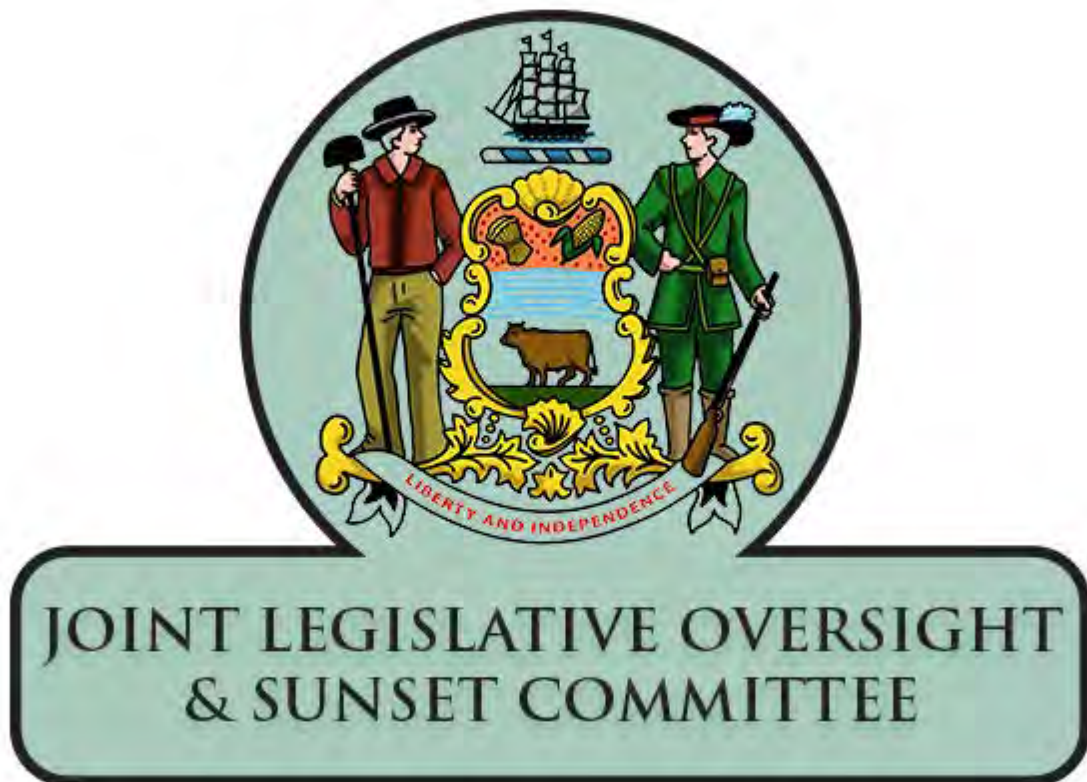


Delaware Byway Advisory Board Self-Report

151st General Assembly



*Respectfully submitted to the
Joint Legislative Oversight and Sunset Committee
June 2022*

Table of Contents

ABOUT JLOSC AND THE REVIEW PROCESS	3
ABOUT THIS SELF-REPORT	3
JLOSC PERFORMANCE REVIEW QUESTIONNAIRE	4
SECTION 1: ENTITY HISTORY, PURPOSE, AND FUNCTIONS	4
SECTION 2: MISSION, GOALS, OBJECTIVES, & AUTHORITY	11
SECTION 3: ACCOMPLISHMENTS.....	12
SECTION 4: CHALLENGES	13
SECTION 5: OPPORTUNITIES FOR IMPROVEMENT	13
SECTION 6: COMPOSITION AND STAFFING	13
SECTION 7: FREEDOM OF INFORMATION ACT COMPLIANCE	19
SECTION 8: ADMINISTRATIVE PROCEDURES ACT COMPLIANCE.....	19
SECTION 9: COMPLAINT AND DISCIPLINARY PROCESS	20
SECTION 10: PRIOR JLOSC REVIEW.....	22
SECTION 11: PUBLIC INFORMATION	22
SECTION 12: ENACTED LEGISLATION IMPACTING THE ENTITY	23
SECTION 13: PENDING & PROPOSED LEGISLATION.....	24
SECTION 14: FISCAL INFORMATION.....	24
SECTION 15: LICENSING PROCESS	26
SECTION 16: RECONSIDERATION, APPEAL, SANCTIONS, REVOCATION.....	30
SECTION 17: SELF-REPORT AUTHOR(S)	30
APPENDICES	
APPENDIX A Delaware Scenic & Historic Highways Program Guide dated November 10, 2001.....	31
APPENDIX B Attendance and Known Meetings of Delaware Byway Advisory Board	31
APPENDIX C Draft Delaware Byways Program Guide 2021	31

ABOUT JLOSC AND THE REVIEW PROCESS

The Joint Legislative Oversight and Sunset Committee (“JLOSC” or “Committee”) is a bipartisan body comprised of 5 members of the Senate appointed by the President Pro Tempore and 5 members of the House of Representatives appointed by the Speaker of the House.

JLOSC completes periodic reviews of state supported entities such as agencies, commissions, and boards following statutory criteria under [29 Del. Code, Chapter 102](#). The review’s purpose is to determine the public need for the entity and whether the entity is effectively performing to meet the need. The goal of the review is to provide strength and support to entities that are providing a state recognized need.

JLOSC performs its duties with support provided by the Division of Research’s dedicated and nonpartisan staff. JLOSC staff completes a performance evaluation of the entity under review and submits a Staff Report to JLOSC which includes analysis, key findings, and recommendations. Recommendations are not finalized until reviewed, discussed, and adopted by JLOSC with an affirmative vote of 7 members. In February 2023, JLOSC staff will schedule a presentation meeting for each entity under review to present to the Committee. For additional review information, please visit the Committee’s website at <https://legis.delaware.gov/Committee/Sunset>.

ABOUT THIS SELF-REPORT

The JLOSC statute requires the entity under review to supply information and materials to facilitate a legislative oversight and sunset review. Additionally, the entity under review has the burden of showing, through the statutory review criteria, that there is a genuine public need and that the entity is meeting that need.

JLOSC staff supplies each entity under review with a Self-Report template and instructions. All questions appearing in this Self-Report are from the JLOSC staff created *JLOSC Performance Review Questionnaire* (“questionnaire”) and are the same for each entity under review. All questions appearing in the questionnaire use statutory review criteria. Throughout the questionnaire, the use of the broad term “entity” refers to the entity under review, which may be a board, committee, commission, or council. The entity under review supplies review information by completing this Self-Report and is responsible for its contents and for forwarding all updates or corrections to JLOSC staff in a timely manner during the entire review period.

JLOSC staff will not edit or modify the information received in this Self-Report and only checks for completeness and adherence to instructions. JLOSC members will receive completed Self-Reports and updates directly from their staff. The Committee’s website will include electronic copies of all Self-Reports and any updates received from entities under review.

JLOSC PERFORMANCE REVIEW QUESTIONNAIRE

SECTION 1: ENTITY HISTORY, PURPOSE, AND FUNCTIONS

Section 1-A. Please provide a summary of the entity's history. Highlight any key events.

The Delaware Byway Advisory Board was created in 2000 under the Governor Carper administration for the Delaware Department of Transportation (DelDOT). This was formally codified under 17 Del. C. § 193 under the “State Scenic and Historic Highway Advisory Board”. The name and greater byways program changed title in 2010 to reflect the current “Delaware Advisory Board” and that of the “Delaware Byways Program”. Senate Bill 320 (in year 2000) first established Delaware Scenic and Historic Highway Program (i.e. re-titled 2010 to Delaware Byways Program) be developed under further guidance of a Delaware Byway Advisory Board for which this JLOSC is determining the public need for the entity and whether the entity is effectively performing to meet the need.

The Delaware Byway Advisory Board was established for the creation and development of the Delaware Byways Program and was comprised of a wide range of interests.

Specifically under § 193:

The Secretary (of DelDOT) shall appoint a State Scenic and Historic Highway Advisory Board (now Delaware Advisory Board) consisting of public and private parties, including not-for-profit organizations to assist and recommend in the designation, development, operation, management and promotion of scenic and historic highways. Members of the Advisory Board created pursuant to this Section shall include, but not be limited to, the Secretaries, chief administrative officers or representatives of the:

- (a) Department of State;
- (b) Department of Agriculture;
- (c) Delaware Economic Development Office;
- (d) Department of Natural Resources and Environmental Control; and
- (e) Such other public or private members as the Secretary may determine would be of assistance in this process.

These members would include, but not be limited to, representatives from: federal, state and local governments; environmental groups, planning agencies; the real estate and outdoor advertising industries, business, farming and nature organizations and such other groups which may be affected by a scenic and historic highway designation.

We cannot provide full confirmation as records and meeting notes are not fully available from the first Advisory Board meetings, but an original listing (year 2000-01) for the Advisory Board is likely to have consisted of a representative from:

- Council on Transportation
- Delaware Association of Realtors
- Delaware Bicycle Council
- Delaware Contractor's Association
- Delaware Department of Agriculture
- Delaware Department of Natural Resources & Environmental Control
- Delaware Economic Development Office
- Delaware Federation of Woman's Clubs
- Delaware Grange
- Delaware Greenways
- Delaware Heritage Commission
- Delaware League of Local Governments
- Delaware Nature Society
- Delaware Outdoor Advertising
- Delaware State Chamber of Commerce
- Delaware State Historic Preservation Office
- Delaware State Tourism Office
- Dover/Kent Metropolitan Planning Organization
- Federal Highway Administration -- Delaware Division
- Friends of Bombay Hook Kent County Department of Planning Nature Conservancy
- New Castle County Planning
- Preservation Delaware, Inc.
- Sierra Club
- State Representative Deborah Hudson
- State Representative Shirley Price
- State Representative Donna Stone
- Sussex County Council
- US Senator Joe Biden
- Wilmington Area Planning Council (WILMAPCO)
- Various Citizen Representatives

To our knowledge and from our records, the Delaware Byway Advisory Board originally consisted of representatives from of the above.¹ As the genesis of Delaware Byways Program began in an unfamiliar and under unformalized processes, the Advisory Board's task was to act and serve as a consultation effort for DelDOT Planning to develop the Delaware Scenic & Historic Highways Program Guide, dated November 10, 2001. Although outdated and proposed to be replaced, this is the original and currently recognized program manual that helps define the roles and efforts of the byway program and those that may govern it. This can be seen in Appendix A.

The Advisory Board list from 2001 is extensive and no records exist to confirm attendance and consistency of their participation.

According to our records and knowledge, this Advisory Board has not met since 2005 as there are no new calls for additional byway corridors. In addition, there has not been any development of

¹ Electronic file found in DelDOT records originated 5/4/2001.

new (not updated) Corridor Management Plans (CMP) for which the advisory board may be a participant and hold interest.

Known records of personnel & their attendance are included in Appendix B.

To date, there is not an intent or justified reason to further expand and add more byway corridors to the identified six Delaware byways already in place. Additionally, during our file research and after discussing with Byways Management and former DelDOT staff, five of the six byways confirmed in the State did not execute an active role with the Delaware Byway Advisory Board. Thus, existence for the Delaware Byway Advisory Board (i.e. its primary role for first establishing the byways program) is no longer applicable as a public need and should be dismissed from Title 17.

Furthermore, upon guidance provided in either Byways Program Guide (i.e., Appendix A and Appendix C) updating an existing CMP for a specific byway corridor is not a functional role or recommended approval task (which now is held by the Secretary of DelDOT) for the Delaware Byway Advisory Board. That task (i.e. update and monitor a byway's CMP) is a functional responsibility of the individual byways management organization and for the DelDOT Byways Coordinator position that may report recommendations and approval directly to the Secretary. Each of the Byways already have a CMP in place, and thus a role for the Delaware Byway Advisory Board is non-existing.

In addition, annual status reports of the actions and conditions for each of the six identified byways has never been developed or offered by any of the existing byways management entities to the Advisory Committee. According to our records, in 2005, the DelDOT Assistant Planning Director provided an annual report and update assessment of the Delaware Byways Program. However, whether this was provided to the Delaware Byway Advisory Board or only to the Secretary is uncertain. This is the only known time an annual byways report was developed.

There are no threats to delist or de-designate an individual byway since their inception in 2001. This has resulted in a Delaware Byway Advisory Board's role that has always been left untested.

With the Delaware Byways program identified and established in place, a revised guide was recently drafted to replace the current Delaware Scenic & Historic Highways Program Guide, dated November 10, 2001. This draft program guide intends to establish up-to-date actions and management that reflects today's expectations, duties, and operations with existing byways in place. Under this 2021 Draft Delaware Byways Program Guide, there are continued actions and measures for annual reporting. There are also clearer actions described for delisting, suspending, or de-designation of byway corridors. Yet these reports will be provided to the DelDOT Secretary for review, not an Advisory Board.

Any elaboration of Section 1-B below and of the Delaware Byway Advisory Board can be seen and described in Appendix A and Appendix C.

Section 1-B. What are the main functions of this entity? Does this entity issue any advisory or policy opinions? If so, where can they be found?

According to the November 10, 2001 Program Guide, the initiative of the Delaware Byway Advisory Board is to assist in and make recommendations regarding in the designation, development, operation, management, and promotion of Delaware Byways Program. As suggested, we believe those measures have been accomplished with six identified byways now

established and operational (note: 5 of the 6 byways were established without known involvement of the Board). Byway Management Organizations (BMOs) and CMPs for each byway exist. Moreover, there are no further interests in the creation of new byways in the state. Furthermore, the Federal Highway Administration (which first offered and introduced the program to states) and DelDOT no longer offer any financial assistance or grants upon potential applicants to develop nominations or develop new CMP's. Limited, competitive grants (federal or state) can only apply to already identified and recognized State or National Scenic Byways that are in place.

From our recollection and those that are still employed at DelDOT (and those retired but still in contact), the primary task, role, and responsibility of the Advisory Board was twofold and is also highlighted in the Delaware Scenic & Historic Highways Program Guide dated November 10, 2001 (Appendix A).

The initial function of the Delaware Byway Advisory Board was to review nomination application submissions. This was undertaken after first being reviewed and approved to move forward by an Evaluation Committee and Director of DelDOT Planning. From there, it was/is the DelDOT Byway Coordinator personnel and the Byway Advisory Board's task to then determine and offer a final decision with approval upon whether the sponsor nomination application is genuine and complete (note: following what was required within the sponsor nomination application). They may also reject the step 1 nomination submission and return comments and materials back to the byway sponsor to address. However, assuming initial nomination approval and from there, both the DelDOT Byways Coordinator with the Delaware Byway Advisory Council would offer a final decision (note: they could differ in findings or defer undecided) for final decision approval to the Secretary of Transportation.² In sum, they will convey that the sponsor's nomination application should be approved or left upon the Secretary. Ultimately, the Secretary of Transportation has the final approval. In essence, the Secretary of Transportation designates any Delaware Scenic and Historic transportation corridor into the Delaware Byways Program based upon criteria outlined in the 2001 program guide and upon the approval recommendations of the Evaluation Committee, the Director of Planning, and Delaware Byway Advisory Board.

Secondly, the Delaware Byway Advisory Board also participates in a two-step process for the scenic byway corridor designation under the Delaware Byways Program. In this approach, the sponsor (i.e. byways nomination applicant) is responsible in preparation and development of the byway's Corridor Management Plan (CMP) (Step 1). The Delaware Byway Advisory Board would only convene after the initial review and approval of the CMP first by the DelDOT Byways Coordinator and the Director of Planning (Step 2). Only then would the Delaware Byway Advisory Board receive the CMP information for their final approval recommended to the Secretary.³

With our verification knowledge and records, only the Brandywine National Scenic Byway undertook both Step 1 and Step 2 process involving the Delaware Byway Advisory Board, while

² See page 9 of 26 within Appendix A of the 2001 Program Guide which offers a flow chart.

³ The Delaware Byway Advisory Board, like the Director of Planning along with the DelDOT Byway Coordinator or the Secretary may also reject the CMP submission (as similar in the step 1 for sponsor initial nomination) which sends the CMP back to the sponsor to address. They would likely revise and/or resubmit or drop out.

the Red Clay Valley Byway undertook a Step 1.⁴ There are four other byways that received initial byway nomination recognition and CMP approval from DelDOT. These include Delaware Bayshore Byway (2007; 2013), Harriet Tubman Underground Railroad Byway (2009; 2012), Nanticoke Heritage Byway (2006; 2016), and Historic Lewes Byway 2009/10; 2015).

The approved and adopted CMP and the personnel within each of the Byways Management Organization committee (i.e. each sponsor nominee) are the ones who really determine and describe further development, operation, management, and promotion of the designated byway corridor. The Delaware Byway Advisory Board has had no influence or responsibility once the CMP is approved and in place.⁵ CMPs (and initial nominations in step 1 of the program guide) were also developed with use of steering committees and/or advisory boards. They are different than the Delaware Byway Advisory Board, yet nearly consisted in make-up of those same groups.⁶ Because of this duplication, it is likely why the Delaware Byways Advisory Board did not individually meet and make recommendations to the Secretary. Each individual byway in its early origins, had already consisted as an element and function as a Delaware Byway Advisory Board.

As indicated in Chapter 4 of the November 10, 2001, Program Guide, The Delaware Byway Advisory Board may also receive written status report findings from either the Byway Management Organization itself, and/or DelDOT staff. There is no action necessary other than to potentially tract progress.

Specifically, this indicates “DelDOT staff will prepare a written report to document their findings and send this to the Corridor Sponsor and other responsible agencies. DelDOT staff will encourage corrective actions if necessary. DelDOT will also submit these reports to the Scenic and Historic Highways Advisory Board.”

To date, assessment or findings reports have not been developed or recorded by either any of the Byways Management Organizations or by DelDOT staff. There is uncertainty on why this is not (never) being undertaken by either party, but the draft and updated Delaware Byways Program Guide 2021 addresses a new method of byway assessment reporting efforts that are more appropriate to the current program. The role of the Delaware Byway Advisory Board is removed in Draft Program Guide because 1) this has not occurred and there really lacks a purpose, and 2) if it occurred, there is no action called upon of them after their review of any assessments.

It is also important to note that many of the same agencies and staff level of personnel identified as consisting under the Delaware Byway Advisory Board are currently within several Byways Management Organizations having and hosting functional roles and oversight. So by default, there is presence and representation of the Delaware Byway Advisory Board in each of the byways. More importantly, the future status and annual byway assessment conditions reporting for each of the six identified byways will still remain within the program’s intent to follow.

⁴ Efforts known to exist 2000-2005.

⁵ This is noted within guidance developed for CMP’s. Also several members of each specific byways management personnel may and have consist of the same agencies or non-profits as identified or called out in the Delaware Byway Advisory Board.

⁶ To see development of CMP’s documents and those that helped shape the byway for DelDOT approval, see <https://deldot.gov/Programs/byways/index.shtml>. Go to each individual byway Corridor Management Plan.

It is the objective of DelDOT to maintain byway conditions reporting upon formal adoption of the new/draft 2021 Program Guidance. We have conveyed this to each Byways Management Organization's leaders and have provided them actual guidance upon what they need to report. Each individual Byway Management Organization, which represent several of the key agencies or organizations originating form a Delaware Byway Advisory Board have been part of individual review for the Draft Byways Guide. To date, no issues or objection have been questioned in suggesting the dissolved role of the Delaware Byway Advisory Board.

Lastly, as indicated in Chapter 5 of the November 10, 2001, of the Program Guide (Appendix A), The Delaware Byway Advisory Board may have an outcome of a byways de-designation, should it be necessary.

Specifically, "the de-designation process will follow generally the same process as the Corridor Plan review process. DelDOT's Scenic and Historic Highways Coordinator will prepare information documenting how the corridor no longer meets the criteria for designation. This information will be reviewed by DelDOT's Director of Planning and submitted with his or her recommendation to the State Scenic and Historic Highways Advisory Board for their recommendation. The Advisory Board's recommendation will be submitted to the Secretary of Transportation for a decision on de-designation."

This threat or action of de-designation process has yet to occur, nor is there a potential suggestion or intent that it might occur. Thus, the Delaware Byway Advisory Board has never had to play a role in this possible endeavor. This action can essentially be removed and left for the Secretary based on reports and efforts of the byways management (or lack thereof), the DelDOT Byways Coordinator, the Secretary, and other forms of public announcements and justification as indicated in that process. In addition, the new/draft 2021 Program Guide suggests suspension actions giving a Byway the stats of de-listment first, rather than de-designation. This allows each byway BMO to restructure or modify the deficiencies with assistance from DelDOT and regroup before the ultimate dissolution of the byway corridor, a section of it, or the BMO management can ever occur.

Section 1-C. What condition(s), situation(s), and/or problem(s) existed prior to the creation of this entity that directly led to its creation? Please provide specific examples.

The Delaware Byway Advisory Board was simply developed or originated with the State's Byways Program as an original component of the program. As being an unknown and unidentified byways program with uncertain expectations, the Advisory Board seems have been established for for 1) the initial call for nominations (recommend to accept/reject) prior to the Secretary's determination; 2) review implementation of a corridor management plan (recommend to accept/reject) prior to the Secretary; 3) receipt of status progress reports, inspections, and findings offered by both the byway management sponsor and the DelDOT Byway Coordinator/Planning for information only; and, 4) participation with a recommendation to the Secretary upon whether a particular byway corridor (or section of it) needs to be de-designated.

No prior condition, situation, or problem evolved that lead to its creation.

Section 1-D. To what extent has the existence and functioning of this entity alleviated each of these condition(s), situation(s), and/or problem(s)? Please provide specific examples.

N/A

Section 1-E. Would the condition(s), situation(s), and/or problem(s) described in question “1-C” above recur or worsen, in the absence of the entity?

No, we are developing new byways guide (Appendix C) which effectively dissolves the use and public need for a Delaware Byway Advisory Board while still sustaining the tasks and efforts for which they may have been originally assigned.

The condition, situation, or problems would neither recur nor worsen in absence of the entity. In fact, the byways program continued and evolved even in absence their participation.

Section 1-F. Are there any recent condition(s), situation(s), and/or problem(s) that further justify the need for the entity’s existence?

None.

Section 1-G. Are there any functions of this entity that are outdated and no longer needed? If so, please explain and provide examples.

As proposed and recognized by the DelDOT Byways Coordinator Position, the Delaware Byways Program is dormant to new byway nomination applications since there has not been any interest or funding for them. As such, the DelDOT Byway management resources are unable to support the addition of newly designated Byways. The Byways Program believes that the six byways currently in the collection comprehensively capture the essence of Delaware’s intrinsic roadway attributes. These six Byways provide full coverage in each County and across the state of Delaware. As such, there are no new calls for nomination of a byway from the Agency. Thus, the Delaware Byway Advisory Board is obscure as a functional need as written in since the byways and their CMP have been set-up and already established.

Following this, there are no proposed new CMPs to be developed. A byway CMP is a necessary component after the initial nomination process. Revised, amended, or updated CMPs are still called upon and enacted for each recognized byway. However, the Delaware Byway Advisory Board does not play an active review, recommendation, or advisory role in this effort. Thus, the Advisory Board is also obscure in this function and purpose.

Under the 2001 Program Guide, The Delaware Byway Advisory Board may also receive written status report findings from either the byway entity sponsor itself, and/or DelDOT staff. However, there is no action necessary on their behalf. In 20+ years there has not been one known status report finding submitted or developed to share. That administrative measure as indicated in the 2001 Program Guide did not provide proper guidance and was offered with broad intentions. The Draft 2021 Program Guide clarifies annual reporting requirements of the Byway Management Organizations with more defined measures.

We (DelDOT) strongly recommend that with existing byways and processes in place and with an improved protocol under the byways de-designation process as indicated in the 2021 Draft Delaware Byways Program Guide (see Chapter 6 in Appendix C), the Delaware Byway Advisory Board would not have a valuable role or contribution of the de-designation

proceedings.⁷ This assumes that a de-designation of a byway will occur because steps and measures to avoid are now outlined in the Draft 2021 Program Manual.

SECTION 2: MISSION, GOALS, OBJECTIVES, & AUTHORITY

Section 2-A. What is the mission of this entity? Does the enabling legislation accurately reflect the mission?

To serve as a creator and monitor for the Delaware Byways Program when it was first originated in 2000. Enabling legislation does reflect its origins, but it is now undefined.

Section 2-B. Please identify and explain the entity's goals and objectives, in order of priority.

As indicated in Section 1-C, the Delaware Byway Advisory Board was developed within the State's Byways Program as an original component of the program as a checkpoint for 1) the initial call for nominations (accept/reject) for the Secretary; 2) review implementation of a corridor management plan (accept/reject) for the Secretary; 3) receipt of written status progress reports, inspections, and findings offered by both the byway management sponsor and the DelDOT Byway Coordinator for information only; and, 4) participation and final recommendation to the Secretary upon whether a particular byway corridor (or section of it) needs to be de-designated.

This may be the same priority order although 1) and 2) are not scheduled or forecasted to further occur (i.e. byways program has already been set up). Priority 3) and 4) continue to have critical paths and measures of reporting and de-designation which can be outlined in other sections and in Appendix A and Appendix C.

Essentially the goal & objective of this group is/was to offer outside agency and other organizational eyes and ears upon the Delaware Byway Program as it first began its start up. Since the byways program has started in 2000 many of the same agencies/interests that may have been part of the Delaware Byways Advisory Board are part or members of the byways management organizations to carry out development, operation, management, and promotion in any one of the six Delaware Byways.

Section 2-C. Please describe the internal performance evaluation system that the entity uses to measure the attainment of its goals and objectives.

There is not a performance evaluation system, nor would that apply or make sense to consider.

Section 2-D. Does the entity collect any data sets? If so, please identify and explain.

No.

Section 2-E. Does the entity conduct any research? If so, please explain and provide the location of research reports (if produced).

No.

⁷ It might be noted that agencies/staff that might consist of the Delaware Byway Advisory Committee may be and are members or participants of individual Byway Management Organization entities. So, it is practical to say that an Advisory Committee is involved or aware of the de-designation.

Section 2-F. Has the State Auditor or any other external organization recently audited and/or evaluated the entity or any of its programs? Please identify some of the major conclusions and/or recommendations. Provide links to all reports.

No.

Section 2-G. In general, how do other states carry out similar functions?

To our knowledge, no other states execute a specific or individual Byway Advisory Board or something similar. Efforts are left up to the Tourism or Heritage Industry, 501(c)(3)/non-profits, the Byways Management Operation/volunteers, and/or the DOT's and based on any public process, byway guidance documents, forums, or public announcements.

Section 2-H. Are the entity's functions similar or overlapping of other state or federal entities? If so, discuss how the entity coordinates its services with other state or federal bodies sharing similar objectives. Please explain why the functions are best placed within this entity or why they should be placed elsewhere.

The Delaware Byway Advisory Board as a separate operating entity could be similar in action and review to that of the individual DelDOT Byway Coordinator. While a Delaware Byways Advisory Board is much larger in personnel, the DelDOT Byway Coordinator is much more technical, hands-on, and knowledgeable on its programs, role, and functions with its participation in each byway's CMP and its engagement. The Delaware Byway Advisory Committee was or is simply a review committee pre-selecting critical paths for each byway before the Secretary's final decision.

Since the byways program has started in 2000, many of the same agencies/interests that may have been identified as serving with the Byways Advisory Board are part or consist of personnel members of the Byways Management Organizations. In taking on this role, they carry out and monitor development, operation, management, and promotion in any of the six identified Delaware byways. They are also aware and participate in conditional status reports (when undertaken) and the byway corridor de-designation processes.

The entity (Delaware Byway Advisory Board) does not coordinate its services with other state or federal bodies. Its functions have already been placed in the efforts of Byway Management entities and oversight by the DelDOT Byway Coordinator.

Lastly, all byways nomination submissions and development of their CMP consisted of Ad-hoc diverse steering committees and advisory boards working to achieve approval into the Byways Program. We believe that served the capacity as the Delaware Byway Advisory Board as their functions outlined in the 2001 Byways Manual. So with this diverse oversight and involvement, each of the six byway's origins (5 of the 6) developed with recommendations and actions of a pseudo-Delaware Byway Advisory Board.⁸

SECTION 3: ACCOMPLISHMENTS

Section 3-A. List and briefly explain the entity's most significant accomplishments.

⁸ To see development of CMP's documents and those that helped shape the byway for DelDOT approval, see <https://deldot.gov/Programs/byways/index.shtml>. Go to each individual byway Corridor Management Plan.

They concurred and provided a recommendation to approve to the Secretary upon one current byways nomination that the State’s Byways program recognizes.⁹ There were subsequently five other byways established in the state without their involvement.

SECTION 4: CHALLENGES

Section 4-A. List and briefly explain 3 to 4 challenges the entity is currently facing.

This group as a separate entity or entity among itself, does not meet, nor is there a need or a call for them to meet or meet on a regular basis. That, perhaps, is the challenge since they lack an agenda, goals, or know what role to play in Byway management (pending their personnel representative participating) since they have not met for almost 20 years. We believe that a Delaware Byway Advisory Board would only evolve under the Byway Program Guide if there were any further initiation calls for a byway nomination. As there are no further calls for nominations, the potential evolution or personnel make-up of a Delaware Byway Advisory Board does not exist.

SECTION 5: OPPORTUNITIES FOR IMPROVEMENT

Section 5-A. List and briefly explain several opportunities for improvements. Please prioritize.

A new byways program guide to reflect the current conditions, processes, and operations is needed and is currently in draft form. This will function to sustain and clarify the program from its original inception – see Appendix C.

17 Del. C. § 193 should be amended or be placed on administrative hold or dissolved altogether. If amended, Section 193 should refer to the Delaware Byway Program Guide and any update(s) that formalize (today) about how the program is operated. This would effectively still dissolve the Delaware Byway Advisory Board, while keeping and improving several original program oversights and intentions in place.

Section 5-B. In the past 5 years, has the entity recommended any changes to the Legislature, Governor’s Office, or other State agency to improve the entity’s operations? If so, please explain and provide the outcome or current status?

Not applicable.

SECTION 6: COMPOSITION & STAFFING

Membership:

Section 6-A. How is entity membership defined? Please explain and provide the section(s). Examples include statute, regulations, or by-laws.

The Delaware Byway Advisory Board’s membership was to be established for the origins of the Delaware Byway Program and would be comprised of a wide range of interests.

⁹ Brandywine National Scenic Byway, the first to be identified and nominated to the state.

17 Del. C. § 193:

The Secretary (of DelDOT) shall appoint a State Scenic and Historic Highway Advisory Board (now Delaware Advisory Board) consisting of public and private parties, including not-for-profit organizations to assist and recommend in the designation, development, operation, management and promotion of scenic and historic highways. Members of the Advisory Board created pursuant to this Section shall include, but not be limited to, the Secretaries, chief administrative officers or representatives of the:

- (a) Department of State;
- (b) Department of Agriculture;
- (c) Delaware Economic Development Office;
- (d) Department of Natural Resources and Environmental Control; and
- (e) Such other public or private members as the Secretary may determine would be of assistance in this process.

These members would include, but not be limited to, representatives from: federal, state and local governments; environmental groups, planning agencies; the real estate and outdoor advertising industries, business, farming and nature organizations and such other groups which may be affected by a scenic and historic highway designation.

Section 6-B. Are there special qualifications for membership?

None. This was originally assigned or requested by the Secretary. From there, that agency or organization can freely assign their personnel to act as their advisory representative.

Section 6-C. Who has member appointment authority? Where is this defined?

The Secretary (of DelDOT) shall appoint a State Scenic and Historic Highway Advisory Board. As indicated, this is found under 17 Del. C. § 193.

Section 6-D. What is the designated term of office for entity members? Where is this defined?

There are no terms of office defined; no bylaws; no guidance offered. In fact, representatives of the Delaware Byway Advisory Board can/could change or self-appointed others within their own agency/organization.

Section 6-E. How many members currently serve on this entity? Are there any vacancies? If so, indicate the length of time each vacancy has existed and the reasons why. Has the entity or support staff advised the Governor's Office or appointing authority of the vacancies?

This does not apply as the Advisory Board has not met in almost 20 years. We compiled our known records available in Appendix B. This is an attempt to provide a summary upon who participated or served since it has been so long that the Delaware Byway Advisory Committee met and with a justified reason to do so.

Section 6-F. Can this entity create subcommittees or task forces? If "yes" please address the following questions:

1. Describe the process and site the entity document (statute, regulations, or by-laws) that permits this.
2. Provide a brief history on how many have been created in the past 5 years and indicate where meeting documents can be found.
3. If final reports were issued, please provide their location.
4. If there are current subcommittees or task forces currently meeting and conducting business; include information on membership, duties, and where meeting documents can be found.

No for Section 6-F.

