Texas Parks & Wildlife Department
Recreation Grants Branch

LOCAL PARK GRANT PROGRAM

Urban Outdoor
Recreation Grant Application
(PWD 1189-P4000)

SPECIAL CALL FOR APPLICATIONS
August 1, 2012
(SEE SPECIAL INSTRUCTIONS FOLLOWING PAGE)

This program is limited to the following government entities only:

Dallas	**Dallas County**
Fort Worth	**Tarrant County**
El Paso	**El Paso County**
Austin	**Travis County**
San Antonio	**Bexar County**
Houston	**Harris County**
	Hidalgo County
	Collin County
	Denton County
	Fort Bend County

TEXAS PARKS & WILDLIFE

Instructions for Special Call for Applications
August 1, 2012 Deadline!

SPECIAL CALL FOR APPLICATIONS FOR LOCAL PARK OUTDOOR GRANTS

Recreation Grants Branch is announcing a special call for applications to include the Outdoor Recreation and Urban Outdoor Recreation grant programs. With the passage of the omnibus spending bill in December by the U.S. Congress, Texas has received $2,302,679 for its federal apportionment through the **Land and Water Conservation Fund (LWCF)**. Approximately one half of this amount or $1,151,339 is available for the August 1st grant review. Of this amount, 40% is set aside for the Urban Outdoor Recreation grants and 60% is set aside for Outdoor Recreation grants.

The 82nd Texas Legislature suspended all State funding for the Texas Recreation and Parks Account (TRPA), and all Large County & Municipality Recreation and Parks Account. Due to this suspension, available grant funds are limited to the federal LWCF apportionment and the following program guidelines apply for this call for applications:

Application Deadline

Applications must be postmarked no later than **August 1, 2012**

Match

Outdoor Recreation Grant maximum match amount = **$100,000**
(Approximately $690, 803 available)

Urban Outdoor Recreation Grant maximum match amount = **$220,000**
(Approximately $460, 535 available)

Existing government-owned lands cannot be used as a part of the non-federal matching share of a project unless such land is to be acquired by the sponsoring agency from another agency and there is a statutory requirement that the selling agency be reimbursed for the value of the property. Further, property cannot be "donated" between the State and its political subdivisions to serve as a match for grant assistance.

The ONLY federal funds allowed as match include grants from the Community Development Block Grant and the National Recreational Trails Fund programs.

Leased Land

Projects on leased land will only be considered if the lesser; 1) is another eligible government entity and 2) dedicates the land as public parkland in perpetuity.

Waiver of Retroactivity
If you are planning to use a Waiver of Retroactivity for your application, please contact our office to confirm eligibility prior to preparing your application.

Land Appraisals
If your project is selected for funding and it includes land acquisition, an appraisal in compliance with Uniform Appraisal Standards for Federal Land Acquisition (yellow book standards) will be required. These standards can be found on the U.S. Department of Justice's website at www.usdoj.gov/enrd/land-ack . Please note that the cost of the yellow book appraisal is NOT eligible for reimbursement.

TRACS
COG review no longer required.
All other program guidelines remain in effect.
For all other program guidelines, please review the relevant application by visiting our website at www.tpwd.state.tx.us/business/grants .

Due to limited funds and eligibility requirements, applications for all other Local Park Grant programs are NOT being accepted at this time. These include the Small Community, Indoor Recreation, Urban Indoor Recreation and Regional grant programs.

For questions regarding the application process, please contact:

Dana Lagarde
(512)389-8175
dana.lagarde@tpwd.state.tx.us

OR

Roxane Eley
(512)389-8109
Roxane.eley@tpwd.state.tx.us

LOCAL PARK GRANT PROGRAM

TEXAS PARKS AND WILDLIFE DEPARTMENT MISSION STATEMENT

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing, and outdoor recreation opportunities for the use and enjoyment of present and future generations.

RECREATION GRANTS BRANCH MISSION STATEMENT

To assist communities in providing recreation and conservation opportunities for the use and enjoyment of present and future generations.

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Recreation Grants Branch Directory

Mailing Address: Texas Parks & Wildlife Recreation Grants Branch 4200 Smith School Road Austin, Texas 78744		**Office Location:** Texas Parks & Wildlife Recreation Grants Branch 1340 Airport Commerce Drive Building 6, Suite 600A Austin, Texas 78741
Website: http://www.tpwd.state.tx.us/business/grants/ **Email:** Rec.Grants@tpwd.state.tx.us **Telephone:** (512) 389-8224 **Fax:** (512) 389-8242 **TPWD Main Numbers:** 1-800-792-1112 or 512 389-4800		

Tim Hogsett, Director 389-8224

Local Park Grants Section Manager ..... ……..389-8175

Fiscal Section Manager..... 389-8210

Community Outdoor Outreach Program Manager..... 389-8745

Non-TRPA Grants (Boating, Trail, & Pump-out) Manager..... 389-8128

Office Manager..... 389-8171

LOCAL PARK GRANT PROGRAM

GENERAL INFORMATION

The Texas Parks & Wildlife Department, Recreation Grants Branch (the Department) administers the Local Park Grant Programs – **Outdoor Recreation, Indoor Recreation, Urban Outdoor Recreation, Urban Indoor Recreation, Small Community, and Regional**; to assist local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The Program provides 50% matching fund, reimbursement grants to eligible local governments. In other words, the Department can award $1 for every dollar of eligible match provided by the sponsor, up to the program award ceiling. Grants are awarded by the Parks & Wildlife Commission twice each year, as funds are available.

The legal project sponsor is responsible for:

- application content
- project administration
- program compliance

If other individuals are used to write the application or assist with project administration, the Department can only recognize the legal sponsor as the responsible party. All project correspondence, documentation, and commitments must be made and submitted by the legal project sponsor.

The maximum amount which may be applied for in each Program is:

GRANT PROGRAM	MAXIMUM MATCH AMOUNT
Outdoor Recreation (communities <500,000 population)	$500,000.00
Indoor Recreation (communities <500,000 population)	$750,000.00
Urban Outdoor Recreation (communities >500,000 population)	$1,000,000.00
Urban Indoor Recreation (communities >500,000 population)	$1,000,000.00
Small Community (communities <20,000 population)	$ 75,000.00
Regional Outdoor Recreation – currently suspended	

Only one application per eligible sponsor per grant program cycle will be accepted.

WHO IS ELIGIBLE TO RECEIVE FUNDS

Eligible applicants include political subdivisions of the State of Texas legally responsible for providing public recreation services to their citizens. This includes cities, counties, river authorities, municipal utility districts, and other special districts. Questions regarding eligibility should be directed to the Department at 512-389-8224 or by email at Rec.Grants@tpwd.state.tx.us.

THIS IS A REIMBURSEMENT PROGRAM

Fifty percent (50%) of the actual expenditures, up to the support ceiling of the grant, will be reimbursed during the project period as billings are submitted. Your **original project estimates** will determine the support ceiling. Sponsors **must have start-up funds** available to cover project expenses until reimbursement requests can be processed.

LOCAL SOURCES OF MATCHING FUNDS

Grant funds are provided on a matching basis with the local sponsor providing fifty percent (50%) of the project costs. The sponsor's matching share may come from a number of sources including, but not limited to the following:

- Capital improvement and revenue bonds
- Local appropriations (i.e. cash)
- 4B funds (economic development sales tax)
- In-kind labor, equipment, and materials to be provided by the sponsor or another governmental/educational entity
- The value of sponsor or publicly-owned non-parkland (must be proposed as acquisition in the application budget and the title must be transferred to the sponsor at the appropriate time **after** Department authorization is received). **Land leased from another governmental entity cannot be used as the sponsor's local match**.
- The value of the land (or fees) to be received as the result of local mandatory park dedication requirements
- The value of privately donated land, cash, labor, equipment, and materials
- Other eligible state/federal grants or resources, including but not limited to: Coastal Management Program, Community Development Block Grants, Fish and Wildlife Service.

Questions regarding matching share eligibility should be directed to the Recreation Grants Branch at 512-389-8224 or by email at Rec.Grants@tpwd.state.tx.us.

WHEN TO SUBMIT APPLICATIONS

Submit four (4) full sets of all required documents (1 with original signatures and 3 copies) – separately bound, limit to one hard binder. Many of the required forms are now available as fillable forms in Appendix B. Application proposals are reviewed at approximately six-month intervals. Applications must be received by 5:00 p.m. on the submission date OR postmarked as mailed on the submission date.

Program	Submission Date	Award Date
Outdoor Recreation	March 1st	late August
Outdoor Recreation	August 1st	late January
Indoor Recreation	August 1st	late January
Urban Outdoor Recreation	March 1st	late August
Urban Indoor Recreation	August 1st	late January
Small Community	March 1st	late August

WHERE TO SUBMIT APPLICATIONS

Mailing Address:
Recreation Grants Branch
Texas Parks & Wildlife Department
4200 Smith School Road
Austin TX 78744

Physical Address:
Recreation Grants Branch
1340 Airport Commerce Drive
Bldg 6, Ste 600A
Austin TX 78741

PROJECT SCORING AND LOCAL NEED

Recreation Grants uses the Project Priority Scoring System to evaluate and rank all applications. Although it is not necessary to have a local parks master plan, priority is given to projects proposing to meet priority needs determined locally in a Department-approved, sponsor-endorsed, recreation and open space master plan prepared by the project sponsor. See *Park, Recreation, & Open Space Master Plan Guidelines* in Appendix G.

Master plans must be reviewed and approved by the Department at least 60 days prior to the applicable grant application deadline.

The *Project Priority Scoring System* is located in Appendix F.

PUBLIC HEARING REQUIREMENTS

All grant applications must receive at least one public hearing prior to submission in compliance with the Texas Open Meetings Act. The hearing may be a separate public meeting, or it may occur at the time the governing body regularly meets. At this public hearing, the governing body must pass the resolution authorizing application submission. The public hearing must be properly posted and advertised in compliance with the Texas Open Meetings Act, and there must be an opportunity for public comment.

Projects involving floodplain or wetland areas are subject to additional requirements (see *Environmental Assessment Instructions* in this guide).

Sponsors must certify on the *Applicant's Certification & Program Assurances* form that the public hearing requirement has been met. For more information on the Open Meetings Act see:

http://www.oag.state.tx.us/

COUNCIL OF GOVERNMENTS REVIEW (TRACS)

You must submit a copy of the application to the appropriate regional planning council of governments (COG) for Texas Review and Comments System (TRACS) consideration. A list of COGs is available in Appendix L. More information about TRACS can be found on the Governor's website at:

http://www.governor.state.tx.us/divisions/tracs/

WHAT TO EXPECT AFTER SUBMISSION

The process of reviewing grant applications requires about six months, and includes:

- technical review by the Recreation Grants Branch staff
- environmental review by the Department's Fisheries and Wildlife divisions staff
- historic/archeological review by the Texas Historical Commission staff
- phone call by Recreation Grants Branch staff

When all of the information necessary to complete the application is received, the project is scored, put in priority order by score, and resulting recommendations are presented to the Parks & Wildlife Commission.

The Parks & Wildlife Commission makes all final decisions regarding awards of program funds. Each project sponsor will be notified of the staff's recommendation shortly before the Parks & Wildlife Commission hearing. The public is welcome to attend and participate at the hearing.

ENVIRONMENTAL RESOURCE REVIEW

Recreation Grants will coordinate the review of your project with the resources staff at TPWD. Refer to Appendix I regarding the resource review. If endangered/threatened species have the potential to be located on the project site, additional environmental coordination and/or a survey may be required. You will be notified of the required survey. The environmental resource survey approval must be received prior to any construction or reimbursement. Guidelines will be provided on request. The cost of an environmental survey is eligible for 50% grant reimbursement, if budgeted.

CULTURAL RESOURCES SURVEY

Recreation Grants will coordinate the review of your project with the Texas Historical Commission (THC). If a cultural resource survey is required, you will be notified. Cultural resource survey approval must be received prior to any construction or reimbursement. See Cultural Resource Survey Guidelines in Appendix J. The cost of a survey required by THC is eligible for 50% grant reimbursement, if budgeted.

BARRIER-FREE ACCESSIBILITY

All new projects must ensure that support facilities in the area proposed for grant assistance meet current barrier-free accessibility standards. If funds are needed to make existing facilities accessible, this may be included in the proposed project. Program funds will not be approved unless accessibility requirements are satisfactorily realized.

Construction plans and specifications for approved grant projects must be received by the Department and registered with the Elimination of Architectural Barriers Program at the Texas Department of Licensing and Regulation. For more information contact:

Elimination of Architectural Barriers Program
Texas Department of Licensing & Regulation
P.O. Box 12157, Austin, TX 78711
512/463-6599
http://www.license.state.tx.us/ab/ab.htm

SINGLE AUDIT REQUIREMENTS

It is the responsibility of the sponsor to have a Single Audit done annually according to the Texas Single Audit Circular for state funded projects, and according to OMB Circular A-133 for federally funded projects. A copy of this audit must be furnished to the Department when completed. Contact the Fiscal Section of the Recreation Grants Branch for questions regarding this audit.

GRANT PERFORMANCE AND COMPLIANCE

Due to the limited availability of and excessive requests for grant funds, the Parks & Wildlife Commission adopted the *Summary of Guidelines for Administration of Local Park Grant Program Acquisition & Development Projects* (Guidelines). The Guidelines identify performance and compliance standards for sponsors with active Local Park Grant Program projects, and for previous TRPA, Land & Water Conservation Fund, or Texas Local Parks, Recreation & Open Space Fund project grants seeking new project funding.

The intent of the Guidelines is to ensure that sponsors are:

- expending funds in a timely manner
- expending funds in an efficient manner
- in full compliance with federal and state program requirements for previously assisted sites

A copy of the Guidelines is available in Appendix A.

WE ARE JOINTLY COMMITTED

Both the Department and the project sponsor are committed to long-term program compliance. This includes compliance at Local Park Grant Program assisted sites, and at previously assisted Land and Water Conservation Fund and Texas Local Parks, Recreation & Open Space Fund assisted grant sites. Even after the project is completed and all grant funds have been reimbursed, our commitments to the requirements of the programs continue. Information on Post Project Responsibilities is located in Appendix M.

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LOCAL PARK GRANT PROGRAM

APPLICATION CHECKLIST

This checklist is provided to assist with the preparation and submission of a grant application through the Local Park Grant Program. Please organize documents in the order listed below and submit four (4) full sets of all required documentation (1 with original signatures and 3 copies), separately bound with only one hard binder. A fillable version of the Application Checklist is available in Appendix B.

The Department reserves the right to return applications which are not complete, in fairness to other applicants competing for limited program funds. Please be sure to include all required documents, follow instructions closely, and call Recreation Grants at 512-389-8224 if you have any questions.

The following documents are required for a complete application:

_____ Cover Letter

_____ Resolution Authorizing the Application (executed)

_____ Applicant's Certification and Program Assurances (executed)

_____ Application Form Part I

_____ Application Form Part II

_____ Letters of Commitment for all Land, Cash, Labor, Equipment and Materials to be Donated

_____ Letters of Commitment and Draft Agreements for all other Governmental/School Participation

_____ Location Map of project site

_____ Project Narrative

_____ Environmental Assessment

- _____ Natural Area Verification (if applicable)
- _____ Wetland Verification (if applicable)
- _____ Permit or Evaluation Comments from U.S. Army COE, TCEQ, or other Agency (if applicable)
- _____ Photographs of the Project Area (include existing facilities, water bodies, special features, overhead utility lines, etc.)

Acquisition Documentation (if applicable)

- _____ Acquisition Schedule
- _____ Five-Year History of Property Conveyance **(donations only)**
- _____ Boundary Map (w/ legal description)
- _____ Assurance of Eligibility **(publicly owned non-parkland only)**
- _____ Preliminary Valuation Letter
- _____ Waiver of Retroactivity (if previously approved)

_____ Budget Summary of Project Elements and Costs

_____ Site Plan

_____ Floor Plan(s) (enclosed facilities only)

_____ Regional Planning Commission "TRACS" Letter (or letter of submission)

_____ Proof of Ownership and Legal Control (Recorded Deeds, Draft Lease/Easement Agreements)

_____ Proof Sponsor Can Prevent Surface Drilling/Mining of the Project Site (ordinance, zoning, mineral rights, etc.)

LOCAL PARK GRANT PROGRAM

SAMPLE RESOLUTION AUTHORIZING APPLICATION

A RESOLUTION OF THE **city/county/etc.**, TEXAS HEREINAFTER REFERRED TO AS "APPLICANT," DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT," FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES; AND CERTIFYING THAT THE APPLICATION HAS BEEN SUBMITTED TO THE APPROPRIATE REGIONAL COUNCIL OF GOVERNMENTS FOR THE TEXAS REVIEW AND COMMENT SYSTEM (TRACS) REVIEW.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs its (**title of individual)** to act for the Applicant in dealing with the Department for the purposes of the Program, and that (**name of individual**) is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as (**project name**) in the (**city/county**) of (**name of city or county)** for use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

SECTION 5: That the Applicant hereby certifies that a copy of the application has been submitted to the appropriate regional council of governments for Texas Review and Comments System consideration.

Introduced, read and passed by the affirmative vote of the "Applicant" on this ____ day of____, 20___.

_____
Signature of Appropriate Official

_____
Typed Name and Title

NOTE: ALL INFORMATION SHOWN IN THE "SAMPLE RESOLUTION" MUST BE INCLUDED IN THE RESOLUTION PASSED BY THE GOVERNING BODY OF THE SPONSOR APPLYING FOR PROGRAM FUNDS.

A fillable version of this form is available in Appendix B.

LOCAL PARK GRANT PROGRAM

APPLICANT'S CERTIFICATION & PROGRAM ASSURANCES

As the duly authorized representative of the sponsor I certify that the sponsor:

1. Has complied with all pertinent local and state laws, and Local Park Grant Program requirements regarding public hearings, including floodplain development, if appropriate.
2. Has submitted a copy of the proposed project documents to the appropriate regional council of governments for Texas Review and Comment System (TRACS) evaluation.
3. Has the required proportionate share of funds available and sufficient for the project as required by Section 13.309 of the Parks and Wildlife Code.
4. Will maintain and operate areas acquired or developed with program assistance at sponsor expense as required by Section 13.309 of the Parks & Wildlife Code.
5. Will permanently dedicate for public park and recreation use all project area(s) which receive program assistance, as required by Chapter 640.1.2 of the *Local Park Grant Program Manual*.
6. Has the legal authority to apply for program assistance, and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application.
7. Will give the State of Texas, hereafter referred to as "State," through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
8. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the Texas Parks & Wildlife Department, and will record any federal interest in the title of real property in accordance with U. S. Department of Interior directives.
9. Will dedicate and permanently maintain any property designated as a natural area, wetland, or open space to meet program guidelines.
10. Will comply with all provisions of the "Summary of Guidelines for Administration of Local Park Grant Program Acquisition & Development Projects."
11. Will comply with the requirements of the Department with regard to the drafting, review and approval of construction plans and specifications.
12. Will obtain all required state and/or federal permits related to project development.
13. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms to the approved plans and specifications.
14. Will furnish quarterly progress reports and such other information as may be required by the Department.
15. Will initiate and complete the work within the applicable time frame after receipt of approval from the Department.
16. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.

APPLICANT'S CERTIFICATION & PROGRAM ASSURANCES - continued

17. Will comply with all State and Federal statues relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) any other non-discrimination provisions in the specific statute(s) under which application for program assistance is being made, and (f) the requirements of any other non-discrimination statute(s) which may apply to the application.
18. Will comply with the flood insurance purchase requirements of Section 4012(a) of the Flood Disaster Protection Act of 1973 which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance in an amount at least equal to its development or project cost.
19. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuance to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S. C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air)Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
20. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
21. Will assist the Department in assuring compliance with the Texas Antiquities Code.
22. Will cause to be performed the required financial and compliance audits in accordance with the state or federal Single Audit requirements.
23. Will comply with all applicable requirements of all other State and Federal laws, regulations and policies governing this program.

_____
Sponsor/ Project Name

_____
Signature of Official Authorized in Resolution

_____
Print Name and Title of Official

_____
Date

A fillable version of this form is available in Appendix B.

URBAN OUTDOOR RECREATION - LOCAL PARK GRANT PROGRAM

APPLICATION FORM PART I – GENERAL INFORMATION

I. SPONSOR

A. Name: _____

B. Address: _____

C. Comptroller Identification Number: _____

D. Contact Name/Title: _____

E. Email Address: _____

II. PROJECT

A. Name: _____

B. Physical Address: _____

C. GPS Coordinates (if available): _____

III. CITY & COUNTY: _____

IV. STATE LEGISLATIVE DISTRICTS

State Legislative District Numbers: (www.senate.state.tx.us. Go to Senators/Who Represents Me?). Key in the **project location address** (not the sponsor address) to look up your district numbers. Please print the webpage and include with your application.

