

Guiding Principles and Questions for Transportation Enhancement Activities

Specific Principles and Questions for Each of the 12 Eligible Categories

Additional Considerations for Eligible Categories

1. [Pedestrian and Bicycle Facilities](#)
2. [Pedestrian and Bicycle Safety Education](#)
3. [Acquisition of Scenic or Historic Sites](#)
4. [Scenic or Historic Highway Programs](#)
5. [Landscaping](#)
6. [Historic Preservation](#)
7. [Rehabilitation of Historic Transportation Facilities](#)
8. [Rail-Trails](#)
9. [Outdoor Advertising](#)
10. [Archaeological Planning and Research](#)
11. [Environmental Mitigation](#)
12. [Transportation Museums](#)

See also:

- [General Principles and Questions for TE Projects](#)

1. **Provision of facilities for pedestrians and bicycles** [Revised 09/18/2008]

Eligibility Principle: A facility for pedestrians and bicycles should be consistent with the provisions of [23 U.S.C. 217](#). The project must relate to surface transportation for nonmotorized use.

Transportation enhancement (TE) projects must [relate to surface transportation](#). This is a flexible provision that accommodates recreational use as long as the project relates to surface transportation.

For bicycle projects, 23 U.S.C. Section 217(i) states: *Transportation Purpose.--No bicycle project may be carried out under this section unless the Secretary has determined that such bicycle project will be principally for transportation, rather than recreation purposes.* This requirement only affects **bicycle** projects. It does not require a transportation purpose for pedestrian, equestrian, or any other use.

Trails (including shared use paths) and pedestrian walkways open for pedestrian or other nonmotorized uses do not have this transportation purpose restriction. Section §217(h) anticipated recreational use along trails and pedestrian walkways. However, TE projects still must [relate to surface transportation](#). Recreational trails and motorized use trails are eligible under the [Recreational Trails Program](#).

Guiding questions for eligibility and viability:

- How does the facility serve trips that could otherwise be made by motor vehicles?
- How does the facility enhance safety for pedestrians or bicyclists or fill a gap in a pedestrian, bicycle, or other nonmotorized shared use path or trail network?
- To what extent are the connecting locations (origin and destination) different and distinct?
- How does the facility meet [accessibility guidelines](#) under the *Americans with Disabilities Act*?
See: [US Department of Justice ADA Home Page](#) or [US Access Board](#).

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to pedestrian and bicycle facilities.
- Bicycle and Pedestrian Program [Guidance](#) and [Publications](#).
- [Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities](#)
- [Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways](#)
- [Manuals and Guides for Trail Design, Construction, Maintenance, and Operation, and for Signs](#)
- [Shared Use Paths Along or Near Freeways and Bicycles on Freeways](#)
- [Recreational Trails Program Guidance](#)

[Return to Top](#)

2. Provision of safety and educational activities for pedestrians and bicyclists

Eligibility Principle: The provision of safety and educational activities for pedestrians and bicyclists must inform, encourage, or help train people to walk or bicycle safely, and/or educate motorists about pedestrian and bicyclist safety. This includes workforce development, training, and education for pedestrian and bicyclist safety activities. [Second sentence added December 12, 2005]

Guiding questions for Eligibility and Viability:

- Who is the target audience? What knowledge or skills should the participants achieve?
- What products will be developed under this project?
- How is safety included in the educational or training materials?
- How would this activity enhance or supplement other highway safety education activities?
- What long-term benefits are expected from the project? Is continuing education needed, and, if so, how will it be provided?
- What evaluation methods will help determine if the activities are successful?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to pedestrian and bicycle safety and education.

- Bicycle and Pedestrian Program [Guidance](#) and [Publications](#).

[Return to Top](#)

3. **Acquisition of scenic easements and scenic or historic sites (including historic battlefields)** - Revised 10/28/2005

Eligibility Principle: The acquisition of scenic easements and scenic or historic sites must benefit the travel experience and preserve the scenic or historic authenticity and integrity of the property, site, or battlefield for the traveler. The property or site must be strikingly distinct and offer the traveling public a pleasing or memorable visual or historic experience: the site is a principal reason for the trip. The view or historic site must be protected and preserved for perpetuity.

