

PUBLIC COMMENTS

RESOLUTION 2004-051

AGENDA ITEM 0.1.a.

Murphy, Linda

From: Milli Martin [millimom@xyz.net]
Sent: Tuesday, September 07, 2004 7:38 AM
To: Murphy, Linda; Pete Sprague
Subject: Homer News Editorial



Homer News
Editorial 9204

Good Morning Linda,

Please share the attached with Assembly Members. Thank you. Milli

Assembly should say 'yes' to scenic byway

Editorial

It seems so motherhood and apple pie, it's hard to understand why the Kenai Peninsula Borough Assembly isn't unanimously supporting an effort to designate the Sterling Highway between Skilak Lake Road and Anchor Point a state Scenic Byway.

Already two portions of the highway have that moniker: from Anchor Point to Homer and from Skilak Lake Road to the Seward Highway.

As assembly member Milli Martin of Diamond Ridge says: It makes sense to connect all the dots & in this case, all peninsula communities along the highway.

The designation also would connect the dots of a bigger picture by completing the country's first scenic byway loop, linking the Sterling Highway, the Seward All American Road and Alaska's Marine Highway National Scenic Byway, according to supporters. That bigger picture would create unique marketing and economic opportunities for all peninsula communities.

Without the borough's support, it's unlikely the state designation will become a reality. Without the state designation, the inclusion of the Sterling Highway in the national byways program will not go forward.

That would be unfortunate.

The byways program is not about government regulation or control. There are no strings attached & except for a prohibition on new billboards and Alaska already has a billboard law in place. It's also not about roads with the best views. It's about recognition of highways that have recreational, historical, cultural, natural or archaeological values. The Sterling Highway has all those traits in abundance & plus, for most of its length, views that rival those of any highway in the world.

While some may argue that there are enough tourists who visit the peninsula without such a designation, the peninsula's popularity as a visitor destination is exactly why the borough should lend its support to the byway program.

The designation opens the door to federal grants that could be used for such things as interpretive signs, rest stops, restrooms, trail heads, visitor centers, riverbank rehabilitation and construction of fishing platforms. It's funding that wouldn't be available otherwise, and projects are determined at the local level. Anyone who drives the Sterling Highway

frequently knows there's a lack of amenities along long stretches of the road & amenities that could be put to good use by residents and visitors no matter what the season.

More important than the economic opportunities the byway designation will bring, however, is the potential it holds to unite the diverse communities along the highway. As the peninsula prepares for the Arctic Winter Games in 2006, having the entire area linked by this common thread could prove pivotal, setting the stage for the entire games. The cooperation needed for both the games and the byway designation could stretch and spread to other areas and issues.

The assembly is missing not only an economic opportunity, but also a chance to unite peninsula communities behind something bigger than each individual place. When the resolution supporting the scenic byway designation is heard again next week, assembly members should put aside unfounded fears and vote "yes."

Murphy, Linda

From: Betty Glick [bjg@alaska.net]
Sent: Tuesday, September 07, 2004 12:38 AM
To: Linda S. Murphy,CMC/AAE
Subject: Fw: Scenic Byway
Importance: High

Linda:

Please make copies of this available for the other Assembly Members and the public, if necessary.

Thank you

Betty

----- Original Message -----

From: Alaska Land Rights Coalition
To: 'Dan Chay' ; bjg@alaska.net
Sent: Saturday, September 04, 2004 6:14 PM
Subject: Scenic Byway

Dan and Betty:

I'd like to say the scenic byway is a good idea and you ought to support it, but Alaskans have been led down the primrose path too often with innocent-sounding schemes to take the chance. Better that you assume the NIMTOO stance: (Not in My Term of Office!).

I realize it is difficult for elected leaders to question establishing a scenic byway because you are likely to be perceived as paranoid obstructionists. The carrot of "free" money is a powerful incentive for communities to support byway designations. If it were guaranteed to remain simply a local, regional or state designation, it would be less problematic. However, local designation is the first step toward ultimate federal regulatory oversight when a state advances it, as Alaska quietly accomplished in the late 1990s (created three national scenic byways). The problems come later as management plans that develop standards for design review, etc., are formulated. Not included as desirable future attractions are houses, businesses or industry, especially anything "ugly." The byways' priority qualities are "scenic; natural; historical; cultural; architectural; and recreational."

While the initial designations are required to be sponsored by grassroots community groups under ISTEA, figure a grant from the federal government or national environmental organization was involved but probably not publicized. It is dishonest to say no regulation is involved. Because multiple agencies are involved, no one knows what the Corridor Management Plan will contain, and local elected leaders are traditionally eased out of authority over its approach and contents. The state and federal planning agencies involved tend to pass the buck when residents ask difficult questions; they can all disclaim responsibility for unpleasant restrictions. The first prohibition is usually against anything the planners find to be an unacceptable structure or activity in the byway's "viewshed."

Development restrictions often do not occur until 10 or more years after creation of the byway, so citizens need to be aware that much is going on in the dark of the night. A perfect example is the action by outgoing President Bill Clinton in which he scooped up all the Forest Service acreage that had long been identified as "roadless" in the western states. He simply re-designated it all federal Wilderness, without the required congressional action, and dumped the resultant mess on George Bush. President

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Bush is now giving states the opportunity to reconsider the matter which makes him appear as a destroyer of Wilderness (Clinton's intention). My point here is that when you draw a line along or around a piece of land and give it a nice name, you're going to lose control over it. Otherwise why the designation?

A speaker at an October 2003 New York Property Rights Foundation conference noted: *When you're asked what's wrong with Scenic Byways, and don't you agree that such and such a road is scenic, that's a trap question. You can't honestly say that it isn't scenic. But the way to answer it is with a very basic question of your own: "Why do we need it?" NYS and probably most states can produce all the brochures they want showcasing beautiful back roads, Battle of Plattsburgh events, bed and breakfasts, farmers markets and historic sites, the way they've always done in the past. They can also put funds into state historic agencies to maintain historic buildings, if that really is the intent. You certainly don't need hundreds of miles of an entire roadway with everything on it and everything you can see from it.*

You probably don't have time to read all this but here's an interesting article by Carol LaGrasse, president of the Property Rights Foundation of America, Inc., dated December 2002.

State & County Officials: No Impact on Property Owners

Plan for Scenic Byway in Greene County Arouses Controversy

Councilman's concern for property rights slows designation

Scenic Byway designations are touted as innocent measures to promote tourism by encouraging beautification while bringing in government grants. However, Frederick W. Dedrick, Sr., a councilman in the town of Athens in Greene County, has held up local support for the designation of Route 385 as a Scenic Byway because he fears that property rights will be infringed.

At the December 1 meeting of the Athens Town Board, Mr. Dedrick raised concerns about the idea of a management plan for the route.

"I don't know what they are going to be managing, but it's probably somebody else's land," said Mr. Dedrick, according to an article in the *Catskill Daily Freeman* on the following day.

During a telephone conversation a few days later, Mr. Dedrick discussed his concerns. He said that he thought that his questions were not answered fully. For instance, a spokesman for the New York Department of Transportation, Peter Graves, reportedly said that there would be no state restrictions on land use along the Scenic Byway. He did say, however, according to the *Freeman* in a later article, that a federal regulation about "billboards" could apply.

"The only rule, which is a federal rule, is that on any portion of a scenic byway, you can't put up new billboards," Graves said, according to the *Freeman* article, which was written by Fred Johnson.

"Billboards that were there prior to designation, they can stay." However, businesses rely on signs to let people know about their services, and Mr. Dedrick was concerned that smaller signs could also be restricted. .