Texas Senate: _____ **Texas House**: _____

V. FEDERAL CONGRESSIONAL DISTRICT: _____

VI. MATCHING FUNDS REQUESTED (50% OF PROJECT): $ _____
(Not to exceed **$1,000,000**)

* * * * * * * *

To the best of my knowledge and belief, all documentation in this application is true and correct; the application has been duly authorized by the governing body of the sponsor; and the sponsor agrees to comply with all program rules and procedures if grant assistance is awarded.

_____ _____
Signature of Official Authorized in Resolution Date

_____ _____
Printed Name, Title Area Code/Telephone Number

A fillable version is available in Appendix B.

URBAN OUTDOOR RECREATION - LOCAL PARK GRANT PROGRAM

APPLICATION FORM – PART II – BUDGET INFORMATION

A. SPONSOR MATCHING SHARE

1.	Voter-Approved Capital Improvement Bonds	$	_____
2.	Sponsor Appropriations: cash, 4-B, EDC, etc.	$	_____
3.	Sponsor In-House Labor, Equipment, Materials	$	_____
4.	Sponsor/Publicly Owned Non-Parkland (Include Assurance of Eligibility)	$	_____
5.	Private Donations of Land *	$	_____
6.	Private Donations of Cash *	$	_____
7.	Private Donations of Labor, Equipment, Materials *	$	_____
8.	Other Governmental/Educational Resources * (Specify in Section C)	$	_____
9.	Other Grants * (Specify in Section C)	$	_____
10.	Other Funds/Resources * (Specify in Section C)	$	_____
11.	TOTAL SPONSOR SHARE (Add Lines 1 through 10)	$	_____

NOT TO EXCEED $1,000,000

*** = Include letter(s) of commitment**

B. ESTIMATED TOTAL COST OF PROJECT $ _____

Show additional resources and/or additional sponsor costs, if any, in excess of $2,000,000 in Section C

C. EXPLANATIONS

Type or print explanations; include additional pages if necessary

_____

_____

_____

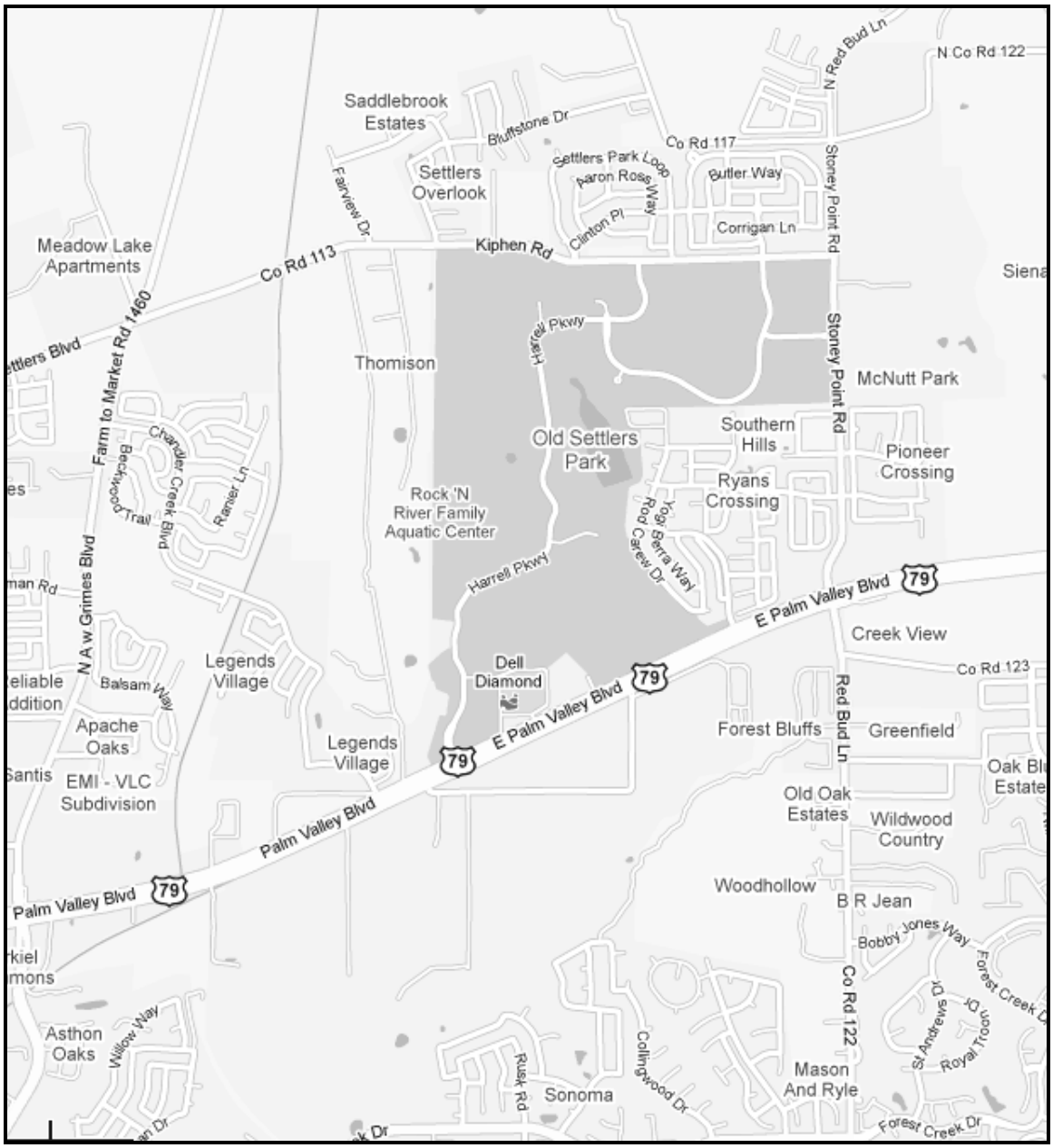
_____

_____

A fillable version is available in Appendix B.

SAMPLE LOCATION MAP

The Location Map should be a city map and/or county map with **legible** street names and identification of the proposed project site(s). A vicinity map may be needed to locate the general area where site is located. Using any internet search engine, print the location map. Outline the project location.



Map(s) should not exceed 8 ½“ x 11”

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LOCAL PARK GRANT PROGRAM

PROJECT NARRATIVE INSTRUCTIONS

The Narrative describes all elements of the project and the need for assistance. Each section of the Narrative should be clear and concise. If the application is to be successful you ***must*** clearly state **what** is proposed, **why** it is needed, and **how** it is to be accomplished. Make sure all information is consistent with similar information elsewhere in the application. See Project Priority Scoring System on page 65 for additional information.

GENERAL INFORMATION

- Name of the project sponsor and the project name
- Who prepared the project narrative.

DESCRIPTION OF PROPOSED PROJECT

Briefly describe elements of the project for which assistance is requested.

- If land is to be acquired (see Appendix D for Acquisition Criteria)
    - give the acreage
    - method of acquisition (purchase, donation, condemnation, dedication, use of sponsor-owned non-parkland, or any combination), and
    - if a Waiver of Retroactivity has been obtained for the acquisition site(s) prior to the application. (see Appendix E regarding Waivers of Retroactivity)
- If development is proposed (see Appendix C for Development Criteria)
    - specify what new facilities are to be constructed
    - specify any existing facilities that are to be retained, renovated, removed, or demolished
    - describe which improvements will be constructed by:
        - contract, force account/in-kind services,
        - the assistance of other governmental entities,
        - through volunteer efforts, or
        - any combination of these methods.
    - proposed landscaping **must not** include **invasive species** (a state approved list is being complied), use the link: http://www.invasivespeciesinfo.gov/plants/main.shtml for reference
    - provide a list of proposed plants for landscaping or habitat revegetation if available (will be required if approved)

PROJECT JUSTIFICATION

Thoroughly describe:

- **What** recreational needs will be accomplished through the project, and
- **Why** they are needed.
- If such facilities are not available:
    - at the project site,
    - in the project's intended service area, or
    - within the sponsor's jurisdiction.
- If the project service area is determined to be something other than the entire sponsor's jurisdiction
- **How** the project relates to current and future public recreation needs
    - in the intended project service area, and/or
    - the sponsor's jurisdiction area.
- **How** the project meets the goals of the *Land and Water Conservation and Recreation Plan,* specifically:

    - Goal 1: Improve access to the outdoors.
    - Goal 2: Conserve, manage, operate, and promote agency sites for recreational opportunities, biodiversity, and the cultural heritage of Texas.
    - Goal 4: Increase participation in hunting, fishing, boating and outdoor recreation
    - Available at: http://www.tpwd.state.tx.us/publications/pwdpubs/pwd_pl_e0100_0867/
- Describe who will benefit from the project.
    - include the economic benefit of the project to the community
    - if the project will lead to growth of a conservation constituency
- Identify specific project elements that addresses the Project Priority Scoring System in Appendix F
    - do not just state the criteria and the presumed score
    - be specific in your description of results and benefits to be realized, and
    - provide supporting documentation as necessary
- Address any unique or innovative project:
    - design features
    - special land uses
    - planning, or community involvement
- Describe any relationships between the proposed project and other work planned, anticipated, presently underway

PROJECT ACTION PLAN

This is an outline and tentative time schedule for implementing the proposed project. Sponsors are allowed approximately three years from the date of Commission approval to complete all project elements. Refer to the sample Summary of Guidelines and General Provisions for complete details on timing requirements for grant administration in Appendix A.

SOURCE OF LOCAL MATCH

Explain the method(s) for financing the required local 50% matching share of the project.

- Describe any federal/state grants or other governmental assistance
    - If previous federal/state assistance has been received or is to be received for this project, identify the project name, number, and briefly describe the assistance with details of the project elements.
    - If no assistance has been received, is anticipated, or presently underway, state that fact.
- Describe any private/non-profit/corporate grants, contributions or donations of cash, labor, equipment and/or materials and provide:
    - Letter(s) of commitments
    - Letter(s) of donations
    - Grant award letter(s)
- Describe other fund raising efforts toward the local match

MAINTENANCE AND OPERATION

- State who will operate and maintain the project area. The applicant (legal project sponsor) is responsible to the Department for the maintenance and operation of the fund supported area(s)/facilities.
- Affirm maintenance of the permanent program acknowledgement sign provided by the Department at project completion (see Appendix K).
- If agreements exist (or are anticipated) for others to perform operation, programming and/or maintenance duties, describe such arrangements.
- Project sponsors must ensure that:
    - such written agreements are approved by the Department prior to implementation, and
    - legal control of the site remains with the grant sponsor (see Post Project Responsibilities in Appendix M).

LOCAL PARK GRANT PROGRAM

ENVIRONMENTAL ASSESSMENT INSTRUCTIONS

To implement the National Environmental Policy Act of 1969 (Public Law 91-190) all projects proposed for assistance must be assessed for their environmental effects. The assessment must address the elements below so the Department can determine **IF** an environmental impact statement is needed. The assessment need not be overly detailed or lengthy. It must provide pertinent information of sufficient scope and depth to allow a sound, defensible position to be taken. It must be factual and concise documentation and not merely additional justification for a project. A listing of the Applicable Environmental Laws and Regulations are available in Appendix H.

If the project involves more than one site, an environmental assessment should be completed for each site.

DESCRIPTION OF PROPOSED ACTION

BRIEFLY describe the project (including a list of the facilities to be developed), the need for the undertaking, and how and when the project is to be carried out. This should match the information provided in the Project Narrative.

The description should also include

- Acres to be acquired
- Acres to be developed
- A general location description (including street access)
- Project's relation to any federal, state, or local projects (if applicable)
- Coordination letters (if required):
    - U.S. Army Corps of Engineers 404 permit
    - archeological/historical sites or surveying
    - Health Department clearance

DESCRIPTION OF THE ENVIRONMENT

The actual project site and surrounding areas should be described. Information that should be addressed includes at a minimum:

Socio-economic Characteristics

- Surrounding land uses (residential, commercial, agricultural, etc.)
- Total population of the jurisdiction
- Population served, if smaller than entire jurisdiction
- Income of population served by the project
- Ethnicity of population served by the project

Natural Characteristics

- Vegetation
- Topography
- Water resources
- Access to the site

- Outstanding characteristics
- Structures and improvements
- Utilities
- Existing and surrounding land uses
- Current property ownership
- Contains, or has habitat for:
    - threatened or endangered species of plant and wildlife
    - significant mineral values
    - unique geological formations
    - unique animal or plant ecosystems
    - cultural/archeological/historical sites
- Sites that are a federal, state, or local government identified area recognized in an acceptable, published planning document for having valuable or vulnerable natural resources, ecological processes, or rare, threatened, or endangered species of vegetation or wildlife

Illustrations, graphics, photographs, etc., regarding elements discussed in this section should be included.

NOTE: Grant funds **may not** be used to purchase or install **invasive plant species** at fund assisted sites. For your reference, use this link for examples of invasive species. http://www.invasivespeciesinfo.gov/plants/main.shtml. A plant list will be required if the approved project includes landscaping.

ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

IMPACTS (or effects) are defined as direct or indirect changes in the existing environment which are anticipated as a result of the proposed action or related future actions. These impacts may be either beneficial or adverse, and should be identified in your description.

Describe the impacts in the table of environmental elements that would be affected, including any anticipated short and long-term impacts of the project in the following table:

A fillable version of this form is available in Appendix B.

ENVIRONMENTAL RESOURCES	N/A	Negative Impacts	Minor Impacts	Describe Impacts
Geological resources: soils, slopes, streambeds, landforms, etc.				
Air quality				
Sound (noise impacts)				
Water quality/quantity				
Stream flow characteristics				
Marine/estuarine				
Floodplains/wetlands				
Land use/ownership patterns; property values; community livability				

ENVIRONMENTAL RESOURCES	N/A	Negative Impacts	Minor Impacts	Describe Impacts
Circulation, transportation				
Plant/animal/fish species of special concern and habitat; state/ federal listed or proposed for listing				
Unique ecosystems, i.e. biosphere reserves, World Heritage sites, old growth forests, etc.				
Unique or important wildlife/ wildlife habitat				
Unique or important fish/habitat				
Introduction or promotion of invasive species (plant or animal)				
Recreation resources, including parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.)				
Overall aesthetics, special characteristics/features				
Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc.				
Socioeconomics, including employment, occupation, income changes, tax base, infrastructure				
Minority and low-income populations				
Energy resources (geothermal, fossil fuels, etc.)				
Other agency or tribal land use plans or policies				
Land/structures with history of contamination/hazardous materials even if remediated				
Other important environmental resources that should be addressed				

Impacts which are unknown or only partially understood should also be indicated.

Any off-site impacts such as downstream water quality, increased traffic on neighborhood roads or increased noise levels in surrounding areas, residential disturbance resulting from overflow lighting systems, etc., should be described.

MITIGATING MEASURES FOR ADVERSE IMPACTS

Adverse impacts may have short-term or long-term effects. They should be identified as such and explained in this section.

For those impacts considered *adverse*, and caused as a result of actions proposed in the application, explain how they will be minimized or eliminated. *Adverse impacts which cannot be mitigated should be identified and discussed in the next section.* (You may not be able to mitigate every adverse impact, but each one should be considered and weighed against the effects considered beneficial to the community and environment.)

For example:

- The utilization of erosion controls to prevent soil run-off during construction.
- The routing or re-routing of vehicles or the installation of traffic controls to regulate increased traffic to, from, and around the project area.
- Specialized facility/area/design which includes: measures to
    - ensure public safety
    - minimize environmental pollution
    - conserve energy
    - allow for cost-efficient maintenance
    - operation and security
    - the aiming of, or timed-use of lighting systems to minimize disturbances to adjacent property owners and nocturnal wildlife
- Replacement/reestablishment of specialized fish, vegetation, or wildlife habitat which will be lost or partially lost as a result of the project's actions.
- Relocation of persons or businesses located within the project area(s).

UNAVOIDABLE ADVERSE IMPACTS

Those effects which cannot be mitigated should be explained and the effects weighed against the beneficial impacts of the project. Be objective as well as analytical, and avoid trying to justify or rationalize proposed actions.

ALTERNATIVES TO THE PROPOSED ACTION

Describe any and all available alternatives to the proposed action. The alternative of *no action* must be specifically addressed. Also discuss the basis for rejections of any alternatives.

LISTING OF PUBLIC AND PRIVATE AGENCIES OR ORGANIZATIONS CONSULTED

List entities contacted for assistance, permitting, or documentation.

A copy of all applications will be reviewed by the Fisheries and Wildlife divisions at TPWD. Information on the types of recommendations and comments you may receive can be found in Appendix I.

FLOODPLAIN AND WETLAND DOCUMENTATION

All projects within a *floodplain, floodway, or wetland* area **must** include this documentation. Exemptions from this documentation are no longer valid. This section is necessary only if the project involves floodplain or wetland areas, pursuant to Executive Order 11988 (Floodplain Management) and Executive Order 11990 (Protection of Wetlands). If the project does not involve floodplain or wetland areas, **state that fact**.

DEFINITIONS

Floodplain: The lowland and relatively flat areas adjoining inland and coastal waters including flood-prone areas of offshore islands, including at a minimum the 100-year floodplain.

Wetlands: Those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances do or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

DOCUMENTATION REQUIREMENTS

Public Notification: The project must inform the public that the proposed project will be located in a floodplain/wetland area, and that the project will have certain environmental impacts on that floodplain/wetland area, and must allow public comment. The following actions must be taken:

- The applicant must publish a notice in the local media describing the proposed action in the floodplain or wetland area and invite the public to provide their views on the proposal. This may be done by holding a public hearing or making the plans and other pertinent materials available for review at a public place (i.e., city hall, courthouse, library, etc.).

- The application must contain a copy of the published notice and any public comments received. If no public comments are received, this must be clearly stated.

Any public hearing or comments received within two years of the application submission will be accepted.

ADDITIONAL INFORMATION

The following environmental information focusing on the floodplain or wetland activity must be included:

- The extent of the direct and indirect impacts of the project on the floodplain/wetland area.
- Measures to be taken to minimize harm to lives and property and to the natural and beneficial floodplain/wetland values.
- Alternative actions and locations considered in the event of an adverse impact of the project on floodplain/wetland values.
- Assurance that all state and local floodplain and wetland regulations are being met.
- A map delineating the floodplain/wetland area as it applies to the proposed project (highlight the project area).

