

Texas Parks & Wildlife Department
Recreation Grants Branch

Recreational Trails

Instructions for Completing the
Grant Application

Revised November 2012

(PWD 1067B-P4000)



Deadline: February 1st

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

RECREATIONAL TRAILS GRANT - APPLICATION INSTRUCTIONS

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

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

THIS IS A REIMBURSEMENT PROGRAM

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

WHO IS ELIGIBLE TO RECEIVE FUNDS

Eligible applicants include:

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

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

ELIGIBLE PROJECT ACTIVITIES

The following activities are permitted under this trail funding program.

1. Construction of new recreational trails on public (federal, state, county, municipal, district, etc.) or private lands. To receive funding for trails on private lands, the sponsor must obtain a legally binding easement, lease, or license, satisfactory to TPWD, keeping the trail open to the public for a minimum of twenty (20) years.

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

2. Trail restoration, rehabilitation or resurfacing.
 Includes rerouting or repair of areas damaged by trail use, flooding, or erosion; rehabilitation of trail tread and facilities that have deteriorated over time as well as Americans with Disabilities Act upgrades.
3. Development of trail-side and trail-head facilities.

Eligible Facilities
<ul style="list-style-type: none"> • Signs and displays • Restrooms • Parking areas • Drinking water (water tanks, fountains, faucets) • Horse-watering facilities, hitching posts/corrals • Portable buildings for tool storage • Bike racks • Benches and picnic tables • Fencing or bollards
Ineligible Facilities
<ul style="list-style-type: none"> • Facilities that support other recreation activities (e.g. camping areas, boat ramps, swimming areas, etc.) • Landscaping • Sidewalk • Other Buildings (fee booth, offices, etc.)

4. Provision of features which facilitate access and use of trails by persons with disabilities.
5. Acquisition of easements or leases for trails or trail corridors. Easements or other less than fee simple property interest must be secured for at least twenty (20) years.
6. Acquisition of property by fee simple title when acquisition cannot be accomplished by easement. Property acquired under this fund will be subject to continuing recreational use provision, Section 6(f) (3) of the Land and Water Conservation Fund Act.
7. Educational signing to interpret natural and/or cultural resources or for proper trail etiquette. Research, development and printing costs of educational/interpretive brochures or handouts are not eligible for reimbursement.
8. Environmental mitigation. Provide for redesign, reconstruction, non-routine maintenance or relocation to mitigate or minimize impact to the natural environment.

USES NOT PERMITTED WITH TRTF FUNDS

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

1. Condemnation of any kind of interest in property.
2. Adding motorized uses to trails which were predominantly used by non-motorized trail users and on which motorized use was either prohibited or had not occurred, as of May 1, 1991.
3. Spending moneys on private land managed as a commercial enterprise. A trail project on private land which charges fees will be considered a commercial enterprise unless all revenues from its operation will be used only to offset the costs of its operation and maintenance.

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

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

LIMITATIONS ON GRANT AWARDS

Size of Awards

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

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

Number of Projects Per Sponsor

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

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

30%-30%-40% Reserved Funds

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

**Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions**

OTHER CONSIDERATIONS

Match vs. Reimbursable Costs

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

Allowable Costs for Reimbursement
<ul style="list-style-type: none">• Acquisition of fee title land or easement/lease• Service contracts• Direct labor costs (hired workers, current staff, force account)• Materials (purchased)• Equipment rental• Purchase of trail hand tools and equipment• Professional Services (e.g. design, engineering and architectural services) are limited to 12% of the total grant <u>construction</u> estimate amount.• Environmental Survey costs (e.g. natural and cultural resource site assessments) may be considered above the 12% professional services limit on a case-by-case basis.• Value of currently owned equipment that was not purchased with federal money (based on FEMA rates).
Allowable Costs for Sponsor's Match
<ul style="list-style-type: none">• Appraised value of donated land or easement• Value of volunteer labor (\$21.35 per hour)• Value of donated materials or contribution of materials on hand• Value of donated equipment• Any of the reimbursable costs which are paid for by cash donations or sponsor's appropriations (to account for the required 20% match)

Projects on Federal Land

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

Design Standards

Trails and trailhead/trailside facilities should be attractive to the public and harmonious with the natural environment. In general, new development and improvements should be designed to avoid or minimize harm to the natural setting, accommodate the number and types of proposed uses, and be consistent with topographic limitations of the site. Emphasis should be given to public health, safety, the natural environment, barrier-free access, and the protection of recreational and community values of the area.

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

Natural and Cultural Resource Review

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

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

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

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

Barrier Free Access

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

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

SUBMISSION, REVIEW, AND SELECTION OF PROJECTS

Project applicants shall submit an Original Application (please do not include application instructions) and 12 copies of the Project Application and applicable support documentation, including one original 7.5 minute U.S.G.S. quad map(s) with the project drawn, to the Texas Parks and Wildlife Department, Recreational Trails Program, 4200 Smith School Road, Austin, Texas, 78744, **postmarked by February 1st of each year.**

Review and Evaluation Process

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

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

Criteria for Selecting Projects

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

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

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

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

Trail projects that, when completed, serve more of a transportation function will be ranked lower than those that serve a recreational function.

Resubmission

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

PUBLIC SUPPORT OR OPPOSITION TO A PROJECT

Documented public support or opposition to a project will be considered by the Texas Trails Advisory Board during the evaluation of projects and recommendations for funding. Resolutions of support from local political entities are not required to submit a project proposal for funding or to receive funding. However, if opposition to a project arises to the extent that a political subdivision, within whose jurisdiction the project falls, passes a resolution opposing funding of the project, that will be sufficient cause to not select the project. A resolution of opposition would also be grounds to rescind funding for a previously funded project if the resolution is received prior to the start of construction.

PROJECT DEVELOPMENT

Approved Projects

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

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

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

Compliance with Federal and State Requirements

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

Reimbursement Procedures

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

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

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

RETENTION AND USE

Project sponsor must commit to maintaining and operating their completed project so that it is safe for public use for a minimum of 20 years.

Property acquired with TRTF assistance shall be retained and used for public trail recreation in perpetuity. Any property so acquired or developed shall not be wholly or partly converted to other than public recreation uses without the approval of the TPWD. Such approval will be given only upon conditions as TPWD deems necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonably equivalent usefulness, quality, and location. (See "Guidelines for Conversion of Fund Supported Properties" for more information.)

OPERATION AND MAINTENANCE

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

- A. The property shall be maintained so as to appear attractive and inviting to the public.
- B. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
- C. Properties shall be kept reasonably safe for public use.
- D. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use.

Texas Parks & Wildlife Department
Texas Recreational Trails Fund – Grant Application Instructions

- E. The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.

AVAILABILITY TO USERS

- A. **Non-Discrimination** – Property developed with program assistance shall be open to entry and use by all persons regardless of age, race, color, sex, religion, national origin, or handicap who are otherwise eligible. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent those reasonable differences in admission or other fees may be maintained on the basis of residence.
- B. **Reasonable Use Limitations** – Participants may impose reasonable limits on the type and extent of use of the areas and facilities acquired or developed with program assistance when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the number of persons using an area or facility or the type of users such as hunters only or hikers only. All limitations shall be in accord with the applicable grant agreement and amendments.

CONTACTS

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

Texas Recreational Trails Program
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744
Telephone: (512) 389-8224
Fax: (512) 389-8242

Web address: <http://www.tpwd.state.tx.us/business/grants/>

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