



TRANSPORTATION  
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**3**  
ACTIVITY

# Scenic or Historic Acquisitions

The federal Transportation Enhancements (TE) program funds 12 different types of transportation-related activities. Through activity 3, known in law as “Acquisition of scenic easements and scenic or historic sites,” communities acquire land or property located along important travel corridors. These acquisitions preserve the natural environment, protect historic landmarks, and enhance the transportation experience. The activity also fortifies local economies by attracting tourists to enhanced travel corridors. Since the TE program began in 1992, approximately 3 percent of available funds have been programmed for scenic and historic acquisition projects.

## Eligible Projects

Working within Federal Highway Administration (FHWA) guidelines, each state Department of Transportation (DOT) determines the eligibility of TE projects for funding. Examples of projects that may be considered eligible include:

- Acquisition of scenic or historic lands;
- Acquisition of easements to preserve historic cultural landscapes, battlefields, or scenic vistas and landscapes;
- Purchase of buildings in historic districts or historic properties.

## Examples of Successful Projects

*Bodie Depot Acquisition, California.* When a proposed mining operation threatened the historic “ghost town” of Bodie, the state acted to help preserve the town. A TE award of \$1,000,000 was used to acquire the historic Bodie railroad depot, the stationmaster’s residence, and an abandoned rail line that will eventually be developed as a trail. The Bodie railroad depot acquisition saved the visual integrity of the Bodie valley and brought a historic transportation facility under the protection of the California Department of Parks and Recreation. Contact: Caltrans District 9, 760-872-0681.



The historic Bodie Depot

*Keystone Ancient Forest Preserve, Oklahoma.* The Keystone Ancient Forest Preserve provides a scenic backdrop for the 7 million motorists who travel US Highway 412 each year. The preserve offers motorists the same striking views of forested bluffs and rugged ravines that were enjoyed by travelers and pioneers of westward expansion as they journeyed to the historic crossing of the Arkansas River. In addition to offering scenic views, the preserve is an ecological marvel, hosting red cedar and post oak trees estimated to be more than 400 years old. The city of Sandy Springs, working in partnership with The Nature Conservancy and the Oklahoma Department of Transportation (ODOT), secured the property with the help of \$2 million in TE funds. Contact: Special Projects Manager, ODOT, 405-521-2452.



Drivers on Route 412 view the  
Keystone Forest Preserve

Visit [www.enhancements.org/examples.asp](http://www.enhancements.org/examples.asp) for additional project examples.

## Federal Guidance



Projects that use TE funds must qualify as one or more of the 12 designated activities and relate to surface transportation in order to meet basic federal eligibility requirements. The FHWA TE Guidance stipulates that scenic land acquisitions should make a substantial contribution to the traveler's scenic viewshed, but need not necessarily be adjacent to a highway or transportation project. Visit [www.fhwa.dot.gov/environment/TE](http://www.fhwa.dot.gov/environment/TE) for a full copy of the Guidance. Additionally, sponsors should consider the following items:

- Sponsors should clearly explain the project's relationship to surface transportation in the proposal.
- Sponsors must comply with federal regulations involving property acquisitions contained in the "Uniform Act." (See [www.fhwa.dot.gov/realestate/ua.htm](http://www.fhwa.dot.gov/realestate/ua.htm)). Streamlining measures such as voluntary transaction procedures and exemptions for conservation organizations can make this process easier for TE projects.
- Private sponsors should have a public co-sponsor to ensure the continued responsibility on the part of the public agency for the project.
- A legal document, developed in conjunction with the state DOT and the FHWA division office, should capture the protection of property rights for the use of a facility for a specific time period.
- The period of public access to the property should be, at a minimum, commensurate with the expenditure of TE funds.

## Financing TE Projects



Most states require TE project sponsors to provide at least 20 percent of project costs, also referred to as "matching funds." In many states, the value of donated property, materials, and services; the labor of state and local government employees; and the costs of preliminary engineering may count towards the matching requirement. Federal, non-DOT funds can often be used as matching funds. Check with your state TE manager whether these "innovative financing options" are available in your state. Additional funds for this activity may come from a variety of sources such as land banks, park agencies, and fish and wildlife agencies, foundations, or other federal sources. Visit [www.enhancements.org/fundingsources.asp](http://www.enhancements.org/fundingsources.asp) for links to specific grant programs.

## Related Resources



- The Trust for Public Land: [www.tpl.org](http://www.tpl.org) or 415-495-4014
- Farmland Information Center: [www.farmlandinfo.org](http://www.farmlandinfo.org) or 1-800-370-4879
- Land Trust Alliance: [www.lta.org](http://www.lta.org) or 202-638-4725
- Scenic America: [www.scenic.org](http://www.scenic.org) or 202-638-0550
- Urban Land Institute: [www.uli.org](http://www.uli.org) or 202-624-7000
- "Establishing an Easement Program to Protect Historic, Scenic, and Natural Resources," National Trust for Historic Preservation: [www.nthp.org](http://www.nthp.org) or 202-588-6000

## To Get Started



Inquiries about the TE application process should be directed to the TE manger at your state DOT. Visit [www.enhancements.org/contacts.asp](http://www.enhancements.org/contacts.asp) for TE manager contact information.