

Executive Summary

The purpose of this background paper is to outline the policies, processes and requirements in state law and begin to discuss opportunities for Washington State's Scenic and Recreational Highway System. The background papers will serve to stimulate discussion and develop the foundation for the State's Scenic and Recreational Highways Plan, a required element of the Multi-Modal Transportation Plan for Washington. See **Appendix A** of this paper for state and federal Laws.

What are Scenic and Recreational Highways in Washington State?

There is confusion of terms and definitions associated with Scenic Byways and Scenic and Recreational Highways. Currently, state law uses both the term *Scenic and Recreational Highway* and *Scenic Byway* interchangeably and does not provide a definition for either. This is likely because sections of state law were added over time. The state law does define the term *Scenic System* as:

- (a) any state highway within any public park, federal forest area, public beach, public recreation area, or national monument;
- (b) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system; or
- (c) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in the law or located within areas zoned by the governing county for predominantly commercial or industrial uses, and having development visible to the highway.

(Revised Code of Washington 47.42)

For the purpose of this plan, the term "***Scenic and Recreational***

Comment [V1]: Please see comment V16:

According to RCW 47.06.050, a Scenic & Recreational Highways **Plan** is not 'required' as an element to the Multi-Modal Plan. This needs to be corrected as it is misleading.

Comment [S2]: Federal Register / Vol. 60, No. 96 / Thursday, May 18, 1995 / Notices 26759

i. **Scenic Byway** means a public road having special scenic, historic, recreational, cultural, archeological, and/or natural qualities that have been recognized as such through legislation or some other official declaration. The terms "road" and "highway" are synonymous. They are not meant to define higher or lower functional classifications or wider or narrower cross-sections. Moreover, the terms State Scenic Byway, National Scenic Byway, or All-American Road refer not only to the road or highway itself but also to the corridor through which it passes.

j. **State Scenic Byway** means a road or highway under State, Federal, or local ownership that has been designated by the State through legislation or some other official declaration for its scenic, historic, recreational, cultural, archeological, or natural qualities. An Official Declaration is an action taken by a Governor or that of an individual, board, committee, or political subdivision acting with granted authority on behalf of the State.

If there are current or replacement definitions, could the WSDOT please supply for us?

Comment [V3]: RCW 47.39 does not define or state the term Scenic Byways and Recreational Highways as interchangeable; it **does** distinguish roadways, such as -- Scenic Byways and All-American Roadways -- and it **does** identify each as '**part of** the scenic and recreational highway system'.

Comment [V4]: Is this provided to support the idea that the Scenic & Recreational Highway & Scenic Byway are interchangeable? If so, RCW 47.42.025 seems to contradict this as it excludes sections of the Scenic and Recreational Highway system from the Scenic System. Please see Comment S2.

Comment [V5]: See Comment V3

Highways” will be used to refer to those segments of state highway specifically called out in state law (RCW 47.39.020 and RCW 47.42.140) and included in **Appendix B** of this background paper. The term “**Scenic System**” will be used to describe the state network of Scenic and Recreational Highways. 4,006 miles of the approximately 7,000 mile state highway system make up Washington’s Scenic and Recreational Highways. They were originally identified by a visual assessment or corridor review process. Amendments adding new segments of state highway have been made over time by the state legislature.

How do Scenic and Recreational Highways relate to National Scenic Byways?

State law also recognizes that the federal Transportation Efficiency Act established a *National Scenic Byway Program* that is beneficial to this State. A segment of State highway or roadway has to be recognized in state law to become a National Scenic Byway. Once designated in State law, the highway or roadway becomes eligible to apply for the Federal Highway Administration’s (FHWA’s) National Scenic Byway grants. **Appendix B** also includes a map of those sections of the State’s Scenic and Recreational System that are currently considered eligible by FHWA to compete for National Scenic Byway grants.

What is the purpose of the plan?

Through out the development of the plan, we are asking a primary question: What should be the focus of the statewide program that WSDOT is responsible for leading and how can it meet the needs of Washington’s communities.

Consistent with federal and state planning requirements, the purpose is to develop a plan and implementation strategy for Washington’s Scenic and Recreational Highways to ensure stewardship of the state’s most spectacular and diverse landscapes, including scenic, natural, recreational, cultural, and historic resources.

Comment [S6]: To be clear, this report should also refer to ONLY scenic and recreational highways and ONLY Scenic Byways, where applicable. Scenic Byways have different requirements and intrinsic qualities. These two terms must be made excruciatingly clear throughout the plan.

Can WSDOT please post the latest map on the List-Serv as well as on the scenic byway discussion area? (When we met with Paula we received a copy of the map). Also, for historic progress, can you create a timeline WITH maps showing how these have changed since the Scenic Byways Program was conceived?

Comment [S7]: How many miles make up scenic byways as of 2009? What is the percentage of byway compared to highways in Washington? What is the percentage of Scenic and Recreational Highways compared to highways in Washington?

Comment [V8]: Is the “State Highway System” the same as the “Scenic System” – as described in the paragraph above? If not, it would be valuable to know what this system is and how much of the Scenic System makes up the State Highway System.

Comment [S9]: This is confusing: a state scenic byway is not necessarily a national scenic byway; state scenic byways are also eligible for FHWA’s funding. Is this required by state law? Interim guidelines do not require legislative action.

Comment [S10]: To avoid confusion, “~~the highway or roadway scenic byway~~” A “highway or roadway” is not eligible for FHWA funding.

Comment [V11]: This question should not be asked in connection to Scenic Byways as it is not consistent with the federal guidelines that created the SB Program, including:
The ‘FOCUS’ – SB Managers/Communities along a scenic byway create a corridor management plan (CMP) to establish a ‘FOCUS’ which addresses local needs as well as user services.
WSDOT cannot possibly identify a single ‘focus’ that represents all SB communities, nor is it WSDOT’s role to do this.

Comment [V12]: WSDOT is responsible for “providing technical assistance and guidance” for this program to byway managers who lead project planning, development, etc.

Comment [V13]: Please reference in which law or document these requirements appear.

Comment [S14]: There are six intrinsic qualities in order to qualify as a Scenic Byway. Is this cited in this background paper?

The state law (RCW 47.06.050) calls for the Scenic and Recreational Highways Plan, an element of the Statewide Multi-modal Transportation Plan that identifies and recommends:

- Designation of scenic and recreational highways,
- Strategies for enhancing access to resources associated with scenic byways,
- Strategies for protecting, preserving, and enhancing these resources.

Beyond legal requirements, why update the plan?

In addition to meeting the requirements, the Plan will help ensure a shared goal, raise awareness about important needs, and help make the most strategic use of limited resources. The Plan development process may also help to identify new opportunities including:

- partnerships among stakeholder organizations and agencies,
- ties between corridor management plans for the scenic system, local comprehensive plans, and other transportation plans, and
- ties to new 2008 legislation related to stewardship and adaptation planning and planning for climate change.

The US Code requires state designation of a scenic byway before it can be considered for national designation, which also indicates a level of planning is necessary by the State. Both the US Code and FHWA's 1995 Interim Policy support State strategic planning for scenic byways in that they distinguish between state and national scenic byways programs. Additionally, the Interim Policy identifies the role of states to include, "assuring that the intrinsic qualities of the National Scenic Byways and All-American Roads are being properly maintained in accordance with the corridor management plan".

