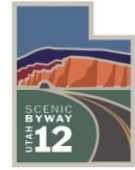


National Scenic Byways Designation and Funding

Designation Status and Byway Funding under MAP-21 – Looking Ahead



Background

The National Scenic Byways Program was a voluntary, community-based program administered through the Federal Highway Administration (FHWA) to recognize, protect, and promote America's most outstanding roads. From 1991 to 2010 communities could apply for designation as a State or National Scenic Byway through their state departments of transportation.

In 1991, Congress established the program under the Intermodal Surface Transportation Efficiency Act (ISTEA) and strengthened it further with the passage of the Transportation Equity Act for the 21st Century (TEA-21) in 1998 and subsequently with the passage of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU), in 2005.

Unlike some earlier state scenic roads programs that focused solely on the promotion of roads, this program helped communities balance economic development and resource conservation.

On July 6, 2012, MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141), was signed into law by President Obama. Funding surface transportation programs at over \$105 billion for fiscal years (FY) 2013 and 2014, MAP-21 is the first long-term highway authorization enacted since 2005.

The passage of MAP-21 eliminated two fundamental components of the National Scenic Byways Program supported by the previous transportation bills: Grant Funding through a National Scenic Byways Program and the defunding and closure of the America's Byways Resource Center in Duluth, Minnesota - eliminating a valuable training and support program for byways. While existing national designations will not change, there is no guarantee that there will be future national byway designations.

Designation

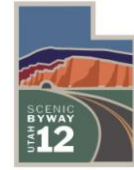
National Scenic Byways designations recognized those roads across the country that exhibit one of more six core intrinsic qualities-- scenic, natural, historic, recreational, archaeological, or cultural-- contributing towards a unique travel experience. There are 130 National Scenic Byways and 31 All-American Roads.

To be considered for designation as a National Scenic Byway, a road possessed characteristics of regional significance within at least one of the intrinsic quality categories. In addition, the byway demonstrated strong community support and developed a corridor management plan that described in detail the preservation, marketing, and improvement strategies for the byway.

All-American Roads are the very best of the National Scenic Byways. An All-American Road had to meet the same criteria as a National Scenic Byway, but possessed multiple intrinsic qualities that were of national significance and the byway had to be considered a destination and reason for travel unto itself.

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In enacting MAP-21, Congress made no action to retroactively de-designate scenic byways at all, that is not going to happen ... and the Secretary of Transportation is still legally required to have a byway program that recognizes byways. Future designation can, and may still happen. It remains to be seen.¹

Funding

TEA-21 (1998) increased the funding for the National Scenic Byways Program by 85 percent, to \$148 million over six years for projects such as creating statewide byways programs, corridor management planning, promoting byways, scenic easements, billboard removal, etc. The passage of SAFETEA-LU

(2005) added another \$175 million in funding for byways-related projects. The Federal Highway Administration (FHWA) awarded the funds competitively each year in the form of merit –based grants covering 80 percent of the project cost and with the requirement that the remaining 20 percent be matched by local, state, other federal or in-kind means.

The Federal Highway Administration has now released guidance on the Transportation Alternatives Program: (<http://www.fhwa.dot.gov/map21/guidance/guidetap.cfm>).

Funding Levels under MAP 21: Section 1122 of MAP-21 provides for the reservation of funds apportioned to a State under section 104(b) of title 23 to carry out TAP. The national total reserved for TAP is equal to 2 percent of the total amount authorized from the Highway Account of the Highway Trust Fund for Federal-aid highways each fiscal year. (23 U.S.C. 213(a))

The following table shows the national total for TAP under MAP-21:

FY 2013	\$808,760,000
FY 2014	\$819,900,000
TOTAL	\$1,628,660,000

Each State's TAP funding is determined by dividing the national total among the States based on each State's proportionate share of FY 2009 Transportation Enhancements funding. Within each State, the amount for TAP is set aside proportionately from the State's National Highway Performance Program (NHPP), Surface Transportation Program (STP), Highway Safety Improvement Program (HSIP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), and Metropolitan Planning apportionments. (23 U.S.C. 213(a))

There is one question that specifically deals with byways:

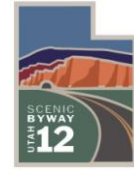
What types of scenic byway projects are eligible under MAP-21?

Eligible projects under the Surface Transportation Program and the Transportation Alternatives Program that may have previously been eligible as part of the National Scenic Byways Program include the construction of turnouts, overlooks, and viewing areas; historic preservation and rehabilitation of

¹ J. Holland/G. Hill/G. Jensen

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historic transportation facilities related to a byway; and bicycle and pedestrian facilities along a byway. (23 U.S.C. 101(a)(29), 23 USC 213(b), MAP-21 1101, 1122).

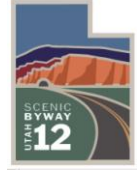
Summary

Since All-American Road designation in 2002 the Scenic Byway 12 Committee approved and submitted grant applications directly to Federal Highways through the National Scenic Byways Program and was awarded \$1,303,754 for SR12 Corridor development and project implementation. Beginning in 2013 the byway organization will work with Utah Office of Tourism, UDOT and FHWA to navigate the new planning and funding opportunities under MAP-21. The Scenic Byway 12 Committee has enjoyed a positive working relationship with its local, regional, state and federal partners. We look forward to continuing our efforts to improve the experience of travelers on Scenic Byway 12 and to mitigate the impacts of tourism in our local communities by working together.

Scenic Byway 12- National Scenic Byways Funding since All-American Road Designation

	Project	#	NSB \$
2003	Highway 12 - Corridor Management Plan Implementation	SB-2003-UT-50	\$25,000
2004	Boulder Town Park Public Grounds Development and Access Master Plan -	SB-2004-UT-50	\$39,616
2004	Implementation of Corridor Management Plan - Scenic Highway 12	SB-2004-UT-51	\$25,000
2006	Highway 12 - Corridor Management Plan Implementation Year 4	SB-2006-UT-02	\$50,000
2006	Highway 12 - Interpretive Wayside Exhibits Design	SB-2006-UT-05	\$62,800
2007	Cannonville Gateway Improvement	SB-2007-UT-07	\$20,000
2007	Escalante Mohr Christensen Park - Phase 1	SB-2007-UT-08	\$14,080
2007	Scenic Byway 12 - Corridor Management Plan Implementation Year 5	SB-2007-UT-01	\$25,000
2007	Scenic Byway 12 Interpretive Wayside Panels Fabrication and Installation - P 1	SB-2007-UT-05	\$71,998
2008	Scenic Byway 12 Interpretive Wayside Panels Fabrication and Installation - P 2	SB-2008-UT-06	\$51,300
2008	Scenic Byway 12 (UT): Corridor Management Plan Implementation	SB-2008-UT-03	\$20,200
2009	UT: Scenic Byway 12 Interpretive Media Design and Publication	SB-2009-UT-05	\$46,400
2010	Scenic Byway 12 - Red Canyon, Byway Facilities Improvements	SB-2010-UT-01	\$326,360
2011	Scenic Byway 12 (UT): Byway Wayside Improvements	SB-2011-UT-03	\$480,000
2012	Scenic Byway 12 Planning Study	SB-2012-UT-05	\$46,000

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Total NSB Funding since All-American Road Designation

\$1,303,754