DEVELOPMENT AND MAINTENANCE CONSIDERATIONS

The following suggestions developed by the Fisheries and Wildlife divisions should be considered when proposing and designing a project in order to minimize adverse environmental impacts and establish appropriate maintenance procedures:

1. Trails along creek banks and lake shores should be set back far enough that they do not cause or exacerbate erosion of banks, either from construction activities or long-term use. Pedestrian creek crossovers should be located in areas where vegetation removal or disturbance can be avoided or minimized. The crossovers should span the entire creek channel with the headwalls at or above the top of the bank in order to avoid destabilizing the bed and banks.
2. Impervious vehicular and pedestrian use areas such as roads, walking tracks and parking areas should not impede natural surface water drainage. Stormwater runoff should be treated before discharging into nearby waterways by directing runoff into vegetated swales, retention or detention ponds, or similar pre-treatment areas.
3. Landscaping and revegetation plans should incorporate native plants, including grasses, whenever possible. Locally adapted natives can increase survival and reduce maintenance and watering needs while providing benefits to wildlife. Mowing only essential use areas will allow native grasses to prosper, generally without additional irrigation Maintenance activities should be reduced as much as feasible in all areas except sport fields and playgrounds, and restricted to after seed-set (late fall) to promote reseeding and increase wildlife value. Enhancement of existing native grasses or prairie remnants can be assisted by limiting mowing practices and reseeding exposed areas with native grasses and forbs. After all, as many communities are learning, access to wildlife for casual recreation is not only a valued public benefit itself, but also a potential boost to the local economy.
4. Disturbance of native vegetation should be avoided or minimized during land alteration activities by using site planning and construction techniques designed to preserve existing native trees, shrubs, grasses and forbs, as well as aquatic and wetland systems. Should any losses be deemed unavoidable, it is recommended that native plant and forage species be used in mitigation and landscaped areas that are beneficial to fish and wildlife endemic to the area. Also, where possible, clearing of understory vegetation should be minimized because it provides habitat to small mammals and birds. Natural buffers contiguous to wetlands and aquatic systems should remain undisturbed to preserve wildlife cover, food sources, and travel corridors.
5. Soil erosion should be minimized using haybales, silt screens, or similar soil erosion prevention techniques. In order to enhance the stabilization of exposed soils, newly graded areas should be seeded or sodded with native grasses, while graded embankments should not exceed a 4:1 slope.
6. Park sites containing ponds or proposing the construction of a pond should take measures to ensure that any domesticated waterfowl that take up residence at the pond are removed immediately by legal means. Domestic waterfowl pose a danger to native wild duck populations by providing a disease vector for duck plague, New Castle Disease, avian cholera, avian tuberculosis, chlamydiosis, bird flu and West Nile virus. Furthermore, the close genetic relationship between domestic and wild waterfowl can result in hybrid offspring, which has the effect of diluting the gene pool of wild populations and presents the possibility of breeding native species out of existence. Signs should be placed in the vicinity of park ponds to educate the public on the negative impacts of the release and feeding of domestic waterfowl.
7. No person may import, possess, sell, or place into water of this state exotic, harmful, or potentially harmful fish, shellfish, or aquatic plants except as authorized by rule or permit issued by Texas Parks & Wildlife (see list of Controlled Plants):

CONTROLLED PLANTS

Family	Scientific name	Common name
Amaranth family: Amaranthaceae	*Alternanthera philoxeroides*	Alligatorweed
Sumac family: Anacardiaceous	*Echinus terebinthifolius*	Brazilian peppertree
Arum family: Araceae	*Pistia stratiotes*	waterlettuce
Morning-glory family: Convolvulaceae	*Ipomoea aquatica*	swamp morning-glory
Water Milfoil family: Haloragaceae	*Myriophyllum spicatum*	Eurasian watermilfoil
Tape-grass family: Hydrocharitaceae	*Ottelia alismoides*	ducklettuce
	Hydrilla verticillata	hydrilla
	Lagarosiphon major	oxygen-weed
	Spirodela oligorhiza	duckweed
Loosestrife family: Lythraceae	*Lythrum salicaria*	purple loosestrife
Myrtle family: Myrtaceae	*Melaleuca quinquenervia*	punktree
Grass Family: Poaceae	*Panicum repens*	torpedo grass
Waterhyacinth family: Pontederiaceae	*Eichhornia azurea*	rooted waterhyacinth
	Eichhornia crassipes	common waterhyacinth
	Monochoria hastata	arrowleaf falsepickerelweed
	Monochoria vaginalis	heartshape false pickerelweed
Salvinia family: Salviniaceae	all species of genus *Salvinia*	
Figwort family: Scrophulariaceae	*Limnophila sessiliflora*	Asian marshweed
Potato family: Solanaceae	*Solanum tampicense*	scrambling (wetland) nightshade
Bur-reed family: Sparganiaceae	*Sparganium erectum*	simplestem bur-reed
Duckweek family: Lemnaceae	*Landolita punctata*	Giant or Dotted duckweek
Hydrocharitaceae family	*Lagarosiphon major*	Lagarosiphon
Paperbard family: Myrtaceae	*Melaleuca quinquenervia*	Paperbark
Water Spinach family: Convolvulaceae	*Ipomoea aquatica*	ong choy, rau mong, kangkong

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LOCAL PARK GRANT PROGRAM

ACQUISITION INSTRUCTIONS AND FORMS

APPLICATIONS PROPOSING ACQUISITION

This section must be completed if assistance is being requested to acquire land (or if sponsor/publicly-owned non-parkland is proposed as the local matching share of the project). When land is to be acquired by donation, by eminent domain or condemnation, by negotiated purchase, or by any combination of these methods, the application must include the following:

- Acquisition Schedule
- Boundary Map (with a legal description)
- Preliminary Value Letter
- Five-Year History of Property Ownership (for land donations, and sponsor/publicly-owned non-parkland proposed as match; not needed for purchases)
- Assurance of Eligibility (for sponsor or publicly-owned non-parkland proposed as match)

Additional information on these items is included later in this section.

Acquisitions which occur prior to grant approval, department authorization, or which do not meet the acquisition criteria, are not eligible for assistance (see Acquisition Criteria in Appendix D for more information).

The value of land owned by the sponsor may only be used as the sponsor's matching share if it has **never been**:

- dedicated, or
- platted, or
- managed, or
- used, or
- acquired **for public park or recreation use.**

For projects proposing to use sponsor-owned non-parkland as match, certification affirming these conditions is required (see the sample "Assurance of Eligibility" form, a fillable version is available in Appendix B). Land eligibility questions should be directed to Recreation Grants staff for clarification.

When proposing the acquisition of land or real property:

- it is not appropriate to negotiate a price prior to grant and appraisal approval
- may contact the land owner to determine if the land is available for acquisition
- may determine if the owner is willing to donate, sell or partially donate the subject property.

Negotiation of an acquisition price prior to grant and appraisal approval may jeopardize the eligibility of the proposed acquisition for grant assistance. The level of grant assistance will be determined by an independent appraisal, approved by the Department. Appraisal details are outlined in the *Instructions for Approved Projects - Appraisal Instructions*, at http://www.tpwd.state.tx.us/business/grants/trpa/.

NOTE: Projects approved for federal (LWCF) funding are required to complete appraisals in compliance with Uniform Appraisal Standards for Federal Land Acquisition ("yellow book" standards), which can be found on the U. S. Department of Justice's Internet Website: http://www.usdoj.gov/enrd/land-ack/.

LOCAL PARK GRANT PROGRAM
ACQUISITION SCHEDULE
SAMPLE

Project Sponsor and Project Name **(A)**

ACQ TYPE (B)	PARCEL NUMBER (C)	ACREAGE (D)	LAND VALUE (E)	IMPROVEMENT VALUE (F)	CURRENT OWNER (G)	TOTAL VALUE OF PARCEL (H)
3	A	96.74	$ 275,000.00	$	ABC Developer	$275,000.00

TOTAL ACREAGE: **96.74** **(I)**

TOTAL ACQUISITION: (J) **$275,000.00**

SAMPLE ACQUISITION SCHEDULE
A fillable version of the Acquisition Schedule is available in Appendix B.

(A) PROJECT SPONSOR AND PROJECT NAME

(B) TYPE OF ACQUISITION

- 1 = Purchase
- 2 = Eminent Domain/Condemnation
- 3 = Donation
- 4 = Sponsor/Publicly Owned Non-Parkland
- 1-3 = Bargain Sale, Partial Donation

(C) PARCEL NUMBER

Each parcel requested for acquisition must be individually identified and match the boundary map

(D) ACREAGE

Show the number of acres for each parcel of land, to the nearest one-hundredth of an acre.

(E) LAND VALUE

Show the estimated value for each park. Include the Preliminary Value Letter to support the cost estimate of all property proposed for acquisition

(F) IMPROVEMENTS VALUE

If structures or other improvements exist on the subject property, show the value. The Preliminary Value Letter should state how the value was determined. The Project Narrative should explain how the improvements will be used.

(G) CURRENT OWNER

Provide the name of the current land owner for each parcel. For sponsor/publicly owned non-parkland, state the eligible sponsor. If a Waiver of Retroactivity has been obtained, also indicate under current owner.

(H) TOTAL VALUE OF PARCEL

The total will be automatically calculated in the fillable version.

(I) TOTAL ACREAGE

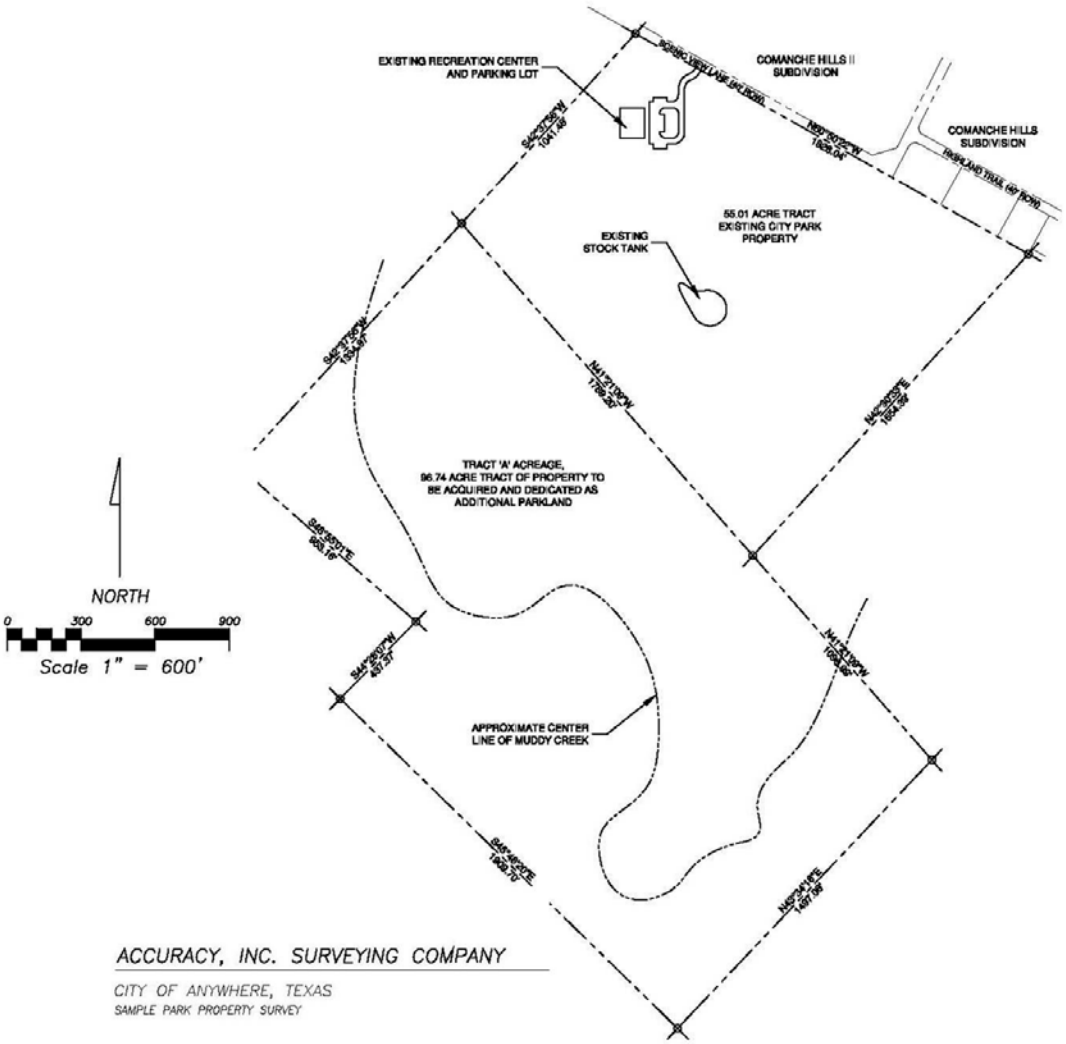
The total will be automatically calculated in the fillable version.

(J) TOTAL ACQUISITION

The total will be automatically calculated in the fillable version.

LOCAL PARK GRANT PROGRAM

SAMPLE BOUNDARY MAP



Map should be full page. The map above is pictured small due to file size limitations.

BOUNDARY MAP

A boundary map is required for all projects requesting acquisition assistance or using sponsor or publicly owned property as match. This map should be a scaled drawing no larger than 11" x 17" which includes all of the following:

1. Sponsor and project name;
2. Directional arrow and scale;
3. Acquisition area and parcel boundaries with each parcel to be acquired labeled in the same manner as the "Acquisition Schedule." Boundaries should be drawn to scale, or if possible, identified using a metes and bounds legal description.
   - NOTE: For projects proposing acquisition of land which will expand an existing park, the boundary map should include the entire area of the existing park and the parcels to be acquired;
4. Locate and label all easements, overhead utilities, structures & improvements, water bodies, adjoining streets (including designated right-of-ways), and future or proposed streets.

A "Sample Boundary Map" is included for your assistance.

PRELIMINARY VALUATION LETTER

All projects proposing the acquisition of land must submit a valuation letter from a qualified individual stating the approximate value of the subject property. The purpose of this requirement is to:

- ensure that enough money is budgeted to acquire the property **by purchase**
- ensure the amount of match available for property by acquired by donation, or bargain sale

In either case, the cost estimates for property acquisition are very important. If property values are estimated below the budgeted amount and the land is to be donated, the sponsor will be required to supplement the match amount to offset the deficit. On the other hand, if the property is to be purchased and the appraised value turns out to be higher than the estimated value, the sponsor may not be reimbursed above that amount proposed in the application and approved in the grant.

Refer to the *Instructions for Approved Projects - Appraisal Instructions*, available on the web at http://www.tpwd.state.tx.us/business/grants/trpa/, if the land to be acquired includes structures or improvements to ensure that the structures or improvements are properly valued.

IT IS NOT NECESSARY TO PREPARE A FORMAL APPRAISAL TO APPLY FOR GRANT FUNDS. Formal appraisals will be required only if the grant is approved.

FIVE-YEAR HISTORY OF PROPERTY CONVEYANCE

If land, structures, or improvements are to be acquired by donation, by partial donation through a bargain sale, or if the property is owned by the sponsor or some other public entity, a five-year history of property conveyance must be included in the application. This is to ensure that the property is eligible to serve as all or part of the sponsor's matching share for this project.

LOCAL PARK GRANT PROGRAM

ASSURANCE OF ELIGIBILITY FOR PUBLICLY OWNED LAND

For use only when sponsor or publicly owned land is proposed as all or a portion of the local matching share for a grant application.

ON BEHALF OF THE **Entity in ownership of the land to be used as match**

I HEREBY CERTIFY THAT ALL PROPERTY DESCRIBED BELOW HAS NEVER BEEN DEDICATED, PLATTED, MANAGED OR ACQUIRED FOR PUBLIC PARK OR RECREATION USE, AND THAT SAID PROPERTY IS ELIGIBLE TO SERVE AS THE GRANT MATCHING SHARE FOR THE

Name of Project

PURSUANT TO THE LOCAL PARK GRANT PROGRAM GUIDELINES.

(Insert or attach legal description of the property)

AS THE OFFICIAL REPRESENTATIVE OF THE LAND OWNER, I FULLY UNDERSTAND THAT THE FALSE CERTIFICATION OF SAID ASSURANCE WILL CAUSE THE AFOREMENTIONED PROJECT TO BE WITHDRAWN FROM CONSIDERATION, AND THAT FUTURE ELIGIBILITY FOR GRANT CONSIDERATION MAY BE JEOPARDIZED.

Signature

Print Name and Title

Date

A fillable version is available in Appendix B.

SAMPLE

ASSURANCE OF ELIGIBILITY

The value of land owned by the sponsor may only be used as the sponsor's matching share if it has **never been**:

- dedicated, or
- platted, or
- managed, or
- used, or
- acquired **for public park or recreation use.**

A fillable version of the "Assurance of Eligibility" is included in Appendix B. Land eligibility questions should be directed to Recreation Grants staff for clarification.

WAIVER OF RETROACTIVITY

For land which may be under eminent threat of loss as an acquisition opportunity, the Department **may** authorize such acquisitions to occur prior to grant approval through a waiver of retroactivity (see *Waiver of Retroactivity Guidelines* in Appendix E). In addition, land may be transferred to a non-profit holding organization until an application has been reviewed and approved.

RETENTION AND USE

Property acquired or developed with grant assistance shall be retained and used for public recreation. Any property acquired or developed shall not be converted to other than public recreation uses without Department approval. Such approval will be given only with the substitution of other properties of at least equal fair market value and equivalent usefulness, quality, and location. Conversion Guidelines are available in Appendix N.

URBAN OUTDOOR RECREATION - LOCAL PARK GRANT

SAMPLE BUDGET SUMMARY

I. PROFESSIONAL SERVICES		**(A)**	**$ 92,000.00**
Pre-Agreement Costs			
Beginning Date: **(B)**			
A. Site planning and application preparation		$ 2,000.00	
B. Resource surveys (historical, environmental, etc.)		$ 15,000.00	
C. Construction plans and specifications **(C)**		$ 75,000.00	
II. LAND ACQUISITION			**$ 551,250.00**
A. 99.3 acres by donation **(D)**		$ 525,000.00	
B. Appraisal and boundary survey **(E)**		$ 26,250.00	
III. CONSTRUCTION			**$ 1,315,300.00**
A. Site preparation		$ 15,000.00	
B. Utilities			
1. Water		$ 20,000.00	
2. Electricity		$ 35,000.00	
C. Roads and parking		$ 75,000.00	
D. Buildings			
1. Restroom (2)		$ 130,000.00	
2. Restroom/concession (2)		$ 150,000.00	
E. Recreational facilities			
1. Soccer fields (8, lighted)		$ 180,000.00	
2. Playscapes (4)		$ 150,000.00	
3. Baseball fields (5, lighted)		$ 175,000.00	
4. Trail (3.2 mile, asphalt/crushed granite)		$ 137,800.00	
5. Pavilion (2) with 10 picnic tables each		$ 100,000.00	
6. Benches (30, along trail)		$ 30,000.00	
F. Miscellaneous			
1. Xeriscape garden (2 acres, w/drip irrigation)		$ 15,000.00	
2. Habitat Restoration (native plants, w/ drip irrigation)		$ 100,000.00	
3. Program acknowledgement sign (required) **(F)**		$ 2,500.00	
TOTAL PROJECT COST		**(G)**	**$ 1,958,550.00**
MATCH REQUEST	**(H)**	**$ 979,275.00**	

BUDGET SUMMARY INSTRUCTIONS

The Budget Summary provides the complete **estimated costs** for the proposed project. Estimate for cost escalation throughout the construction period. If additional development is proposed, discuss in the Project Narrative and show the entire project costs and the grant project costs in separate columns. A fillable version of the Budget Summary is available in Appendix B.

Multiple-site projects require a separate Budget Summary for each site.

(A) PROFESSIONAL SERVICES *

- The total cost of Professional Services **cannot** exceed 12% of grant construction estimates
- Costs for required permits (COE, TCEQ) or surveys (THC, environmental resources) should be included if it is anticipated that these actions may be necessary
- The cost to prepare the grant application is an eligible pre-agreement expense

(B) PRE-AGREEMENT COSTS

A beginning date must be provided for site planning and application preparation

(C) CONSTRUCTION PLANS/SPECIFICATIONS AND INSPECTIONS

- Plans must be prepared and sealed by an engineer, architect or landscape architect registered in Texas or other competent professions depending on the scope of work
- Plans must be submitted to the Texas Department of Licensing and Regulation for compliance with handicap accessibility. The fee is an eligible expense.

(D) LAND ACQUISITION

All land to be acquired must be shown in the Budget Summary based on the estimated value letter. The value of donated land and/or sponsor-owned non-parkland is considered an expense of the project.

(E) APPRAISAL AND BOUNDARY SURVEY

Appraisals and boundary survey costs cannot exceed $10,000 or 5% of the land value, whichever is less.

(F) PROGRAM ACKNOWLEDGEMENT SIGNS

A temporary funding acknowledgement sign installed during construction is eligible for reimbursement. A permanent program acknowledgment sign will be provided by the Department at project completion (see Appendix K for samples of the signs).

(G) TOTAL PROJECT COST

The grant project total cannot exceed $2,000,000.00

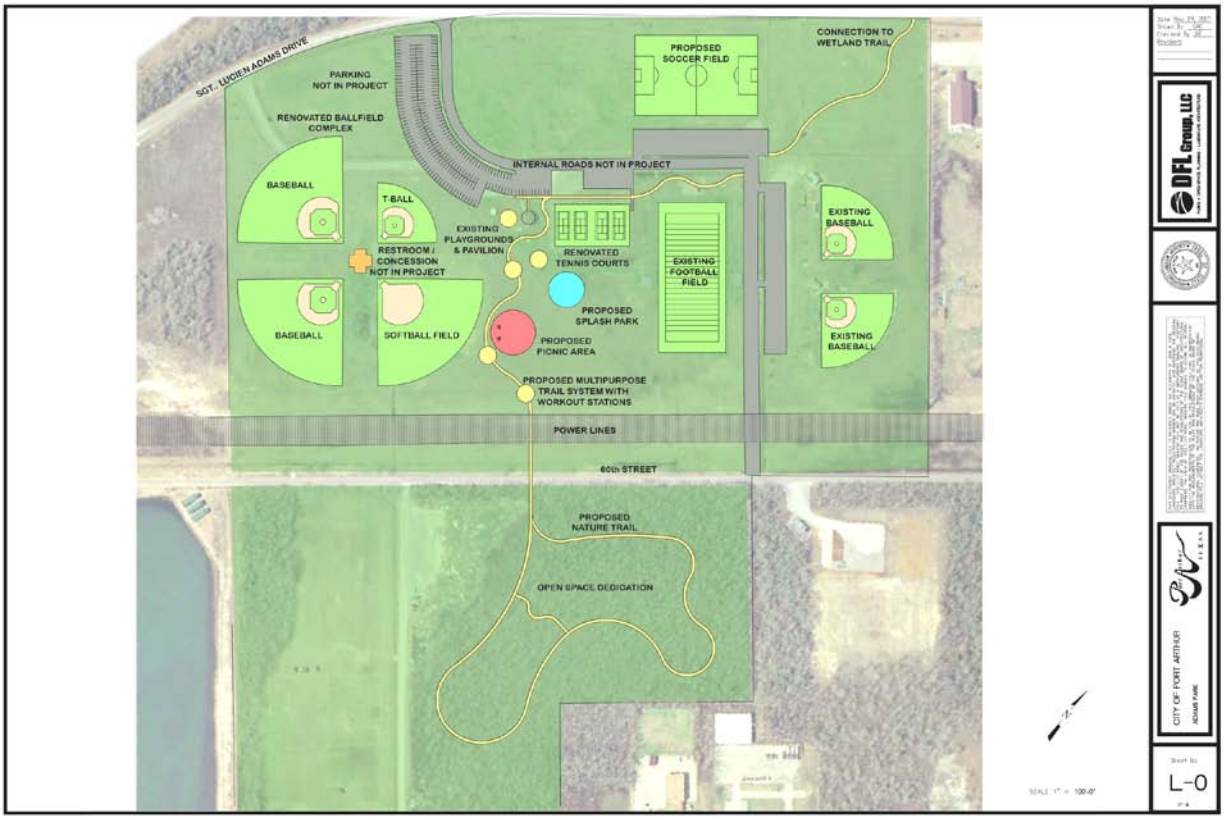
(H) MATCH REQUEST

The grant match amount cannot exceed $1,000,000.00

***** Contact Recreation Grants Branch at 512-389-8224 if an Environmental Resources Survey is required, regarding costs in excess of the 12% limit.