Section 6-G. Include a current membership roster with this Self-Report. This is a separate request from the list of supporting documents included in the Self-Report instructions. This current membership roster must indicate the following for each member:

- First and last name, and their city and state of residence.
- Position held (i.e., Chair, President, Co-Chair, Secretary, etc.).
- Professional or public member.
- Their profession or occupation.
- Original appointment date, expiration date, and number of terms served.

See Appendix B. There is not a current membership roster. The Delaware Byway Advisory Committee dissolved with similar representatives now representing individual byway management organizations as part of their BMO. One can also observe or infer those members of the Delaware Byway Advisory Board consisted of the Advisory and Steering Committees from each byway's origins that were involved in each byway entity nomination submission and CMP development.¹⁰

We can only say that in 2007 and 2011 (because of the actual file creation date) a list was attempted to be developed with Advisory Board updates. However, this was never official with member meetings or participation. This is not a reflection of current membership. Information or vital data suggested for Section 6-G really cannot be confirmed or described since we don't know, and nothing is current enough to report.

To satisfy this current membership roster request, please complete one of the following:

- Complete the included table below.
- Delete the included table below, build a new table, and place in this section.
- Delete the included table below and attach a document to the Self-Report and label in the appendices section.

Member's Name and City and State of residence.	Position Held	Professional or Public Member	Profession or Occupation	Original Appointment Date	Appointment Expiration Date	Number of Terms Served

¹⁰ To see development of CMP's documents and those that helped shape the byway for DelDOT approval, see <https://deldot.gov/Programs/byways/index.shtml>. Go to each individual byway Corridor Management Plan.

Meeting Frequency:

Section 6-H. How frequent are meetings held? Is meeting frequency defined anywhere such as the statute or by-laws? If so, provide document name and section information.

Meetings were held (we believe up to 10 according to records we are able to locate) in development of the Delaware Byways Program Guide dated November 10, 2001. Several meetings (uncertain on number) in 2005 were also held per individual nomination submissions or CMPs were first being submitted. This was limited and really consisted in efforts in the Brandywine National Scenic and Red Clay Valley Byways. No meetings since have been held from mid-2005 to the present day (Appendix B). From the known notes and in consultation with those that can recall at DelDOT (or retired from), all efforts seemed to occur without any bylaws, set schedule, or format.

Section 6-I. Can the entity hold special or emergency meetings? If so, describe the protocol involved in requesting and holding a special or emergency meeting.

N/A

Meeting Order and Quorum:

Section 6-J. For meeting order, does the entity follow Mason’s Manual of Legislative Procedure or Roberts’ Rules of Order? Is this defined in statute, regulation, or by-laws?

Since no by-laws were established, we assume Robert’s Rules of Order were followed.

Section 6-K. How is meeting quorum defined and where is the definition located?

Since no by-laws were established, we assume Robert’s Rules of Order were followed.

Member Removal:

Section 6-L. Is there a mechanism for member removal? If so, how are members removed and who has the authority to remove a member? Using the process described, has there ever been an instance of member removal, and if so, briefly describe the nature of events that led to the member removal.

The Secretary may appoint or remove members as indicated under 17 Del. C. § 193. Representatives or those agencies would then delegate to others or suggest others to attend on the entity's behalf. Lists may have been updated in 2011, but they were not tracked nor ever occurred.

Member Compensation:

Section 6-M. Are members compensated? If so, how are they compensated?

No.

Member Training and Handling Conflicts of Interest:

Section 6-N. Are members offered any special training opportunities? Is training required or voluntary?

No.

Section 6-O. Has a Deputy Attorney General (“DAG”) reviewed the provisions of the Public Integrity Act with entity members to ensure that they are in compliance with the provisions in the law? If so, what is the frequency of this review?

No.

Section 6-P. Please explain how entity members avoid conflicts of interest.

N/A

Section 6-Q. Has the Public Integrity Commission (“PIC”) provided training or clarification to members or issued any advisory opinions on entity activities? If so, please explain the details. Provide a link to the information or attach relevant information to this report.

No.

Support Staff:

Section 6-R. Is there dedicated support staff *directly* assisting the entity? If so, what state agency, department, or office supplies the support staff?

- **If this question is applicable answer all questions in this section.**
- **If not applicable, state that no support staff exists for question Section 6-R and explain how duties are divided among members, skip to questions Section 6-Y and Section 6-Z below.**

Yes, the DelDOT Byways Coordinator or other Assistant Director staff have assisted before according to notes and records. No office supplies were offered.

Section 6-S. How many employees are employed by the state agency or department supplying support staff? (skip if not applicable)

Today this is or may be one personnel. In the past (2000-2005) the DelDOT Byways Coordinator and/or the DelDOT Assistant Planning Director helped with setup and confirmation of meetings and summarized recommendations (slated for the Secretary) from this Advisory Committee when they met. There was also former consultant staff hired by DelDOT to help assist.

Section 6-T. Does the state agency or department supplying support staff offer internships? If so, do interns provide support services to the entity? (skip if not applicable)

No.

Section 6-U. What is the size of the support staff *directly* assisting the entity? How many are merit, appointed, exempt, temporary, casual seasonal, or contract employees? For contract employees indicate who holds the employment contract. Highlight support staff responsibilities, indicate who performs each and the percent of staff time spent on each responsibility. (skip if not applicable)

Two. The DelDOT Byways Coordinator or Assistant Director of Planning (full time; merit) helped with the former Delaware Byways Advisory Board meetings.

There were also temporary or assigned consultant staff support under DelDOT Planning.

The above personnel would arrange meetings, take notes, and summarize findings for the Director of Planning, for the Advisory Board, or to the Secretary. They would also update the listings of Advisory Board members/representatives as well as the Evaluation Committee.

To determine the percent of staff time spent on each responsibility is uncertain as that existed in the early 2000s (2000-2005) when the Byways Program was first established and underway.

Section 6-V. Who supervises the support staff *directly* assisting the entity? (skip if not applicable)

This is really unknown, but it is assumed that Assistant Directors or Directors at DelDOT Planning followed by the Secretary.

Section 6-W. How is the support staff *directly* assisting the entity recruited and hired? Is there an orientation session for new hires? (skip if not applicable)

Since staff were/are merit employees, they would have been hired through the standard state hiring process for merit positions.

Section 6-X. What training opportunities are available to support staff *directly* assisting the entity? (skip if not applicable)

Uncertain as to what training may have been offered to staff in 2000.

Section 6-Y. Is the effectiveness of the entity hindered by a lack of staff assistance or dedicated support staff? Please explain. What steps, if any, have been taken to address any staffing issues? (all entities under review answer this question)

There was a vacant byways coordinator position at DelDOT for several years following 2005. In fact, the byways program at DelDOT was managed by use of consultants acting as liaisons to the Planning Section. There is full time staff now.

Section 6-Z. Please identify, list, and briefly describe any executive orders, interagency agreements, management directives, administrative circulars, or like documents that directly impact the functioning of the entity. (all entities under review answer this question)

Please see Appendix A followed by Appendix C.

SECTION 7: FREEDOM OF INFORMATION ACT (“FOIA”) & OPEN MEETING LAW COMPLIANCE

Section 7-A. How does the entity respond to FOIA requests?

N/A

Section 7-B. When and where are the meeting notices and agendas posted?

Meetings were arranged by the DelDOT Byways Coordinator or Assistant Director, when needed. See Appendix B which includes any and all notes and meetings.

Section 7-C. Are meeting minutes regularly transcribed? When and where can the public obtain copies of meeting minutes?

We do not have all those records due to lapsed timing, staff turnover, and computer filing innovation. See Appendix B from information we are able to find and compile.

Section 7-D. Are meetings recorded? If so, indicate whether it’s an audio or video recording and is the recording posted online for the public? If the recordings are not posted online, are instructions provided to the public on how to request recordings?

No.

Section 7-E. Within the past 3 calendar years, has the entity conducted executive sessions or other closed meetings? If yes, please indicate the date of each and the nature of the meeting. Are minutes of executive sessions or other closed meetings available to the public?

No.

Section 7-F. Has the entity ever received any complaints that it was violating FOIA? If so, please list and include the result of the hearing or the review.

No.

SECTION 8: ADMINISTRATIVE PROCEDURES ACT COMPLIANCE

Section 8-A. Does the entity promulgate rules or regulations in accordance with the Administrative Procedures Act?

No.

Section 8-B. Has a DAG assigned to this entity reviewed the current rules and regulations for compliance with the governing statute?

Not applicable.

Section 8-C. Is the entity considering any changes to its current rules and regulations? If "yes" please address the following questions:

1. What is the status and nature of the planned changes?

The Delaware Scenic & Historic Highways Program Guide dated November 10, 2001 (Appendix A) intends to be updated and adopted into the Draft Delaware Byways Program Guide 2021 (Appendix C). See differences between Appendix A and Appendix C in what roles the Delaware Byways Advisory Board may play (or not play). We do not believe the function of a Delaware Byways Advisory Board is meaningful with existing byways and CMPs in place along with the representative agency/non-profit interests acting within and as part of individual byways management. The DelDOT Byways Coordinator personnel also monitors and assists each byway's BMO (and the byways program as a whole) in its mission and efforts as determined in their CMP.

2. Have the proposed changes been reviewed and approved by the entity's Deputy Attorney General?

No; not applicable.

3. Have the proposed changes and the public hearing date been published in the Register of Regulations?

No; not applicable.

Regarding questions 8-C and questions 1, 2, and 3, the byways program draft guide has been widely circulated and developed with and for the byways management organizations. This also consists with representatives that may be (or had been) part of a Delaware Byway Advisory Board. With six byways in place, the nomenclature or discussion of an Advisory Board absence within the Draft 2001 Program Guide was not raised. Advisory Boards and/or steering committees (which can be assumed to be de facto to the Delaware Byways Advisory Board) were all developed and evolved with each initial entity byway submissions and in development of their CMPs.

SECTION 9: COMPLAINT AND DISCIPLINARY PROCESS

Section 9-A. Please describe in detail the complaint process utilized to resolve disputes between the entity and the public, including how complaints are filed, who investigates complaints, and how long investigations proceed.

Not applicable.

Section 9-B. What are some of the most common complaints received by the entity? Please identify where the complaints originate (i.e., public, media, Attorney General's Office, consumer groups, etc.).

There are none.

Section 9-C. Have any complaints been filed with the Attorney General’s Office? If so, have they been resolved?

No.

Section 9-D. Are there any Delaware Attorney General’s Opinions that affect the functioning of the entity? If so, please provide the date and number.

No.

Section 9-E. Are there any recent judicial decisions (state or federal) that directly affect the functioning of the entity?

No.

Section 9-F. What specific disciplinary actions were taken by the entity as a result of complaint investigations? (i.e., license revocation, license suspension, formal reprimand, penalty, etc.).

N/A

Section 9-G. Please describe in detail the process utilized for determining appropriate disciplinary actions taken against individuals licensed, employed, or monitored by the entity. Include the appeals process, if applicable.

N/A

Section 9-H. If applicable, provide the following complaint data for calendar years 2019, 2020, 2021, 2022 (to date):

	Calendar Year 2018	Calendar Year 2019	Calendar Year 2020	Current Calendar Year 2021
Total Number of Complaints Received by the Entity				
Total Number of Complaints Investigated				
Total Number of Complaints Found Valid				
Total Number of Complaints Forwarded to the Attorney General				
Total Number of Complaints Resulting in Disciplinary Action				

Nothing was filled out or applied under Section 9-H.

SECTION 10: PRIOR JLOSC REVIEW

Section 10-A. Has JLOSC previously reviewed this entity? If so, provide the year(s) of review and list all JLOSC final recommendations, indicate whether the entity is complying or non-compliant with each recommendation, and explain all areas of non-compliance.

No.

SECTION 11: PUBLIC INFORMATION

Section 11-A. How does the entity communicate information with the public? Does the entity use a website and/or social media platform(s)? If so, please list each method of communication and supply the applicable web address, handle, or username.

DelDOT hosts the Delaware Byways website for which the Byways Program and Byways Program Guide is available (i.e. which mention and define the Delaware Byway Advisory Board). We also help promote each of the six byways and their relevant documents and contacts.¹¹ There is no individual web or social media platform for the Delaware Byway Advisory Board. Each individual byway, which may consist of agencies/representatives suggested within an Advisory Board configuration, host and manage their own byway web sites or social media.

Section 11-B. What information or educational resources are made available to the public relating to the entity's activities? Examples include newsletters, guidelines, rules and regulations, policy briefs, or other similar documents. Please indicate the method and frequency of distribution for each and identify the target group(s).

DelDOT's Byways Website does list the role of Delaware Byway Advisory Board in terms of information. See Appendix A of the 2001 Program Guide and writings within the Introduction, Chapter 1, and Chapter 2.

Section 11-C. Does the entity actively engage with the public and solicit feedback? If so, please explain. If the entity has conducted surveys, please list all surveys conducted within the past 5 years and indicate where the public can find survey results.

No.

Section 11-D. Does the entity have by-laws? If so, are they available for the public (include location) and what was the last date of revision?

No.

Section 11-E. Please complete the following 3 charts (add or delete cells as needed) with the most current information regarding interest groups, national organizations, and industry or trade publications as described in each chart heading.

¹¹ <https://deldot.gov/Programs/byways/index.shtml>

Interest Groups (Groups affected by entity actions or represent others served by or affected by entity actions)		
Group or Association Name/Contact Person	Internet Address	Phone Number
Name of group		

National Organizations or other State Agencies (Serve as an information clearinghouse or regularly interact with the entity)		
Group or Association Name/Contact Person	Internet Address	Phone Number
Name of group		

Industry or Trade Publications		
Group or Association Name/Contact Person	Internet Address	Phone Number
Name of group		

The three charts do not apply towards actions of the Delaware Byway Advisory Board.

SECTION 12: ENACTED LEGISLATION IMPACTING THE ENTITY

Section 12-A. Did legislation establish the entity? If so, what year and by what legislative bill was the entity established?

The Delaware Byway Advisory Board was created in 2000 under the Governor Carper administration for the Delaware Department of Transportation (DelDOT). This was formally codified under 17 Del. C. § 193 under the “State Scenic and Historic Highway Advisory Board”. The name and greater byways program changed title in 2010 to reflect the current “Delaware Advisory Board” and that of the “Delaware Byways Program”. Senate Bill 320 (in 2000) first established Delaware Scenic and Historic Highway Program (i.e. re-titled 2010 to Delaware Byways Program) be developed under further guidance of a Delaware Byway Advisory Board.

Section 12-B. Please list all legislation and other acts that have made substantive amendments to the entity’s enabling legislation. Please indicate the bill number and date of enactment for each.

Not applicable.

Section 12-C. Please identify, list, and briefly describe any federal laws or regulations that guide or otherwise directly affect the functions, responsibilities, and operations of the entity.

The Federal Highway Administration (FHWA) program does not offer any assistance (financial or technical) towards any new call for byway nominations nor its development of the CMP. Thus, the need for the individual Delaware Byway Advisory Board is not applicable as the Delaware

Byways Program is really a full concentration toward existing and identified byways. DelDOT funding under the Transportation Alternatives Program (TAP) which includes efforts under the Scenic and Historic Byways Program, would also not qualify for planning assistance as that type of project (i.e. nomination submissions or the need for a CMP) may not qualify as TAP efforts. TAP efforts would only apply for efforts upon existing and already identified byways as byway projects. This is also assuming the type of project fits within the qualifications of TAP.¹²

SECTION 13: PENDING & PROPOSED LEGISLATION

Section 13-A. Please list any currently proposed legislation (state and federal) that, if passed, will directly impact the functions or operations of the entity. Please indicate any bills that the entity is supporting or opposed.

Not applicable.

SECTION 14: FISCAL INFORMATION

Section 14-A. Complete the following chart to provide the entity’s actual revenue for FY20 and FY21 and budgeted revenue for FY22. Also indicate the source of funds (i.e., general fund, federal funds, special funds, etc.).

Revenue:

Fiscal Year	Source of Funds	Amount
FY22 (budgeted)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00
FY21 (actual)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00
FY20 (actual)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00

Section 14-A is not applicable.

Section 14-B. If the entity receives federal funds, including grants, please indicate the following:

- **Total amount of federal funds.**
- **Type of federal fund.**
- **State/Federal Match Ratio.**
- **State Share of Dollars.**
- **Federal Share of Dollars.**

¹² <https://deldot.gov/Programs/tap/index.shtml?dc=apply> TAP info and eligibility.

Section 14-B is not applicable.

Section 14-C. Does the entity collect any fees or fines? Provide information on any fines or fees collected by the entity:

Description of Fine or Fee	Current Fine or Fee \$\$	Number of Persons or Entities Paying Fine or Fee	Fine or Fee Revenue \$\$	Where is the Fine or Fee Revenue Deposited? (i.e., general fund, special fund)

Section 14-C is not applicable.

Section 14-D. Has the entity conducted a financial analysis to determine if the current fees are sufficient to cover the cost of the administrative activity related to each? Do the current fees or fines need to be updated or revised? Please explain, indicating whether the fees or charges can be changed directly by the entity or if legislative approval is required.

Section 14-D is not applicable.

Section 14-E. Complete the following chart to provide the entity’s actual expenditures for FY20 and FY21 and budgeted expenditures for FY22. Also indicate the source of expenditures (i.e., general fund, federal fund, special fund, etc.).

Expenditures:

Fiscal Year	Source of Funds	Amount
FY22 (budgeted)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00
FY21 (actual)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00
FY20 (actual)		
	General Funds	\$0.00
	Federal Funds	\$0.00
	Special Funds	\$0.00
	TOTAL:	\$0.00

Section 14-E is not applicable. To our knowledge, they never had a budget or stipend.

Section 14-F. Provide a detailed breakdown of FY22 budgeted expenses.

Section 15-B. Please provide the following data for each license, certificate, or approval notice issued by the entity during calendar years 2019, 2020, 2021, and 2022 (to date). Include additional charts, if necessary:

Name of license issued by the entity: _____

	# of License Applications Received	# of License Applications Approved	# of Licenses Issued	# of Licenses Rejected	# of Licenses Revoked
Calendar Year 2019	0	0	0	0	0
Calendar Year 2020	0	0	0	0	0
Calendar Year 2021	0	0	0	0	0
Current Calendar Year 2022 (to date)					

Name of license issued by the entity: _____

Not applicable.

Section 15-C. Do licenses issued by the entity have reciprocity or endorsement agreements with Delaware? If so, provide a list of all states and jurisdictions that have licensing reciprocity or endorsement agreements with Delaware. Indicate if the entity requires a signed agreement or endorsement from another state or jurisdiction before a Delaware license is issued?

Not applicable.

Application Fees:

Section 15-D. Are any application fees collected by the entity? If so, complete the chart below.

Fee Type	Application Fee

Not applicable.

Section 15-E. If application fees are collected, when are fees due? Where are fees deposited? What happens if the fee is not paid? Are there any reduced fee options?

Not applicable

Section 15-F. If application fees are collected, has the entity conducted a financial analysis to determine if the current application fees are sufficient to cover the cost of processing applications? Do the current application fees need to be updated or revised? Please explain, indicating whether the application fees can be changed directly by the entity or if legislative approval is required.

Not applicable.

Application Process:

Section 15-G: Describe the application review process. Include where applications are obtained. Who reviews applications? How are applicants informed of decisions?

The application review process is offered under the DelDOT Delaware Scenic & Historic Highways Program Guide, dated November 10, 2001. Entities would fill out or prepare a report with the intent to nominate a byway corridor or roadway segment to DelDOT's newly established program and following the minimum requirements:

Specifically under page 14 or 26 and page 9 of 26 within Appendix A:

The nomination application for designation under the State Byways Program requires that the roadway sponsor address the nomination criteria, which are outlined below and explained in greater detail in the Program Guide. The criteria should be addressed in the order that they appear below. Seven copies of the nomination application should be submitted directly to the Department (DelDOT). Electronic submissions are strongly encouraged in addition to the required hard copies.

Sponsor Contact(s) Information: Sponsor Name, Organization, Address, Phone, Fax & E-mail.

Route Description: Please describe the physical layout of the route as accurately as possible. Include beginning and end points, overall length, and configuration (typical section). Include a map (see below in necessary appendix).

Intrinsic Quality Resource Inventory: Please list the specific features that fall under the six intrinsic qualities of the program that can be found in the corridor and their locations.

Primary Intrinsic Quality Description: Please describe, summarize and evaluate the significance of the primary intrinsic quality for which the highway merits designation, and the significance of any secondary intrinsic qualities present along the route.

Experience of the Corridor: Please describe what a traveler would see while traversing the corridor. Please include a photo-log of representative photographs from the corridor.

Public Involvement and Support: Please describe, and/or attach documentation of public involvement conducted to date and the comments and input that have resulted from this process.

Appendix 1: Map. Include a map that indicates the boundaries, and specifically locates the intrinsic qualities and land uses in the corridor/area.

Appendix 2: Photolog. Include photos that represent the experience and intrinsic qualities that might be encountered during a journey along the proposed corridor.

Nomination applications and any questions should be submitted to: Delaware Byways Coordinator Delaware Department of Transportation Statewide and Regional Planning 800 Bay Road Dover, DE 19903 Phone: (302) 760-2128 Fax: (302) 739-2251

Following the DelDOT Byway Coordinator's task to first convene the Evaluation Committee to approve the nomination application (via recommendation), the Director of Planning at DelDOT reviews the nomination application and adds his/her initial recommendation. Assuming the first two are recommended for nomination approval, the Delaware Byway Advisory Board as an entity are said to review and forwards their final recommended approval to the Secretary.¹³

As indicated in Appendix A, selected representatives identified by the DelDOT Secretary review a byway nomination application(s). The representatives are said to be predetermined under Title 17 Del. Code, Section 193. Their decision would be summarized and provided to the Secretary. The Secretary still has the final ability to still resend efforts, but has granted approved to each byway nomination provided (six total).

Likewise, under the development of a Corridor Management Plan (CMP), the DelDOT Scenic and Historic Highways Coordinator (Byways Coordinator) reviews the Step 2 – Corridor Plan Application. They make a recommendation to DelDOT's Director of Planning. DelDOT's Director of Planning is responsible to submit the Corridor Plan Application to the State Scenic and Historic Highways Advisory Board for review along with his/her recommendation and comments. If the Delaware Byway Advisory Board recommends approval, the application is submitted to the DelDOT Secretary of Transportation for review and a final decision.

Examinations:

Section 15-H. If there is an examination requirement to obtain a license, address the following questions:

- 1. Is the examination written, oral, or both?**
- 2. Is a standardized national examination used?**
- 3. Who develops and scores the exam?**
- 4. Are all aspects of the examination validated?**
- 5. Who administers the exam, where is it administered, and how often is the exam given?**
- 6. During each of the previous three calendar years, how many persons sat for an exam, and of those, how many successfully passed?**

¹³ The Delaware Byway Advisory Board, like the Evaluation Committee, Director of Planning, along with the DelDOT Byway Coordinator or the Secretary may also reject the sponsor nomination or their CMP submission (i.e. step 1 or step 2 under the sponsor) which sends this back to the sponsor to address. They would likely revise and/or resubmit or potentially drop out.

Not applicable.

SECTION 16: RECONSIDERATION, APPEAL, SANCTIONS, REVOCATION

Reconsideration:

Section 16-A: Is there a process for application or entity decision reconsideration (a process prior to a formal appeal, sometimes referred to as an administrative reconsideration)? This could also apply to reconsidering budget decisions made by the entity. If so, please explain.

Not applicable.

Appeal:

Section 16-B: Can an applicant, group, or individual appeal an entity decision? If so, explain the process for appeal.

Not applicable.

Sanctions:

Section 16-C: Can the entity issue sanctions? If so, explain the sanction process.

Not applicable.

Revocation:

Section 16-D: Does the entity have a revocation process? If so, explain the process.

Not applicable.

SECTION 17: SELF-REPORT AUTHOR(S)

Section 17-A: Include all Self-Report author(s) and contact information below.

- **All Self-Report author(s) listed below certify the information supplied in this Self-Report is correct to the best of their ability.**
 - **Reminder to entity under review: Any updates or corrections to Self-Report contents and entity information must be submitted to JLOSC staff in a timely manner during the entire period of review.**

Michael C. Hahn
DelDOT Planning Supervisor
Division of Planning
Active Transportation & Community Connections
Office: 302-760-2131
E-mail: MichaelC.Hahn@delaware.gov

Section 17-B: This Self-Report was submitted to JLOSC staff on: June 15, 2022

APPENDICES

Appendix A

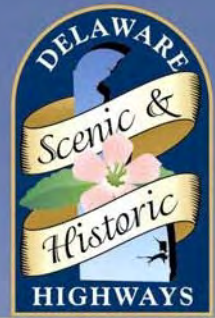
Delaware Scenic & Historic Highways Program Guide dated November 10, 2001

Appendix B

Attendance and Known Meetings of Delaware Byway Advisory Board

Appendix C

Draft Delaware Byways Program Guide 2021



DELAWARE SCENIC & HISTORIC HIGHWAYS

PROGRAM GUIDE

NOVEMBER 10, 2001

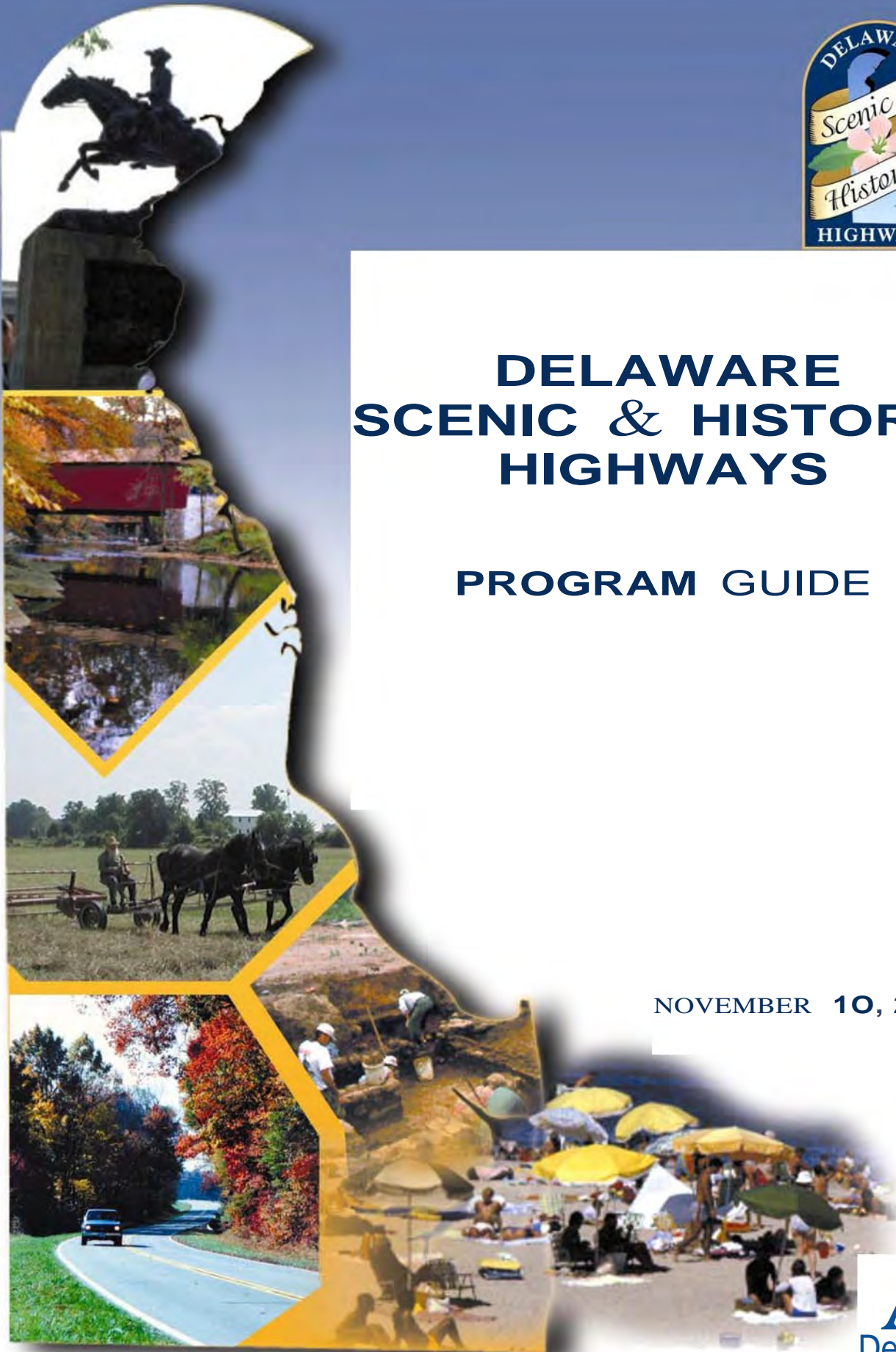


TABLE OF CONTENTS

Introduction

- What is a Scenic and Historic Highway?
- Why would you want to seek this designation for a roadway?
- Relationship to personal property rights
- Program Governance
- National Scenic Byways Program
- Program vision, goals and objectives

Chapter 1 - Overview of Designation Process

- Step 1 – Nomination Application and impact
- Step 2 – Corridor Plan Application and impact
- Scenic and Historic Highways designation process

Chapter 2 - Step 1 – Nomination Application

- Who can nominate?
- What information is required?
- Who reviews the nomination?
- What is the timeline?
- Who designates?
- What is the effect?
- Designation criteria - intrinsic qualities defined

Chapter 3 - Step 2 – Corridor Plan

- What is a Corridor Plan?
- Where does the Plan fit into the process?
- Who is responsible for preparing the plan?
- What information must be included?
- Who reviews the plan?
- What are timelines for review?
- What is the impact of approval of a Corridor Plan?
- Information to be included in the Corridor Plan

Chapter 4 - Implementation of Corridor Plans

- Is there a periodic review?

Chapter 5 - De-designation of Scenic and Historic Highways

- Is there a de-designation process?

Chapter 6 - Sources of Information to Assist Scenic and Historic Highway Sponsors

- General Information
- Funding
- Cooperative efforts with neighboring states

Appendix: Contact Information

Introduction

Delaware is rich in scenic, historic and cultural resources. The first state to ratify the U.S. Constitution, Delaware's landscapes and communities tell stories from battles between warring colonial powers, to the rise of a mercantile economy among the mills of the Brandywine River, to the continuing importance of agriculture to the state, to the evolution of American recreational pastimes along the state's beckoning beaches.

These diverse resources and their stories are accessible to travelers and residents along road corridors that deserve special consideration of their unique features and special role in the highway system. To recognize Delaware's special road corridors, the General Assembly in 2000 created a Scenic and Historic Highway Program (17 Del.C. c. 1 §101).

This program guide provides an understanding of the vision for Delaware's Scenic and Historic Highway Program, and an overview of the designation process, including how you can nominate a roadway. It also provides information on identifying intrinsic qualities (scenic, historic, natural, cultural, recreational, and archeological), preparing corridor plans and seeking sources of support in implementing these plans.

A route may be nominated for Scenic & Historic Highway designation if it has one of the following intrinsic qualities:

- Scenic
- Natural
- Recreational
- Historic
- Cultural
- Archeological

What is a Scenic and Historic Highway?

A Scenic and Historic Highway is a transportation route which is adjacent to or travels through an area that has particular intrinsic scenic, historic, natural, cultural, recreational or archeological qualities. It is a road corridor that offers an alternative travel route to our major highways, while telling a story about Delaware's heritage, recreational activities or beauty. It is a route that is managed in order to protect its special intrinsic qualities and to encourage appreciation and/or development of tourism and recreational resources. Scenic and Historic Highways can also be called "scenic byways."

Why would you want to seek this designation for a roadway?

Scenic and Historic Highway designation provides official recognition of the special nature of a roadway corridor. This designation will heighten awareness and recognition of the community seeking the designation and help to boost community pride.

Additional community benefits may include:

- Increased business, tax revenue, and jobs from tourist dollars.
- Federal and state funding for planning and implementing a corridor plan.
- Protection for a resource that may become threatened.
- Improved maintenance for your road.
- Access to resources and expert assistance in managing the corridor.
- Identification on state highway maps, leading to more tourism opportunities for the area.
- Assistance from state offices of economic development and tourism.

Relationship to personal property rights

When a roadway is designated as a Delaware Scenic and Historic Highway, a Corridor Plan must be developed, which includes a process for involving property owners in a collaborative discussion of future plans for the highway corridor. The preparation of the Corridor Plan provides a means to consider the interests of all affected parties. Designating a roadway corridor as Scenic and Historic does not mean property owners will be told what to do with their property.

