

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

MINNESOTA DEPARTMENT OF NATURAL RESOURCES,
MINNESOTA DEPARTMENT OF TRANSPORTATION,
MINNESOTA OFFICE OF TOURISM, AND
MINNESOTA HISTORICAL SOCIETY

REGARDING ESTABLISHMENT OF
A MINNESOTA SCENIC BYWAYS COMMISSION

APRIL 17, 1992

Introduction

This Memorandum of Understanding (MOU) establishes a Minnesota Scenic Byways Commission, the purpose of which is to plan and manage a new state scenic byways program. This program is intended to be a statewide system of scenic roads, providing travelers with views of and access to some of the state's most outstanding natural, cultural, historical, and recreational resources.

Minnesota's scenic byways program is expected to enhance travelers' enjoyment, appreciation, and understanding of the state's diverse cultural and natural resources from a regional perspective. The scenic byway designation process will be open state-wide, and will be organized according to thirteen bio-cultural "recreational landscape regions" identified by the Department of Natural Resources (see appendix A). It is hoped that scenic byway designations will not only highlight the state's best known scenic drives, but also focus attention on lesser known routes and regions, helping to disperse recreational driving and tourism more widely throughout the state.

The scenic byways program must be consistent with the general framework established by the Minnesota Scenic Byways Taskforce.

(The four agencies making up the Commission agreed to and helped draft the Task Force recommendations.) The Minnesota Scenic Byways program must also be in accordance with the scenic byways section of the federal Intermodal Surface Transportation Efficiency Act of 1991, and comply with provisions subsequently developed by the federal Scenic Byways Advisory Committee (see appendix B). Within eighteen months of the enactment of the federal legislation, the Advisory Committee is charged with submitting a report to Congress and the Secretary of Transportation containing recommendations on scenic byways.

The Minnesota Scenic Byways Commission

A four member Minnesota Scenic Byway Commission will be responsible for final designation of routes and management of the state's program, with the Minnesota Department of Transportation assuming the lead role. The agencies on the Commission are committed to a long-term partnership to plan, implement, and administer a scenic byways program. Upon approval of this MOU, the Commission will have the authority to begin organizing the program. Commission members will include the following:

- 1.) Minnesota Department of Transportation
- 2.) Minnesota Department of Natural Resources
- 3.) Minnesota Historical Society
- 4.) Minnesota Office of Tourism (Department of Trade and Economic Development)

The Commission will also include advisory members represented from the following groups: the Association of Minnesota Counties; the Minnesota County Highway Engineer Association; regional development commissions; the Minnesota Chamber of Commerce; the U.S. Forest Service; the trucking industry; environmental organizations; the Federal Highway Administration; and three additional members representing a range of highway user groups, as selected by the Commission. Once established, the Commission will determine the precise role, appointment procedure, and term length of the advisory members.

Nomination Steps

Scenic byway nominations will originate locally, with a process which encourages public participation. Routes which currently have some form of designation (e.g., National Forest Scenic Byways, wildflower routes, legislatively designated routes) must be nominated through the scenic byways process for recognition in the state program. A pre-existing designation will not preclude nomination as a scenic byway. The scenic byways nominations will be open on a yearly basis for the first three years, opening once

every five years thereafter. The principal steps in the process are listed below, and will be refined and developed in more detail by the Scenic Byways Commission, as necessary.

- 1.) The Scenic Byways Commission will coordinate the development and refinement of evaluation criteria, information materials, and application forms for the program.
- 2.) The Office of Tourism will provide information on the program and encourage local participation, accepting nominations from interest groups, municipalities, and counties. The Office of Tourism's regional offices will evaluate and recommend scenic byways for each landscape region, in coordination with staff from existing regional development commissions (RDCs), Mn/DOT districts, and DNR regions.
- 3.) The Scenic Byways Commission will help coordinate public meetings during the nomination process. The purpose of the meetings will be to explain procedures, discuss the proposed routes, and gather input from the public.
- 4.) The transportation authorities having jurisdiction over the proposed routes must approve the designations. All categories of public roads are eligible for nomination.
- 5.) The Office of Tourism will facilitate presentations of scenic byway nominations to the Scenic Byways Commission. Presentations on the nominations will be accompanied by documentation describing how scenic byway criteria have been satisfied.
- 6.) The Scenic Byways Commission will make the final selection of the routes to be designated in each landscape region. An effort will be made to ensure that the full diversity of Minnesota's natural and cultural landscapes is represented.
- 7.) Scenic byways will be monitored to ensure they continue to meet the criteria for which they were designated. The Scenic Byways Commission will have the authority to remove a designation if a route becomes unsafe, or if its visual character, natural and cultural resources, and/or recreational facilities significantly deteriorate.

