



MDT Requirements for Parties Interested in Applying for National Scenic Byway Program (NSBP) Discretionary Grant Funding

Pursuant to Title 23, section 162, of the United States Code (23 USC 162), states and tribes are the only eligible applicants for NSBP grant funds and technical assistance. Other entities, such as byway organizations, may partner with a state department of transportation (DOT), such as the Montana Department of Transportation (MDT), or a tribal government for submitting applications to FHWA. For purposes of grant administration, a State DOT or Indian Tribe also agree to serve as the lead for submitting grant applications and letters of intent, as well as administering grants for subrecipients.

State DOTs and tribes may limit projects to certain byway designations or project types, establish internal deadlines, and/or set project cost thresholds as well as prioritize project applications for submittal to FHWA. In addition to the requirements outlined in NSBP notice of funding opportunities (NOFO) and 23 USC 162, the criteria in this document establish MDT's minimum requirements and expectations for application submittals.

23 USC 162 Eligible Applicants:

State Departments of Transportation (DOTs) and federally recognized Indian Tribes may apply for and receive NSBP grant funds. Other entities may therefore partner with MDT (or a Tribal government) to submit an application. This partnership requires interested parties to submit their application to MDT, in advance of the NSBP NOFO submission deadline. MDT is required to review, confirm project eligibility, prioritize if applicable, and submit eligible applications to FHWA on behalf of interested parties (subrecipients). Key deadlines will be posted on MDT's [State Scenic-Historic Byway webpage](#), during the time of the NOFO.

Eligible Subrecipients:

A byway organization or Federal Lands Management Agency (FLMA) that is actively implementing a State Scenic Byway Corridor Management Plan for a State, National, or Indian Tribal byway within Montana is an eligible subrecipient.

23 USC 162 Eligible Projects:

- An activity related to the planning, design, or development of a State or Indian tribe scenic byway program.
NSBP funds may not be used for the ongoing administrative, operating, or maintenance expenses of a state or Indian Tribe scenic byway program, a byway marketing program, or Corridor Management Plan expenses. For example, general staffing; hosting and maintenance of a website; organizing and sponsoring annual promotional events or festivals; toll free number maintenance; and costs associated with the fulfillment of individual information requests are not eligible expenses.
- Development and implementation of a corridor management plan to maintain the scenic, historical, recreational, cultural, natural, and archaeological characteristics of a byway corridor while providing for accommodation of increased tourism and development of related amenities.
- Safety improvements to a State scenic byway, Indian tribe scenic byway, National Scenic Byway, All-American Road, or one of America's Byways to the extent that the improvements are

necessary to accommodate increased traffic and changes in the types of vehicles using the highway as a result of the designation as a State scenic byway, Indian tribe scenic byway, National Scenic Byway, All-American Road, or one of America's Byways.

- Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive facility.
- An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation.
- Protection of scenic, historical, recreational, cultural, natural, and archaeological resources in an area adjacent to a scenic byway.
- Development and provision of tourist information to the public, including interpretive information about a scenic byway.
- Development and implementation of a scenic byway marketing program.

General Criteria:

- Interested parties must adhere to the state's criteria and timeline for NSBP grant application submittals; MDT is not responsible for late application submittals.
- If the proposed project falls across state lines, then MDT shall coordinate with the affected state DOT to determine who will act as lead for preparing and submitting the application. If the proposed project is on a byway that crosses state-lines, but is located within a single state, then the interested party shall apply through the affected DOT.
- Project(s) identified in a subrecipient's application must occur/be located within the State of Montana.
- For projects awarded NSBP grant funding, MDT shall enter into an agreement with the subrecipient for the administration of grant funds. MDT shall establish the terms and conditions of the agreement.

Corridor Management Plans and Byway Committee Activities:

Parties interested in applying for NSBP grant funds must meet the following requirements for Corridor Management Plans (CMP):

- The proposed project must be included in and consistent with the byway's CMP.
- The CMP must be current, within 10 years.
- The byway committee responsible for implementing the CMP must be active and in effect.

Interested parties must provide the following information when submitting their grant application to MDT:

- Current Corridor Management Plan;
- Standard practices and activities currently in effect, used to promote and maintain the byway.
- Demonstrate how the byway sponsor will have the resources and ability to implement NSBP grant funds, should they be awarded.

For More Information:

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FHWA's National Scenic Byways Program Grants Page:
https://www.fhwa.dot.gov/hep/scenic_byways/grants/