Guiding questions for eligibility and viability:

- What is the scenic or historic authenticity and integrity of the property or site? What are its scenic, aesthetic, or historic merits?
- How would these scenic or historic qualities be preserved and protected? What deed restrictions will be in place? Will the property be acquired or can it be protected by an easement?
- What evidence is there that the property or site is strikingly distinct and offers travelers a pleasing and/or memorable experience?
- Is the property or site classified as scenic today or will attempts be needed to enhance the scenic attributes? (Example: urban open space that has been impaired with other uses.)
- How visible are the scenic or historic attributes from a public road, path, or other surface transportation facility? What portion of the property is visible to the public? How would the public view the scenic or historic qualities of the property? Can the public view the property from more than one vantage point?
- Would the project have a surface transportation use? What types of uses? How much of the property or site would be used?
- What other uses would be anticipated? Are they eligible for TE funding?
- Is the property currently being used for other purposes, and will the use continue? Have any current or former uses caused potential hazardous material concerns on the property?
- How did surface transportation affect the location and use of the property or site during the period of its historic significance? How did surface transportation affect its scenic or aesthetic merits?
- How did the property or site affect surface transportation during the period of its historic significance? How did the scenic or aesthetic merits of the site affect surface transportation?
- How would the traveling public be informed about the historic, scenic, or related significance of the property or site and its relation to surface transportation?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to scenic easements, historic sites, and historic battlefields.

[Return to Top](#)

4. **Scenic or historic highway programs (including the provision of tourist and welcome center facilities)**

Eligibility Principle: The scenic or historic highway program must serve the traveling public through the implementation of a scenic or historic highway program, including a State scenic byway program as recognized under [23 U.S.C. 162](#). A tourist or welcome center facility must serve travelers visiting one or more designated scenic or historic highways in the area. The term tourist or welcome center includes highway turnouts, overlooks, viewing areas, designation signs and markers related to specific scenic or historic sites, and roadwork necessary to accommodate the TE project, such as turn lanes. The connection to a scenic or historic site should take into account the intrinsic characteristics that make an area or site scenic or historic as determined by a Federal or State agency, or an area commission, where one exists. Where these mechanisms are not available, the proposal should document those characteristics that give evidence of a clear link to a specific scenic or historic site.

TE funds cannot be used for the ongoing administrative or operating expenses for scenic or historic highway program activities, for consultants to help administer the program, or to conduct general program training. See [FHWA Policy on Indirect Costs](#) (last section). Consultants may be hired to help administer a scenic or historic highway program using nonfederal funds.

TE funds may not be used for highway rest areas that are not part of a scenic or historic highway program. TE funds may not be used for community centers or general welcome centers that are not part of a scenic or historic highway program. Where a project sponsor intends to combine uses (such as a highway program welcome center using space in a community center), TE funds are limited to the share of the project that relates to a scenic or historic highway program.

Guiding questions for eligibility and viability:

- What is the scenic or historic authenticity and integrity of the highway?
- How would these scenic or historic qualities be preserved and protected?
- What are the scope, purpose, and goals of the scenic or historic highway program?
- How does the program or facility advance the implementation of the highway program to serve the traveling public?
- Would the project also be eligible for funding under the [National Scenic Byways Program \(23 U.S.C. 162\)](#)?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to scenic and historic highway programs.

[Return to Top](#)

5. **Landscaping and other scenic beautification**

Eligibility Principle: A landscaping or scenic beautification project must enhance the aesthetic or visual character of a site, corridor, or community along a surface

transportation facility. The project may include plantings, [vegetation management](#) (including removal of invasive plants and revegetation with native plants), or other landscaping that respects the natural heritage and regional character, consistent with [23 U.S.C. 319](#). The project also may include built elements or innovative design features, including public art, to enhance the landscape.

Guiding questions for eligibility and viability:

- How does the project enhance the landscape for the traveling public?
- How would the project offer the traveling public a pleasing and memorable visual experience?
- How would the natural and built elements work in harmony to enhance the natural, aesthetic, or visual character of a site, corridor, or community along a surface transportation facility and demonstrate sensitivity to the integrity of the place and context?
- What best practices does the project use for [vegetation management](#) (such as using native plants and removing invasive species)?
- What best practices or innovative designs does the project use for built elements?
- What impact does the project have on transportation safety?