Title 23, Sec. 162 USC is primarily focused on federal administration of the National Scenic Byways Program, but does not preclude strategic planning for state scenic byway programs or development of state strategies for implementing the National Scenic Byways Program. Title 23, Sec. 162 USC

Comment [S15]: RCW 47.06.050

(d) A scenic and recreational highways **element**, which shall identify and recommend designation of scenic and recreational highways, provide for enhanced access to scenic, recreational, and cultural resources associated with designated routes, and recommend a variety of management strategies to protect, preserve, and enhance these resources. The department, affected counties, cities, and towns, regional transportation planning organizations, and other state or federal agencies shall jointly develop this element;

Reference is made to scenic and recreational highways, which can include scenic byways, but does not specifically mention scenic byways. **Cannot find the "Statewide Multi-Modal Transportation Plan on-line to refer to.**

Comment [V16]: First: Law' cited DOES NOT call for a Scenic and Recreational Highways PLAN but a 'State-Wide Multi-Modal Transportation Plan' that consists of a 'state highway system plan' with inclusion of a "**scenic and recreational highways element, which, shall identify and recommend designation of scenic and recreational highways, provide for enhanced access to scenic, recreational, and cultural resources associated with designated routes, and recommend a variety of management strategies to protect, preserve, and enhance these resources.**" – (47.06.050, 1d).

This is not requiring DOT to create a Scenic and Recreational Highways Plan as part of the Multi-Modal Transportation Plan, as stated in the Background Paper.

Second: Bullet Point 1 is addressing Scenic & Recreational Hwys and Bullet Point 2 is addressing just Scenic Byways. Is 1 asking to develop designation guidelines for Scenic Byways or Recreational Highways? If so, Washington State has operated a Scenic Byways Program for over 20 years and has been participating in the federal program since the early 90's. What guidelines we used for designation? Additionally, the federal program provides guidelines for Scenic Byway designation which WSDOT should adopt if not using already.

Third: Bullet Point 3 addresses strategies for protecting, preserving, etc. -- each Scenic Byways CMP includes a strategy for maintaining and enhancing the byway's qualities -- as described in FHWA guidelines. **See Comment 38.**

Comment [V17]: This is not an up-date, correct? A State Scenic & Recreational Plan does not currently exist or is this an update to the Scenic and Recreational Element included in existing State-wide Plan? Regarding legal obligation, please refer to V9 above.

Comment [V18]: What section of the US Code states this? FHWA docket no. 95-15, Section 3a) reads, "**Any highway or road submitted for designation under the National Scenic Byways Program by State or Federal agencies should be designated as a State scenic byway. However, roads that meet all criteria and requirements for National designation but not State or Federal agencies' designation criteria may be considered for national designation on a case-by-case basis.**"

Comment [V19]: How does distinguishing between state and national programs create support for 'state' strategic planning, when nowhere does it state this in the US Code or FHWA's Interim Policy...

Comment [S20]: The words "Strategic plan" are not included in either the code or 1995 interim policy. Both Title 23 & the FHWA's 1995 Interim Policy reference corridor management plan.

makes planning, design, and development of State programs eligible for grant funding under the National Scenic Byways Program.

How is the plan being developed?

As with all state transportation plans, public participation is an instrumental part of the development the State's Scenic and Recreational Highways Plan. Outreach across the state to groups including interest groups for specific Scenic and Recreational Highways, local and regional agencies, tribes and others is being conducted to get initial input into the Plan. Background papers and reports will be developed with public input accepted via the website, e-mail, phone, and in letter form. These background papers and related public input will serve as the foundation for the Plan. In addition, a "list serve" or electronic discussion tool was created for discussion and information sharing. A series of public hearings will be held prior to completion of the plan.

The Plan is being developed with guidance from a multi-agency Steering Committee comprised of the agencies, stakeholders, and organizations identified in the State law:

- Ashley Probart, Association of Washington Cities
- Ruth Harvey, Association of Washington Counties
- David Hiller, Cascade Bicycle Club
- Dean Moberg, Federal Highway Administration
- Maree Larchen and Sandy Balch, Local Byway Leaders (2 representatives)
- Rosemary Siipola, MPO/RTPO Coordinating Committee
- Diane Croal, National Park Service
- Bonnie Lippitt, National Forest Service
- Greg Griffith, State Dept. of Archeology and Historic Preservation
- Hugo Flores, State Dept. of Natural Resources
- Anne Fritzel, State Growth Management Office
- Susan Kempf, State MainStreet Program
- Betsy Gable, State Office of Tourism
- Randy Person, State Parks
- Jim Eychaner, State Recreation and Conservation Office
- Kirk Vinish, Tribal Transportation Planning Organization

Comment [V21]: Why is this included? It doesn't support the purpose for the plan. It seems the only purpose to include this is make the point that the state is not prevented from implementing its own strategies for the National Byways Program... If the state has no agenda to revise the current program, what is the significance of including this Section of the USC? It gives the wrong impression of WSDOT objective.

Comment [S22]: We should have a list of Steering Committee Members including their names, titles, who they represent, their email address, their phone number and addresses AND the contacts for the Scenic Byways as well as Scenic and Recreational Highways. Would also like to request how each steering committee relates to "scenic byways" versus "scenic and recreational" highways.

Finally, there should be a full listing each of the scenic byway contacts even if this includes more than one person.

Comment [S23]: Most of the steering committee members seem to be from Seattle or Olympia. The reason for concern is that the majority of the scenic system is located in rural regions: (2) representative through the Association of Washington Cities and the Association of Washington Counties with (2) representatives for the scenic byways for a total of (4) on a committee of 23 representatives. Membership seems skewed to professional planners and governmental policy staff.

- Paul Parker, Washington State Transportation Commission

What is the timeline for the plan?

This project is to be completed by early 2010 in order to help inform the State Highway System Plan and Washington’s Transportation Plan. Both of these important State plans present an opportunity to raise awareness about the State Scenic and Recreational Highway System and needs on the Scenic System.

	2010												
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb					
Public Involvement Process Begins													
Website and List-Serv Established													
Steering Committee Meetings													
Public Hearings													
Analysis of Available Data													
Background Paper 1: Practices, Policies and Procedures													
Background Paper 2: Develop Goals, Benchmarks, Performance Measures													
Develop Outline of the Plan													
Draft Plan Document													
60 Day Comment Period													
Final Plan Document													

Comment [S24]: The timeline appears to show accepting public comment at the same time as releasing the final plan.

What are some of the opportunities for Washington State?

During the development of the plan to date, three primary purposes or priorities for the State Scenic and Recreational Highways have emerged – stewardship, tourism, and planning. Some opportunities for strengthening Washington’s Scenic and Recreational Highways have also been identified.

Comment [S25]: Where did these three primary purposes and priorities come from? The first meeting stressed the need to remove confusion between “scenic and recreational highway” and “scenic byway” – this took up a majority of the meeting because the first WSDOT PowerPoint used these two terms interchangeably. Another portion was taken up by an overview on “how to create strategic plans.” Much of it had more to do with scenic byways coordinators’ questions and concerns.

Strengthening the foundation for the Scenic System

Comment [V26]: This statement is not consistent with the current status of WA-scenic byways. 3) PLANNING: Washington’s program is beyond the planning stage in its development. Planning comes at the beginning. Most SB’s have completed CMP’s and all National designated byways were required to complete a CMP. Our focus is on implementation, subject to funding, of the already written CMP’s and on continued preservation of our byways.

