



## **Parks and Trails Legacy Grant Program**

### **Park Legacy Grants**

# **Program Manual**



**MN Department of Natural Resources**

## I. PROGRAM INTRODUCTION

- Park of Regional Significance Criteria
- Program Purpose
- Funding
- Grant Awards and Match Requirements
- Eligible Applicants
- Eligible Projects
- Eligible Recreation Facilities
- Ineligible Facilities and Costs

## II. THE APPLICATION PROCESS

- Application Information
- Appraisal Requirements
- Competitive Review and Selection Process
- Award of Funds
- Grants and Public Information

## III. PROGRAM REQUIREMENTS

- Land Retention Requirements
- Minnesota Historical Sites Act and Minnesota Field Archaeology Act Review
- Permits and Campground Plan Approval
- Natural Resource Restoration
- Reporting Requirements
- Monitoring Requirement
- Closeout Procedures
- Acknowledgment Sign
- Availability to Users

## IV. CONTACT INFORMATION

# **I. Program Information**

## **Park of Regional Significance Criteria**

Parks of regional significance must meet the first two criteria described below and at least one of the criteria listed in 3-5. The remaining criteria listed help further define parks of regional significance.

1. **Natural Resource Based Settings and Range of Activities Offered:** The park should provide a natural setting and offer outdoor recreation facilities and activities that are primarily natural resource based. Examples include camping, picnicking, hiking, swimming, boating, canoeing, fishing, and nature study. A related measure is the range of these activities accommodated within the park (e.g., a park with a beach, campground and boat launch facilities is more likely to attract a regional clientele than a park with only one of these facilities).
2. **Use:** Evidence that the park serves at least a regional clientele (multiple communities). Other related factors may include evidence that the facility currently or potentially may draw tourists and generate economic impact from outside the local area.
3. **Size:** The park should be significant in size. In southern Minnesota, a park of 100 acres is significant. In northern Minnesota, the acreage is generally larger. There are exceptions to this criteria based on use characteristics, special features, and other variables.
4. **Special Features:** Unique or unusual landscape features, historically significant sites, or parks containing characteristics of regional or statewide significance.
5. **Scarcity of Recreational Resources:** The park provides public natural resource based recreational opportunities that are not otherwise available within a reasonable distance. Examples include water-based activities, such as swimming, fishing and boating; interpretive nature trails; public campgrounds; etc.

### ***PROGRAM PURPOSE***

The program assists cities, counties, townships, and legislatively designated regional parks and trails taxing authorities to acquire, develop, improve and restore parks of regional or statewide significance outside of the seven county metropolitan area. Applications must be submitted by **September 26, 2014** to be eligible for funding assistance. Only one park may be included in an application. Applicants are eligible to receive more than one grant.

## ***FUNDING***

Funding is provided through the state Parks and Trails Fund, which constitutes a portion of the dedicated sales tax revenue resulting from the Clean Water, Land and Legacy constitutional amendment approved by voters in 2008.

## ***GRANT AWARDS AND MATCH REQUIREMENTS***

Grant funds are paid on a reimbursement basis for up to 100% of the total eligible project costs or the grant amount, whichever is less. Additional consideration in the selection process will be given to applicants that provide a nonstate cash match. Grant agreements generally expire within 24 months and projects must be completed by then.

The minimum grant amount is \$20,000. There is no maximum grant amount for the program. Funding available for the Parks and Trails Legacy competitive grants for FY 2015 is \$3,914,880.

***ELIGIBLE APPLICANTS:*** Cities, counties, and townships outside of the seven county metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.

Note: The applicant must be the current or intended owner and manager of the property to be acquired or developed. Multi-organization collaboration is not required for this program.

## ***ELIGIBLE PROJECTS:***

1. Acquisition of land for future development of outdoor recreation facilities. Lands acquired with this grant program must be open and available for public use within one year from the date of acquisition. Recreation facilities must be developed within three years from the date of acquisition.
2. Development, redevelopment or rehabilitation of outdoor recreation facilities on land already owned by the applicant.
3. A combination of land acquisition and development, redevelopment or rehabilitation of outdoor recreation facilities.

## ***ELIGIBLE RECREATION FACILITIES:***

Natural resource based outdoor recreation facilities including but not limited to camping, picnicking, hiking, biking, swimming, boating, fishing and natural study. If you have a question related to eligibility, please contact program staff listed under Contact Information in this manual.

## ***INELIGIBLE FACILITIES AND COSTS:***

The following list includes common types of ineligible facilities. A determination of eligibility will be made by the Department of Natural Resources.

- Acquisition of land already in public ownership
- Administrative expenses
- Athletic complexes and facilities
- Design and engineering in excess of 10%
- Contingency reserves
- Dredging, water impoundments and dams
- Facilities not available for general public use
- Golf courses
- Indoor recreational facilities
- Legal Fees

## **II. The Application Process**

### ***APPLICATION INFORMATION***

The application is available to download from the [Parks and Trails Legacy Grant Program](#) web page. We urge applicants to begin the application process early in order to allow time to complete application requirements such as obtaining community involvement and completion of appraisals.