Program governance

Delaware's Scenic and Historic Highways Program is a collaborative effort of Delaware's citizens, local, state and federal government. During the 2000 legislative session, the General Assembly passed Senate Bill 320 authorizing the Delaware Department of Transportation (DeIDOT) to develop the Delaware Scenic and Historic Highways Program. Senate Bill 320 required that the program be developed under the guidance of the State Scenic and Historic Highways Advisory Board and it required that the Board be comprised of a wide range of interests. Members of the Board include representatives of county government, other state agencies, the outdoor advertising industry, the real estate industry and various environmental and historic preservation advocacy groups.

The State Scenic and Historic Highways Advisory Board assists and recommends in the designation, development, operation, management and promotion of scenic and historic highways. The program is managed by DeIDOT. The Secretary of Transportation designates Delaware Scenic and Historic Highways based upon criteria outlined in this program guide and

upon the recommendations of the State Scenic and Historic Highways Advisory Board.

DelDOT is responsible for an annual evaluation of the Scenic and Historic Highways Program that identifies changes needed to keep the Program current with the state of the practice. The annual evaluation also tracks the progress of sponsors of designated Scenic and Historic Highways in implementing corridor plans to support, preserve and manage the special qualities of their corridor. DelDOT provides an annual report to the Governor and General Assembly on the overall status of the Program and the individual highways designated under it.

National Scenic Byways Program

Delaware's Scenic and Historic Highways Program has been spurred by the creation and policies of the National Scenic Byways Program, first established in 1991 by the federal Intermodal Surface Transportation Efficiency Act (ISTEA). This program, managed by the U.S. Department of Transportation in partnership with state departments of transportation or other responsible state agencies, designates National Scenic Byways and All-American Roads based on their scenic, historic, recreational, cultural, natural and/or archeological intrinsic qualities.

Through 2000, 66 National Scenic Byways and 15 All-American Roads have been designated. Federal funds may be available to assist sponsors of state scenic byways. These funds may be used to prepare corridor management plans, to seek National Scenic Byway designation, or for other purposes including executing interpretive plans, preparing marketing materials, or addressing safety improvements needed due to scenic byway designation.

Program vision, goals and objectives

Looking into the future, the State Scenic and Historic Highways Advisory Board discussed their vision for the Program, its accomplishments and contributions to the citizens of Delaware. They outlined the Vision, Goals and Objectives for the program as follows:

The Delaware State Scenic and Historic Highways Program showcases the natural beauty and unique features of the state and fosters the preservation of natural, cultural and historic resources, while benefiting economic development through tourism and recreational opportunities.

Sites and features of the State Scenic and Historic Highways are apparent to all who travel Delaware roads, and the Program enjoys broad public participation and support.

Vision

The Delaware State Scenic and Historic Highways Program showcases the natural beauty and unique features of the state and fosters the preservation of natural, cultural and historic resources, while benefiting economic development through tourism and recreational opportunities.

Sites and features of the State Scenic and Historic Highways are apparent to all who travel Delaware roads, and the Program enjoys broad public participation and support.

Goal 1

Evaluate and Designate State Scenic and Historic Highways.

- Determine the responsibilities of sponsors seeking to designate a corridor under the State Scenic and Historic Highways Program.
- Determine the responsibilities of the State Department of Transportation in administering the State Scenic and Historic Highways Program.
- Determine the responsibilities of the Scenic and Historic Highways Advisory Board in administering the State Scenic and Historic Highways Program.
- Define the opportunities, benefits, and impacts of designation under the State Scenic and Historic Highways Program.
- Assure compliance with FHWA requirements regarding outdoor advertising control.
- Ensure that all scenic and historic highway designations are continuous.
- Evaluate opportunities for multi-state scenic byway development.

Goal 2

Protect and/or enhance State Scenic and Historic Highways and their resources through a coordinated management program while ensuring the safe operation of these routes.

- Coordinate with other related federal, state, local and private sector programs and planning processes.
- Determine the responsibility of local government in the management of designated State Scenic and Historic Highways.
- Assist State Scenic and Historic Highway sponsors in locating and applying for federal, state and private funding available to support such highways.
- Ensure adherence to Federal Scenic Byways Program requirements to afford the best opportunity for federal funding and designation where desired.
- Protect the historic and scenic character of the highway while addressing the need for safe and efficient traffic flow.
- Promote the use of Context Sensitive Design criteria and traffic calming measures.
- Encourage multi-modal systems wherever feasible - auto, transit, pedestrian, and bicycle.
- Address the needs of commerce in corridor management plans.

- Support full range of public and private landscape conservation and historic preservation programs to afford resource protection to the intrinsic qualities of designated scenic highways.
- Advocate for legislation to enhance funding opportunities for the intrinsic resources of designated scenic highways.

Goal 3

Benefit economic development through tourism and promote byway related educational and recreational opportunities.

- Promote tourism opportunities associated with State Scenic and Historic Highways.
- Develop marketing programs to highlight State Scenic and Historic Highways.
- Improve access to areas utilized for the purposes of recreation where appropriate while protecting the intrinsic qualities of the designated scenic highway and the recreation area.
- Develop a unique identity for the State Scenic and Historic Highways Program.
- Develop a creative range of interpretive materials on the State Scenic and Historic Highways Program and the corridors designated within it such as maps, brochures, a website, and wayside exhibits, among other ideas.
- Coordinate with the Delaware Historic Markers Program and other educational programs with related purposes to the Scenic and Historic Highways Program.

Goal 4

Monitor and evaluate the implementation of the State Scenic and Historic Highways Program to ensure it continues to meet the needs of the State and its citizens.

Develop an annual evaluation program that will:

- a) identify changes needed to keep the Program current with the state of the practice;
- b) track the progress of individual corridor management plans as well as conformance with the provisions of the Program; and
- c) provide an annual report to the Governor and General Assembly on the overall status of the Program and the individual highways designated under it.

Chapter 1

Overview of Designation Process

Step 1 – Nomination Application

The successful completion, review and evaluation of a Step 1 – Nomination Application results in the designation of a road by Delaware's Secretary of Transportation as a State Scenic and Historic Highway. The application can be submitted by anyone interested in seeking designation for a route as a Delaware Scenic and Historic Highway. The review process for the nomination focuses on an evaluation of the identified intrinsic qualities of the highway and on the input from a public involvement process carried out as part of preparing the Nomination Application.

Impact of state designation as a Scenic and Historic Highway

Two principal impacts result from the designation of a route as a Delaware Scenic and Historic Highway. First, the sponsor for the route is eligible to apply through DeIDOT to the Federal Highway Administration for grant funds to assist with the completion of a Corridor Plan for the Scenic and Historic Highway and/or may use the state designation status to assist in seeking funding from other sources to assist with the Corridor Plan.

Second, the designation affects permits for new off site/off premises signs (outdoor advertising signs that are placed on one property, but advertise goods or services available on another property) on any roads controlled by the Highway Beautification Act of 1965. New off premise outdoor advertising signs are not permitted along state Scenic and Historic Highways. This rule does not affect existing outdoor advertising signs.

Step 2 – Corridor Plan Application

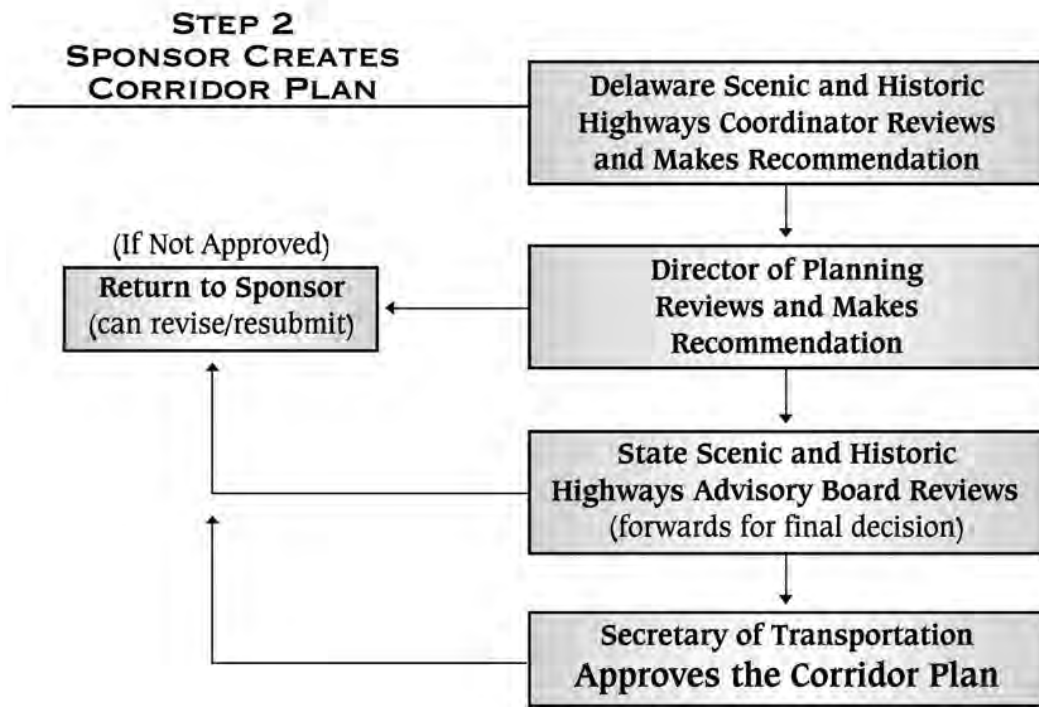
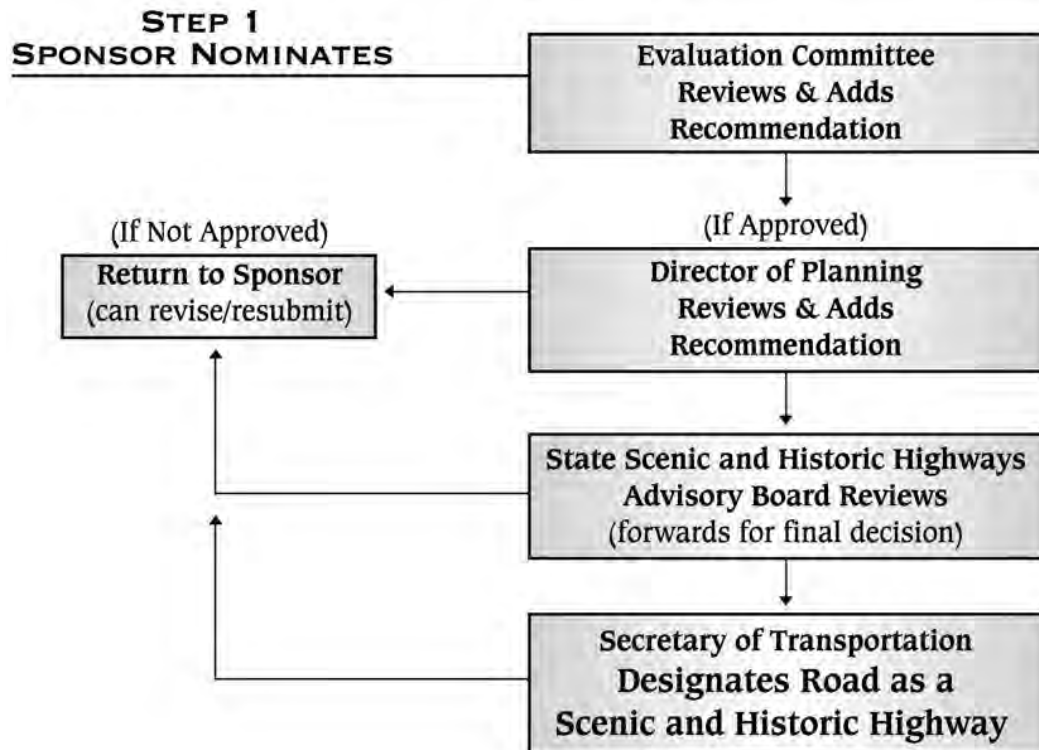
The successful completion, review and evaluation of a Step 2 – Corridor Plan Application results in approval of the Corridor Plan by Delaware's Secretary of Transportation, and then signing (with specially designed signs) of the Delaware Scenic and Historic Highway, identifying it on state maps and promoting it through the Delaware Tourism Office.

A Corridor Plan is a written document in which the highway sponsor describes the goals, strategies, and responsibilities for conserving and enhancing a scenic and historic highway's most valuable qualities. It is developed collaboratively with all those who have an interest in the future of the area included in the Scenic and Historic Highway corridor. It includes both a long-term Vision for what the Scenic and Historic Highway may become over time and also a short-term Action Plan that covers the initial two years of implementation of the Corridor Plan.

Impact of approval of the Corridor Plan for a Delaware Scenic and Historic Highway

The impact of approval of the Corridor Plan for a Delaware Scenic and Historic Highway is stated above. DeIDOT will provide signs for the route to indicate its designated status and will identify the route on state maps. The Delaware Tourism Office will promote the Scenic and Historic Highway in accord with the promotion and marketing plans included in the Corridor Plan.

SCENIC AND HISTORIC HIGHWAYS DESIGNATION PROCESS



Chapter 2

Step 1 – Nomination Application

Who can nominate a route to become a Delaware Scenic and Historic Highway?

Any interested party can nominate a route, including individuals; local governments; counties; tourism departments; historical societies; non-profit organizations; state and federal agencies; or a Corridor Advocacy Group formed of citizens, groups or local governments. The party nominating a route is called the sponsor.

What information is required for the nomination?

DelDOT has prepared a nomination form to guide the sponsor in preparing the Step 1 – Nomination Application. The sponsor needs to provide the following information about the proposed Scenic and Historic Highway:

- A physical description of the route,
- Representative photographs,
- A map indicating the boundaries of the route that locates the intrinsic qualities along the corridor, and indicates land uses in the corridor,
- An intrinsic quality resource inventory,
- A written statement that summarizes and evaluates the significance of the primary intrinsic quality for which the highway merits designation and that also describes the significance of any secondary intrinsic qualities present along the route.
- A written description of what a traveler will see when traversing the corridor.
- A description of public involvement conducted to date and the comments and input that have resulted from this process.

Who reviews the nomination and what is the review process?

DelDOT's Scenic and Historic Highways Coordinator reviews the nomination application with representatives from the State Historic Preservation Office, Department of Natural Resources and Environmental Control, Delaware Tourism Office, and Department of Agriculture. This Evaluation Committee jointly makes a recommendation to DelDOT's Director of Planning. If the Evaluation Committee's recommendation is that the Nomination is not complete or should not be approved, DelDOT's Director of Planning will return the nomination application to the sponsor with a letter that specifies reasons for the disapproval and includes recommendations for how the application could be resubmitted, if appropriate.

If the Evaluation Committee's joint recommendation to the Director of Planning is favorable, the Director of Planning reviews the application and submits it with the Evaluation Committee's recommendation and with his or her recommendation to the State Scenic and Historic Highways Advisory Board for review. If the Advisory Board recommends approval, the application is submitted to the Secretary of Transportation for review and a final decision.

What is the timeline for review of Step 1 – Nomination Applications?

There will be ongoing reviews of Step 1 – Nomination Applications by the Evaluation Committee and by the Advisory Board. As a guideline, DelDOT will issue a response to the applicant within 120 days from the time that a complete Step 1 – Nomination Application is received.

Who designates a roadway as a Delaware Scenic and Historic Highway?

Designation is made by Delaware's Secretary of Transportation based on submission of the Step 1 – Nomination Application, joint review by the Evaluation Committee of state agency representatives, review by DeIDOT's Director of Planning and then review and recommendation for approval by the State Scenic and Historic Highways Advisory Board.

What is the effect of designation as a Delaware Scenic and Historic Highway?

As stated in the preceding section, two principal impacts result from the designation of a route as a Delaware Scenic and Historic Highway. First, the sponsor for the route is eligible to apply through the Delaware Department of Transportation to the Federal Highway Administration for grant funds to assist with the completion of a Corridor Plan for the Scenic and Historic Highway and/or may use the state designation status to assist in seeking funding from other sources to assist with the Corridor Plan.

Secondly, the designation affects permits for new outdoor advertising signs that are placed on one property but advertise goods or services available on another property. Such new off site/off premise outdoor advertising signs are not permitted along state Scenic and Historic Highways. This rule does not affect existing outdoor advertising.

Other benefits of designation as a Delaware Scenic and Historic Highway follow once the Corridor Plan that is described in the next chapter is approved.

What are the Designation criteria for the Step 1 – Nomination Application?

The primary criteria include consideration of the quality of the road's intrinsic scenic, historic, natural, cultural, recreational or archeological resources. The Sponsor should identify and provide documentation of the primary intrinsic quality for which they think the road merits designation as a Delaware Scenic and Historic Highway. The application should include a statement of significance for these resources to justify why the route merits designation.

While the route can qualify as a Delaware Scenic and Historic Highway based on the significance of just one intrinsic quality, applicants should also describe any secondary intrinsic qualities present along the route and provide a statement describing the significance of the resources.

Additional criteria include:

- A requirement that the route proposed for designation must be continuous in order to encourage management of the entire route to protect its special intrinsic qualities and to support the best possible visitor experience along the route.
- Information to demonstrate a high level of public involvement and public support.
- The route must be a public route that safely accommodates two-wheel drive motor vehicles.

Information about intrinsic qualities: definitions

Scenic Quality is the heightened visual experience derived from the view of natural and man-made elements of the visual environment of the scenic and historic highway corridor. The characteristics of the landscape are strikingly distinct and offer a pleasing and most memorable visual experience. All elements of the landscape – landform, water, vegetation, and man-made development – contribute to the quality of the corridor's visual environment. Everything present is in harmony and shares in the intrinsic qualities.

Historic Quality encompasses legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or man-made, that are of such historic significance that they educate the viewer and stir an appreciation for the past. The historic elements reflect the actions of people and may include buildings, settlement patterns, and other examples of human activity. Historic features can be inventoried, mapped, and interpreted. Historic features must possess integrity of location, design, setting, material, workmanship, feeling, and association.

Natural Quality applies to those features of the visual environment that are in a relatively undisturbed state. These features predate the arrival of human populations and may include geological formations, fossils, landforms, water bodies, vegetation, and wildlife. There may be evidence of human activity, but the natural features reveal minimal disturbances.

Cultural Quality is evidence and expression of the customs or traditions of a distinct group of people. Cultural features include, but are not limited to, crafts, music, dance, rituals, festivals, speech, food, special events, vernacular architecture, etc. that are currently being practiced. The cultural qualities of the corridor could highlight one or more significant communities and/or ethnic traditions.

Recreational Quality involves outdoor recreational activities directly associated with and dependent upon the natural and cultural elements of the corridor's landscape. The recreational activities provide opportunities for active and passive recreational experiences including, but not limited to, rafting, boating, fishing and hiking. Driving the road itself may qualify as a pleasurable recreational experience. The recreational activities may be seasonal, but the quality and importance of the recreational activities as seasonal operations must be well recognized.

Archeological Quality involves those characteristics of the scenic and historic highway corridor that provide physical evidence of historic or prehistoric human life or activity that is visible and capable of being inventoried and interpreted. The corridor's archeological interest, as identified through ruins, artifacts, structural remains, and other physical evidence, has scientific significance that educates the viewer and stirs an appreciation for the past.

How to inventory and evaluate your corridor's intrinsic qualities

In 1999, the Federal Highway Administration (FHWA) published a booklet titled, "Byway Beginnings: Understanding, Inventorying, and Evaluating a Byway's Intrinsic Qualities." This publication is available on request from the National Scenic Byways Clearinghouse by calling 1-800-4byways and selecting extension #2. This publication provides information about inventorying and evaluating byways' intrinsic qualities. Although the booklet was prepared to assist byway sponsors seeking National Scenic Byway designation, nearly all of the information presented is applicable to sponsors seeking Delaware Scenic and Historic Highway designation.

One important difference between the FHWA publication's guidance and the criteria for Delaware's Scenic and Historic Highway designation should be noted. In discussing "Evaluating the Byway's Significance," on page 55 of the publication, the text references a need to demonstrate "regional" significance, defined as exhibiting at least one intrinsic quality that is representative of a geographic area encompassing two or more states. Delaware's designation criteria do not require that the intrinsic quality be found to have regional significance. Demonstrating significance in a statewide context is sufficient.

DelDOT's Scenic and Historic Highways Coordinator is available to attend meetings and provide

phone consultation to prospective Scenic and Historic Highway sponsors regarding the guidance provided in the FHWA publication and the evaluation of intrinsic qualities for purposes of designation as a Delaware Scenic and Historic Highway.

State Scenic and Historic Highways Program Nomination Application Procedures

The nomination application for designation under the State Scenic and Historic Highways Program requires that the roadway sponsor address the nomination criteria, which are outlined below and explained in greater detail in the Program Guide. The criteria should be addressed in the order that they appear below. Seven copies of the nomination application should be submitted directly to the Department. Electronic submissions are strongly encouraged in addition to the required hard copies.

Sponsor Contact(s) Information: Sponsor Name, Organization, Address, Phone, Fax & E- mail.

Route Description: Please describe the physical layout of the route as accurately as possible. Include beginning and end points, overall length, and configuration (typical section). Include a map (see below).

Intrinsic Quality Resource Inventory: Please list the specific features that fall under the six intrinsic qualities of the program that can be found in the corridor and their locations.

Primary Intrinsic Quality Description: Please describe, summarize and evaluate the significance of the primary intrinsic quality for which the highway merits designation, and the significance of any secondary intrinsic qualities present along the route.

Experience of the Corridor: Please describe what a traveler would see while traversing the corridor. Please include a photo- log of representative photographs from the corridor.

Public Involvement and Support: Please describe, and/or attach documentation of public involvement conducted to date and the comments and input that have resulted from this process.

Appendix 1: Map. Include a map that indicates the boundaries, and specifically locates the intrinsic qualities and land uses in the corridor/area.

Appendix 2: Photolog. Include photos that represent the experience and intrinsic qualities that might be encountered during a journey along the proposed corridor.

Nomination applications and any questions should be submitted to:

**Delaware Scenic and Historic Highways Coordinator
Delaware Department of Transportation
Statewide and Regional Planning
800 Bay Road
Dover, DE 19903
Phone: (302) 760-2128
Fax: (302) 739-2251**



Chapter 3

Step 2 – Corridor Plan

What is a Corridor Plan?

A Corridor Plan is a written document in which the Scenic and Historic Highway sponsor lays out the vision, goals and responsibilities for conserving and enhancing the corridor's most valuable qualities and describes how this will benefit economic development through tourism and recreational opportunities. The Corridor Plan presents a strategy for balancing concern for the intrinsic resources with the visitor's opportunity to experience the Scenic and Historic Highway. It explains how the participants are involved in and responsible for implementing the Plan.

Where does a Corridor Plan fit into the designation process?

A Corridor Plan is required as part of the 2nd Step of the designation process, following the formal designation of a highway as a Delaware Scenic and Historic Highway. The designation as a Scenic and Historic Highway qualifies sponsors for these highways to apply for matching federal National Scenic Byway grant funds to assist in completion of a Corridor Plan. This designation also results in applying to qualifying roads the federal requirement not to allow new outdoor advertising signs to be erected on these roads.

Once a Corridor Plan for the Scenic and Historic Highway has been approved, signs will be placed along the route identifying it as a Delaware Scenic and Historic Highway. It will also be identified on state maps and promoted through the Delaware Tourism Office.

Who is responsible for preparing the Corridor Plan?

The sponsor of the Step 1 – Nomination Application is responsible for preparing the Corridor Plan or for contracting with a consultant to do this. It is the sponsor's responsibility to raise any funds needed to complete the Plan. As stated above, sponsors are eligible to apply for matching federal National Scenic Byway funds for this purpose. Information about these grants is available on the National Scenic Byway Program website, www.byways.org. Further information on sources of assistance is provided in Chapter 6 of this guide.

What information must be included in a Corridor Plan?

- Vision and Goals Statement with objectives and strategies for achieving the goals.
- Documentation of public involvement efforts to illustrate the support the corridor designation has received from the public.
- Stewardship of intrinsic qualities through resource preservation; through enhancing existing development and accommodating new development in a complementary manner.
- Tourism Development, including an explanation of the tourism potential of the corridor and a description of how the visitor's experience will be maximized and enhanced.
- Marketing and Promotion, including a signage plan supportive of the visitor experience.
- Resources Interpretation, including recommended locations for distributing information.
- Support and Implementation, including relationship to local government comprehensive plans.

- Funding Plan for implementing the Corridor Plan.
- Transportation and Safety, including consideration of appropriate design guidelines for Context Sensitive Design in the corridor, accommodating commercial traffic, accommodating multi-modal uses of the corridor to the extent feasible, and complying with outdoor advertising controls.
- Short-term Action Plan for implementation.

An appendix should include the following information from the Step 1 – Nomination Application:

- A physical description of the route.
- Representative photographs.
- A map indicating the boundaries of the route, that locates the intrinsic qualities along the corridor and indicates land uses in the corridor.
- An intrinsic quality resource inventory.
- A written statement that summarizes and evaluates the significance of the primary intrinsic quality for which the highway merits designation and that also describes the significance of any secondary intrinsic qualities present along the route.
- A written description of what a traveler will see when traversing the corridor.
- A description of public involvement conducted to date and the comments and input that have resulted from this process.

Who reviews the Corridor Plan and what is the review process?

The DeIDOT Scenic and Historic Highways Coordinator reviews the Step 2 – Corridor Plan Application and makes a recommendation to DeIDOT's Director of Planning. DeIDOT's Director of Planning submits the Corridor Plan Application to the State Scenic and Historic Highways Advisory Board for review along with his/her recommendation and comments. If the Board recommends approval, the application is submitted to the DeIDOT Secretary of Transportation for review and a final decision.

What are the timelines for reviewing Step – 2 Corridor Plan Applications?

There will be ongoing reviews of Step 2 – Corridor Plan Applications by the Scenic and Historic Highways Coordinator and by the Advisory Board. Generally DeIDOT will respond to the applicant within 90 days from the time that a complete Step 2 – Corridor Plan Application is received.

What is the impact of approval of a Corridor Plan?

If the Corridor Plan is approved, DeIDOT will provide signs for the route to indicate its designated status and will identify the route on state maps. Delaware's Office of Tourism will promote the Delaware Scenic and Historic Highway in accord with the promotion and marketing plans included in the Corridor Plan.

Information about elements that must be included in a Corridor Plan

The major elements that must be included in a Corridor Plan for a Delaware Scenic and Historic Highway are summarized in this section. Guidance on how to develop information on these elements can be found in the Federal Highway Administration's (FHWA) booklet titled, "Community Guide to Planning and Managing a Scenic Byway." As with the publication, "Byway

Beginnings," referenced in Chapter 3, this publication is available from the National Scenic Byways Clearinghouse by calling 1-800-4byways and selecting #2. Although the booklet was prepared to assist byway sponsors seeking National Scenic Byway designation, the information presented will be of great help to sponsors seeking to develop corridor plans for Delaware Scenic and Historic Highways.

• **Vision and Goals Statement with objectives and strategies for achieving the goals**

A Vision is a mental image of the condition of the Scenic and Historic Highway corridor and the accomplishments of the Sponsor group in the future (say 20 years from now). It is a corridor-wide expression of how the corridor will be viewed in the future. The Goals Statement elaborates on the Vision by identifying the broad goals that will implement the Corridor Plan. These will likely be oriented towards areas of 1) Resource protection, maintenance and enhancement; 2) Community support and participation; 3) Education and interpretation; 4) Economic development through tourism; and 5) Transportation and safety. An objective is an end that one strives to obtain, or an aim. A strategy is a plan or action to achieve an objective based on skillful understanding of how best to achieve that objective.

• **Documentation of Public Involvement efforts to illustrate the support the corridor designation has received from the public**

Every opportunity must be taken to generate regional support and commitment to the scenic and historic highway designation and to the development and eventual implementation of the Corridor Plan. A Scenic and Historic Highway's success can be assured only if local residents, business owners and public officials understand and support the designation and have a sense of participation and ownership of the Vision and Goals outlined in the Corridor Plan. Therefore, development of a Corridor Plan includes a concerted effort to actively engage the public throughout the process. This can be done by creating a broad-based steering committee to oversee the development of the Corridor Plan; conducting informative public meetings; involving citizens in small working group sessions to develop elements of the plan based upon their interests and expertise; keeping people informed of the Corridor Plan effort through newspaper articles; and many other techniques tailored to the needs of the specific community or communities.

The Corridor Plan should briefly document public involvement efforts during preparation of the Plan and outline a plan to assure on-going public involvement in the implementation of corridor management objectives.

• **Stewardship of intrinsic qualities through resource preservation: through enhancing existing development and accommodating new development in a complementary manner**

The stewardship plan should address the strategies, tools and techniques that will be employed to manage, protect and enhance resources that distinguish the route. Specific strategies will vary widely across the state depending on local conditions, population, economic conditions, political climate and the intensity or severity of threats to the resources. Some examples of potential strategies include conservation easements, education programs and historic district designations. Identify the standards and management techniques which will be applied to the significant resources.

The Corridor Plan should describe how existing and new development might be enhanced while managing the corridor's significant resources. For example, are there any major intrusions on

the enjoyment or character of the roadway? If so, describe what could be done to improve these conditions.

Strategies in individual Corridor Plans might recommend design review and such land management techniques as zoning, easements, and economic incentives.

The corridor should be maintained with particularly high standards, not only for travelers' safety and comfort, but also for preserving the highest levels of visual integrity and attractiveness. It may be adequate simply to continue existing regulations and policies or economic incentives, or new policies, programs or regulations may be needed. To determine the appropriate strategies, communities are encouraged to work with local, county and regional planning agencies. College or university landscape architecture, planning and tourism programs may also provide assistance.

• Tourism Development, including an explanation of the tourism potential of the corridor and a description of how the visitor's experience will be maximized and enhanced

Sponsors must provide a basic explanation of the tourism potential for the Scenic and Historic Highway. You should summarize how and to what degree the designation and promotion of the corridor will improve the local economy and indicate whether the area is already serving tourists or if tourism will be a new industry.

Identify visitor accommodations (e.g. gas, food, lodging, restrooms, emergency services, ATMs, phones, parking, etc.) that are available along the corridor. Assess whether the existing supply is adequate to meet the demand to be generated by the Scenic and Historic Highway. In other words, what other services might be helpful to maximize the amount of time a visitor spends along the corridor?

Describe how the visitor's experience will be maximized and enhanced. Explain how intrusions on that experience will be minimized through making improvements to enhance that experience.

• Marketing and Promotion, including a signage plan supportive of the visitor experience

Sponsors must outline the objectives for marketing or promotion of the Scenic and Historic Highway. These goals will vary depending on the comments received during the public involvement process. Such goals may focus on doing a better job of educating residents about the heritage of the area, or may focus on increasing tourism to the area, or include some other objectives. New opportunities for a community may result from the increased exposure a Scenic and Historic Highway receives. This exposure can be gained in a number of ways, such as by distribution of maps and trip planning brochures or developing pre-planned itineraries for bus tour companies, installation of Scenic and Historic Highway signage or targeted advertising campaigns.

The Corridor Plan must include a signage plan covering signs in the right-of-way as well as the corridor as a whole, that demonstrates how public and private interests can work together with a coordinated strategy to make the number and placement of signs more supportive of the visitor experience. Local government officials should play an important role in developing this strategy.

• Resources Interpretation, including recommended locations for distributing information

You need to provide a description of how you plan to interpret the significant resources of the Scenic and Historic Highway. Briefly describe the stories illustrated by resources of the Scenic and Historic Highway that will serve as a basis for interpretation. You should include recommended locations for the placement of visitor centers, interpretive markers, interpretive brochure distribution points and other planned interpretive opportunities.

• **Support and Implementation, including relationship to local government comprehensive plans**

The continuation of the Scenic and Historic Highway over time will need a capable management entity (or sponsor group) responsible for day-to-day coordination and advocacy of the highway. The Plan should describe the management entity for the Scenic and Historic Highway, identify the principal partners (e.g., highway departments, tourism agencies, chambers of commerce, county government, citizens groups, etc.), and include a list of their specific, individual responsibilities. The Plan should include a letter of intent (i.e., commitment) from strategic partners of support for the Scenic and Historic Highway's designation and their participation in the Plan's implementation.

Obtain a letter of intent or resolution of support by local governments (from the chief elected official or body) with jurisdiction along the roadway that indicates support for the designation and intent to incorporate the following items in local land use plans: a map that shows the Scenic and Historic Highway corridor, the corridor vision statement and the goals, objectives and strategies related to the specific local government.

List all organizations with responsibility for the implementation of the Plan and identify what those responsibilities are. Explain how the implementation will be monitored to verify that those responsibilities are being met and modified, as needed, to incorporate new participation.