What size signs are prohibited in Scenic Byways?

An investigation revealed that the use of the word "billboard" by the Scenic Byway advocates may be misleading.

According to the *Freeman*, a 3.48-mile stretch of Route 385 from Coxsackie to the village of Athens, was designated as a State Scenic Byway when the Department of Transportation began the program in 1992. However, the billboard rule, as reported by the *Freeman*, involves signs much smaller than signs that people would think of as "billboards." The newspaper pointed out that the signs that are allowed on the route under the federal law include "For Sale" and "For Lease" signs, directional signs, Department of Transportation signs, and "Free Coffee" signs.

The *Freeman* pointed out that signs visible within the Scenic Byway, but not intended for viewing from that highway, also would be allowed, depending on size, content and angle in relationship to the highway. However, a reading of the federal Scenic Byway law leaves some question about the rights of owners of property within the viewshed of the Scenic Byway. The law states that one of the purposes of the Scenic Byway is "for protecting and enhancing the landscape and view corridors surrounding such a

highway."

As it turns out, the statute itself does not specify the sizes of signs that would be allowed. Instead the rules are found in an advisory committee report mandated by the Intermodal Surface Transportation Efficiency Act of 1991, the law that established the federal Scenic Byway program. The end result is that virtually all signs of a size to be visible from a motor vehicle are considered "billboards." This enables the officials and advocates to refer to "billboards" during the period before a Scenic Byway is approved, thereby misleading people into inferring the meaning of the word as it is normally used, as a very large sign high above the ground that is readable from a good distance at high vehicle speeds. Considering that the regulatory meaning of "billboard" for the purpose of the Scenic Byway corridor includes virtually any business sign visible from a car, new business signs are prohibited unless they are grandfathered or they fit within the narrow exceptions allowed under the regulations.

Restrictions afoot along the Hudson would be augmented by the Scenic Byway designation

The Hudson River is already part of the Hudson River Greenway, a New York State Legislative program to foster uniform environmental zoning from Troy to the Battery Park, and land trust/government acquisition of land for environmental preservation. In addition, the river has received Congressional designation under a National Park Service program as the Hudson River National Heritage River (NHR) from Troy to the New York City line. Furthermore, an Executive Order by then-President Clinton designated the Hudson River American Heritage River (AHR), after nomination by Governor Pataki to this administration program.

The two federal designations are also greenway programs. The lead agency for the NHA program is the Greenway Communities Council and its associated conservancy. The lead New York State agency for the federal AHR program is the State Department of Environmental Conservation. Originally, among a multitude of federal agencies involved in the AHR program, the federal "Facilitator" was in the Bureau of Land Management for the Department of Interior. When the Hudson River "Navigator" was appointed to fill an office by that name for each designated AHR, an official from the U.S. Department of Agriculture was chosen, succeeding another official, who was in the Watersheds and Wetlands Division of that department who had been the AHR "Interagency Contact." The Greenway and National Heritage River programs affect a county-wide swath of land, but the width of American Heritage River designations is not set in stone.

Owners of private property along the Hudson greenway also face pressure because of certain environmental groups, Scenic Hudson, the Riverkeeper (the original "Riverkeeper" after which the AHR regional governmental officials were named), and the Friends of the Hudson, which devote their organizational resources to protecting the river from development. These organizations have been busily opposing a power plant proposed to be built in Athens and a cement plant proposed nearby. Cement production is one of the traditional manufactures in the area, which is rich in limestone.

The Scenic Byway plan involves several main elements, all of which raised Mr. Dedrick's hackles: an inter-municipal partnership involving Athens, Catskill and Coxsackie; the passage of local ordinances to protect the Scenic Byway; a Scenic Byway corridor management plan, integration of the Scenic Byway with the Greene County Open Space Plan; and grants and funding for the Scenic Byway plan.

One of Mr. Dedrick's top concerns is that Scenic Hudson, a not-profit organization that invariably opposes projects that would be good economically for the area, might be selected to author the management plan. He is concerned that Scenic Hudson might influence towns to pass restrictive zoning ordinances if it is put in charge of the management plan. To "integrate" the Scenic Byway program to the county open space plan would mean more zoning, Mr. Dedrick predicts. In this way, although it can be "truthfully" said in a narrow sense that the state would not impose any new regulations except sign rules, the state/federal Scenic Byway designation would indeed bring in more zoning. However, the upper levels of government would exert their power indirectly, because it will be the *towns* that implement new rules required by the federally mandated management plan to protect the corridor. Mr. Dedrick pointed out how hard the local people worked ten years ago to defeat the Greenway in several of the towns in the vicinity, but that Greenway-style programs are now being slipped through under other guises.

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At the same time, the counties are beginning to circumvent the towns by opting into the Greenway directly. The legality of this is questionable, because New York State law allows local towns to control zoning, and because the Legislature intended that the Greenway compacts were to be on a voluntary basis between the New York State Greenway Communities Council and each of the local towns. In fact, the voluntary nature of the Greenway program was the key to its passage, after the earlier, compulsory version was rejected.

The carrot and stick method under the Greenway program has evolved to affect state aid for essential services, rather than being restricted to state assistance for fancier non-essentials such as visitor centers. Some state grants for water and sewage are restricted to Greenway communities; this discriminates against some areas, cutting out home-rule minded towns that reject Greenway-style zoning.

"Why can't we get the grants without the stick?" Mr. Dedrick asked rhetorically during a recent interview. "We don't need grants with the new power plant."

Mr. Dedrick has been noticing that land is going off the tax rolls in the Greenway towns. He is concerned that the combined programs of the Scenic Byway, Greenway, and the like are an impetus toward large amounts of land being taken off the tax rolls by one means or another, according to the newspaper article.

This concern arises naturally in connection with greenway programs and designated scenic travel corridors. The scenic travel corridors have many similarities to greenways, but are usually narrower in geographic scope. In order to complete a greenway, private property must be acquired by land trusts and government for enough parks to create a consistent greenway atmosphere, and, ultimately, for true greenways, enough government-owned land for one virtually continuous park. As more regulations come in to block small businesses, as industry is stymied, as land is set aside for not-profit/government tax-exempt ownership, tax pressures on remaining owners mount, and the process of building the greenway becomes self-feeding.

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:52 PM
To: Linda Murphy
Subject: Fw: Great Article -

Linda
Please forward to assembly & mayor
Thanks, Grace

----- Original Message -----

From: Robert Wall
To: [Grace Merkes](#) ; [Dale Bagley](#) ; [chumley@ptialaska.net](#)
Sent: Thursday, September 02, 2004 11:48 PM
Subject: Fwd: Great Article -

J Morrison <twincedar@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Great Article -
Date: Thu, 2 Sep 2004 08:09:27 -0500

Derry Brownfield said he didn't write this and is trying to locate the writer - somehow he got the credit. Whoever wrote it did an excellent job.

BYE-BYE SCENIC BYWAYS

Derry Brownfield
August 29, 2004
NewsWithViews.com

Is your board of supervisors considering a program for designation of certain county roads as Scenic Byways?

Have roads in your community been nominated as Scenic Byways by your local chamber of commerce, historical society or other groups promoting tourism, historic preservation, or an environmental agenda?

There is plenty of propaganda and misleading information coming from special interest groups about the alleged benefits of Scenic Byways. Here are some facts you are probably not hearing:

Further attempts to control use of private property will follow Scenic Byway designation as landowners are pressured to sell or donate "conservation easements" to government agencies such as the National Park Service and the Forest Service.

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Your Private property rights will be restricted.