LOCAL PARK RECREATION GRANT

SAMPLE SITE PLAN



Site Plan should be full page. The above is pictured small due to file size limitations.

LOCAL PARK GRANT PROGRAM

SITE PLAN AND FLOOR PLAN INSTRUCTIONS

ALL APPLICATIONS MUST INCLUDE A DEVLOPMENT SITE PLAN.

Applications involving enclosed structures including pool bathhouses, restrooms, concession stands, storage buildings, and entrance stations **must include a schematic floor plan.**

Even if the application process proposes to only acquire land and does not include a request for development, a conceptual site plan is still needed. The conceptual plan should indicate how and where the site is to be developed for public recreation use and for other non-recreation uses, if applicable. If non-recreation uses are planned or anticipated, such areas/ facilities should be identified on the conceptual site plan. Only land and facilities to be utilized for public recreation are eligible for program assistance. If the site will not be developed immediately, please discuss in the "Project Narrative" when this development is expected to occur.

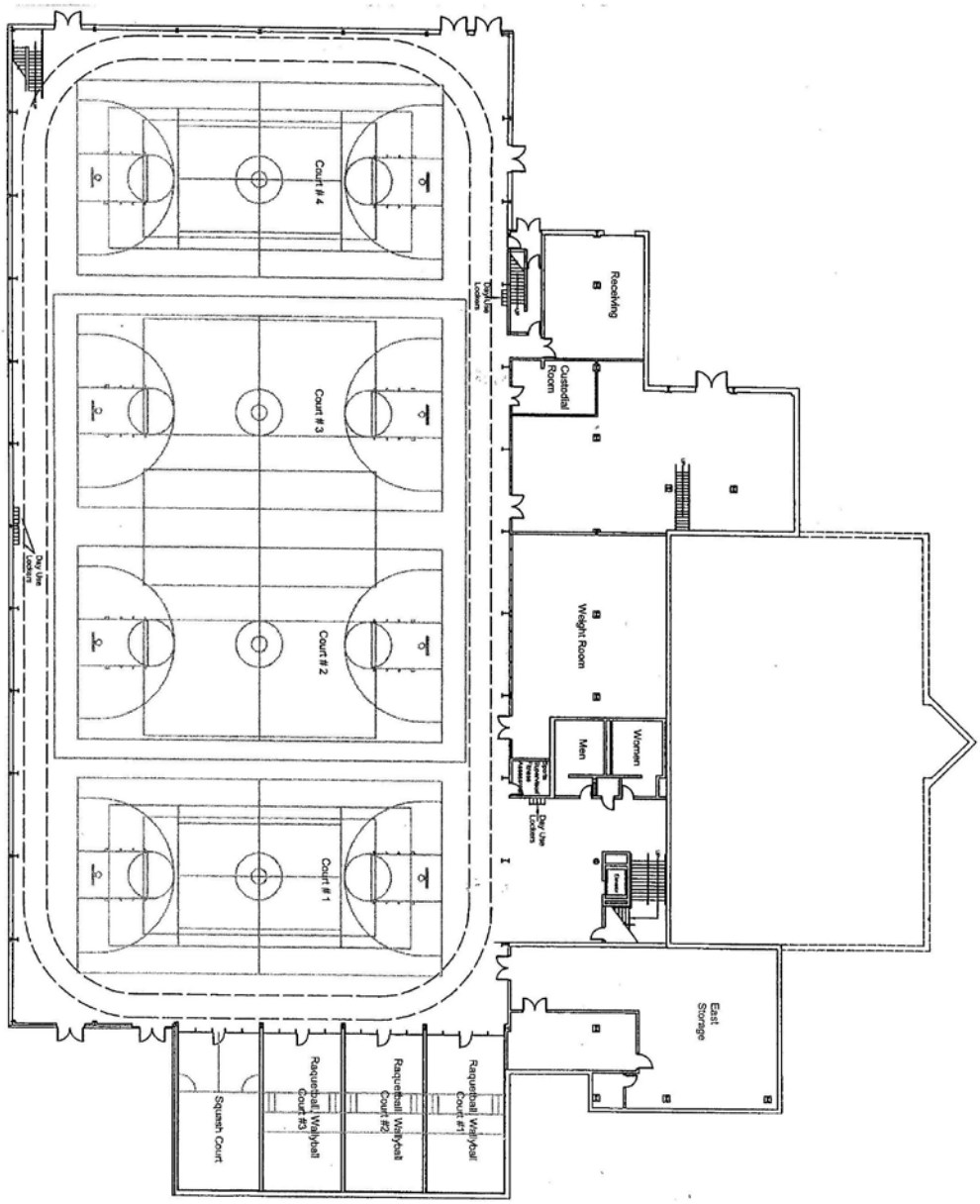
For applications requesting development assistance, provide a site plan which accurately reflects all development proposed. The plan does **not** have to be "construction ready," nor prepared by an engineer or architect. It should, however, reflect to the best of your ability, the development plan to be followed if the grant is approved.

REQUIREMENTS FOR SITE PLANS

1. Maximum Size (24" x 36"), Minimum Size (8 ½" x 11")
2. Provide a title block which includes the applicant's name, project title, directional arrow, scale, and date.
3. Identify the project boundaries to scale, or with an actual metes and bounds description. If only a portion of the park is proposed for development assistance, identify the area to be assisted and include an ingress/egress way for the public to gain access to those facilities which receive program assistance.
4. Identify significant natural features such as tree lines, water bodies, tributaries, geologic features, floodway and floodplain areas, etc. (label and/or provide a key when appropriate.)
5. Identify man-made features such as structures, utilities, easements, pipelines, internal and adjacent roads, all overhead utility lines on and adjacent to the site(s), known historic/archaeological sites, existing facilities, etc. Such man-made features should be labeled as "existing" and an indication should be given as to whether or not these features are to remain, or to be demolished, relocated, buried, or renovated.
6. Proposed improvements and future improvements, whether for public recreation use or other uses, should be located and labeled. Be sure to label all facilities for which funding assistance is requested as "proposed." Facilities which are to be constructed at a later date should be labeled "future."
7. If applicable, identify facilities (or areas) which received **previous** Department assistance through the Land & Water Conservation Fund; Texas Local Park, Recreation & Open Space Fund; Urban Park and Recreation Recovery Program; or the Texas Recreation & Parks Account Program.

LOCAL PARK GRANT PROGRAM

SAMPLE FLOOR PLAN



Floor Plan should be full page.

REQUIREMENTS FOR FLOOR PLANS

1. Maximum Size (11” x 17”)
2. Minimum Size (8 ½” x 11”)
3. Scaled drawing showing size, function, and spatial relationships of all building elements

Finishes, specialties, and mechanical details are not required in the application.

LOCAL PARK GRANT PROGRAM

FINAL APPLICATION ELEMENTS

REGIONAL PLANNING COMMISSION "TRACS" LETTER

- A complete copy of the Local Park Grant Program application must be submitted to the sponsor's regional planning commission (COG).
- The application may be submitted to the COG simultaneously with submission to the Department.
- The review comments from the COG must be received by the Department prior to Parks & Wildlife Commission action.
- A map and list of the COGs are available in Appendix L

PROOF OF OWNERSHIP AND/OR LEGAL CONTROL

For all properties already under the legal control of the sponsor and proposed for development, the sponsor must provide copies of:

- Recorded deed(s),
- Lease agreements,
- Easement agreements, or
- Drafts of the lease or easement

PROOF SPONSOR CAN PREVENT SURFACE DRILLING/MINING OF THE PROJECT SITE

The sponsor must provide evidence that the surface of the project site is protected from any drilling or mining, or can demonstrate protection through the following:

- Existing city ordinance,
- Existing county resolution,
- Zoning,
- Ownership of mineral rights by sponsor,
- Negotiated off-site exploration agreement,
- Designated drill sites on the project site (will be excluded from project assistance)
- Draft of ordinance, resolution or zoning, and commitment of action if the project is approved

Contact the Recreation Grants staff at 512-389-8224 if there are questions related to these items.

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APPENDIX **A**

Sample Documents for Approved Projects

TEXAS PARKS AND WILDLIFE DEPARTMENT

LOCAL PARK GRANT PROGRAM – PROJECT AGREEMENT

Project Sponsor and Name: _____

Project Period**: TPWD Approval Date to** _____

Total Project Cost: **$** _____ Approved State Funds: **$** _____

* * *

PROJECT DESCRIPTION (SCOPE):

SAMPLE

For and in consideration of the mutual covenants and benefits hereof, the Texas Parks and Wildlife Department ("Department") and the "Sponsor" hereby contract with respect to the above described project as follows:

1. The Sponsor is obligated to adhere to all requirements established for the Local Park Grant Program including program guidelines set out at 31 TAC Sec. 61.132-61.137.
2. No work on the project by the Sponsor shall commence until written notice to proceed has been received from the Department.
3. The Sponsor shall furnish the Department an annual report every August 1st for a period of five years following the project completion, providing to the satisfaction of the Department information regarding present and anticipated use and development of the project site.
4. The Sponsor shall install and maintain at the project site a permanent fund acknowledgment sign as prescribed by the Department.
5. All utilities at the project site shall be underground and approved by the Department.
6. The General Provisions dated February 2008 attached hereto are hereby made part of this agreement.
7. The Summary of Guidelines for Administration of Local Park Grant Program or LWCF Acquisition and Development Projects dated January 2008 attached hereto is hereby made part of this agreement.
8. The original application and supplemental documentation submitted by the sponsor are hereby made part of this agreement.
9. The Agreement is effective upon execution by the Department.

* * *

TEXAS PARKS AND WILDLIFE DEPARTMENT

_____
Political Subdivision (Sponsor)

by _____

by _____

Tim Hogsett, Director, Recreation Grants Branch
Name and Title

_____
Name and Title

_____
TPWD Approval Date

_____
Date

ENVIRONMENTAL ADDENDUM

Project Name/Number:_____

Pursuant to requirements of the National Environmental Policy Act of 1969 (Public Law 91-190) and the Endangered Species Act of 1973, as amended (Public Law 93-205), this addendum is hereby incorporated into the grant agreement.

The political subdivision (sponsor) is hereby advised that based on the project description and when suitable habitat is present, the following species could potentially be impacted by the proposed project. **Site location and subsequent development shall be sensitive and closely monitored for occurrences of the following federal and state listed species:**

SAMPLE

* * * * * * * * * *

I have read this addendum and understand that the political subdivision (sponsor) which I represent will be responsible for compliance with the above as a result of receiving grant assistance from the Texas Parks & Wildlife Department. It is also understood that the Environmental Addendum is a part of the Project Agreement.

_____ _____

Signature of Official Authorized in Resolution Date

_____

Typed Name and Title

LOCAL PARK GRANT PROGRAM
LAND AND WATER CONSERVATION FUND
GENERAL PROVISIONS

Revised February 2008

I. Definitions

A. The term "Department" as used herein means the Texas Parks & Wildlife Department or any representative delegated authority to act on behalf of the Department.

B. The term "Project" as used herein means a single project which is the subject of this project agreement.

C. The term "Sponsor" as used herein means the political subdivision which is party to the project agreement.

D. The term "LPGP" as used herein means the Local Park Grant Program.

E. The term "LWCF" as used herein means the Land and Water Conservation Fund.

F. The term "Manual" as used herein means the Local Park Grant Programs Manual.

II. Continuing Assurances

A. The parties to the project agreement specifically recognize that receipt of program assistance creates an obligation to maintain the property described in the project agreement consistent with the Manual, and the following requirements:

B. The sponsor agrees that the property described in the project agreement and in the dated project boundary map made part of that agreement is being acquired or developed with program assistance, and that it shall not be converted to other than public recreation use but shall be maintained in public recreation in perpetuity, or for the term of the lease in the case of leased property.

C. The sponsor agrees that the benefit to be derived by the State of Texas from the full compliance by the sponsor with the terms of this agreement is the preservation, protection, and the net increase in the quality of public recreation facilities and resources which are available to the people of the State, and such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of assistance under the terms of this agreement.

D. The sponsor agrees that the property and facilities described in the project agreement shall be operated and maintained as prescribed by the Retention, Operation & Maintenance Responsibilities guidelines of the Manual.

E. The sponsor agrees that a permanent record shall be kept and available for public inspection to the effect that the property described in the scope of the project agreement, and the dated project boundary map made part of that agreement, has been acquired or developed with program assistance and that it cannot be converted to other than public recreation use.

F. Nondiscrimination

The sponsor shall comply with Title VI of the Civil Rights Act of 1964, which in part,

1. prohibits discriminatory employment practices resulting in unequal treatment of persons who are or should be benefiting from the grant-aided facility.
2. prohibits discriminating against any person on the basis of residence.

III. Project Assurances

A. Applicable Circulars

The State shall comply with applicable regulations, policies, guidelines and requirements including State Uniform Grant and Contract Management Act of 1981 (Revised 2/22/90), Federal Office of Management and Budget Circulars A-102 (Uniform administration requirements for grants-in-aid to State and Local governments), OMB A-87 (Cost principles applicable to grants and contracts with State and Local governments), and TRACS (Texas Review and Comment System) as they relate to the application, acceptance and use of State funds for grant assisted projects.

It is the responsibility of the grant sponsor to have a Single Audit done annually according to the Texas Single Audit Circular for state funded projects and according to OMB Circular A-133 for federally funded projects. A copy of this audit must be furnished to the Department when completed.

SAMPLE

B. Project Application

1. The application for state assistance bearing the same project name as the agreement and associated documents is by this reference made a part of the agreement.

2. The sponsor possesses legal authority to apply for the grant and to finance and construct the proposed facilities. A resolution or similar action has been duly adopted or passed authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the sponsor to act in connection with the application and to provide such additional information as may be required.

3. The sponsor has the ability and intention to finance the non-State share of the costs for the project. Sufficient funds will be available to assure effective operation and maintenance of the facilities acquired or developed by the project.

C. Project Execution

1. The project period shall begin with the date of approval by the Parks and Wildlife Commission and shall terminate at the end of the stated or amended project period unless the project is completed or terminated sooner, in which event the project period shall end on the date of completion or termination.

2. The sponsor will cause work on the project to be commenced within a reasonable time after receipt of notification that funds have been approved and assure that the project will be prosecuted to completion with reasonable diligence.

3. The sponsor will require the facility to be designed to comply with the minimum requirements for accessibility for the handicapped in conformance with the Texas Architectural Barriers Act (Article 9102 - Texas Civil Statutes), and the Americans with Disabilities Act of 1990 (PL 101-336). The sponsor will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

4. The sponsor shall secure completion of the work in accordance with approved construction plans and specifications, and shall secure compliance with all Federal, State, and local laws and regulations.

5. In the event the project covered by the project agreement cannot be completed in accordance with the plans and specifications for the project, the sponsor shall bring the project to the point of recreational usefulness agreed upon by the sponsor and the Department.

6. The sponsor will provide for and maintain competent and adequate architectural and engineering supervision and inspection at the construction site to ensure that the completed work conforms with the approved plans and specifications.

7. The sponsor shall furnish quarterly progress status reports to the Department beginning with the date of Parks & Wildlife Commission approval.

8. The sponsor will comply with the provisions of: Executive order 11988, relating to evaluation of flood hazards; Executive Order 11288, relating to the prevention, control, and abatement of water pollution; Executive Order 11990, relating to the protection of wetlands; and the Flood Disaster Protection Act of 1973 (P.L. 93-234) 87 Stat. 975.

9. The sponsor will assist the Department in its compliance with the Texas Antiquities Code (Revised 9/l/87) by

   (a) consulting with the Texas Antiquities Committee on the conduct of investigations, as necessary, to identify properties listed or eligible for listing as State Archeological Landmarks, and to notify the Department of the existence of any such properties, and by

   (b) complying with all requirements established by the Department to avoid or mitigate adverse effects upon such properties.

D. Construction

Construction by the sponsor shall meet the following requirements:

1. Contracts for construction must be in compliance with the Local Government Code (http://tlo2.tlc.state.tx.us/statutes/lg.toc.htm) Chapter 252 (for municipalities), Chapter 262 (for counties), and Chapter 375 (for municipal utility districts). Copies of all advertisements, bids and a copy of the contract shall be provided to the Department.

2. The sponsor shall inform all bidders on contracts for construction that program funds are being used to assist in construction.

3. Written change orders shall be issued for all necessary changes in the facility being constructed. Such change orders shall be submitted to the Department for review and, if approved, shall be made a part of the project file and should be kept available for audit.

4. The sponsor shall incorporate, or cause to be incorporated, into all construction contracts the following provisions:

SAMPLE

During the performance of this contract, the contractor agrees as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, gender, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, color, gender or national origin.

(b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, or national origin.

(c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the contractor's commitments under Section 202 of Executive Order No. 11246, as amended (3 CFR 169 (1974), and shall post copies of notices in conspicuous places available to employees and applicants for employment.

(d) The contractor will comply with all provisions of Executive Order No. 11246, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The contractor will furnish all information and reports required by Executive Order No. 11246, as amended, and by the rules, regulations, and order of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the contractor's noncompliance with the non-discrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 11246, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246, as amended, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contract will take such action with respect to any subcontract or purchase order as the contracting agency may direct as means of enforcing such provisions, including sanctions for noncompliance: provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

E. Conflict of Interests

1. No official or employee of the State or local government who is authorized in his official capacity to negotiate, make, accept, or approve, or to take part in such decisions regarding a contract or subcontract in connection with this project shall have any financial or other personal interest in any such contract.

2. No person performing services for the State or local government in connection with this project shall have a financial or other personal interest other than his employment or retention by the State or local government, in any contract or subcontract in connection with this project. No officer or employee of such interest is openly disclosed upon the public records of the State, and such officer, employee or person has not participated in the acquisition for or on behalf of the Participant.

F. Project Costs

Project costs eligible for assistance shall be determined upon the basis of the criteria set forth by the Manual.

G. Project Administration

The sponsor shall promptly submit such reports and documentation as the Department may request.

H. Retention and Custodial Requirements for Records

1. Financial records, supporting documents, statistical records, and all other records pertinent to this grant shall be retained for a period of three years after final payment; except the records shall be retained beyond the three-year period if audit findings have not been resolved.

2. The retention period starts from the date of the final expenditures report for the project.

3. Microfilm copies are authorized in lieu of original records.

4. The Department, State Comptroller of Public Accounts, State Auditors Office, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the sponsor which are pertinent to a specific project for the purpose of making audits, examinations, excerpts and transcripts.

I. Project Termination

1. The Department may temporarily suspend program assistance under the project pending corrective action by the sponsor or pending a decision to terminate the grant by the Department.
2. The sponsor may unilaterally terminate the project at any time prior to the first payment on the project. After the initial payment, the project may be terminated, modified, or amended by the sponsor only by mutual agreement with the Department.
3. The Department may terminate the project in whole, or in part, at any time before the date of completion, whenever it is determined that the sponsor has failed to comply with the conditions of the grant. The Department will promptly notify the sponsor in writing of the determination and the reasons for termination, together with the effective date. Payments made to the sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.
4. The Department or sponsor may terminate grants in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portions to be terminated. The sponsor shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department may allow full credit to the sponsor for the State share of the non-cancelable obligations, property incurred by the sponsor, pending written receipt of the determination and the reasons for termination, together with the effective date. Payments made to the sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.
5. Termination either for cause or for convenience requires that the project in question be brought to a state of recreational usefulness agreed upon by the sponsor and the Department, or that all funds provided by the Department be returned.

J. Noncompliance

In the event that the sponsor does not comply with provisions as set forth in the grant project agreement and the Manual regarding both active project compliance and compliance at previously assisted grant sites, the following actions may be taken:

1. The Department may withhold payment to the sponsor;
2. The Department may withhold action on pending projects proposed by the sponsor;
3. If the above actions do not achieve program compliance, the Department may involve the State Attorney General's Office, pursuant to Section 24 of the Parks & Wildlife Code.