• **Funding Plan for implementing the Corridor Plan**

Develop and include a budget that estimates the costs for implementation of the Plan over a five to ten year period. Address the availability of financial resources needed to upgrade, protect, develop, promote and/or otherwise enhance the corridor and implement the Corridor Plan to make the Scenic and Historic Highway and its corridor available for its intended uses. Indicate funding currently in hand and funds that have been requested, and the sources for these funds. For funding that is presently not available, indicate how you plan to locate funding sources.

• **Transportation and Safety, including consideration of appropriate design guidelines for Context Sensitive Design in the corridor, accommodating commercial traffic, accommodating multi-modal uses of the corridor to the extent feasible, and complying with outdoor advertising controls.**

The Corridor Plan should identify the potential safety, operational and maintenance impacts of the designation based on available information, their causes, and actions possible to address them. The initial step towards accomplishing this is to contact the agency responsible for maintenance of the highway. This agency can share available information and provide expertise to identify any correctable faults in highway design, maintenance, or operation.

In addition, this agency can describe the types of transportation projects that will likely arise within the corridor over a ten to fifteen year period. The Plan should identify these expected project types and make broad recommendations for general solutions applying the principles of

Context Sensitive Design. This discussion should include an evaluation of how any proposed changes may affect the intrinsic qualities of the corridor.

The Plan should include a narrative describing strategies to accommodate commercial traffic while maintaining a safe and efficient level of highway service and ensuring the safety of sightseers in smaller vehicles, as well as bicyclists, joggers and pedestrians.

The Plan should address accommodating multi-modal uses of the corridor to the extent feasible. The corridor may be served by rail service, car ferries, airports, buses, or bicycles. It may be helpful to contact local or regional transportation planning agencies to help assess the role of all transportation facilities and services for visitor access and use of the Scenic and Historic Highway. Describe in the Corridor Plan any recommendations for improvements and changes to these services and facilities as they relate to visitor access and use of the highway.

The Corridor Plan should describe existing local, state and federal laws regarding the control of outdoor advertising and should demonstrate compliance with these laws.

• **Short-Term Action Plan for implementation**

The Corridor Plan should include a short-term action plan covering the first two years of implementation of the Plan. The action plan outlines the sequence of actions that the Sponsor will perform or oversee in an effort to meet the goals, objectives and strategies and, ultimately, achieve the Corridor Vision. The Plan should provide specific milestones month-by-month for implementation actions stating who is responsible for each. The action plan should include a schedule and performance measures for the continuing review of how well implementation responsibilities are being met.

Chapter 4

Implementation of Corridor Plans

Is there a periodic review of the routes that have been designated?

The Scenic and Historic Highway Sponsor is required to monitor implementation of the Corridor Plan annually, including the protection of intrinsic qualities, by providing a written status report to DeIDOT's Scenic and Historic Highways Coordinator. This report should describe progress made in implementing the plan, funds secured, accomplishments achieved, and modifications made to the Corridor Plan based on evolving circumstances.

Additionally, DeIDOT's staff will conduct inspections annually to ensure the stability of intrinsic qualities and the character of the corridor for which it merited designation and to assess progress made in implementing the Corridor Plan. DeIDOT staff will prepare a written report to document their findings and send this to the Corridor Sponsor and other responsible agencies. DeIDOT staff will encourage corrective actions if necessary. DeIDOT will also submit these reports to the Scenic and Historic Highways Advisory Board.

Chapter 5

De-designation of Scenic and Historic Highways

Is there a de-designation process?

A Delaware Scenic and Historic Highway may be de-designated for two reasons: first, if the corridor is designated, but a Corridor Plan is not completed in a timely manner; and second, if the corridor loses the qualities for which it was designated.

Once a Scenic and Historic Highway has been designated by the Secretary of Transportation, the sponsor group has five years from the date of designation to complete an approved Corridor Plan for the Scenic and Historic Highway. If a Plan is not completed and approved by this date, the Scenic and Historic Highway will be automatically de-designated as a State Scenic and Historic Highway.

The second condition that might result in de-designation is related to DeIDOT's annual inspection of Scenic and Historic Highways. When DeIDOT's Scenic and Historic Highways Coordinator conducts an inspection and he or she identifies such a substantial change in the quality, level, or integrity of intrinsic qualities that it appears that the corridor no longer meets the criteria for designation, the de-designation process may be initiated. This process may only begin, however, after DeIDOT has indicated its concerns to the Sponsor in written form including, if possible, a plan for remedial action to restore the qualities for which the roadway was designated, allowing a one-year period for showing progress. DeIDOT can allow more time to accomplish remedial action if necessary. If, however, no remedial action plan is agreed upon, DeIDOT will proceed with de-designation.

The de-designation process will follow generally the same process as the Corridor Plan review process. DeIDOT's Scenic and Historic Highways Coordinator will prepare information documenting how the corridor no longer meets the criteria for designation. This information will be reviewed by DeIDOT's Director of Planning and submitted with his or her recommendation to the State Scenic and Historic Highways Advisory Board for their recommendation. The Advisory Board's recommendation will be submitted to the Secretary of Transportation for a decision on de-designation.

In addition to DeIDOT's ability to initiate a de-designation inquiry, any interested party, including individuals, local governments, counties, tourism departments, historical societies, non-profit organizations and state and federal agencies, may request in writing that DeIDOT initiate this process. This request should include documentation of the reason why the requestor believes the roadway no longer meets the criteria for designation of Scenic and Historic Highways.

Whether DeIDOT initiates an inquiry into de-designation or a member of the public requests this inquiry, public notice will be provided.

Chapter 6

Sources of Information to Assist Scenic & Historic Highway Sponsors

General information

Information to assist Scenic and Historic Highway sponsors will come from a multitude of sources. With DelDOT as the sponsor agency for the program, a Sponsor should start by contacting the DelDOT Scenic and Historic Highways Coordinator to receive all available program information. DelDOT staff will provide phone consultation to prospective Scenic and Historic Highway sponsors and assist with public involvement to the extent resources are available. If funding can be secured, DelDOT will provide training in public involvement and other skills needed to develop Corridor Plans.

Many other agencies and organizations will be able to assist Sponsors as well. Foremost among these is the Federal Highway Administration (FHWA) through its publications referenced in Chapters 2 and 3, "Byway Beginnings: Understanding, Inventorying, and Evaluating a Byway's Intrinsic Qualities" and "Community Guide to Planning & Managing a Scenic Byway" and through its website at www.byways.org. The publications are available by calling FHWA's Scenic Byways Clearinghouse at 1-800-4byways and choosing extension #2. Other publications available include a map of National Scenic Byways and All American Roads.

Using the same 1-800-4byways phone number and choosing extension #5, a caller reaches the America's Byways Resource Center, a source of information for developing statewide scenic byways programs, and for byway sponsors seeking National Scenic Byway designation. Staff at the center are assigned to specific states, so ask for the staff person assigned to Delaware. The website includes a wealth of information for byway sponsors with the opportunity to "Ask an Expert" questions and links to many state scenic byway sites.

A list of the member organizations of Delaware's Scenic and Historic Highways Advisory Board is listed in the appendix. These groups have helped to shape the program and many have expertise that will be valuable in developing the Step 1 – Nomination Application and Step 2 – Corridor Plan Application. The FHWA publications mentioned above cite the types of information likely available in state level organizations for resource identification, resource protection and interpretive strategies, etc. Delaware's Office of Tourism staff will be able to inform Scenic and Historic Highway sponsors of current marketing efforts and evolving themes for future marketing that sponsors may want to use as a basis for interpretive efforts.

To help with your nomination and Corridor Plan efforts, the FHWA suggests that you consider recruiting community leaders who have experience in planning and organizing projects. Their expertise in grant writing, political maneuvering, project management, conflict resolution and other related skills may prove extremely useful.

Local, state, and federal government staff can be a considerable help, particularly those who work in the fields of transportation planning, resource conservation, economic development and tourism. Also colleges and state universities are likely to have individuals who can assist the Sponsor group in technical expertise (from departments of landscape architecture, architecture, planning, historic preservation, geography, history, natural resources, recreation planning, and government, for example).

You may also want to contact state and regional chapters of professional organizations, including the American Planning Association, and the American Society of Landscape

Architects, and environmental and preservation organizations like Scenic America, the Nature Conservancy, Trust for Public Land, the National Trust for Historic Preservation and Preservation Delaware.

Remember to involve business leaders in your efforts. These leaders may have limited time to spare, but if you use their time well, their ideas may be critical to the success of the overall scenic byway effort.

Funding

The passionate efforts of committed volunteers along with time devoted by state and local agency staff, will go a long way toward assembling the critical mass of effort needed to prepare a Step 1 – Nomination Application and Step 2 – Corridor Plan. However, some level of funding will likely be needed to complete these efforts. Creative partnering is a good first step toward securing needed resources, both expertise and financial. Many suggestions are made in the previous section of this chapter. While some of your partners may be familiar with funding sources from government programs, others may know foundation sources interested in collaborative and positive outcomes likely from a scenic byway planning and implementation process. Still others, particularly business leaders, may know of corporate sources willing to sponsor your effort.

Once a route has received state Scenic and Historic Highway designation as a result of approval of the Step 1 – Nomination Application, it is eligible for federal funding for corridor planning from the FHWA. Federal grants are available on a competitive basis with applications due generally about June 1 of each year. DeIDOT's Scenic and Historic Highways Coordinator will have complete information available on this funding. The byways.org website includes a list of activities eligible for funds, listings of grants awarded in past years, and an application for future grant awards. There is a matching requirement of 20% for the federal funds awarded.

Cooperative efforts with neighboring states

The nearby states of Maryland and New Jersey have particularly active scenic byways programs and are interested in byway proposals that might cross state lines. For example, the Underground Railroad, an important theme in Delaware's history, is also being interpreted as part of Maryland's Chesapeake Country Byway. You may wish to contact the state scenic byways coordinators for these states to discuss possible partnership opportunities. DeIDOT's Scenic and Historic Highways Coordinator can provide you with contact information.

Appendix: Contact Information

State Scenic and Historic Highways Coordinator

Delaware Department of Transportation
Division of Planning
P.O. Box 778
Dover, DE 19903
Phone (302) 760-2121
Fax (302) 739-2251

Delaware Scenic and Historic Highways Advisory Board

Council on Transportation
Delaware Association of Realtors
Delaware Bicycle Council
Delaware Contractor's Association
Delaware Department of Agriculture
Delaware Department of Natural Resources & Environmental Control
Delaware Economic Development Office
Delaware Federation of Woman's Clubs
Delaware Grange
Delaware Greenways
Delaware Heritage Commission
Delaware League of Local Governments
Delaware Nature Society
Delaware Outdoor Advertising
Delaware State Chamber of Commerce
Delaware State Historic Preservation Office
Delaware State Tourism Office
Dover/Kent Metropolitan Planning Organization
Federal Highway Administration -- Delaware Division
Friends of Bombay Hook
Kent County Department of Planning
Nature Conservancy
New Castle County Planning
Preservation Delaware, Inc.
Sierra Club
State Representative Deborah Hudson

State Representative Shirley Price
State Representative Donna Stone
Sussex County Council
US Senator Joe Biden
Wilmington Area Planning Council (WILMAPCO)
Various Citizen Representatives

Neighboring Scenic Byways Programs

Maryland Scenic Byways Coordinator

Office of Environmental Design
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202
Phone (410) 545-8637
byways@sha.state.md.us

NJ Scenic Byways Coordinator

Landscape and Urban Design
New Jersey Department of Transportation
PO Box 600
1035 Parkway Avenue
Trenton, NJ 08625
Phone (609) 530-5673

National Resources

America's Byways Resource Center

Arrowhead Regional Development Commission
227 West First Street, Suite 610
Duluth, MN 55802
Phone (800) 4BYWAYS, Ext. 5
www.byways.org

APPENDIX B - Attendance and Known Meetings of Delaware Byway Advisory Board - Summary Synopsis

Date	Meeting Focus	Attendance and Organization	Absent	Notes
10/10/2000	Kick off Initial meeting	Gene Abbott (DelDOT), Joe Cantalupo (DelDOT), Mike Somers (DelDOT), Sally Oldham (DelDOT Consultant), Greg Hoer (DelDOT Consultant); uncertain on exact Advisory Board list.	?	Parsons Brinkerhoff Scope (consultant to DelDOT) to Develop the Byways Program with outreach; other organizations were suggested; DelDOT consultants met 9/20 and 9/21 to representatives and agencies having interest in the program
suggested as 11/16/2000, but occurred 11/27/2000	2nd meeting	Joe Cantalupo (DelDOT), Sally Oldham (DelDOT Consultant), Greg Hoer (DelDOT Consultant); uncertain on exact Advisory Board list.	?	A draft vision and draft goal statements will be distributed to the Advisory Board members, for their review and comment, prior to the next Advisory Board meeting. The Delaware Scenic and Historic Highways Program (development of the 2001 Byways Guide) schedule will be distributed to the Advisory Board members prior to the next Advisory Board meeting.
1/5/2001	Date not confirmed but mentioned in notes that it was to be scheduled.		?	
6/12/2002	Brandywine Valley Scenic Byway Application for Designation	Uncertain with who it was sent out to based on 5/28/02 memo to Advisory Board.	?	Would be the first time they reviewed byway application for byway designation. They internally approved application in which the DelDOT Byway Coordinator would put together memo approving for the Secretary. Evidently the Secretary confirmed June 25, 2002.
1/7/2005	Rockwood-Shipley Application for Designation	Uncertain, but it happened.	?	Status review of Rockwood-Shipley Application from Evaluation Committee that was sent back/rejected to applicant.
1/19/2005	Red Clay Valley Scenic and Historic Highway Application for Designation	Uncertain, but it happened.	?	There were amendments to the number of roads, so appears that nomination was approved in two parts.
3/4/2005	RVSB Application/Nomination Review; Program Evaluation Committee Issues	Joe Cantalupo (DelDOT Assist Dir of Planning), Sally Oldham (DelDOT consultant for Planning), Linda Moreland (public outreach consultant to DelDOT), Greg Hoer (DelDOT consultant?), Alice Storm (DelDOT consultant?) Board Members: Juanita Wiczoreck (Dover/Kent MPO), Constance Holland (DOS Office of State Planning), Tim Slavin (DE SHPO), Gail Van Gilder (DE Greenways), Tim Plemmons (DE Greenways), Bob Kleinburd (FHWA), Dan Costello (Preservation Delaware, Inc); Eileen Butler and John Gaadt representing Red Clay Byway Nomination from DE Nature Society	many	Approved Recommendation offered for Red Clay Valley Byway for the Secretary. This would be the second application submission recommended approval to the Secretary.
3/31/2005	Brandywine Valley Corridor Management Plan (CMP); 3/4/05 Meeting Minutes; Capital Trail Application	Joe Cantalupo (DelDOT Assist Dir. Planning), Maria Andaya (DelDOT Planning), Sally Oldham (DelDOT consultant for Planning), Greg Hoer (DelDOT consultant?) Board Members: Dan Costello (Preservation Delaware, Inc), Bob Kleinburd (FHWA), Trent Margarif (Preservation DE), Susan Moerschel (DNREC), Robin Bodo (DE SHPO); Gail Van Gilder (DE Greenways)	many	1) Sally will provide assistance to the Route 9 and Shipley Road groups. She will also train a new Planning Department staff member who will eventually take over the Program's administrative duties; 2) Sally Oldham noted that the Brandywine Valley Scenic Byway was approved as the State's first entry into the Scenic and Historic Highway Program in June 2002. She also reminded the attendees that the Brandywine Valley Scenic Byway CMP was being submitted to both the State of Delaware (as a requirement of the Program) and to the Federal Highway Administration for consideration as a National Scenic Byway. There were only 4 voting members in attendance with Gail Van Gilder (board member) abstaining since she was representing the nomination process. It is uncertain whether there was any correspondence from other Advisory Board personnel who offered an e-mail?

EVALUATION COMMITTEE - Reviews & Adds Recommendation for DeIDOT Director of Planning

Date	Meeting Focus	Attendance and Organization	Absent	Notes
5/17/2002	Brandywine Valley Scenic Byway Application and Designation	Likely Kyle Gulbranson (DNREC), Robin Bodo (DE SHPO), Steven Boyd (DE Tourism Office), Michael McGrath (Dept of Agriculture)	?	Evaluation Committee made recommendation to approve application and forwarded to DE Byway Advisory Board for its consideration and based on number of comments as indicated.
8/13/2004	Rockwood-Shipley Application Review	DNREC, Dept of Agr, DE SHPO, DEDO	?	Application rejected and address comments sent to P. Shields 10/27/2004
12/21/2004	Red Clay Valley Application and Designation	DE SHPO, DEDO, others?	Depart of Agr	Recommend approval for Director of Planning
4/19/2005	Rockwood-Shipley Application Review	Maria Andaya, Department of Transportation Robin Bodo, Division of Historical and Cultural Affairs Mark Davis, Delaware Department of Agriculture Susan Moerschel, Department of Natural Resources and Environmental Control Donna Murray, Economic & Development Office Sally Oldham, Oldham Historic Properties, Inc.	appears to be none	Entity or Byway Nomination Idea/submission rejected and send back to applicant.
1/29/2008	Red Clay Valley CMP Approval	Robin Bodo (DE SHPO), Susan Moerschel (DNREC), Mike McGrath (Dept of Agr.), Maria Andaya (DeIDOT)		Seek input for Byway Coordinator's recommendation to Director of Planning
2/12/2008	HTURB Application	Mike Hahn (DeIDOT), Alice Guerrant (DHCA), Susan Moerschel (DNREC)	Mike McGrath (Dept of Agr.), Diane Laird (DEDO)	

Scope to first develop a Scenic Byways as a program, anticipated manual, and evolution of an Advisory Board. Relevant documents are in time sequence including meetings where file records could be found.

Delaware Department of Transportation **Scenic Byways Program**

Project Purpose

This project is being undertaken by the Delaware Department of Transportation (the Department) to develop the Scenic Byways Program for the State of Delaware. The project will review other states' scenic byways programs and develop a process suitable for nominations and designations of scenic byways. This project will develop guidelines for corridor management plans, including road design guidelines and standards that will be used in making the improvements necessary to enhance the state's scenic byways. The project will develop a marketing strategy to promote the scenic byways program and the process for nomination of corridors.

Scope of Services

This Scope of Services reflects the work which Parsons Brinckerhoff (PB), in association with Oldham Historic Properties and Remline Corporation, will perform to assist the Department in the development of a Scenic Byways Program for the State of Delaware. The project will initially establish a Designating Committee and Advisory Council made up of representatives from the public and private sectors that will represent diverse entities who will affect or will be affected by the implementation of a scenic byways program. The project will create a clear vision for Delaware's Scenic Byways Program and then determine the mission, goals and objectives of the program. The efforts of the program will concentrate on what is achievable in the program and set priorities based on the statewide planning program. The project will identify strategies for the enhancement and protection of the unique aspects of the designated byways.

The scope is presented in a logical order for development of the program recommendations. However, PB's approach to the project will be flexible keeping the overall goals in mind and could result in modifying the order in which topics are discussed based upon periodic evaluation of the progress of the project.

1.0 Creation of a Delaware State Scenic Byways Team

Task 1: PB will meet and perform interviews with the Department, MPO's, Counties' office staff and others as appropriate to gain an understanding of different constituency's interests in the formation of the Delaware Scenic Byways Program.

Task 2: PB will assist the Department in the establishment of a Delaware State Scenic Byways Designating Committee and Advisory Council which reflects the diversity of the entities represented in the state.

2.0 Identification of a Clear Vision for the Delaware Scenic Byways Program, including Mission, Goals and Objectives

Task 1: PB will collect and analyze data from other states' scenic byways programs regarding Vision, Mission, Goals and Objectives, Nomination Process, Criteria, and Corridor Management Planning.

Task 2: PB will hold a maximum of three meetings with the Delaware Scenic Byways Advisory Council to develop the vision, mission, goals, and objectives for the Delaware Scenic Byways Program. The first meeting will be a joint meeting of the Designating Committee and Advisory Council.

Task 3: PB will support the Department in the review of the vision, mission, goals, and objectives for the Delaware Scenic Byways Program.

Task 4: PB will hold three public meetings to educate community members about the Delaware Scenic Byways Program, provide information about other states' scenic byways programs, and to receive community comment on the program, vision and mission. The meetings will be held in different areas of the state.

Task 5: PB will prepare a written description of the vision, mission, goals, and objectives for the Delaware Scenic Byways Program.

3.0 Develop a Delaware Scenic Byway Nomination Process

Task 1: PB will review the data from Task 2.1 and prepare materials to present to the Delaware Scenic Byways Advisory Council.

Task 2: PB will hold a meeting with the Delaware Scenic Byways Advisory Council to develop a nomination process for the Delaware Scenic Byways Program. This meeting will include preliminary discussion of corridor management planning for scenic byways.

4.0 Develop Criteria for Evaluation of a Proposed Scenic Byway

Task 1: PB will review the data from Task 2.1 and prepare materials to present to the Delaware Scenic Byways Advisory Council.

Task 2: PB will hold a meeting with the Delaware Scenic Byways Advisory Council to develop criteria for Delaware's Scenic Byway Program.

Task 3: PB will support the Department in the review of the nomination process and criteria for evaluating nominations.

Task 4: PB will hold three public meetings to receive community input on the recommended process for nominating a scenic byway and the criteria for evaluating nominations. These meetings will also solicit ideas and

recommendations for corridor management planning for scenic byways. The meetings will be held in different areas of the state.

Task 5: PB will write up the process for nomination and criteria for evaluation of a candidate Delaware Scenic Byway.

5.0 Determine a Prioritization Process for Project Implementation

Task 1: PB will analyze the types of projects anticipated for scenic byways to evaluate approaches to prioritizing both nomination requests and project requests. PB will coordinate with state and MPO long range plans.

Task 2: PB will assist the Department in the development of a process for the adoption and inclusion of scenic byway project requests into the MPO TIP/CIP.

6.0 Develop Guidelines for a Corridor Management Plan

Task 1: PB will perform a cursory analysis of other planning efforts throughout the state which could impact the proposed Delaware Scenic Byways Program.

Task 2: PB will hold a meeting of the Delaware State Scenic Byways Advisory Council to establish characteristics of desirable corridor management planning.

Task 3: PB will develop a public participation process including, but not limited to, a stakeholder group that will help to implement the corridor management plan.

7.0 Designating Committee Review of Final Report on Program Recommendations

Task 1: PB will develop a Final Report on program recommendations, including recommendations on vision, mission, goals and objectives, nomination process, criteria for evaluation of nominations and corridor management planning.

Task 2: PB will hold a meeting of the Designation Committee to present the Final Report for adoption by this committee.

Task 3: PB will allocate time for two additional meetings of either the Designation Committee or Advisory Committee if they are needed to complete the tasks included in items 1.0-7.0.

8.0 Develop a Marketing Program for the Scenic Byways Program

Task 1: Remline will develop a Scenic Byways PowerPoint presentation on CD-ROM. The presentation will describe the elements of the program with special emphasis on the means by which communities can become involved. Brochures explaining how the program works and how scenic byways are nominated will also be included, along with nomination forms (developed under task 3).

Remline will:

- Create an informative PowerPoint presentation on CD-ROM.

Task 2: Remline, along with DelDOT and Parsons Brinckerhoff, will develop a public relations strategy for promoting the Scenic Byways Program.

Remline will:

- Work closely with PB and DelDOT to create and implement an on-going public relations campaign that will keep the public informed, excited and up to date about the Scenic Byways Program.
- Schedule and draft press releases (up to four) at regular intervals throughout the process.

Task 3: Remline will assist PB in developing promotional materials for the Delaware Scenic Byways program. These materials will be distributed at press events, presentations, and public meetings.

“Scenic Byways Overview” brochure:

Remline will create a brochure that will provide an overview of Delaware’s Scenic Byways program. These brochures will be distributed to the public at meetings and presentations. The brochure/form will be 9”x20”, folding to 4”x9”.

Remline will:

- Write, design, layout, and print a “Scenic Byways Overview” brochure.
Quantity: 1,000

Task 4: Working with PB and DelDOT personnel, Remline will design and prepare electronic files of Scenic Byway information for display on the Delaware Department of Transportation’s website. This will include initial design and two updates.

Remline will:

- Work with PB and DelDOT to identify relevant Scenic Byway information suitable for display on the department website.
- Prepare electronic files and check files for accuracy and technical compatibility.

Task 5: Remline will work closely with PB to create a Delaware Scenic Byways logo for use on all promotional materials and interpretive signage.

Remline will:

- Design a logo that best projects the spirit of the Scenic Byways program.
- Ensure the logo design is suitable for use across multiple mediums.
- Prepare electronic files as per DelDOT sign shop for fabrication.

REMLINE'S SCOPE OF WORK

**Delaware Department of Transportation
Scenic Byways Program**

8.0 Develop a Marketing Program for the Scenic Byways Program

Task 1: CD-ROM PowerPoint Presentation

Remline will develop a Scenic Byways PowerPoint presentation on a CD-ROM. The presentation will describe the elements of the program with special emphasis on the means by which communities can become involved. Brochures explaining how the program works and how scenic byways are nominated will also be included, along with nomination forms (developed under task 3).

Remline will:

- Create an informative PowerPoint presentation on CD-ROM.

Total Presentation\$ 6,761.79

Task #2: Public Relations Campaign

Remline, along with DelDOT and Parsons Brinckerhoff will develop a public relations strategy for promoting the scenic byways program.

Remline will:

- Work closely with PB and DelDOT to create and implement an on-going public relations campaign that will keep the public informed, excited and up-to-date about the Scenic Byways Program.
- Schedule and draft press releases (up to four) at regular intervals throughout the process.

Total Public Relations Campaign\$ 5,764.71

Task 3 Development of Promotional Materials

Remline will assist PB in developing promotional materials for the Delaware Scenic Byways program. These materials will be distributed at press events, presentations, and public meetings.

“How to Nominate a Scenic Byway” brochure:

Remline will create a brochure that will outline the criteria that will be used in selecting the State’s scenic byways. It will explain the process that must be following in order to nominate a scenic byway. These brochures will be distributed to the public at meetings

and presentations. Included as part of the brochure will be a form to fill out to nominate a scenic byway. The brochure/form will be 9"x20", folding to 4"x9".

Remline will:

- Write, design, layout and print a "How to Nominate a Scenic Byway" brochure.
Quantity: 1,000

Total Promotional Materials\$ 10,478.01

Task 4: Provide Materials for DelDOT website

Working with PB and DelDOT personnel, Remline will design and prepare electronic files of Scenic Byway information for display on the Delaware Department of Transportation's website. This will include initial design and two updates.

Remline will:

- Work with PB and DelDOT to identify relevant Scenic Byway information suitable for display on the department website.
- Prepare electronic files and check files for accuracy and technical compatibility.

Total Information for Website\$ 8,363.36

Task 5: Develop Scenic Byways Logo

Remline will work closely with PB to create a Delaware Scenic Byways logo for use on all promotional materials and interpretive signage.

Remline will:

- Design a logo that best projects the spirit of the Scenic Byways program.
- Ensure the logo design is suitable for use across multiple mediums.
- Prepare electronic files as per DelDOT sign shop for fabrication.

Total Develop Logo\$ 5,180.88

Project Coordination/Meetings

Includes general project coordination, management, phone calls, and meetings:

- 5 meetings with the Delaware Scenic Byways Advisory Council
- 6 public meetings
- 3 meetings with the Designation Committee
- 6 project team meetings

Total Project Coordination/Meetings.....\$ 13,832.97

Total Remline Scope\$ 50,381.72

Geier, Roberta (Planning)

From: Cantalupo, Joseph
Sent: Monday, September 18, 2000 5:12 PM
To: Canby, Anne
Cc: Abbott, Eugene E; Geier, Roberta (Planning); Somers, Michael; Ackles, Michele; Gorlich, Terry; Watkins, Pamela D.
Subject: Delaware Scenic and Historic Byways
Secretary Canby:

Attached for your review please find a Word file containing a draft letter to the Delaware Scenic and Historic Advisory Committee and a second Word file containing a revised mailing list. The list of Advisory Committee members has been revised based on comments received from you and External Affairs. Per your direction, we are showing as much activity in October as possible by scheduling the first Advisory Committee for October 10 and the first public workshop for October 30. These are the only two dates available to us in October based on the availability of Department and consultant staff, room availability, conflicts, etc. To maintain this schedule we will need you comments as soon as possible so that the mailing can go out this week.

Please let me know if you have any questions or comments.

Thanks

Joe



PB1055TASK505.doc



PB1055TASK506.doc

Department of State - Division of Historical and Cultural Affairs

Ms. Joan Larrivee, Deputy State Historic Preservation Officer
State Historic Preservation Office

[REDACTED]
Dover, DE 19901-3611

[REDACTED]

Dr. Deborah P. Haskell, Executive Director
Delaware Heritage Commission

[REDACTED]
Wilmington, DE 19899

[REDACTED]

Department of Agriculture

Mr. Mike McGrath, Chief of Planning
The Delaware Department of Agriculture
Planning Section

[REDACTED]
Dover, DE 19901
[REDACTED]

Delaware Economic Development Office

Mr. Steven Boyd, Director
Delaware Economic Development Office
Delaware Main Street Program

[REDACTED]
Dover, DE 19901
[REDACTED]

Ms. Keia Benefield, Director of Tourism
Delaware Economic Development Office
Delaware Tourism Office

[REDACTED]
Dover, DE 19901
[REDACTED]

Department of Natural Resources and Environmental Control

Mr. Mark Chura, Section Manager
Department of Natural Resources and Environmental Control

[REDACTED]
Dover, DE 19901
[REDACTED]

Federal Government

Mr. Robert Kleinburd
FHWA-Delaware Division

[REDACTED]
Dover, DE 19904-6726
[REDACTED]

Local Governmental

Kent County

Ms. Connie Holland, Director of Planning Services
Kent County Planning Division

[REDACTED]
Dover, DE 19901
[REDACTED]

New Castle County

County Executive Thomas P. Gordon
New Castle Corporate Commons

[REDACTED]
New Castle, DE 19720-1648
[REDACTED]

Sussex County

Mr. Robert L. Stickles, County Administrator

[REDACTED]
Georgetown, DE 19947
[REDACTED]

Environmental Groups

Ms. Gail Van Gilder, Executive Director
Delaware Greenways

[REDACTED]
Wilmington, DE 19899
[REDACTED]

Ms. Leslie Savage, President
Delaware Audubon Society

[REDACTED]

Wilmington, DE 19899

Mr. Jim Steffens, Chair
Sierra Club

Wilmington, DE 19806

Mr. Roger L. Jones, State Director
The Nature Conservancy

Newark, DE 19702

Planning Agencies

Ms. Juanita Wiczoreck, Executive Director
Dover/Kent MPO

Dover, DE 19903

Mr. Ted Matley, Executive Director
WILMAPCO

Newark, DE 19711

The real estate and outdoor advertising industries

Ms. Jann Clark, Executive Vice President
Delaware Association of Realtors

Dover, DE 19901

Mr. Brendan Killeen
Delaware Outdoor Advertising

Hockessin, DE 19707

Business Organizations:

Ms. Suzane Moore, Executive Director
Delaware State Chamber of Commerce

Wilmington, DE 19801
[REDACTED]

Mr. John McMahon, President
Delaware Contractor's Association
[REDACTED]

Wilmington, DE 19804
[REDACTED]

Farming Organizations

Ms. Joanne and Mr. Wills Passmore
[REDACTED]

Townsend, DE 19734
[REDACTED]

Mr. Jack Dukes
[REDACTED]

Middletown, DE 19709
[REDACTED]

Nature Organizations

Mr. Brad Carter, President
Friends of Bombay Hook
[REDACTED]

Smyrna, DE 19977
[REDACTED]

Bike/Ped Advocacy

Mr. Don Carbaugh
[REDACTED]

Wilmington, DE 19810
[REDACTED]

Other

Delaware Federation of Women's Clubs
Ms. Trish Rodriguez, President
[REDACTED]

Dover, DE 19901
[REDACTED]

Delaware League of Local Governments
Mr. George Wright, Executive Director
[REDACTED]

Dover, DE 19903-0484
[REDACTED]

Mr. Frank Fantini

[REDACTED]
Dover, DE 1993
[REDACTED]

State Scenic and Historic Highway Advisory Board

**Initial Meeting
October 10, 2000
1:00-3:00 pm**

Draft Agenda

- | | |
|--------------|--|
| 1:00-1:15 pm | Welcome, Introductory Remarks – Secretary Canby |
| 1:15-1:30 pm | Self Introductions |
| 1:30-1:40 pm | Delaware’s Legislation establishing a Scenic and Historic Highway Program – Joe Cantalupo |
| 1:40-1:50 pm | Responses in Initial Interviews Regarding the Program – Greg Hoer |
| 1:50-2:05 pm | The National Scenic Byways Program – Sally Oldham |
| 2:05-2:25 pm | A Vision for the new program – All Participate |
| 2:25-2:40 pm | What Should Be Unique about Delaware’s Scenic and Historic Highway Program? - All Participate |
| 2:40-2:55 pm | Discuss the Process for Developing the New Program including the format and goals for the first public meeting on October 30 – Mike Somers, Greg and Sally |
| 2:55–3:00 pm | Concluding remarks - ?? |

**Scenic and Historic Highways Advisory Board
Welcome and Introductory Remarks**

October 10, 2000

Welcome

1. Joseph Cantalupo, Assistant Director of Planning responsible for the Statewide and Regional Planning Section of the Division of Planning...the section within the Department where the Scenic and Historic Highways will be developed and managed...you will meet the others working on this project is just a moment.
2. Welcome on behalf of the State and the Department of Transportation to the first meeting of the Advisory Committee. I want to acknowledge and especially welcome some of our elected officials:
 -
 -
 -
 -
3. Thank you for your time today and throughout the process We know that helping us through this process will require a great deal of time on your part...at meetings and between meetings...and your commitment is very much appreciated.
4. We have two-hour meeting planned with a full agenda and I want us to spend as much time working as we possibly can. That said, I want to spend a few minutes to have each of you introduce yourselves, including the agency or interest that you are representing.

