



PARKS AND TRAILS LEGACY GRANT PROGRAM



Trail Legacy Grants



FY2015 Program Manual

Revised 7/7/2014

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I. PROGRAM INTRODUCTION

Trail Legacy Grants are intended to support trails of regional or statewide significance. Funding for this grant program is from the Parks and Trails Fund created by the Minnesota Legislature from the “Clean Water, Land and Legacy Amendment” passed by the voters in 2008. This program is established in Minnesota Statute 85.535.

Grants are awarded for the acquisition, development, and rehabilitation of trails of regional or statewide significance. Grants funded under this program are intended to accelerate the acquisition and development of recreational trails as well as provide funding for rehabilitation of existing trails. Trails that provide connections to trails of regional or statewide significance are also an integral part of this program.

Trails Legacy Grant projects depend on local communities and their local government representatives to provide inspiration, planning and commitment, as well as matching financial support, to make these trail projects a reality. Local governments complete the projects and are reimbursed for eligible costs. These funds cannot be used for projects within state park boundaries, state recreational areas, or on state trails.

The program was first funded in 2009.

Contact Information:

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II. IMPORTANT ITEMS YOU NEED TO KNOW

- Funding for FY2015 is approximately \$3,091,000 available for both parks and trails grants.
- All applications must be received electronically by **September 26, 2014**.
- Applications are to be submitted electronically in a “.pdf” format by the due date above. Paper submission of applications will no longer be accepted unless specifically arranged and approved in advance of the due date with program staff. To submit the application, email a pdf version of the application and attachments to Trailgrants.DNR@state.mn.us. Please format the entire application, including all attachments, as one pdf document with all pages 8 ½” by 11” in dimension. After submission, make sure you have received a confirmation email that your application has arrived in a useable form by the due date. Applications submitted in an unusable format will NOT be considered for funding. If there are any questions about submitting the application please contact the program staff below.
- Grant awards will be announced in winter.
- The application is available on the Parks and Trails Legacy Grant Program web page: http://www.dnr.state.mn.us/grants/recreation/pt_legacy.html
- Eligible applicants include all local units of government that include cities, counties, and townships outside of the seven county metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.
- The minimum grant request is \$20,000.
- Both motorized and non-motorized projects are eligible.
- These grants are reimbursement based, which means the local unit of government must accrue and pay for the project and must submit a request for reimbursement of eligible project costs. Costs accrued prior to a grant agreement between the State and the Local Unit of Government are not eligible, and costs after said agreement expire are also not eligible. That means the grantee must complete the project and fully pay for it, produce documentation that shows actual expenditures and then they will receive reimbursement of eligible project costs spent up to their grant award.
 - Neither this funding source, nor any match can be used for in-house labor services and/or to meet existing payroll.
 - Only contract services, materials, and supplies are reimbursable.
- There is no match requirement for these grants, except priority will be given to projects that provide a non-state cash match (See MN Statutes 85.535). The match indicated by the applicant in the application will be required and incorporated into the grant agreement if funded.
- Other state funds or grants, or Metropolitan Council grants cannot match these grants. Federal grants are an eligible match, such as grants from the Federal Recreational Trail Program.

- All projects awarded through this grant round must be completed by **June 30, 2017** and immediately be available for use to the general public. Grant projects that are tied to Federal funds may be extended up to the life of the Federal funds.
- If land is purchased with these funds, it is required that a “Perpetual Easement for Recreational Trail Purposes” is attached to the deed. Also the property must be appraised by a state licensed appraiser and in accordance with DNR requirements. The requirements are located on the DNR appraisal management website at http://www.dnr.state.mn.us/lands_minerals/appraisal_mgmt.html. The full appraisal does not need to be completed prior to applying for funds, but a reasonable market estimate may be used on the application. Please see the section of this manual on Land Acquisition Requirements.
- If your project is selected, the project will need to be evaluated for applicability of environmental review under Minnesota Rules, Chapter 4410. Mandatory EAW categories are described at Minnesota Rules, 4410.4300. Exemptions from environmental review are described at Minnesota Rules, 4410.4600 located at the following website at <http://www.revisor.leg.state.mn.us/arule/4410/>.
- All facilities that are funded through this program also require a commitment from the applicant that the trail will be in place and maintained for no less than twenty years. This must be stated in the resolution as shown on the sample resolution attached to the application.
- Each proposal must specifically and directly address each requirement and criterion to qualify and receive consideration. If one section is not addressed, the application may not be reviewed for consideration.
- All paved multi-use bicycle/pedestrian trails must be 10 feet in width to be considered for funding through this program. Short distance exceptions are allowed on a case by case basis if pre-approved.