Applications are to be submitted electronically in a “.pdf” format by the September 26, 2014. Paper submission of applications will no longer be accepted unless arranged in advance of the due date with program staff. To submit the application, email a pdf version of the application and attachments to [Parkgrants.DNR@state.mn.us](mailto:Parkgrants.DNR@state.mn.us).

This program is very competitive. Staff members are available to discuss your project or review application materials. You are encouraged to submit any draft application or materials by September 6th if you would like staff to provide comments.

### ***APPRAISAL REQUIREMENTS***

The application must include a self-contained appraisal report for land to be acquired. Appraisals must be performed by a qualified licensed appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP). The appraisal must include the DNR as an intended user and the landowner or designated representative must be given an opportunity to accompany the appraiser during the inspection of the property. Appraisals must have an effective date within 13 months of the application deadline.

Appraisals will be reviewed by the state to ensure that they meet applicable standards. If the appraisal is not accepted, the applicant will be contacted for additional clarification or modification. If you or the appraiser has any questions, please contact the program staff assigned to your area prior to completing the appraisal assignment.

## ***COMPETITIVE REVIEW AND SELECTION PROCESS***

The program is competitive and requires a review and selection process to make funding determinations and awards. The review and selection process will take place after September 28th, and funding announcements will be made in winter. Completed applications received after the deadline will not be eligible for funding consideration.

### **Minnesota's Parks and Trails Legacy Plan**

The [Parks and Trails Legacy Plan](#) is Minnesota's 25-year, long-range recreation policy plan to help guide how the Legacy Funds, as well as other traditional sources of funding, should be spent for Parks and Trails of State and Regional Significance. This plan was developed with the input of Minnesota outdoor and natural resource leaders. Applications are assessed to ensure that the proposed project is consistent with priorities established in the Parks and Trails Legacy Plan.

### **Selection Priorities:**

Parks and Trails Legacy Plan (50%) - Selection criteria are based on strategic directions identified under the following three focus areas in the Legacy Plan.

- **Connect People and the Outdoors:** better develop Minnesota's stewards of tomorrow through efforts to increase life-long participation in parks and trails. Access, Programming and Partnerships.
- **Acquire Land, Create Opportunities:** create new and expanded park opportunities to satisfy current customers as well as to reach out to new ones. Strategic acquisition, development and redevelopment.
- **Take Care of What We Have:** provide safe, high-quality park experiences by regular re-investment in park and trail infrastructure, and natural resource management. Protect the public's investment in the built infrastructure and natural resources and maintain the quality of natural resources.

Additional review components:

**Regional Significance (10%):** Based on the established criteria for Parks and Trails of Regional Significance.

**Project Specific Criteria (17%):** Includes site and project quality and project readiness.

**Project Match (8%):** Provides a local non state cash match. This priority is based on legislation that indicates additional consideration shall be given to applicants who provide a nonstate cash match. The match indicated by the applicant in the application will be required and incorporated into the grant agreement if funded.

**Park and Facility Design (15%):** Project design should be compatible with the physical characteristics of the site, avoid conflicts among facilities and adjacent land uses, consistent with generally accepted engineering and architectural design standards, minimize risk to the health and safety of users.

### ***AWARD OF FUNDS***

All applicants will receive official written notification regarding their request for funding. If your proposed project has received preliminary approval for funding, you will be contacted regarding additional information requirements needed before an agreement can be processed. These requirements may include Minnesota Historical Society review, permits, deed restriction and other details.

Projects cannot begin until all final documentation has been submitted and a grant agreement has been completed. This process can take three months to complete. Any project costs incurred prior to the start date of the grant agreement will not be eligible for reimbursement. Projects involving ground-disturbing development may not begin until the State Historic Preservation Office has issued a letter stating no historical/archeological resources will be harmed by the project. Payment of grant funds to the local sponsor is on a reimbursement basis. The grant recipient must initially expend monies that are then reimbursed under the terms of the grant agreement. Ten percent of the grant funds will be retained until a final inspection has been completed.

### ***GRANTS AND PUBLIC INFORMATION***

Under [MN Statute 13.599](#), responses to a request for proposal are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public.

After the application evaluation process is completed, data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

[MN Statute 13.44](#) categorizes estimated or appraised value of real property prior to purchase and sale as confidential data on individuals or protected nonpublic data. See also Minnesota Government Data Privacy Act for more information. This information, along with corresponding budget information, will be redacted from the applications before making them public.

## **III. Program Requirements**

### ***LAND RETENTION REQUIREMENTS***

#### 1) CONVERSION OF USE:

The Grantee shall retain and maintain all property funded by the Park Legacy Grant Program solely for outdoor recreation as described in the grant agreement. No funded property shall be converted other uses without prior written approval of the State. The State will consider a conversion request only after the following pre-requisites have been met:

1. All practical alternatives to the conversion have been evaluated and rejected on a sound basis.
2. The Grantee has agreed to replace the converted lands with other lands of at least equal fair market value and reasonably equivalent recreational usefulness as determined by the State.

The State shall have the authority to approve or disapprove conversion requests.

