# Park and Trail Legacy Grant Program

**Additional Information for MNDNR Contract**

The Greater Minnesota Regional Parks and Trails Commission (GMRPTC) has recommended your project for funding from the Parks and Trails Legacy Fund. The projects will be administered by the Minnesota Department of Natural Resources (DNR) through the Parks and Trails Legacy Grant Program under MN Statues [85.535](https://www.revisor.mn.gov/statutes/cite/85.535). The application received and recommended by the GMRPTC will be incorporated into the final information needed by the DNR to process a grant contract for your project. Please complete the required information and submit it to your DNR grant manager. A grant contract cannot be processed until we have all required documentation.

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**Do not incur any project costs until after a grant contract has been processed for your project.** Any project costs incurred prior to the start date of the grant contract will not be eligible for reimbursement. Projects involving ground-disturbing development may not begin until the State Historic Preservation Office (SHPO) has issued a letter stating no historical/archeological resources will be harmed by the project. It is also recommended that a consultation with relevant Tribal Historic Preservation Offices is done to assess cultural resources that may be on site.

Payment of grant funds to the Grantee is by reimbursement only. The Grantee must initially pay project expenses which are then reimbursed under the terms of the grant contract. Ten percent of the grant funds will be retained until a final inspection has been completed. A Parks and Trails Legacy Reimbursement Manual and required forms will be provided to you for use in requesting reimbursement of your grant.

Funding for these grants is provided through the Minnesota Parks and Trails Fund, which constitutes a portion of the dedicated sales tax revenue resulting from the Clean Water, Land and Legacy Amendment approved by voters in 2008. **The dedicated money under this amendment must supplement traditional sources of funding for these purposes and may not be used as a substitute.**

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## Required for all projects:

## HISTORIC PRESERVATION OFFICE REVIEW LETTER

The State Historic Preservation Office (SHPO) must be contacted to review your project to determine if the site is a potential location for historical or archeological findings. If SHPO 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.

For review of your project, complete and send the [Request for Project Review form](https://mn.gov/admin/shpo/environmental-review/submit/) and required documentation directly to SHPO:

Please submit materials to [ENReviewSHPO@state.mn.us](mailto:ENReviewSHPO@state.mn.us)  with cover letter and attachments, preferably in a single PDF. Please include valid return email address for recipient of SHPO response letter. **Copy your DNR grant manager.**

*\*Expect the review to take at least 1-2 months to complete.*

Submit a copy of the SHPO response letter to your DNR grant manager.

### *NATURAL HERITAGE INFORMATION SYSTEM*

Review of your project by the Natural Heritage Review Team is required to determine if there are any state-listed endangered, threatened, or special concern species; rare plant communities, or other rare or sensitive ecological resources that may be affected by the project. All requests for a Natural Heritage Review should now be submitted through the [Minnesota Conservation Explorer (MCE)](https://mce.dnr.state.mn.us/). Please click on the Help Tab for instructions.

Submit a copy of the response to your DNR grant manager. If a review has been completed for a prior project on this property within the last year, you may submit the previous letter and reports.

### *WATER AND WETLANDS PERMITS*

Development or alteration of shoreline adjacent to rivers, streams, lakes, and other public water bodies and wetlands may require written permits. Evidence of compliance with water and wetland regulations must be submitted including a determination as to if a permit is required or not required for your project. This [link](http://www.dnr.state.mn.us/permits/water/index.html) will provide general information related to permit requirements.

Submit a copy of the letter of determination if permits are required or not for your project.

If a permit is required, this [link](http://www.dnr.state.mn.us/mpars/index.html) will take you to an online joint application process when DNR, Board of Water and Soil Resources and U.S. Army Corp of Engineer permits are needed. Permits will need to be submitted to your DNR grant manager prior to work on your project.

### *ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) CHECKLIST*

Completion of an Environmental Assessment Statement (EAS) is required for every project**.** The EAS will provide information necessary to determine the impacts of the project, if any, on the environmental and cultural resources of the area. See the EAS Checklist at the end of this document.

**Recommended for all projects**:

***Tribal Historic Preservation Office (THPO) Review***

The following is a list of Tribal Historic Preservation Offices (THPOs) in Minnesota. For more information on THPOs and updated contact information, visit the [MN Indian Affairs Council](https://mn.gov/indianaffairs/thpo.html).