There is an important opportunity to re-visit the foundation of Washington's Scenic and Recreational Highway System by building on the original designation process. Visual assessments or corridors reviews were the original tool used to designate the current Scenic System. Now there is more data and new technology that should be re-viewed to strengthen the foundation of the existing system, ensure a common state goal, and make any corrections or additions that may be needed (see Map in **Appendix A**). Several specific opportunities to strengthen the foundation for the system include:

- Making any necessary corrections to the state's legal descriptions of Scenic and Recreational Highways.
- Clarifying the purpose and priorities for the state's Scenic and Recreational Highways.
- Addressing sections of the Scenic and Recreational Highways that pass through cities – are they part of the Scenic System or excluded?

Connecting and coordinating plans

Connected and coordinated planning provides numerous benefits to communities, taxpayers, and the public at large. The decisions each community makes regarding the design of its transportation network will have a lasting impact on growth patterns, community design, and mobility. For these reasons, Corridor Management Plans can be important to accomplishing a range of community planning objectives.

There are 24 Corridor Management Plans, representing an investment of approximately \$3 million in federal funding that have been completed for approximately 2,900 miles of Scenic and Recreational Highway System to date. These plans contain data, goals and priorities identified the System that were developed by local interest groups and partner agencies and organizations. This important information has, in most cases, not made its way into local comprehensive plans or regional transportation plans.

Formally and informally connecting these planning processes would not only be an efficiency, but also create new opportunities and resources for increasing access to, protecting, and preserving resources associated with

the State's Scenic System. Some case studies and examples provide more detail in Section 2 of this report.

Identifying partners

There are a number of partnerships established in the *Scenic and Recreational Highways Act* that have not been fully developed. There is an opportunity to increase collaboration in developing and implementing Washington's Scenic and Recreational Highway System. Partner organizations and opportunities are discussed in more detail in Section 3 of this report.

How will this help the **Byway Interest Groups**?

These efforts, strengthening the foundation of the program, increasing partnerships, and connecting corridor management plans, local comprehensive plans, and regional plans, will:

- Raise awareness of the needs and priorities associated with the Scenic and Recreational Highway System.
- Help to identify and connect funding sources for projects and priorities in the corridor management plans.
- Streamline and support administration of projects initiated by byway interest groups.
- Provide performance measurement information to enable benchmarking and better communication of performance in tourism, planning, and stewardship.
- Create new opportunities and resources for increasing access to, protecting, and preserving resources associated with the State's Scenic and Recreational Highways.

Section 1: Washington's Scenic and Recreational Highways

In 1967, the State Legislature enacted the *State Scenic and Recreational Highway Act* (referred to as the Act) which established guidance for

Comment [V27]: Who are the 'Byway Interest Groups' referred to here? Are these the Byway managers/leaders? If so, they need to be addressed appropriately.

developing designation and maintenance criteria for Washington's Scenic and Recreational Highway System. The Act also called for planning, design standards, and legislative approval of additions to the State's Scenic System.

Why do we have a Scenic System of Highways?

In 1990, the state legislature amended the State Scenic and Recreational Highway Act and found,

"Scenic and recreational highways are designated because of a need to develop management plans that will protect and preserve the scenic and recreational resources from loss through inappropriate development. Protection of scenic and recreational resources includes managing land use outside normal highway rights-of-way. The legislature recognizes that scenic and recreational highways are typically located in areas that are natural in character, along watercourses or through mountainous areas, or in areas with a view of such scenery." [1990 c 240].

This legislative finding gives insight into reasons and priorities for Washington's Scenic and Recreational Highway System. Additionally, the *State Scenic and Recreational Highways Act* calls out several funding priorities including funding further development of the "State Scenic Byway Program" and bicycle and pedestrian connections and improvements, including signage.

After conducting the first Steering Committee meeting as part of developing the plan, three clear purposes or priorities for the Scenic and Recreational Highway System have emerged including (no priority order):

- **Stewardship** – protecting, preserving, and enhancing resources associated with the State Scenic and Recreational Highways.
- **Tourism** – enhancing access to resources associated with Scenic and Recreational Highways.
- **Planning** – improving the implementation of corridor management plans by connecting them with other required local, regional and state plans.

While tourism has been a high priority for Washington State in recent years

Comment [V28]: Why isn't the federal program mentioned anywhere in this section? This would be important as Washington State has actively participated in this program since 1992, and byway managers have received funding each year.

Comment [V29]: As a participant in that meeting—these priorities did not emerge from this meeting, they were presented as 'the priorities' by WSDOT.

and the state has been a leader in this area, it is clear that improving planning and increasing stewardship are also important to partner agencies and organizations, interest groups, and law makers. This plan is required to address each of these priority areas (RCW 47.06.050).

How do highways become part of the Scenic System?

The *State Scenic and Recreational Highways Act* (referred to as the *Act*) directs WSDOT to consult with state departments and others to develop criteria for assessing and nominating segments of state highway as part of the State Scenic and Recreational Highway System. The Act directs WSDOT to consider general factors for designating or removal criteria including, but not limited to:

- Scenic quality
- Natural aspects
- Historic elements
- Cultural features
- Archaeological features
- Recreational features
- Roadway safety
- Byway management plans
- Local involvement and support

The *State Scenic and Recreational Highways Act* is clear that a highway designated under state law does not become part of the Scenic and Recreational Highway System unless approved by the State Legislature. In recent years, the State Legislature has also nominated additional portions of the state highway system and ferry routes as Scenic and Recreational Highways.

What steps have been taken to meet requirements in state law?

Comment [S30]: Not true: tourism is the 4th leading industry in Washington State yet tourism funding is very low compared to Oregon and many other states.

Comment [S31]: Please specify this was an amendment to the scenic byway program of the San Juan Islands Byway, which included making all ferries a "scenic byway" for purposes of the Scenic and Recreational Act.

Comment [V32]: This whole section is VERY confusing because in the introduction of this document, the term, **Scenic System** is stated as referring to "the S & R Hwy network", and the term, **Scenic & Recreational Hwy** is stated as referring to "those segments of state highway specifically called out in state law (RCW 47.39.020 and RCW 47.42.140) and included in **Appendix B** of this background paper". According to the header, all highways associated with the Scenic System is meant to be included here?

State investment on Scenic and Recreational Highways

As part of the Act, the State Legislature provided that motor vehicle funds from the state highway construction budget may be used, if available, for specific elements including:

- Right of way acquisition
- Highway or roadway construction
- Access to scenic observation points
- Safety rest areas
- Highway landscaping
- Signs and markers

WSDOT has a number of projects that support the State's Scenic and Recreational Highway System in the current work program. See Appendix C, for a map of WSDOT projects on the Scenic System.

Identifying and promoting tourist routes

The Act also calls for consultation among state and local agencies including: WSDOT, the State Tourism Office, the Department of Natural Resources, the Parks and Recreation Commission, affected cities, towns, and counties, Regional Transportation Planning Organizations, bicycling groups, and others to identify loops or tourist routes for the promotion of tourism and economic growth that also protects the scenic and recreational quality.

Washington State is a leader among states in this area and significant effort has been made to connect tourism and marketing with some of the Scenic and Recreational Highway System. WSDOT has worked with the State Tourism Office and others to develop a state map for the promotion of tourism. The State Tourism Office, with support from WSDOT has created a travel guide, Web sites, and other resources. Many of the local byway interest groups are made up of experts in marketing and tourism and a portion of the National Scenic Byway grants to Washington state are in support of marketing and tourism promotion.

Comment [S33]: To which section or subsection of which act does this refer (Scenic and Recreational Highways, Scenic Vistas?)

Comment [S34]: To my knowledge motor vehicle funds have never been made available for scenic byways. If so, please list, or give links to these projects. May Scenic Byways themselves apply for these funds directly?

