Kentucky Transportation Alternatives Program
TABLE OF CONTENTS

Activity #1: Bicycle and Pedestrian Facilities ........................................... 1
Activity #2: Safe Routes for Non-Driver .................................................... 1
Activity #3: Conversion of Abandoned Railway Corridors to Trails .................................................... 2
Activity #4: Scenic Turnouts and Overlooks ............................................ 2
Activity #5: Outdoor Advertising Management ...................................... 3
Activity #6: Historic Preservation & Rehabilitation of Historic Transportation Facilities .................................................... 4
Activity #7: Vegetation Management ....................................................... 6
Activity #8: Archaeological Activities ...................................................... 7
Activity #9: Stormwater Management ................................................... 8
Activity #10: Wildlife Mortality Mitigation ............................................. 9
Other Significant Factors to Consider before applying ....................... 10
Federal Guidance ....................................................................................... 11
Related Resources ................................................................................... 12
To Get Started ......................................................................................... 14

The federal Transportation Alternatives (TA) program funds 10 different types of transportation-related activities. Working within Federal Highway Administration (FHWA) guidelines, the Kentucky Department of Transportation (KYTC) and Metropolitan Planning Organizations (MPOs) determine the eligibility of TA projects for funding. This booklet gives an introduction to those activities.

While you consider the eligible activities, ask these two questions about any potential project:

Does it have a clear and defined Surface Transportation Relationship?

Does it promote Connectivity and Accessibility?
**Activity #1: Bicycle and Pedestrian Facilities**

Through activity 1, known as the Provision of Facilities for Bicycles and Pedestrians, communities develop projects that make non-motorized transport safe, convenient, and appealing. These projects encourage healthful physical activity, keep air clean by decreasing reliance on fossil fuels, and enrich local economies with recreational assets.

**Eligible Project Examples:**
- New or reconstructed sidewalks, walkways, or curb ramps;
- Bike lane striping;
- Wide paved shoulders;
- Bike parking and bus racks;
- New or reconstructed off-road trails;
- Bike and pedestrian bridges and underpasses.

*It is important to note: Bicycle and pedestrian facilities that serve a purely recreational function do not meet the criteria of relating to surface transportation.*

**Activity #2: Safe Routes for Non-Drivers**

Through activity 2, Safe routes for non-drivers; communities develop projects that create or improve access for individuals who do not drive. These programs allow children, older adults and individuals with disabilities to access daily needs.

**Eligible Projects**

This is a new activity under the 2012 MAP-21 transportation bill. Communities should be creative in considering ways to improve the ability of non-drivers to access daily needs, such as schools, clinics, libraries, markets, and public transportation.
**Activity #3: Conversion of Abandoned Railway Corridors to Trails**
Through activity 3, known as “Conversion of Abandoned Railroad Corridors to Trails”, helps expand travel and recreational opportunities within communities. Converted rail corridors make ideal trails because of their flat grade, long length, and intact right-of-way. Rail-trails, as these types of trails are called, help to encourage physical activity and reduce air pollution.

**Eligible Project Examples:**
- Planning, designing, and constructing multi-use trails along a railroad right-of-way (ROW);
- Major reconstructions of multi-use trails along a railroad ROW;
- Developing rail-with-trail projects;
- Bike parking and bus racks;
- Purchasing unused railroad property for reuse.

**Activity #4: Scenic Turnouts and Overlooks**
Through activity 4, Construction of Turnouts, Overlooks, and Viewing Areas; communities develop the scenic and historic character of highways. These projects make the travel experience educational and attract tourists to local roads.

**Eligible Project Examples:**
- Construction of turnouts and overlooks
Activity #5: Outdoor Advertising Management
The Control and removal of outdoor advertising activity allows communities to preserve the scenic character of their roads by tracking and removing illegal billboards.

Eligible Project
Examples:
- Billboard inventories, including those done with GIS/GPS;
- Removal of illegal and non-conforming* billboards.

*Non-conforming signs are those signs that were lawfully erected but do not now comply with the Highway Beautification Act of 1965.