See also:

- [General Principles and Questions for TE Projects](#)
- [FHWA Guidance on Invasive Species](#)
- [TE Resources](#) for links to agencies and organizations with resources related to scenic and historic highway programs.
- [Environmental Protection Agency - Heat Island Effect - Trees and Vegetation](#)

[Return to Top](#)

6. Historic preservation

Eligibility Principle: A historic preservation project must demonstrate a relationship to surface transportation and result in historic preservation consistent with the [Secretary of the Interior's Standards for Preservation Projects](#).

Guiding questions for eligibility and viability:

- What is the historic authenticity and integrity of the site, building, structure, or district?
- How would these qualities be preserved and protected?
- Would the project serve a surface transportation use? What type of surface transportation use(s), what portion of the site, building, structure, or district would serve a surface transportation use, and what other use(s) would be available?
- How did surface transportation affect the location and use of the site, building, structure, or district during the period of its historic significance?
- How did the site, building, structure, or district affect surface transportation during the period of its historic significance?
- How would the traveling public be informed about the historic significance of the site, building, structure, or district and its relation to surface transportation?

- For historic bridge projects: see [Interpretation of Title 23, Section 144\(o\) Reasonable Costs Associated With the Demolition of Historic Bridges](#). [Added Dec 22, 2005]

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to historic preservation.

[Return to Top](#)

7. Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals)

Eligibility Principle: A project for rehabilitation and operation of historic transportation buildings, structures, or facilities must be for a building, structure, or facility historically used for a surface transportation purpose or function. Rehabilitation should be consistent with the [Secretary of the Interior's Standards for Preservation Projects](#).

Guiding questions for eligibility and viability:

- What is the historic authenticity and integrity of the building, structure, or facility?
- How would these qualities be preserved and protected?
- What surface transportation purpose or function did the building, structure, or facility provide during the period of its historic significance?
- How would the traveling public be informed about the historic significance of the building, structure, or facility, and its relation to surface transportation?
- For historic bridge projects: see [Interpretation of Title 23, Section 144\(o\) Reasonable Costs Associated With the Demolition of Historic Bridges](#). [Added Dec 22, 2005]

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to historic preservation.

[Return to Top](#)

8. Preservation of abandoned railway corridors (including the conversion and use of the corridors for pedestrian or bicycle trails)

Eligibility Principle: A project for preservation of an abandoned railway corridor must preserve and protect a railway corridor. It may allow trail use on or along the corridor consistent with [23 U.S.C. 217](#). This category may not be used to keep a railroad corridor from becoming abandoned.

If the railroad corridor or portions of the corridor have been railbanked under [16 U.S.C. 1247](#)(d), there must be an agreement stating that the corridor is subject to restoration or

reconstruction for railroad purposes. There must be an agreement specifying payback provisions if the restoration for railroad purposes takes place before the end of the economic or useful life of the project.

Guiding questions for eligibility and viability:

- Who owns the railway corridor property or parcels?
- What easements or deed restrictions are in effect? Do they include any reversionary rights?
- Will there be an agreement to ensure the preservation and protection of the corridor?
- If the corridor is on a revocable easement, are there provisions to pay back a *pro rata* share of TE funds?
- If a railroad corridor has been railbanked under 16 U.S.C. 1247(d), is there an agreement that the corridor is subject to restoration or reconstruction for railroad purposes in the future?
- How does the facility enhance safety for pedestrians or bicyclists, especially at intersections with other surface transportation facilities?
- How does the facility meet [accessibility guidelines](#) under the *Americans with Disabilities Act*?
See: [US Department of Justice ADA Home Page](#) or [US Access Board](#).
- How would the project sponsor manage existing and native vegetation within the corridor?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to railroads, historic preservation, and pedestrian and bicycle facilities.
- Bicycle and Pedestrian Program [Guidance](#) and [Publications](#).

[Return to Top](#)

9. Inventory, control, and removal of outdoor advertising

Eligibility Principle: Inventory control may include, but not be limited to, data collection, acquisition and maintenance of digital aerial photography, video logging, scanning and imaging of data, developing and maintaining an inventory and control database, and hiring of outside legal counsel. Removal of outdoor advertising must result in the removal of illegal and nonconforming billboards or other off-premise outdoor advertising signs. Sign owners must remove illegal signs or to be liable to the State for costs to remove illegal signs ([23 U.S.C. 131\(r\)](#)). TE funds may be used to remove illegal signs only after the DOT has attempted to recover the cost from a sign owner, but is not able to recover the cost. Inventory, control and removal of outdoor advertising may include monitoring and enforcement within the boundaries of the TE project for the purpose of aiding in the removal of signs within the project limits.