Even if your land does not join a Scenic Byway, whole "corridors" will be impacted by "scenic viewshed regulations," "historic/natural resource districts," "overlay district zoning" or special "heritage districts" which can cut wide regulatory swaths through a county. By approving a Scenic Byway designation, county government has set the stage for special interests to exert pressure for further land use controls by county, state and federal agencies, and "preservation" and "conservation" groups.



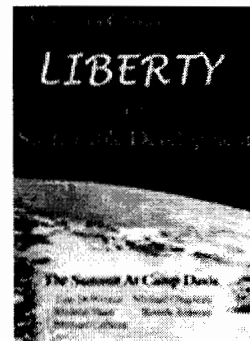
Scenic Byways are just 'the foot in the door'.

Further attempts to control use of private property will follow Scenic Byway designation as landowners are pressured to sell or donate "conservation easements" to government agencies such as the National Park Service and the Forest Service. Conservation easements are not true easements, but are a dangerous and deceptive legal device by which government agencies and their surrogates (such as The Nature Conservancy, who pose as "private, non-profit charitable trusts") are able to control you and restrict the use of your property. Conservation easements are often "flipped" by the "non-profits" to government agencies at a profit.

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Good roads are the community's lifeline.

Especially in rural areas road construction and needed upgrades can be stopped, delayed, restricted and made much more costly by special interest "stakeholders" from inside and outside your county. They are willing to lobby legislators, pressure supervisors, or even litigate in court to "preserve" just about everything having "scenic, historic or cultural value," regardless of the costs to the local residents who depend on good roads.



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Don't be duped by Tourism and the bait of tourist dollars.

Tourism only benefits a few select businesses, often to the detriment of others. Most jobs created by tourism are seasonal and low-paying, and often depend on government funding - your tax dollars! Tourist dollars are discretionary dollars - then the economy is in a downturn, tourists don't spend. Most tourists are the "see

and pee" variety. They spend little or nothing locally. Look carefully at the claims made by people promoting tourism, and look carefully at the people making the claims. Are they benefiting from the tax dollars? Whose pockets are they lining? Follow the money trail - you may be surprised where it leads.

"Scenic Byways will increase government grants and funding to our county."

This claim is often heard from Scenic Byway promoters. It's just more deceptive bait. Government money is not free. It comes out of your pockets. It come with strings and controls attached, often requiring "local matching funds." It is often diverted from legitimate government programs and needs. Many times the 'grants' and funding go to organizations who are working *against* your economic interests and who seek to control your private property. *Don't take the bait!*

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Derry Brownfield was born in 1932 and grew up during the depression. He is a farmer and a broadcaster. Derry attended the College of Agriculture at the University of Missouri where he received his B.S. and M.S. degrees. He taught Vocational Agriculture several years before going to work as a Marketing Specialist with the Missouri Department of Agriculture. Derry served as Director of the Kansas City Livestock Market Foundation at the Kansas City Stockyard prior to establishing himself in farm broadcasting.

Derry started farming when he was 16 years old and received the Future Farmers of America State Farmer degree in 1949. Since that time the Brownfield Farm has grown to over 1000 acres maintaining a herd of 200 registered Charolias cows.

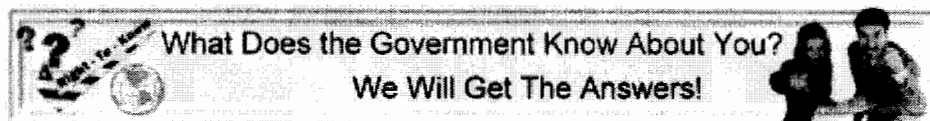
In 1972, Derry and his partner established the Brownfield Network which now serves 250 radio stations throughout the Midwest with news and market information. In 1994, Derry started his own syndicated radio talk show and he is one of the most popular radio talk show hosts in America. The Derry Brownfield Show can be heard on approximately 80 radio stations in 23 states. With his entertaining sense of humor and witty commentary he has captured audiences for over 30 years. His ability to present an informative talk show while being light

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and colorful is why he has a large loyal listening audience.

Derry Brownfield is a practical farmer, a practical business man and a very entertaining speaker. He travels extensively throughout the country speaking about his common-sense point of view. Web Site: www.derrybrownfield.com

Home



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Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:51 PM
To: Linda Murphy
Subject: Fw: Fw: Federal Register

Linda

Please forward to assembly & mayor

Thanks, Grace

----- Original Message -----

From: Robert Wall

To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net

Sent: Thursday, September 02, 2004 11:47 PM

Subject: Fwd: Fw: Federal Register

J Morrison <twincedar@frontiernet.net> wrote:

From: "J Morrison"
 To:
 Subject: Fw: Federal Register
 Date: Thu, 2 Sep 2004 08:03:17 -0500

----- Original Message -----

The following are major areas of concern....but the whole document appears to have "land control" written all through it.

I was impressed by a recent comment: "When the government has control of the land, it will never be returned".

<http://www.byways.org/grants/docs/FedReg.pdf>

Supplementary Information:.....**17 agencies listed but no landowners or local government in the advisory committee.**

2. Definitions

- a. Corridor....."highway right-of-way and the adjacent area that is visible from and extending.....
- b. Corridor Management Plan....."specifies **controls**, operational practices and administrative strategies to maintain the scenic, historic, recreational, cultural, archeological, and natural qualities of the scenic byway.
- c. Federal Agency means the U.S. Forest Service, Bureau of Land Management, National Park Service, and the Bureau of Indian Affairs , and their scenic byways programs.
- f. Local Commitment...."means assurance provided by communities along the scenic byway that they will undertake actions, such as zoning and other protective measures to preserve the scenic, historic, recreational, cultural, archeological, and natural integrity of the scenic byway and the adjacent area. (THIS IS THE ENFORCEMENT...this would be **enforced zoning** which our county voted against only much worse.

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i. "...refer not only to the road or highway itself but also to the corridor through which it passes.

7. Intrinsic Qualities

a. The **heightened visual experience derived from the view of natural and manmade elements of the visual environment** of the scenic byway 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 manmade development contribute to the quality of the corridor's visual environment. **Everything present is in harmony and shares in the intrinsic qualities.**

9. Corridor Management Plans

3. Strategy for maintaining and enhancing those intrinsic qualities.

.....particularly high standards, not only for travelers' safety and comfort, but also for

preserving the highest levels of visual integrity and attractiveness.

(Why would we be required to meet "higher standards" than any other area? They have already made us take down local business signs that were off site.)

9. A demonstration that intrusions on the visitor experience have been minimized to the extent feasible, and a plan for making improvements to enhance that experience.

(We are in an agricultural area....could this mean grain trucks would prevent the enhancement of their visit? Why is the visitor more important than the tax paying residents?)

10. Funding

(5)Resource protection includes use restrictions that are in the form of easements. However, the purchase of the resource can be considered eligible

This is only a small portion of the concerns in this FHWA document. Everything is for the "visitor" but nothing about the rights of the "property owner" along the way.



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Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:51 PM
To: Linda Murphy
Subject: Fw: Fw: Scenic areas

Linda
Please forward to assembly & mayor
Thanks, Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:46 PM
Subject: Fwd: Fw: Scenic areas

J Morrison <twincedar@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Scenic areas
Date: Thu, 2 Sep 2004 08:02:33 -0500

In all instances the word "scenic" means trouble. Whether it is byways, rivers or areas....it is not good news.

In the Columbia Basin, people were forced to build their homes earthtone colors with green roofs to blend into the landscape so the "visitors" on the river would not have their viewshed distracted. That is a very regulated area and the environmentalists virtually control everything there.

