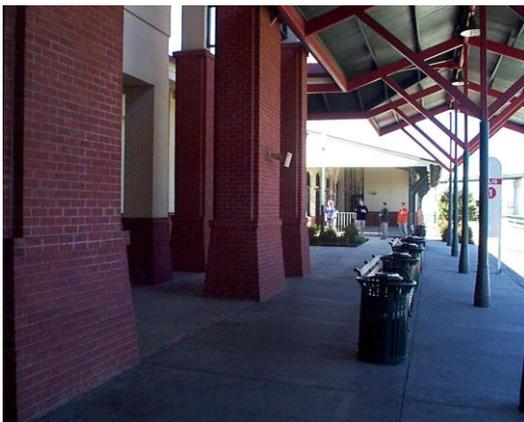




TRANSPORTATION ENHANCEMENT PROGRAM



I. INTRODUCTION

The Mississippi Transportation Commission (MTC) invites any *City Government, County Government, State Agency, College/University, or Rails-to-Trails District* to apply for funding approval of a Transportation Enhancement (TE) project. The Transportation Enhancement Program (TEP) utilizes Federal funds that contribute up to 80% of the total eligible project cost.

The Transportation Enhancement Program is eligible for funding under the Surface Transportation Program (STP). The TEP was originally established under the Intermodal Surface Transportation Efficiency Act of 1991. Congress then amended the TE activities and continued the TEP under the Transportation Equity Act for the 21st Century (TEA-21). Currently, the Transportation Enhancement Program is funded by a continuing resolution of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

There are many Federal and State regulations and project implementation procedures that will be required if a project is approved. The Mississippi Department of Transportation (MDOT) will work with all successful applicants to ensure that all requirements are met and projects are completed.

This document is a guide and is intended to provide interested parties with the TEP guidelines and necessary procedures to follow in preparing an application for TEP Federal funds.

This document provides information regarding:

- Federal and State Guidelines for Eligibility of TE projects
- Federal and State Guidelines for Funding of TE projects
- Application Procedures and Forms for Proposed TE Projects
- Mississippi Department of Transportation TE Project Selection Process

II. FEDERAL AND STATE GUIDELINES FOR ELIGIBILITY OF TRANSPORTATION ENHANCEMENT PROJECTS

The Transportation Enhancement Program is restricted to Federal, State and MTC rules and guidelines. The additional rules required by the MTC are designed to comply with limitations imposed by Mississippi law. The Federal Highway Administration (FHWA) Guidelines allow;

“Enhancement activities to be developed in cooperation with other State and Local agencies, however, the State Department of Transportation (DOT) shall remain responsible to the FHWA for the enhancement project.”

Because the MDOT is responsible for these projects, the MTC has adopted certain eligibility and participation rules as detailed in the remainder of this document.

A. Eligible Applicants: Project applications will **only be accepted** by the MDOT from *City and County Governments, State Agencies, Colleges/Universities, and Rails-to-Trails Districts* as defined in Mississippi Senate Bill No. 2512, of the 1994 Regular Session of the Mississippi Legislature.

B. Eligible Activities: There are twelve (12) eligible TE activities. These activities are exclusive, meaning that **only** the twelve activities as described in this document are eligible for the TEP. The definitions and project descriptions are based on FHWA guidelines, Mississippi law, and the MDOT policy and are used in determining the eligibility of TE project applications.

The following specified twelve (12) activities are eligible for the TE Program:

1. Provision of facilities for bicyclists and pedestrians.

Only special projects beyond ordinary street sidewalks will be considered. The facility must meet all design standards of the American Association of State Highway and Transportation Officials (AASHTO), the standards and design organization for transportation related construction in the U.S. and should comply with the Americans with Disability Act (ADA) when appropriate. Projects that are eligible for the TE Program funding as pedestrian and bicycle activities include:

- provision of special facilities for pedestrians and bicycles;
- preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian and bicycle trails.)
- provision of safety and educational activities for pedestrians and bicyclists.

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

Safety and educational activities for pedestrians and bicyclists must provide information to train and/or encourage people to walk or bike safely, and educate motorists about pedestrian and bicyclist safety.

3. Acquisition of scenic easements scenic or historic sites (including historic battlefields).

A project may include the purchase of scenic easements for the “view shed” of a highway designated as a “scenic road or byway”. The scenic easement must encompass the entire view as seen from a moving vehicle on the roadway, must remove all advertising of any kind within view, must provide for permanent ownership of the scenic easement by the public entity making the application, and meet any and all Federal requirements for Right-of-Way acquisition. The scenic easement must also restrict all future use of the property to ensure the scenic easement will be kept in the correct condition to continue to qualify as a scenic easement.