Subject Specific Federal Guidance
Since this activity may involve the acquisition of real property, federal guidelines must be followed in addition to any state regulations. All property acquisitions involving the use of federal financial assistance must comply with The Uniform Act. Title III of the Uniform Act applies to the acquisition and removal of nonconforming signs. It requires that to the greatest extent practicable under state law, property acquired in connection with a federally-funded project must be appraised and the owner must be made an offer not less than the appraised value. Thus, in most cases, sign and site owners are entitled to just compensation for their property. In addition, the FHWA TE guidance under SAFETEA-LU stipulates that effective controls must be in place to prohibit new signs from being erected where those removed with federal-aid were located.
Activity #6: Historic Preservation & Rehabilitation of Historic Transportation Facilities

Through the Historic preservation and rehabilitation activity, communities rehabilitate and restore transportation facilities significant to the history of transportation in America. These rehabilitated facilities help to educate the public and to give communities a unique sense of character that attracts tourists and generates a vibrant economic life.

Eligible Project Examples:

- Restoration and reuse of historic buildings with strong link to transportation history;
- Restoration and reuse of historic buildings for transportation related purposes;
- Interpretive displays at historic sites;
- Access improvements to historic sites and buildings;
- Restoration of railroad depots, bus stations, and lighthouses;
- Rehabilitation of rail trestles, tunnels, bridges, and canals.

TA funds may not be used for the sole purpose of replicating a historic building. Funds apportioned through MAP-21 (effective October 1, 2012) cannot be used for the operation of historic sites. TA funds may not be used for the construction of visitor centers. Additionally, funds cannot be used for marketing or promotion not related to the scenic or historic highway program, nor can they be used for the staffing, operating, or maintenance costs of facilities. Funds apportioned through MAP-21 (effective October 1, 2012) cannot be used for tourist and welcome centers.

Subject Specific Federal Guidance

Important steps to consider when proceeding with a project in this category:

- Private sponsors should have a public co-sponsor to insure the continued responsibility on the part of the public agency for the project. Sponsors should plan for the future use and maintenance of the property in their proposal.
• A legal document developed in conjunction with the state FHWA division office should capture the protection of property rights for the use of a facility for a specific time period. The period of public access to the property should be commensurate with the expenditure of TE funds.

• Project sponsors should coordinate with appropriate historic agencies (e.g. State Historic Preservation Offices) to help assure that protective language is included in any agreement before the project is authorized for funding.

• If part of a facility is to be leased for a fee, federal funds should be used only for the portion of the facility that will be open to the public.
**Activity #7: Vegetation Management**

Through the Vegetation management activity, communities improve roadway safety, prevent against invasive species, and provide erosion control along transportation corridors.

**Eligible Project Examples:** improvements along streets, historic highways, trails and interstates, waterfronts, and gateways including:

- Clearing of low-hanging branches or other vegetation encroaching on a travel corridor;
- Landscaping to improve sightlines or other safety considerations;
- Removal of invasive species;
- Planting grasses or wildflowers to manage erosion along transportation corridors.

Under SAFETEA-LU, this category contained a much broader definition of landscaping to include scenic beautification projects as well, but those are now ineligible under MAP-21 (effective October 1, 2012).
Activity #8: Archaeological Activities
The archaeological activity allows communities to explore the history in America with archaeological excavations and surveys in conjunction with highway construction projects. The activity also helps build local economies by attracting tourists interested in history.

Eligible Project Examples:
- Research, preservation planning, and interpretation;
- Developing interpretive signs, exhibits, and guides;
- Inventories and surveys.

Previously archaeological activities related to surface transportation but not required as part of a Federal-aid highway project were eligible; however, now under MAP-21, this activity is restricted to only those archaeological activities relating to impacts from implementation of a transportation project.
Activity #9: Stormwater Management
Activity 9, known as stormwater management, allows communities to decrease the negative impact of roads on the natural environment. Rainwater runoff washing over road surfaces carries pollutants into water supplies, endangering human health and the ecological balance of local streams and rivers. Projects funded in this category seek to reduce these environmental impacts.