Residents along the New River Scenic Parkway in WV are battling to keep their homes from being torn down as the NPS says they "clutter" the viewshed for the "visitors."

The Federal Register will basically tell you everything in the 4 pages about Scenic Byways and American Roads. It is important you print this out and study it. This will no doubt also apply to rivers. The article I sent you is only excerpts pointing out things I used to try to get us out.

A very important website to study is www.scenic.org

1. Someone (usually the local Sierra Club or environmentalist) nominates a road or river as "scenic" and they submit a Corridor Management Plan (CMP) to the Department of Transportation for approval. Get a copy of the CMP - it may be difficult to find but if all else fails, a copy can be gotten from the FW DOT or your state Dept. of Trans. as they have control in the beginning of the nomination. They offer large grants using TEA 21 funds.

- Grants can only be spent for rest areas, kiosks, pull offs, historical renovations....(I have that information but need to find it.)
- Sponsoring county has to maintain the rest areas and kiosks and are responsible for 20% of the original cost. Extra policing will be required because of vandalism.

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2. In WV, the National Park Service took over. In Illinois, it is still DOT.

3. The CMP opens the doors for hundreds of non-governmental organizations (NGOs) such as Nature Conservancy, Sierra Club, Wildlife Fund, etc. as well as every government agency there is. They all become "stakeholders." The Stakeholder council will govern the byway or river.

It always amazes me what stake all these people have in property that has been bought and taxes paid on by an individual.

Design Guidelines will "harmonize" the area. These vary according to the visual outcome they hope to accomplish.

Hope this helps - let me know if I can help with further information. Ann Roach and Julie Smithson may have more information they can share with you. Julie knows more about the Scenic Rivers as she has fought that battle while Ann is fighting the WV battle along the New River.

Blessings,
Joyce

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:50 PM
To: Linda Murphy
Subject: Fw: Fw: Scenic Byway Q & A

Linda
Please forward to assembly & Mayor
Thanks, Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:43 PM
Subject: Fwd: Fw: Scenic Byway Q & A

J Morrison <twincedars@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Scenic Byway Q & A
Date: Thu, 2 Sep 2004 07:50:34 -0500

SCENIC BYWAY

This is another Q & A I put together for the public.

What you should know if you live along the byway.

Question: What is a "Scenic Byway"?

Answer: Public roads with special intrinsic qualities--scenic, historic, recreational, cultural, archeological and/or natural--that have been recognized through legislation or other official action.

Question: What is a Corridor Management Plan?

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Answer: Management plans are required before a nominated road can be considered for a national or state scenic byway.

Question: What projects are eligible for Federal Grant Funding?

Answer: 1. Planning

2. Safety improvements for increased traffic and changes in vehicle types.

3. Construction of pedestrian, bicycle, tourist and related facilities. 4. Improvements that enhance access to recreation areas.

5. Protection of historic, archeological and cultural resources adjacent to the road and use restrictions in the form of easements, purchase, etc.;

6. Development and provision of tourist information to the public.

Question: What Federal Agencies Play a Direct Role in the Scenic Byway?

Answer: US Forest Service, National Park Service, Bureau of Land Management and Bureau of Indian Affairs.

Question: What "National Activist Groups" will be supported with ISTEA funds?

Answer: Trust for Public Land, Nature Conservancy, Environmental Defense Fund, the National Audubon Society, the Sierra Club and the "preservation community" (See Federal Hwy. Admr. 1994a)

Question: What is the role of "advocacy groups"?

Answer: To control the use of property on sites of common interest, scenic preservationists, historic preservationists and environmentalists have joined forces to strengthen their ability.

Questions: What are the three major benefits of the program?

Answer: 1. Protection of scenic road corridors

2. Obtaining federal grant funds to support byway-related activities

3. Economic return or development. (good data is lacking on the economic return but without efforts to promote the scenic and historic qualities of byways, byway designation does not appear to have significant economic impacts.)

Question: Why should property owners fear the byway?

Answer: (Worst case scenario) All land within sight of that road--i.e., within the "VIEWSHED" is potentially at risk of being subjected to coercive new land use and property appearance controls.

Question: What is a viewshed?

Answer: It is as far as the eye can see...the byway includes not only the property adjacent to the road but what can be seen from the road.

Question: How will those controls effect MY property?

Answer: Scenic byways, heritage corridors, wild and scenic rivers are all threats to the freedom of private property. Any program where there is a "viewshed" becomes a target for land use control areas. Especially at risk are cluttered yards, "inharmonious colors", gas stations, oil and gas and timber operations, gravel pits, etc.

Question: Who will decide what should be changed in the "viewshed"?

Answer: Members of the "Stakeholder's Council".

Question: What is a viewshed?

Answer: Groups or individuals who feel they have a "stake" in this project. Government agencies,(Federal, State, County, Town) environmentalists, non-governmental organizations (NGO's) such as Sierra Club, Nature's Conservancy, etc. Very little input will come from those living along the byway. Of particular concern, is the Endangered Species Act (ESA) because of more attention given to plants or animals considered endangered.

Question: With more traffic, should I be concerned about more liability and trespass concerns?

Answer: Yes. Unwanted trespassing may occur from individuals collecting information on property characteristics for scenic, historic and environmental purposes.

Question: What will the Scenic Byway do to my property value?

Answer: Two schools of thought exist:

1. It may increase as receipts from tourism increase.
2. It may decrease because of the restrictions from the use/property appearance controls. In agricultural areas, it is believed to decrease.

Question: How can I be forced to comply?

Answer: 1. Property targeting

2. Covert Property Monitoring

9/7/2004

3. Advocacy Group Harassment

Information on National Scenic Byways taken from Property Rights Impact Brief by J. W. Goodson Associates, Inc.
5017 Aspen Hill Rd., Rockville, MD 20853

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:50 PM
To: Linda Murphy
Subject: Fw: Fw: Website emails

Linda

Please forward to assembly & mayor

Thanks, Grace

----- Original Message -----

From: Robert Wall

To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net

Sent: Thursday, September 02, 2004 11:44 PM

Subject: Fwd: Fw: Website emails

J Morrison <twincedar@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Website emails
Date: Thu, 2 Sep 2004 07:54:54 -0500

www.scenic.org web pages will tell about the telecommunication towers not being permitted and the local signage being forbidden.

The Transportation Dept. took down our local signs. In Monroe County Illinois they made them remove a Super 8 Motel sign from a small piece of ground the motel bought from a local car dealer who was along the byway. Since the sign was off site - they were going to take it down until the people protested and the county got out of the Byway. They were our inspiration and a great help to us.

I would suggest you fight it first - it is way to hard to get it out once you have it.

We had an instance where the people could have rented a spot for a tower for \$700 a month and the company backed out because they were in a viewshed. The man had to go to the nursing home at an early age and his wife has gone back to work to pay for his care. They were farmers. That \$700 would have meant a lot to them.

Good luck,
Joyce

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<http://mail.yahoo.com>

9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:49 PM
To: Linda Murphy
Subject: Fw: Fw: Design Guidelines

Linda
Please forward to assembly & mayor\
Thanks,. Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:42 PM
Subject: Fwd: Fw: Design Guidelines

J Morrison <twincedars@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Design Guidelines
Date: Thu, 2 Sep 2004 07:50:10 -0500

----- Original Message -----

From: J Morrison
To: Arleta Conaway ; djb@tcinc.net
Sent: Thursday, May 20, 2004 2:24 PM
Subject: Design Guidelines

The Design Guidelines book came along about 5 years after the designation - just when everyone was comfortable. When reading this, always ask "Whose property are they talking about?"