* * * * * * * * * *

I have read the General Provisions and understand that the project sponsor which I represent will be responsible for compliance with the above conditions as a result of the receipt of grant assistance from the Texas Recreation & Parks Account Program or the Land and Water Conservation Fund. It is also understood that the General Provisions are part of the grant project agreement.

Project Name and Number:

_____
Signature of Official Authorized in Resolution

_____ _____
Name and Title Date

SAMPLE

SUMMARY OF GUIDELINES
FOR ADMINISTRATION OF LOCAL PARK GRANT PROGRAM PROJECTS
(Revised January 2010)

The Texas Parks & Wildlife Commission, by authority of Chapters 13 and 24 of the Parks & Wildlife Code, has adopted Guidelines for Administration of Grant Acquisition and Development Projects, to read as follows:

It is the Commission's policy that the Department shall administer local projects in accord with the following guidelines, with interpretation of intent to be made to provide the greatest number of public recreational opportunities for citizens of Texas.

Approved projects shall be pursued in a timely manner by the sponsor, unless delays result from extraordinary circumstances beyond the sponsor's control. Failure to meet the following time frames may be grounds for the Department to initiate cancellation of the affected project in order to recommend reallocation of available funds to other projects, or to deny requests for additional grant funds for new projects:

ACTIVITY	TIME FRAME
Commission Approval	Begin 3-year project period (4-year max)
Grant Agreement Execution (Department & Sponsor)	As soon as possible after Commission approval
Pending Documentation such as: • U.S. Army Corps of Engineers 404 • TCEQ Permits • Environmental Resources Survey • THC Cultural Resources Survey and Clearance • TPWD Biological Consultations • ROW Abandonment • Lease/Joint-Use Agreement Execution, etc.	Accomplished prior to first construction reimbursement
Quarterly Status Reports (beginning with Commission approval)	On or before January 15th, April 15th, July 15th and October 15th
Appraisal Submission	As soon as possible after grant agreement date
Appraisal Approval	Within 6 months of appraisal submission
Land Acquisition	As soon as possible after appraisal approval
Construction Plan Submission	Accomplished prior to first construction reimbursement
Periodic Reimbursement Billings	Every 90 days if possible (minimum $10,000 request)
Project Completion and Grant Close-Out	Within 3 years after Commission approval (but in no case after the 4th fiscal year)

SAMPLE

SUMMARY OF GUIDELINES (Continued)

The following criteria will be used to determine sponsor eligibility for additional funding by the application deadline. Performance is based on all grant programs administered by the Recreation Grants Branch:

- Funding history and previous performance
- All previously completed Department sponsored grant projects must be in compliance with all the terms of the Project Agreement under which they received assistance and all program guidelines; and
- For active grants, all required project documentation (such as appraisals, construction plans, quarterly status reports, and reimbursement requests) must be complete and have been received on schedule, if due; and
- All active projects which are at least two years old must be reimbursed for a minimum twenty-five (25) percent of the approved grant amount; and
- The total of approved grant funds which have not been reimbursed may not exceed $4 million for all active grant projects.

A grantee may also be considered to be "high risk" based on financial stability or non conforming management standards, requiring additional special conditions and restrictions as determined by grant management standards.

FAILURE TO MEET ANY ONE OF THE ABOVE CRITERIA MAY BE GROUNDS FOR DENYING NEW GRANT FUNDS. ASSESSMENT OF THE ABOVE CRITERIA IN CONJUNCTION WITH REQUESTS FOR NEW GRANTS WILL BE MADE PRIOR TO SUBMISSION OF FUNDING RECOMMENDATIONS TO THE PARKS AND WILDLIFE COMMISSION.

* * * * * * * * *

I have read the "Summary of Guidelines for Administration of Local Park Grant Program Projects" and understand that the project sponsor, which I represent, will be responsible for compliance with the above conditions as a result of the receipt of grant assistance from the Local Park Grants Program. It is also understood that the "Summary of Guidelines for Administration of Local Park Grant Projects" is part of the grant Project Agreement.

_____ _____
Signature of Official Authorized in Resolution Date

_____
Name and Title

_____
Project Name and Number

SAMPLE

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APPENDIX **B**

Fillable Application Forms

Click on the individual forms below for an online fillable version:

Urban Grant Application - Application Checklist

Grant Application - Authorizing Resolution

Grant Application - Applicant's Certification

Urban Outdoor Grant Application - Information Part I

Urban Outdoor Grant Application - Information Part II

Grant Application - Environmental Checklist

Grant Application - Acquisition Schedule

Grant Application - Assurance of Eligibility

Urban Outdoor Grant Application - Budget Summary

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APPENDIX **C**

Development Criteria

For Outdoor Recreation Projects

OUTDOOR RECREATION - LOCAL PARK GRANT PROGRAM

DEVELOPMENT CRITERIA

Development projects may consist of basic outdoor recreation facilities (and related support facilities) to serve the general public, provided that the funding of the project is in the best public interest in accord with local plans, and endorsed by the regional planning council of governments with jurisdiction where the project is proposed. Facilities may be developed, renovated, or redeveloped on lands or waters owned or adequately controlled by the project sponsor. Plans for recreational development should be based on public needs, expected use, and the type and character of the project areas.

Facilities should be attractive to the public and consistent with the natural setting and topographic limitations of the site. Recreational improvements should be designed to be harmonious with the natural environment. 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. These considerations should be part of the planning, design, and maintenance criteria for all grant-assisted areas.

Development projects may consist of the complete or partial development of a public recreation area. All projects must be logical units of work to be accomplished within three years or less. Further details can be found in this *Local Park Grant Programs Manual* or by contacting the Recreation Grants Branch at 512-389-8224.

BARRIER-FREE ACCESS REQUIREMENT

All recreational facilities acquired and/or developed with grant assistance must be designed in accordance with the Texas Architectural Barriers Act (Texas Civil Statutes – Article 9102) and must comply with the Americans with Disabilities Act (ADA) (Public Law 101-336). Acceptable design criteria have been published for the Texas State Program for Preventing Architectural Barriers.

Copies of this publication may be obtained from:

Elimination of Architectural Barriers Program
Texas Department of Licensing & Regulation
P.O. Box 12157, Austin, TX 78711
512/463-6599
http://www.license.state.tx.us/ab/ab.htm

Sponsors are encouraged to make all recreational facilities accessible to users who are physically and/or mentally disabled. However, physical limitations of a site do not allow for total accessibility.

DEVELOPMENT ON SCHOOL PROPERTY

Although school districts are not eligible for grant assistance, facilities on public school grounds for joint school-general public use are allowed provided that the following conditions are met:

1. The property meets all requirements of the grant program, including requirements for development on leased property.
2. The proposed facilities are not required as part of the normal curriculum of the educational institution and must be primarily intended for general public use.

3. The lease agreement must include:
    - schedule of times the fund-assisted facilities are available to the public,
    - metes and bounds description of the project area, which includes the areas to be developed, and
    - ingress/egress route to the assisted facilities.
4. Adequate signage must be installed prior to the final grant payment/reimbursement that is:
    - maintained throughout the term of the lease at the project site
    - indicates when the fund-supported facilities are available to the public

DEVELOPMENT ON LEASED PROPERTY

Sponsors requesting development funds are required to have full legal control of the property proposed for development. Adequate legal control of the property means that the sponsor either has fee simple title to the property, is proposing to acquire the property as part of the project, or will lease the property from another educational or governmental entity.

Leased property will only be eligible for fund support if it meets all of the following requirements:

1. Sponsor has (or will have) full surface legal control of the property proposed for assistance; and

2. Sponsor and lessor can guarantee that the project area will remain dedicated to public recreation use throughout the term of the lease. The lessor must be willing to comply with all program guidelines for the entire term of the lease; and

3. Project area must be leased to the sponsor for a minimum of 25 years for most projects, and in some cases up to 40 years for major capital expenditures like aquatic and related facilities; and

4. The lease cannot be revocable at will by the lessor.

Prior to the submission of an application involving leased property the sponsor should contact the Recreation Grants Branch to discuss program requirements. Submit a copy of the draft lease agreement for Department approval prior to its execution to ensure eligibility and avoid unnecessary delays. The draft agreement should include a boundary map, project area metes and bounds (if possible), and a letter from the lessor indicating a willingness to enter into the agreement if the project is approved.

ELIGIBLE DEVELOPMENT COSTS

Development projects may include new construction, renovations, redevelopment, demolition, site preparation, site planning, application preparation costs, engineering and architectural services, and most activities necessary to accomplish project objectives. (Note: only costs incurred at the project site are eligible for support. Off-site work is not eligible for grant assistance.) The cost of conducting cultural resource surveys, U.S. Army Corps of Engineers permits, wetland determinations, and other required permitting costs may also be included as eligible costs to the project.

RENOVATION / REDEVELOPMENT VS. REPAIR / MAINTENANCE

Projects requesting assistance to renovate and/or redevelop facilities (or areas) are eligible for assistance. PROJECTS INVOLVING REPAIRS AND/OR MAINTENANCE OF FACILITIES ARE NOT ELIGIBLE FOR ASSISTANCE.

The following definitions are used by the Department to clarify the differences between these types of projects (Source: Webster's Dictionary):

- REPAIRS: Repair is defined in terms of "to restore to a sound or good state after decay…; to remedy…or mend." Work on existing facilities which merely maintains portions of such facilities in a sound or useful state are classified as repair.

- RENOVATION: Renovate is defined in terms of "to renew, make over…" Work on existing facilities to completely renew, update, or modernize such facilities so the finished product will meet present-day standards and be comparable with newly constructed similar facilities is classified as renovation.

In this regard, repairs would normally consist of minor work intended to mend a specific part of a facility which has become broken or otherwise inoperative, to return it to a useful state, or periodic minor work designed to merely maintain a specific part of a facility so such facility will be in a good state of maintenance and repair. In contrast, renovation normally consists of major work to encompass all parts of a facility required to modernize and update such facility to meet current standards of design, construction, and usefulness.

- REDEVELOPMENT: Redevelop is defined in terms of "to develop again." Redevelopment of existing park areas which includes demolition of obsolete facilities and the construction of new facilities (for either similar or different recreational uses) may be eligible for assistance.

ELIGIBLE TYPES OF DEVELOPMENT

- BALLFIELDS: Including, but not limited to site preparation/grading, lighting, fencing, irrigation, turf establishment, dugouts, bleachers, goals, bases, scoreboards, and scorekeeper booths.
- BOATING, FISHING, AND HUNTING FACILITIES: Including, but not limited to boat ramps, breakwaters, docks, piers, sewage pumping facilities, buoys, channels, mechanical launching devices, fish cleaning facilities, lighting, stream improvements, clearing and planting for food/cover, skeet/trap/rifle/pistol/archery ranges, wildlife management areas and trails.

Prior to consideration of funding for boating access facilities, sponsors must attempt to secure funding from the Department under the State Boat Ramp Program or State Pumpout Program. To request assistance for these types of facilities through the Local Park Grant Program, the application must include documentation confirming the efforts to secure the alternative source of assistance. The Recreation Grants Branch can provide further information about these programs.

- PICNIC FACILITIES: Including, but not limited to pavilions, tables, shelters, grills, concrete pads, area lighting, and trash receptacles.
- PLAYGROUNDS: Including, but not limited to surfacing, borders, equipment, benches, and lighting.
- AQUATIC FACILITIES: Including, but not limited to swimming/wading/wave/spray pools, beaches, bathhouses, service/mechanical buildings, heaters, lifeguard towers, showers, fencing, deck areas, and lighting.

- TRAILS: Including, but not limited to jogging and exercise trails, nature and hiking trails, bicycle, motorcycle and multiple purpose trails, observation stations, overlooks, bridges, low-water crossings, boardwalks, exercise stations, interpretive and directional signage, sidewalks and barrier free access ways to other areas/facilities.

Grant applicants with trail-based projects should consider using the following as sources of funding: TPWD Recreational Trails Grant Program or the TXDOT Transportation Enhancement Program. Contact the Recreation Grants Branch for details.

- CAMPING FACILITIES: Including, but not limited to tent and RV pads, group facilities, tables, grills, utility hook-ups, dump stations, information stations, service buildings, and area lighting (as long as these facilities do not create unfair competition with the private sector).
- BEAUTIFICATION: Including, but not limited to landscaping, burial/removal/relocation of overhead utility lines, erosion controls, dredging/restoration of water bodies, fountains, and gazebos.

NOTE: Grant funds **may not** be used to purchase or install **invasive plant species** at fund assisted sites. The State is currently compiling an official list. Until that list is adopted, use the link: http://www.invasivespeciesinfo.gov/plants/main.shtml for reference purposes.

- RECREATIONAL SUPPORT FACILITIES: Including, but not limited to park roads, parking, fencing, utilities, irrigation, small maintenance structures, restrooms, signs, trash receptacles, service buildings with restroom/concession/storage/ maintenance areas, drinking fountains, sidewalks, ramps, bleachers, scoreboards, security/area lighting, plus improvements to recreation and support facilities that promote energy conservation.
- COMMUNITY GARDENS: Including, but not limited to fencing, storage bins and sheds, irrigation, composting areas, benches, sidewalks, parking, and restrooms.
- SPORT COURTS: Including, but not limited to basketball, tennis, volleyball, badminton, and related lighting, fencing, surfacing, nets, goals, windbreaks, and bleachers.
- CULTURAL AND EXHIBIT FACILITIES: Only small amphitheaters, bandstands, rodeo arenas, and exhibit or interpretive facilities are eligible. This includes small demonstration arboretums, nature exhibits and interpretive centers. Assistance will not be provided if these facilities function primarily for professional, semi-professional, academic, historic, economic, or other non-recreational uses.
- RENOVATIONS AND REDEVELOPMENT: Projects involving the renovation or redevelopment of recreation facilities may be eligible for assistance. (For more information, refer to "Renovation/Redevelopment vs. Repair/Maintenance" in the previous section.
- GOLF COURSES: Including, but not limited to construction, irrigation, landscaping, roads, parking, utilities, moderate clubhouse and maintenance facilities, and cart paths.

INELIGIBLE TYPES OF DEVELOPMENT

Development projects which do not have a well-defined objective or do not directly contribute to public recreation activities are not eligible. Support facilities which are not directly related to public recreation are also not eligible. Projects for which the sponsor cannot demonstrate full legal control of the property proposed for development are not eligible for assistance.

Generally, development assistance will not be made for the following facilities:

- RESTORATION/PRESERVATION OF HISTORIC STRUCTURES: The restoration and renovation of historic structures are not eligible for grant assistance. Public recreation facilities, interpretation facilities, and support facilities in conjunction with historical structures or sites may, however, be eligible for assistance. These sites must be in accordance with the Texas Antiquities Code if redevelopment is adjacent to or on a site listed (or eligible to be listed) as a State Archaeological Landmark.

Funding and technical assistance to renovate, preserve, and dedicate historic structures may be available through the Texas Historical Commission as well as the National Park Service.

- AREAS/FACILITIES TO BE USED PRIMARILY FOR PROFESSIONAL OR SEMI-PROFESSIONAL ARTS AND ATHLETICS: Including, but not limited to stadiums, amphitheaters, and rodeo arenas.
- AMUSEMENT FACILITIES: Including, but not limited to merry-go-rounds, Ferris wheels, miniature railroads, pioneer towns, livestock and produce facilities, convention facilities, or commemorative exhibits.
- EMPLOYEE RESIDENCES AND FURNISHINGS
- LODGES, HOTELS, MOTELS, OR LUXURY CABINS
- SUPPORT FACILITIES FOR NON-ELIGIBLE FACILITIES: If the support facility will serve both eligible and non-eligible facilities, assistance may be provided on a pro-rata basis for that portion of the facility which will support the public recreation facilities.
- MARINAS AND RELATED SUPPORT FACILITIES

Public boat ramp construction and public boat sewage pumpout stations are eligible projects through the Local Park Grant Program, the State Boat Ramp Construction Program, State Pumpout Program, and/or the Boating Infrastructure Grant. Please contact the Recreation Grants Branch for more details at 512-389-8224.

Some of the above facilities which are not eligible for grant assistance may be constructed in a fund assisted area if they are compatible with the public recreation uses of the area. Department approval must be received prior to the development of non-recreational facilities within grant assisted areas. Questions regarding development should be directed to the Recreation Grants Branch at 512-389-8224.

APENDIX **D**

Acquisition Criteria

LOCAL PARK GRANT PROGRAM

ACQUISITION CRITERIA

ELIGIBLE ACQUISITIONS

Acquisition of lands, man-made improvements and waters, additions to existing parks, forests, wildlife areas, beaches, wetlands, and other similar areas dedicated to public outdoor recreation may be eligible for assistance. The following are examples of acquisitions which are eligible for assistance:

1. Land with frontage on the Gulf of Mexico, bays, estuaries, rivers, lakes, streams, ponds, and wetlands that will provide water-based public recreation opportunities, and the acquisition of water bodies themselves.

2. Land for creating water impoundments to provide for water-based public recreation opportunities.

3. Land that provides special recreation opportunities such as floodplains, wetlands, areas adjacent to scenic highways, and open space.

4. Natural areas, preserves and outstanding scenic areas where the objective is to preserve the natural/aesthetic values. This includes areas of physical or botanical importance and wildlife areas. These areas must be open to the general public for recreation use to the extent that the natural attributes/resources of the areas will not be seriously impaired or lost.

5. Land within urban areas for neighborhood parks, community parks, athletic complexes for non-professional sports, golf courses, greenbelts, and both passive and active recreational uses.

MEANS OF ACQUISITION

Acquisition of lands/waters or interests therein may be accomplished through purchase, eminent domain or condemnation, dedication, transfer, donation, or a combination of these methods. When the acquisition is proposed by donation, the nature of any restriction on the use of the area or condition of donation will be examined to ensure that it is compatible with the purpose of the project. Full title must rest with the sponsor with no outstanding liens on the property.

Sponsor or publicly-owned lands which have ***never been dedicated, platted, managed, used, or acquired for public park or recreation uses*** may be used as the sponsor's matching share for a project. All acquisition procedures and documentation requirements must be followed, as outlined in this Procedural Guide (even though technically these are not true acquisitions). Land owned by another governmental entity which meets the non-parkland criteria must be proposed for acquisition by the sponsor in a grant application. Leased land cannot be used as the local matching share. After the grant is approved, other government-owned non-parkland must be deeded to the sponsor in accordance with the program acquisition procedures.

Land which will be deeded to the sponsor as a result of a local ordinance requiring the mandatory dedication of land for park, recreation, and open space purposes will be eligible for acquisition assistance if the dedication does not occur prior to Department authorization.

ACQUISITION OF STRUCTURES

Acquisition projects may include structures and impoundments which are:

1. To be used for public recreation or related support facilities; or

2. A part of the recreation area to be acquired and are to be removed, demolished, or drained in the case of an impoundment.

Grant applications must identify all improvements and discuss the proposed use, disposition, or mitigation of these structures.

ACQUISITION OF LESSER INTERESTS

Proposed acquisitions of interests in lands/waters of less than fee simple title are acceptable where such lesser rights will ensure the desired public use. Proposals such as a permanent park or conservation easements will be evaluated on their merit and contribution to public recreation.

RESERVATIONS AND RIGHTS NOT ACQUIRED

Reservations and rights held by others (i.e. - mineral rights, property liens, easements, etc.) are permissible only if it is determined that the outdoor recreation activities and environment would not be adversely affected. The applicant shall list all outstanding rights or interests held by others on the boundary map. Reservations must also be discussed in the environmental assessment to explain how these outstanding rights are to be dealt with to assure that recreation interests and the environment will not be adversely affected.

DELAYED DEVELOPMENT

Assistance may be available to acquire property on which recreational development is not planned until a future time. During the interim between the time the property is acquired and the time it is developed, the property should be open for those public recreational purposes which the land is capable of supporting, or which can be achieved with minimum public investment. Sponsors submitting grant applications to acquire land for future development must submit a master plan for development with the application. Non-recreational uses, such as agriculture or grazing, which are occurring on the property at the time of acquisition may continue for up to three years, or the remainder of the grant period, contingent on prior Department approval. In such cases the project sponsor shall not receive reimbursement for the land until the non-recreational use is terminated.

If development will be delayed for more than two years from the date of acquisition, the following information must be included in the grant application:

1. Justification as to why the immediate acquisition is necessary;
2. A schedule for development, pursuant to the master plan;
3. Discussion of any non-recreational property uses, including when such uses will terminate. Non-recreational uses must terminate within three years from the date of acquisition;
4. Assurance that any income derived during the interim period will be used on the project site only;
5. Identification of the type of public recreational access to be provided during the interim period.

It is not necessary that the eventual development be carried out with grant assistance, or that such unassisted recreational development be Department approved as long as it is in accordance with the master plan and purpose for which the application was made. Once developed, all improvements on land acquired with fund assistance must be operated and maintained in accordance with program requirements. If acquisition assistance is received, development on the property must begin within three years of project approval. Public access to the site must be made available immediately after the site is acquired.