* Bois Forte Band of Chippewa
* Fond du Lac Band of Lake Superior Chippewa
* Grand Portage Band Ojibwe
* Leech Lake Band of Ojibwe
* Lower Sioux Indian Community
* Mille Lacs Band of Ojibwe
* Prairie Island Indian Community
* Red Lake Nation
* Shakopee Mdewakanton Sioux Community
* Upper Sioux Community
* White Earth Nation of Minnesota Chippewa

## Required for trail projects:

## MN Environmental Quality Board (EQB) Review Rules

Trail projects need to be evaluated for applicability of environmental review under Minnesota Rules, [Chapter 4410](https://www.revisor.mn.gov/rules/?id=4410). Mandatory Environmental Assessment Worksheet (EAW) categories are described at Minnesota Rules [4410.4300](https://www.revisor.mn.gov/rules/4410.4300/). Exemptions from environmental review are described at Minnesota Rules [4410.4600](https://www.revisor.mn.gov/rules/4410.4600/). In addition, EAW is warranted when a project is not exempt under part [4410.4600](http://www.revisor.leg.state.mn.us/arule/4410/4600.html), and when a governmental unit with approval authority over the proposed project determines that, because of the nature or location of a proposed project, the project may have the potential for significant environmental effects, either in response to a petition or otherwise (MN Rules [4410.1000](https://www.revisor.mn.gov/rules/4410.1000/), Sub. 3A).

Submit a letter from the local RGU (responsible governmental unit) officially making the determination that your project can proceed and is in compliance with all EQB rules. This letter must identify which exemption(s) and how your project qualifies for this exemption and how this determination was made.

## Land Approval Certification

Submit a [Certification Form](http://files.dnr.state.mn.us/assistance/grants/recreation/grantee_forms/required_cert_form.docx) signed by all administrators of public land crossed or utilized by the trail project providing approval of the trail proposal and agreeing to provide assistance to seek formal authorization. If leased, permit or easement is required, it must be for a minimum of 20 years.

### *ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) CHECKLIST*

An EAS is required for your project by the Minnesota Department of Natural Resources (DNR) prior to completing the grant contract. The EAS information is necessary to determine the impacts of the project, if any, on the environmental and cultural resources of the area and whether any measures must be undertaken to mitigate these impacts. In some cases, the EAS may provide information that may result in some modifications to the project scope or design or inclusion of special conditions in the grant contract. It is very important, therefore, that the EAS be completed carefully, and that all pertinent information be supplied.

*The following may be helpful.*

Wetlands:

Minnesota has adopted a "no-net-loss" Wetlands Policy. Each state agency must ensure that its activities, including state-sponsored, financed or assisted projects, do not contribute to the loss or diminishment of the many important values of wetlands. Unavoidable impacts must be minimized, and compensatory mitigation must be provided for all values that have been lost or diminished. It is very important, therefore, that the EAS identify all possible wetlands impacts of the proposed project. This will help in determining whether any changes in project scope or design may be required or whether mitigation measures must be undertaken.

The basic reference for wetland determination will be the National Wetlands Inventory produced by the U.S. Fish and Wildlife Service and available at the DNR. Questions regarding implementation of the "no-net-loss" policy and identification of wetlands may be directed to the Ecological Resources, DNR, (651) 259-5125.