DESIGN GUIDELINES

for

The Meeting of the Great Rivers Scenic Byway

March 2001 Pre-Final Submittal

Property Owners Points of Concern and Interest

Excerpts from the Design Management pre-submittal book dated March 2001.

9/7/2004

This project was sold on the basis of "tourism". Tourism is a Trojan horse that will bring many regulations and controls from government agencies and Non-Governmental Organization (NGO's)

Tourism provides only seasonal, minimum wage jobs and there is no data prior to the Scenic Byway designation that will serve as an indicator of the economic impact of the Scenic Byway.

With the acceptance of the Scenic Byway designation, came many stakeholders (government and organizations that believe they have a "stake" in your property) including the National Park Service, Bureau of Land Management, Fish and Wildlife, Sierra Club, Nature Conservancy, Bureau of Indian Affairs, etc.

Words that are "red flags" are: shall, must, enforcement, continuity of design, preservation, voluntary, communities, protect, controlling document, etc.

INTRO-3: Purpose:

Par. 1 Line 5....And key among those steps is the development, implementation and **enforcement of design standards** or guidelines that will **insure the unique character** of this truly special place.

Through the use of the design guidelines **as a controlling document**, it is the desire of the Scenic Byway Committee to provide an **overarching design tone** which when applied to Byway facilities, will establish a high level of **continuity** within the corridor. These guidelines are limited in scope, having been prepared to document the appropriate visual design concepts and principles which when applied to the Byway **preserve, protect, enhance existing resources and future assets** throughout the Meeting of the Great Rivers Scenic Byway. In that regard, the goal of these Design Guidelines is to **protect and reinforce the intrinsic values.....**

This document will serve as a visual design resource for all Scenic Byway Committee members including governmental agencies, municipalities, and **private landowners** and not for profit organizations that are responsible for the development of facilities and the performance of ongoing maintenance along the Byway.

NOTE: What is the obligation of the landowner in above statement? What power do these entities hold over the private landowner?

SD-1 Site Design

Site Design is the art and science of making specific decisions regarding the manner, in which a piece of property will be renovated, redeveloped or developed. (Whose property?)

9/7/2004

2.1 Grading and Drainage (See book)

Strict Controls by:

Federal Emergency management Agency (FEMA.)

U.S. Army Corps of Engineers (USACE)

Illinois Environmental Protection Agency (EPA)

SD-10 Bicycles (see Book)

7. **Insufficient bike lane width** - it may be feasible to minimize vehicle driving lanes to accommodate on-street bicycle lanes or wider shoulders for bicycle use. Generally, the desired minimum driving lane for local roads is 11'.

SD-11 2.2.2 Pedestrian Circulation

b. Walkways should be separated from adjacent vehicular traffic by barrier curbs and/or landscaping.

c. **Pedestrian access should be limited in environmentally sensitive areas.**

d. Increased pedestrian activity along the Byway will constitute a need for **increased policing** of the corridor for public safety and enforcement of restrictions.

SD-26 Fences

4. **Color: All fences within the right of way in non-urban areas should have earth tone colors.**

Where chain link is required, it shall be painted or vinyl coated black or dark green to blend into the landscapes.

SD-34 Screening

When new development is being planned, efforts should be made to **eliminate the location of utilitarian elements** from the **Byway viewshed**. Mechanical and electrical equipment, TV or microwave antennae and other similar equipment attached to buildings or on the site **shall be screened** from view or located out of the view from the Byway.

9/7/2004

SD-35 Types of Screening (See Book)

SD-44 Overhead Utilities

A. Overhead utility lines clutter the views on the byway. ALL new overhead utility lines, visible from the Scenic Byway, should be placed underground to the maximum extent possible. Where this is not possible, overhead lines should be placed away from prominent Scenic Byway view sheds. Placement of any new overhead utilities shall be done in such manor as to preserve the scenic panorama to the greatest extent possible. Electrical transformers, meters and similar utility structures should be located out of view of the Scenic Byway, and they should be appropriately screened.

SG-1 3.0 Sign Guidelines (See book) Jersey County has had problems with local people having to remove signs because they were not registered with the state in 1972(?) therefore grandfathering did not apply.

LD-5 Palisades Problems

the manicured all-mow approach to right-of-way (ROW) maintenance **appears inappropriate** in contrast to the along the natural woodland and rock-bluff.....

The **galvanized guardrail is unattractive**, in poor repair and visually dominates the foreground of view shed.

Commercial signs and billboards clutter the landscape adjacent to portions of the ROW.

Pedestrian access from the roadway and bike-way to rivers edge is highly restricted and lacks safe pedestrian crosswalks and walkways

Unscreened views exist from the Byway to a visually unattractive commercial quarry facility.

LD-6-7 Agrarian (Agriculture area)

The following Visual/Functional problems exist within the Agrarian segment.

The manicured "All-mow" approach to right-of-way maintenance appears inappropriate in contrast to the agricultural and woodland character of the segment.

Commercial signs and billboards clutter the landscape adjacent to portions of the right-of-way

Lack of corridor identity feature.

Proposed landscape design treatment for this section should strive to:

Reduce the amount of manicured maintenance to right-of-way through the planting of native herbaceous and woody plant species.

Remove commercial advertising signs and billboards.

Screen unsightly commercial operations from view from the Byway.

Monitor transportation planning initiatives to prevent widening of the roadway beyond the preferred aesthetic

9/7/2004

byway section

Monitor development initiatives to prevent any development that would significantly alter the views, vistas or intrinsic values of the byway

Establish a corridor identity feature marking the entrance to the Scenic Byway.

LD-12: 4.3.3 Roadway Right of Way Planting

b. Modifications to the stereoscope in the municipal business districts such as Alton, Grafton, Eldred, and Kampsville is also recommended.....

c. Within non-urban areas to minimize maintenance and reinforce the natural character of the Scenic Byway, the first six feet of turf beyond the shoulder (or one pass of a mower) should be mowed. The balance of the area within the right-of-way should be left for cultivation and colonization of native plant species.

AD-1 Architecture

5.1 Community Requirements and Restrictions

a. However, these guidelines supersede the local community guidelines and recommendations concerning maintenance and durability of building materials for municipal structures with the Byway.

AD-4 Building Material

2i As specified by Architect of Record.

2ii As selected from list of approved suppliers provided by the local community (if available).

Exterior Walls: In General; exterior wall material shall comply with the following:

(See book.....full of compliance's for buildings.)

AD-5

In general; window material shall comply with the following:

- 1. Provide metal or metal clad wood with integral color coating for window frame components.
- 2. Utilize clear glass for window glazing. Tinted or reflective glass is not allowed.

Permitted plant and tree palette is located in the back of the manual.

These are only a few of the "red flags" but in a closer investigation by an expert in this field would no doubt uncover more.

If the CARA bill passes, no property will be safe as unappropriated funding will be readily available to "take" private property by eminent domain proceedings. Please call your representative and senators asking them to oppose this "land grab" bill. HB 701

"Regulatory takings" are becoming more common. Although you still own the property, you have no control because of the regulations so it is "taken" by regulations. It is very difficult to sell at a fair market value due to the regulations attached to your property. The Scenic Byway has the potential and power to attach many regulations.