Self Introductions

Review of Legislation

1. Senate Bill 320 was passed by the General Assembly on June 30, 2000 and signed by Governor Thomas R. Carper on July 18, 2000 at Brandywine Creek State Park.
2. Senate Bill 320 is a relatively is relatively simple and straightforward.
 - It recognized that there are some roadways in the state that have notable scenic, historic, recreation, cultural and/or archeological and that protecting such roadways was in the public interest.

- It authorized the Department to develop a state Scenic and Historic Highways Program

3. It authorized the Department to establish a State Scenic and Historic Highways Advisory Board...you folks...to assist the Department in developing the Program. With this in mind, there is one point that I would like to make. In listing the types of agencies and organizations that should be represented on the Advisory Board the General Assembly recognized that for a Scenic and Historic Highways Program to work, it had to be developed considering broad and wide ranging interests. Diversity is something that I think we have accomplished in organizing this group. This means that not only is your participation invited and welcome, it is critical. So, one of the first things we are asking you is to consider is your ability to participate throughout the process. Over the next year or so we will be asking you to attend about XXXX meetings and review several and comment on various types of information, including several draft of the Scenic and Historic Byways Program. If you cannot make a particular meeting, it is important that you send a replacement or if you think that participating will be difficult for your and your organization, you need to let us know so that we can work to find representation from an agency with similar interests.

DRAFT

October 15, 2000

To: Project File
From: Greg Hoer
Subject: Delaware Scenic and Historic Highway Program
Re: October 10, 2000 Advisory Board Meeting
DeIDOT Headquarters

The first meeting of the Advisory Board for the Delaware Scenic and Historic Highway Program was held from 1:00 PM to 3:00 PM in the Secretary's conference room. DeIDOT and project staff who attended the meeting included:

Gene Abbott
Joe Cantalupo
Mike Somers
Sally Oldham
Greg Hoer

A list of the attendees, both Advisory Board members and the general public, will be attached, as a separate document, to these meeting notes. All attendees received a three-ring binder which contained a meeting agenda, back-up to the meeting's discussions, a copy of *Byway Beginnings: Understanding, Inventorying, and Evaluating a Byway's Intrinsic Qualities* (National Scenic Byways Program), and a copy of *Community Guide to Planning & Managing a Scenic Byway* (USDOT/FHWA).

The Advisory Board meeting followed the agenda distributed to the attendees. Salient points of discussion included:

1. A welcome and introductory remarks were provided by Gene Abbott.
2. The attendees provided brief self introductions.
3. A brief overview of the Delaware legislation which established the Scenic and Historic Highway Program was provided by Joe Cantalupo.
4. Greg Hoer reviewed the main points distilled from the September 20th and 21st interviews with representatives and agencies having interest in the Program.
5. Sally Oldham reviewed the history and main components of the National Historic Scenic Byways Program.
6. Attendees were asked to identify their visions for the Program. A compilation of their statements was prepared as a separate document to these meeting notes.
7. Sally Oldham requested that the Advisory Board members review the two publications contained in the three-ring binder prior to the next Advisory Board meeting.
8. Sally Oldham asked the attendees "What should be Unique About Delaware's Scenic and Historic Highway Program?" Responses included the following:

- The density of historic sites within the state is extremely high (allegedly higher than any other state, given the geographic area of the state of Delaware). This density, in itself, adds to the attractiveness of Delaware as a place to visit.
 - Diversity/differences within the state; for example, country versus urban settings.
 - Uniqueness will occur on its own; no need to try to make something unique. The project team was asked to identify and review other states' programs to assist Delaware in determining what could be unique about its Program.
9. Sally Oldham discussed the process for developing the Delaware Program and identified October 30th as the date for the first Public Meeting for the Program. Attendees were requested to invite three individuals to the Public Meeting and to attend the meeting as well if their schedules allowed.
 10. The attendees agreed that the next Advisory Board meeting will be held on Thursday, November 16th, from 1:00 PM to 3:00 PM. The meeting location will be identified by the DeIDOT staff.
 11. Attendees suggested that additional representatives be added to the Advisory Board; these suggested representatives included:
 - Preservation Delaware
 - League of Local Governments
 - Communications towers representatives

Action items:

- Sally Oldham will attend the Scenic Byways conference in Maine during the third week of November.
- An agenda will be prepared for distribution in advance of the next Advisory Board meeting.
- The attendees' vision statements (bullets) will be distributed prior to the next Advisory Board meeting.

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Visions Expressed by Attendees at the October 10, 2000 Advisory Board Meeting

- Showcase Delaware's natural beauty and native species.
- Coordinate the Delaware Scenic and Historic Highway Program with other ongoing programs; the Program should be developed hand-in-hand with programs dealing with tourism, the environment, et cetera.
- Create a map of Delaware (scenic and historic highways), which identifies the best roadways, which the state has to offer.
- Maintain the character of the existing roads and bridges of historic and cultural value throughout the state.
- Preservation of "what is here/what we have"; for example, Delaware Route 9.
 - The enhancement of beauty for all areas of the state; equal treatment for an improved quality of life in the state of Delaware.
 - Protection from strip development resulting from commercial businesses and residential development.
 - A challenge in light of increasing population growth.
 - Highlight intrinsic qualities along existing highway corridors; equality with economic resources.
- Roads designated as having existing features (cultural, historic, and environmental resources) should "drive" the improvements; not improvements "driving" the future/quality of the existing features. A balance needs to be established.
 - Maintain the integrity of the existing roads; provide privacy for the citizens of Delaware. Make the experience of passing through Delaware, while on a longer trip, a positive one.
 - Maintain the quality and character of the Ashland Conservation Center; be cognizant of maintenance of traffic/detour impacts (due to highway construction) upon the Center.
 - Establish specific criteria for scenic and historic byways so that designation is not so easy to achieve for all roads.
- Decisions which we make today will be the "markers" for future generations.
 - Preserve roads and strive for conservation; make Delaware unique. The Program must be well coordinated among agencies and organizations and target specific users.
 - Interpretation: identify the types of stories to tell; should be coordinated and deliberate. Maintain the beauty of Delaware.

- Balance land use and development: hard to do. Make places destinations for travelers. Coordination required among Delaware's residents, agencies, and visitors.
- The Program must be in harmony with the community. For example, the Southern Delaware Heritage Trail and "Smart Growth".
 - Maintain the identified qualities of a corridor and develop a mechanism to do so.
 - Preservation of beauty and historic sites for cities large and small throughout the state; preservation of the beaches and marshes along the Delaware Bay and shore, specifically, Bombay Hook.
 - Preservation of natural and historic environments.
 - Delaware Routes 9,82, and 92 are already in place: designate them as scenic.
- The Program should not attempt to preserve "corridor" (transportation/commuting) roads for scenic and historic byways.
 - The roads should be consistently and well signed; clear messages must be presented.

First attempt at a vision statement:

"The Delaware Scenic and Historic Highway Program will identify, maintain, and preserve highway corridors which are of particular cultural, historic, and environmental value to the citizens of Delaware. These scenic and historic corridors will be part of the state's current efforts to guide responsible statewide development while preserving scenic and historic corridors for the education and enjoyment of future generations."

DRAFT

DRAFT

December 4, 2000

To: Project File
From: Greg Hoer
Subject: Delaware Scenic and Historic Highway Program
Re: November 27, 2000 Advisory Board Meeting Number 2
DeIDOT Headquarters

The second meeting of the Advisory Board for the Delaware Scenic and Historic Highway Program was held from 1:00 PM to 3:00 PM in the Secretary's conference room. DeIDOT and project staff who attended the meeting included:

Joe Cantalupo
Sally Oldham
Greg Hoer

A list of the attendees, both Advisory Board members and the general public, will be attached, as a separate document, to these meeting notes. All attendees received several handouts for inclusion in their three-ring binder.

The Advisory Board meeting followed the agenda distributed to the attendees. Salient points of discussion included:

1. A welcome and introductory remarks were provided by Joe Cantalupo.
2. The attendees provided brief self introductions.
3. Sally Oldham reviewed the meeting notes from the first Advisory Board meeting held on October 10, 2000. There were no comments or revisions offered by the attendees.
4. Sally Oldham reviewed the "group norms" with the attendees. This review addressed the protocol/etiquette to be followed at the Advisory Board meetings.
5. Sally Oldham reported on the activities of the recent Northeast Scenic Byways Meeting held in Maine.
6. Sally Oldham reviewed the terminology (vision, goal, objective, and strategy) to be discussed by the Advisory Board.
7. Sally Oldham reviewed the "Visions Expressed by Attendees" during the first Advisory Board meeting. A rather lengthy discussion ensued regarding the Draft Vision and Draft Goal that were prepared by the project team after receiving Advisory Board input during the first Board meeting. An Advisory Board member suggested that a mission statement for the program may also be desirable. Sally informed the Board member that the mission was already included in the State legislation (page 4 of 4).

8. Other comments regarding the draft vision and draft goal statements are included on a separate sheet at the end of these meeting minutes.
Joe Cantalupo continuously revised draft vision and draft goal statements during the lengthy discussion. All agreed that both statements would be distributed, via e-mail, to the Advisory Board members (for their comments/suggested revisions) prior to the next Advisory Board meeting.
9. The Advisory Board members were informed that we will begin drafting program objectives at our next Advisory Board meeting.
10. Sally Oldham distributed a photocopy of pages 1 and 2 from the September 30, 2000 edition of *Vistas*, the newsletter of the National Scenic Byways Program.
11. An Advisory Board member requested that the Delaware Scenic and Historic Highway Program schedule be distributed among the Advisory Board members prior to the next Board meeting.
12. The third Advisory Board meeting will be held on Friday, January 5, 2001, from 10:00 AM to 12:00 Noon. The meeting location, on the grounds of the DelDOT headquarters, will be identified in the agenda mailing.

Action items:

- Draft vision and draft goal statements will be distributed to the Advisory Board members, for their review and comment, prior to the next Advisory Board meeting.
- The Delaware Scenic and Historic Highways Program schedule will be distributed to the Advisory Board members prior to the next Advisory Board meeting.

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Comments Regarding the Draft Vision and Draft Goal Statements Expressed by the Attendees

at the
November 27, 2000 Advisory Board Meeting

Draft Vision Statement

- A proposed draft vision was suggested by an Advisory Board member: “Sites and features of the state scenic and historic highways program are apparent to all who travel Delaware roads and the program enjoys broad public support.”
 - Not all places are apparent; need direction toward these places.
- 10 of 11 example visions (included in the handout for today’s meeting) include references to recreation, tourism, economic development, et cetera. The vision statement should be a short sentence or two (not long as currently drafted).
 - Shorten the vision statement; capture in a sentence or two.
 - The reference to conservation should occur sooner in the draft vision statement.
 - Maintain the reference to coordination among State programs.
- Concern expressed regarding the word “showcasing”.
- Add the words “preservation” and “cultural” after historic.
 - The Delaware Scenic and Historic Highways Program should be a grass roots-based program.
- Move the reference to “coordination” from the vision statement into the goal statement.
 - Tourism. ??????

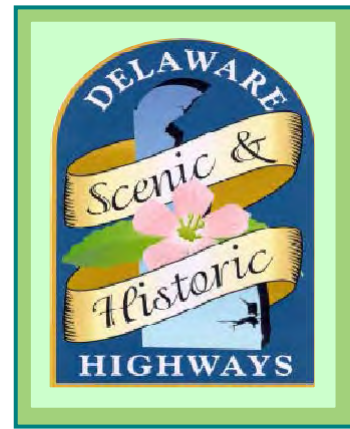
Draft Goal Statement

- A proposed draft vision was suggested by an Advisory Board member: “An additional goal is to evaluate and report annually to the Governor, State Legislature, and DeIDOT on the progress and recommend laws and regulations and such other actions as they are needed to enhance and develop the Program.”
 - Coordinate the Delaware Scenic and Historic Highways Program with other state programs.
 - Blend some of the goal statement into the vision statement (and visa versa).
 - Goals are multiple; do not state a single goal.
- Add the word “natural” to the draft goal statement.
- Delete the reference to archaeological; make the statement broader by using the word “historic”.
- Keep the goals statements simple.
- “Economic development through tourism” ??????

DRAFT

The State Scenic and Historic Highways Program

Joseph Cantalupo, Assistant Director of Planning
Delaware Department of Transportation



The State Scenic and Historic Highways Program, developed under the guidelines of the National Scenic Byway Program, is a tool that supports county and local governments, and individuals and organizations seeking to protect regionally or nationally significant scenic, natural, historic, cultural, archeological or recreational resources that are experienced by traveling along a roadway.

The Department of Transportation started work on the Program late in 2000 in response to Senate Bill 320, which was passed by the General Assembly that same year. The bill directed the Department to form a State Scenic and Historic Highways Advisory Board, and that it represent a wide range of interests. Over thirty people were invited to serve on the Advisory Board, including elected officials, and representatives of state and county government, the outdoor advertising and real estate industries, environmental advocacy groups, and the public.

The Advisory Board worked on the Program for over a year, meeting ten times to develop its guiding principles and the Program Manual. Public input was also very important and was sought to on the overall direction of the Program, and how everything came together in the Program Manual. The Program was completed in September and adopted by Secretary Nathan Hayward III on October 3, 2001, effective November 10, 2001.

The Program Manual establishes the nomination and designation process. Nominations can be made by anyone, whether an individual or representative of an organization. An Evaluation Committee comprised of state agency representatives with the expertise to the significance of the resources reviews the nomination first. If approved by the Evaluation Committee, the Director of Planning reviews the nomination, and then the Advisory Board. If the Advisory Board recommends designation and the Secretary of Transportation agrees, the roadway will officially be designated a State Scenic and Historic Highway by the Department. At this level, designation is used to raise awareness about the roadway and its resources; prohibit new outdoor advertising along the roadway; and, it makes the roadway eligible for various types of federal funding that can be used to develop a Corridor Plan. Most importantly though, from this point the roadway sponsor has five years to develop a Corridor Plan and have it adopted by the Secretary of Transportation.

Advisory Board

Representatives from the following organizations are on the Advisory Board.

- ◆ Bombay Hook Natural Wildlife Refuge
- ◆ Council on Transportation
- ◆ Delaware Association of Realtors
- ◆ Delaware Bicycle Council
- ◆ Delaware Contractors Association
- ◆ Delaware Department of Agriculture
- ◆ Delaware Department of Natural Resources & Environmental Control
- ◆ Delaware Division of Historical & Cultural Affairs
- ◆ Delaware Economic Development Office
- ◆ Delaware Grange
- ◆ Delaware Greenways
- ◆ Delaware Heritage Commission
- ◆ Delaware League of Local Government
- ◆ Delaware Nature Society
- ◆ Delaware Outdoor Advertising
- ◆ Delaware State Chamber of Commerce
- ◆ Delaware State Historic Preservation Office
- ◆ Delaware State Tourism Office
- ◆ Dover/Kent County Metropolitan Planning Organization
- ◆ Federal Highway Administration
- ◆ Delaware House of Representatives
- ◆ Kent County Department of Planning Services
- ◆ Preservation Delaware
- ◆ US Senator Joe Biden
- ◆ State Representative Deborah Hudson
- ◆ State Representative Shirley Price
- ◆ State Representative Donna Stone
- ◆ Sussex County Council
- ◆ Wilmington Area Planning Council (WILMAPCO)

Once the sponsor has completed a Corridor Plan, the State Scenic and Historic Highways Coordinator reviews it for completeness. The Director of Planning then reviews the Corridor Plan to ensure compatibility with other statewide goals such as *Livable Delaware*, and then it goes to the Advisory Board for a final recommendation. Once the Corridor Plan is adopted by the Secretary of Transportation, the Department will provide and install signs showing the Program logo and the name of the corridor; the roadway will be shown on state maps as a State Scenic and Historic Highway; the roadway will be promoted by the Delaware Economic Development Office; and, last but not least, the Corridor Plan will begin to be implemented.

The Program also addresses application requirements; evaluation criteria; Corridor Plan requirements and implementation, including the requirement for annual inspections; and, the corridor de-designation process. These topics as well as those discussed above are all covered in greater detail in the Program Manual. The Program Manual is available through the Department. For a copy or for more information, contact:

Joseph Cantalupo, Assistant Director of Planning
jcantalupo@mail.dot.state.de.us

B. David Petrosky, Scenic and Historic Highways Coordinator
dpetrosky@mail.dot.state.de.us

Delaware Department of Transportation
Division of Planning
Statewide and Regional Planning
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302-760-2121

Delaware Scenic and Historic Highway Program

Program Review

January, 2005

INTRODUCTION

The Program Guide for Delaware's Scenic and Historic Highways Program was issued November 10, 2001. A little more than three years have passed, one Scenic and Historic Highway has been designated and has its corridor plan well underway, and several other routes are working on nomination applications. It seems an appropriate time to step back and reflect on the experiences of these first several years, to evaluate the extent to which the program is achieving its goals, and to consider if there are areas where the program could be clarified or strengthened.

The following observations are made based on Sally Oldham's discussions with Dave Petrosky, DelDOT's Scenic and Historic Highways' Coordinator, and with a handful of individuals who have been involved in preparing nominations and corridor plans for scenic and historic highways. In each phone interview, individuals were asked to review the Vision and Goals for the program and to comment on the extent to which the program is achieving its goals and potential, areas of concern, and areas for strengthening the program.

VISION

With just one route designated as a Scenic and Historic Highway it is too early to assess whether the program is achieving the Vision articulated by the Scenic and Historic Highways Advisory Board. However, with several routes of varied lengths and including a network of roads proposed for Scenic and Historic Highway designation, there is interest in discussing whether assuming that the types of routes being proposed are designated, they will allow the program to achieve the Vision. This would be a good subject for discussion at a meeting of the Scenic and Historic Highway Advisory Board. Will it be confusing to a traveler that all routes are called Scenic and Historic Highways when some are important primarily for history and others for scenic values, for example.

GOALS

Goal 1: Evaluate and Designate State Scenic and Historic Highways

- Determine the responsibilities of sponsors seeking to designate a corridor under the State Scenic and Historic Highways Program.

The Advisory Board and DelDOT Staff worked for approximately a year and a half to develop the State Scenic and Historic Highway Guide, based on the requirements of the legislation that initiated the creation of the program. Because this program is so deeply rooted in public participation and local initiative, one of the main goals of the Advisory Board and DelDOT in the creation of the guide was to make it easy to read and comprehend. So far, the Program Guide for the Scenic and Historic Highways Program has been well received. People have generally found it easy to understand and concise.

- Determine the responsibilities of the State Department of Transportation in administering the State Scenic and Historic Highways Program.

DelDOT staff has provided guidance to byway sponsors, although time constraints have sometimes limited the availability of the Scenic Byways Coordinator to meet with byway groups. This has been recognized and schedules have been adjusted to allow more time for sponsor coordination and program management. Byway sponsors not connected with staffed organizations often need more guidance than others and would greatly appreciate if DelDOT could provide such guidance. Guidance would also be appreciated as to who or what entity would best serve as a sponsor in cases where groups of volunteers come together to advance a route for designation.

There are some areas of action where responsibilities have not yet been determined. Byway sponsors are hopeful that DelDOT and/or Delaware's Office of Tourism will take responsibility in bringing financial and staff resources and economies of scale, e.g. to accomplish marketing and promotion of byways, maps with routes designated, and a website for byways information. (Note: See comments under Goal 3 related to this issue.)

- Determine the responsibilities of the Scenic and Historic Highways Advisory Board in administering the State Scenic and Historic Highways Program.

A few questions about the nomination process have arisen which will be discussed by the Advisory Board. These include questions about drawing boundaries, questions of billboard control in relation to the choice of boundaries, questions of clarifying the definition of cultural intrinsic qualities and of determining how museums and/or their collections may be considered intrinsic qualities.

- Define the opportunities, benefits, and impacts of designation under the State Scenic and Historic Highways Program.

Certain opportunities and benefits of designation have become apparent. The nomination and corridor plan processes have proved themselves to serve as good tools for collaborative efforts to bring together diverse stakeholders to work toward common goals for mutual benefit. The Brandywine Valley Scenic Byway is seen by business interests in the corridor as a having good potential to draw attention to Wilmington.

- Assure compliance with FHWA requirements regarding outdoor advertising control.

There is lack of clarity about how the billboard provisions are related to scenic byway designation and corridor boundaries. It is not clear to some, who is responsible for billboard control provisions. (Note: The individuals responsible for billboard control at DelDOT are: Melissa Feldmann (302 326 4695) or Jeff Leonard (302 326 4696) for New Castle County; Bob Moyer (302 760 2443) for Kent County and Marvin Roberts (302 853 1340) for Sussex County.

- Ensure to the extent possible that all scenic and historic highway designations are continuous.

DelDOT staff has provided guidance to byway sponsors regarding the value of continuity in byway designations. Sponsors have not had any problems accepting that they may need to include an area within their corridor boundaries, that may not be as attractive as the majority of their byway, in order to have a continuous route.

- Evaluate opportunities for multi-state scenic byway development.

Regarding multi-state byway development, the Brandywine Valley route is being developed in consultation with efforts in Pennsylvania to designate Route 52 and Route 100 under their state byway program. There have also been discussions of possibly working with Maryland to connect a route that tells the story of the Underground Railroad.

Goal 2: Protect and/or enhance State Scenic and Historic Highways and their resources through a coordinated management program while ensuring the safe operation of these routes.

- Coordinate with other related federal, state, local and private sector programs and planning processes.

Coordination with related federal, state and local and private sector programs and planning processes has worked well to support program goals.

- Determine the responsibility of local government in the management of designated State Scenic and Historic Highways.

This coordination has been greatly facilitated by having a diverse membership on the Scenic and Historic Highways Advisory Board. DelDOT advises sponsors to keep local government involved in their planning efforts since so much land use impact along a byway corridor is under the purview of local government. Private citizens have also taken strong leadership roles in developing individual byway submissions.

- Assist State Scenic and Historic Highway sponsors in locating and applying for federal, state and private funding available to support such highways.

The Brandywine Valley effort has been particularly successful at acquiring financial support. This effort has received \$50,000 from DelDOT in transportation enhancement program funding, \$132,520 in National Scenic Byway grant funds and a grant from the Wilmington Area Planning Council (WILMAPCO). A variety of agencies are devoting staff time to assist in background research for the Route 9 nominations effort. On the other hand, the Shipley Road Scenic and Historic Highways nomination effort shows that it is possible, although not easy, to develop a byway nomination through volunteer efforts.

- Ensure adherence to Federal Scenic Byways Program requirements to afford the best opportunity for federal funding and designation where desired.

Another aspect of the comprehensiveness of the Brandywine Valley Scenic Byway effort, however, which is designed to fulfill all of the requirements for National Scenic Byways nomination as well as for corridor planning for the Delaware Scenic and Historic Highway Program, is that it may lead other byway groups and even DelDOT staff to expect more of a Scenic and Historic Highway nomination than is needed to minimally meet the requirements of the State Program Guide. It is important that DelDOT staff be able to provide guidance to byway groups to help them adequately meet the State Program Guide requirements without undue effort.

- Protect the historic and scenic character of the highway while addressing the need for safe and efficient traffic flow.

Designation under the Scenic and Historic Highway program gives byway sponsors a collective voice when working with DelDOT to insure that infrastructure improvement projects do not detract from the character of the roadway. Through the Transportation Enhancement program, the Village of Centreville, located along the Brandywine Valley Scenic Byway, recently secured funding to implement some temporary traffic calming measures to reduce turning conflicts and speeding in the village. Once adequate time has been given to evaluate the effectiveness of these measures, DelDOT and the public will jointly decide what works best for the village roads and how to implement the measures in a way that does not detract from the scenic and historic character of Centreville.

- Promote the use of Context Sensitive Design criteria and traffic calming measures.

Although the program addresses these topics through the development and implementation of the Corridor Management plans, context sensitive design and traffic calming elements will continue to be strongly promoted by DelDOT staff. Byway sponsors have been and will continue to be encouraged to identify and document important features of the landscape both natural and manmade that will support the story of the byway. i.e. The Brandywine Valley documentation includes spreadsheets to inventory stone walls and historic trees. As mentioned above, the Village of Centreville has installed temporary traffic calming measures using 4-foot flowerpots and concrete curbs.

- Encourage multi-modal systems wherever feasible - auto, transit, pedestrian, and bicycle.

The staff in DelDOT's Office of Planning works to provide as many options as possible to the highway user regardless of the mode of travel that they may choose. Sensitivity to the benefits and needs for accommodating multi-modal traffic is also apparent in the corridor plan effort underway for the Brandywine Valley Scenic Byway.

- Address the needs of commerce in corridor management plans.

In many ways Delaware Greenways' sponsorship of both the Brandywine Valley effort and the Route 9 effort is establishing a toolbox of techniques and approaches from which all Delaware's future Scenic and Historic Highways will be able to draw. The Brandywine Valley effort also is breaking ground in drawing in and working collaboratively with business interests in

development of the byway corridor plan. Although there was some friction with business interests initially who felt left out of the dialogue, the byway sponsors have since made concerted efforts to include and involve all parties who have expressed interest in the byway effort.

- Support full range of public and private landscape conservation and historic preservation programs to afford resource protection to the intrinsic qualities of designated scenic highways.

The Center for Historic Architecture and Development at the University of Delaware, is working with DelDOT on a Delaware specific guide, similar to the Federal Highway Administration's Community Guide to Planning and Managing a Scenic Byways—which should provide valuable guidance to byway groups who are looking for resources and assistance in doing research and development work for preparing byway nominations.

- Advocate for legislation to enhance funding opportunities for the intrinsic resources of designated scenic highways.

Needless to say, byway groups would greatly appreciate any help with identifying or creating sources of funding to help with the nominations and corridor plan processes, but also to help implement corridor plans when they are complete. Advisory Board meetings would provide a useful forum to explore ideas for sources of funding.

Goal 3: Benefit economic development through tourism and promote byway related educational and recreational opportunities.

The efforts to date under this goal are limited to those things appropriate to the early stages of this program.

- Promote tourism opportunities associated with State Scenic and Historic Highways.

The Advisory Board members will be called on in the future to work with the state Department of Tourism about how Delaware's byways can be integrated into local, regional, and national tourism marketing efforts. The Committee of 100's involvement in the Brandywine Valley initiative is a demonstration of the importance and value of involving business and economic development initiatives in byway planning beyond just tourism interests. Other byway planning efforts should benefit from this example.

- Develop marketing programs to highlight State Scenic and Historic Highways.

One—the other hand, not all byway groups want strong tourism marketing of their routes. Some planning efforts have a greater emphasis on conservation than on economic development. Discussion of these issues by the Advisory Board might assist DelDOT and the Tourism Office in seeking an appropriate balance in providing direction to statewide byway marketing efforts.

- Improve access to areas utilized for the purposes of recreation where appropriate while protecting the intrinsic qualities of the designated scenic highway and the recreation area.

DelDOT will work closely with other state agencies and local governments to help provide access to these types of facilities that lie along designated byways. This type of work is already being done with much success through the Transportation Enhancements program on many of the roads that are candidates for potential byway designation.

- Develop a unique identity for the State Scenic and Historic Highways Program.

It seems the unique identity for the state's Scenic and Historic Highway Program will follow from the designations that are made and then from how information is presented to the public about designated routes. The Scenic and Historic Highways Program is clearly a good program for the State of Delaware. DelDOT is currently exploring, how best to display information about Delaware's Scenic and Historic Byways on their website. Consideration has been given to developing a page of information about each byway with contacts for additional information and also list current byway initiatives. This would be a welcome topic of discussion at a future Advisory Board meeting. The Wilmington Convention and Visitors' Bureau has included on its visitors' map a red line to show the route of the Brandywine Valley Scenic Byway. Byway advocates would welcome DelDOT including State Scenic and Historic Highway designations on its highway maps. DelDOT plans to include State Scenic and Historic Highway designations on their maps but will not do so until a corridor management plan has been approved and implemented for the corridor as stipulated in the State Scenic and Historic Highway manual.

- Develop a creative range of interpretive materials on the State Scenic and Historic Highways Program and the corridors designated within it such as maps, brochures, a website, and wayside exhibits, among other ideas.

The Program Guide and FYI brochure has been distributed at public meetings along with pencils, magnets and mini-frisbees identifying the program. The guide is available on DelDOT's website under publications and forms, under the manual prompt. A professionally designed tabletop display board has been used at the annual transportation festivals, and at byway sponsor meetings.

- Coordinate with the Delaware Historic Markers Program and other educational programs with related purposes to the Scenic and Historic Highways Program.

Efforts are underway to develop a creative range of interpretive materials for resources along corridors that may become Scenic and Historic Highways. This includes \$500,000 awarded to design, fabricate and install brown guide signs to attractions. The Advisory Board will also be valuable in determining, how these interpretive signs should relate to DelDOT's Scenic and Historic Highway signs and to other sign programs that may be under consideration.

Goal 4: Monitor and evaluate the implementation of the State Scenic and Historic Highways Program to ensure it continues to meet the needs of the State and its citizens.

- Develop an annual evaluation program that will:
 - a) Identify changes needed to keep the Program current with the state of the practice;
 - b) Track the progress of individual corridor management plans as well as conformance with the provisions of the Program; and

c) Provide an annual report to the Governor and General Assembly on the overall status of the Program and the individual highways designated under it.

This current program evaluation should identify any changes needed to keep the Program current with the state of the practice and address conformance of current Scenic and Historic Highway efforts to provisions of the Program.

DelDOT is moving forward with the management of the State Scenic and Historic Highways Program and is expecting at least two new applications within this calendar year. They are also anxiously awaiting the completion and submission of the corridor management plan for the first Scenic and Historic Highway, The Brandywine Valley Scenic Byway. Approval of this corridor management plan will give DelDOT and the Advisory Board an opportunity to explore the aspects of the program that to date we have not been able to begin.

DelDOT is planning to include a report on the status of the Program as part of DelDOT's component of the Livable Delaware package that goes to the Governor and General Assembly as a means of providing an annual report.

January 11, 2005

RE: State Scenic and Historic Highways Program and the Red Clay Valley Nomination

Dear Advisory Board Member,

You are receiving this packet because you are listed as the representative for your organization on the State of Delaware Scenic and Historic Highways Program Advisory Board. Enclosed for your review is a copy of the application for the Red Clay Valley Scenic and Historic Highway. Please note that the application is in two parts, the main application and an addendum to the original submittal. Please consider both pieces together as the formal submission.

There will be a meeting of the Advisory Board on Wednesday, January 19th 2005 9:30 am at the DelDOT Administration Building in Dover. An e-mail will be forthcoming with additional information as well as the review comments of the Evaluation Committee and DelDOT's Director of Planning.

If you believe that you are not the correct person to represent your organization please forward this information on to the one who is or return it to our office. If you have any questions please feel free to contact me at (302) 760 2128 or at david.petrosky@state.de.us. Thank you for your time, and your commitment to Preserving Delaware's Scenic and historic Highways. I look forward to working with you all.

See you all next week.