Comment [V35]: 1: What projects are specifically related to Scenic byways, recreational hwy's, etc., individually? I don't see where the map identifies this. It would be good to know what projects are associated with each.
2: What about investments directly associated with byway improvements & maintenance by Byway Managers? I think this should be mentioned as this would identify accurate byway project activity.

Comment [S36]: It would help us all if we could see a historical timeline complete with the maps for "Scenic Byways" and for "Scenic and Recreational Highways." It would also be invaluable to have a copy of the current legal scenic and recreational highway system including scenic byways.

Planning and designing State Scenic and Recreational Highways

The *State Scenic and Recreational Highways Act* includes direction on local planning and design standards. It assigns the coordination role to the Department of Commerce (formerly Department of Community Trade and Economic Development), which is consistent with their role in coordinating and administering the State's Growth Management Act (RCW 36.70A, Recreation and Transportation Elements of Comprehensive Plans). The *State Scenic and Recreational Highways Act* calls on WSDOT, the Parks and Recreation Commission and others to prepare, submit and file development standards relating to state highways designated as Scenic Byways. It calls for planning and design standards to be established for the following features, at a minimum:

- Trails
- Campsites and shelters
- Boat launch sites
- Access and easements to lakes
- Safety rest areas
- Interpretive facilities
- Observation facilities
- Roadside landscaping
- Viewpoint preservation
- Signs and markers

While state design guidance for these features exists in many cases, it has not been compiled into one resource to be made available for easy reference by local and regional agencies and organizations.

Corridor Management Plans

State law also directs WSDOT to work with local communities on corridor management plans for state highways identified in the law, but does not define the purpose or provide guidance on the content of corridor management plans. This guidance may be appropriately contained in Washington's Administrative Code or State Growth Management Act, but

Comment [S37]: Excerpt:

RCW 47.39.040 -- Planning and design standards established by department of community, trade, and economic development.
The establishment of planning and design standards for items provided for in RCW 47.39.050 shall be coordinated by the department of community, trade, and economic development. The department of transportation, parks and recreation commission, and any other departments or commissions whose interests are affected shall prepare, submit, and file with the department of community, trade, and economic development standards relating to the scenic and recreational highway system. If varying planning and design standards are filed, the department of community, trade, and economic development shall consult with the submitting agencies on the merits of the several proposals and, based upon such consultation, establish a set of standards. Pursuant to the planning and design standards so established, the department of transportation and the parks and recreation commission shall develop the highways and areas adjacent thereto to accomplish the purposes of this chapter, but the department shall retain exclusive authority over the highway right-of-way.

Responsibility for construction and maintenance is hereby established between the department and the parks and recreation commission with the department responsible for activities financed with funds provided for under RCW 47.39.030(1) and the parks and recreation commission responsible for activities financed from other sources of funds. By mutual consent, responsibility for development and/or maintenance may be transferred between the two agencies.

Comment [S38]: How does the Growth Management Act fit here? It doesn't follow that because Commerce/CTED coordinates (47.39.040) that it will also use their GMA staff, specifically on the "state scenic byways."

Need specific cite section of the GMA.

Comment [V39]: Is this talking about existing Scenic Byways? If so, most management plans are already in existence. Additionally, the national program provides clear and complete guidelines on what should be included in the CMP. See FHWA, docket no. 95-15, section 9.

Comment [S40]: Does this refer to Scenic Byways? If so replace "highway" with "state scenic byway."

Comment [S41]: **2. Definitions** b. *Corridor Management Plan* means a written document that specifies the actions, procedures, controls, operational practices and administrative strategies to maintain the scenic, historic, recreational, cultural, archeological, and natural qualities of the scenic byway. [FHWA's 1995 Interim Policy referred to page 2 "Why update the Plan?"].

does not currently exist.

Corridor management planning is eligible for funding through National Scenic Byways discretionary grants. However, the Code of Federal Regulations does not provide minimum requirements for these plans. Some guidance for the development of corridor management plans funded through the National Scenic Byways Grant program is found in the 1995 Federal Highway Administration's Interim Policy Guide for the National Scenic Byways.

In Washington State, corridor management plans are not currently required to be adopted as part of city or county comprehensive plans, or connect in any way to other transportation plans required by state law.

What does the law say about signs on State Scenic and Recreational Highways?

The Highway Advertising Control Act, originally passed by the State Legislature in 1961, was intended to protect scenic qualities along Washington's Interstate highway system while assuring that traveler information is presented safely and effectively. This state legislation complied with federal advertising sign control standards and qualified our state for 'bonus funds' which were used for Interstate highway construction. The legislation also controlled signs on 'scenic' state highway segments; these were highways passing through public parks, recreational areas, and national forest lands. This original 'scenic' definition combined with highway segments that are declared to be scenic highways by the legislature

(RCW 47.39) comprise the current definition of the State's Scenic System. The legislature extended regulation to primary highways in 1971 through the Scenic Vistas Act.

How does this affect Scenic and Recreational Highways?

In general, this law regulates the location, size, spacing and lighting of signs visible to the Interstate, primary, and Scenic and Recreational

Comment [V42]: FHWA, docket no. 95-15, section 9 provides clear and specific guidance in what should be included in the management plan, citing 14 descriptive components. Additionally, Scenic Byway CMP's are designed to **change with the community and respond to new proposals and developments**; therefore, an element of flexibility within the CMP is necessary in order to effectively and adequately protect and enhance the byway's intrinsic qualities and character that define the byway corridor.

Comment [S43]: Excerpt:

(7) "Scenic system" means (a) any state highway within any public park, federal forest area, public beach, public recreation area, or national monument, (b) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system, or (c) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the **scenic and recreational highway system** except for the sections of highways specifically excluded in RCW 47.42.025 or located within areas zoned by the governing county for predominantly commercial and industrial uses, and having development visible to the highway, as determined by the department.

Comment [S44]: Scenic Vistas Act How specifically does the Scenic Vistas Act relate to "Scenic Byways"

Highways. The law prescribes a blanket prohibition on offpremise advertising signs along Scenic System highways. There are three categories of highway segments that are excluded from this blanket prohibition:

- Highway segments excluded from the Scenic System, listed in RCW 47.42.025.
- Scenic and Recreational Highway segments that pass through incorporated cities or towns .
- Scenic and Recreational Highway segments that pass through areas of 'visible development' as defined in WAC 468-66-010(28). A visible development area exists where there is a combination of zoning for commercial or industrial land use, and, the presence of commercial or industrial activity.

Case law has determined that federal and state highway advertising control laws do not apply on certain Indian lands. WSDOT does not issue off premise advertising permits for signs located on tribal trust property

Who are the partners?

State law calls for coordination and consultation with a number of partner agencies and organizations. Representatives from each have been invited to participate in shaping this plan, as well as defining strategies for improving Washington's Scenic and Recreational Highways.

Washington State Department of Transportation

WSDOT's role in Scenic and Recreational Highways is focused on managing the state's highways and includes working with partners to plan for and develop the system. WSDOT also commits one fulltime employee to provide technical assistance and help develop funding partnerships.

Washington State Department of Commerce (formerly Department of Community, Trade, and Economic Development)

Comment [S45]: Excerpt: Highway Advertising Act of 1967. (17) "National scenic byway" means any state highway designated as part of the national scenic byway system authorized by the 1991 Intermodal Surface Transportation Efficiency Act. (21) (c) Any national scenic byway or state highway or portion thereof, outside the boundaries of any incorporated city or town, designated by the legislature in chapter 47.39 RCW as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in RCW 47.42.025 or located within areas zoned by the governing county for predominantly commercial and industrial uses, and having development visible to the highway as determined by the department. (28) "Visible development area" means a five hundred-foot area along a scenic system state highway, that is zoned for predominantly commercial or industrial uses by the governing county, having three or more commercial or industrial activities within the five hundred-foot area that are visible to traffic in both directions. The consideration of commercial or industrial activities, and measurements that establish the area shall conform with RCW 47.42.020(9).