TE funds cannot be used for the ongoing administrative or operating expenses for State outdoor advertising program activities, for consultants to help administer the program, or to conduct general program training. See [FHWA Policy on Indirect Costs](#) (last section of the memo). Consultants may be hired to help administer an outdoor advertising program using nonfederal funds.

Guiding questions for eligibility and viability:

- How many nonconforming, illegal, and other off premise advertising signs are targeted for removal under the proposed project?
- What monitoring or enforcement activities are envisioned that would aid in the removal of nonconforming signs within the project limits?
- Do the proposed TE project activities add value or effectiveness over and above the State's regular program?
- What is the relative cost of the activities under the proposed project in relation to the total level of effort and cost of administering and operating the State's overall outdoor advertising program? Are the costs associated with the project reasonable and necessary?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to outdoor advertising.

[Return to Top](#)

10. Archaeological planning and research

Eligibility Principle: Archaeological planning and research must focus on physical evidence of historic or prehistoric human life or activity relating to surface transportation, or relating to artifacts recovered from locations within or along surface transportation corridors. The project must be consistent with the [Secretary of the Interior's Standards for Preservation Projects](#).

Guiding questions for eligibility and viability:

- What is the archaeological integrity of the ruins, artifacts, structural remains, and other physical evidence showing significant historic or prehistoric human life or activity?
- What, if any, surface transportation impacts affect the artifacts?
- How would the artifacts be preserved and protected?
- How did surface transportation affect human life or activity at this location during the period of archaeological significance?
- How did human life or activity at this location affect surface transportation during the period of during the period of archaeological significance?
- Would the traveling public have access to the ruins, artifacts, structural remains, and other physical evidence? If not, why?
- How would the traveling public be informed about the archeological significance of the ruins, artifacts, structural remains, and other physical evidence and the relation of human life or activity to surface transportation?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to archaeology and historic preservation.

[Return to Top](#)

11. Environmental mitigation to address water pollution due to highway runoff or reduce vehicle caused wildlife mortality while maintaining habitat connectivity

Eligibility Principle: The environmental mitigation project must reduce the impacts of water pollution due to highway runoff or reduce vehicle caused wildlife mortality while maintaining habitat connectivity. The project may not substitute for environmental mitigation normally required under the [National Environmental Policy Act](#) (NEPA) and other [regulations for Federal-aid projects](#).

Guiding questions for eligibility and viability:

- What impact would the project have on transportation safety?
- What long-term benefits are expected for the natural resources? What performance measures and/or evaluation methods will help determine if the project is successful?

[Water pollution due to highway runoff](#)

- What is the source of the water pollution? How would the project address the source?
- What pollutants are in the water? How would the project intercept pollutants, or provide for pollution storage or abatement functions?
- How would the project benefit water quality?
- What [vegetation management](#) strategies would be used to improve highway runoff water quality?

[Wildlife protection and habitat connectivity](#)

- How would the project reduce vehicle-caused wildlife mortality? What kinds of wildlife would benefit?
- How would the project maintain, improve, or restore habitat connectivity?
- How would the project benefit animal habitats?
- What [vegetation management](#) strategies would be used to reduce vehicle-caused wildlife mortality or enhance habitat connectivity?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to environmental mitigation, water quality, and habitat connectivity.
- [Defenders of Wildlife Habitat and Highways Program](#)
Defenders supports efforts to reduce the impact of roads and highways on wildlife and habitat and to reduce future impacts by incorporating wildlife conservation into transportation planning.
- [Wildlife-Highway Crossing Mitigation Measures and Associated Costs/Benefits](#): a Toolbox for Montana Department of Transportation.

[Return to Top](#)

12. Establishment of transportation museums

Eligibility Principle: A transportation museum or transportation display must be for surface transportation. For multiple purpose museums, the costs borne through TE funds must be limited to the share attributable to a surface transportation focus. The museum must follow best practices established by the museum profession (see [Establishment of Transportation Museums](#) in the TE Guidance).

Guiding questions for eligibility and viability:

- How does the museum, museum section, or display relate to surface transportation?
- How does the project meet the definition for [Establishment of Transportation Museums](#)?

See also:

- [General Principles and Questions for TE Projects](#)
- [TE Resources](#) for links to agencies and organizations with resources related to museums and historic preservation.