ACQUISITIONS NOT ASSISTED UNDER THE LOCAL PARK GRANT PROGRAM

Generally, grant assistance will not be made for the following:

1. Historic sites and structures. Exceptions may be made with Department approval only when it is clearly demonstrated that the acquisition is primarily for public recreation purposes. This exclusion need not prevent the consideration of a project calling for the acquisition of real property interest contiguous to (or near) historic sites/structures which meet priority recreation needs. The acquisition must be in accordance with the Texas Antiquities Code if it is adjacent to or includes a site listed as a State Archaeological Landmark (SAL) or if it is a site eligible for listing as a SAL.

2. Museums, sites for museums or sites primarily for archaeological excavation.

3. Public school property. Acquisition will not be made for school property to help meet minimum acreage requirements, as established by state law or local regulations.

4. Areas and facilities to be primarily used for semi-professional or professional arts or athletics (such as amphitheaters, rodeo arenas, stadiums, etc.).

5. Game refuges or fish hatcheries. Acquisition of areas/facilities to be used solely for game refuges or fish production.

6. Areas containing luxury lodges, motels, cabins or similar elaborate facilities. Acquisition of sites containing elaborate facilities which are to be operated by the project sponsor or a concessionaire to service the public with food or lodging.

7. Agricultural land primarily for agricultural purposes.

8. Areas for which the primary purpose of the acquisition is for non-recreational uses (such as an area to be impounded or excavated to serve as a future public water supply).

9. Lands already within the public domain which were previously dedicated, platted, managed, used, or acquired for public park, recreation and open space use are not eligible to serve as the sponsor's matching project share.

10. Land which has been designated for **acquisition as mitigation** for other public domain activities **may not be used for matching fund purposes** and will **not be eligible for acquisition assistance**. Land acquired for mitigation of projects undertaken by the private sector are, however, eligible for acquisition under this program and may be used as matching funds if proposed as a donation in the grant application.

Acquisition eligibility questions should be directed to the Recreation Grants Branch at 512-389-8224 **prior** to the submission of a grant application.

APENDIX **E**

Waiver of Retroactivity

LOCAL PARK GRANT PROGRAM

WAIVER OF RETROACTIVITY GUIDELINES - LAND ACQUISITION

Waivers of Retroactivity are available to eligible grant applicants to allow for land acquisition **prior to grant approva**l. For land which may be under eminent threat of loss as an acquisition opportunity, the Department **may** authorize such acquisitions to occur prior to grant approval through a waiver of retroactivity. In addition, land may be transferred to a non-profit holding organization until an application has been reviewed and approved.

Waivers are available for land acquisitions only – waivers will not be considered for development or construction.

Waivers of Retroactivity are one means of securing park land prior to project approval while maintaining the match potential for a future grant application. A waiver does not constitute future grant approval, nor is it implied. A Waiver of Retroactivity simply preserves the matching potential of a park site for a limited period and allows the local sponsor to utilize the value of the land as all or part of the project's matching share. Other means of securing property include the transferring of title to a private non-profit trust/foundation for holding, or through the use of certain right-of-first-refusal contracts which receive prior Department approval. Waivers will not be granted if it is determined by the Department that an environmental impact statement will be required.

THE FOLLOWING RESTRICTIONS APPLY WHEN A WAIVER IS GRANTED:

1. Waivers and land acquisition costs are incurred at the sponsor's expense and risk. The granting of a waiver does not in any way ensure grant approval or site eligibility, or imply Department commitment to the project.

2. Waivers are valid only for a limited period of time. A waiver will expire at the end of the second state fiscal year following the state fiscal year in which the waiver was granted. A state fiscal year is September 1st to August 31st. Extensions up to three additional fiscal years will only be granted on a case-by-case basis.

   The granting of extensions beyond the original expiration date may limit the funding options for projects as Land and Water Conservation Fund guidelines preclude waivers beyond the two fiscal year limit.

3. A complete grant application must be submitted by the sponsor as soon as possible after the granting of the waiver. The grant must be approved by the Department prior to the waiver's expiration.

4. Waivers are for land acquisition only. <u>Construction/development costs will not be made retroactive.</u>

5. The level of grant acquisition assistance will be determined by an independent appraisal approved by the Department after grant approval (see "Acquisition Methods and Appraisals" in the *Instructions for Approved Projects*). It is strongly recommended that the appraisal be prepared prior to the transfer of any property, and prior to application submission. This will ensure that the land value is known, and that there will be no budgeting surprises if the grant is later approved.

TO REQUEST A WAIVER, THE FOLLOWING MUST BE SUBMITTED FOR REVIEW:

1. Cover letter addressing the scope and **urgency** of the waiver and an assurance that it is understood that the granting of a waiver will in no way commit the Department to the future funding of a grant project

2. Location and boundary maps

3. Proposed conceptual development plan

4. Environment Assessment - provide a description of the site and environment (refer to the Environmental Assessment beginning on page 17 for more information), and including:

   - Vegetation
   - Topography
   - Geology
   - Soils
   - Wildlife
   - Water resources
   - Access to the site
   - Outstanding characteristics
   - Existing structures and improvements
   - Utilities and easements
   - Surrounding land uses
   - Current property ownership

5. Other pertinent information should be addressed such as:

   - Threatened or endangered species of flora or fauna
   - Significant mineral values
   - Unique geological formations
   - Unique animal or plant ecosystems
   - Cultural/archeological/historical sites
   - Located in a designated floodplain, or
   - Contains wetlands

On review and acceptance by the Department, a waiver agreement will be executed by both the Department and the applicant. A copy of the agreement should be included in the forthcoming application submission.

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APPENDIX **F**

Project Priority Scoring System

LOCAL PARK GRANT PROGRAM

URBAN OUTDOOR RECREATION GRANT

PROJECT PRIORITY SCORING SYSTEM

(Effective January 2008)

All Outdoor Recreation Grant Program applications submitted to TPWD are evaluated for program eligibility and prioritized with the criteria, rating factors, and points shown in the following "Project Priority Scoring System." Each site of a multiple site project will be scored individually using the "Project Priority Scoring System," and individual site scores will be weighted on a pro-rata share of the total project score.

A project's priority ranking will depend on its score in relation to the scores of other projects under consideration. Scored applications are presented to the Texas Parks and Wildlife Commission for approval. Funding of projects will depend on the availability of funds.

Projects which have been considered twice by the Parks & Wildlife Commission without significant alterations to raise the project score shall be withdrawn from further consideration.

1. SPONSOR ELIGIBILITY

Sponsor is in full compliance with previously approved projects and the Recreation Grants Branch – *Local Park Grant Program Manual*

YES. If yes, the application will be scored and presented for award consideration.

NO. If no, the application will not be scored or considered further.

NA. No previous grant funding received.

2. ACQUISITION

The project proposes to acquire land for one or more of the following purposes as evidenced in the application:

(Points will be awarded based on how well the project elements meet the scoring criteria).

___ significant natural areas - points based on the acreage and quality * (see definition below) (1-4 points)

___ green corridors/provides connectivity to existing protected areas (1-4 points)

___ as density increases in our urban centers, it is important to acquire land that will serve as "pocket" parks and/or acquiring in-holdings to complete existing parks (1-2 points)

___ for intensive use recreation facilities (i.e. athletic complexes) (1-2 points)

___ for future conservation and recreation purposes (land banking for future need) that initially provide limited public access (1-4 points)

___ for expansion of existing parks and conservation areas (1-2 points)

___ demonstrates adaptive reuse for recreation or conservation of lands which have limited use in their existing state (1 point)

___ proximity to areas of high population (urbanized) density (1 point)

*** Natural Areas:** Areas that are significant for their relatively undisturbed ecosystem which exhibit regionally representative geological, floral, faunal, or hydrological features. Further, these areas have the potential to serve regional or statewide recreation needs. Natural areas can serve as greenbelts/open spaces, locations for passive activities, preservation areas for unique natural features, and interpretive sites which highlight or explain ecosystem processes.

3. DEVELOPMENT

Project proposes development of one or more of the following:

(Points will be awarded based on how well the project elements meet the scoring criteria).

___ neighborhood parks (1-3 points)

___ nature centers (natural resource based sites that are developed for outdoor recreation and education purposes) NOTE: Indoor facilities are not eligible under this program. (1-2 points)

___ parks and conservation areas of regional significance as the project is a component of a comprehensive or park and recreation master plan for 1 or more political jurisdictions. (1-2 points)

___ green construction/sustainability (1 point)

___ multi-purpose recreation facilities (1 point)

___ outdoor aquatic recreation (1 point)

4. RESTORATION

Project provides for the renovation of existing recreation and conservation infrastructure which is no longer usable for its intended purpose (renewal or revival of existing facilities):

(Points will be awarded based on how well the project elements meet the scoring criteria).

NOTE: Program legislative code does not allow funds to be used for basic facility maintenance

___ restoration of existing infrastructure based on percentage of the budget dedicated to restoration (1-10 points)

___ wildlife habitat (removal of invasive species/significant planting of native species resulting in the restoration of wildlife habitat) based on percentage of the budget (1-10 points)

___ adaptive reuse of existing structures and facilities to provide new or different recreation opportunities e.g. the use of an existing slab from a demolished building as a recreation court, the reuse of a bridge for recreation purposes, remediated brownfield, etc. Based on a percentage of the total budget.
(1-5 points)

5. TRAILS/CORRIDORS/GREENWAYS

Project proposes the development of one or more of the following:

(Points will be awarded based on how well the project elements meet the scoring criteria).

___ major linear (1 mile or longer) (1-6 points)

___ connects or extends existing trail system or wildlife corridors (1-5 points)

___ major loop of 1 mile or more (1-4 points)

___ neighborhood/loop trails (typically 1 mile or less) (1-4 points)

___ non-motorized off-road (1-2 points)

___ paddling (1-2 points)

___ interpretive nature (1-2 points)

6. SPORTS FACILITIES

Project proposes the development of one or more of the following:

___ large, intensive-use sports facilities i.e. tournament type (7 points)

___ competitive or practice facilities in close proximity to users (3 points)

7. UNDERSERVED POPULATIONS

Project provides for one or more of the following:

___ a more equitable distribution of facilities based on geographic distribution. Please provide a map showing the current distribution of parks in your entire service area to support a need in a particular location. (4 points)

___ improves park or recreation opportunities for low income citizens based on population of the service area as evidenced by economic demographic information of the service area. (2 points)

____ improves park or recreation opportunities for minority citizens based on population of the service area. Must be supported by demographic information of the service area. (2 points)

___ improves park or recreation opportunities for elderly citizens. Activities intended to serve this population must be supported by the locally adopted master plan or other public input process. (2 points)

8. JOINT EFFORTS/PARTNERSHIPS

___ Project involves public-public or public-private cooperation based on the percentage of the budget contributed by partners (1-5 points).

____ Number of partners involved in the project (not necessarily monetary in nature). The role of the partners must be explained. Please note that no programming-only related partnership points will be awarded.
Three partners (1 point)
Four partners (2 points)
Five or more partners (3 points)

9. MASTER PLAN

___ Project Sponsor has a locally adopted and TPWD approved, parks, recreation and open space master plan that addresses outdoor recreation needs. (5 points)

___ Project meets one or more of the top five priorities as outlined by a locally adopted and TPWD approved, parks, recreation and open space master plan. (5 points)

Please note that this is NOT a range, 5 points will be awarded if the project elements listed is one of the top five priorities identified in your master plan.

10. THREAT

To what extent will this project reduce a threat to the public availability of a conservation or recreation opportunity?

___ No evidence presented. (0 points)

___ Minimal threat; opportunity appears to be in no immediate danger of loss in the next 36 months. (1 point)

___ Actions under consideration could result in the opportunity becoming unavailable for public use. (2 points)

___ Actions will be taken that will result in the opportunity becoming unavailable for future public use or a threat situation has occurred (or is imminent) and has led to a land trust acquiring rights to the land at the request of the applicant. (3 points)

Examples of threat to be discussed in the narrative:

Project acquires important conservation or recreation property that is threatened by imminent loss and/or development.

Project is taking advantage of a time sensitive economic opportunity (i.e. loss of potential funding partner if they do not act quickly)

Project is addressing a significant safety hazard or needed restoration or threatened by loss of facility.

11. TEXAS PARKS AND WILDLIFE LAND AND WATER RESOURCES CONSERVATION AND RECREATION PLAN (up to 10 points)

___ Project supports the TPWD *Land and Water Resources Conservation and Recreation Plan* (Plan). Sponsor must specifically address how the project meets the goals of the Plan in the Project Narrative. Points will be awarded based on evidence in the project proposal of the extent to which the proposal meets one or more of the following goals of the plan:

- Goal 1: Improve access to the outdoors.
- Goal 2: Conserve, manage, operate, and promote agency sites for recreational opportunities, biodiversity, and the cultural heritage of Texas.
- Goal 4: Increase participation in hunting, fishing, boating and outdoor recreation.

Additional priority will also be given based on the extent to which the proposed project will stimulate sustainable economic impact, and will lead to the development or support of a conservation constituency (i.e. nature tourism participants thus creating new customers of outdoor, conservation-related recreation).

http://www.tpwd.state.tx.us/publications/pwdpubs/pwd_pl_e0100_0867/

12. POST COMPLETION INSPECTIONS

___ Sponsor has not sufficiently addressed issues related to post completion inspections of previously funded projects (-5 points)

13. APPLICATION MATERIALS

___ A complete application was received by the application deadline (5 points)

14. URBAN BIOLOGIST CONSULTATION

___ Applicants have consulted with a TPWD Urban Biologist regarding the proposed site plan 30 days prior to the application deadline and comments are included in the application materials. (5 points). Contact information for TPWD Urban Biologists is found in Appendix O.

15. HISTORICAL/CULTURAL RESOURCE:

___ Project provides park and recreation opportunities which enhance and encourage an appreciation and preservation of site-based (cultural, natural, historical and archaeological) resources through interpretation, facilities or preservation strategies. (2 points)

APPENDIX **G**

Master Plan Guidelines

LOCAL PARK GRANT PROGRAM

PARK, RECREATION AND OPEN SPACE MASTER PLAN GUIDELINES

The following guidelines have been developed to help local governments prepare park, recreation, and open space master plans in accordance with the Local Park Grant Programs Manual. Points may be received through the applicable "Project Priority Scoring System" for projects which meet priorities identified in Department-approved, locally-endorsed parks, recreation, and open space master plans.

**** Please note that a master plan is not required to participate in the grant program, nor does Texas Parks & Wildlife Department approval of a plan guarantee that points will be awarded for any project. ****

At a minimum, all master plans and/or updates must meet the requirements below for approval. For questions or assistance, please contact the Recreation Grants office at 512/389-8322.

Submit plans and/or updates to Recreation Grants for review as early as possible, but no later than sixty days before the application deadlines:

Local Park Grant Program	Master Plan Submission Date	Grant Application Submission Date
Outdoor	June 2nd	August 1st
Outdoor	January 2nd	March 1st
Indoor	June 2nd	August 1st
Urban Outdoor	January 2nd	March 1st
Urban Indoor	June 2nd	August 1st

Because of the large number of review requests, early submission of master plans for review and approval is strongly encouraged.

It is also recommended that plans be reviewed by Recreation Grants prior to submission to the applicable governing body for final approval to preclude the sponsor from having to obtain additional approval from the governing body in the event the review finds changes to the plans are needed. Plans must be approved or submitted or postmarked in an approvable format (including resolution of adoption) by the deadlines to be eligible for project priority points.

Please provide the name and address of the contact person in the local government submitting the plan as well as the name and address of the preparer, if other than the sponsor.

The following documentation is required for approval by Recreation Grants:

PROOF OF ADOPTION

Once plans are complete, the applicable governing body (city council, county commissioner's court, district or authority board) must pass a formal resolution (or ordinance) adopting the plan and list of priority needs.

JURISDICTION-WIDE PLAN

Plans must be comprehensive and include the sponsor's entire area of jurisdiction, i.e., the entire city, county, or district, etc. Plans may be broken into planning areas, regions, districts or precincts, as needed for larger communities or counties. All planning areas, regions, districts, or precincts must be included in the plan as partial plans are unacceptable.

Plans must address the present and future needs of the community or area, not merely short-term needs. Plans that justify only one grant project will not be approved.

Regional (multi-jurisdictional) Park, Recreation and Open Space Master Plans may be submitted to the Department for review. This plan may be utilized by those communities located within the planning region. In order for any application to be eligible for priority planning points the project sponsor must adopt the regional plan by resolution. The plan must also include all of the required master plan elements for each community wishing to utilize the regional plan; **or** the project sponsor must submit a supplement, by the applicable master plan deadline, that includes any required information pertaining to their community that is not included in the regional plan. Please compare the regional plan's elements to the following plan content list to determine if supplemental information will be required by the Department.

PLAN DURATION

Plans must cover at least a ten year period. Plans must be **updated every five years to remain eligible**. At a minimum, updates should include a summary of:

- Accomplishments
- New public input
- Most recent inventory data
- Updated needs assessment
- Priorities
- New implementation plan
- Demographics
- Population projections
- Goals and objectives
- Standards, and
- Maps

Priorities should be updated as high priority items are accomplished and lower priorities move up. A new resolution is not required when updating priorities; however if you <u>change</u> or <u>revise</u> your priorities, submit a new resolution adopting the new priorities.

A completely new plan is required every ten years.

PLAN CONTENTS

All master plans must meet the following minimum requirements.

I. INTRODUCTION

This section should discuss the unit of government for which the plan is created. Include socio-economic data; demographics on ethnicity, age, and income; current and projected population figures and their source; growth or non-growth patterns; and the government's or agency's role in providing parks and recreation opportunities.

II. GOALS AND OBJECTIVES

Identify your parks and recreation service goals and follow with specific objectives for each goal. These should be given careful thought. State the time period of the plan.

III. PLAN DEVELOPMENT PROCESS

This section is very important so that we can understand how you identified and prioritized your needs. Include who wrote the plan and when the process began. Briefly but thoroughly discuss planning committees utilized and public input received through hearings, meetings, and surveys. You must also provide public input documentation. Acceptable documentation includes a copy of the public meeting notice, sign-in sheet, and the minutes for the public meeting certified by an official sponsor representative. If a public survey is completed, an explanation of how the survey was distributed along with a copy of the survey results will be required. Please contact us if you have any questions regarding acceptable public input documentation.

IV. AREA AND FACILITY CONCEPTS AND STANDARDS

This section of the plan is also very important and contributes directly to the assessment and identification of needs. You cannot properly identify needs without establishing local standards and concepts.

Area/Facility standards should be determined locally. Local standards are influenced by preferences and available economic and natural resources. A good source of information on this topic can be found in the National Recreation & Park Association's Park, Recreation, Open Space & Greenway Guidelines publication (formerly the Recreation, Park & Open Space Standards & Guidelines). All of the guidelines identified in this document may or may not apply to your community or county. Adjustments to those standards may be necessary to reflect your needs and resources. Contact the NRPA at http://www.nrpa.org or 703/858-2190 to obtain a copy of this publication.

V. INVENTORY OF AREAS AND FACILITIES

Assess what parks, recreation and open space areas and facilities are currently within your system. You should also include school and private recreational facilities that are open to the public. If inventory data are broken out by park, include a summary table for all parks and facilities. This inventory information is essential for assessing needs.

VI. NEEDS ASSESSMENT AND IDENTIFICATION

The following three approaches may be employed in determining parks and recreation needs: (1) demand-based, (2) standard-based, and (3) resource-based. Or a combination of these approaches may help you more accurately assess your needs.

The demand-based approach relies on information gathered from participation rates, surveys, and other information that indicates how much of the population wants certain types of facilities.

The standard-based approach uses established standards to determine facilities and park areas needed to meet the needs of a given population size. The standards may be based on demand studies, the professional judgment of park and recreation planners and designers, etc.

The resource-based approach examines the assets and resources of the area for open space, parks and recreation facilities, and defines how these resources can be utilized. For example – the availability of a lake or river within an area is a resource which can be utilized in developing a park system.

Sponsors with large jurisdiction areas may wish to divide their jurisdiction into planning areas, regions, districts or precincts. Specific needs can then be assessed and identified within each planning unit.

Clearly identify needs and explain the methodology for determining them. Consider both outdoor and indoor recreation needs, if applicable.

VII. PLAN IMPLEMENTATION AND PRIORITIZATION OF NEEDS

A priority list of needs should be ranked in order from highest to lowest priority and state when the needs will be met.

If your plan is broken into specific planning areas, regions, districts or precincts, you may prioritize needs within each of the planning regions.

Separate priority lists may be provided for indoor and outdoor needs. Lists must be area and/or facility specific, and be ranked according to priority order. It is the option of the sponsor to present the priority lists as park/site-based or recreational element-based. However, be aware that there are more points available in the current scoring system if priorities are compiled by recreational elements, and separated by indoor and outdoor.