Sincerely,

B. David Petrosky
State Scenic and Historic Highways Coordinator

Enc: 2

March 8, 2005

To: Project File

From: Greg Hoer, Sally Oldham

Subject: Delaware Scenic and Historic Highway Program

Re: March 4, 2005 Advisory Board Meeting
DeIDOT Administration Building, Dover, Delaware

A meeting of the Advisory Board for the Delaware Scenic and Historic Highways Program was held from 12:00 PM to 3:00 PM in the Felton/Farmington Room. DeIDOT and Program consultants who attended the meeting included:

Joe Cantalupo
Sally Oldham
Linda Moreland
Greg Hoer
Alice Storm

A list of the Advisory Board attendees will be attached, as a separate document, to these meeting notes. Advisory Board members were sent copies of the following documents in advance of the meeting:

- Draft Agenda for March 4th Meeting
- Meeting report from January 7, 2005 Advisory Board meeting
- Delaware Scenic and Historic Highway Program Evaluation Committee:
December 21st, 2004 Red Clay Valley Scenic and Historic Highway Application Review

In addition, copies of the following documents were distributed to the attendees of the Advisory Board meeting on March 4th:

- Meeting Agenda
- Delaware Scenic and Historic Highway Program Advisory Board: Guidelines and Procedures
- Delaware Scenic and Historic Highway Program Evaluation Committee:
December 21st, 2004 Red Clay Valley Scenic and Historic Highway Application Review
- Delaware Scenic and Historic Highway Program: Program Issues (3-4-05)
- Delaware Scenic and Historic Highway Program: Program Review, January 2005
- Brandywine Valley Scenic Byway Corridor Management Plan, March 2005 (draft)

The Advisory Board meeting followed the agenda distributed to the attendees. The meeting began with a welcome by Joe Cantalupo, followed by self-introductions by the attendees. Salient points of discussion included:

Review of the Red Clay Valley Scenic Byway Nomination

1. Eileen Butler introduced herself and followed with an introduction of John Gaadt of Gaadt Perspectives, LLC, a preparer of the Nomination Application.
2. John Gaadt provided an overview of the Red Clay Valley Scenic Highway Nomination Application. He briefly reviewed portions of the document, including multiple references to its appendices. He indicated in response to a question from Sally Oldham prior to the meeting that the boundaries for the individual roads would be the viewsheds indicated where vista points and scenic accents were identified.
3. Following his Nomination Application presentation, John reviewed the Evaluation Committee's written "Recommendations and Comments", located on page 2 of the Delaware Scenic and Historic Highway Evaluation Committee December 21st, 2004 Red Clay Valley Scenic and Historic Highway Application Review handout document.

Ensuing Discussion

- Upon the completion of Eileen and John's presentation, Sally Oldham reviewed the handout document entitled "Delaware Scenic and Historic Highway Program Advisory Board: Guidelines and Procedures" with the meeting's attendees. Sally read aloud the portion of the document entitled "How We Make Decisions" and reviewed the term "consensus" with the voting Advisory Board members.
- Sally asked if there were any questions or comments from the Advisory Board.
- A question was asked if there were development pressures in the Red Clay Valley. The response was 1) that Suburban Preserve Zoning (5 acre lots) exist; there is not much change in the Red Clay Valley due to development pressures; there is some activity on Old Wilmington Road (6+/- homes); and there is no existing sewerage in the area.
- Joe Cantalupo stated that Delaware Scenic and Historic Highway designation would not stop development in the Red Clay Valley.
- Juanita Wiczoreck stated that most roads north of Route 48 were included in the Red Clay Valley Nomination Application; she continued by asking why not all roads were included. Eileen indicated that most are included, some of which are in the addendum to the nomination.
- Juanita also raised the issue of ecotourism and her concern regarding bicyclists traversing curvy and winding roads. Eileen Butler responded by stating that the sponsoring entities do not seek to promote bicycling...but would certainly not preclude bicycling on the Red Clay Valley's roads.
- Gail Van Gilder asked how the Red Clay Valley and the Brandywine Valley groups could include adjacent undesignated roads in their respective scenic highways. Joe responded that the sponsor would follow the nomination

procedures in the Program Guide, but that documentation submitted to DeIDOT could build on what already has been submitted for the existing and proposed byways.

- Sally Oldham referenced the use of “Primary”, “Secondary”, and “Supporting” intrinsic values identified and discussed in the Red Clay Valley Nomination Application. Sally noted that the Program Guide references the term “secondary” intrinsic qualities and does not recognize a distinction between secondary and supporting intrinsic values. In future nominations Sally recommends that the sponsor refer to intrinsic qualities other than the primary one as secondary.
- Sally Oldham referenced “Management Strategies” identified and discussed in the Red Clay Valley Nomination Application. Sally stated that this discussion is not required in the Nomination Application (but is a requirement of the subsequent Corridor Management Plan).
- Constance Holland suggested that an identification of the “state strategy level”, number 3 or number 4, be included in future nomination applications.
- Eileen Butler suggested that there be limits to signage posted when a series of roads are included in a Nomination Application as in the case of the Red Clay Valley. Eileen was concerned with the potential for too many signs being installed and causing visual clutter. She asked that DeIDOT consider signing the Scenic and Historic Highway at four points of entry into the area, from north, south, east and west directions and then use some quite small marker sign on roads within the overall Red Clay Valley watershed area to indicate that they are part of the byway.
- Juanita Wieczoreck provided two comments relative to the Red Clay Valley Nomination Application for the Evaluation Committee and the Advisory Board’s reference with regard to future nominations: 1) there were no place names on the maps; and 2) existing development was not shown on the maps. Juanita stated that this additional information would be helpful to all reviewers of future nomination applications.

A motion was made to transmit the Red Clay Valley Scenic and Historic Highway Nomination Application to the Secretary of the Delaware Department of Transportation for designation as a Delaware Scenic and Historic Highway. All voting Advisory Board members in attendance were in agreement to transmit the Nomination Application to the Secretary.

Discussion of Program Issues for Resolution

Sally Oldham led a discussion regarding a number of Delaware Scenic and Historic Highway Program issues. (Refer to the Delaware Scenic and Historic Highway Program: Program Issues (3-4-05) handout document distributed to the meeting’s attendees.)

Boundaries

After discussion among the attendees, it was agreed that the “Proposed Treatment of Boundaries” text included in the handout document was fine as proposed.

Billboard Control and Scenic Byways

After discussion among the attendees, it was agreed that the “Billboard Control and Scenic Byways” text included in the handout document was fine as proposed, with the provision that the last sentence in paragraph number 5 be deleted and that a reference to billboard control statutes and regulations be made adequate to allow readers to find these documents on the internet.

Cultural Intrinsic Qualities

The attendees agreed that the existence of just one or two museums would not qualify a highway for Delaware Scenic and Historic Highway Program status.

After discussion among the attendees, it was agreed that the “Proposed Treatment of Cultural Intrinsic Quality” text included in the handout document was fine as proposed, with the provision that the last sentence in the paragraph be deleted.

Guidance on a Photo Log for Nominations

After discussion among the attendees, it was agreed that the “Proposed Treatment of the Requirement for Photos with Nominations” text included in the handout document was fine as proposed.

Lessons from Current Efforts: Discussion with a Panel of Scenic and Historic Highway Sponsors/Representatives

A “lessons learned” panel discussion was held among Gail Van Gilder, Tim Plemmons, and Eileen Butler. Salient points included:

Sources of Funding

- Eileen stated that the Red Clay Valley group was fortunate to be awarded a New Castle County grant for the preparation of the Nomination Application.
- Gail stated that the Brandywine Valley group received Federal Highway Administration (FHWA) and private foundation funding for the preparation of their Nomination Application and Corridor Management Plan. The corridor management plan cost in the range of \$70,000 to \$75,000.
- Joe Cantalupo stated that there is no designated funding within the Delaware Department of Transportation for the preparation of either Nomination Applications or Corridor Management Plans although Transportation Enhancement Funds could be sought for this purpose

- Bob Kleinburd and Joe stated that it is not necessary that a road be seeking National Scenic Byways designation to apply for FHWA funds through the National Scenic Byways Program for corridor management plans.
- Tim stated that it would be nice to have DelDOT “seed money” of \$5,000-\$10,000 to assist in the preparation of the Program’s required documents. He stated also that he is receiving valuable in-kind assistance from several partners for the Route 9 nomination.
- Sally Oldham and Dan Costello suggested that the Preservation Services Fund of the National Trust for Historic Preservation could be a potential source for “seed money” of \$1,000-\$2,500.

Types of Assistance

- Gail suggested that there be an on-line application process for the Delaware Scenic and Historic Highway Program. This on-line application process is currently used by FHWA’s National Scenic Byway Program. Gail and Eileen Butler acknowledged the very significant costs associated with printing the multiple color copies of the Nomination Application and the Corridor Management Plan, including the significant appendices. (Following the meeting, Eileen stated that the printing cost for the Red Clay Valley Nomination Application was \$4500.) Joe indicated that DelDOT could look into the feasibility of the program’s using an on-line submission format. He stated that this is a reasonable suggestion, but that DelDOT would want to be sure they would receive the level of detail needed to review the application.
- Constance Holland suggested that there be a reference to Delaware Scenic and Historic Highways, as well as potential Scenic and Historic Highways, in the comprehensive plans prepared for Delaware jurisdictions. This suggestion was not fully embraced by the attendees.
- Tim suggested the preparation of Scenic Byways Design Guidelines for the State of Delaware; this guidebook could offer valuable assistance. Sally Oldham suggested such guidelines have no doubt been developed in other states for scenic byways. A useful way to begin such a project would be to review other states’ design guidelines. Tim indicated the FHWA funds recently applied for work to assist the Brandywine Valley byway efforts would include such a design guideline.

Other Items Discussed

Gail suggested a three-part Delaware Scenic and Historic Highway nomination process. She suggested a preliminary assessment, with the Evaluation Committee’s participation, to determine if a corridor would meet the requirements for Delaware Scenic and Historic Highway designation. If the requirements were met, the nomination process would proceed.

Sally Oldham referenced the discussion from January 7 of such a preliminary review and suggested initially it would make sense to suggest and encourage that byway sponsors

meet with the Evaluation Committee for such a preliminary assessment so that extensive efforts would not be spent on corridors that might not merit designation based on their intrinsic qualities. Joe concurred with the recommendation.

Update on the Brandywine Valley Scenic Byway

- Joe Cantalupo informed the attendees that the Corridor Management Plan for the Brandywine Valley Scenic and Historic Highway was almost complete and that it's sponsors were close to submitting the Plan to DeIDOT. Joe also stated that the Brandywine Valley sponsors have asked DeIDOT to submit their application to the FHWA for National Scenic Byway designation to meet the submission deadline of April 8, 2005.

Joe stated the need for the Advisory Board to meet, before the end of March, to discuss their comments and render a decision regarding the Brandywine Valley Scenic Byway Corridor Management Plan. *It was agreed by the attendees that an Advisory Board meeting would be scheduled for Thursday, March 31st, from 12:00 PM to 2:00 PM, at the DeIDOT Administration Building, Dover, Delaware.*

Discussion of Community Manual and Other Projects Underway by Dr. Ames

Dr. David Ames of the University of Delaware's Center for Historic Architecture and Design provided a brief overview of his current activities related to the Delaware Scenic and Historic Highway Program. These activities include:

- Preparation of a manual that is a guide to preparing nominations for the Delaware Scenic and Historic Highways Program.
- Preparation of a PowerPoint presentation based on this manual to explain the program and nomination process. It will be created in two versions, one 60 minutes and one 15 minutes in length.
- Preparation of a six-hour, day long workshop focused on the Old Capital Trail to give participants an experiential education in how to look at, experience, and research candidates for Scenic and Historic Highway designation. The workshop will be held on May 6, 2005 at the University of Delaware.
- Preparation of a one credit hour course at the University of Delaware pertaining to Scenic and Historic Highways.
- Preparation of a Delaware Scenic and Historic Highway Nomination Application for Philadelphia Pike.

Action Items:

- 1. *Revise the Delaware Scenic and Historic Highway Program: Program Issues (3-4-05) handout document. (Sally Oldham)***
- 2. *Advisory Board members to review the Brandywine Valley Scenic and Historic Highway Corridor Management Plan in advance of the March 31st Advisory Board meeting. (Advisory Board)***

MEMORANDUM

TO: File

FROM: Joseph Cantalupo, Assistant Director
Planning

DATE: March 14, 2005

SUBJECT: **State Scenic and Historic Highway (SSHH) Program Advisory Board
Recommendations – Red Clay Valley Scenic Byway**

On March 4, 2005 the State Scenic and Historic Highways Advisory Board met to discuss the application from the Delaware Nature Society to designate 30 secondary roads in northern New Castle County that form an interconnected and interdependent network closely linked to the Red Clay Creek and its watershed area as described in the Nomination Application dated July, 2004 and an addendum to this Nomination dated November 19, 2004, as a State Scenic and Historic Highway. The Advisory Board reviewed the comments of the Evaluation Committee from their December 21, 2004 meeting. The Advisory Board concurred with the previous evaluation and recommended that the roads be designated as requested by the Delaware Nature Society.

Although not as a condition of approval, the Advisory Board discussed the following items related to this nomination and that they believed would enhance future nominations prepared for the Scenic and Historic Highways Program.

Boundaries

The Advisory Board has come to consensus on guidance for the type of boundary limits that should be included in future nominations. The sponsor clarified that for the Red Clay nomination, the overall boundaries are those of the watershed and the individual road boundaries are the limits of the view sheds as identified in the nomination.

DRAFT

April 1, 2005

To: Project File

From: Sally Oldham & Greg Hoer

Subject: Delaware Scenic and Historic Highway Program

Re: March 31, 2005 Advisory Board Meeting
DelDOT Administration Building, Dover, Delaware

A meeting of the Advisory Board for the Delaware Scenic and Historic Highways Program was held from 12:00 PM to 2:00 PM in the Clayton/Smyrna Room. DelDOT and Program consultants who attended the meeting included:

Joe Cantalupo
Maria Andaya
Sally Oldham
Greg Hoer

A list of the Advisory Board attendees will be attached, as a separate document, to these meeting notes. Advisory Board members were sent copies of the following documents in advance of the meeting:

- Brandywine Valley Scenic Byway Corridor Management Plan (Transmittal Letter and a CD)
- March 4, 2005 Advisory Board Meeting Minutes
- Capitol Trail Scenic and Historic Highway Announcement (University of Delaware)

Joe Cantalupo informed the attendees that Sally Oldham will assist the Department with the administration of the Scenic and Historic Highway Program into the Fall 2005 period. During this time Sally will provide assistance to the Route 9 and Shipley Road groups. Sally will also train a new Planning Department staff member who will eventually take over the Program's administrative duties.

Brandywine Valley Scenic Byway Corridor Management Plan (CMP) Discussion

Sally Oldham informed the attendees that five sets of review comments were received.

Gail Van Gilder thanked the attendees for their written comments. Gail also stated there are two additional stand-alone reports relating to the Brandywine Valley Scenic Byway

CMP: 1) a landscape plan (currently in production), and 2) a history report that was prepared by the Historical Society of Delaware.

Gail stated that their document is a consensus based CMP, and that it did not contain regulatory elements other than the required billboard regulations.

Sally Oldham noted that the Brandywine Valley Scenic Byway was approved as the State's first entry into the Scenic and Historic Highway Program in June 2002. Sally also reminded the attendees that the Brandywine Valley Scenic Byway CMP was being submitted to both the State of Delaware (as a requirement of the Program) and to the Federal Highway Administration for consideration as a National Scenic Byway.

Sally Oldham facilitated a discussion among the attendees regarding the CMP review comments received by the Department:

Intrinsic Qualities

- A review comment recommended more emphasis on archeology in the CMP. Following discussion, it was agreed by the attendees that the preservation agency should be added to the list of "Potentially Responsible Partners" in Section 1.3 Strategy.

Boundary Question

- Dan Costello provided the following review comment:

"On page 5-5, there is a reference to wharves. Wouldn't it conform more to the historic transportation corridor's past to extend the byway to the river?"

The CMP consultant replied as follows:

"This is a broad overview. The byway has been defined as starting at Rodney Square. It is not feasible to incorporate the river since the byway does not go to the river. but certainly when the interpretive plan is developed, it is a story that could be told in some other way or listed as a "side trip"."

The Advisory Board found this explanation reasonable.

Use of the Term "Segments"

- Sally Oldham provided the following review comments:

"The following paragraph accompanied the Advisory Board's positive recommendation for this byway when it was submitted to the Secretary for

approval as a Scenic and Historic Highway: “The term “segments” should be replaced with a different term that does not imply cutting the byway into smaller pieces. Delaware Greenways will modify the language to utilize the term “character areas” instead as they develop their corridor plan. The memo further stated that, “Delaware Greenways accepted these recommendations and will make the changes noted as they continue through the corridor plan development process.

In the initial CMP chapter these areas are referenced as “fifteen distinct character-defining areas” (section 1.1, page 1-2) but in most instances the term segment is used. It may not be practical to change all references in the CMP to character-defining areas or character areas, but major headings, the titles on the maps and references to segments in Chapter 7 and in the strategies matrix should be changed. This is a relevant concern for the National Scenic Byways Program as well because while in Delaware the program requires a continuous road corridor for designation, in a number of states scenic byways may be proposed with segments of the road corridor removed from the designation. Such a segmentation of the byway is not permitted in Delaware and not desirable and it would be best not to reference a term that may cause confusion.

It would be particularly helpful to change terminology in Chapter 7, the Implementation Plan, because terms used in this section will carry on into the future. For example, 2.1 could say, “Use Scenic Byways “Character Areas” to define the context instead of referencing “Character Segments.” Sections 2.2 and 2.3 might reference “commercial area” rather than “commercial segment”.”

Bob Kleinburd of the Federal Highway Administration strongly supported this recommendation. The Advisory Board agreed that the CMP consultant should change the terminology from “segments” to “character areas” in headings, in titles on maps, and in references to segments in Chapters 6 and 7, including references in the “Strategies” matrix.

Chapter 3 - Description of Character Area #4

- A review comment stated, *“In what is termed “Segment 4 – Union Park” the description states that, “Billboards and overhead wires are characteristic elements of this area’s roadside image.” This is the only place noted in the CMP that referenced billboards as a contributing element to the streetscape. This seems an usual statement given the character of this byway...”*

The sponsor agreed the description should be changed to read, “Billboards and overhead wires are found in this character area.”

Outdoor Advertising

- Sally Oldham provided the following review comment:

“The CMP needs to include a statement explaining what these controls are, which pertain to federal law, which to state law and what controls may apply due to county or municipal law. It then would need to address how the CMP envisions supporting compliance with these controls. This information would logically fit in Chapter 4 Transportation and Traffic Safety. It is a requirement of both Delaware’s program and also of the National Scenic Byways Program (page 1-9, item 10 in the list).”

It was agreed that information about outdoor advertising controls and compliance should be added to the CMP.

Chapter 4 – Description of Tyler McConnell Bridge

- A review comment stated, *“The highly misleading description of the proposed Tyler McConnell Bridge Project on page 4-7 ought to be rewritten to reflect the actual status of the project.”*

The Advisory Board agreed that the CMP consultant should modify the text. The description of the status of this project should be brief since, as an ongoing project, its status is still evolving.

Chapters 6 and 7 - Preserving and Enhancing the Byway and Implementation Strategies

- Sally Oldham provided the following review comments:

”Chapter (6 and) 7 - General comment regarding strategies to preserve historic resources: Given historic qualities as the primary intrinsic quality supporting designation of this byway, the CMP is weak in critically evaluating current protections in place for historic resources and needed policy changes or incentives that might better support the preservation of historic resources. I would suggest that language be added to clarify what protections are afforded historic resources that aren’t protected by public or other stewardship owners and where such protections are weak or missing, what strategies might be suggested to ensure future preservation.”

The Advisory Board agreed that the CMP consultant should add text to Chapter 6 responding to Sally’s comment and reference specific possible protection strategies or tools. Robin Bodo agreed to provide a sample list of tools with examples where they have been used.

- 6.6 Visitation and Tourism

Dan Costello provided the following review comment:

“I applaud the notion that a National Heritage Area can be developed in the Brandywine Valley and the recognition of the growing importance of heritage tourism that the idea conveys. This proposal should be advanced to much higher level of priority and attention and be moved forward in the planning. Perhaps it should be the first recommendation. This could be developed in a way that demonstrates the byway's very strong commitment to preserving and enhancing its primary and secondary intrinsic qualities.”

The CMP consultant replied as follows:

“This suggestion will be forwarded to the byway committee. The top priority at this point is the development of the model guidelines for homeowners for which funding has been applied.”

The Advisory Board supported the suggestion to forward this recommendation to the byway committee and did not request any modification to the CMP as written.

- Dan Costello provided the following review comment:

” It seems to me that the CMP inadequately addresses how it meets #3, #5, #13, and perhaps #14 (as it applies to historic resources) of the 15 items that Federal Highway Administration expects a CMP to include. The plan does not adequately describe a strategy for maintaining and enhancing primary intrinsic qualities, nor does it call for the "highest level of protection" to be afforded those resources that most reflect its intrinsic qualities.”

The project consultant provided a list of strategies related to FHWA's requirements outlined in #3, #5, #13 and #14 (page 1-8 and 1-9) addressing intrinsic quality preservation. These statements are worded in broad terms, however.

The Advisory Board agreed that the CMP consultant should specifically mention/reference historic resources several places in Chapter 7 in the “Strategies” section of the document to make clear the applicability of these strategies to historic resource protection

- Reference to Projects in the Strategies Section: Joe Cantalupo voiced a concern that the mention of specific projects in the Strategies section could be construed as committing DelDOT to funding these projects.

The Advisory Board agreed that the CMP consultant should modify the text to state that the projects mentioned in the CMP will need to compete through the same project selection process as other projects do.

Note: The CMP consultant indicated that in response to additional comments provided in writing by Joe Cantalupo to the sponsor, “All changes will be made as noted.”

- Chapter 7, Strategy 1.1: Sally Oldham suggested that the consultant add “scenic” before “view-sheds” in both 1.1 a. and 1.1 b.

The project consultant agreed to make this addition.

- Chapter 7, page 7-10: Sally Oldham commented that, “*The text in the first full paragraph references “exploration of the de-designation of Route 100 (Strategy 5.5)...”* It would be more accurate to use the term re-designation instead of de-designation.

The project consultant suggested using the term “change in state route designation” - so as to avoid confusion with scenic byway designation. This was found to be an acceptable solution.

- Chapter 7, Strategy 3.6: A comment pointed out that the final statement is a sentence fragment.

The consultant responded that he will change the period at end of “parking area.” to comma, and use lower case for “keeping...”

- Chapter 7, Strategies 1.6 and 8.3: Comments made by Trent Margarif of Preservation Delaware asked that the references in each of these strategies to the Preservation Delaware Revolving Fund be changed to Delaware Preservation Fund

The CMP consultant indicated that these changes will be made.

Chapters 5-7

- Susan Moerschel of Delaware’s Department of Natural Resources and Environmental Control provided at the meeting comments hand written on a copy of the CMP text. The sponsor agreed to make the changes requested. In a discussion of sources of funds to rebuild stone walls deemed to make a positive contribution to the character of the scenic byway corridor, it was pointed out that federal scenic byway funds and also Transportation Enhancement funds could provide a source of funding for such a preservation effort.

Sally Oldham asked the group if there were any other comments or items for discussion. There were none. She then asked the four voting members present (Gail Van Guilder abstained from voting) if they agreed to recommend that the Brandywine Valley Scenic Byway Corridor Management Plan be forwarded to Secretary Hayward for approval of the CMP for Delaware's State Scenic and Historic Highway Program and for transmittal to the Federal Highway Administration for nomination as a National Scenic Byway.

Susan Moerschel made a motion to this effect. Robin Bodo asked for a clarification that the recommendation to forward the CMP to Secretary Hayward was subject to an understanding that the sponsor and her consultant would make all the additions and corrections to the CMP text that had been agreed to at this meeting so that this amended CMP would constitute the approved CMP for the State Scenic and Historic Highway Program and would be constitute the CMP that is submitted to FHWA for review for National Scenic Byway status.

With this clarification made, the four voting Board members agreed to forward the amended CMP to Secretary Hayward for the two purposes stated above.

The meeting adjourned at 2:00 pm.

DRAFT

MEMORANDUM

TO: Nathan Hayward III, Secretary

VIA: Ralph Reeb, Director of Planning

FROM: Joseph Cantalupo, Assistant Director of Planning

DATE: March 31, 2005

**SUBJECT: The State Scenic and Historic Highways Program–
Red Clay Valley Scenic Byway, Application for Designation**

On behalf of the State Scenic and Historic Highways (SSHH) Program Advisory Board, this is to recommend that the 30 secondary roads in northern New Castle County proposed by the Delaware Nature Society as the “Red Clay Valley Scenic Byway” be designated as such under the SSHH Program. As described in the Nomination Application dated July, 2004 and an addendum to it dated November 19, 2004, these roads form an interconnected and interdependent network closely linked to the Red Clay Creek and its watershed area.

The designation application prepared by The Delaware Nature Society was well organized and comprehensive. It was subjected to the rigorous review process required by the law and the adopted Program Guide. The result is a strong endorsement of the nomination by all of the reviewers, which included Planning staff, the SSHH Program Evaluation Committee, and of course, the SSHH Program Advisory Board. A copy of the original application is attached along with a summary of the Advisory Board’s discussion and recommendation. I am recommending that these roads be designated the “Red Clay Valley Scenic Byways.”

Adopted

Nathan Hayward III, Secretary

Date

JC
Attachments

cc: Michael E. Riska, Executive Director DNS
Advisory Board Members
Ralph Reeb, Director Planning

MEMORANDUM

TO: File

FROM: Joseph Cantalupo, Assistant Director
Planning

DATE: April 1, 2005

SUBJECT: **State Scenic and Historic Highway (SSHH) Program Advisory Board
Recommendations – Brandywine Scenic Valley Corridor Management Plan**

On March 31, 2005 the State Scenic and Historic Highways Advisory Board met to discuss the Brandywine Valley Scenic Byway Corridor Management Plan submitted by Delaware Greenways, Inc. and sponsored by the Wilmington Area Planning Council.

Joe Cantalupo presented the comments and recommendation of the Director of Planning. The Advisory Board reviewed comments made by Advisory Board members in advance of the meeting and the response of Delaware Greenways, Inc. to these comments. The Advisory Board heard additional comments from its members and discussed these. The Advisory Board concurred with the Director of Planning's evaluation and recommended, with the understanding that as a condition of approval that modifications to the corridor management plan will be made as agreed upon, that the corridor management plan be approved as requested by the Delaware Nature Society.

The Advisory Board further recommended that the Brandywine Valley Scenic Byway be submitted by Delaware Department of Transportation to the Federal Highway Administration for consideration as a National Scenic Byway.

The following items enumerate modifications to the Brandywine Valley Scenic Byway Corridor Management Plan agreed to by Delaware Greenways, Inc. These changes are to be made to the document, which will then be submitted to Delaware Department of Transportation to constitute the approved working document for this State Scenic and Historic Highway and they are to be made prior to its submission to the Federal Highway Administration for consideration as a National Scenic Byway.

Intrinsic Qualities

- A review comment recommended more emphasis on archeology in the CMP. Following discussion, it was agreed by the attendees that the preservation agency should be added to the list of “Potentially Responsible Partners” in Section 1.3 Strategy.

Boundary Question

- Dan Costello provided the following review comment:

“On page 5-5, there is a reference to wharves. Wouldn't it conform more to the historic transportation corridor's past to extend the byway to the river?”

The CMP consultant replied as follows:

“This is a broad overview. The byway has been defined as starting at Rodney Square. It is not feasible to incorporate the river since the byway does not go to the river. But certainly when the interpretive plan is developed, it is a story that could be told in some other way or listed as a “side trip”.”

The Advisory Board found this explanation reasonable.

Use of the Term “Segments”

- Sally Oldham provided the following review comments:

“The following paragraph accompanied the Advisory Board’s positive recommendation for this byway when it was submitted to the Secretary for approval as a Scenic and Historic Highway: “The term “segments” should be replaced with a different term that does not imply cutting the byway into smaller pieces. Delaware Greenways will modify the language to utilize the term “character areas” instead as they develop their corridor plan. The memo further stated that, “Delaware Greenways accepted these recommendations and will make the changes noted as they continue through the corridor plan development process.”

In the initial CMP chapter these areas are referenced as “fifteen distinct character-defining areas” (section 1.1, page 1-2) but in most instances the term segment is used. It may not be practical to change all references in the CMP to character-defining areas or character areas, but major headings, the titles on the maps and references to segments in Chapter 7 and in the strategies matrix should be changed. This is a relevant concern for the National Scenic Byways Program as well because while in Delaware the program requires a continuous road corridor for designation, in a number of states scenic byways may be proposed with segments of the road corridor removed from the designation. Such a segmentation of the byway is not permitted in Delaware and not desirable and it would be best not to reference a term that may cause confusion.

It would be particularly helpful to change terminology in Chapter 7, the Implementation Plan, because terms used in this section will carry on into the future. For example, 2.1 could say, “Use Scenic Byways “Character Areas” to define the context instead of referencing “Character Segments.” Sections 2.2 and 2.3 might reference “commercial area” rather than “commercial segment”.

Bob Kleinburd of the Federal Highway Administration strongly supported this recommendation. The Advisory Board agreed that the CMP consultant should change the terminology from “segments” to “character areas” in headings, in titles on maps, and in references to segments in Chapters 6 and 7, including references in the “Strategies” matrix.

Chapter 3 - Description of Character Area #4

- A review comment stated, *“In what is termed “Segment 4 – Union Park” the description states that, “Billboards and overhead wires are characteristic elements of this area’s roadside image.” This is the only place noted in the CMP that referenced billboards as a contributing element to the streetscape. This seems an usual statement given the character of this byway...”*

The sponsor agreed the description should be changed to read, “Billboards and overhead wires are found in this character area.”

Outdoor Advertising

- Sally Oldham provided the following review comment:

“The CMP needs to include a statement explaining what these controls are, which pertain to federal law, which to state law and what controls may apply due to county or municipal law. It then would need to address how the CMP envisions supporting compliance with these controls. This information would logically fit in Chapter 4 Transportation and Traffic Safety. It is a requirement of both Delaware’s program and also of the National Scenic Byways Program (page 1-9, item 10 in the list).”

It was agreed that information about outdoor advertising controls and compliance should be added to the CMP.

Chapter 4 – Description of Tyler McConnell Bridge

- A review comment stated, “*The highly misleading description of the proposed Tyler McConnell Bridge Project on page 4-7 ought to be rewritten to reflect the actual status of the project.*”

The Advisory Board agreed that the CMP consultant should modify the text. The description of the status of this project should be brief since, as an ongoing project, its status is still evolving.

Chapters 6 and 7 - Preserving and Enhancing the Byway and Implementation Strategies

- Sally Oldham provided the following review comments:

”Chapter (6 and) 7 - General comment regarding strategies to preserve historic resources: Given historic qualities as the primary intrinsic quality supporting designation of this byway, the CMP is weak in critically evaluating current protections in place for historic resources and needed policy changes or incentives that might better support the preservation of historic resources. I would suggest that language be added to clarify what protections are afforded historic resources that aren’t protected by public or other stewardship owners and where such protections are weak or missing, what strategies might be suggested to ensure future preservation.”

The Advisory Board agreed that the CMP consultant should add text to Chapter 6 responding to Sally’s comment and reference specific possible protection strategies or tools. Robin Bodo agreed to provide a sample list of tools with examples where they have been used.

- 6.6 Visitation and Tourism

Dan Costello provided the following review comment:

"I applaud the notion that a National Heritage Area can be developed in the Brandywine Valley and the recognition of the growing importance of heritage tourism that the idea conveys. This proposal should be advanced to a much higher level of priority and attention and be moved forward in the planning. Perhaps it should be the first recommendation. This could be developed in a way that demonstrates the byway's very strong commitment to preserving and enhancing its primary and secondary intrinsic qualities."

The CMP consultant replied as follows:

"This suggestion will be forwarded to the byway committee. The top priority at this point is the development of the model guidelines for homeowners for which funding has been applied."

The Advisory Board supported the suggestion to forward this recommendation to the byway committee and did not request any modification to the CMP as written.

- Dan Costello provided the following review comment:

"It seems to me that the CMP inadequately addresses how it meets #3, #5, #13, and perhaps #14 (as it applies to historic resources) of the 15 items that Federal Highway Administration expects a CMP to include. The plan does not adequately describe a strategy for maintaining and enhancing primary intrinsic qualities, nor does it call for the "highest level of protection" to be afforded those resources that most reflect its intrinsic qualities."

The project consultant provided a list of strategies related to FHWA's requirements outlined in #3, #5, #13 and #14 (page 1-8 and 1-9) addressing intrinsic quality preservation. These statements are worded in broad terms, however.