Within the Department of Commerce, there are several offices that play important roles. The State Tourism Office, has been a primary partner to date and has developed a number of marketing and promotional efforts associated with Washington's Scenic and Recreational Highways including:

- Providing education and training opportunities for local byway interest groups.
- Developing websites, guides, and publications.
- Producing advertizing campaigns.
- Marketing a number of the State Scenic and Recreational Highways.

In addition to continued collaboration with the State Tourism Office, two other offices within Department of Commerce, Washington's Mainstreets Program and Washington's Office of Growth Management, have roles to play in planning, stewardship, and tourism for our State's Scenic and Recreational Highways.

State Parks and National Park Service

Washington State Parks and the National Park Service have been an important partners in developing the State's Scenic and Recreational Highway System. They have also participated in the Heritage Caucus, typically consulted when segments of state highway are being considered for designation as part of the State's Scenic and Recreational Highway System.

WSDOT will strengthen partnerships with State Parks and the National Park Service by working closely with them to develop design guidance and review and improve program criteria among other projects associated with Scenic and Recreational Highways.

Washington State Department of Archeology and Historic Preservation

The Department of Archaeology and Historic Preservation (DAHP) is Washington State's primary agency with knowledge and expertise in preserving Washington's historic and cultural resources – significant buildings, structures, sites, objects, and districts – as assets for the future.

Historic preservation in many communities is recognized as an economic development tool. DAHP has helped to identify and provide technical assistance support for a number of projects on or near the State's Scenic and Recreational Highway system that in some cases, acquired National Scenic Byway grant funding.

WSDOT will continue the existing partnership and work to increase coordination with DAHP related to stewardship, planning, and tourism associated with the Scenic System.

Washington State Department of Natural Resources

The Department of Natural Resources, the stewards of public land in Washington State, provide important information on rare species and biologically sensitive areas for governments to consider when developing land use and transportation plans. This information is being used along with information associated with historic and cultural resources, parks, reserves, and forests to develop a stewardship index. The index provides additional foundation and support for the State's Scenic and Recreational Highway System and may help determine stewardship priorities.

WSDOT will develop a stronger working relationship with Department of Natural Resources to help define strategies for protecting and preserving resources associated with the Scenic System.

Tribal Governments

Tribal governments in Washington have been leaders in stewardship, planning, and tourism related to the State's Scenic and Recreational Highways. Several tribal governments participate in byway groups or serve as byway leaders for segments of the Scenic and Recreational Highway system and have developed a number of successful projects and improvements.

Through the WSDOT Secretary's Executive Order 1025.01 on Tribal Consultation, WSDOT is committed to government-to-government consultation with tribes on identified rights and interests. WSDOT will continue to provide technical assistance and increase coordination with

tribal governments. A board member of the Tribal Transportation Planning Organization is serving on the multi-agency Steering Committee to develop the Washington State Scenic and Recreational Highways Plan.

Regional Transportation Planning Organizations

In Washington, Regional Transportation Planning Organizations (RTPOs) include cities, counties, WSDOT, transit agencies, ports, and private employers in their membership. In summary, RTPOs are required by state and federal law to:

- Prepare a regional transportation plan.
- Certify that countywide planning policies and the transportation element of local comprehensive plans are consistent with the regional transportation plan.
- Develop and maintain a six-year regional transportation improvement program.

Most RTPOs do not currently consider Scenic and Recreational Highways in their transportation plans. WSDOT will work to provide information and technical assistance to help RTPOs incorporate discussion of these needs in their planning process.

Local Agencies

The 281 cities and towns and 39 counties, most planning under Washington's Growth Management Act, are very important partners in developing Washington's Scenic and Recreational Highway System. WSDOT will work to strengthening the connection between local, regional, and state plans regarding the Scenic System by providing information, resources, and encouraging formal ties between corridor management plans and other required state, local, and regional plans.

Private and Non-Profit Partners

Local byway interest groups are key partners in Washington's Scenic and Recreational Highways. Many of the byway leaders are volunteers from the local business community. In most cases they lead corridor

Comment [S46]: Yet only 2 local agencies sit on the steering committee (Association of WA Cities & Association of WA Counties).

management planning, market and promote portions of the Scenic System, and coordinate development of grant applications to the National Scenic Byway Program. WSDOT will continue to provide information and assistance to the public, private, and non-profit organizations, and look for opportunities to link them with other state and regional resources. WSDOT will support formal and informal connections between corridor management planning and other required state, regional, and local planning processes.

Section 2: Scenic Highways in the United States

While Washington's Scenic and Recreational Highways and the communities and byway interest groups that steward them are models for the nation, it can be informative to step outside the state and look at other examples. This section provides a few examples to stimulate discussion in three primary areas: tourism, stewardship and planning.

What can we learn from other states?

National Scenic Byway legislation established that highways and roads should first be recognized at the state level as scenic highways before becoming eligible to receive National Byway status and compete for FHWA's grant funding. This prompted state scenic highway programs across the country to develop in a short time span. Today, approximately 48 states have some type of scenic byway program and in 2008, 43 states, including Washington, received some funding through the National Scenic Byway Grant Program.¹

A number of states, such as Washington, Oregon, Florida, New York, California, and Colorado have formal scenic highway programs that are authorized by state legislation. Other states, such as Maryland and North Carolina, have administrative authority to submit grant applications for the National Scenic Byways grants. Some states, such as Missouri and Illinois,

Comment [S47]: Referenced examples do not necessarily relate to scenic byways. Please give a balanced representation of other states' treatment of their scenic byways.

Comment [V48]: FHWA, docket no. 95-15, 3a
"However, roads that meet all criteria and requirements for National designation but not State or Federal agencies' designation criteria may be considered for national designation on a case-by-case basis."

Comment [S49]:
While it is true that state law must recognize a byway as a state byway before it can become a national byway, it is only true that the byway be recognized by the Governor (or other formal process) as a state scenic byway in order to compete for FHWA funding.

¹ Scenic America and Federal Highway Administration (FHWA)

have informal scenic highway programs and have designated a road or roads as scenic as part of special initiatives.²

Processes and criteria for designating scenic byways, highways, or areas are very different across the country. In some states, designation of scenic corridors is initiated at the local level. In other states like Washington, the State Legislature nominates the roads. In some states, scenic highway designation is based on proximity to “Scenic Areas of Statewide Significance”. Some states designate scenic highways based on criteria including aesthetics, natural beauty and historic resources, and in other states criteria relates more to tourism and travel experience.

Exemplary Stewardship Efforts

Vermont – Billboard Ban

In 1968, Vermont prohibited new billboards and provided an amortization period of five years to remove existing billboards. By 1974, Vermont felled its last billboard.

