Texas Parks & Wildlife Department Recreation Grants Branch

Recreational Trails

Grant Application and Instructions

Revised April 2005

(PWD 1067-P4000)





Deadline: May 1st

RECREATIONAL TRAILS GRANT

The Texas Parks and Wildlife Department (Texas Parks and Wildlife Department) administers the National Recreational Trails Fund in Texas under the approval of the Federal Highway Administration (FHWA). This federally funded program receives its funding from a portion of federal gas taxes paid on fuel used in non-highway recreational vehicles. Funds can be spent on both motorized and non-motorized recreational trail projects.

- · Construction of new recreational trails
- Improve existing trails
- · Develop trailheads or trailside facilities, and
- Acquire trail corridors.

THIS IS A REIMBURSEMENT PROGRAM

Funding provided by this program is on a cost reimbursement basis. Project sponsors must initiate their approved projects with their own funds and be reimbursed up to 80 percent of allowable costs after submitting documentation of expenses. Individual trail grants can range from \$4,000 (\$5,000 total project cost) to \$200,000 (\$250,000 total project cost). Projects will be selected for funding with the help of the Texas Trails Advisory Board made up of both motorized and non-motorized trail users. Selected projects must comply with FHWA funding requirements and be in accordance with all state and federal laws, and executive orders. The Texas Parks and Wildlife Commission will authorize funding for selected projects based on the recommendations of the Texas Trails Advisory Board.

WHO IS ELIGIBLE TO RECEIVE FUNDS

Eligible applicants include:

- · Cities,
- · Counties.
- State agencies (including TPWD state parks and wildlife management areas)
- Other governmental bodies created under state law such as river authorities, water districts, municipal utility districts, or public school districts,
- · Federal land managers,
- Private not for profit organizations (e.g. trail user groups, conservation clubs, "Friends of the Park") For purposes of implementing the Texas Recreational Trails Fund (TRTF),

- organizations must be incorporated with the Secretary of State or must have filed with the county to do business in Texas.
- Private motorized recreation providers. This fund is generated by the gasoline tax paid by off-road motorized trail riders so 30% of these funds must go toward motorized trail projects. Historically, we have had difficulty finding government and non-profit sponsors for motorized trail projects. To address this situation, we allow private entities that off-road provide public motorized recreational trail opportunities to apply for grants of up to \$40,000 for construction of public amenities. The following conditions apply to the proposals received from private motorized recreation providers.
 - Site must be open to the general public at regularly scheduled and posted days and times.
 - Site must have been open to the public for at least one year prior to receiving grant funding.
 - Grants are to be used for construction of public amenities such as parking/staging areas, restrooms, signing, erosion control, fencing, and resource assessments/protection.
 - Acquisition of land is not permitted.
 - A statement from the land owner indicating that the project is expected to remain available to the public for at least 10 years is required. Deed restrictions or other legally binding statements of purpose are <u>not</u> required.
 - Federally funded construction projects require resource analysis to assure that construction activities do not impact cultural (archeological) and natural (endangered species) resources prior to construction.

Only one entity will be considered the sponsor of any proposal. Even though projects are encouraged to be undertaken as partnerships, the sponsor for the project will be the one who signs the Project Agreement, is responsible to account for the costs incurred, and will receive the reimbursements. If the land owner is different from the sponsor, application must include documentation of the owner's willingness to allow the trail.

ELIGIBLE PROJECT ACTIVITIES

The following activities are permitted under this trail funding program.

- Construction of new recreational trails on public (federal, state, county, municipal, district, etc.) or private lands. To receive funding for trails on private lands, the sponsor must obtain a legally binding easement, lease, or license, satisfactory to TPWD, keeping the trail open to the public for a minimum of twenty (20) years.
- Trail restoration or rehabilitation.
 Includes rerouting or repair of areas damaged by trail use, flooding, or erosion; rehabilitation of trail tread and facilities that have deteriorated over time as well as Americans with Disabilities Act upgrades.
- Development of trail-side and trail-head facilities.