Example of recreational facility-based priority lists:

Outdoor Priorities:	Indoor Priorities:
#1 = Trails	#1 = Indoor pool
#2 = Picnic Tables	#2 = Gym and basketball court
#3 = Pavilions	#3 = Walking track
#4 = Adult softball fields	#4 = Arts and crafts room
#5 = Tennis courts, etc.	#5 = Meeting room, etc.

Specific areas intended for open space acquisition and preservation should be located on a map, identified as a need, discussed, and prioritized in your plan.

Where appropriate, renovation/redevelopment needs must be discussed and may be ranked as a priority.

Renovation is defined as "to renew, make over…" Work on existing facilities to completely renew, update, or modernize such facilities so the finished product will meet present-day standards and be comparable with newly constructed similar facilities is classified as renovation.

Redevelopment means the removal of obsolete facilities and construction of new ones.

Repairs and/or maintenance may be listed as a priority, but are not eligible for grant assistance.

Identify resources for meeting your needs (e.g., city funds, in-house labor, bonds, grants, donations, etc.), and include a proposed timeline for accomplishing the plan's priorities.

CAUTION! Do not just focus on short-term needs and actions. Plan for the future also.

VIII. ILLUSTRATIONS, MAPS, SURVEYS, ETC.

Required: City or County map, or map of jurisdiction, as appropriate.

Include maps, surveys, charts, plates, graphics, and photographs in the plan which help explain and support your planning process and conclusions.

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APPENDIX **H**

Applicable Environmental Laws and Regulations

LOCAL PARK GRANT PROGRAM

APPLICABLE ENVIRONMENTAL LAWS & REGULATIONS

Cultural and Paleontological Features:

A. **National Historic Preservation Act of 1996, Section 106** requires that any federal agency take into account how each of its undertakings could affect historic properties. (This would especially include federal aid projects or project requiring federal permits.) For additional information contact the Texas Historical Commission at 512/463-5754.

B. **Texas Natural Resources Code, Section 191.002** states, "It is the public policy and in the public interest of the State of Texas to locate, protect and preserve all sites, objects, buildings… and locations of historic, archeological, educational, or scientific interest… in, on, or under any of the land in the State of Texas…". If the activity will involve new ground disturbance, previously disturbed ground, or buildings older than 50 years, a cultural resources survey may be needed. For additional information contact the Texas Historical Commission at 512/463-5754.

II. Water, Air and Solid Waste

A. **Clean Water Act, Section 404** requires a permit from the U.S. Army Corps of Engineers for placing dredged or fill materials in U.S. waters. Work in or near water bodies and placement of structures or earthen material in wet areas may require a permit. Contact the District Engineers Office with the U.S. Army Corps of Engineers.

B. **Parks and Wildlife Code, Chapter 86,** requires that when sand, shell, gravel or marl is removed from state waters, a permit is needed from the Texas Parks and Wildlife Department. This jurisdiction refers to the beds and bottoms of bays and marine water out to 10.35 miles (3 marine leagues) off the Gulf shores, and beds of streams that are tidally influenced, or in which the bed average 30 feet wide, or, are perennial and the islands within such waters. If the activity may require removal of bottom material from state waters, contact Rollin MacRae with TPWD at 512/389-4639.

C. **Clean Water Act, Section 401** requires a permit to discharge effluent or stormwater in waters of the U.S. Texas Water Code, Section 26.023 authorizes the Texas Commission on Environmental Quality (TCEQ) to establish water quality standards. TCEQ also requires a Texas Pollutant Discharge Elimination System (TPDES) permit for the discharge of effluent or stormwater into state waters. For more information on a TPDES permit contact TCEQ at 512/239-4671.

D. **Texas Water Code, Section 11.121** requires a permit when state water is stored or diverted. If withdrawing water from a creek, stream, etc., or creating an impoundment, contact the Texas Commission on Environmental Quality (TCEQ) at 512/239-4691, for information on the water rights permit application process.

E. **Solid Waste Disposal Act, Article 4477-1, VTCS, (B) Section 4(c)** states that "no waste products, offal, polluting material, spent chemicals, liquids, brines, or other wastes of any kind shall be stored, deposited, or disposed of in a manner as may cause the pollution of surrounding land or the contamination of well waters to the extent of endangering the public health. If storing or disposing of solid wastes contact the Texas Commission on Environmental Quality (TCEQ) at 512/239-2334.

F. **The State Clean Air Act** authorizes the Texas Commission on Environmental Quality (TCEQ) to issue rules and regulations and enforce penalties to protect the air quality of Texas. If an activity will release chemicals, noxious odors, or particulates into the air, a permit may be required. For more information contact TCEQ at 512/239-1250.

G. **Title 31, Texas Administrative Code, Section 111.1** Outdoor Burning, states "no person may cause, suffer, allow, or permit any outdoor burning within the State of Texas, except as provided by §111.2 of the title." Burning is allowed during certain times and conditions. Report planned burning of brush or controlled burns to the Texas Commission on Environmental Quality at 512/239-1250.

H. **Title 31, Texas Administrative Code, Section 334.1**, Purpose and Applicability, states that there is a "… comprehensive regulatory program for underground storage tank systems storing hazardous substances and petroleum substances, and for above ground storage tanks storing certain petroleum products…" It further states in §334.1 (b)(2)(1) that registration, design, construction, installation, and other activities are also regulated. If the activity involves storage tanks contact the Texas Commission on Environmental Quality (TCEQ) at 512/239-2160.

III. Herbicide, Pesticide, and Chemical Use

A. **Texas Pesticide Control Act and Texas Agricultural Code (Chapters 75 and 76)** authorizes the Texas Department of Agriculture to promulgate and enforce rules, regulations, and penalties on the use and misuse of herbicides and pesticides in Texas. If the activity may require the use of controlled chemicals contact the Texas Department of Agriculture at 512/463-7622 or your county agricultural extension agent about state rules and restrictions.

B. **Endangered Species Act and Federal Insecticide, Fungicide and Rodenticide Act (FIFRA),** as amended by the Pesticide Control Act, authorizes the U.S. Environmental Protection Agency to promulgate and enforce rules, regulations, and penalties on the use and misuse of herbicides and pesticides. For the United States special rules are developed to protect endangered species. If the activity may require the use of controlled chemicals in an area where there may be endangered/threatened species, contact TPWD's Endangered Species Program for information on the distribution of endangered resources. Also, consult the product label, your county agricultural extension agent, or the Texas Department of Agriculture at 512/475-1678, for information on use restrictions for the chemical.

C. **FIFRA** also includes provisions for the issuance of pesticide use exemptions which allow the emergency use of pesticides for practices not included on the product label. These exemptions require special approval through the Texas Department of Agriculture and the U.S. Environmental Protection Agency. Contact the Texas Department of Agriculture at 512/463-7622.

IV. Endangered Species

A. **The Federal Endangered Species Act** protects listed threatened or endangered species and their habitat. Any non-salvage handling of federally-listed species requires a federal permit. For a copy of the lists and for more information on the ecology and distribution of these species go to:
http://www.tpwd.state.tx.us/landwater/land/habitats/cross_timbers/endangered_species/

B. **Parks and Wildlife Code (Chapter 43, Subchapter C; Chapter 67, and Chapter 68)** protects listed threatened and endangered species and other non-game species. Also, the TPWD Environmental Policy provides for "maintaining Texas' unique bio-diversity." For a copy of the list of state threatened and endangered species, and for more information on the ecology and distribution of these species, go to:
http://www.tpwd.state.tx.us/landwater/land/habitats/cross_timbers/endangered_species/

C. **National Natural Landmarks, Wild and Scenic Rivers, and Wilderness Areas** have been identified under federal law, and such designations provide for voluntary or legally binding protection. Also, the TPWD Environmental Policy provides for "maintaining Texas' unique bio-diversity," which includes exemplary or rare natural communities including species that are listed G1, G2, etc. within the Texas Biological and Conservation Data System. For contact information, go to:
http://www.tpwd.state.tx.us/landwater/land/habitats/cross_timbers/endangered_species/

V. Non-Game Birds

A. **Parks and Wildlife Code (Chapter 64, Subchapter A)** states that it is illegal to "disturb or destroy the eggs, nests, or young of birds that are classified as non-game birds." For more information go to:
http://www.tpwd.state.tx.us/landwater/land/habitats/cross_timbers/endangered_species/

NOTE: This list is for reference only and is not conclusive; other federal, state, and local laws may apply to proposed project activities. It is the responsibility of the sponsor to identify and obtain all necessary permits and clearances.

APPENDIX I

Sample Information from TPWD Natural Resources review

Threatened and Endangered Resources Assessment

LOCAL PARK GRANT PROGRAM

THREATENED AND ENDANGERED RESOURCES ASSESSMENT AS DETERMINED BY INDIVIDUAL HABITAT ASSESSMENT STAFF

Individual Habitat Assessment Staff has been consulted to assess regulatory compliance and identify potential adverse environmental impacts. The potential permits considered are described in the "Types of Permits" section attached. The applications reviewed have been separated into four categories.

CATEGORY 1

The first category includes projects for which none of the considered permits appear to be needed and which staff believes will have no significant adverse environmental impacts as proposed. In general, these projects may further reduce impacts by implementing appropriate comments in the "General Comments" section of the attachment.

CATEGORY 2

The second category includes projects for which one or more permits may be required, but if constructed as proposed and following permit requirements, should pose no significant environmental impacts. These projects may further reduce or avoid adverse impacts by implementing appropriate comments in the "General Comments" section of the attachment. Staff feels that in some cases, these projects may also benefit from coordination with one or more of the TPWD groups listed in the "Other Recommended Coordination" section of the attachment.

CATEGORY 3

The third category contains projects that are acceptable on the whole, but include one or more features that raised questions or concerns. A description of staff concerns is included for each of these. If these concerns can be addressed, and the remainder of the project is constructed as proposed following permit requirements, they should pose no significant environmental impacts. In general, these projects may further reduce or avoid adverse impacts by implementing appropriate comments in the "General Comments" attachment. Staff feels that in some cases, these projects may also benefit from coordination with one or more of the TPWD groups listed in the "Other Recommended Coordination" detailed later in this section.

CATEGORY 4

The final category contains projects with several adverse impacts, coupled with unclear elements, so that Inland Fisheries staff cannot currently support their approval. Staff would like the opportunity to resolve concerns through coordination with the applicants before these projects are approved.

OTHER RECOMMENDED COORDINATION

Types of Permits

- USACE "404" permit (activities affecting wetlands or aquatic areas)
  The U.S. Army Corps of Engineers (USACE) should be consulted prior to commencement of projects that propose to place fill material or structures, whether from general land grading activities, buildings, piers, foot bridges or other activities, into wetlands or waters of the U.S. to determine to regulatory status of the proposed activity. Compensation may be required for any encroachment into these areas.
- TCEQ 401 water quality certification-water quality of wetlands or aquatic areas, 512-239-4586.
- TCEQ Water Rights Permit-diversion or impoundment of water in waterways, 512-239-4614.
- EPA Construction/Stormwater permit (1 or more acres disturbed)
  U.S. Environmental Protection Agency should be contacted for projects proposing to clear 5 or more acres of land, 214-665-8060.
- USFWS clearance (federally listed threatened & endangered species/habitat)
  The U.S. Fish and Wildlife Service (USFWS) should be consulted, if NDD search indicates activities may impact federally listed species or habitat, to assist in the evaluation of the proposed activities that may affect federally listed rare, threatened, or endangered wildlife species. Further consultation or surveys may be necessary to determine impact.
- TPWD Sand and Gravel permit (state owned waterways or bay bottoms)
  The TPWD Attorney coordinating the Sand, Shell, Gravel and Marl (SSGM) program should be consulted to evaluate activities involving the disturbance or taking of material from the beds or bottoms of State-owned streambeds and bay bottoms, 512-389-4433.
- TPWD Inland Fisheries Division (aquatic plant permits)
  The TPWD Fisheries Division should be consulted for required permits for the placement of plants into waters of the State, 512-389-8037.
- TPWD Inland Fisheries Division (establishment and management of pond fisheries)
- TPWD Wildlife Division – Wildscapes or Urban Wildlife Programs (beneficial planting/landscaping/ xeriscape), contact the Urban Biologist nearest you at:

Austin: (512) 308-0979	Dallas/Fort Worth: (972) 293-3841	El Paso: (915) 774-9603
Houston: (281) 456-7029	Rio Grande Valley: (956) 565-1223 x1	San Antonio: (210) 688-6444

- The Natural Diversity Database should be consulted to assist with the data search for state or federally listed rare, threatened, or endangered plant & wildlife species; as well as other rare or unique habitats and ecological resources, 512-912-7023.
- TPWD Wildlife Division – Habitat Assessment Program (terrestrial habitat impacts/planting), 512-389-4638.
- TPWD Inland Fisheries Division – Wetland Conservation Team (wetland and aquatic habitat impacts/enhancement/creation), 512-389-4592.

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APPENDIX **J**

Cultural Resources Survey Guidelines

LOCAL PARK GRANT PROGRAM

CULTURAL RESOURCE SURVEY GUIDELINES

Your project was approved for award of grant funds, and a copy of your application was forwarded to the Texas Historical Commission (THC) for review. A determination has been made by THC that the project warrants further cultural resource management investigation at your project site. A copy of the letter and comments from THC are included in your agreement packet.

General information on the cultural resource management process may be found at the THC website: www.thc.state.tx.us/crm/crmdefault.html.

To find a cultural resource professional, check the yellow pages of your phone book under "Archaeologists" or "Environmental Consultants." You may also go to the Council of Texas Archeologists website at www.c-tx-arch.org to view a listing of potential candidates for the study under the "Contractors List" section of this site.

A report of the survey or other investigations will be prepared by the contractor and submitted to the THC for review. On approval of the findings and recommendations of the consultant, **THC will issue a stamped statement of concurrence with the report**. A copy of this THC review statement must be forwarded to the Department before notice to proceed with construction will be given for your project.

APPENDIX **K**

Sign Requirements for Funded Projects

LOCAL PARK GRANT PROGRAM

PROJECT ACKNOWLEDGEMENT SIGNS

On-site program acknowledgement signs are required for all approved acquisition and construction projects. Signage requirements include a temporary sign which should be displayed throughout the activity stages of a project (once land acquisitions are complete – if applicable), and a permanent sign or plaque which must be installed and maintained at the site.

Costs for program acknowledgement signs are reimbursable for approved projects if included in the "Budget Summary."

Examples of both temporary and permanent acknowledgement signs for **state funded projects** are shown below. Information shown on the examples is the minimum information required.

TEMPORARY SIGN (Minimum Size – 4' x 8')

The (City/County/District) of _____
Public Recreation Site (Acquisition/Development) Project
Funding assistance from a portion of the state sales tax on sporting goods
Through the LOCAL PARK GRANT PROGRAM
Administered by Texas Parks & Wildlife Department

FUNDING

State of Texas	50%	$ 500,000
(City/County/District)	50%	$ 500,000
Total Project		$ 1,000,000

PERMANENT SIGN OR PLAQUE (Minimum Size – 18" x 24")
One permanent sign will be provided by Recreation Grants Branch at the final inspection.

TEXAS PARKS & WILDLIFE

A LOCAL PARK GRANT PROGRAM PROJECT

Funded in part from a portion of the state sales tax on sporting goods

Administered by Texas Parks & Wildlife Department

If the permanent project acknowledgement sign provided by the Department is lost or damaged, a replacement will be required at the sponsor's expense.

Use these samples **only for projects supported with Local Park Grant Program** funds. If a project receives federal funding, use the samples for the Land and Water Conservation Fund.

LAND AND WATER CONSERVATION FUND

PROJECT ACKNOWLEDGEMENT SIGNS

On-site program acknowledgement signs are required for all approved acquisition and construction projects. Signage requirements include a temporary sign which should be displayed throughout the activity stages of a project (once land acquisitions are complete – if applicable), and a permanent sign or plaque which must be installed and maintained at the site.

Costs for program acknowledgement signs are reimbursable for approved projects if included in the "Budget Summary."

Examples of both temporary and permanent acknowledgement signs for **federally funded** projects are shown below. Information shown on the examples is the minimum information required.

TEMPORARY SIGN (Minimum Size – 4' x 8')

The (City/County/District) of _____
Public Recreation Site (Acquisition/Development) Project

With Funding Assistance through
LAND AND WATER CONSERVATION FUND
U.S. Department of the Interior, National Park Service
Administered by the Texas Parks & Wildlife Department

	FUNDING		
Land and Water Conservation Fund	50%	$	500,000
(City/County/District)	50%	$	500,000
Total Project		$	1,000,000

PERMANENT SIGN OR PLAQUE (Minimum Size – 18" x 24")

One permanent sign will be provided by Recreation Grants Branch at the final inspection.

TEXAS PARKS & WILDLIFE

LAND & WATER CONSERVATION FUND

A LAND AND WATER CONSERVATION FUND PROGRAM PROJECT

Funding Assistance through
U.S. Department of the Interior, National Park Service
Administered by Texas Parks & Wildlife Department

If the permanent project acknowledgement sign provided by the Department is lost or damaged, a replacement will be required at the sponsor's expense.

Use LWCF wording only if notified by the Department that a project will receive federal funding.

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APPENDIX **L**

Regional Councils of Government

STATE PLANNING REGIONS AND REGIONAL COUNCILS

1. Panhandle Regional Planning Commission
   P.O. Box 9257
   Amarillo, Texas 79105-9257
   (806) 372-3381
   Fax: (806) 373-3268
   www.prpc.cog.tx.us

2. South Plains Association of Governments
   P.O. Box 3730
   Lubbock, Texas 79452-3730
   (806) 762-8721
   Fax: (806) 765-9544
   www.spag.org

3. Nortex Regional Planning Commission
   P.O. Box 5144
   Galaxy Center #2 North, 4309 Jacksboro Hwy., Suite 200
   Wichita Falls, Texas 76307-5144
   (904) 322-5281
   Fax: (904) 322-6743
   www.nortexrpc.org

4. North Central Texas Council of Governments
   P.O. Box 5888
   616 Six Flags Drive, Suite 200
   Arlington, Texas 76005-5888
   (817) 640-3300
   Fax: (817) 640-7806
   www.nctcog.dst.tx.us

5. Ark-Tex Council of Governments
   P.O. Box 5307
   122 Plaza West
   Texarkana, Texas 75505-5907
   (903) 832-8636
   Fax: (903) 832-3441
   www.atcog.org

6. East Texas Council of Governments
   3800 Stone Road
   Kilgore, Texas 75662
   (903) 984-8641
   Fax: (903) 983-1440
   www.etcog.org

7. West Central Texas Council of Governments
   P.O. Box 3195
   Abilene, Texas 79601
   (325) 672-8544
   Fax: (325) 675-5214
   www.wctcog.org

8. Rio Grande Council of Governments
   1100 N. Stanton, Suite 610
   El Paso, Texas 79902
   (915) 533-0998
   Fax: (915) 532-9385
   www.riocog.org

9. Permian Basin Regional Planning Commission
   P.O. Box 60660
   Midland, Texas 79711-0660
   (432) 563-1061
   Fax: (432) 563-1728
   www.pbrpc.org

10. Concho Valley Council of Governments
    P.O. Box 60050
    San Angelo, Texas 76906
    (915) 944-9666
    Fax: (915) 944-9925
    Website: www.cvcog.org

11. Heart of Texas Council of Governments
    300 Franklin Avenue
    Waco, Texas 76701-2244
    (254) 756-7822
    Fax: (254) 756-0102
    Website: www.hotcog.org

12. Capital Area Council of Governments
    6800 Burleson Rd.
    Bldg 310, Ste 165
    Austin, Texas 78744
    (512) 916-6000
    Fax: (512) 916-6001
    www.capcog.org

13. Brazos Valley Council of Governments
    P.O. Drawer 4128
    3991 E. 29th Street
    Bryan, Texas 77802-4213
    (979) 595-2800
    Fax: (979) 595-2810
    www.bvcog.org

14. Deep East Texas Council of Governments
    274 East Lamar Street
    Jasper, Texas 75951
    (409) 384-5704
    Fax: (409) 384-5390
    www.detcog.org

15. South East Texas Regional Planning Commission
    2210 Eastex Freeway
    Beaumont, Texas 77703
    (409) 899-8444
    Fax: (409) 347-0138
    www.setrpc.org

16. Houston-Galveston Area Council
    P.O. Box 22777
    3555 Timmons Lane, Suite 120
    Houston, Texas 77227-2777
    (713) 627-3200
    Fax: (713) 993-2414
    www.h-gac.com

17. Golden Crescent Regional Planning Commission
    P.O. Box 4085
    Victoria, Texas 77903-4085
    (361) 578-1587
    Fax: (361) 578-8865
    www.gcrpc.org

18. Alamo Area Council of Governments
    8700 Tesoro Drive
    San Antonio, Texas 78217
    (210) 362-5200
    Fax: (210 824-4576
    www.aacog.com