III. PROJECT ELIGIBILITY

Eligible projects include acquisition, development, and restoration of trail facilities that are considered of regional or statewide significance.

A. Trail Criteria for Regional or Statewide Significance

Trails of regional significance must meet the first two criteria described below. They should also address the other criteria, not to be understood in isolation, but in their aggregate.

1. Regionally desirable setting: The trail is located in a regionally desirable setting. Criteria include attractive, unusual, and/or representative landscapes, important destinations, or high quality natural areas.
2. High quality opportunity and use: The trail serves as a destination, providing high quality recreational opportunities, attracts a regional clientele (multiple communities), potentially may draw tourists, and generates an economic impact from outside the local area. The trail should be developed and maintained to include easy access, secure parking, access to drinking water and other necessary services, and is wide enough or designed in such a way to avoid user conflict and provide a safe experience.
3. Adequate length: The trail provides at least an hour of outdoor recreation opportunity, or connects to other facilities that can provide at least an hour of recreation in total.
4. Connections: The trail currently or potentially will link to an existing trail of regional or statewide significance. This includes providing connections between significant trails, or connecting communities/ community facilities to these trails.
5. Scarcity of Trail Resources: The trail provides a high quality recreational opportunity not otherwise available within a reasonable distance.

B. Eligible Projects

Eligible projects that meet the above criteria for regional or statewide significance may include, but are not necessarily limited to the following examples:

- Land acquisition from willing sellers, where value is established by a licensed and certified appraiser, whose conclusions of value are certified by the State, and only if perpetual easement for recreation trail purposes is conveyed to the state. See the land acquisition requirements section of this manual for more information.
- Construction of trails on public or private lands where a minimum twenty year easement for the purpose of the project can be obtained.
- Development of trail linkages near homes and workplaces.
- Development of permanent trailside improvements and trailhead facilities (e.g., drainage, crossings, stabilization, parking, signage, controls, open-sided shelters, water, and sanitary facilities).
- Provision of features that facilitate access and use of trails by persons with disabilities.
- Restoration of existing trail facilities, such as resurfacing, repair, or rehabilitation of trails or trailhead facilities.
- Construction or restoration of trail bridges.
- Natural resource restoration and/or management along trails

C. Eligible Reimbursement Costs

- Advertising costs solely for (1) Recruitment of personnel; (2) Solicitation of bids; and (3) Disposal of scrap materials.
- Capital and labor expenditures for facilities, equipment and other capital assets
- Materials and/or supplies.
- Freight transportation expenses.
- Professional services and Project administration costs provided that they do not exceed 20 percent of the total cost of the project.
- Land acquisitions (including permanent easements) whose value a licensed appraiser establishes and whose conclusions of value are certified by the state. See land acquisition requirements section of this manual.
- Any cost not defined as an eligible cost in this manual and not included in the approved Application shall not be paid from state funds committed to the project, unless the Department has provided written authorization. Costs included in the original application that are not eligible will not be reimbursed. Any project scope change must be pre-approved in order to be eligible for reimbursement.

D. Non-eligible Projects

Non-eligible projects include but are not limited to the following:

- Projects within state park boundaries, state recreational areas, and on state trails.
- Construction of trails within federally designated wilderness areas (with some exceptions).
- Construction of ordinary sidewalks.
- Planning projects that are preliminary to construction of any trail projects.
- Improvements on highways or other roadways, including but not limited to, lighting, striping, on-street routing, and shoulder work.
- Development or acquisition of parks that do not serve as a trail facility. Park projects should apply through the Park Legacy Grants.