Eligible Facilities

Signs and displays
Restrooms
Parking areas
Drinking water (water tanks, fountains, faucets)
Horse-watering facilities, hitching posts/corrals
Portable buildings for tool storage

Bike racks
Benches and picnic tables
Fencing or bollards

Ineligible Facilities

Facilities that support other recreation activities (e.g. camping areas, boat ramps, swimming areas, etc.)
Landscaping

Other Buildings (fee booth, offices, etc.)

- 4. Provision of features which facilitate access and use of trails by persons with disabilities.
- Acquisition of easements or leases for trails or trail corridors. Easements or other less than fee simple property interest must be secured for at least twenty (20) years. A term of less than 20 years may be allowed for motorized trail projects, call for further guidance.

- Acquisition of property by fee simple title when acquisition cannot be accomplished by easement. Property acquired under this fund will be subject to continuing recreational use provision, Section 6(f)(3) of the Land and Water Conservation Fund Act.
- Educational signing to interpret natural and/or cultural resources or for proper trail etiquette. Research, development and printing costs of educational/interpretive brochures or handouts are not eligible for reimbursement.
- 8. Environmental mitigation. Provide for redesign, reconstruction, non-routine maintenance or relocation to mitigate or minimize impact to the natural environment.
- Maintenance of existing recreational trails. Routine maintenance will receive a lower priority for funding than new development or rehabilitation/restoration.

USES NOT PERMITTED WITH TRTF FUNDS

Many of the non-permitted uses are specified in the federal act. Others have been added to the Texas program and may be changed in the future as priorities are revised.

- Condemnation of any kind of interest in property.
- Adding motorized uses to trails which were predominantly used by non-motorized trail users and on which motorized use was either prohibited or had not occurred, as of May 1, 1991.
- Spending moneys on private land managed as a commercial enterprise. A trail project on private land which charges fees will be considered a commercial enterprise <u>unless</u> all revenues from its operation will be used <u>only</u> to offset the costs of its operation and maintenance (with the exception of grants to private motorized trail providers. See page i).
- Spending moneys on trails not open to the general public. Projects which are restricted to club members only or which are only open during scheduled events will not be eligible for funding.

- Requiring a nominal fee for trail use (to help cover operation and maintenance costs) does not constitute a trail closed to the general public.
- 5. Research and planning. This program is limited to spending on site-based trail projects (construction, maintenance, or acquisition). Some site planning, design, and engineering specifications can be funded as part of a project which results in completed trail work on the ground. Regional plans, jurisdictional plans, needs assessments, or plans for an entire park or recreational area are ineligible.
- Sidewalks or trails that have only a transportation or access function. Trails must be of sufficient length to serve the recreational use for which they are proposed. A path that only connects facilities in a park will not be considered a recreation trail.
- 7. Administrative costs of the sponsor.

LIMITATIONS ON GRANT AWARDS

Size of Awards

The program limits the amount granted to any single sponsor in one application period to a maximum of \$200,000 (80% of a \$250,000 project). The minimum award per sponsor is \$4,000 (80% of a \$5,000 project) in an application period.

Motorized Trail Projects: The Recreational Trails Act stipulates that 30% of available funds go toward motorized trail projects. In Texas, we are having difficulty generating motorized trail projects and have thus waived the cap for individual projects. Interested sponsors of motorized trail projects should contact TPWD at 512/389-8224 for the amount of funds available.

Number of Projects Per Sponsor

Applicants are encouraged to submit only one project per application period. The Trails Advisory Board is sensitive to the geographic distribution of funds and will rarely recommend funding for more than one project per sponsor

If a sponsor wishes to submit more than one project, separate applications should be submitted when projects are not located at the same site. An exception to this rule would involve the allowance of a single application for trail work of a similar nature on a system of trails in one jurisdiction. For example, a city may submit one application proposing to add crushed fines on all the trails in its area, even though the trails are not connected and are located at various sites around town.

30%-30%-40% Reserved Funds

The federal act mandates that at least 30 percent of the funds be earmarked for motorized trail recreation, and at least 30 percent be dedicated to non-motorized trail recreation. The remaining 40 percent is discretionary for "diversified" trail use. The Texas Trails Advisory Board will be responsible for fairly distributing selected projects among these categories based on information in the application. Historically in Texas, there has been high demand for non-motorized project funding and little demand for motorized project funding.