19. South Texas Development Council
    P.O. Box 2187
    4812 N. Bartlett Avenue
    Laredo, Texas 78044-2187
    (956) 722-3995
    Fax: (956) 722-2670
    www.stdc.cog.tx.us

20. Coastal Bend Council of Governments
    P.O. Box 9909
    Corpus Christi, Texas 78469
    (361) 883-5743
    Fax: (361) 883-5749
    cbcog98.org

21. Lower Rio Grande Valley Development Council
    311 N. 15th
    McAllen, Texas 78501-4705
    (956) 682-3481
    Fax: (956) 631-4670
    www.lrgvdc.org

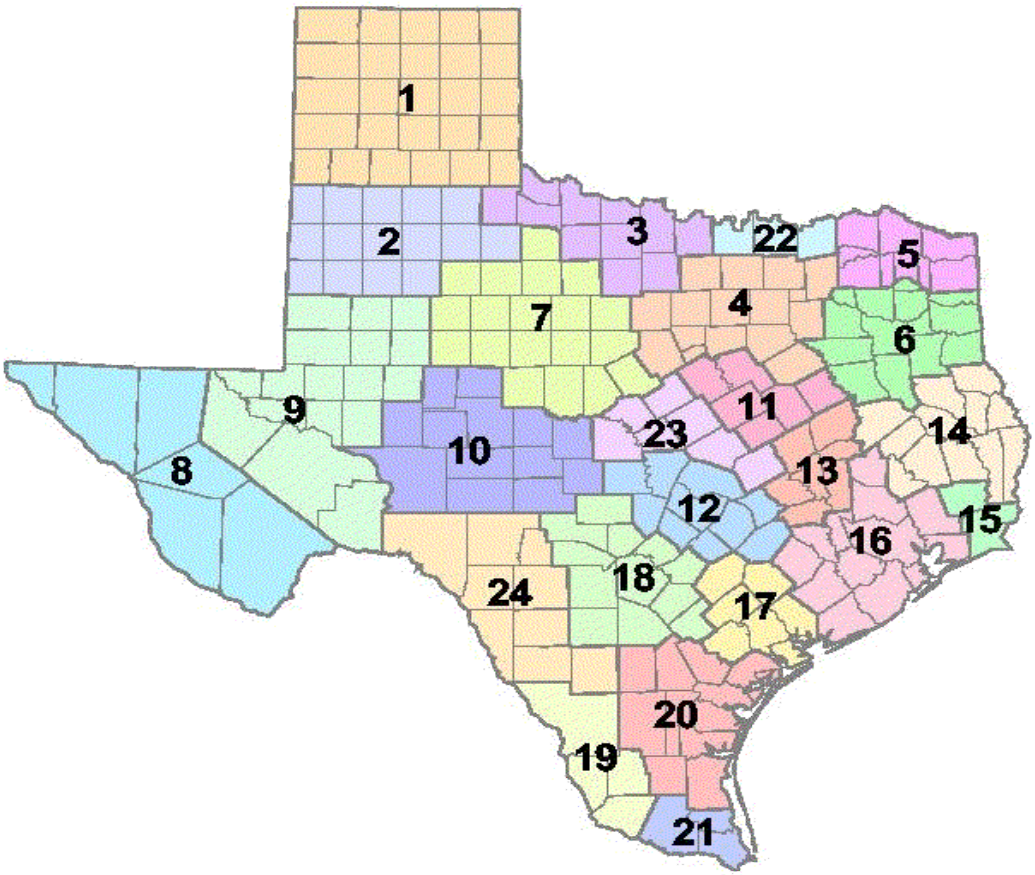
22. Texoma Council of Governments
    1117 Gallagher Drive, Suite 100
    Sherman, Texas 75090
    (903) 893-2161
    Fax: (903) 813-3511
    www.texoma.cog.tx.us

23. Central Texas Council of Governments
    P.O. Box 729
    Belton, Texas 76513
    (254) 933-6036
    Fax: (254) 939-0660
    www.ctcog.org

24. Middle Rio Grande Development Council
    P.O. Box 1199
    Carrizo Springs, Texas 78834-1199
    (830) 876-3533
    Fax: (830) 876-9415
    www.mrgdc.org

For the most up-to-date contact information on councils of government, go to: **http://www.txregionalcouncil.org/**

TEXAS COUNCILS OF GOVERNMENTS



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1. Panhandle Regional Planning Commission
2. South Plains Association of Governments
3. NORTEX Regional Planning Commission
4. North Central Texas Council of Governments
5. Ark-Tex Council of Governments
6. East Texas Council of Governments
7. West Central Texas Council of Governments
8. Rio Grande Council of Governments
9. Permian Basin Regional Planning Commission
10. Concho Valley Council of Governments
11. Heart of Texas Council of Governments
12. Capital Area Planning Council
13. Brazos Valley Council of Governments
14. Deep East Texas Council of Governments
15. South East Texas Regional Planning Commission
16. Houston-Galveston Area Council
17. Golden Crescent Regional Planning Commission
18. Alamo Area Council of Governments
19. South Texas Development Council
20. Coastal Bend Council of Governments
21. Lower Rio Grande Valley Development Council
22. Texoma Council of Governments
23. Central Texas Council of Governments
24. Middle Rio Grande Development Council

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APPENDIX **M**

Post Project Responsibilities

LOCAL PARK GRANT PROGRAM

RETENTION, OPERATION & MAINTENANCE RESPONSIBILITIES

RETENTION AND USE

Property acquired or developed with grant assistance shall be retained and used for public recreation. Any property acquired or developed shall not be converted to other than public recreation uses without Department approval. Such approval will be given only with the substitution of other properties of at least equal fair market value and equivalent usefulness, quality, and location. Conversion Guidelines are available in Appendix N.

CHANGES IN RECREATIONAL USES

The recreational use of property developed with program assistance may not be changed from that approved when assistance was obtained, unless prior approval is obtained.

OPERATION AND MAINTENANCE

Property acquired or developed with program assistance will be operated and maintained as follows:

1. The property will be maintained as attractive and inviting to the public.

2. Sanitation and sanitary facilities will be maintained in accordance with applicable health standards.

3. Properties will be kept reasonably safe for public use.

4. Buildings, roads, trails, and other improvements will be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use. It is not necessary that assisted improvements be maintained in perpetuity. Once assisted improvements have exceeded their estimated lifetime, or they are no longer economically feasible to operate or maintain, they may be demolished as long as the area remains in use for public recreation and prior Departmental approval is received.

5. The facility will be kept open for public use at reasonable hours and times of the year.

6. Property which includes natural area, wetland, or open space dedication should be maintained to preserve the original characteristics of the area which were suitable for these designations. This might include restrictions on development, mowing, drainage, landscaping, intensity of use, or other considerations which could affect the habitat or species within these designated areas.

AVAILABILITY TO USERS

- Non-Discrimination: Property acquired or developed with program assistance shall be open to persons regardless of age, race, color, religion, sex, national origin, or handicap. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent that reasonable differences may be charged on the basis of residence. The requirements for posting this information and text are available in this section.

- 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.

Additional on-going commitments include, but are not limited to:

1. All property acquired and/or developed with fund assistance must remain dedicated in perpetuity and be used only for public recreation, with the exception of leased lands which may revert to other uses upon lease expiration;

2. No overhead utility lines may be installed;

3. The project area(s) must be open to the public and utilized for public recreation, free from discrimination pursuant to Title VI of the Civil Rights Act of 1964;

4. The project area(s) must be maintained so that it is safe, attractive, and inviting to the public.

5. A permanent program acknowledgement sign or plaque must be installed and maintained at all project sites;

6. Periodic post completion inspections by Department staff will generally be unannounced, and are intended to ensure that program compliance continues after the project is completed. The sponsor may be asked periodically to participate in post completion self-inspection at the request of the Department. Sponsors who fail to comply with long-term program commitments may jeopardize future eligibility for funds for new projects and/or be subject to legal actions by the state and/or federal government to enforce program compliance.

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Sample of non-discrimination posting information and text:

FOR ALL RECREATION GRANT FUND ASSISTED PROJECT SITES

Discrimination at park sites acquired and/or developed with state or federal grant funds is prohibited. If you believe you have been discriminated against on the basis of your ***race, color, national origin, disability, sex, or age***, please contact the agencies listed below.

For Local Park Grant Programt assisted sites:

Recreation Grants Branch
Texas Parks & Wildlife Department
4200 Smith School Road
Austin TX 78744
512-912-7124

For Land and Water Conservation Fund assisted sites:

EEO Program Manager
US Department of the Interior
National Park Service
1849 C Street, NW (Org Code 0008)
Washington DC 20240

Please post this notice, or similar non-discrimination notices. Posters should be displayed at park system administrative buildings, park sites with bulletin boards and visitor centers.

A printable poster related to federally funded sites is available at:

www.dol.gov/esa/regs/compliance/posters/eeo.htm

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APPENDIX **N**

Conversion Guidelines

To be used when a fund assisted site is converted to other than park and recreation use

LOCAL PARK GRANT PROGRAM

CONVERSION GUIDELINES

These guidelines are designed to assist with the process of properly converting *Local Park Grant Programs Manual* (Chapter 640.1.2) assisted properties to non-recreation use. The "General Provisions of the Project Agreement" (available in Appendix A) for which fund assistance is provided states:

> "The Participant agrees that the property described in the project agreement and the dated project boundary map, made part of that agreement, is being acquired or developed with grant assistance, and that it shall not be converted to other than public recreation use and shall be maintained for public recreation in perpetuity."

It is acknowledged, however, that circumstances may arise which might require the conversion of parkland. As a result, the Department has developed guidelines for converting fund assisted properties. **Conversion is strongly discouraged**, and there is no guarantee that a request for conversion will be approved.

I. THE PROCESS

Correctly converting fund assisted parkland is a lengthy and costly process. The Department will not provide financial assistance to the local sponsor initiating the conversion.

Conversion generally occurs in the following situations:

A. Property interests are conveyed for non-public recreation uses.

B. Non-recreation uses (public or private) are made of the project area, or a portion of the project area.

C. Non-recreation facilities are developed within the project area (library, city hall, fire station, etc.).

D. Public recreation uses of property acquired or developed with grant assistance is terminated.

E. Exceptions:

1. Underground utility easements that do not have significant impacts upon the recreational utility of the park will not constitute a conversion.

2. Proposals to construct public facilities where it can be shown that there is a gain or increased benefit to public recreational opportunity will not constitute a conversion. Final review and approval of such cases shall be made on a case-by-case basis.

3. Leased lands which are converted to other than public recreation use after the lease expires.

The Department will only consider conversion requests if the following prerequisites have been met and documentation of such has been submitted to the Department:

A. All practical alternatives to the conversion have been evaluated and rejected on a sound basis.

B. The fair market value of the property to be converted and the property proposed for substitution have been established by one (1) independent appraisal prepared in accordance with "Appraisal Instructions" in the *Instructions for Approved Projects.*

1. The property proposed for substitution must be at least equal fair market value as the property to be converted.

2. Property improvements will be excluded from value consideration for the properties to be substituted. Exceptions may be allowable when the substitute property contains improvements directly related to public recreation.

C. The property proposed for replacement is of reasonable usefulness and location as that being converted. Depending on the situation, the replacement property need not provide identical recreation experiences or be located at the same site, provided it is in a reasonably equivalent location. It must, however, be administered by the same political subdivision as the converted property.

D. The property proposed for substitution meets the eligibility requirements for grant-assisted acquisition. Replacement property must constitute or be part of a viable recreation area.

   Public land may not be used for substitution on acquisition projects unless it meets certain acquisition criteria. However, in the case of development projects for which the match was not derived from the cost of the purchase/value of donation of the land to be converted, public land which has never been dedicated, platted, managed, or acquired for recreation/conservation use may be used as replacement land even if this land is transferred from one public agency to another without cost.

E. All necessary coordination with other governmental agencies has been satisfactorily accomplished.

F. Completion of an “Environmental Assessment” for the substitute site is required. The outline for the “Environmental Assessment” may be found this application packet.

G. Texas Review and Comments System (TRACS) review has been conducted if the proposed conversion and substitution constitute significant changes to the original grant project.

H. Staff consideration reveals no reason for disapproval and the project files are so documented.

II. DOCUMENTATION REQUIRED TO COMPLETE THE CONVERSION PROCESS

Copies of the following documents must be submitted after the Department has approved and authorized the conversion:

A. Executed, recorded deed(s)

B. Revised site plan and boundary map.

C. Executed “Certificate of Park Dedication”

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APPDENDIX **O**

TPWD Grants, Training, and Education Programs

TEXAS PARKS & WILDLIFE DEPARTMENT

GRANTS, ASSISTANCE, TRAINING AND EDUCATION PROGRAMS

GRANTS

OUTDOOR RECREATION GRANT

Grants are available to local governments for the acquisition and development of park land. This assistance program is distributed in the form of 50% matching grant funds up to $500,000. Local governments must apply, permanently dedicate project areas for public recreational use, and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Due January 31st and July 31st.

INDOOR RECREATION FACILITY GRANT

Grants are available to local governments for the acquisition, construction or renovation of indoor recreation facilities. This assistance is in the form of 50% matching grant funds up to $750,000. Local governments must apply, permanently dedicate the building for public recreational use, and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Due July 31st.

SMALL COMMUNITY GRANT

Grants are available to communities under 20,000 in population for the acquisition, development, or renovation of park land. This assistance is in the form of 50% matching grant funds up to $75,000. Local governments must apply, permanently dedicate project areas for public recreational use, and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Due January 31st.

URBAN OUTDOOR RECREATION GRANT

Grants are available to specific cities and counties over 500,000 in population for the acquisition and development of park land. This assistance program is distributed in the form of 50% matching grant funds up to $1,000,000. Local governments must apply, permanently dedicate project areas for public recreational use, and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Annual application deadline February 28th.

URBAN INDOOR RECREATION FACILITY GRANT

Grants are available to specific cities and counties over 500,000 in population for the acquisition, construction or renovation of indoor recreation facilities. This assistance is in the form of 50% matching grant funds up to $1,000,000. Local governments must apply, permanently dedicate the building for public recreational use, and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Annual application deadline July 31st.

REGIONAL PARK GRANT - Program suspended until further notice.

Grants are available for projects involving multiples units of local government for the acquisition and/or development of large park, recreational, or conservation areas. This assistance is in the form of 50% matching grant funds up to an undetermined amount. To apply, local governments must be working on a joint park project with each other. They must also permanently dedicate project areas for public recreational use and assume responsibility for operation and maintenance. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224).

COMMUNITY OUTDOOR OUTREACH PROGRAM GRANT

Grants are available up to $30,000 for non-profit organizations, schools, and local governments to establish outdoor recreation and education programs as well as take field trips to state parks and other TPWD facilities for youth-at-risk. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Due February 1st.

RECREATIONAL TRAILS GRANT
Grants are available up to $200,000 for local governments and non-profit organizations to build trails and trail-support facilities. This assistance is in the form of 80% matching grant funds. Applicants must keep fund-assisted trails open to the public. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/8224). Due May 1st.

STATE BOAT RAMP CONSTRUCTION PROGRAM GRANT
Grants are available up to $500,000 to local governments for the construction of boat ramp facilities throughout the state. This assistance is in the form of 75% matching grant funds. Local governments must make application, provide land and access, 25% of the development cost, and accept maintenance responsibility for a minimum 25-year period. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224). Due October 31st.

BOAT SEWAGE PUMPOUT PROGRAM GRANT
This program provides 75% matching grant funds to local governments and private marina operators to construct facilities to remove sewage from large vessels, and provide dump stations for boats with portable toilets. Sponsor must provide 25% matching funds as well as maintain and operate facilities. (Contact: Recreation Grants Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-8224)

LANDOWNER INCENTIVE PROGRAM GRANT
This program provides cost share grants to private landowners wishing to manage or enhance habitat to benefit rare or declining species. Eligible projects include, but are not limited to, restoring native vegetation, prescribed burns, selective brush management, grazing management systems, and other practices designed to benefit species of concern. (Contact: Landowner Incentive Program, 4200 Smith School Road, Austin, TX 78744, (512/389-0321)

HORNED LIZARD LICENSE PLATE CONSERVATION PROGRAM
This program provides up to $25,000 grant funds to non-profit organizations, schools, universities, private groups, and local governments to create research or conservation programs for rare and endangered species. Eligible projects include habitat improvement, interpretation, and applied research. Priority will be given to those species/ecosystems with the greatest conservation needs, or having unmet needs. (Contact: Endangered Species Office, 4200 Smith School Road, Austin, TX 78744, 512/389-7011)

SECTION 6 RESEARCH GRANTS
These are scientific research grants. Projects must concern a species listed federally as threatened or endangered, or a 'species of concern' for listing. General topics considered high priority include: 1) Research concerning the management of rare species; 2) Status surveys (including geographic range, density estimates, population trends, etc.), habitat characterization, and ecological studies leading to specific recommendations for management; or 3) Innovative projects addressing endangered species education and outreach. The amount of funding available for individual projects varies; however, projects average $43,000 per year and are 1-4 years in length (private consultant contracts are limited to less than $10,000 per year). Section 6 funds are made available on 3:1 (federal:state) matching basis: of the Total Project Cost, at least 25% should be dedicated to 'match'. (Contact: Wildlife Diversity Program, 4200 Smith School Road, Austin, TX 78744, 512/389-4933)

ASSISTANCE

PRIVATE LANDS AND HABITAT PROGRAM
This program provides technical assistance to persons desiring to include wildlife management considerations in present or future land use practices. This service is strictly advisory and is provided without charge to cooperating land managers. (Contact: Private Lands Program, 4200 Smith School Road, Austin, TX 78744, 512/389-4395)

FISHERY MANAGEMENT ASSISTANCE PROGRAM
This program provides management consultation for stock tanks and/or fisheries in private waters as well as consultation for the management of fisheries and habitat for public waters in the state. Brochures and handouts are available describing various fish species, fishing methods, or fishery management procedures. (Contact: Inland Fisheries, 4200 Smith School Road, Austin, TX 78744, 512/389-4444)

EDUCATION

MANDATORY HUNTER/BOATER EDUCATION PROGRAMS
These programs are designed to aid in the development of safe and responsible activities. The programs are primarily oriented towards young people, however, instructor certification and programs for adults are available as well. All participants who complete these courses are issued certificates. (Contact: Hunter and Boater Education Branch, 4200 Smith School Road, Austin, TX 78744, 512/389-4999)

PROJECT WILD/AQUATIC WILD
Learn how to teach ecology, wildlife management, and environmental concepts through this national award-winning training and curriculum for educators. Activities are adaptable for all levels, and integrated with core subject curricula. Six-hour training workshop includes comprehensive, teacher-tested activity guide. Qualifies for TEEAC and SBEC credit. For more information, call toll-free (800) 792-1112 or go to our Web site at http://www.tpwd.state.tx.us/learning/project_wild/.

TEXAS NATURE TRACKERS
This "citizen-scientist" monitoring effort is designed to involve volunteers of all ages and interest levels in gathering scientific data on species of concern in Texas. Through Texas Nature Tracker projects, Texans learn how to gather data about various species found on public lands or on their own property. The aim of these projects is to ensure that native Texas species will be here for future generations to know and enjoy. Current Texas Nature Tracker projects include Texas Horned Lizard Watch, Texas Hummingbird Round-up, Texas Monarch Watch, Texas Mussel Watch, Texas Amphibian Watch, Project Prairie Birds, Midwinter Bald Eagle Survey and Adopt-a-Species Projects. To learn more, contact Marsha Reimer, Wildlife Diversity Branch, 512/389-7062.

TEXAS WILDSCAPES
Create a wildlife habitat in your backyard, school, or community park. The Texas Wildscapes book includes instructions, plant lists, background information on bird and butterfly gardens and a weatherproof sign upon certification. Texas Wildscapes is available for $24.95.To find out more, call (512) 389-4644 or toll-free (800) 792-1112, ext. 9-4644.

URBAN BIOLOGISTS
Urban biologists provide wildlife and habitat conservation information to urban residents, schools, businesses, and local governmental agencies. Speakers and educational resources are sometimes available. Urban teams are located in six major urban centers. To speak with an urban biologist in your area, contact:

Austin: (512) 308-0979	Dallas/Fort Worth: (972) 293-3841	El Paso: (915) 774-9603
Houston: (281) 456-7029	Rio Grande Valley: (956) 565-1223 x1	San Antonio: (210) 688-6444

EDUCATIONAL LOANER TRUNKS
Educational loaner trunks providing both hands-on activities and study materials about Texas' valuable ecosystems, plants and animals are available to educators. For more information about the loaner trunks and their locations, visit our Web site at http://www.tpwd.state.tx.us/learning/resources/trunks.

More information about all TPWD Grant & Assistance Programs is available at the following Web site:
http://www.tpwd.state.tx.us/business/grants/