2) DEED RESTRICTION REQUIREMENT: The Grantee will be required to record a condition with the deeds to all property within the project boundary described in the grant agreement. The condition is to ensure that the property will be permanently managed and maintained for outdoor recreation, and that the property may not be used for any other purpose without written approval from the State. The specific language for the condition will depend on the funding source provided and will be stated in the grant agreement.

The Site Boundary Map submitted with your application will delineate and establish the property boundaries subject to the grant agreement. Therefore, it is very important that any existing public facilities and any known future public facilities (e.g., wells, lift stations, roadway improvements, etc.) are clearly identified and excluded from the boundaries of the project. The site boundaries should include only the property that the project sponsor plans on managing for outdoor recreation uses in perpetuity.

### ***Americans with Disabilities Act***

Recipients must comply with the Americans with Disability Act (ADA) and the standards and guidelines listed below. For each facility listed in the Cost Breakdown section, describe the specifications and access routes that will make it accessible. In addition, all critical components of the park must be made accessible even if they are not part of this application proposal. Critical components include parking, restroom, drinking fountains and accessible routes to all facilities. This program requires all facility access routes to be a minimum of 5 feet wide.

The following documents are available from the [U.S. Access Board](http://access-board.gov) at [access-board.gov](http://access-board.gov).

1. [ADA Standards for Accessible Design, 2010](#)

(For local government facilities and certain recreation facilities including playgrounds, recreational boating facilities, and fishing piers)

2. [Final Guidelines for Outdoor Developed Areas, 2013](#)

(For outdoor developed areas such as campgrounds, picnic areas, trails, and beaches)

### ***MINNESOTA HISTORICAL SITES ACT AND MINNESOTA FIELD ARCHAEOLOGY ACT REVIEW***

The Minnesota Historical Society will be contacted to review your project to determine if the site is a potential location for historical or archeological findings. If the Historical Society determines that a survey is required, the survey would need to be completed prior to any site disturbance for development projects and prior to the final reimbursement of the grant funds for acquisition projects.

## ***PERMITS AND CAMPGROUND PLAN APPROVAL REQUIREMENTS***

Development or alteration of shoreline adjacent to rivers, streams, lakes, and other public water bodies may require a written permit issued by the Minnesota Department of Natural Resources (DNR). In addition, projects involving work within waters and wetlands may require a permit from the U.S. Army Corps of Engineers (COE). Grantees will be required to determine whether a waters permit is required by contacting both the DNR and the COE directly. Contact Information:

[U.S Army Corps of Engineers Regulatory Functions](#)  
[Department of Natural Resources: Public Waters Work Permits](#)

### **Recreational Camping Areas**

Campgrounds must comply with state laws and rules set by the Minnesota Department of Health. A summary of these requirements is available at Summary of General Requirements for [Recreational Camping Areas](#). You must submit plans and receive approval for the development of a recreational camping area to the MN Department of Health or your local health authority before construction begins. Upon completion of the campground, a license application, license fee and inspection by the area health inspector is required. A copy of the license must be submitted with your final payment request.

## ***NATURAL RESOURCE RESTORATION REQUIREMENTS***

To the extent possible, a person conducting restoration with money appropriated in this section must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination.

## ***REPORTING REQUIREMENTS***

It is the policy of the State of Minnesota to monitor progress on state grants by requiring grantees to submit written progress reports at least annually until all grant funds have been expended and all of the terms in the grant agreement have been met. A progress report form will be provided by program staff. Grant payments shall not be made on grants with past due progress reports unless program staff have given the grantee a written extension.

## ***MONITORING REQUIREMENTS***

It is the policy of the State of Minnesota to conduct at least one monitoring visit per grant period on all state grants of over \$50,000 and to conduct at least annual monitoring visits on grants of over \$250,000.

## ***CLOSEOUT PROCEDURES***

Upon completion of your project, a final billing must be submitted to our office no later than 30 days after the expiration date on your agreement. Program staff will complete a final inspection of the project. The inspection will focus on ensuring that the project was completed in accordance with the grant agreement, that facilities developed are accessible and a funding acknowledgment sign is installed. If any problems are revealed during the inspection, they will need to be corrected before you receive final reimbursement for your grant and the official closeout notification for your project.

All expenditures are subject to verification by an independent state audit and, therefore, you must retain all project records for a period of at least six years after you receive the official closeout notification letter.

Periodic post-completion inspections will be conducted to ensure that the site is being properly operated and maintained and that no conversion of use has occurred.

#### ***ACKNOWLEDGMENT SIGN***

All projects acquired or developed with assistance from this program must display a state-approved funding acknowledgment sign at the main entrance to the park. The grant program staff will provide the specific sign information.

#### ***AVAILABILITY TO USERS***

Public property, facilities & programs that receive state assistance and future development of a site that has received state assistance shall be open to entry by all persons regardless of race, color, national origin, religion or sex. No person shall, on the basis of disability, be excluded from participation in any program or activity receiving state assistance. Finally, discrimination on the basis of residence, including preferential reservation, membership or annual permit systems is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence. Fees charged to non-residents cannot exceed twice that charged to residents and must be comparable to fees charged at other state or local facilities.

## **IV. Contact Information**

Minnesota Department of Natural  
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