The Advisory Board agreed that the CMP consultant should specifically mention/reference historic resources several places in Chapter 7 in the "Strategies" section of the document to make clear the applicability of these strategies to historic resource protection

- Reference to Projects in the Strategies Section: Joe Cantalupo voiced a concern that the mention of specific projects in the Strategies section could be construed as committing DelDOT to funding these projects.

The Advisory Board agreed that the CMP consultant should modify the text to state that the projects mentioned in the CMP will need to compete through the same project selection process as other projects do.

Note: The CMP consultant indicated that in response to additional comments provided in writing by Joe Cantalupo to the sponsor, “All changes will be made as noted.”

- Chapter 7, Strategy 1.1: Sally Oldham suggested that the consultant add “scenic” before “view-sheds” in both 1.1 a. and 1.1 b.

The project consultant agreed to make this addition.

- Chapter 7, page 7-10: Sally Oldham commented that, “*The text in the first full paragraph references “exploration of the de-designation of Route 100 (Strategy 5.5)...”* It would be more accurate to use the term re-designation instead of de-designation.

The project consultant suggested using the term “change in state route designation” - so as to avoid confusion with scenic byway designation. This was found to be an acceptable solution.

- Chapter 7, Strategy 3.6: A comment pointed out that the final statement is a sentence fragment.

The consultant responded that he would change the period at end of “parking area.” to comma, and use lower case for “keeping...”

- Chapter 7, Strategies 1.6 and 8.3: Comments made by Trent Margarif of Preservation Delaware asked that the references in each of these strategies to the Preservation Delaware Revolving Fund be changed to Delaware Preservation Fund

The CMP consultant indicated that these changes would be made.

Chapters 5-7

- Susan Moerschel of Delaware's Department of Natural Resources and Environmental Control provided at the meeting comments hand written on a copy of the CMP text. The sponsor agreed to make the changes requested. In a discussion of sources of funds to rebuild stone walls deemed to make a positive contribution to the character of the scenic byway corridor, it was pointed out that federal scenic byway funds and also Transportation Enhancement funds could provide a source of funding for such a preservation effort.



JOHN MILNER ASSOCIATES, INC.

Restoration & Rehabilitation • Preservation Planning • Archeological & Historical Research • Cultural Landscapes • Materials Conservation

April 4, 2004 **typo here it was 2005**

PRINCIPALS

Allan H. Steenhusen
Daniel G. Roberts, RPA
F. Neale Quenzel, AIA
Peter Richardson, AIA, RIBA
Thomas L. Struthers
Charles D. Cheek, Ph.D.
John K. Mott, FAIA
Kathryn L. Bowers, SPHR

Mr. Nathan Hayward
Secretary of Transportation
Delaware Department of Transportation
P.O. Box 778
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Philip E. Yocum, AIA

**Re: Brandywine Valley Scenic Byway
Wilmington and New Castle County, Delaware**

Dear Secretary Hayward:

Under the direction of Delaware Greenways, Inc. and its project partners, John Milner Associates, Inc. (JMA) and Lardner/Klein Landscape Architects, PC have assisted in the preparation of a Corridor Management Plan for the Brandywine Valley Scenic Byway.

On March 31st, the Advisory Board of the Delaware Scenic and Historic Highway Program met to review the Corridor Management Plan submitted by Delaware Greenways. At that meeting, the Corridor Management Plan was approved for submission to your office with a series of requested changes and revisions.

ASSOCIATES

Tod L. Benedict
William Chadwick, Ph.D., PG
Juliette J. Gerhardt
Patrick J. Heaton, RPA
F. Carey Howlett
Douglas C. McVarish
Michael E. Roberts, RPA
Sarah Jane Ruch
Elizabeth A. Sargent, ASLA
Elizabeth A. Sullivan

Delaware Greenways and its consultants have agreed to make the requested changes and revisions, none of which are major in scope. While we are working to make the changes to the Corridor Management Plan document as quickly as possible, please note that these changes are not yet reflected in the copy of the plan that is being submitted to you. The requested changes include the following;

1. The Delaware Division of Historical and Cultural Affairs will be listed as a “Potentially Responsible Partner” in the Implementation Matrix, Chapter 7, with respect to Strategy 1.3, appointment of a Byway Steward.
2. The term “segment” will be changed to “character area” in reference to the fifteen portions of the byway. This change will be made in headings, titles on maps, and throughout Chapters 6 and 7, including the Implementation Matrix.
3. In Chapter 3, under the discussion of Segment (Character Area) 4, Union Park, the sentence “Billboards and overhead wires are characteristic elements of this area’s roadside image” will be revised to read “Billboards and overhead wires are found in this character area.”
4. Information on outdoor advertising controls and compliance will be added to the Corridor Management Plan. JMA would like to add this information to the end of Chapter 6, since the issue results in an “action” eliminating the permitting of new billboards.

5. The description of the Tyler McConnell Bridge Project in Chapter 4, page 4-7, will be shortened, as the project status is still evolving.
6. Additional discussion of historic preservation strategies and tools will be added to Chapters 6 and 7, outlining current preservation tools that are in place and clarifying how the byway strategies support historic preservation.
7. Specific reference will be made to historic preservation at several places in Chapter 7 in the Implementation Matrix to make clear the applicability of the byway strategies to historic resource protection.
8. Requested modifications provided to Delaware Greenways by DeIDOT will be incorporated into the document. The text will be modified to state that projects mentioned in the plan will need to compete through the same selection processes as other potential projects.
9. In Chapter 7, Implementation Matrix, Strategy 1.1, the word “scenic” will be added to “view-sheds” in both 1.1a and 1.1b.
10. In Chapter 7, page 7-10, the term “change in state route designation” will be used in place of “explore the de-designation” of Route 100.
11. In Chapter 7, Implementation Matrix, Strategy 3.6, the sentence fragment that ends this discussion will be eliminated by changing the period that precedes the fragment to a comma.
12. In Chapter 7, Implementation Matrix, Strategies 1.6 and 8.3, the term “Preservation Delaware Revolving Fund” will be changed to “Delaware Preservation Fund.”
13. Several requested wording changes submitted by Susan Moerschel of Delaware’s Department of Natural Resources and Environmental Control will be made. It will be noted that both federal scenic byway funds and Transportation Enhancement funds could provide sources of funding for the preservation of historic stone walls.

Please let us know if you have any questions regarding these proposed changes. We sincerely appreciate the strong support that DeIDOT has provided in the preparation of the Corridor Management Plan for the Brandywine Valley Scenic Byway.

Sincerely,

JOHN MILNER ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Peter C. Benton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Peter C. Benton, AIA
Senior Associate
Architecture and Historic Preservation

MEMORANDUM

TO: Nathan Hayward III, Secretary

VIA: Ralph Reeb, Director of Planning

FROM: Joseph Cantalupo, Assistant Director of Planning

DATE: April 1, 2005

SUBJECT: The State Scenic and Historic Highways Program– Brandywine Valley Scenic Byway, Corridor Management Plan

On behalf of the State Scenic and Historic Highways (SSHH) Program Advisory Board, this is to recommend that the Brandywine Valley Scenic Byway Corridor Management Plan submitted by Delaware Greenways, Inc. and sponsored by the Wilmington Area Planning Council be approved under the SSHH Program. As described in the Nomination Application dated April, 2002 which was designated as a State Scenic and Historic Highway on June 25, 2002, The Brandywine Valley Scenic Byway, comprised of the historically significant Route 52 and Route 100 corridors extending from Rodney Square in Downtown Wilmington north to the Delaware Pennsylvania state border, are considered to be of national significance because of the prominent role that the Brandywine region played in the industrial development of the nation for three centuries.

The corridor management plan prepared by Delaware Greenways, Inc. is well organized and comprehensive. It was subjected to the rigorous review process required by the law and the adopted Program Guide. The result is a strong endorsement of the corridor management plan by all of the reviewers, which included Planning staff and the SSHH Program Advisory Board. A copy of the corridor management plan is attached along with a summary of the Advisory Board's discussion and recommendation. Approval of this plan will allow DelDOT to erect SSHH signs along the route identifying it as a State Scenic and Historic Highway, to identify this route on state maps and to promote it through the Delaware Tourism Office.

Furthermore, by this transmittal, I also recommend that you approve the submission of the Brandywine Valley Scenic Byway to the Federal Highway Administration (FHWA) for consideration to become a National Scenic Byway under their National Scenic Byways Program. The corridor management plan prepared by Delaware Greenways, Inc. has been formatted to meet FHWA's requirements for this program.

Nathan Hayward III, Secretary

April 1, 2005

Page 2 of 2

Corridor Management Plan Approved

Nathan Hayward III, Secretary

Date

Submission of Brandywine Scenic Byway to FHWA as a National Scenic Byway Approved

Nathan Hayward III, Secretary

Date

JC

Attachments

cc: Advisory Board Members
Ralph Reeb, Director Planning

MEMORANDUM

TO: State Scenic and Historic Highways Advisory Board

FROM: Ralph Reeb, Director of Planning

DATE: May 28, 2002

SUBJECT: The State Scenic and Historic Highways Program- Brandywine Valley Scenic Byway Application for Designation

On April 10, 2002 Delaware Greenways submitted an application to the Department requesting that Route 52 (Kennett Pike), from Rodney Square to the Pennsylvania state line, and Route 100 (Montchanin Road), from Route 52 to the Pennsylvania state line, be designated as a State Scenic and Historic Highway.

As required by the State Scenic and Historic Highways Program, the application was forwarded to the Evaluation Committee for its review. The Evaluation Committee met on May 17, 2002 and found the application to be complete, and the statement of significance regarding the historic resources along the corridors to be justified. Following the requirements of the Program, the Evaluation Committee has recommended that I forward this application to you for consideration and recommendation to the Secretary of Transportation. I have reviewed this application and concur with the Evaluation Committee's recommendation, and have enclosed a copy of the application and Evaluation Committee's recommendation for your review and consideration. You may be interested to know that our congressional delegation, in addition to being strong supporters of the Program, has expressed strong appreciation for the special character of these two roads.

Although the Program provides up to 120 days for the application process to take its course, we are requesting that you expedite this process to allow Delaware Greenways to make a July 1st deadline for consideration for receiving federal Scenic Byway funds.

State Scenic and Historic Highways Advisory Board

Page 2 of 2

May 28, 2002

Over the next week we will be announcing the date, time and location of the Advisory Board meeting. At the meeting David Petrosky will facilitate a discussion among the Advisory Board members regarding this application with the specific intent of producing a recommendation to the Secretary. Mr. Petrosky will be contacting you to arrange the meeting for the week beginning Monday, June 3rd. Participation by as many Advisory Board members as possible is important to the evaluation process. If you cannot attend the meeting please designate someone to attend on your behalf.

If you have any questions or need any additional information, please contact Mr. Petrosky at 302-760-2128.

Thank you.

RAR/jc

Attachments

cc: Joseph Cantalupo, Assistant Director of Planning
B. David Petrosky, Project Planner
Kyle Gulbranson, Department of Natural Resources and Environmental Control
Robin Bodo, State Historic Preservation Office
Steven Boyd, Delaware Tourism Office
Michael McGrath, Department of Agriculture

MEMORANDUM

TO: File

FROM: B. David Petrosky, Project Planner

DATE: June 14, 2002

SUBJECT: **Advisory Board Recommendations- Brandywine Valley Scenic and Historic Byway**

On June 12, 2002 the State Scenic and Historic Highways Advisory Board met to discuss the application from Delaware Greenways to designate Route 52 (Kennett Pike), from Rodney Square to the Pennsylvania state line, and Route 100 (Montchanin Road), from Route 52 to the Pennsylvania state line, as a State Scenic and Historic Highway. The Advisory Board reviewed the comments of the Evaluation Committee from their May 17, 2002 meeting, and from the Director of Planning in his May 28, 2002 memorandum. The Advisory Board concurred with the previous evaluations and recommended that the roads be designated as requested by Delaware Greenways.

Although not as a condition of approval, the Advisory Board discussed the following items that they believed would enhance the materials prepared by Delaware Greenways and their effort to produce a corridor plan.

- Delaware Greenways should develop a photo-log of images as a separate appendix to the application that will provide a simulated visual experience of driving the corridors. WILMAPCO and Delaware Greenways will develop this photo-log and provide it to the SS&HH Program Coordinator and the Advisory Board.
- Delaware Greenways should develop an executive summary sheet that more concisely describes the experience of the corridor. WILMAPCO and Delaware Greenways will develop this summary and provide it to the Department and the Advisory Board.

- The term “segments” should be replaced with a different term that does not imply cutting the byway into smaller pieces. Delaware Greenways will modify the language to utilize the term “character areas” instead as they develop their corridor plan.

Delaware Greenways accepted these recommendations and will make the changes noted as they continue through the corridor plan development process.

As a result of the meeting, I will prepare a recommendation to Secretary Hayward on behalf of the Advisory Board.

BDP/jc
Attachment

Regarding future nominations of routes within the areas of the Red Clay Valley and Brandywine Valley designations, a question was asked about the procedure for nomination that would be followed if other routes were proposed for designation in the future. Joe Cantalupo responded that the sponsor would follow the nomination procedures in the Program Guide, but that documentation submitted to DelDOT could build on what already has been submitted for the existing and proposed byways.

Intrinsic Quality Terminology

The Advisory Board discussed the value of using the terms “Primary” and “Secondary” for intrinsic qualities in future nominations, rather than including a third term referencing a “supporting” intrinsic quality as was done in this nomination.

Management Strategies

The Advisory Board discussed the fact that future nominations do not need to include a discussion of management strategies as was done in this nomination. This type of discussion, however, will be needed in any Scenic and Historic Highway Corridor Management Plan.

Identification of State Strategy Level

An Advisory Board member requested that future nominations include an identification of the “state strategy level” assigned by the State’s Department of Planning.

Other Comments

A request was made by the nomination sponsor that the signage posted for the Scenic and Historic Highway be limited so as not to cause visual clutter to perhaps signs at the four points of entry into the area and then a limited number of quite small marker signs on roads within the overall Red Clay Valley watershed area to indicate that they are part of the byway.

An Advisory Board member request for future nominations that place names be included on the maps and that some reference points indicating existing development be included.

This file record and listing was created in 2007 and is believed to be an attempt to update who may have consisted of a Delaware Byway Advisory Board The listing is outdated with staff or personnel changes. They never met.

Title	FirstName	LastName	Company	E-mail address
Dr	David	Ames	University of Delaware	[REDACTED]
Mr.	Charles	Baker	New Castle County	[REDACTED]
Ms.	Jen	Gochenaur	DE Nature Society	[REDACTED]
Mr.	Don	Carbaugh	DE Bicycle Council	[REDACTED]
Mr.	Dan	Costello	PDI	[REDACTED]
Ms.	Connie	Holland	Office of State Planning	[REDACTED]
Mr.	Robert	Kleinburd	FHWA-Delaware Division	[REDACTED]
Mr.	Trent	Margriff	Preservation Delaware, Inc	[REDACTED]
Mr.	Stephen	Masten	Sussex county Govt.	[REDACTED]
Ms.	Juanita	Wieczoreck	Dover/Kent MPO	[REDACTED]
Ms.	Gail	Van Gilder	DE Greenways	[REDACTED]
Mr.	Tim	Morgan	DEDO	[REDACTED]
Mr.	Jeff	Niezgoda	DelDOT	[REDACTED]

This file record and listing was created in 2011 and is believed to be an attempt to update who may have consisted of a Delaware Byway Advisory Board
 The listing is outdated with staff or personnel changes. We aren't even sure if they were notified. They never met.

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Dr	David	Ames	University of Delaware	[REDACTED]	
Mr.	Charles	Baker	New Castle County	[REDACTED]	
Ms.	Jen	Gochenaur	DE Nature Society	[REDACTED]	
Mr.	Don	Carbaugh	DE Bicycle Council	[REDACTED]	
Mr.	Dan	Costello	PDI	[REDACTED]	
Ms.	Connie	Holland	Office of State Planning	[REDACTED]	
Mr.	Robert	Kleinburd	FHWA-Delaware Division	[REDACTED]	
Mr.	Trent	Margriff	Preservation Delaware, Inc	[REDACTED]	
Mr.	Stephen	Masten	Sussex county Govt.	[REDACTED]	
Ms.	Juanita	Wieczorek	Dover/Kent MPO	[REDACTED]	
Ms.	Gail	Van Gilder	DE Greenways	[REDACTED]	
Mr.	Tim	Morgan	DEDO	[REDACTED]	
Mr.	Jeff	Niezgoda	DelDOT	[REDACTED]	
new					
	David	Ames	University of Delaware	[REDACTED]	
	Nick	Blendy	FHWA	[REDACTED]	
	Mark	Chura	Del. Greenways	[REDACTED]	
	Dan	Costello		[REDACTED]	requested to be removed
	Heather	Dunigan	WILMAPCO	[REDACTED]	
	Alice	Guerrant	DOS	[REDACTED]	
	Mike	Hahn	DelDOT	[REDACTED]	
	Connie	Holland	OMB	[REDACTED]	
	John	Janowski	NCC	[REDACTED]	
	Sarah	Keifer	Kent County	[REDACTED]	
	Diane	Laird	DeDO	[REDACTED]	
	Michael	McGrath	DDA	[REDACTED]	suggested replacement-Scott Blaier
	Jen	Gochenaur	Del Nature Society	[REDACTED]	Jen moved-suggest Ginger North
	Susan	Moerschel	DNREC	[REDACTED]	
	Paul	Morill	Committee of 100	[REDACTED]	Was Del. City rep
	Dan	Parsons	Sussex County	[REDACTED]	
	j	smith		[REDACTED]	
	Gail	VanGilder		[REDACTED]	
	Juanita	Wieczorek	Dover/Kent MPO	[REDACTED]	Juanita retired-will need to reappoint Rich Vetter
	Tigist	Zegeye	WILMAPCO	[REDACTED]	

This file and listing was created in 2011 and is believed to be an attempt to update who may have consisted of a Delaware Byway Advisory Board. The listing is outdated with staff or personnel changes and we aren't sure if they were even aware. They never met.

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Mr.	Don	Carbaugh	DE Bicycle Council	[REDACTED]	
Mr.	Dan	Costello	PDI	[REDACTED]	
Ms.	Connie	Holland	Office of State Planning	[REDACTED]	
Mr.	Nick	Blendy	FHWA-Delaware Division	[REDACTED]	
Mr.	Trent	Margriff	Preservation Delaware, Inc	[REDACTED]	
Mr.	Stephen	Masten	Sussex county Govt.	[REDACTED]	
Ms.	Juanita	Wieczorek	Dover/Kent MPO	[REDACTED]	
Ms.	Gail	Van Gilder	DE Greenways	[REDACTED]	
Mr.	Tim	Morgan	DEDO	[REDACTED]	
Ms.	Ann	Gravatt	DelDOT	[REDACTED]	
new					
	David	Ames	University of Delaware	[REDACTED]	
	Nick	Blendy	FHWA	[REDACTED]	
	Mark	Chura	Del. Greenways	[REDACTED]	
	Dan	Costello		[REDACTED]	requested to be removed
	Heather	Dunigan	WILMAPCO	[REDACTED]	
	Alice	Guerrant	DOS	[REDACTED]	
	Mike	Hahn	DelDOT	[REDACTED]	
	Connie	Holland	OMB	[REDACTED]	
	John	Janowski	NCC	[REDACTED]	
	Sarah	Keifer	Kent County	[REDACTED]	
	Diane	Laird	DeDO	[REDACTED]	
	Michael	McGrath	DDA	[REDACTED]	suggested replacement-Scott Blaier
	Jen	Gochenaur	Del Nature Society	[REDACTED]	Jen moved-suggest Ginger North
	Susan	Moerschel	DNREC	[REDACTED]	
	Paul	Morill	Committee of 100	[REDACTED]	Was Del. City rep
	Dan	Parsons	Sussex County	[REDACTED]	
	j	smith		[REDACTED]	
	Gail	VanGilder		[REDACTED]	
	Juanita	Wieczorek	Dover/Kent MPO	[REDACTED]	Juanita retired-will need to reappoint Rich Vetter
	Tigist	Zegeye	WILMAPCO	[REDACTED]	



DELAWARE BYWAYS PROGRAM GUIDE 2021



DELAWARE DEPARTMENT OF TRANSPORTATION

Contents

Introduction	2
Program Vision, Goals and Objectives	3
Chapter 1 Existing State of the Delaware Byways Program	5
Chapter 2 Role of the Delaware Byway Coordinator	7
Chapter 3 Role of the Byway Management Organization	10
Chapter 4 Implementation of Corridor Management Plans	14
Chapter 5 Byway Extensions	15
Chapter 6 De-designation and Delisting of a Byway	17
Chapter 7 Sources of Information to Assist Byway Management Organizations	20

draft

Introduction

Delaware is rich in scenic, historic, and cultural resources. The first state to ratify the U.S. Constitution, Delaware's landscapes, and communities tell stories from battles between warring colonial powers, to the rise of a mercantile economy among the mills of the Brandywine River, to the continuing importance of agriculture to the state, to the evolution of American recreational pastimes along the state's beckoning beaches.

Byways are pathways to the stories of our nation and state. These diverse resources and their stories are accessible to travelers and residents along road corridors that deserve special consideration for their unique features and special role in the highway system. To recognize Delaware's special road corridors, in 2000 the General Assembly created the Delaware Scenic and Historic Highway Program (17 Del.C. c. 1 §101). In 2010, the program was rebranded as the Delaware Byways Program. Developed in 2001 to support the Delaware Scenic and Historic Highway Program, this guide has been updated to reflect the current status and vision of the Delaware Byway Program.

National Scenic Byways Program

Delaware Byways Program was spurred by the creation and policies of the National Scenic Byways Program, first established in 1991 by the Federal Intermodal Surface Transportation Efficiency Act (ISTEA). The program, managed by the U.S. Department of Transportation in partnership with state departments of transportation or other responsible state agencies, designates National Scenic Byways and All-American Roads based on their scenic, historic, recreational, cultural, natural and/or archeological intrinsic qualities. Currently the Federal Highway Administration (FHWA) Byways program does not have active programming, but this could change, pending the status of transportation federal initiatives.

Program Vision, Goals and Objectives

Delaware Byway Program Vision

Showcasing the natural beauty and unique features of the state, the Delaware Byways Program fosters the preservation of natural, cultural and historic resources, while benefiting economic development through tourism and recreational opportunities. Sites and features of the Program are apparent to all who travel the designated Delaware roads, and the Program enjoys broad public support.

To help execute the state's byways program and its program guide, the following goals with measures have been established:

Goal 1 Evaluate and Advance the Delaware Byways Program

- Define the responsibilities of the State Department of Transportation in administering the Byways Program.
- Define the responsibilities of a Byway Management Organization (BMO) in administering and managing Byways under State and Federal Program Guidelines.
- Define the opportunities, benefits, and impacts of designation under the Byway Program.
- Assure compliance with FHWA and State requirements regarding outdoor advertising and/or off premise advertisement control.
- Ensure that all byway designations are continuous. Assess byway corridors and corridor management plans to determine if they still qualify or must be updated and/or reprogrammed.
- Evaluate opportunities to improve or foster relationships between multi-state scenic byways for project development and public engagement.
- Develop annual reporting measures for BMOs.
- Support the BMOs as outlined in the Delaware Byway Coordinator responsibilities.
- Under the Program Measures for 2021, the nomination process for state byways is closed. However, determine when that might be re-engaged and through work with interest groups.
- Consider extension requests for designated Byways.
- Unless redirected by state law, ensure designated personnel is assigned within DelDOT to the byways program.

Goal 2 Protect and/or enhance Delaware Byways and their identified resources through a coordinated management program while ensuring the safe operation of these routes.

- Coordinate with other related federal, state, local and private sector programs and planning processes.
- Determine the responsibility of local government in the management or support of designated Byways.
- Ensure adherence to Federal Scenic Byways Program and State Byways Program requirements to afford the best opportunity for federal, state or local funding for designated byways.
- Support BMOs identification and application for funding.

- Protect, promote, or enhance the historic, recreation, and scenic character of the highway while addressing the need for safe and efficient traffic flow.
- Promote the use of Context Sensitive criteria as spelled out in the [*Context Sensitive Manual for Delaware Byways*](#)
- Encourage multi-modal systems wherever feasible - auto, transit, pedestrian, and bicycle.
- Consider the implication of transportation and land use developments to minimize potential negative impacts or their positive contribution.
- Support public and private landscape conservation and historic preservation programs to protect the intrinsic qualities of the byways.
- Advocate for legislation to enhance funding opportunities for the intrinsic resources of designated byways.
- Collaborate; build consensus, compromise, or advocate for mitigation as appropriate.
- Engage in master planning efforts and other comprehensive programs.

Goal 3 Benefit economic development through tourism and promote Delaware Byway related educational and recreational opportunities.

- Promote tourism opportunities associated with the Delaware Byways Program.
- Work with Byway Management Organizations and tourism offices to develop marketing programs to highlight intrinsic resources and the Byway Program.
- Assist each Byway in improving access to areas utilized for the purposes of recreation where appropriate, while protecting or promoting the intrinsic qualities of the Byway and the recreation area.
- Develop promotional and interpretive materials on the Byway Program, and provide guidance to each designated Byway Management Organization on the development of the same.
- Coordinate with the Delaware Historic Markers Program and other educational programs with related purposes to the Byways Program.
- Educate intrinsic resource personnel or municipalities on the value of the Byway Program.
- Ensure the DelDOT Byways website is up to date and support Byway Management Organizations as they develop and maintain their own.

Chapter 1 Existing State of the Delaware Byways Program

The Delaware Byways Program was created in 2000 through the Delaware General Assembly (17 Del.C. c. 1 §101) as the Delaware Scenic and Historic Highway Program to distinguish Delaware's rich scenic, historic, and cultural resources. It recognized the diverse resources and their stories accessible to travelers and residents along road corridors deserve special consideration of their unique features and special role in the highway system. In 2010, the program was rebranded to the Delaware Byways Program. This 2021 *Delaware Byways Program Guide* updates progress made in the program since its inception and outlines a vision for its future.

Delaware Byways are a collaborative effort of citizens, non-profit organizations, local, county, state, and federal government agencies. Investment in Byways increases vehicle and non-motorized transportation safety, generates in- and out-of-state tourism, increases property values, and generates revenue that supports the livelihoods of all Delawareans.

Delaware Byways Program has grown since its inception to a full and robust collection of six byways spanning all 3 counties. The byways are, from north to south:

- Brandywine Valley National Scenic Byway
- Red Clay Valley Scenic Byway
- Harriet Tubman Underground Railroad Byway
- Delaware Bayshore Scenic Byway
- Historic Lewes Byway
- Nanticoke Heritage Byway

Each byway captures the essence of their corridor through at least one of the program's required intrinsic resources: Natural, Scenic, Recreational, Historic, Archeological or Cultural. Each byway has an approved Corridor Management Plan (CMP), indicative of having gone through the planning process of designation and nomination. To understand more about each byway, DelDOT has a dedicated webpage for the program and each byway. [Delaware Byways - Delaware Department of Transportation \(deldot.gov\)](#).

Since 2000, the Byways Program has brought millions of dollars in federal and state funding to Delaware communities. Meeting the goals of each BMO, these projects have ranged from long-term planning efforts to wayfinding and signage installation, construction of scenic overlooks, branding and marketing plan development and implementation, interpretive traveler itineraries and guides, bicycle and pedestrian safety projects, and much more. **For a full listing of past projects, see Appendix X.**

Overview of Designation and Nomination Process

The Delaware Byways Program is currently closed to new nomination applications. Current DelDOT Byway management resources are unable to support the addition of newly designated Byways. The six Byways currently in the collection comprehensively capture the essence of Delaware's attributes. These six Byways provide full coverage in each County and across Delaware.

Extensions to existing Byways will be considered. Should additional resources be made available in the future, and all Byways in the collection are managed at a satisfactory level, reopening the application process will be considered. Should changes in the byway program collection warrant a change in the current position of additional byways, a detailed explanation of the process to submit a nomination application and what entails the designation process is contained in the **Appendix X**.

Corridor Management Plans

A Corridor Management Plan (CMP) is a required next step after a byway is granted designation as a state byway. A completed CMP outlines goals, memorializes the byways resources, defines the role and responsibilities of the BMO, and creates an Action Plan for implementation to improve the byway visitor experience and foster continued partnerships. The **Appendix** has a detailed explanation of the CMP process and outlines the requirements that must be addressed in drafting a CMP.

Chapter 2 Role of the Delaware Byway Coordinator

Delaware Byways Coordinator

The Delaware Byways Coordinator manages the Delaware Byways Program for the Delaware Department of Transportation (DelDOT), coordinating planning and promoting activities for the byway community from the local to the national level so that the intrinsic qualities of the roadways are preserved or enhanced for future generations. The Byways Coordinator is responsible for the administration, development and implementation of the Delaware Byways Program. This includes interaction and coordination with the Delaware Byways Management Organizations. The Byways Coordinator assists with procuring resources and funding for byway projects and studies and integrates the DelDOT Transportation Alternatives Program (TAP) into the byways project planning and funding. The FHWA Byway Program grants that may become available pending current federal initiatives, are also managed through the Byway Coordinator. The Coordinator also works to help promote, market, and educate the public about byways so that each byway can reach its goals stated in their Corridor Management Plan. The Coordinator will also share or announce capital project and maintenance information upon DelDOT projects or other major parties (land use, utilities, events) that could impact (positive or negative) the byway corridor.

The Delaware Byways Coordinator's duties are to:

1. Advance the Development the Delaware Byways Program

- Act as a growth agent of the Delaware Byways program.
- Periodically assess the marketing of Delaware's Byways and contribute to their promotion.
- Develop external communication strategies, materials, and products about the Byways program to share on platforms such as media advertising, brochures, websites, smart phone applications, or social media.
- Maintain a DelDOT Byways Program webpage to provide up-to-date information about Byways projects, access to materials, programmatic reports, and information on each of the designated six Delaware Byways.
- Collaborate with tourism partners to boost Delaware Byways marketing.
- Establish partnerships with diverse groups, organizations, communities, networks, governments, and regions to raise the visibility of the Delaware Byways Program and its Byway Management Organizations.
- Provide public presentations and outreach on the Byways program.
- Provide support to Byway Management Organizations in their pursuit of "National Scenic Byway" or "All-American Road" designations from the FHWA.
- Provide support to BMOs if they choose to pursue municipal, County, or State legislation and/or ordinances that the promotes or protects Delaware Byways.
- Equitably distribute Delaware Byways program resources and funding across the state.
- Determine when practical to reopen byway nominations.

2. Link Federal, State, and non-profit resources to the Byways

- Act as a liaison between DelDOT and BMOs. Disseminate resources and materials as appropriate. Coordinate with DelDOT Traffic and Maintenance Districts to monitor and maintain the condition of the Byways' roadways and their signage, safety, or general appearance.
- Act as a liaison between the Federal Highways Administration and federal resources to the state byways. Attend FHWA or States' meetings on the Byways Program and disseminate their materials and resources as appropriate to the Delaware Byways.
- Attend non-profit organization meetings and trainings on byways, such as those offered by the National Scenic Byways Foundation. Disseminate materials and resources as appropriate to the Delaware Byways.
- Manage submissions, decisions, and recommendations for grants administered through the national or state byways programs.

3. Act as a resource on Delaware's Byways

- Become a resource for stakeholders and communities about each of the Delaware Byways and the Program as a whole.
- Participate in meetings and conferences as a representative of the Delaware Byways Program.
- Share information about funding for Byways programs and related opportunities through the DelDOT TAP projects and other funding opportunities that may arrive.
- Prepare and distribute reports documenting the program's activities and accomplishments supported by annual reports of the Byway Management Organizations.
- Develop communication materials to support stakeholders and BMOs such as a shared drive for content for BMOs, one-pagers, and reports on Byway activities and highlights.

