

Transportation Alternatives Program (TAP) Appendix

SAFETEA-LU and MAP-21 Differences

Under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), there were twelve eligible transportation enhancement (TE) activities. Under the Moving Ahead for Progress in the 21st Century Act (MAP-21) there are 14 eligible Transportation Alternatives Program (TAP) activities: 11 activities¹ defined as *Transportation Alternatives*, plus any project eligible under the Recreational Trails Program (RTP), Safe Routes to School (SRTS) Program, or Boulevard from Divided Highways. Activities eliminated under MAP-21 include: Acquisition of Scenic Easements and Scenic or Historic Sites and Transportation Museums.

Transportation enhancement categories that are no longer expressly described as eligible activities under the definition of transportation alternatives are:

- Safety and educational activities for pedestrians and bicyclists. **Exception:** Activities targeting children in Kindergarten through 8th grade are eligible under SRTS (an eligible activity under the TAP funding). **Note:** Some of these activities may be eligible under HSIP. Nonconstruction projects for bicycle safety remain broadly eligible for STP funds.
- Acquisition of scenic easements and scenic or historic sites (including historic battlefields), and scenic or historic highway programs (including tourist and welcome center facilities). **Exceptions:** A few specific activities under this category are eligible for funding as TAP projects, including construction of turnouts, overlooks, and viewing areas; historic preservation and rehabilitation of historic transportation facilities; and bicycle and pedestrian facilities.
- Landscaping and other scenic beautification. However, under the "community improvement activities" category, projects such as streetscaping and corridor landscaping may be eligible under TAP if selected through the required competitive process. States may use TAP funds to meet junkyard screening and removal requirements under 23 U.S.C. 136 if selected through the competitive process. Landscaping and scenic enhancement features, including junkyard removal and screening, may be eligible as part of the construction of any Federal-aid highway project under [23 U.S.C. 319](#), including TAP-funded projects.
- Historic preservation, and rehabilitation and operation of historic buildings, structures, or facilities (including historic railroad facilities and canals). Historic preservation activities now are limited to historic preservation and rehabilitation activities relating to a historic transportation facility. See section 101(a)(29)(E). Operation of historic transportation facilities is not eligible under TAP.
- Archaeological planning and research. Under TAP, archaeological activities must relate to impacts from implementation of a transportation project eligible under title 23.
- Establishment of transportation museums. There is no eligibility for this activity under TAP.

¹ FHWA determined 11 categories of TA projects rather than 10, because the term "community improvement activities" is not limited to the four items described, allowing other undefined community improvement activities.

NPS Involvement

NPS planners should participate in the local, State, and MPO transportation planning process to ensure the best eligible project. The TAP application process involves considerable coordination with public agencies, transportation providers, and the public. This can be done through the metropolitan and statewide annual or biannual development of the Transportation Improvement Program or "TIP." To be funded, TAP activities must be included in the appropriate metropolitan and statewide transportation improvement programs. Transportation planning for metropolitan regions is conducted by local metropolitan planning organizations. Since many NPS park lands and non-traditional units are in less urbanized areas, most transportation coordination and planning activities will be done on a statewide, rather than a metropolitan or regional, basis. It is important to note that a State must sponsor any NPS TAP project in its State Transportation Improvement Program "STIP." The State is responsible for coordinating TAP project listings with the MPO TIP. The metropolitan and statewide planning processes should occupy a central role in the identification, planning, and funding of TAP activities.

Receiving Awarded Funds from States or MPOs

If a park unit is successful in securing a TAP award, funds will be transferred to the park, regional office, or WASO. These funds are usually done with a regional office since most parks unit managers cannot sign cooperative or funding agreements.

States and MPOs most commonly transfer funds to local agencies or nonprofits via a Local Agency Agreement (LAA), a type of reimbursable agreement. Federal Agencies are not able to enter these LAAs as they violate the Deficiency Act, which requires Federal Agencies to have the funds before entering into contracts or agreements.

Title 23 Section 132 allows the NPS and the DOTs to choose two methods to have funds transferred to the NPS to accomplish the awarded project.