The purchase of a transportation linked historic site may be considered a complete project provided the TE project provides for the maintenance of the site in its

current condition, or “restored condition”, as defined by the U.S. Secretary of the Interior’s standards for rehabilitation, for perpetuity by the public entity making the application.

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

A TE project in this category can be applied only to a roadway that has been designated a “scenic byway” by the State of Mississippi OR, a roadway that has been designated as an historic road or trail by the Mississippi Department of Archives and History (MDAH) or the U.S. Department of the Interior. Tourist and welcome center projects must be along roadways designated as scenic or historic.

5. Landscaping and other scenic beautification.

This type of project must be specialized landscaping of a surface transportation related facility. This can’t be treatment of an existing transportation facility that is designed as ordinary erosion control. Ordinary erosion control is a character of work that is normal to the regular Federal Highway Program.

6. Historic preservation.

This type of project must involve a property of exceptional historic or prehistoric significance which is eligible for or listed on the National Register of Historic Places or designated a Mississippi Landmark under the State Antiquities Act. The MDAH will provide oversight in making this determination. To be eligible for this category the application must be a project that will preserve the facility in conformity with the U.S. Secretary of the Interior’s *Standards for Rehabilitation*.

NOTE: This category does not include any new construction.

Projects that are eligible for TE Program funding as Historic activities include:

- acquisition of historic transportation sites;
- historic highway programs;
- establishment of transportation museums;
- rehabilitation and/or preservation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals). After restoration, the facility must then be operated as an amenity to the transportation facility operated by the applicant and open to the public a minimum of six (6) days per week year round.
- preservation and interpretation of exceptionally significant historic and prehistoric and prehistoric properties eligible for or listed on the National Register of Historic Places or a Mississippi Landmark (and if not a transportation facility then is in close proximity to a transportation facility and will be used as an amenity to the transportation facility.)
- and archaeological planning and research related to or in the path of transportation construction.

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

For this category the proposed TE facility must be eligible for or listed on the National Register of Historic Places (or designated a Mississippi Landmark under the State Antiquities Act.) Projects of this category apply only to historic transportation facilities, i.e. railroad depots, transportation administration buildings, toll facilities, port facilities, etc... The MDOT has made a policy decision that operation of facilities will not normally be funded as a TE project. This is due to restrictions in State law and regulations related to the way the MDOT must operate.

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

A railroad corridor may be purchased as a TE project provided all Federal regulations related to Right-of-Way acquisition are met. Also, the railroad corridor acquisition must follow the rules of the Federal Railroad Administration related to abandonment. This may be accomplished through a Mississippi Rails-to-Trails District as defined by Mississippi Law; however, if the project is from a Rails-to-Trails District then a maintenance agreement must accompany the application wherein a government entity agrees to maintain the corridor in perpetuity. Applications in this category will be given higher priority in the selection process if it also includes the development of the corridor into a usable trail.

9. Inventory, control, and removal of outdoor advertising.

Usually this would be done through the scenic easement category above; however, if an applicant wishes to have a project exclusively in this category then the following must apply:

The advertising must be removed from an area that can be seen from the view shed of a transportation facility.

Provisions must be made to remove all advertising.

Local ordinances must be passed that will guarantee advertising will never again be placed in view of the facility being protected with the project.

Certified copies of the ordinance must accompany the application.

10. Archaeological planning and research.

Applications in this category will be accepted only if they are related to the construction of a transportation facility, on the existing property occupied by a transportation facility, or in the path of a proposed transportation facility construction.

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

Applications to address water pollution will be accepted for two conditions: (1) If proposed construction of a highway facility will create water pollution endangering a sensitive area; (2) Highway runoff is already causing a problem. Applications which will assist in reducing wildlife deaths on roadways such as fencing, underpass, or other mitigation are eligible for funding.

12. Establishment of transportation museums.

Transportation Museums established using TE funds must meet the following definition of a museum. The facility must; (1) be a legally organized not-for-profit institution or part of a not-for-profit institution or government-entity; (2) be essentially educational in nature; (3) have a formally stated mission; (4) have one full-time paid professional staff member who has museum knowledge and experience and is delegated authority and allocated financial resources sufficient to operate the museum effectively; (5) present regularly scheduled programs and exhibits that use and interpret objects for the public according to accepted standards; (6) have a formal and appropriate program of documentation, care, and use of collections and / or tangible objects; and (7) have a formal and appropriate program of presentations and maintenance of exhibits.