4. Connect Byways and BMOs to the Delaware Byway Program

- Review and evaluate extension applications for approval.
- Conduct an annual review of each Byway based on an annual driving tour of the Byway and the BMO's annual report.
 - Review BMO annual reports and evaluate them as "Satisfactory" or "Unsatisfactory" based on reporting requirements stated in **Appendix X**.
 - Provide constructive feedback to the BMOs on the advancement of their CMP goals.
 - After the Byways Coordinator reviews the Report materials, should any DelDOT issues be noted, the Byway Coordinator can address fixes with the appropriate internal staff.
 - If a Byway annual report is deemed "Unsatisfactory", the Byways Coordinator will provide guidance and technical assistance for any corrective action that may be necessary so that the BMO can re-submit a revised report to achieve "Satisfactory" status.
 - It is the Byway Coordinator's responsibility to advise a BMO that if their annual reports remain "Unsatisfactory", are not submitted, or they are simply not meeting/coordinating as a BMO on a regular basis and/or offer little organization interest as a BMO, the byways designation is likely subject to delisting or de-designation as detailed in Chapter 6, to limit time and investment of DelDOT in a non-performing Byway.
- Encourage collaboration and information sharing amongst the Delaware Byways and their BMOs.
- Maintain active BMO members/stakeholders lists with contact information for email or mailing listserves to share information, news, ideas, upcoming events, technical assistance, and accomplishments.
- Attend and participate in BMO meetings to share updates and collaborate on projects.
- Provide guidance to BMOs in their pursuit of funding and resources.

- Host periodic (bi-monthly/quarterly/annually?) meetings of the Delaware BMOs to provide training, technical assistance, programmatic updates, and networking opportunities to members and stakeholders.
- Provide the BMOs resources and technical assistance for the development, implementation, and periodic revisions of their CMPs.

5. Provide internal DelDOT integration and communication of the Delaware Byway Program

- Integrate Delaware Byway Program project design and focus with the DelDOT Transportation Alternatives Program (TAP) for the mutual benefit of administration, planning, funding, productivity, community impact, and agency goals.
- Develop internal communication materials about the byways program to share with DelDOT staff and leadership such as weekly reports to DelDOT management, periodic updates to agency staff on projects via the DelDOT weekly newsletter, and regular presentations on Byway activities and highlights to DelDOT staff at agency meetings and workshops.
- Contribute comments and feedback on DelDOT capital projects that affect the Byways regarding their protection and enhancement based on Delaware State Code Title 17, Chapter 1, Sections 190-194 and Title 17, Chapter 11, Sections 1101-1120 with applicable amendments.
- Provide comments and feedback on Preliminary Land Use Service (PLUS) applications based on Delaware State Code Title 17, Chapter 1, Sections 190-194 and Title 17, Chapter 11, Sections 1101-1120 with applicable amendments.
- Coordinate with DelDOT on Byways projects by using and updating internal database systems such as the Planning Development Coordination Application (PDCA), Gateway, and Primavera.
- Review plans and coordinate with DelDOT's roadside enforcement on HB 64 which amended Title 17 of the Delaware Code and provides exemptions to the type of signage (directional and other official signs and notices, signs and notices pertaining to scenic and historic attractions, signs, displays and devices advertising the sale or lease of property, gateway signs, and beautification/landscape planting sponsorship signs) that can be installed along or within the control zone of a designated Delaware Byway and puts the state into compliance with federal regulations.

Chapter 3 Role of the Byway Management Organization

Byway Management Organizations

A Byway Management Organization (BMO) is a group of individuals invested in the management, promotion, sustainability, and protection of the byway corridor as laid out in the Corridor Management Plan (CMP). This group can be organized under an existing non-profit or other organization or be its own entity.

From a high-level perspective, the role of the BMO is to manage the byway by promoting, sustaining, and protecting the byway corridor and resources as laid out in its CMP. Since each byway is different, the CMP is the most important resource in byway management. It describes in detail the mission, vision and goals of the byway and outlines an action plan of short, medium, long term and ongoing action items. A BMO is charged with developing strategies to raise funds and/or provide resources to help with the completion of each action item. Additional information about implementing CMPs is provided in Chapter 4 of this document.

It is important for BMOs to maintain active organizations to lead, initiate, manage, and implement the strategies and actions laid out in a Byway CMP. Holding regular meetings and delegating responsibilities will provide the ongoing and necessary coordination and collaboration to accomplish the goals of the Byway. It is also critical to maintain relationships with byway stakeholders, property owners, and agencies with jurisdiction along the byway that could provide technical assistance and funding towards reaching CMP goals.

The BMO is responsible for adherence to this Guide and the State Byway Program's vision, mission and goals. The BMO must keep the Byway's CMP up to date, conduct an annual drive to review the Byway with the DelDOT Byway Coordinator, and provide an annual report to the Delaware Byways Coordinator.

Developing and sustaining a Byways Management Organization

Typically, a BMO evolves into a formal organizational structure with bylaws as the byway group grows. Initially, a newly designated byway will most likely have a BMO that lacks a defined structure but contains individuals invested in the byway. Many times, these individuals were involved in the byway designation process. Over time a BMO may grow to have specialized committees that take action to move projects forward from ideas or conceptions to fruition as a built project or an actively managed resource.

As a management entity, the BMO should also have members assigned to oversee the financial aspects of the byway, a BMO leader to oversee a record is kept of byway resources, visitation, corridor condition and other aspects as described in the CMP.

Advice and support for developing a BMO and its management is provided from the State Byway Coordinator. The Byway Coordinator is a good resource to help determine the type of organizational structure that would best serve the byway. This advice and support is in the way of providing examples of different BMO management structures, sample bylaws and other sources of information.

The Byway Coordinator will also attend organizational discussion meetings to help facilitate decision making. The State Byways Coordinator will also arrange periodic meetings of the State's Byway

Management Organizations providing up to date information, access to resources, technical assistance, trainings, as well as regional and national level Byways activities.

The Delaware Byways Management Organizations should also look to each other as a resource, as each are in different stages of their own development and goals. BMOs can share lessons-learned, best practices, and resource information on BMO management, establishment of bylaws, Byways projects, tourism development, outreach, and more. BMO should also look to opportunities to coordinate on projects especially along Byway overlapping Byway routes, like Discovery Zones. Coordination could also be helpful on projects such as legislative initiatives, tourism outreach and marketing, and mutually beneficial grant applications.

Funding and Resources for Byways Management Organizations

The BMO is responsible for seeking out its' own sources of funding to manage the byway and implement action items in the CMP. As the BMO formalizes its structure, membership fees can be used to fund the administration of the byway and capital fundraising campaigns can be instituted for byway projects. Refer to Chapter 7 – Sources of Information and the Appendix of this Guide for more help in securing funds. The Byway Coordinator is kept abreast of funding and resource opportunities and will share this information with the BMO as it is received. Other State Byways Programs, especially those that adjoin the Delaware Byways' routes, such as Maryland's Harriet Tubman Underground Railroad Byway and Pennsylvania's Brandywine Valley National Scenic Byway, may also be a good source of shared information on the Byways itself and could provide support for cross-state projects.

Reporting requirements for the Byways Management Organization

On the Byway Program level, there is an annual report that shall be submitted to the Byway Coordinator. An annual site review with the Byway Coordinator should precede the annual report.

BMOs are required to update their Corridor Management Plan (CMP) every five years as described in Chapter 4, Implementation of the CMP. Annual reports and site reviews described below are valuable resources when updating a CMP.

Failure to maintain an active BMO and adherence to reporting requirements may result in actionable remedies by the Byway Coordinator. The ultimate action could result in de-designation of the byway. This is never a desirable outcome. Chapter 6 – Byway De-designation describes the process and remedies to avoid this step.

Annual site review of designated Byway routes

The BMO will designate a member or members to ride each byway at least once per year with the Delaware Byways Coordinator and preferably in advance of the annual report due date, which is detailed below. This drive-thru will enable the Byway Coordinator and BMO to assess corridor conditions that are under the purview of DelDOT and are specified in the *Context Sensitive Solutions For Delaware Byways* document, as well as to conduct a viewshed analysis.

The following list can be used as guidance as the Byways routes are traveled for evaluation:

- Hazards in the roadway

- Signing
 - Condition of byway signs
 - Condition of highway signs
 - Addition of on-premise signs for resources
 - Illegal advertisement and excessive signing that may also violate local codes
- Compliance with Outdoor Advertising
- Roadway conditions
 - Potholes
 - Striping
 - Crack sealing needs
 - Landscaping
 - Other
- Pedestrian and bicycle safety
- Landscaping
- Visitor amenities
- Reported accidents
- Drainage or erosion concerns
- Intrusions to the road character
- Changes to intrinsic resources

Annual Reporting on CMP actions and accomplishments

A BMO is required to monitor implementation of its CMP annually, including the protection of intrinsic qualities, by providing a written status report to DelDOT's Byway Coordinator. This report should describe progress or activity made in implementing the plan, any funds secured, accomplishments achieved, and modifications made to the CMP based on evolving circumstances. This yearly report is intended to track progress and be a record of activities and changes that will help the BMO draft their CMP update every 5 years.

There are several benefits to completing annual reports on the implementation of the Byway Corridor Management Plan:

- It provides the Byways Coordinator with information to include in an annual report about the Byways Program. It is a way to track success and accomplishments on a yearly basis, which provides data for potential funders, and for the BMOs and their partners to frame out an annual action plan.
- It provides incentives for setting realistic goals for the upcoming year and meeting them.
- It helps show commitment from the byways and means of justifying future funding.
- It allows the Byways Coordinator to follow the activities of the BMOs and to target assistance to address BMO needs.
- It gives the Byways Coordinator and the BMO an opportunity to explore and strategize ideas for conserving and enhancing Byway intrinsic resources.
- It provides information on BMO projects and accomplishments for marketing the byways.
- It is intended to track progress and be a record of activities and changes that will help the BMO draft their CMP update every 5 years.

An annual report must be submitted electronically to the Delaware Byways Coordinator by December 31 of each year. The Byway Coordinator will work with the BMO if a circumstance warrants an amended timeline for receipt of the annual report.

Annual Report Contents

A standard report form will be provided by the Byway Coordinator on the DeIDOT Byways website. The example form is in the [Appendix X](#).

The items in annual Corridor Management Plan report must include:

- A narrative of a “success story” or a “lesson-learned” story of the Byway over the past year.
- Changes in intrinsic resources
 - Resource updates
 - Resources degradation (including other adjacent roadside or right of way development)
 - Resource removal
- Changes/updates in BMO organizational status
 - Bylaws
 - Members
 - Financial reports
 - Other
- Projects on byways
 - DeIDOT projects and BMO interaction
 - BMO led projects
 - Planning
 - Infrastructure
 - Landscaping
 - Other
- Updated Action Plan
- Updated Photos and/or videos of Projects or changes on the byway
- Byway meetings and their applicable meeting minutes provided as attachments.

Evaluation of the annual Byway Corridor Management Plan report

The BMO’s annual report on the progress of its CMP will be reviewed and signed off by the Byway Coordinator as “Satisfactory” or “Unsatisfactory” with notes of any corrective action that may be necessary to receive a “Satisfactory” rating.

After the Byways Coordinator reviews the Report materials, should DeIDOT issues be noted, the Byway Coordinator can address fixes with the appropriate internal staff.

It is also the byways coordinator responsibility to advise the BMO that if their annual reports remain “Unsatisfactory”, are not submitted, or they are simply not meeting on a regular basis and/or offer little organization interest as a BMO, the byways designation is likely subject to delisting or de-designation as detailed in Chapter 6.

Additional resources to help the Byways Management Organization achieve their goals

Chapter 7 – Sources of Information and the Appendix are provided in this Guide, listing addition resources to the BMO in the management of their byway. The Byway Coordinator will update information in these portions of the Guide as new information is discovered or presented.

Chapter 4 Implementation of Corridor Management Plans

The Delaware Byway Corridor Management Plan

Each Delaware Byway Management Organization is required to develop and maintain a current Corridor Management Plan (CMP) as the guiding document used to manage the byway. A CMP is a written document that lays out the vision, goals and responsibilities for conserving and enhancing the Byway's most valuable qualities and describes how this will benefit economic development through tourism and recreational opportunities. The CMP presents a strategy for balancing concern for the intrinsic resources with the visitor's opportunity to experience the Byway. It explains how the BMO and other stakeholders are involved in and responsible for implementing the Plan. The goals that a CMP sets can include achieving "National Scenic Byway" or "All-American Road" status from the Federal Highway Administration and should lay out the actions and/or accomplishments that would be required to apply for such a recognition. The CMPs could also identify goals such as legislation at the municipal, county, state, or national levels to promote and protect the Delaware Byways, such as enhanced viewshed protections.

The CMPs contain specific milestones for implementing actions items and states who is responsible for each. The CMPs also include performance measures for the continuing review of how well implementation responsibilities are being met. The Byway Coordinator will conduct inspections of the Byways to ensure the stability of intrinsic qualities and the character of the corridor for which it merited designation and to assess progress made in implementing the Corridor Management Plan.

It is important for BMOs to maintain active organizations to lead, initiate, manage, and implement the strategies and actions laid out in the CMP. Holding regular meetings and delegating responsibilities will provide the ongoing and necessary coordination and collaboration to accomplish the goals of the Byway. It is also critical to maintain relationship with byway stakeholders and agencies with jurisdiction along the byway that provide technical assistance towards reaching CMP goals.

The information that must be included in a Corridor Management Plan can be found in [Appendix X](#).

Annual reporting on Corridor Management Plan implementation

The DelDOT Byway Coordinator will ride each byway at least once per year with a BMO member and preferably in advance of the annual report due date. This drive-thru will enable the Byway Coordinator and BMO to assess corridor conditions that are under the purview of DelDOT and are specified in the *Context Sensitive Solutions For Delaware Byways* document, as well as to conduct a viewshed analysis.

The BMO is required to monitor implementation of the CMP annually, including the protection of intrinsic qualities, by providing a written status report to DelDOT's Byway Coordinator submitted electronically by December 31. This report should describe progress or activity made in implementing the plan, any funds secured, accomplishments achieved, and modifications made to the CMP based on evolving circumstances. The details of the annual CMP reporting requirements are provided in Chapter 5, Roles of the Byways Management Organization and [Appendix X](#).

The BMO is required to update their Corridor Management Plan CMP every five years.

Chapter 5 Byway Extensions

Byway extension definition

A byway extension is the contiguous addition of the byway corridor that reflects the existing intrinsic qualities of the existing byway and enhances the overall quality of the byway as described in the Corridor Management Plan.

The process to extend a byway

The process to extend a byway is similar to the process needed to designate a new byway, with a few differences. First, the Byways Management Organization must agree pursuing an extension is for the byway's benefit. This discussion should include the Byway Coordinator prior to a BMO vote.

The BMO will then assemble a committee to gather the information to support the Extension Application and Public Outreach. This Committee will develop maps and description of the proposed extension route, collect and draft information on the proposed extension resources and conduct public outreach for comments and input on the materials and draft Extension Application. The Byway Coordinator is available as a resource throughout the process.

When the information gathering and public outreach period is completed, the BMO can choose to move forward with drafting an Extension Application. This will be an evident action if the BMO feels that it has the support of major stakeholders, the surrounding community, and DelDOT. This document will then be submitted to the DelDOT Secretary for approval.

Information needed to extend a byway

The BMO needs to specifically provide the following information about the proposed extension:

- A physical description of the route.
- Representative photographs and videos.
- A map indicating the boundaries of the route that locates the intrinsic qualities along the extension corridor, and indicates land uses in the corridor.
- An intrinsic quality resource inventory.
- A written statement that summarizes and evaluates that the extension contains the primary intrinsic quality for which the existing byway corridor merited designation and that also describes the significance of any secondary intrinsic qualities present along the route.
- A written description of what a traveler will see when traversing the corridor.
- A description of public involvement conducted and the comments and input that have resulted from this process.

The approval of a byway extension

Once the BMO has completed the process of collecting needed information and conducting public input and has compiled everything in a final extension application document, it is forwarded to the Byway Coordinator for review and approval. If approved, it will be provided to the DelDOT Secretary for final approval and signature.

Update CMP with the byway extension information

Once the extension is approved, the extension application document must be used to draft a CMP Update. If the extension information is being drafted as a separate document, the original CMP needs to be updated to reflect the Byway Update on the front cover. Guidance from the Byway Coordinator will be provided to ensure the best way to incorporate the CMP Update.

Refer to the **Appendix X** CMP for information needed in the extension update.

Chapter 6 De-designation and Delisting of a Byway

Byway de-designation and delisting

If a Delaware Byway no longer possess the intrinsic qualities nor meet the criteria which supported their designation may be de-designated or delisted from the Delaware Byways Program to limit time and investment of DelDOT in a non-performing Byway. The ultimate goal of the Delaware Byways Program is never to de-designate or delist a byway. Every effort to restore the byway to meet the criteria set forth during the designation process will be attempted.

A Delaware Byway may become fully de-designated from the Delaware Byways Program to limit time and investment in failing Byways for the following reasons:

- If the corridor is designated, but a CMP is not completed in a timely manner.
- If the byway loses the qualities for which it was designated.
- If the byway is not being managed or Annual Reports remain Unsatisfactory after a prolonged period.
- If Byway Stakeholder organizations request this process and has the public and DelDOT support.

De-designation

Reasons that a Byway may be de-designated:

1. Lack of Corridor Management Plan

Once a byway has been designated by the Secretary of Transportation, the sponsor group has five years from the date of designation to complete an approved CMP for the byway. If a CMP is not completed and approved by this date, the byway will be automatically de-designated as a State Byway.

2. Substantial change to intrinsic resource

It is the State's responsibility to assure that the intrinsic qualities of the National Scenic Byways and All-American Roads are being properly maintained in accordance with the corridor management plan. When it is determined that the intrinsic qualities of a National Scenic Byway or All-American Road have not been maintained sufficiently to retain its designation, the State and/or Federal agency will be notified of such finding and allowed 90 days for corrective actions before the U.S. Secretary of Transportation may begin formal de-designation.

When the DelDOT Byway Coordinator conducts an inspection of any Delaware Byway and identifies a substantial diminishment in any one of the intrinsic qualities for which it has been designated, the de-designation process may be initiated. This process may only begin, however, after DelDOT has indicated its concerns to the BMO in written form including, if possible, a plan for remedial action to restore the qualities for which the roadway was designated, allowing a one-year period for showing progress. DelDOT can

allow more time to accomplish remedial action if necessary. If, however, no remedial action plan is agreed upon, DelDOT will proceed with de-designation.

3. Lack of active Byways management

If the byway is not managed by an active BMO for a period of 5 years, the byway stands to be de-designated. It is critical the byway's intrinsic qualities are maintained to remain as part Delaware's Byway Program. If annual reports to the Byway Coordinator remain Unsatisfactory and regular meetings of the BMO are not held, or the BMO disbands, the byway is in jeopardy of de-designation. This process may only begin, however, after DelDOT has indicated its concerns to the BMO in written form including, if possible, a plan for remedial action to restore the qualities for which the roadway was designated, allowing a one-year period for showing progress. DelDOT can allow more time to accomplish remedial action if necessary. If, however, no remedial action plan is agreed upon, DelDOT will proceed with de-designation. If the BMO disbands and other interested parties are not recruited to form a new BMO, the byway de-designation process will begin.

4. Byway Stakeholder Request with Public Support

In addition to DelDOT's ability to initiate a de-designation inquiry, any interested party, including individuals, local governments, counties, tourism departments, historical societies, non-profit organizations and state and federal agencies, may request in writing that DelDOT initiate this process. This request should include documentation of the reason why the requestor believes the roadway no longer meets the criteria for designation of a Delaware Byway. Whether DelDOT initiates an inquiry into de-designation or a member of the public requests this inquiry, public notice will be provided.

Byways are corridors significant to Delaware's heritage, recreational activities, or scenic beauty. The Delaware Byway Program exists to promote the management, sustainability, and protection of the byway corridors as laid out in each Byway's Corridor Management Plan (CMP). Without regular engagement and activity, BMOs will not be able to maintain organizations that can develop, implement, and manage strategies and actions laid out in the CMP and provide the ongoing and necessary coordination and collaboration to protect and promotes the Byway. Active Byway management is also critical to maintaining active relationships with Byway stakeholders, property owners, and agencies with jurisdiction along the byway that could provide technical assistance and funding towards reaching CMP goals.

The De-Designation Process

The de-designation process will follow generally the same process as the Corridor Plan review process. The Byway Coordinator will prepare information documenting how the corridor no longer meets the criteria for designation. This information will be reviewed by DelDOT's Director of Planning and submitted with his or her recommendation to the DelDOT Secretary for their recommendation.

Once a Byway is de-designated, it will not become a byway again unless a BMO applies for it through the full nomination process.

Delisting

If a Byway becomes de-designated, but for purposes of multi-state connections, name recognition and/or tourism must remain signed and indicated along a corridor, then it will be considered “delisted” from the Delaware Byways Program’s activities. In this state, the Byway will have no active management or dedicated resources devoted to it from the Delaware Byways Coordinator or DelDOT, and the Byway will only exist in name only.

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Chapter 7 Sources of Information to Assist Byway Management Organizations

Overview of Information Sources

Many sources of information are available to assist Delaware Byway Management Organizations (BMOs) in the management of their respective byways. These sources include education, funding help and research, potential byway partners, technical assistance and more. This chapter is not all inclusive as opportunities change and evolve over time. Because of this, the Byway Coordinator is invaluable in helping BMOs find the assistance they need.

Below, information is sorted by the topic:

Byway Education

- National Scenic Byway Foundation [Home - National Scenic Byway Foundation \(nsbfoundation.com\)](http://nsbfoundation.com)
 - This is the best site to find information on all things to do with byways, including training, BMO management, legislation and more. This is each BMO's go to site in addition to reaching out to the Byway Coordinator
- Byways [America's Scenic Byways](http://americascenicbyways.com)

Byway Technical Assistance and/or Funding

- Federal Highway Administration [National Scenic Byways Program - Planning, Environment, & Real Estate - FHWA \(dot.gov\)](http://nscb.fhwa.dot.gov) [America's Byways \(dot.gov\)](http://americascenicbyways.com)
 - These sites will provide information on the federal program and a map of all National and All American byways
 - When the application period is open, they also provide the application forms and information for the National Scenic Byway and All-American Road designations.
- DelDOT [Delaware Byways - Delaware Department of Transportation \(deldot.gov\)](http://delawarebyways.com)
 - This site is overseen by the Byway Coordinator and is also a source for education and byway management.
 - [Transportation Alternatives Program - TAP - Delaware Department of Transportation \(deldot.gov\)](http://delawarebyways.com) This program can fund byway projects.
- National Park Service [NPS.gov Homepage \(U.S. National Park Service\)](http://nps.gov)
- US Fish and Wildlife [U.S. Fish and Wildlife Service \(fws.gov\)](http://fws.gov)
- National Fish and Wildlife Foundation [National Fish and Wildlife Foundation \(nfwf.org\)](http://nfwf.org)
- National Trust for Historic Preservation [@SavingPlaces | National Trust for Historic Preservation](http://savingplaces.org)
- US Department of Agriculture [USDA](http://usda.gov)

Byway Partners

- Neighboring states
 - PA [Byways Program \(penndot.gov\)](http://penndot.gov)

- NJ [NJ Scenic Byways Overview, Community Programs \(state.nj.us\)](http://state.nj.us)
- MD [Maryland Scenic Byways - MDOT SHA](https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=97) <meta property="og:url" content="https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=97"><meta property="og:type" content="website"><meta property="og:title" content="Maryland Scenic Byways - MDOT SHA"><meta property="og:description" content="Maryland State Highway Administration has a Scenic Byways Protection program and makes corridor management plans"><meta property="og:image" content="https://www.roads.maryland.gov/OCImages/FullColorMDOTSHA-LG.jpg"><meta property="og:image:alt" content="Maryland State Highway Administration"><meta property="og:site_name" content="MDOT State Highway Administration">
- Business community
 - Delaware Chamber of Commerce [Delaware State Chamber of Commerce | Wilmington DE 19899 - Delaware State Chamber of Commerce \(dsc.com\)](http://dsc.com)
- Main Street Delaware [Home - Main Street Delaware](http://mainstreetdelaware.com)
- Friends Groups
 - Lewes Historic Byway [Friends of Cape Henlopen State Park - Welcome to FOCHSP](http://fochsp.com)
- Delaware Wild Lands [Land Conservation in Delaware - Delaware Wild Lands \(dewildlands.org\)](http://dewildlands.org)
- Scenic America [Scenic America - National Non-Profit Against Visual Pollution](http://scenicamerica.org)
- NGOs

Technical Assistance

- State Agencies
 - DNREC [DNREC Alpha - State of Delaware](http://dnrec.de.gov)
 - Department of Agriculture [Aglands Preservation Program - Delaware Department of Agriculture - State of Delaware](http://delagr.com)
 - DelDOT [Home - Delaware Department of Transportation - State of Delaware \(deldot.gov\)](http://delDOT.gov)
 - Division of Cultural Affairs [Division of Historical and Cultural Affairs - State of Delaware](http://delcultural.com)
- Counties
 - New Castle County [New Castle County, DE - Official Website | Official Website \(nccde.org\)](http://nccde.org)
 - Kent County [Kent County Levy Court Home Page](http://kentcountyde.com)
 - Sussex County [Sussex County \(sussexcountyde.gov\)](http://sussexcountyde.gov)
- American Planning Association [American Planning Association](http://americanplanning.org)
- University of Delaware [University of Delaware \(udel.edu\)](http://udel.edu)
- Delaware State University [Delaware State University \(desu.edu\)](http://desu.edu)
- [American Society of Landscape Architects American Society of Landscape Architects \(asla.org\)](http://asla.org)

Tourism

- Delaware State Tourism [Top Things to Do | Visit Delaware](http://visitdelaware.com)

- Southern Delaware Tourism [About Us \(visitsoutherndelaware.com\)](http://visitsoutherndelaware.com)
- Kent County Tourism [Home Page - Quaint Village Getaways | Kent County DE \(visitdelawarevillages.com\)](http://visitdelawarevillages.com)
- Wilmington Visitor and Convention Bureau [Greater Wilmington, DE Hotels, Events, Restaurants & Things to Do \(visitwilmingtonde.com\)](http://visitwilmingtonde.com)
- National Tour Association [Welcome to the National Tour Association | NTA Online](http://www.ntaonline.com)

Elected Officials

- Representative Lisa Blunt-Rochester [U.S. Representative Lisa Blunt Rochester \(house.gov\)](http://lisa.blunt.house.gov)
- Senator Chris Coons [Home \(senate.gov\)](http://www.chriscoons.senate.gov)
- Senator Tom Carper [United States Senator Tom Carper \(senate.gov\)](http://www.tomcarper.senate.gov)
- Governor John Carney [Governor John Carney - State of Delaware](http://www.governorcarney.com)
- Lt. Governor Bethany Hall-Long [Lieutenant Governor Bethany Hall Long - State of Delaware](http://www.lieutenantgovernor.com)
- Delaware General Assembly [Home - Delaware General Assembly](http://www.delaware.gov)

Delaware Byways Websites and Social Media

- Red Clay Scenic Byway [Red Clay Valley Scenic Byway - Delaware Nature Society](http://www.redclayvalley.com)
- Brandywine Valley National Scenic Byway [HOME - Delaware Greenways](http://www.bvnsb.com)
- National Delaware Bayshore Byway [HOME - Delaware Greenways](http://www.ndbb.com)
- Harriet Tubman Underground Railroad Byway [Harriet Tubman Underground Railroad Byway \(tubmanbywaydelaware.org\)](http://www.tubmanbywaydelaware.org)
- Lewes Historic Byway [HOME - Delaware Greenways](http://www.lewes.com)
- Nanticoke Heritage Byway [Nanticoke Heritage Byway](http://www.nanticokeheritage.com)

Appendix A Corridor Management Plans

Adapted from: “National Scenic Byways Program”. Federal Register. Vol. 60, No. 96. Thursday, May 18, 1995. View this document here: [Federal Register – National Scenic Byways Program](#)

A Corridor Management Plan (CMP) is a written plan developed by the communities along a scenic byway that outlines how to protect and enhance the byway’s intrinsic qualities and character that define their byway corridor.

Most states, and the National Scenic Byways Program, require corridor management plans (CMP) for scenic byway designation. CMPs are community-based and flexible “living documents” that outline the goals, strategies, and responsibilities for preserving and promoting the byway. CMPs typically address issues such as tourism development, historic and natural preservation, roadway safety, and economic development.

A CMP is designed to change with the community and respond to new proposals and developments along the byway corridor and they are often guided by the “14-point plan” recommended by the National Scenic Byways Program.

What’s in a Corridor Management Plan?

Corridor management plans address a wide variety of issues. The level of detail in a CMP is dependent upon its role in the community and the byway planning process. If the CMP is intended solely for the local community, the document can be fairly short and address issues in broad terms. However, a more detailed plan will be necessary if the CMP is to form the basis of state or national scenic byways applications, or for grant and other funding applications.

It is important to remember that the CMP is a guide that addresses issues but does not necessarily offer solutions for every problem. The CMP should address major goals, such as improved road access for other modes of transportation, like bicycles, but does not have to lay out a specific plan for implementing the goal.

At the very least, a CMP should identify and discuss the byway’s intrinsic qualities, review the roadway’s current condition and maintenance plans, explore visitor needs and expectations, and discuss how to promote the byway while protecting its outstanding features in the future.

Federal Highway Administration’s 14-points

The Federal Highway Administration (FHWA) lists 14 components that must be in any CMP included in a byway’s application for national recognition. The CMP will help your byway group envision future changes and address issues before they become a problem.

The FHWA requirements for a CMP are:

- A map identifying the corridor boundaries, location of intrinsic qualities, and land uses in the corridor. U. S. Geological Survey maps of your corridor region are ideal and inexpensive base maps for your corridor management planning group.
- An assessment of the byway's intrinsic qualities and their context (the area surrounding them). The end product is typically a catalogue of the byway's scenic, historic, natural, archeological, cultural, and recreational qualities. A community visual assessment is an ideal way to involve a large number of local residents in evaluating the byway's resources. *O Say Can You See: A Visual Awareness Toolkit for Communities*, available from Scenic America, is a good way to start.
- A strategy for maintaining and enhancing each of the byway's intrinsic qualities. Ask what you want the byway corridor to look like in 10-15 years and develop goals and strategies to help you get there.
- A list of the agencies, groups, and individuals who are part of the team that will carry out the plan. Be sure to include a description of each individual's responsibilities and a schedule of when and how you will review their progress.
- A strategy for how existing development along the corridor might be enhanced and how to accommodate new development while preserving the byway's intrinsic qualities. Many communities have long-term land-use plans that can be adapted for this purpose.
- A plan for on-going public participation. This might include forming a CMP steering committee made up of local citizens, a schedule of regular public meetings, or a byway management planning forum.
- A general review of the road's safety record to locate hazards and poor design, and identify possible corrections. Identify ways to balance safety with context-sensitive highway design practices that accommodate safety needs while preserving the road's character.
- A plan to accommodate commercial traffic while ensuring the safety of sightseers in smaller vehicles, as well as bicyclists, joggers, and pedestrians. Some CMP's incorporate plans to apply for Federal Transportation Enhancement funds to pay for the installation of special bicycle lanes along the byway or the creation of hiking trails.
- A listing and discussion of efforts to minimize anomalous intrusions on the visitor's experience of the byway. This might include landscaping to screen an industrial site, relocating utility wires and poles, or planning for the sensitive location of wireless telecommunications towers along the byway.
- Documentation of compliance with all existing local, state, and federal laws about the control of outdoor advertising. Federal regulations prohibit all new billboards along designated scenic byways that are classified as federal-aid primary, national highway system, or interstate roads. States are free to impose stricter controls on billboards along scenic byways. Your CMP should also address the continuous designation of the road to ensure that billboard companies

will not be able to find a loophole in your byway designation that would allow them to erect billboards along the corridor.

- A plan to make sure that the number and placement of highway signs will not get in the way of scenery, but still be sufficient to help tourists find their way. This includes, where appropriate, signs for international tourists who may not speak English fluently. Two popular and effective ways of addressing this issue are logo signs and tourist-oriented directional signs (TODS). Logo signs are located on interstate highway rights-of-way and advertise gas, food, camping, and lodging at nearby exits. Highway-oriented businesses can advertise their company's symbol, name, trademark, or a combination of these things on a logo sign. A few states, like Utah and Maine, provide TODS primarily on non-interstate rural highways to help motorists find local businesses. TODS indicate only the name of local attractions, mileage to the establishment, and direction.
- Plans for how to market and publicize the byway. Most marketing plans highlight the area's intrinsic qualities and promote interest in the byway that is consistent with resource protection efforts and maintenance of the byway's desired character.
- Any proposals for modifying the roadway, including an evaluation of design standards and how proposed changes may affect the byway's intrinsic qualities. Byway groups should work with their state department of transportation to adopt context-sensitive highway design standards for the byway. Context-sensitive design takes into account the area's built and natural environment; the environmental, scenic, aesthetic, historic, community, and preservation impacts of a road project; and provides access for other modes of transportation.
- A description of what you plan to do to explain and interpret your byway's significant resources to visitors. Interpretation can include visitor centers, leaflets, audio tours, information panels, and special events. In this category, creativity makes a big difference.