E. Non-eligible Reimbursement Costs

Including all costs not defined as eligible costs, but not limited to the following:

- Any expenditure that occurs outside of the operating dates established in the contract.
- Fund raising.
- Volunteer or Donated Labor.
- Taxes, except sales tax on goods and services.
- Insurance, except title insurance.
- Attorney fees.
- Loans, grants, subsidies to persons or entities for development.
- Bad debts, interest or contingency funds.
- Lobbyists or political contributions.
- Land appraisals.
- Condemnation of any kind, including costs associated with, or reimbursement for projects associated with condemnation.
- Wages and expenses of Recipient's employees; Fringe benefit costs of Recipient's employees
- Entertainment, gifts and prizes, food and refreshments
- Purchase of phones, computers, tablets or audiovisual equipment
- Memberships (including subscriptions and dues), publications, periodicals and other subscription fees
- Agency advertising and marketing expenses
- Office Rental Fees, and Overhead and Indirect Expenses (including, but not limited to office or storage space rental, utility expenses, copier rental, phone bills, office materials and supplies).

IV. APPLICATION PROCESS

The application is available to download from the Parks and Trails Legacy Grant Program web page: http://www.dnr.state.mn.us/grants/recreation/pt_legacy.html

Applicants are urged to begin the application process early in order to allow time to complete application requirements, such as getting a local unit of government resolution. Completed applications must be received electronically by **September 26, 2014**.

Applications are to be submitted electronically in a “.pdf” format by the due date above. Paper submission of applications will no longer be accepted unless specifically arranged and approved in advance of the due date with program staff. To submit the application, email a pdf version of the application and attachments to Trailgrants.DNR@state.mn.us. Please format the entire application, including all attachments, as one pdf document with all pages 8 ½” by 11” in dimension. After submission, make sure you have received a confirmation email that your application has arrived in a useable form by the due date. Applications submitted in an unusable format will NOT be considered for funding. If there are any questions about submitting the application please contact the program staff below.

This is a competitive program. Staff members are available to discuss your project or review application materials prior to submittal. You are encouraged to submit any draft application or materials by September 2, 2014 if you would like staff to provide comments.

V. COMPETATIVE 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 October 25th, 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:** acquire/develop trails that provide connections, such as to communities, to existing state/regional trails, and to high quality natural resources. Projects that secure critical pieces of trail and provide a unique opportunity.
- **Take Care of What We Have:** provide safe, high-quality trail experiences by regular re-investment in 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 non state cash match. This priority is based on legislation that indicates additional consideration shall be given to applicants who provide a non state cash match. The match indicated by the applicant in the application will be required and incorporated into the grant agreement if funded.

Legislative Criteria (15%): MN Statutes 85.535 states that priority for trail projects shall be given for projects that provide connectivity, enhanced opportunities for commuters, enhanced safety.

VI. HOW THIS PROGRAM WORKS WITH TRANSPORTATION ENHANCEMENTS AND TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS

This program can provide a portion of the local match for Transportation Enhancement or TAP Projects that are awarded by Mn/DOT with Federal Highway Administration funding. However; this program provides reimbursement up to 90 percent, while Enhancements or TAP provide up to 80 percent. The grantee must ensure that there is never more than 100 percent reimbursed.

This program can reimburse engineering and design costs associated with these projects, which cannot be reimbursed under the Enhancement or TAP program. Engineering and design costs can only be reimbursed up to 20 percent of the eligible total cost of the project.

Typically, only projects that are programmed for funding in the current or upcoming federal fiscal year are eligible to receive funding through the current years' solicitation.

VII. TRAIL DESIGN REQUIREMENTS

All paved multi-use bicycle/pedestrian trails must be 10 feet in width to be considered for funding through this program. Short distance exceptions are allowed on a case by case basis.

With regards to bicycle trails, applicants will be required to conform with recommendations contained within the 2007 “*Minnesota Bikeway Facility Design Manual*” developed by the Minnesota Department of Transportation.

- See <http://www.dot.state.mn.us/bike/pdfs/manual/manual.pdf>

For other uses, applicants must follow the “*Trail Planning, Design, and Development Guidelines*” developed by the Minnesota Department of Natural Resources – Parks and Trails Division.

- The guidelines are available at the Minnesota’s Bookstore www.minnesotasbookstore.com or 1-800-657-3757 for \$19.95.

Applicants are also encouraged to follow recommendations made in “*Designing Sidewalks and Trails for Access, Part II of II: Best Practices Design Guide*” produced by the Federal Highway Administration.