Establishment of transportation museums is interpreted to mean funding of capital improvements. The funds are not intended to reconstruct, refurbish, or rehabilitate existing museums, nor portions of museums, that are not for transportation purposes. It does not cover operations or maintenance of the facility. The museum must be related to surface transportation.

Establishment of transportation museums is interpreted to include the costs of the structure and the purchase of artifacts necessary for the creation and operation of the facility. Displays, segments of buildings, or objects not directly related to transportation should not be funded with TE funds. TE funds may be used to build a new facility, add on a transportation wing to an existing facility, or convert an existing building for use as a transportation museum.

The museum must be open to the public and run by a public, non-profit or not-for-profit organization meeting the definition of museums stated above in this section. If entrance fees are charged for the museum a portion of the fee should be provided for the long term maintenance and operation of the facility. The legislation governing the TE program specifically refers to TE activities “relating to surface transportation.” Therefore, TE funds are not to be used to preserve aircraft or create an airport or air museum. Objects or structures related to aviation are not normally eligible for TE funds. Landscaping and other eligible TE activities may be appropriate for consideration for the road leading to an aviation facility.

If an applicant proposes to establish a transportation museum in a building which is not a historic transportation facility then only that portion of the building which actually houses the museum may be eligible for improvements. NOTE: Non-permanent items such as, furniture, equipment, or other items which by State or Federal law are required to be inventoried are not eligible for federal funding participation.

C. Additional Eligibility Information:

Project Linkage: All TE activities must have a direct relationship to the intermodal transportation system.

“This does not mean that the project must be linked to a current planned highway project. This relationship must be one of function, proximity, or impact. For example, an independent bike path is a functional component of the intermodal transportation system. Also, removal of advertising and obtaining permanent scenic easements in the view shed of a scenic highway is justified in light of its proximity. Retrofitting an existing highway by creating a wetland to filter runoff from the highway would qualify based on the impact of the highway in terms of water pollution. Once a relationship to the intermodal transportation system is established, Transportation Enhancement activities can be implemented in a variety of ways. They can be developed as part of larger transportation projects, as parts of larger joint development projects, or as stand-alone projects.”

Complete (or Stand-alone) Project Requirement: The MDOT will only approve applications that represent a complete finished project within the initial construction. “Stage” construction or “Phase” I or II, etc...will not be accepted. The applicant’s proposed project must be a complete finished product upon expenditure of the requested funds plus the applicant’s matching funds.

Examples:

- **A bicycle path that proposes to build a section of the total route with the current application and then complete the total path in a later project will not be approved. A logical termini must be chosen for the project.**
- **A project that will purchase an historic site without provision for preservation or rehabilitation will not be approved.**

Projects must also not be contingent upon potential funding for completion but be able to be completed within committed funds.

Additional guidelines for all eligible activities may be found at www.enhancements.org.

III. FEDERAL AND STATE GUIDELINES FOR FUNDING OF TRANSPORTATION ENHANCEMENT PROJECTS

All Federal Highway Funds are reimbursable funds. The applicant is reimbursed 80% of the total project cost up to the Federal fund award amount. The applicant is responsible for at least 20% of the total project cost.

Special Match Credit:

Approved TE projects are eligible for participation in the MDOT's Special Match Credit Program. **Special Match Credit must be requested by the applicant in the Project Initiation Process as stated in the Project Development Manual (PDM).**

The applicant may qualify to use actual incurred costs for eligible activities as part or all of the required share for the construction project by obtaining Special Match Credit. Work performed using applicant's forces and equipment is not eligible for Special Match Credit.

Activities eligible for Special Match Credit include the following:

- Preliminary Engineering and Design Engineering cost. This includes Environmental studies and reports, architectural fees, and administrative cost.
- Right-of-Way acquisition as part of a TE project. Acquisition of land as part of the purchase of an existing historical or scenic facility for the purpose of preservation is eligible for Federal fund participation. All right-of-way acquisition must follow the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

NOTE: Although Right-of-Way, Preliminary Engineering and Design cost are eligible for Special Match Credit, these costs will only be applied to the match required after the project is authorized and a construction contract has been executed with a qualified contractor with the MDOT approval. Applicants should not select a consultant for Preliminary Engineering or project Design prior to the MDOT approval.

