

TRANSPORTATION ENHANCEMENT INFORMATION

General Information on Federal Program Requirements: Following is a partial listing of the regulations that apply to any project receiving federal transportation funds. These requirements must be taken in to consideration during the project development and project implementation stages.

Davis-Bacon and Copeland Acts: Payment of pre-determined wage is applicable to all federal-aid construction contracts exceeding \$2,000 and to all related subcontracts.

ADA Requirements: All transportation enhancement projects must comply with the federal and state handicapped accessibility mandates.

Anti-Discrimination Laws: Each sponsoring participant must comply with applicable federal and state Anti-discrimination laws and be able to demonstrate compliance.

Project Supervision: All projects must be under the direct supervision of a Minnesota Licensed Professional Engineer.

Additional Requirements and Specifications: Successful applicants will be provided with additional information as needed by MnDOT.

TRANSPORTATION ENHANCEMENT QUALIFYING CRITERIA: Below are seven (7) qualifying criteria adopted by ATP 7 that the application must satisfy. Use the following information to help you complete pages 1 and 2 of the Application Form.

Q1. *Projects must be located within, partially within, or significantly affect the area served by ATP 7 (Project Description).*

Q2. *Projects must be eligible for Transportation Enhancement Funds (Project Description).*

Discussion. The Federal Act defines the following activities, which qualify for transportation enhancement funds. These activities are:

1. Provision of facilities for pedestrians and bicycles.
2. Provision of safety and educational activities for pedestrians and bicyclists.
3. Acquisition of scenic easements and scenic or historic sites, (including historic battlefields).
4. Scenic or historic highway programs (including the provision of tourist and welcome center facilities).
5. Landscaping and other scenic beautification.
6. Historic preservation.
7. Rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals).
8. Preservation of abandoned railway corridors (including the conversion and use of the corridors for pedestrian or bicycle trails).
9. Inventory control and removal of outdoor advertising.
10. Archaeological planning and research.
11. Environmental mitigation to address water pollution due to highway runoff: or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
12. Establishment of transportation museums.

Q3. *Projects must have an estimated total eligible cost of at least \$50, 000 (Project Budget).*

Discussion. There are significant federal project processing requirements that come with federal funds. These requirements translate into expenditures of time and money on the parts of both the agency proposing/developing the project and the state agency administering the federal funds. Proposers can "bundle" projects together to meet this requirement. For instance, bundled projects could consist of signing and lighting a number of bike trails in several counties. Communities may want to consider using joint powers agreements for implementing bundled projects.

Q4. *Projects must have an assured match of at least 20 percent of the eligible costs of the proposed project. The match must be in hard dollars. (Project Budget).*

Discussion. Federal law allows the use of funds from other Federal agencies, or non-Federal funds as match for Transportation Enhancement program funds. Because ATP-7 emphasizes the importance of local cost participation as an indication of local commitment, preference will be given to proposed projects using local dollars as a match. Documentation of such support is required (i.e. copy of legislation, official minutes of meeting or resolution of support from the designated agency).

Q5. *Project sponsors must give assurance that the project will be operated and maintained for the useful life of the improvement and no change in the usage of any right of way or land ownership acquired will be made without prior approval from the Minnesota Department of Transportation and the Federal Highway Administration (FHWA). (Agreement)*

Discussion. The FHWA requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of any right of way acquired without prior approval from the FHWA. For projects implemented with enhancement funds, this requirement should be applied to the project sponsor. Most physical constructions and total reconstructions are considered by the FHWA to have useful lives of 20 years. Bridge construction and total reconstructions have useful lives of 50 years.

Q6. *Enhancement projects must be submitted through/by a state agency, county or a city with a population greater than 5,000 persons. Cities with less than 5,000 population, townships, and organizations must have their enhancement application/project sponsored by their respective county or a state agency. The sponsoring county, city or state agency must pass a resolution indicating willingness to be the project sponsor with responsibility for seeing the project through to its completion, with compliance of all applicable laws, rules and regulations. (Resolution)*