In 1997, the state commissioned an independent study of outdoor advertising to review the success of the billboard ban and to assess other forms of advertising. Public opinion polls and studies echoed the 1967 report. The study stated that traveler information solutions must maintain Vermont’s quality environment, continue to prohibit billboards, and prevent sign clutter. (Source: Scenic America)

Ohio – Scenic River Memorandum of Agreement

The Scenic River Memorandum of Agreement (MOA) was established to streamline and enhance coordination efforts for transportation projects impacting State Scenic Rivers in Ohio, as required by the Ohio Revised Code, Section 1517.16. The MOA delegates review authority to the Ohio Department of Transportation’s district environmental coordinators and the

Comment [S50]:

Excerpt [FHWA’s 1995 Interim Policy] i. *Scenic Byway* means a public road having special scenic, historic, recreational, cultural, archeological, and/or natural qualities that have been recognized as such through legislation or some other official declaration. The terms “road” and “highway” are synonymous. They are not meant to define higher or lower functional classifications or wider or narrower cross-sections. Moreover, the terms State Scenic Byway, National Scenic Byway, or All-American Road refer not only to the road or highway itself but also to the corridor through which it passes.

j. *State Scenic Byway* means a road or highway under State, Federal, or local ownership that has been designated by the State through legislation or some other official declaration for its scenic, historic, recreational, cultural, archeological, or natural qualities. An Official Declaration is an action taken by a Governor or that of an individual, board, committee, or political subdivision acting with granted authority on behalf of the State.

Comment [S51]: New York’s Scenic Vistas Act, which is one component of their Scenic Byway Program. Should include information on Vermont’s very successful state and national byway program.

Comment [S52]: Ohio Revised Code: **1517.16 Approving structures and channel modifications.**

No state department, state agency, or political subdivision shall build or enlarge any highway, road, or structure or modify or cause the modification of the channel of any watercourse within a wild, scenic, or recreational river area outside the limits of a municipal corporation without first having obtained approval of the plans for the highway, road, or structure or channel modification from the director of natural resources or his representative. The court of common pleas having jurisdiction, upon petition by the director, shall enjoin work on any highway, road, or structure or channel modification for which such approval has not been obtained.

² Sagastizabal, D., *A Highway Runs Through It*, University of Florida Law School, 1999.

Ohio Department of Natural Resource's Scenic River managers on minor projects with minimal or no impacts to scenic Rivers. These projects include those which are minor in nature and have minimal potential for significantly impacting the natural environment of designated scenic rivers, provided that a standard procedure and general conditions exist to avoid, minimize, and mitigate significant impacts to scenic rivers and jurisdictional water courses. Five tiers of projects, along with five streamlined coordination processes, were defined by the MOA and the complexity and duration of the coordination process is matched to the level of potential impact to the scenic river.

Summit County, CO – Transfer Development Rights

The Upper Blue Basin Planning Area transfers are primarily designed to control traffic growth and preserve scenic vistas. A key goal of the Joint Upper Blue Master Plan is to protect backcountry character and direct density toward areas that could appropriately accommodate it. This guidance led to the adoption of Transferable Development Rights (TDR) regulations for the basin and an intergovernmental agreement on TDRs between the county and the town of Breckenridge. The intergovernmental agreement was last amended on April 10, 2007. Under these rules, and under the policy guidance of the Countywide Comprehensive Plan, no upzonings are allowed unless TDRs accompany the request.

The Upper Blue Basin TDR Program was initiated in 2000 and has been the most successful TDR program in the county. To date it has protected 939.69 acres and generated \$1,366,833 to be recycled for more open space purchases. The success of the Upper Blue TDR program stems from the joint efforts of the county, and towns of Breckenridge and Blue River to implement the program, and more importantly the public foresight, initiative, and support to develop the program. Based on the success of the Upper Blue TDR program, in 2006 the Snake River and Ten Mile Basins developed TDR program regulations almost identical to the Upper Blue's.

Leon County, FL - Tree Canopy Ordinance

Recognizing the contribution of canopy roads to quality of life, Leon County and the City of Tallahassee have designated a 76-mile tree protection

Comment [S53]: Regulatory; not for scenic byways management. Scenic byway managers don't deal with land transfers.

Comment [S54]: How does this relate to scenic byways? Many communities have tree ordinances, the city of Olympia does.

zone of canopy roads (twenty miles of the roads are in the city and 56 miles in the county). The zone extends 100 feet from the centerline of the designated road.

Napa, CA – Viewshed Protection Ordinance

To preserve the unique scenic quality of Napa County, the Board of Supervisors passed an innovative Viewshed Protection Ordinance. The ordinance sets forth hillside development standards to minimize the impact of man-made structures and grading on views of existing landscapes and open spaces as seen from designated public roads within the county.

Specifically, the Ordinance:

- Provides hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the county.
- Protects and preserve views of major and minor ridgelines from designated public roads.
- Creates a development review process that maximizes administrative, staff level approval of projects which meet administrative standards, while also providing a vehicle for review by the zoning.
- Minimizes cut and fill, earthmoving, grading operations and other such man-made effects on the natural terrain to ensure that finished slopes are compatible with existing land character.
- Promotes architecture and designs that are compatible with hillside terrain and minimize visual impacts.

Model Tourism Efforts

Washington’s own tourism efforts – Revisiting Washington Campaign

Washington State Department of Commerce’s Tourism Office partnership project with WSDOT was recently recognized nationally by America’s

Comment [S55]: California has some of the most restrictive unworkable regulations in this country. Regulatory, does not apply to scenic byway managers.

Byways Resource Center and presented with a Scenic Byway Award for the Revisiting Washington CD and Website for travelers. Revisiting Washington: A Guide to the Evergreen State is based on the original Washington guidebook produced in 1941. It contains the historic content but updated with current field notations and digital navigational tools. Revisiting Washington also includes a collection of images and graphics, as well as historic audio and video selections.

Alabama Association of Regional Councils – Coordinated Tourism Survey

Alabama Association of Regional Councils (AARC) and the Alabama Department of Tourism partnered to compile a statewide inventory of scenic byways in the state. The purpose of the inventory project was to:

- Determine, through a survey, which roadways local officials, economic development and tourism professionals, and other interested groups and individuals feel are the most attractive drives through the state,
- Show, by mapping the roads identified on the surveys, where the potential exists to develop an interconnected network of scenic byways that will offer travelers alternate routes to their destinations and increase visits to less-traveled areas of the state, and
- Create a tool that the Scenic Byways Advisory Council can use in developing and promoting the scenic byways program.

The AARC partnered with its twelve member regions, which were tasked with identifying scenic roadways within their respective regions and reporting their findings. Each of the twelve regional councils distributed surveys—with an accompanying cover letter—to elected officials, city and county staff, chamber of commerce staff, tourism representatives, historic preservation groups, civic groups, local media, and other community leaders and local contacts. A total of 6900 surveys were distributed.

Minnesota River Valley Scenic Byway – Agricultural Heritage Tourism

Comment [S56]: Please provide a link or source to this Coordinated Tourism Survey & date.

Washington state has an old inventory which is badly in need of updating. To my knowledge there's no funding for such an inventory.

Comment [S57]: **Excerpt:** http://www.culturalheritagetourism.org/success_stories/minnesota.htm While the Prairie Waters Coalition has forwarded the cause of agritourism in its five-county region, a larger organization with a broader scope has lent credence to the work of agritourism proponents in Minnesota. This is the Minnesota River Valley Scenic Byway, an RDC-coordinated project. The byway, which spans 13 counties including the five covered by Prairie Waters, obtained state scenic byway status in 1995 and will seek designation as a National Scenic Byway in 2002. In 2000, the Minnesota River Valley Scenic Byway Alliance prepared its corridor management plan and developed its primary interpretive themes, one of which is "Food for a Nation." This theme provides the structure to unite all of the agricultural heritage sites and facilities into one experience linked by interpretation and the coordinating arm of the Alliance.

Comment: Washington Tourism / Department of Commerce works within the tourism industry (including scenic byways managers) to tell our authentic stories. This includes culinary tourism as well as geo/eco-tourism, voluntourism, civic tourism and much more. Leslie Johnson, NWTT, recently participated in a culinary workshop jointly sponsored by WA Agriculture and WA Tourism Departments.