Eligible Project Examples:
- Detention and sediment basins;
- Stream channel stabilization;
- Storm drain stenciling and river clean-ups;
- Water pollution studies;

The definition for this category is less restrictive under the MAP-21 transportation bill (effective October 1, 2012) than under the previous SAFETEA-LU bill. Projects that were previously ineligible under SAFETEA-LU may be eligible under the new law.

Past FHWA TE Guidance has required the following for environmental mitigation projects “Projects must go above and beyond environmental mitigation required in law for federal-aid highway projects”.
**Activity #10: Wildlife Mortality Mitigation**

Activity 10, Wildlife Mortality Mitigation, allows communities to decrease the negative impact of roads on the natural environment. Roads can harm wildlife by causing habitat fragmentation and vehicle-caused wildlife mortality. Projects funded in this category seek to reduce these environmental impacts.

**Eligible Project Examples:**
- Wetlands acquisition and restoration;
- Stream channel stabilization;
- Wildlife underpasses or overpasses which may include bridge extensions to provide or improve wildlife passage and wildlife habitat connectivity;
- Monitoring and data collection on habitat fragmentation and vehicle-caused wildlife mortality.
- The definition for this category is less restrictive under the MAP-21 transportation bill (effective October 1, 2012) than under the previous SAFETEA-LU bill. Projects that were previously ineligible under SAFETEA-LU may be eligible under the new law.

**Specific Federal Guidance**

Past FHWA TE Guidance has required the following for environmental mitigation projects:
- Projects must go above and beyond environmental mitigation required in law for federal-aid highway projects.
- Projects may target wildlife not listed as threatened or endangered species.
- In some cases where it is not feasible to construct wildlife crossings, it may be possible to develop new habitat resources or to improve existing habitat resources to support additional population.
Other Significant Factors to Consider before applying

- We can only contract with local government entities: cities or county fiscal courts. Referred to as Local Public Agencies or “LPAs”.

- TAP is a reimbursement program; it is not a grant program. Therefore, the city or county must pay expenses up front and then turn in a request for reimbursement with complete detailed documentation of the expense and cancelled checks. Requests for reimbursement can occur during the life of the project, the local government does not have to fund the entire project and then be reimbursed at completion.

- The federal award is for the scope of work approved for the project, NOT the amount of money. If a project is completed under budget, the remaining funds may not be kept or used for other items.

- TAP requires an 80-20 match. 80% of a project can be funded with awarded federal dollars if the local government provides a 20% match. The kind of match to be used must be declared with the application.
  - Cash match is always best.
  - In-kind matches require a lot of documentation.
  - Property matches must be approved and appraised by a KYTC prequalified appraiser before the project starts. (Lists of approved appraisers are available)

- TAP is federally funded and we must adhere to federal guidelines, including ADA compliance. Often federal law is stricter and requires more work, documentation or construction requirements than state projects and must be approved by FHWA Transportation Specialists.

- Archeology or ROW issues can kill a project. If you have any concerns about the historical record of the area of your project or don’t know for absolute sure who owns every foot of the area of your project; investigate that first.
Additional funds for this activity may come from local and state governments, foundations, nonprofit organizations, businesses, or other federal sources. Visit [www.ta-learninghouse.info/funding_sources](http://www.ta-learninghouse.info/funding_sources) for more suggestions on potential funding sources.

**Federal Guidance**

Projects that use TA funds must qualify as one or more of the 10 designated activities and be related to surface transportation in order to meet basic federal eligibility requirements.

Important steps to consider when proceeding with a project:

- Sponsors must comply with federal regulations involving property acquisitions contained in the Uniform Act. Streamlining measures such as voluntary transaction procedures and exemptions for conservation organizations can make this process easier for TA projects. Project sponsors should discuss the relevance of the Uniform Act with their FHWA division and state DOT.

- Private sponsors should have a public co-sponsor to insure the continued responsibility on the part of the public agency for the project. Sponsors should plan for the future use and maintenance of the property in their proposal.

- A legal document developed in conjunction with the state FHWA division office should capture the protection of property rights for the use of a facility for a specific time period.