Evaluation Criteria

The following list includes the criteria which will be used to evaluate potential routes. In general, the more criteria a route

meets, the higher it will be evaluated. Only the first criterion listed below is required.

- 1.) Route must have outstanding scenic quality, with natural or cultural resources representative of the landscape region in which it is located.
- 2.) Route passes alongside or through exceptional natural areas, historic sites, recreation areas, or other natural or cultural environments of significant interest.
- 3.) Route conveys a particular theme, character, or atmosphere.
- 4.) Nominated byway parallels a main travel route, or forms loops or spurs off the main route. (Main routes such as Interstates, however, are not exempt from consideration. Route distances may be of varying lengths.)
- 5.) Route is a safe facility, compatible with its vehicle use classifications.
- 6.) Amenities available along route are compatible with the use they receive.
- 7.) Route is attractive at all times of the year, with travel not restricted by season.
- 8.) Possibility exists of connecting nominated route with other Minnesota scenic byways, or with scenic byways in adjacent states.
- 9.) Proposed route is under jurisdiction of local zoning requirements or other ordinances designed to minimize aesthetic degradation (e.g., junkyards, billboards). The ordinances must be consistent with outdoor advertising requirements included in the 1991 federal Intermodal Surface Transportation Efficiency Act, or provisions established later by the federal Scenic Byways Advisory Committee. The Minnesota Scenic Byways Commission will provide model ordinances and other information material.
- 10.) Further route enhancement has been proposed or is being considered.

Standards and Signing

Appropriate roadway standards will be determined by the authority which manages the road. However, managing road agencies are encouraged to recognize the representative characteristics of the

designated routes and to demonstrate sensitivity to these attributes when road improvements are being planned. As part of the pre-design development process, the managing roadway agency must present proposed improvements to the Scenic Byways Commission for review and comment. If the Commission believes the changes will be excessively harmful to the character of the route, it will have the authority to remove scenic byway status. The Commission will develop a scenic byways management guide to help managing authorities maintain routes in accordance with the intent and purpose of the designation.

Signs designating scenic byways must be uniform, consistent, and in accordance with Uniform Traffic Control Devices Standards. Thematic logos may be employed to distinguish particular routes, and are to be placed below the signs identifying the road as a Minnesota scenic byway. In addition to functioning as a route indicator and symbol, the logo would be available for local communities and organizations to use in tourist marketing efforts.

Funding

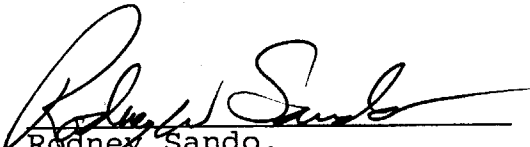
Processes for prioritizing and allocating federal or state funds available for scenic byways will be determined by the Scenic Byways Commission; distribution will be separate from the byway designation process. Apart from federal or state funding sources specifically dedicated to scenic byways, costs for signs, improvements, and maintenance will be financed through the auspices of the managing roadway authority, as is done presently. Costs for staff support to the Scenic Byways Commission will be paid for by the participating agencies. Local communities, groups, or participating agencies will be responsible for funding their own marketing efforts.

Authorization

Implementation of the procedures outlined above may begin immediately upon mutual departmental agreement. This MOU will remain in effect for two years pending legislative establishment of a program, or until the agreement is modified or renewed by consensual agreement by the agencies represented on the Scenic Byways Commission.


The agencies on the Scenic Byways Commission believe that a state-wide system of scenic byways will provide many benefits to the citizens and communities of Minnesota. The agencies listed below strongly support development of a Minnesota scenic byways program, and are committed to working cooperatively on an on-going basis to ensure successful results.

For the Minnesota Department of Natural Resources:


Rodney Sando,
Commissioner

6-12-92
Date

For the Minnesota Department of Transportation:


James Denn,
Commissioner


5/7/92
Date

For the Minnesota Office of Tourism:


Hank Todd,
Director

5-14-92
Date

For the Minnesota Historical Society:


Nina Archabal,
Director

5/27/92
Date