The eligible amount of Special Match Credit will be determined by the MDOT based upon documentation provided by the applicant and FHWA approval.

Non-Participating Costs: The MDOT considers the following as non-participating costs (i.e. Not eligible to be included in the Federal TE funds portion of the project):

- All cost incurred prior to project approval.
- Overruns and extras beyond the amount funded are non-participating and will be the responsibility of the applicant.

Work Not Funded: TE projects must be in addition to usual transportation construction. The SAFETEA-LU excludes from eligibility any routine or customary transportation character-of-work that constitutes what is considered a normal construction activity of the Federal transportation program. Activities that are either

an eligible character-of-work under the FHWA construction standards or part of the required construction items can not be interpreted to be enhancement. Examples:

- A highway rest area is a normal highway construction activity and may not be eligible as a TE project; however, if the rest area also includes an historical site purchased and developed as an interpretive site then the historic portion could qualify.
- Parking facilities, lots, lighting, utility adjustments, etc...Parking facilities, lighting, and utility adjustments which are incidental and part of a TE project may be eligible.
- Sidewalks. Special pedestrian facilities may qualify provided they are not ordinary street sidewalks and they function to relieve congestion of roads and improve transportation safety.
- Any items of work which normally would be classified as maintenance activities.
- Roadway construction (except for roadways which have been designated scenic or historic).
- Those construction activities considered to be a normal character-of-work under the regular Federal Highway Program.
- Non-permanent items are not eligible under the MDOT policy. These include furniture, equipment, and any items which by State law must be inventoried. Any feature that is part of the building structure may be eligible provided it is part of the acceptable restoration and rehabilitation rules. Examples of potentially eligible items are shelves, counters, etc...that are part of the building permanent structure and are also part of the historic restoration.
- New buildings (not normally eligible).

Some of these items may be eligible under certain circumstances where they are incidental to eligible projects. As an example: if a historic preservation of a rail depot was approved and some incidental construction to restore or construct minor driveways and parking related to the project was included then these incidental drives and parking may be eligible. A final determination of eligibility must be determined by both the MDOT and the FHWA.

IV. APPLICATION PROCEDURES AND FORMS FOR PROPOSED TRANSPORTATION ENHANCEMENT PROJECTS

Eligible applicants must complete all required elements of the project application and follow approval procedures as described in this document.

Each City or County Government, State Agency, College/University or Rails to Trails District will be allowed to submit more than one application. However, because of possible funding limitations, each entity should prioritize each application upon submittal.

An original and four (4) copies of the application and attachments must be submitted. They must be bound separately. DO NOT submit applications in three ring binders,

or other binders that make the proposal larger than 8 ½ by 11 inches in size. Illustrations, maps, drawings, etc...up to 11 by 17 inches will be accepted provided they are folded to 8 ½ by 11 inches. Please keep attachments in order.

All project applications should be submitted directly to the MDOT LPA Division:

Sharpie Smith, P.E., State LPA Engineer
LPA Division, Room 4014, MDOT Administration Building
401 North West Street
Jackson, Mississippi 39215-1850
Telephone (601) 359-7277
Fax (601) 359-7220

The applicant must submit the Transportation Enhancement Application form and a one page summary of each of the following attachment items.

APPLICATION FORM: [CLICK HERE](#)

REQUIRED APPLICATION ATTACHMENTS:

- **Description of Proposed Project:**
Clearly describe the proposed project and all work to be performed. Describe any Right-of-Way or easements that or required. Describe the linkage between the project and the transportation system or facility.
- **Maps, Plans, and Photographs:**
Describe the project location and clearly show the project limits and area of major work using local or county maps. Identify all Right-of-Way. Include photographs of existing facility and drawings of proposed project. Include a site plan of proposed construction or illustrations of proposed work. For bicycle/pedestrian projects include typical cross-sections.
- **Evidence of Eligibility by Project Category:**
Illustrate evidence of eligibility by addressing the specific eligibility requirements for the project activity. The intent of this attachment is to demonstrate that the proposed project clearly qualifies for proposed Transportation Enhancement funds.
- **Benefits of Proposed Project:**
List and describe the benefits and objectives of the proposed project. The degree and type of public support for the project should be discussed, as well as the projected demand for the facility.
- **Environmental Review:**
The applicant must accurately identify all potential environmental problems that might occur as a result of the proposed TE project and demonstrate that a reasonable strategy has been considered to address any environmental consequences of the TE project. The applicant must also demonstrate a willingness to comply with all environmental requirements. The MDOT will evaluate the information provided by the applicant to determine the likelihood

that the project will be able to comply with the environmental requirements and if the proposed project is environmentally practical.