- The period of public access to the property should be commensurate with the expenditure of TA funds.

Related Resources

- FHWA’s Bicycle and Pedestrian Program: [www.fhwa.dot.gov/environment/bikeped](http://www.fhwa.dot.gov/environment/bikeped) or 202-366-0134
- The Bicycle and Pedestrian Information Center: [www.pedbikeinfo.org](http://www.pedbikeinfo.org) or 919-262-2203
- America Walks: [www.americawalks.org](http://www.americawalks.org) or 617-367-1160
- America Bikes [www.americabikes.org](http://www.americabikes.org) or 202-833-8080
- Trails and Greenways Clearinghouse: [www.trailsandgreenways.org](http://www.trailsandgreenways.org) or 1-877-476-9297
- The National Center for Bicycling and Walking: [www.bikewalk.org](http://www.bikewalk.org) or 202-463-6622
- The Rivers, Trails & Conservation Assistance Program of the National Park Service: [www.ncr.nps.gov/rtca](http://www.ncr.nps.gov/rtca) or 202-354-6900.
- Walk to School Week: [www.walktoschool-usa.org](http://www.walktoschool-usa.org)
- Centers for Disease Control and Prevention, Division of Nutrition & Physical Activity: [www.cdc.gov/nccdphp/dnpa](http://www.cdc.gov/nccdphp/dnpa)
- FHWA Historic Preservation and Archaeology Program: Offers resources related to historic preservation and historic roads: [http://environment.fhwa.dot.gov/histpres](http://environment.fhwa.dot.gov/histpres)
- Scenic America: [www.scenic.org](http://www.scenic.org) or 202-638-0550
- Historic Roads: [www.historicroads.org](http://www.historicroads.org)
- FHWA Outdoor Advertising Control History and Overview: [www.fhwa.dot.gov/realestate/out_ad.htm](http://www.fhwa.dot.gov/realestate/out_ad.htm)
- National Alliance of Highway Beautification Agencies: [www.nahba.org](http://www.nahba.org)
- National Trust for Historic Preservation: [www.nthp.org](http://www.nthp.org) or 202-588-6000
- To get in touch with your state historic preservation offices: [http://grants.cr.nps.gov/Shpos/SHPO_Search.cfm](http://grants.cr.nps.gov/Shpos/SHPO_Search.cfm)
- Federal Highway Administration, Department of Vegetation Management [www.fhwa.dot.gov/environment/vegmgmt/](http://www.fhwa.dot.gov/environment/vegmgmt/)
- National Main Street Center: [www.mainst.org](http://www.mainst.org) or 202-588-6219
- International Downtown Alliance: [www.ida-downtown.org](http://www.ida-downtown.org) or 202-393-68013
- American Society of Landscape Architects: [www.asla.org](http://www.asla.org) or 202-898-2444
- National Association of State Archaeologists: [www.uiowa.edu/~osa/nasa/](http://www.uiowa.edu/~osa/nasa/)
- Archnet, a database of laws and papers related to archaeology: [http://archnet.asu.edu/archnet/](http://archnet.asu.edu/archnet/)
- Archaeology and Historic Preservation, National Trust for Historic Preservation: [www.nthp.org](http://www.nthp.org) or 202-588-6000
• Federal Highway Administration, water quality and Critter Crossings Web sites: www.fhwa.dot.gov/environment/natural.htm
• The Center for Transportation and the Environment (North Carolina State University): 919-515-8893 or www.itre.ncsu.edu/cte
• Defender’s of Wildlife Habitat and Highways Campaign: 202-682-9400 or www.defenders.org/habitat/highways/new/congress.html
• Western Transportation Institute, Montana State University: Offers a reference database focused on animal-vehicle collisions and mitigation options: www.coe.montana.edu/WTI
• USDA forest service, Wildlife Crossings Toolkit: www.wildlifecrossings.info/beta2.htm

NOTES:
**To Get Started**

Inquiries about the TA application process in Kentucky should be directed to:

**KY Transportation Cabinet**

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