OTHER CONSIDERATIONS

Match vs. Reimbursable Costs

The following table shows the types of costs that may be included in a project and which ones are reimbursable. Donations from the private sector (land, materials, or labor) may only be attributed to the sponsor's match. Sponsors may not make a profit by being reimbursed beyond their out-of-pocket costs. Private donations which exceed the 20 percent share simply serve to reduce the overall cost of a project.

Allowable Costs for Reimbursement

Acquisition of fee title land or easement/lease Service contracts

Direct labor costs (hired workers, current staff, force account)

Materials (purchased)

Equipment rental

Purchase of trail hand tools and equipment
Design, engineering and architectural services
(not to exceed 10% of total project costs)
Value of currently owned equipment (based on FEMA rates)

Natural and cultural resource site assessments (not to exceed 15% of total project costs)

Allowable Costs for Sponsor's Match

Appraised value of donated land or easement
Value of volunteer labor (\$10.00 per hour)
Value of donated materials or contribution of
materials on hand
Value of donated equipment
Any of the reimbursable costs which are paid for

Any of the reimbursable costs which are paid for by cash donations or sponsor's appropriations (to account for the required 20% match)

Projects on Federal Land

The re-authorization of this program in 1998 permits federal funds, in-kind labor of federal employees, and the value of federal equipment as match for TRTF funds up to 95% of the total project cost. The remaining 5 percent of the project cost must be provided by non-federal sources, typically through a partnership arrangement with a local government or non-profit group. Recreational Trail Grant funds will still not exceed 80% of the total project cost. If there are questions about projects involving federal lands or federal partners, please contact TPWD for clarification.

Design Standards

Trails and trailhead/trailside facilities should be attractive to the public and harmonious with the natural environment. In general, new development and improvements should be designed to avoid or minimize harm to the natural setting, accommodate the number and types of proposed uses, and be consistent with topographic limitations of the site.

Emphasis should be given to public health, safety, the natural environment, barrier-free access, and the protection of recreational and community values of the area.

Natural and Cultural Resource Review

Projects recommended for funding will be submitted to the Texas Historical Commission for a cultural resource review and to TPWD resource staff for a natural resource review. If these reviews uncover sensitive resources at a proposed project site, the project applicant will immediately be notified as to the situation and what actions are necessary to mitigate the situation.

The review by the Texas Historical Commission focuses primarily on whether the project will impact known archeological sites or if the site's location and character are likely to contain archeological deposits. If the site contains, or likely contains, archeological deposits, a field survey by a qualified archeologist is usually required.

The review by the TPWD resource staff focuses primarily on whether the project site has known existence of animal and/or plant species listed as threatened or endangered, or habitat to support such species. If this is the case, a field survey by a qualified biologist is required and the project's impact on the listed species is assessed. If the rare species is federally listed, the U.S. Fish and Wildlife Service must approve the project for it to proceed. If a site has not previously undergone natural and cultural resource survey, we recommend budgeting funds in the project proposal for surveys of the trail route.

Applicants will be required to remedy all resource impact concerns prior to initiating work on the project. Sometimes a simple rerouting of the trail to avoid sensitive areas will allow a project to proceed, in other cases the remedy is much more time consuming and costly. If the remedy costs are too great (over 15% of total project costs), the sponsors will have the following options: a) cover the costs of the mitigation overruns themselves, b) relocate the project to a more suitable location, or c) withdraw their application.

Barrier Free Access

Applicants must ensure that support facilities in the area proposed for TRTF assistance will meet current barrier-free accessibility standards. i.e. make all elements proposed in the project accessible to users who are physically and/or mentally disabled. All trailhead parking facilities, trail bridges, and restrooms developed with grant assistance must be fully accessible. To the greatest extent possible, trails intended for use by pedestrians should be accessible to people using wheelchairs, whether manual or motorized. Projects in developed areas should place particular emphasis on accessibility. Sponsors will need to justify why it is not feasible to make trails fully accessible.

Sometimes physical limitations of the trail corridor site do not allow for total accessibility. However, land managers are encouraged to incorporate accessible features when they do not negatively impact the environment. When a sponsor proposes accessible facilities above and beyond that required by law, it will make the application more competitive and increase its potential for funding.