A diverse committee of counties, cities, regional agencies, and other organizations supported this regional effort in southern Minnesota to tie agriculture and tourism together called, *Taking Food to a Nation*. Telling the story of the region's innovations, productivity, and farming systems helps visitors to better appreciate the importance of agriculture and brings new opportunities to area farming communities.

Planning Case Studies

Florida State Planning Tool Box

In Florida, local government comprehensive plans combine planning and regulatory functions. A scenic highway's corridor management plan must be either adopted into a local government's comprehensive plan or it must be demonstrated that the comprehensive plan already contains provisions to protect the corridor. Specifically, these elements include a map displaying the corridor, a corridor vision statement, and goals, objectives and strategies related to the specific local government. This required coordination helps ensure scenic highways do not suffer from piecemeal local planning. Communities that want to protect the particular character of a scenic or rural area can promote use of scenic easements or adopt a scenic overlay zone. A scenic easement is a type of conservation easement aimed at protecting a scenic resource, similar to agricultural easements. Where an agricultural easement is designed to protect farmland, a scenic easement is designed to preserve a particular scenic view and can overlap with other conservation goals such as the protection of open space, wildlife habitat, forests, or wetlands.

New York State – Coastal Management Program

In recognition of the scenic value of the coast, New York's Coastal Management Program (CMP) includes two policies which provide for the

Comment [S58]: **Excerpt:** <http://www.dot.state.fl.us/emo/ScenicHWY/faqs1.shtm#9> Designation does not necessarily require additional work during planning and project development. Since a requirement of designation is that Corridor goals and specific action items are included in the local government comprehensive plan - a document already examined during planning and project development - no new requirements exist. However, it may be wise for the scenic highway's Corridor Management Plan to be examined during planning and project development. These plans will outline action plans for the corridor, elements of which could be incorporated into programmed improvements. **[My emphasis] It should also be noted that a new Chapter (29) discussing designated scenic highways was recently added to the Department's Project Development and Environment Manual. This chapter informs the practitioner of available information about the Corridor and assists in outlining special considerations that may be examined regarding scenic highways during project development.**

Comment [S59]: Coastal Management or Coastal Zone Management is completely different from scenic and recreational highway planning and scenic **byway** planning. This is also not part of the scenic byway program.

protection and enhancement of these resources. The first policy provides for the designation and protection of "scenic areas of statewide significance"; and the second policy requires that proposed actions located outside a designated scenic area must protect, restore, or enhance the overall scenic quality of the coastal area. Both policies call for agencies to determine if a proposed action would impair scenic quality.

These two policies state that impairment of a landscape's scenic quality can occur in two ways: 1) through the irreversible modification or destruction of landscape features and architectural elements which contribute significantly to the scenic quality of the coast, and 2) through the addition of structures which reduce views or are discordant with the landscape because of their inappropriate scale, form, or construction materials.

Both policies include siting and design guidelines which are to be used to evaluate the impact of proposed development, recognizing that each situation is unique and that the guidelines must be applied accordingly. The guidelines address the appropriate siting of new structures and other development; the use of scale, form, and materials which are compatible with the landscape's existing scenic components; the incorporation of historic elements in new development; the maintenance of existing landforms and vegetation; and the removal and screening of discordant features.

Ventura County, CA – Scenic Highway Overlay Zone

Ventura County adopted, as part of their General Plan, criteria for designating scenic areas and scenic highways. Their ordinance also outlines minimum requirements for scenic highways which must be met in order to receive scenic highway designation including:

- Regulation of land use and density of development (i.e., general plan classifications with specific density restrictions and types of allowable land uses).
- Detailed land and site planning (i.e., establishment of a permit or design review authority and defined regulations for the

Comment [S60]: The scenic Highway Overlay Zone is a part of a 162 page General Plan.

Excerpt: 1.7 Scenic Resources

The visual beauty and aesthetic quality of the natural landscape in Ventura County are significant resources. The County's natural visual resources are largely composed of the varied topography, exposed geological formations, heterogeneous vegetation, beaches and waterways. **The man-made environment of parks, golf courses, harbors, public buildings, and major commercial, industrial, and residential developments can also contribute to, or detract from, scenic resource quality.** The scenic resources of Ventura County, especially the coastline, within the *viewshed* of the County's lakes, and along designated State and County Scenic Highways, are of considerable value both in providing a pleasurable environment for local citizens and in stimulating tourism. Coastline resources are discussed in the Coastal Area Plan, and the *viewshed* of lakes and scenic highways are discussed herein. Conservation of scenic resources is most critical where the resources will be frequently and readily viewed, as from a highway, or where the resource is particularly unique. **Ventura County has identified the *viewsheds* of lakes and State or County designated scenic highways as being worthy of special protection.** These protected areas are described as *Scenic Resource Areas* which are depicted in Resource Protection Map (Figure 1). In addition, area plans may identify local scenic resources as *Scenic Resource Areas* unique or of significant importance to that area.

review of proposed developments and projects).

- Control of outdoor advertising (i.e., prohibition of off-premise signs in rural settings, control of onsite advertising structures, with allowances for traveler information).
- Careful attention to and control of earthmoving and landscaping (i.e., adoption of a grading ordinance, grading permit requirements, approval by a permit or design review authority, landscaping, and vegetation requirements).
- The design and appearance of structures and equipment (i.e., design review authority and regulations).

In addition to these requirements, Ventura County's ordinance provides for a Scenic Highway Overlay Zone as the means to protect the viewshed or area in view of scenic highways and lakes, and other scenic areas identified by their General Plan. The Overlay Zone may be applied to the length of a corridor and includes the following requirements:

- Requires a discretionary permit.
- Requires compliance with the County's Tree Protection Regulations.
- Prohibits significant degradation or destruction of a scenic view or vista.
- Prohibits freestanding off-site advertising signs.

Calabasas, CA– Scenic Corridor Guidelines

The City Council established Scenic Corridor Guidelines which is set at 500 feet from the right-of-way line for the scenic roadways. Specifically, the guidelines apply to:

- Properties located within five hundred (500) feet of the right-of-way of the four corridors identified in the guidelines be designated the a scenic corridors.
- Properties located between the right-of-way of the designated road and the prominent ridgeline which defines the viewshed from the scenic corridor.
- Properties where the director determines development may have an impact upon the designated scenic corridor.

Comment [S61]: Calabasas, CA Ordinance No. 94-69, Applies to:

- Ventura Freeway/Highway 101
- Mulholland Highway
- Las Virgenes Road
- Old Topanga Road

Regulatory: This does not appear to apply to scenic byway program.

In these designated scenic corridors, a design review panel was created to review the architecture and landscape architecture of all commercial projects, signage, and residential development projects within scenic corridors.

The guidelines recommend that development in a scenic corridor adhere to the following:

- Structures are to be situated on the property in a manner to minimize adverse impacts to public views.
- Structures are to avoid large, straight, blank facades.
- Roofs are to be surfaced with medium dark colored fire-retardant non-glare material.
- Utilities are to be buried underground, where feasible.
- Vehicle parking lots are to be screened from view using landscaping, earthen berms, and/or strategic building placement.
- Where feasible, reclaimed water is to be used for irrigation.
- Lighting is to be designed and placed in a manner which prevents ambient illumination beyond the project/site boundaries.