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<http://mail.yahoo.com>

9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:48 PM
To: Linda Murphy
Subject: Fw: Fw: Scenic Byway Grants

Linda
Please forward to all assembly & mayor
Thanks, Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:41 PM
Subject: Fwd: Fw: Scenic Byway Grants

J Morrison <twincedars@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Scenic Byway Grants
Date: Thu, 2 Sep 2004 07:48:47 -0500

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U.S. Transportation Secretary Mineta Announces Grants

June 2, 2004

FOR IMMEDIATE RELEASE

9/7/2004

Wednesday, June 2, 2004

Contact: Lori Irving, 202-366-0660

FHWA 7-04

U.S. Transportation Secretary Mineta Announces \$15 Million in Grants for 104 Scenic Byways Projects

U.S. Transportation Secretary Norman Y. Mineta today announced grants totaling more than \$15 million for 104 projects in 37 states that are part of the Federal Highway Administration's (FHWA) National Scenic Byways Program.

"The only way to visit many of our nation's treasures is to travel on a scenic byway," said Mineta. "Investing in these roads is the best way to bring travel and tourism dollars to many of America's small towns."

The National Scenic Byway Program recognizes roadways around the nation based on their archaeological, cultural, historic, natural, recreational or scenic qualities. The grants will help fund such projects as scenic overlooks, visitor information centers, educational and promotional materials, pedestrian trails, bike paths and safety improvements.

"Our nation's scenic byways provide a vital link between countless travelers and America's small towns and rural areas, supporting hundreds of "mom and pop" shops along the way," said FHWA Administrator Mary E. Peters. "The Bush administration is committed to helping local communities support, improve and promote these important resources."

Currently, the America's Byways system includes 96 roads in 39 states. Studies suggest that byway designations increase the number of visitors to rural communities by up to 20 percent, resulting in substantial numbers of jobs nationwide. Those same studies have found that the typical byway visitor spends between \$100 and \$200 per trip.

More information about the National Scenic Byways Program is available online at www.bywaysonline.org or by calling toll-free, 1-800-4-BYWAYS (1-800-429-9297).

The attached table lists fiscal year 2004 National Scenic Byways Program grants.

National Scenic Byways Grants for 2004

State Project Name Amount

Alaska Alaska's Marine Highway - Corridor Management Plan \$25,000

Glenn Highway - Corridor Management Plan Implementation \$24,999

Seward Highway - Corridor Management Plan Implementation \$24,999

Total for Alaska (3 projects)

\$74,998

Arizona Intelligent Transportation System Demonstration Project - Kaibab Plateau-North Rim Parkway \$191,500

Total for Arizona (1 project)

\$191,500

Arkansas Corridor Management Plan Implementation - Great River Road \$25,000

9/7/2004

Corridor Management Plan Implementation - Crowley's Ridge \$25,000

Arkansas Statewide Byways Brochure \$38,400

Great River Road National Scenic Byway Signing \$5,000

Total for Arkansas (4 projects)

\$93,400

California Route 1, Big Sur Coast Highway - Corridor Management Plan Implementation, Year 2 \$24,600

Route 110, Arroyo Seco Historic Parkway - Corridor Management Plan Implementation, Year 1 \$25,000

Volcanic Legacy Byway - Corridor Management Plan Implementation, Year 2 \$25,000

Total for California (3 projects)

\$74,600

Colorado Lariat Loop Corridor Management Planning and Improvement \$100,000

Total for Colorado (1 project)

\$100,000

Florida Implementing a Multimodal Greenway System for A1A Scenic & Historic Coastal Highway, Phase II
\$644,812

A1A Scenic and Historic Coastal Highway - Enhance Public Accessibility to Intrinsic Resources, Phase II \$214,937

A1A Scenic and Historic Coastal Highway - Corridor Management Plan Implementation, Financial Independence
\$25,000

Total for Florida (3 projects)

\$884,749

Idaho Pioneer Historic Byway Sign Plan Implementation \$99,410

Payette River Scenic Byway - Corridor Management Plan Implementation \$24,852

Northwest Passage - Corridor Management Plan Implementation, Phase 2 \$24,852

Implementation of Corridor Management Plan - Pend Oreille Scenic Byway \$24,852

Total for Idaho (4 projects)

\$173,966

Illinois Corridor Management Plan Implementation - Meeting of the Great Rivers Scenic Route \$25,000

Implementation of Corridor Management Plan - Ohio River Scenic Byway \$25,000

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Corridor Management Plan Implementation - Historic National Road \$25,000

Corridor Management Plan Implementation - Great River Road \$25,000

Corridor Management Plan Implementation - Lincoln Highway \$25,000

Total for Illinois (5 projects)

\$125,000

Indiana Indiana Historic National Road Management and Development: Building a Sustainable Organization \$25,000

Implementation of Corridor Management Plan: Marketing/Public Awareness & Professional Development - Ohio River Scenic Byway \$25,000

Historic National Road Twigg Rest Area - Site Completion \$192,654

Total for Indiana (3 projects)

\$242,654

Iowa Corridor Management Plan Implementation - Loess Hills Scenic \$25,000

Corridor Management Plan Implementation - Great River Road \$25,000

Total for Iowa (2 projects)

\$50,000

Kentucky Interpretive Information Development - For 40 southeast Kentucky counties \$99,411

Marketing - Three National and one State Scenic Byway in southeast Kentucky \$820,133

Implementation of Corridor Management Plan - Wilderness Road Heritage Highway \$24,852

Implementation of Corridor Management Plan - Red River Gorge Scenic Byway \$24,852

Implementation of Corridor Management Plan - Country Music Highway \$24,852

Total for Kentucky (5 projects)

\$994,100

Louisiana Corridor Management Plan Implementation - Creole Nature Trail \$25,000

Installation of Byway Logo Signs - Northwest Louisiana Scenic \$17,200

Total for Louisiana (2 projects)

\$42,200

Maine Corridor Management Plan Implementation - Old Canada Road \$24,000

9/7/2004

Corridor Management Plan Implementation - Rangeley Lakes Scenic Byway \$25,000

Corridor Management Plan Implementation - Schoodic Scenic \$25,000

Total for Maine (3 projects)

\$74,000

Maryland Chesapeake Country - Corridor Management Plan Implementation, Year 1 \$25,000

Historic National Road - Corridor Management Plan Implementation, Year 2 \$25,000

Total for Maryland (2 projects)

\$50,000

Massachusetts Old King's Highway/Route 6A Improvements \$795,280

Total for Massachusetts (1 project)

\$795,280

Michigan Woodward Ave/M-1 - Developing the Byway Story \$437,404

Total for Michigan (1 project)

\$437,404

Minnesota Historic Bluff Country Scenic Byway - Corridor Management Plan Implementation, Phase 2 \$25,000

North Shore Scenic Drive - Corridor Management Plan Implementation, Phase 4 \$25,000

Edge of the Wilderness Scenic Byway - Corridor Management Plan Implementation, 2004 \$25,000

Great River Road - Corridor Management Plan Implementation, Increase Grassroots Support, Phase 4 \$25,000

Grand Rounds Scenic Byway - Corridor Management Plan Implementation Phase 4 \$24,960

Total for Minnesota (5 projects)

\$124,960

Missouri Clarksville Refuge Interpretive Site - Little Dixie Highway \$52,000

Little Dixie Highway - Corridor Management Plan Implementation, Year 2 \$16,800

Georgia Street Historic District Interpretive Site - Little Dixie Highway \$79,930

Total for Missouri (3 projects)

\$148,730

Montana Beartooth Highway - Corridor Management Plan Implementation, Phase 1 (MT and WY) \$25,000

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Total for Montana (1 project)

\$25,000

Nebraska Corridor Management Plan - Lincoln Highway Nebraska Byway \$26,000

Total for Nebraska (1 project)