SUBMISSION, REVIEW, AND SELECTION OF PROJECTS

Project applicants shall submit an original and 12 copies of the Project Application and applicable support documentation, including one original 7.5 minute U.S.G.S. quad map(s) with the project drawn, to the Texas Parks and Wildlife Department, Recreational Trails Program, 4200 Smith School Road, Austin, Texas, 78744, postmarked by May 1st of each year.

Review and Evaluation Process

The project applications will be reviewed for completeness and eligibility prior to the being reviewed for quality. The Texas Trails Advisory Board will assist TPWD staff in selecting a slate of recommended projects to be presented to the Texas Parks and Wildlife Commission for final selection. Project applicants will be notified in writing of their project's selection or disapproval after the Commission action.

Criteria for Selecting Projects

The Texas Trails Advisory Board and Texas Parks and Wildlife Department staff will evaluate projects in terms of their overall quality, ability to serve recreational needs, cost-effectiveness, benefits, community support, innovation, geographic scope and distribution, and accommodation of barrier free access.

The cost-effectiveness criteria rewards those projects which accomplish a lot with a little amount of funding as well as those projects which propose a greater proportion of basic trail work as opposed to support facilities, design and engineering. Basic trail work includes tasks such as trail layout, vegetation clearing, bridges, work on the trail tread (shaping, drainage structures, surfacing, steps, and erosion control), retaining walls, and acquisition of trail corridor. Trailside and trailhead facilities are considered support facilities because they are not providing *direct* recreation opportunities.

Projects which serve multiple, compatible trail users will be given priority as will projects undertaken with partnerships due to their ability to build constituencies for trail projects.

Projects in which the sponsor is willing to provide more than the minimum 20% match will also be given preference depending upon the extent of overmatch committed.

Resubmission

Sponsors whose projects are not selected and approved for funding may resubmit their proposals for consideration in the next cycle by notifying TPWD prior to the deadline which has been set for that cycle. Sponsors may wish to modify their proposals to give them a better chance of achieving a higher ranking. Sponsors must submit 13 total copies of the application and accompanying materials, even if resubmitting with no changes.

PUBLIC SUPPORT OR OPPOSITION TO A PROJECT

Documented public support or opposition to a project will be considered by the Texas Trails Advisory Board during the evaluation of projects and recommendations for funding. Resolutions of support from local political entities are not required

to submit a project proposal for funding or to receive funding. However, if opposition to a project arises to the extent that a political subdivision, within whose jurisdiction the project falls, passes a resolution opposing funding of the project, that will be sufficient cause to not select the project. A resolution of opposition would also be grounds to rescind funding for a previously funded project if the resolution is received prior to the start of construction.

PROJECT DEVELOPMENT

Approved Projects

The grant recipient may only initiate activities to undertake the approved scope of work *after* a Project Agreement is signed. This includes not taking title to lands or easements that are included in the project costs. The sponsor will not be reimbursed for project costs incurred prior to the date of the signed Agreement. Unlike the Texas Recreation and Parks Account grants, the TRTF does not allow application preparation, site design, and other pre-application costs to be recovered retroactively. For this reason, applicants need only develop project concepts well enough to have a reasonable budget.

The Project Agreement is the contract between TPWD and the sponsor setting forth the approved work, allowable costs, and the sponsor's commitment to follow required procedures.

Compliance with Federal and State Requirements

During the application period, sponsors are not being asked to obtain all the necessary permits and clearances which the project ultimately will need. Projects approved to receive federal funds must meet any number of federal and state requirements. If selected, sponsors must be prepared to submit many federal forms; undergo environmental reviews and possibly prepare mitigation plans; obtain all permits and permissions; comply with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 and other acquisition requirements (if acquisition is involved); follow required procurement procedures, expect audits, and supply progress reports. If you are not deterred by this, we look forward to being your partner in providing more recreational trail opportunities!