1. The DOT or MPO makes a request to the FHWA Federal-aid Division Office to transfer the awarded funds back to FHWA HQ Finance Office for transfer to the appropriate FLMA HQ Budget Office. This is accomplished through the Advice of Funds 370 process.
2. A financial agreement (e.g. Cooperative Agreement) between the DOT and FLMA usually at the regional office level, will allow funds to be transferred to the FLMA for the selected TAP project(s). Funds received in this manner may be subject to administrative costs paid to the regional office.

Checklist

- Find out the State's TAP submission calendar and application process.
- Coordinate with the park and seek early involvement and endorsement of your MPO, or equivalent.
- Be sure to include all elements of the application, but **please do not include** superfluous information that the State does not require.

- Provide a clear statement demonstrating link to transportation and meeting the eligibility criteria.
- Describe each transportation alternative activity.
- Define a scope of work, and include preliminary studies and land acquisition or construction.
- Include a workplan with a timeline.
- Reflect the scope of work in your budget.
- Identify the source of the matching funds with a letter verifying availability.
- Explain how the community would benefit from the project.
- Check with your TAP manager first to see if you should include letters of support, minutes from public meetings, and newspaper clips about the project.
- If available, include photographs of the site, preliminary sketches, or plans.
- Include a plan for project maintenance.
- Work with state and MPO staffs involved with the preparation of the TIP.

Eligibility

Eligibility	Includes	Not Eligible
<p>The term “transportation alternatives” means any of the following activities when carried out as part of any program or project authorized or funded under this title, or as an independent program or project related to surface transportation:</p>	<ul style="list-style-type: none"> • Projects that are part of larger highway projects. • Independent projects. • Projects that relate to surface transportation (plus recreational trails). 	<p>Projects that do not relate to surface transportation (except for recreational trails).</p>
<p>1. Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.</p>	<ul style="list-style-type: none"> • Trails on and off road • Sidewalks, crosswalks, and curb ramps • Bicycle Infrastructure including bike lanes, bike racks and shelters, and bike share systems • Pedestrian and Bicycle signals • Lighting and other safety-related infrastructure • Equestrian trails when built along with pedestrian and/or bicycle facilities • Planning activities related to the above facilities 	<ul style="list-style-type: none"> • Sidewalk repair, drainage improvements or other maintenance activities • Circular trails / sidewalks that do not allow for distinct origins and destinations • Facilities located wholly on one site or property that do not provide a connection to existing trails or sidewalks outside the site or property • Any facility not compliant with accessibility requirements • Lighting and other improvement intended for aesthetic purposes only
<p>2. Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers including children, older adults, and individuals with disabilities to access daily needs.</p>	<ul style="list-style-type: none"> • Trails on and off road • Sidewalks, crosswalks, and curb ramps • Bicycle Infrastructure including bike lanes, bike racks and shelters, and bike share systems • Pedestrian and Bicycle signals • Lighting and other safety-related infrastructure • Planning activities related to the above facilities 	<ul style="list-style-type: none"> • Noninfrastructure improvements including feasibility studies, master plans and educational programs (only eligible for K – 8 as a Safe Routes to School project; see SRTS eligibilities) • Ineligible items as noted above
<p>3. Conversion and use of abandoned railroad corridors for trails for</p>	<ul style="list-style-type: none"> • Rails-to-trails facilities. 	<ul style="list-style-type: none"> • Projects solely to preserve abandoned railroad right-of-way