\$26,000

Nevada Most Beautiful Drive in America Brochure - Lake Tahoe - Eastshore Drive \$28,400

Total for Nevada (1 project)

\$28,400

New Hampshire White Mountain Trail Business Development Plan: Corridor Management Plan Implementation, Year 2 \$25,000

Total for New Hampshire (1 project)

\$25,000

New Mexico Smokey Bear Historical Park Restrooms - Billy the Kid Trail \$34,400

Smokey Bear Historical Park Interpretive Signs - Billy the Kid Trail \$5,040

Jemez Mountain Trail Historic Roadside Information Project - Jemez Mountain Trail \$12,721

City of Espanola El Camino Real Scenic Byway Alignment \$59,646

Total for New Mexico (4 projects)

\$111,807

New York Adirondack North Country Byways: Regional Marketing \$442,000

Lakes to Locks Passage: Elizabethtown Waypoint Visitor Center \$221,407

Adirondack North Country Byways: Invasive Plants \$99,925

Upper Delaware Byway: Marketing \$49,000

Lakes to Locks Passage: Develop Sustainable Partnerships - Corridor Management Plan Implementation \$25,000

Mohawk Towpath Byway: Interpretive Signage \$11,500

Mohawk Towpath Byway: Byway Guide Book \$12,500

Lakes to Locks Passage: Chesterfield Tourist Interpretive Center \$280,700

Seaway Trail: Byway Traveler Information System \$139,440

Cayuga Lake Byway: Web Design and Marketing \$12,000

9/7/2004

Lakes to Locks Passage: Champlain Pedestrian and Bike Trail Design \$49,680

Southern Adirondack Trail: Tourist Interpretation Center \$95,000

Southern Adirondack Trail: Greenway Reconnaissance \$3,200

Seaway Trail: Byway Interpretive Signage \$103,320

Seaway Trail: Byway Conservation Planning \$108,040

Seaway Trail: Byway Market Targeting and Communication Plan \$50,188

Seaway Trail: Travel Trade Partnerships \$100,300

Seaway Trail - Corridor Management Plan Implementation, Sustainability \$25,000

Lakes to Locks Passage: Slate Valley Waypoint Interpretive Center \$160,000

Total for New York (19 projects)

\$1,988,200

North Dakota Implementation of Corridor Management Plan - Sheyenne River Valley Scenic Byway \$25,000

Total for North Dakota (1 project)

\$25,000

Ohio Ohio River Scenic Byway - Corridor Management Plan \$25,000

CanalWay Ohio Scenic Byway - Corridor Management Plan Implementation \$25,000

Historic National Road - Corridor Management Plan Implementation \$25,000

Amish Country Byway - Corridor Management Plan Implementation \$25,000

Total for Ohio (4 projects)

\$100,000

Oklahoma Talimena Scenic Drive Vistas-Interpretive Information Replacement & Signage \$28,960

Total for Oklahoma (1 project)

\$28,960

Oregon West Cascades Scenic Byway - Entry Portal Orientation Panels & Byway Interpretation at Estacada, Detroit and Westfir \$73,600

Total for Oregon (1 project)

\$73,600

Pennsylvania Pennsylvania Historic National Road - Implementation of a Comprehensive Marketing Plan \$25,000

9/7/2004

Total for Pennsylvania (1 project)

\$25,000

Rhode Island Post Road (Route 1) - Corridor Management Plan \$65,360

Total for Rhode Island (1 project)

\$65,360

South Carolina US 78 Bamberg Scenic Highway Project \$3,976,400

Total for South Carolina (1 project)

\$3,976,400

South Dakota Peter Norbeck Scenic Byway - Fuels Management and Scenery Enhancement \$107,000

Cheyenne River - Native American Scenic Byway - Interpretive \$60,000

Total for South Dakota (2 projects)

\$167,000

Tennessee Implementation of Corridor Management Plan - Cherochala Skyway \$25,000

Total for Tennessee (1 project)

\$25,000

Utah Implementation of Corridor Management Plan - Logan Canyon Scenic Byway \$25,000

Implementation of Corridor Management Plan - Scenic Highway 12 \$25,000

Implementation of Corridor Management Plan - Nebo Loop Scenic Byway \$24,056

Implementation of Corridor Management Plan - The Energy Loop \$22,464

Implementation of Corridor Management Plan - Flaming Gorge-Uintas Scenic Byway \$25,000

Implementation of Corridor Management Plan - Dinosaur Diamond Prehistoric Highway (UT and CO) \$25,000

Total for Utah (6 projects)

\$146,520

Virginia Amherst County Greenway \$994,100

Mason Creek Greenway \$994,100

Total for Virginia (2 projects)

\$1,988,200

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Washington Snoqualmie Point View Park, Washington - Mountains to Sound Greenway-I-90 \$596,460

SR 410 Welcome Center - Chinook Scenic Byway \$1,277,419

Total for Washington (2 projects)

\$1,873,879

West Virginia Implementation of Corridor Management Plan - Washington Heritage Trail \$20,000

Implementation of Corridor Management Plan - Midland Trail \$25,000

Corridor Management Plan Implementation - Historic National Road \$22,884

Total for West Virginia (3 projects)

\$67,884

Grand Total: \$15,444,751

Total Projects Funded: 104

More News

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:47 PM
To: Linda Murphy
Subject: Fw: Fw: Corridor Management Plan for Meeting of the Rivers Scenic Byway

Linda
Please forward to assembly
Thanks, Grace
----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:39 PM
Subject: Fwd: Fw: Corridor Management Plan for Meeting of the Rivers Scenic Byway

J Morrison <twincedars@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Fw: Corridor Management Plan for Meeting of the Rivers Scenic Byway
Date: Thu, 2 Sep 2004 07:46:26 -0500

These are my questions and you would have similar questions that would be answered in your Corridor Management Plan as it is the first document that is filed in establishing a Scenic Byway.

They will say this is not regulatory. No - it has no power and is not regulatory. BUT they have given the powers to regulatory agencies like EPA, IDNR, US Fish and Wildlife, Transportation Dept., etc.

CORRIDOR MANAGEMENT PLAN EXCERPTS

The Corridor Management Plan is the **CONTROLLING** document of the Scenic Byway.

Q. Who plays the key role in the overall management strategy of the Scenic Byway?

A. The Great Rivers Land Preservation Association, in cooperation with the Committees Meeting the Great Rivers Scenic Route (MGRSR), Alton Lake Heritage Parkway

(AHLP) and the Heritage Cultural Association (IVHCA). Because of its broad

9/7/2004

expertise and networking capabilities in land, water, and wildlife conservation initiatives GREAT RIVERS LAND PRESERVATION ASSOCIATION will be able to include the objectives of the Scenic byway under the umbrella of broader regional strategies and will be able to keep the MGRSR Advisory Committee apprised of initiatives that would be of benefit to them. (Page 11)

Q. Who is the Great Rivers Land Preservation Association?

A. The Great Rivers Land Preservation Association, Inc. owns a number of tracts of land and many scenic and conservation easements along the Alton Lake heritage Parkway Corridor. Great Rivers also facilitates acquisition of properties by state and local government agencies within the Corridor. Great Rivers has field surveyed the entire length of the Corridor between Alton and Pere Marquette State Park. (Page 18)

They are a private land trust, created for the purpose of implementing key parts of the ALHPC'S Land Management Plan. Mission is to be a non-governmental local land trust

association that holds scenic and conservation easements which will permanently protect

the natural and historic resources of the Alton Lake Heritage Corridor along the Mississippi River. The Great Rivers Land Preservation Association, Inc. serves as a bridge between private and public sectors to preserve and enhance the area through private contributions, including scenic easements and land grants. (Page 14)

Q. Some of the conservation and environmental organizations which overlap or are in the boundaries of the corridor?

A. -Illinois Natural History Survey (Page 18)

-Illinois Environmental Council

-Pride, Inc.