Reimbursement Procedures

In general, TPWD will reimburse the sponsor for 80 percent of the project's total cost provided:

- (a) The costs are for allowable expenditures as outlined in the sponsor's application and approved in the Project Agreement signed by TPWD and the sponsor, and
- (b) Sponsor supplies adequate documentation that fully accounts for outof-pocket expenditures and any donated labor, land, or materials, and certifies that the expenditures have been incurred on the project.
- (c) The amount of donated labor, land, or materials does not exceed 20 percent of the total project costs.

Sponsors may bill TPWD on an interim basis by submitting receipts and other documentation of expenditures and work undertaken provided the sum of the interim billing totals at least \$5,000. If the entire project cost is below \$5,000, only one final billing will be accepted. After processing the billing, TPWD will make a payment to the sponsor for 80 percent of the amount submitted. It can take up to 60 days for reimbursement payments to reach sponsors.

RETENTION AND USE

Property acquired or developed with TRTF assistance shall be retained and used for public recreation. Any property so acquired or developed shall not be wholly or partly converted to other than public recreation uses without the approval of the TPWD. Such approval will be given only upon conditions as TPWD deems necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonably equivalent usefulness, quality, and location. An exception to the requirement for permanent public recreation use and dedication will only be made for lease TRPA-assisted properties after the term of such leases expire. (See "Guidelines for Conversion of Fund Supported Properties" for more information.)

A. Proposed Uses – Non-recreational uses anticipated at the time of approval, or for which a request for conversion will be made subsequent to project approval, will be subject to the conditions above.

B. **Existing Uses** – These provisions do not apply to non-recreational uses being made of an area or facility at the time the program-assisted project is approved, when such uses are known to and approved by the Texas Parks and Wildlife Department and documented in the project proposal.

OPERATION AND MAINTENANCE

Property developed with program assistance shall be operated and maintained as follows:

- A. The property shall be maintained so as to appear attractive and inviting to the public.
- B. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
- C. Properties shall be kept reasonably safe for public use.
- D. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use. It is not necessary that assisted structures/improvements be maintained Once assisted improvements/ perpetuity. structures have exceeded their estimated lifetime, or they are no longer economically feasible to operate or maintain, they may be demolished, renovated, redeveloped as long as the area remains in public recreation use and prior Texas Parks and Wildlife Department approval is received.
- E. The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.

AVAILABIITY TO USERS

A. Non-Discrimination – Property developed with program assistance shall be open to entry and use by all persons regardless of age, race, color, sex, national origin, or handicap who are otherwise eligible. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence.

B. Reasonable Use Limitations – Participants may impose reasonable limits on the type and extent of use of the areas and facilities acquired or developed with program assistance when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the number of persons using an area or facility or the type of users such as hunters only or hikers only. All limitations shall be in accord with the applicable grant agreement and amendments.

CONTACTS

For further information or for questions regarding the Texas Recreational Trails Fund:

Texas Recreational Trails Program Texas Parks and Wildlife Department 4200 Smith School Road Austin, Texas 78744 Telephone: (512) 389-8224

Fax: (512) 389-8242

Web address:

http://www.tpwd.state.tx.us/business/grants/

Email address: rec.grants@tpwd.state.tx.us

Due May 1st

PRC	JECT NAME					
SPO	NSOR NAME					
CITY	/ & COUNTY NAME					
1.	SPONSORING ENTITY Contact Person: (person TPWD may contact for further information) Title:					
	Mailing Address:					
	City:	State: 2	Zip Code:			
	Email Address:					
	Federal Tax Identification Co or 501 (C) (3) or (C) (4) exer		nd printout - see page 6)			
	Area Code &Telephone No	: (<u> </u>	ax No			
	Authorized Signature		Date			
duly a		f, all documentation in this application is tru of the applicant, and the applicant agree ed.				
2.	INTENDED USES (Check (One)				
	☐ Motorized Use	☐ Non-motorized Use	Both			
3.	TYPES OF USE (Check All	<u> </u>				
	☐ Bicycling	Mountain Bicycling	☐ Hiking/Walking			
	☐ Equestrian☐ Motorcycles	☐ Jogging/Running☐ Four-wheel Drive Vehicles	☐ Skating/Skateboarding☐ All Terrain Vehicles			
	☐ Wheelchairs	Provisions for Disabilities	Other			
4.	PROJECT LENGTH					
	New construction	(miles or feet)				
	Renovation of existing	(miles or feet)				
5.	GRANT FUNDS REQUEST	ΓED \$				

6. DESCRIPTION OF PROJECT

Please provide a clear and concise description of the proposed project in the space below. Include a description of the trail length, width, surfacing, and configuration (loop, linear, network); trailhead and trailside amenities. Detail all work to be performed; any right-of-way or easements to be acquired; the relationship between project and any other work planned or existing; partnerships and/or community involvement; and educational/interpretive aspects of the project. (Limit to 1 page).