- **Budget and Implementation Schedule:**
Attach a complete budget and work schedule. All cost estimates must meet current design standards for the type of improvement requested. A copy of the estimate computations, together with the source of those figures should be included. Include any detailed estimates that have been prepared for the proposed work.
- **Legal and Compliance Certification:**
Certify that no known foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with applicable codes, standards and/or regulations required for completion. This certification must be executed by either the Mayor, President of the Board of Supervisors, or State Agency Head, whichever applies to the applicant. The certification must be in the form of a Board order for local governments, indicating the approval of either the Board of Alderman or Board of Supervisors.
- **Proposed Maintenance Agreements, and Preservation Covenants:**
Attach a proposed maintenance plans, agreements, and preservation covenants. Include an estimate of the annual cost of maintenance and the source of those funds. Rails-to-Trails Districts must include an executed contract agreement with a government entity that agrees to maintain the proposed project.

V. MISSISSIPPI DEPARTMENT OF TRANSPORTATION PROJECT SELECTION PROCESS

After the applications have been received and screened for general acceptability by the MDOT they will be distributed to special program coordinators within the MDOT (and other agencies if applicable) for review and analysis. All projects passing this first analysis will then be evaluated and prioritized according to the Project Review and Selection Factors listed below.

Project Review and Selection Factors: The MDOT internal review and decision process will be guided by the following priority factors, in no particular order:

- Projects that clearly enhance the quality or utility of existing or new transportation facilities or services. As an example: if a special bicycle path is proposed that will relieve bike traffic on a nearby arterial street; therefore, making the situation safer for both the cyclist and vehicular traffic.
- Projects that will be completed with the TE funds requested and the matching funds pledged by the applicant. The project must not be dependent on other funding contingencies. As an example: the applicant must commit funds from existing sources and not be dependent on a bond issue, additional taxes, or other grant applications.
- Projects that will be a complete and usable entity at the completion of the construction of the current project. As an example; the project must represent

a complete, identifiable, and usable facility or entity rather than a component of a larger project. State construction is not permissible. The project can't be dependent on a future Phase II for the entire project to be completed. The project must be a complete entity within the defined application and a final ready-to-use facility when the TE construction is completed.

- Projects that benefit a relatively large percentage of the community's, region's, or State's population.
- Projects that enhance the State's travel and tourism efforts.
- Projects that contribute to a wide geographical dispersion of TE funds within the State.
- Consistency with local comprehensive land use and transportation plans. Higher priority shall be assigned to projects which actively advance the goals and policies contained in such plans.
- Projects that are supported by other local governments in the vicinity of the project, as well as by the applicant. As an example: this can be demonstrated by joint application of two or more government entities or endorsement by the governing board of an adjacent government entity.
- Projects that have the support of clearly recognized public or not-for-profit organizations of national, statewide, or regional scope with expertise in the subject matter of the application. As an example: an historical restoration of an existing railroad depot that has the written endorsement of local, regional, or larger historical societies and / or the MDAH.
- The extent to which applicants indicate a commitment to provide extra effort or contributions above and beyond the minimum matching fund requirements. As an example: if an applicant is willing to commit more than the minimum 20% matching funds from local funding sources toward making the project more meaningful.
- Projects that serve more than one of the eligible items set forth under the STP and which do so in a logical and coordinated fashion. As an example: a bicycle path that accesses an historic site.

Once review and prioritization is complete, the projects, along with their respective rationale, will be presented to the MTC for final project concurrence and award.

The MTC will announce the selected projects once the project review and selection process is complete and official commission approval has been given.

If an application is approved by the MTC, the applicant will be notified of award amount and further instructions.

REQUIRED ACKNOWLEDGEMENTS OF FUNDING:

The TE award recipient is required to acknowledge the MDOT and the FHWA for their participation in the project in any news releases or other promotional material for the project.

The TE award recipient is required to notify the Public Affairs Division of the MDOT and the State LPA Engineer of any ceremonies related to the opening of the facility. The applicant is required to display a permanent plaque or sign identifying the FHWA and the MDOT as providing funding for the project.

All TE award recipients must follow the application and approval procedures as described in this document. Award recipients must also comply with all procedures as outlined in the Project Development Manual for Local Public Agencies located at <http://www.gomdot.com> from project initiation to completion.