pedestrians, bicyclists, or other nonmotorized transportation users.		<ul style="list-style-type: none"> Motorized trail facilities (except see RTP below). Maintenance and/or upkeep of trails (except see RTP below).
4. Construction of turnouts, overlooks, and viewing areas	<ul style="list-style-type: none"> See 23 CFR 752.5 and 752.6 Turnouts, overlooks and viewing areas located on transportation rights of way. Lighting and other safety features as part of the pull off Interpretation and other pedestrian amenities included as part of the pull off 	<ul style="list-style-type: none"> Activities not eligible under 23 CFR 752.5 or 752.6.
5. Community Improvement Activities	<ul style="list-style-type: none"> Any community improvement activity that relates to surface transportation, including but not limited to the following four items. 	<ul style="list-style-type: none"> Community improvement activities that do not relate to surface transportation.
6. Inventory, control, or removal of outdoor advertising.	<ul style="list-style-type: none"> Billboard inventories including those done with GIS/GPS Removal of illegal and nonconforming billboards 	<ul style="list-style-type: none"> Administration or operating expenses involved in State outdoor advertising program activities.
7. Historic preservation and rehabilitation of historic transportation facilities.	<ul style="list-style-type: none"> Historic transportation facilities including: train depots, rail trestles, bridges, lighthouses, tunnels, canals, locks, and tow paths 	<ul style="list-style-type: none"> Projects that do not intend to comply with Secretary of the Interior Standards for Restoration and Rehabilitation and will not maintain the historic integrity of the structure Operation of historic transportation facilities Non-transportation facilities Spaces not open to the public Spaces used in for-profit enterprises Constructing a replica of an historic transportation facility
8. Vegetation management practices in transportation rights-of-way to improve	<ul style="list-style-type: none"> Vegetation management to improve roadway safety, invasive species management, 	<ul style="list-style-type: none"> Projects not related to surface transportation.

roadway safety, prevent against invasive species, and provide erosion control.	and erosion control	
9. Archaeological activities relating to impacts from implementation of a transportation project eligible under title 23.	<ul style="list-style-type: none"> • Archeological activities related to impacts from, or required by, a transportation project eligible under federal Title 23 • 	<ul style="list-style-type: none"> • Archeological activities not related to a transportation project
10. Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to- i. address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 133(b)(11), 328(a), and 329 of title 23; or	<ul style="list-style-type: none"> • Pollution prevention and pollution abatement activities • Mitigation to address stormwater management, control and water pollution prevention or abatement related to highway construction or due to highway runoff • Activities described in sections 133(b)(11), 328(a), and 329 	<ul style="list-style-type: none"> • Projects not related to surface transportation. • Drainage improvements related to poor maintenance
11. [Environmental mitigation to] reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats	<ul style="list-style-type: none"> • Projects to reduce wildlife mortality including over / underpasses • Projects to restore or maintain habitat connectivity. 	<ul style="list-style-type: none"> • Projects not related to surface transportation.
12. Recreational Trails Program	<ul style="list-style-type: none"> • Funds are set aside for the RTP unless a State opts out. For RTP set-aside funds, all RTP provisions and requirement remain in effect. • Any project eligible under the RTP also is eligible under TAP, including both motorized and nonmotorized trails. 	<ul style="list-style-type: none"> • Scenic or historic highway program projects along highways or streets. Note that pedestrian-related projects are eligible as TA pedestrian projects. • If a State opts out of the RTP, then the State cannot use RTP funds for State administrative costs.
13. Safe Routes to School projects	<ul style="list-style-type: none"> • Any project eligible under the SRTS Program is eligible under TAP: <ul style="list-style-type: none"> ○ Infrastructure-related projects. ○ Noninfrastructure-related activities. ○ Safe Routes to School 	<ul style="list-style-type: none"> • All SRTS eligibilities remain, otherwise, TAP provisions and requirements apply. • For infrastructure projects, there is no distance limitation, because any infrastructure project eligible under SRTS also is eligible under TAP.

	coordinator.	
<p>14.Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.</p>	<p>Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.</p> <p>An eligible "boulevard" project should demonstrate some of the following elements:</p> <ul style="list-style-type: none"> • Traffic calming measures. • Context-sensitive bicycle and pedestrian facilities. • Compliance with accessibility requirements and guidelines. • Promotion of transit corridor through additional protected stops and routes. • Environmentally efficient lighting, landscaping, and water-saving systems. 	<ul style="list-style-type: none"> • Street or highway projects that do not incorporate the elements of a boulevard.

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