7. ITEMIZED BUDGET

Provide in the space below an itemized list of all activities to be undertaken and the cost of each activity. Provide as much detail as possible (consider materials - surfacing, lumber, stones, etc.; labor - volunteer or paid; service contracts; equipment/tool rental and/or value of in-house; land acquisition. Design, engineering, or architectural services may not exceed 10% of the total project costs; resource surveys/site assessments may not exceed 15%. Sponsor's administrative costs cannot be included. Please call with questions or for clarification.

۵	PROPOSED METHOD OF FINANCING SPONSOR'S SHARE	
	Local Match Required (at least 20% of top line)	\$
	Federal Funds Requested (80% or less of above line)	\$
	Total Itemized Project Costs (from item 7 on previous page)	\$
8.	PROJECT COSTS AND REQUESTED FUNDS	

PROPOSED METHOD OF FINANCING SPONSOR'S SHARE

Please describe in the space below the source of funds, donations, or in-kind contributions that will make up the sponsor's match (at least 20%). You may include government appropriations; private donations of land, easement, cash, labor, materials, and equipment; or in-house labor, equipment, and materials.

10. **MAINTENANCE**

In the space below, briefly describe the identified commitment to continued operation and maintenance of the project. Please indicate who will be responsible for which tasks and who will finance them.

	Grant Application for Texas Recreational Trails Fund		
11.	PROJECT USE AND BENEFITS Provide in the space below a brief description of the benefits of the proposed project in terms of the project's quality, geographic scope, recreational needs that are to be met, and expected amount of trail use or population to be served.		

12. TRAIL CORRIDOR INFORMATION

Describe below the ownership of the trail corridor. If the land is currently in public hands, identify the name of the public land. If the land is not in the sponsor's ownership, include a statement of permission to construct trail project from the landowner. If land, easement, or other property interest will be acquired, describe how this will be accomplished. If acquisition in fee, include a statement of why easement was not possible.

13.	PROJECT LOCATION		
	A.	City:	County:

3. Congressional District No.

B.	State Legislative District Numbers: (www.senate.state.tx.us Go to Senators/Who Represents Me?). Type in the project site address to locate your Texas Senate District, Texas House Representative District and U.S. Congressional District number.

CHECKLIST FOR SUBMISSION

One original and 12 copies of the completed application package must be postmarked by May 1st and must be submitted to:

Texas Parks and Wildlife Department Recreational Trails Program 4200 Smith School Rd. Austin, Texas 78744

All applications should include the following supplemental documents:

- 1. Site map locating the trail for orientation purposes. The trail drawn on a park map or city map will do.
- 2. A U.S.G.S. topographic map (7.5 minute series) with the trail location drawn on map. We only need one of these, not 12 copies. An 8.5 x 11 inch copy of the portion of the map on which the project is located will suffice, but write the name of the quadrangle on the copy.
- 3. Photographs of the site
- 4. A legislative district printout (from the (www.senate.state.tx.us website) that corresponds to the sponsor location district number requested in 13.B of page 5 of this application.
- 5. A printout of Vendor Account Information (http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html) for your business or a printout of your corporation search (http://ecpa.cpa.state.tx.us/coa/Index.html) with a vendor number that corresponds to the vendor number that is listed on page 1.

If relevant to the specific project:

- Statement of (public or private) land owner's willingness to allow the trail project, if not on sponsor's land
- Statement of property owner's willingness to negotiate for a transfer, if property is proposed for acquisition
- Statement that new trail construction on federal land is consistent with federal agency's land management plan for the impacted area

Please limit the answers to application questions within the space provided and be concise. Do not submit applications with binders, covers, or folders as they are removed for review.