Townships of Chester County, PN – Intergovernmental Agreement

Seven townships entered into an agreement to study, advocate, seek funding, and implement plans for the improvement and protection of the Brandywine Valley Scenic Byway. The agreement permits the partnering municipalities to cooperate for the enhancement and conservation of the scenic byways. The agreement establishes a commission of appointed representatives to implement the agreement and obligates each township to:

- Adopt an ordinance ratifying participation in the commission and authorizing the execution of the agreement.

Comment [S62]: Is this 2005 ORDINANCE NO. 162? What has their success been? This was all about the corridor management planning process.

Excerpt: <http://www.kennett.pa.us/boardsandcommissions/zhb/Ordinances/Ord%20162.htm>

The purpose and objectives of the Commission include but are not limited to:

- (1) Study and recommend a corridor management plan; and
- (2) Educate the Townships, their residents, and visitors on the scenic, historical, cultural, recreational, natural importance of the Byway; and
- (3) Apply for, receipt of, and disbursement of funds for use in conjunction with the Byway; and
- (4) Research to provide guidance for the continuing enhancement of the Byway.

- Maintain an ordinance regulating outdoor advertising devices along its designated section of the Byway.

Section 3: Some potential opportunities for Washington

Strengthening the foundation of the Scenic System

Washington's Scenic and Recreational Highway System is based on information collected through an original "visual quality assessment", or corridor review, conducted in 1962. Similar assessments or reviews were conducted at least three more times before 1990. These assessments gathered and compiled a lot of important information about portions of the Scenic and Recreational Highway System. However, new data and new technology exists today that should be evaluated to confirm the original assessments and to strengthen the foundation of the Scenic System.

WSDOT is reviewing the American Farmland Trust's effort to develop a sustainability metric or measure, and will consider applying their model or a similar approach in order to confirm the visual assessments of the past and help develop strategies for preserving and protecting resources associated with the Scenic and Recreational Highways.

Similar to the American Farmland Trust model, WSDOT is considering a "Stewardship Index" or system for measuring stewardship performance throughout the Scenic and Recreational Highway System. This Index would compile all the new data associated with Scenic and Recreational Highways and offer a series of outcome-based measures to enable benchmarking and communication of performance. Consistent with the criteria identified in State law, some of the data to be compiled and mapped collectively in this Stewardship Index include:

- Natural Area Preserves
- Natural Resource Conservation Areas
- Parks
- Reserves

Comment [V63]: Again, are you talking about the scenic system or scenic and recreational hwy as defined in this document's introduction?

Comment [V64]: Does 'original assessments' refer to those conducted in 1962 – which were also re-evaluated, and again confirmed, for National recognition in the 1990's? Why would these need to be re-confirmed, and how does this "strengthen the foundation of the Scenic System"?

Comment [V65]: Why would WSDOT put resources into developing preservation strategies when this is the role of Byway managers and included in their CMPs. Is a process for evaluation being suggested here to ensure that designated byways still meet the criteria, which they were first designated for?

Comment [V66]: Which part of state law is being referred to here?

- Forests
- Historic locations
- Major destinations
- Water bodies
- Natural Heritage Areas
- Current and future land use

Developing goals and improved performance measurement tools for the Scenic and Recreational Highways System is needed and will be detailed in **Background Paper #2**, the next step in developing the State's Scenic and Recreational Highways Plan.

Connecting and coordinating plans

Another opportunity for improvement, connected and coordinated planning provides numerous benefits to communities, taxpayers, and the public at large. Based on anticipated population growth, development, and traffic growth, the findings of corridor management planning processes will be increasingly valuable. The decisions each community makes regarding the design of its transportation network will have a lasting impact on growth patterns, community design, and mobility. For these reasons, corridor management plans can help to accomplish a range of community planning objectives.

Corridor management planning, when done in the context of the local planning process, can enhance the likelihood of coordinated land use decisions that both protect and support new investments to be made in the corridor.

There are currently 24 corridor management plans, representing an investment of approximately \$3 million in federal funding since 1992, completed for nearly 2,900 miles of Scenic and Recreational Highway System to date. These plans contain important data, goals and priorities identified that were developed by local byway interest groups and partner agencies and organizations. This valuable information has, in most cases, not made its way into local comprehensive plans or regional transportation plans.

Formally and informally adopting or incorporating information from these

Comment [V67]: Is this statement directed at scenic byways? If so, the GOALS of each byway appears in the CMP—some may even include how performance is measured. Additionally, who is in need of these tools and/or expressed a need for these – the Byway Managers or WSDOT?

corridor management plans as part of local comprehensive plans and regional transportation plans would not only be an efficiency, but also create new opportunities and resources for increasing access to, protecting, and preserving resources associated with the State's Scenic System. Some case studies and examples provide concepts for discussion in Section 2 of this report.

How will this help the **Byway Interest Groups?**

These efforts, strengthening the foundation of the scenic system by building on the "visual assessments" of the past with new information and increasing connectivity between corridor management plans, local comprehensive plans, and regional plans, will:

- Raise awareness of the needs and priorities associated with the Scenic and Recreational Highway System.
- Help to identify and connect funding sources for projects and priorities in the corridor management plans.
- Streamline and support administration of projects by **byway groups**.
- Provide performance measurement information to enable benchmarking and better communication of performance in tourism, planning, and stewardship.
- Create new opportunities and resources for increasing access to, protecting, and preserving resources associated with the State's Scenic System.

Identifying partnerships

There are a number of partnerships called out in the Scenic and Recreational Highways Act that have not been fully developed.

What is WSDOT's commitment and focus?

WSDOT will continue to provide information and assistance to the public, private, and non-profit groups (i.e., **byway groups**, local business community, interested citizens) and look for opportunities to link them with other state and regional resources. WSDOT will support formal and

Comment [V68]: Is this addressing Byway Managers?

Comment [V69]: Byway managers

Comment [V70]: Since all Washington Byways, All-American Roads, Scenic Sites, etc., are part of the overall Scenic & Recreational Highways System, it would add clarity to this Plan if each were listed with its own description and needs/information as a **sub-set under the overall system**. Therefore, it would be understood how each unique highway is currently defined and what each needs and/or lacks (example: policies, guidelines, etc).

Comment [V71]: Byway Managers?

informal connection between Corridor Management Planning and other required state, regional and local planning processes.

WSDOT will continue to work with Washington State Department of Commerce to maintain strong ties with the Office of Tourism. Two other Offices, Washington's Mainstreets Program and Washington's Office of Growth Management may also have roles to play in planning, stewardship, and tourism for State's Scenic and Recreational Highways. WSDOT will explore opportunities to strengthen connections with these other offices within Washington State Department of Commerce.

Washington State Parks is developing design guidance and WSDOT will support their efforts. WSDOT will also work closely with State Parks review and improve program criteria among other projects associated with Scenic and Recreational Highways.

WSDOT will continue the existing partnership and work to increase coordination with Washington's Department of Archeology and Historic Preservation related to stewardship, planning, and tourism associated with the Scenic System.

WSDOT will continue to coordinate with Department of Natural Resources to help define strategies for protecting and preserving resources associated with the Scenic System.

By increasing coordination with the Tribal Transportation Planning Organization, WSDOT will increase its technical assistance and connection with Tribal Governments related to stewardship, planning, and tourism on Washington's Scenic and Recreational Highways.

Most RTPOs do not currently consider scenic and recreational highways in their transportation plans. WSDOT will work to provide information and technical assistance to help RTPOs incorporate discussion of these needs in their planning process.

WSDOT will also focus on strengthening the connection between local, regional, and state plans regarding the Scenic System by providing information, resources, and encouraging formal ties between Corridor Management Plans and other required state, local, and regional plans.