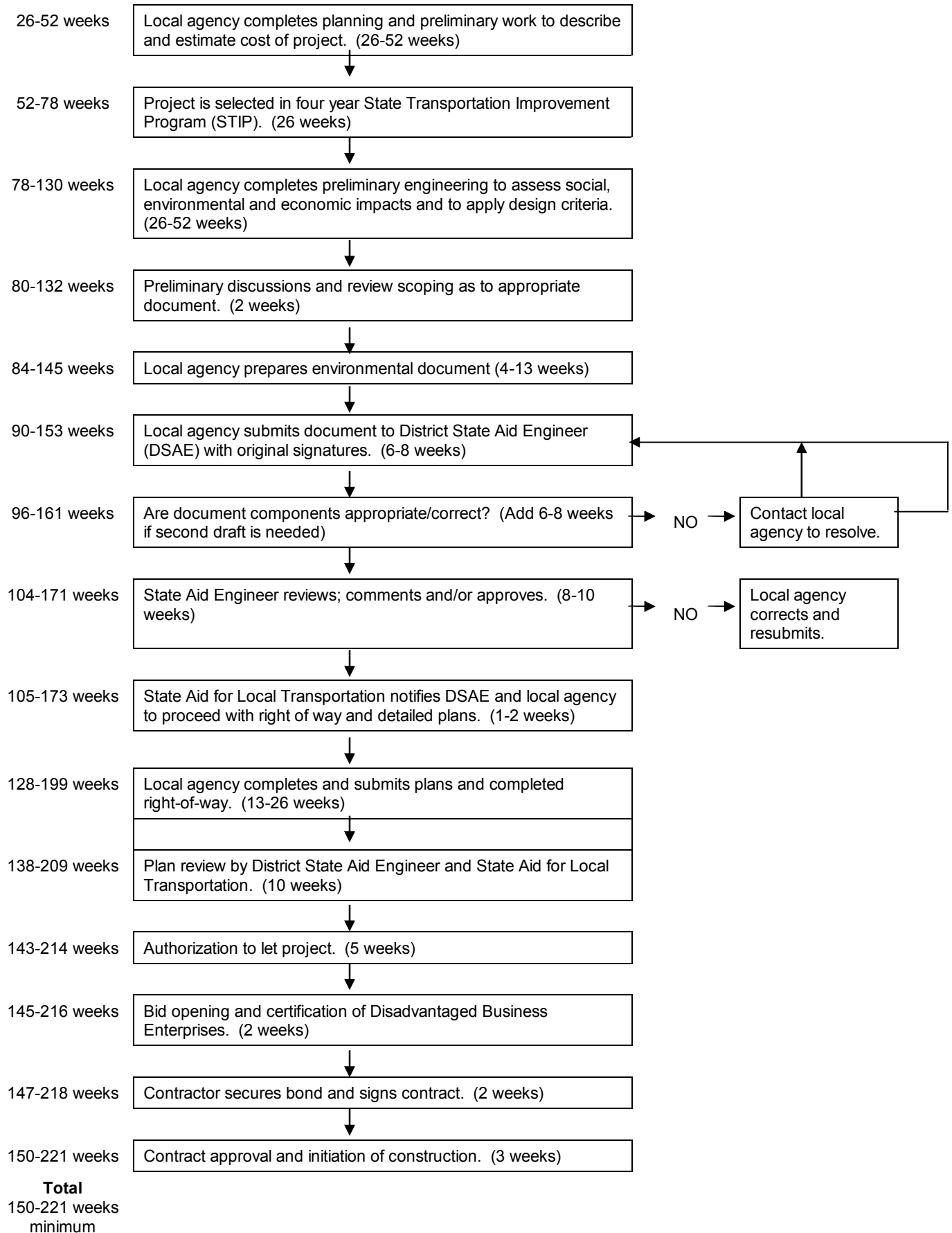
Discussion. All federal transportation funds must be disbursed by a designated state agency. The Minnesota Department of Transportation (Mn/DOT) is the agency designated to administer enhancement funds. As the designated agency, Mn/DOT establishes an agency account on behalf of each eligible governmental unit.

Q7. *Eligible projects must not be part of the mitigation of a transportation project (Project Description).*

Discussion. Federal law requires that enhancement funds not be used to implement mitigation of adverse impacts associated with implementation of transportation projects. Environmental measures conducted as routine or customary elements of transportation projects or those provided to mitigate project impacts in compliance with the requirements of environmental, historic preservation or other laws are not eligible for enhancement funding. With this interpretation, the category "mitigation of water pollution due to highway runoff" is limited to facilities and programs that are in addition to current requirements/procedures for mitigation.

Enhancement activities are over and above normal transportation projects. Typically, a normal transportation project involves mitigation, including landscaping, other permit requirements and provisions negotiated as a condition of obtaining a permit for the transportation project. Permitting agencies might include federal agencies such as the US Forest Service, Bureau of Land Management or US Corps of Engineers. State permitting agencies might include the Minnesota Department of Natural Resources, Minnesota Pollution Control Agency or the Minnesota Historical Society. Regional agencies might include watershed districts and local might include cities/counties.

TIMELINE GUIDANCE FOR PROJECT DEVELOPMENT AFTER A TRANSPORTATION ENHANCEMENT HAS BEEN SELECTED FOR FUNDING



CHECKLIST OF COMPLETION: This checklist is for the convenience of the Applicant to ensure all Transportation Enhancement elements have been addressed. Applications must specifically and directly address each criterion to qualify and receive points. Proposals shall identify each criterion by number and then directly respond to it. Pages in each proposal should be numbered, and are limited to ten (10) 8 1/2" x 11" pages excluding maps, drawings and other photos. Proposals must be in typewritten format.

Enhancement Application Checklist

_____ **Application Form Information (*Application pages 1, 2, &3*)**

- _____ Sponsoring Entity
- _____ Project Applicant
- _____ Contact Person /information
- _____ Applicant Signature
- _____ Name of Project
- _____ Brief Project Description
- _____ Itemized Project Budget
- _____ Resolution of Sponsorship from Sponsoring Agency
- _____ Agreement to Maintain Facility

_____ **Qualifying Criteria (*Information pages 1, 2, & 3*)**

- _____ Q1. Project located within, partially within, or significantly affect the area served by ATP 7.
- _____ Q2. Eligibility of project
- _____ Q3. Minimum total eligible cost of \$50,000
- _____ Q4. Documentation of 20% or more funding match
- _____ Q5. Assurance to operate/maintain the facility
- _____ Q6. Eligible Applicant
- _____ Q7. Over and above normal transportation project

_____ **Transportation Priority Criteria (*Application page 4*)**

- _____ P1. Transportation relationship
- _____ P2. Impact
- _____ P3. Public Use/Access
- _____ P4. Local, Regional, State support
- _____ P5. Physical Design
- _____ P6. Preservation of Resource
- _____ P7. Timeline

_____ **Other Enclosures (where applicable)**

- _____ Location Map
- _____ Letter(s) of financial support
- _____ Maps, Graphics, photos