Please prepare the EAS using the following format and complete the following EAS Checklist Form. Attach additional information as necessary and reference accordingly.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **EAS Checklist**  **SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS** | | | | | |
| **ISSUES** | **QUESTION** | **ANSWER** | | | **DEGREE OF IMPACT** |
|  | **WILL THE PROJECT…?** | **YES** | **NO** | **?** | **IMPACT DESCRIPTION OR PAGE REFERENCE FOR ALL “YES” ANSWERS** |
| Access Control | Change access to property?  (Close, change location, make a one way) |  |  |  |  |
| Accessibility | Assist persons with disabilities in the design of facility, sidewalk, curb or gutter? |  |  |  |  |
| Air Quality | Degrade air quality? |  |  |  |  |
| Bicycle and Pedestrians | Impact bicycle and/or pedestrian movement? |  |  |  |  |
| Bridge | Involve a bridge replacement over water? |  |  |  | If yes, have you contacted the appropriate water authority? |
| Construction Impacts | Cause construction impact? (Erosion, noise, air, vibration, etc.) |  |  |  |  |
| Controversy | Have controversy or be likely to cause controversy? |  |  |  |  |
| Endangered Species | Impact any endangered or threatened species of special concern due to the project location or design? |  |  |  |  |
| Energy Impacts | Have major energy implications? |  |  |  |  |
| Erosion | Involve major soil disturbance (depth and volume) or have erosion potential due to landform, wind patterns or water volume? |  |  |  |  |
| Excess Materials | Involve disposal of excess material outside planned construction limits? |  |  |  |  |
| Farmlands | Require any right-of-way? |  |  |  |  |
| Floodplain | Cross or lie adjacent to any floodplain area? |  |  |  | If yes, have you contacted the appropriate water authority? |
| Groundwater, Geology, Earthborne | Impact groundwater, geology, or cause earthborne vibrations? |  |  |  |  |
| Hazardous Wastes | Involve a bridge replacement over water, former disposal or storage site, or hazardous materials route? |  |  |  |  |
| Historical, Archeological, Cultural | Impact any structures developed prior to 1950? Require excavation/regrading? |  |  |  |  |
| Land Use | Inconsistent with local and regional use plans? |  |  |  |  |
| Minerals | Impact commercial minerals and/or peat resources present? |  |  |  |  |
| Noise | Impact noise sensitive receptors? |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS** | | | | | |
| ISSUES | **QUESTION** | **ANSWER** | | | **DEGREE OF IMPACT** |
|  | **WILL THE PROJECT…?** | **YES** | **NO** | **?** | **IMPACT DESCRIPTION OR PAGE REFERENCE FOR ALL “YES” ANSWERS** |
| Right-of-Way (R/W) | Require any R/W? (easements) |  |  |  |  |
| Relocation | Require any relocation of homes or businesses? |  |  |  |  |
| Stream/River Modifications | Change the course, current, or cross section of any stream/river? |  |  |  | If yes, have you contacted the appropriate water authority or obtained the proper permits? |
| Social | Impact public safety (i.e., police/fire protection) |  |  |  |  |
| Impact sensitive groups? (children, handicapped, minorities, poor, etc.) |  |  |  |  |
| Impact accessibility to schools, churches or recreation facilities? |  |  |  |  |
| Impact community cohesion? |  |  |  |  |
| Soil | Involve major soil disturbance (depth or volume), resulting in the widening of the overhead canopy? |  |  |  |  |
| Transportation | Require road rerouting, closing, or redevelopment? |  |  |  |  |
| Be accessible by mass transportation? |  |  |  |  |
| Vegetation and Wildlife | Impact vegetation, fish or wildlife? |  |  |  |  |
| Visual Quality | Impact visual qualities? (view to or from facility) |  |  |  |  |
| Water Quality | Impact water quality of lakes, streams, wetlands, etc.? |  |  |  | If yes, have you contacted the appropriate water authority? |
| Wetlands | Have wetlands present within construction limits been impacted? |  |  |  | If yes, have you contacted the appropriate water authority? |
| Destroy or improve/create wetland habitat? |  |  |  | If yes, have you contacted the appropriate water authority? |
| Wild and Scenic Rivers/ Canoe and Boating Rivers | Impact a state or federal wild and scenic river, federal candidate wild and scenic river or state canoe and boating route? |  |  |  |  |

**PREPARED:**

"I certify that I am familiar with the information contained within this assessment and, that to the best of my knowledge and belief, such information is true, complete and accurate."

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Signature of Applicant

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Phone Number Date

**CONCURRENCE (By all public administrators whose property is utilized for this project):**

"We have reviewed the plans for development on lands that are under our administrative jurisdiction. We agree with the conclusions contained within this Environmental Assessment Statement. We find that the project creates no undue environmental impact and that there is no prudent and feasible alternative to the project."

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Signature of Reviewer

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Phone Number Date

***Attach additional concurrence statements if necessary.***