- See http://www.fhwa.dot.gov/environment/recreational_trails/guidance/manuals.cfm

When developing natural surface trails, applicants are encouraged to follow principles outlined in “*Trail Solutions: IMBA’s Guide to Building Sweet Single Track*”.

- See <http://www.imba.com/catalog/book-trail-solutions>

Applicants are required to address the American with Disabilities Act under the Evaluation Criteria Section of the application. The *ADA Accessibility Guidelines for Outdoor Developed Areas*, and the *ADA and ABA Accessibility Guidelines for Buildings and Facilities* can be found on the Federal Access Board website. Successful applicants are required to design and construct their trail to meet ADA standards.

- The following guidelines will help you design your facilities. Copies can be ordered from the U.S. Access Board at (800) 872-2253, or downloaded from their website at <http://www.access-board.gov>. Below are links directly to specific guidelines:
 - o [ADA and ABA Accessibility Guidelines for Buildings and Facilities](#) (For buildings and certain recreation facilities including playgrounds, recreational boating facilities, and fishing piers)
- [Draft Final Accessibility Guidelines for Outdoor Developed Areas](#) (For outdoor developed areas such as campgrounds, picnic areas, trails, and beaches)

VIII. LAND ACQUISITION REQUIREMENTS

When applying for a grant for land acquisition or an easement, the application requires a reasonable market value estimate. **An appraisal is not required to apply for a grant.** If your application is approved to purchase land or an easement, an appraisal will then be required and must meet DNR and state standards.

Prior to contacting and hiring a licensed appraiser to conduct an appraisal of the property, you **must** contact the DNR Division of Lands and Minerals, Cindy Nathan, Real Estate Specialist at 218-855-5126, or cindy.nathan@state.mn.us to make sure your appraisal will be properly completed to meet DNR and state appraisal standards and the DNR **must** be named as an intended user of the report. A State Certified General Real Property Appraiser approved to appraise property to state standards must conduct the appraisal. DNR Lands and Minerals can provide you a list of qualified appraisers. The requirements are also located on the DNR appraisal management website at http://www.dnr.state.mn.us/lands_minerals/appraisal_mgmt.html.

Once you have completed a land appraisal by a recommended appraiser, it must be submitted to the DNR for appraisal review and approval **before** the land can be purchased with grant funds. The costs associated with a full land appraisal are **not** eligible for reimbursement through the grant program. Therefore, it is important that the land appraisal be done correctly and with a qualified appraiser, to avoid the additional charges that would result if the appraisal was not certified by the DNR. The DNR review of land appraisals are done at no cost to the grantee. Once the DNR has approved the appraisal, grant funds can be reimbursed towards the cost of the land purchased.

Property acquired in a trail acquisition project requires either

- 1) Purchase of the fee simple interest perpetually maintained for recreational purposes
- 2) Purchase of an easement on land requires a minimum of 20 years trail easement maintained for recreational purposes.

The appraisal must reflect the rights acquired. Purchase of a fee simple title requires a perpetual easement for recreational purposes. An easement on land purchase requires a minimum of a 20 year stipulation that it be maintained for recreational purposes. The easement appraisal must state clearly the length of years the easement is being purchased, but no less than the 20 year minimum for recreational purposes. The appraisal must be evaluated accordingly based on the number of years the easement would be in place.

IX. MINNESOTA STATUTE 85.535

Minnesota Statutes 85.535

PARKS AND TRAILS GRANT PROGRAM.

Subdivision 1. Establishment. The commissioner of natural resources shall administer a program to provide grants from the parks and trails fund to support parks and trails of regional or statewide significance. Grants shall not be made under this section for state parks, state recreational areas, or state trails.

Subd. 2. Priorities. In awarding trails grants under this section, the commissioner shall give priority to trail projects that provide:

- (1) connectivity;
- (2) enhanced opportunities for commuters; and
- (3) enhanced safety.

Subd. 3. Grant amount. A grant amount is not subject to a maximum grant award limitation. Additional consideration shall be given to applicants who provide a nonstate cash match.

Subd. 4. Rule exemption. The commissioner is not subject to the rulemaking provisions of chapter 14 in implementing this section, and section 14.386 does not apply.

X. OTHER PROGRAM REQUIREMENTS

A. 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.

B. 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.

C. 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. Monitoring may be conducted by phone or on-site.