-Sierra Club, Piasa Palisades Group

-Isaac Walton League

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-The Nature Institute

-Illinois Audobon Society

Q. IDOT controls signage, can they also purchase property? (Page 16)

A. Yes. IDOT has participated in preserving and protecting the corridor by giving assistance and funding to survey the viewshed, purchase property, design parks.....(Page 16)

Q. How does the local community fit in?

A. Adjacent to the route there are five historic districts including Carrollton, White Hall, Jerseyville, Grafton and Elsah. These districts have historic jurisdiction of limited areas in each of the above communities. Jurisdiction may include specific design guidelines, motif regulations, sign standard, and other preservation policies.
(Page 14).

Q. Is this an area just from Alton to Kampsville?

A. The Alton Lake Heritage Parkway Commission (ALHPC) was appointed by the State to coordinate local, regional and national management authorities involved in the corridor. Ownership maps basically delineate management authorities. Natural resource boundaries may not correspond to governmental boundaries, and federal jurisdictional boundaries do not necessarily follow state boundaries. It is a benefit to have many management authorities to divide the 45,000 acre corridor, or it would be impossible to manage.
(Page 15)

Q. What is the ALHPC Land Management Plan?

9/7/2004

A. Using this as a guide, Great Rivers initiated contacts with community groups in the Missouri and Illinois River portions of the confluence, and with similar groups and

organizations supporting land preservation activities in other parts of the United States.

Additional organizations have emerged to work on the other portions of the confluence

management plan. Relationships between Great Rivers and a number of national

organizations have been established: (Page 15)

Such organizations as:

-Nature Conservancy

-The Land Trust Alliance,

-the Rivers Network

-Trust for Public Land

-Mississippi Parkway Commission

-American Rivers

-American Farmland Trust

-Ducks Unlimited

-and related national environmental and land preservation associations.

Q. Who is the "Big Rivers Ecosystem Partnership"?

A. The MGRSR is also within the "Big Rivers Ecosystem Partnership" area.

Big Rivers is one of 20 plus partnerships in the state which utilize state dollars in targeted

ecosystems to promote conservation. (Page 15)

Q. Who was responsible for the Design Management Guidelines the County

rejected?

A. Professional planning has been secured from the Great Rivers Land Preservation

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for the preparation of Guidelines Manual of Standards for the route. The manual would outline a range of guidelines that would include features such as lighting, signage, building design, landscape, textures, art work and its placement. (Page 42)

Q. How far is a "viewshed"?

A. "When crossing from Eldred to Kampsville on the Kampsville Ferry, the viewshed is as wide as the eye can see on both sides of the river." (Page 23)

Q. Do we need to take these hundreds of Federal and State organizations, institutions, Counties and municipalities as a serious threat? (They are called "stakeholders") After all, this is privately owned property paying taxes to the county.

A. All of the national, state, and local agencies, organizations and institutions together with the counties and municipalities identified in Section 3 - Intrinsic Quality Management Strategy, have an important and specific role and responsibility in providing for the protection of the intrinsic qualities along the scenic byway. (Page 28)

Q. If the Great Rivers Land Preservation Group's management authority supersedes the county as outlined in the Corridor Management Plan, who assumes liability and what is the county's role?

A. ????

Q. Who serves on the board of the Great Rivers Land Management, the Alton Lake Heritage Parkway (ALHP) and the Illinois Valley Heritage Cultural Association

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(IVHCA)?

A. Several members of the MGRSR Advisory Committee are also members of the Great Rivers Land Preservation Association, the Illinois Valley Cultural Heritage Association and the Alton Lake Heritage Parkway Commission. (Page 12)

**None are elected but are appointed. What are their primary interests???

The Corridor Management Plan has an unending list of bureaus and agencies that now have control of this area. The four main Federal Bureaus involved are: Bureau of Indian Affairs, Bureau of Land Management, Forest Service and National Park Service.

***With the Bureau of Indian Affairs involved in preservation, would a farm be in jeopardy if an Indian Relic was found in a field?

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:47 PM
To: Linda Murphy
Subject: Fw: Scenic Byway

Linda
Please forward to assembly & mayor
Thanks, Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:38 PM
Subject: Fwd: Scenic Byway

J Morrison <twincedars@frontiernet.net> wrote:

From: "J Morrison"
To:
Subject: Scenic Byway
Date: Thu, 2 Sep 2004 07:41:49 -0500

Henry Lamb sent Julie Smithson a request for information. Julie sent the request to several who have had experience with Scenic Byways. We have a Scenic Byway in our county - we were miraculously able to get our agricultural area out because we saw the control attached. It is far easier just not to have one in the first place.

Nothing happened until after 4 or 5 years after designation. THEN - the Design Guideline book came out. All fences had to be earthtone, no communication towers or satellite dishes in view. No overhead power lines. Could only mow a 6' swath along roadway.....lots of invasive language. The Corridor Management plan invited about 100 bureaucrats and NGO's to be part of the Scenic Byway management.

The grants pay for restrooms and signs. Restoration of historic buildings and building little parks. FEW locals benefit. People drive through on their way to a destination. A few restaurants is about all that sees any profit and they appear to change hands frequently so the business must not be that good - as they have little

We now have 5 or 6 visitors centers with restrooms....and they are building a little park with a fancy restroom and there are two more on the drawing board. We can have NO local signs advertising restaurants, orchards, etc. You must rent the little generic TODS signs the state provides....which are difficult to read.

I will be sending you several emails. If you have questions, please feel free to ask as we spent a lot of time fighting ours.

Joyce Morrison

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Friday, September 03, 2004 3:46 PM
To: Linda Murphy
Subject: Fw: Forwarding e-mails about Scenic Byway problems.

Please forward to assembly & Mayor
Thanks Grace

----- Original Message -----

From: Robert Wall
To: Grace Merkes ; Dale Bagley ; chumley@ptialaska.net
Sent: Thursday, September 02, 2004 11:36 PM
Subject: Forwarding e-mails about Scenic Byway problems.

Hello.

For your review, I am forwarding e-mails I received from private property rights advocates who have had personal experience with the scenic byway program. There are MANY troubling aspects to adopting this, often not until 4 or 5 years later. There are very few benefits for locals, with many added regulations and controls by outside groups.

"Trojan Horse" comes to mind...

Sincerely,

Robert K. Wall

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9/7/2004

Murphy, Linda

From: Grace Merkes [merkes@ptialaska.net]
Sent: Tuesday, September 07, 2004 12:50 PM
To: Linda Murphy
Subject: Fw: scenic highway and corridor management plan?

Please give to assembly & mayor
Grace

----- Original Message -----

From: joann
To: Grace Merkes
Sent: Tuesday, September 07, 2004 12:01 PM
Subject: scenic highway and corridor management plan?

Did you bring up the matter of first having a 'Corridor Management Plan' before the Assembly approves scenic highway designation?

It seems most states developed a 'Corridor Management Plan' PRIOR to making a decision on applying for Scenic Highway approval.

Maybe the Assembly needs to address that first?

Also, the public should have a better opportunity to comment on this. One of the people who responded to my initial letter, assumed that Cooper Landing was already under a 'Scenic Highway' plan. I don't believe the public has had time to explore what this will mean to them.

Thank you for your time.

9/7/2004