example, CA02 represents California's Congressional District #2. If your State only has one Congressional District, use "01."

Question 16b

Enter the Congressional District of the project as a code using the same formatting as question 16a.

Tips: If the project is in a different Congressional District than the Applicant, this will be a different code than 16a. Please include the district most associated with your project. You do not need to attach any additional documents.

Question 17a

Provide the expected start date of the Proposed Project. Grants.gov does not allow you to enter relative dates, i.e., “Funding date + 1 week” is not allowed.

Funds will likely be available in summer 2009. It may be possible to complete a project agreement and obligate funds by September 30, 2009. For many projects, it will take longer to complete a project agreement; funds will be carried over and made available in fiscal year 2010. Costs incurred prior to a project agreement and authorization-to-proceed are not eligible for reimbursement.

Question 17b

Provide the expected end date of the entire Proposed Project. As with the start date, when you estimate your end date, consider the anticipated funding date and that it may be delayed.

Question 18

The Federal amount in 18a is the amount you are requesting. All other funds will be considered matched funds.

Question 19

In most cases, you should select ‘C’. For more information about Executive Order 12372, see: <http://www.archives.gov/federal-register/codification/executive-order/12372.html>.

Question 20

Answer the question Yes or No. If you answer ‘Yes’, then you will have to supply an explanation in the text area on the last page of the SF-424 form. You can jump to that text area by clicking the “Explanation” button.

Question 21

You must read the statement provided here and click “I AGREE” for this application to be considered “signed”. This legally holds you accountable to the provided terms. The application cannot be submitted until you agree to these terms and check the box.

Authorized Representative

As the Authorization Organization Representative (AOR), you should enter your name and contact here. The program will fill in the last two fields automatically upon completion as stated inside the box.

After Completing the Form

After you have completed the form, click “Close form” at the top of the screen. This will return you to the “Grant Application Package” start page. Following the instructions at the bottom of the start page will instruct you on how to check your SF-424 for any errors it may contain, save a copy to your computer for your records, and submit the SF-424 form to Grants.gov. If your SF-424 form contains any errors, you must correct them to be able to submit your form.

After you have saved a copy of the completed SF-424 form to your computer, the “Save & Submit” button will become clickable. Clicking the “Save & Submit” button will bring up a login screen. Use the Username and Password you created when you registered with Grants.gov. You must be an Authorized Organization Representative to submit grant applications on your organization’s behalf. If your login is rejected, please consult your organization’s Point of Contact (also referred to as the E-Biz POC) to make sure you have the necessary permissions to submit applications. The E-Biz POC is the only person who can grant this permission.