

# Recreational Trails Program

FY 2017

## Grant Application Guidelines



### Important Highlights

- All applications and application materials will be accepted through the online grant management system (called WebGrants) at [fundingmt.org](http://fundingmt.org). The funding opportunity will be open and available online starting November 22, 2016.
- **Application Deadline: 5:00 p.m. on February 1, 2017**
- *Recreational Trails Program training sessions will be offered throughout Montana for all prospective applicants on the following dates:*
  - ✚ December 1<sup>st</sup>-Billings –FWP Region 5 Conference Room—9:30-12:30
  - ✚ December 6<sup>th</sup>-Great Falls—FWP Region 4 Conference Room—9:30-12:30
  - ✚ December 13<sup>th</sup>-Bozeman—FWP Region 3 Conference Room—9:30-12:30
  - ✚ December 15<sup>th</sup>-Missoula—FWP Region 2 Conference Room—10:00-1:00
  - ✚ December 16<sup>th</sup>-Kalispell—FWP Region 1 Conference Room—10:00-1:00
- **Cost-Share Program: 80% Recreational Trails Program Funds; 20% Sponsor Funds**  
**Federal grant sponsors must contribute a 5% non-federal match.**
- **Equipment purchases will be considered for each grant category.** The piece of equipment must be identified in the grant application as essential to the project and it must be 100% trail-related for trail construction or trail maintenance. *Please reference the Equipment Purchases section on page 9-11 for detailed provisions.*
- **Environmental Review Documents and Support Letters are valid for up to three years if you have no variations (no changes in your project scope) from previous grant applications.**
- **\$1,400,000 (anticipated amount) available for Recreational Trails Program grants.**

If you have questions or concerns regarding any aspect of your application, please don't hesitate to call Beth R. Shumate (444-4585) of the Recreational Trails Program.

## **Montana's Recreational Trails Program Guidance**

The Transportation Equity Act of the 21st Century (TEA21) established the Recreational Trails Program (RTP), which provides for the transfer of federal gas taxes paid on non-highway recreational fuel used in off-highway vehicles to the Federal Highway Administration (FHWA). Montana Fish, Wildlife & Parks (FWP) administers the RTP funds at the state level, while the FHWA provides program oversight at the federal level. RTP funding is currently made available through the federal program titled, "Moving Ahead for Progress in the 21<sup>st</sup> Century. The acronym for this program is MAP-21. On December 4, 2015, Congress passed and President Obama signed into law the Fixing America's Surface Transportation Act (FAST Act), a five-year Transportation Bill.

RTP grant applicants (sponsors) can include federal, state, county or municipal agencies, private associations and clubs. RTP grants to sponsors may not exceed 80% of the total of an individual project. After approval of all required documentation, FWP will reimburse the sponsor for 80% of the actual documented costs incurred. Reimbursement of RTP funds will only be approved for project expenditures incurred after the date of the signed project agreement between the project sponsor and FWP.

### **Application Limitations**

An applicant may submit only one grant application per grant cycle. An application may contain more than one project phase. If the application contains more than one distinct project phase, the applicant must prioritize the phases.

Any applicant with an RTP grant approved prior to 2014 that has not yet completed that project is not eligible to apply for a FY 2017 grant.

### **Grant Categories**

The following RTP grant categories are offered:

- The **Small Grant** category comprises sponsors requesting \$20,000 or less per grant application. This category assists grant applicants with fewer grant-writing resources or smaller projects.
- The **Standard Grant** category includes sponsors requesting \$20,001-\$45,000.
- In the spirit of helping one or more RTP grant applicants move closer to the goal of completing a significant trails project, up to four **Big Grants** of \$90,000 may also be available each RTP grant cycle.

Applicants must provide all information requested and submit the application by the February 1, 2017 application deadline. Only one grant application per grantee (organization) will be accepted. **Late or incomplete applications will not be considered for funding.**

### **Compliance with Existing Laws, Management Authority Regulations, Policies and Ordinances**

All projects seeking funding from the RTP Program must comply with existing federal, state and jurisdictional laws, regulations and ordinances. All projects, with the exception of brochures, portable exhibits and displays must satisfy the Montana Environmental Policy Act (MEPA) and the National Environmental Policy Act (NEPA).

Please note that grant applicants are not required to post a legal notice for a 30-day public comment period to apply for an RTP grant. Public involvement required by the Montana Environmental Policy Act will be satisfied by FWP. FWP will initiate a programmatic public involvement process after all grant applications are reviewed and tentatively approved.

FWP still encourages public involvement in all of its grant-funded trail projects. The general public, adjacent landowners, and other interested parties should be involved from the onset. Promotion of public participation may be through newspaper articles and any other means available, such as public meetings, federal quarterly newsletters, TV programs, radio announcements, etc.

### **Environmental Review Requirements**

Applicable environmental laws must be satisfied by the sponsor and land management agency involved in the project whether that project is on federal, state, county, city or private land. However, several changes to our grant application procedures relative to environmental compliance were implemented in FY2013. We believe these changes will simplify the grant application process and make it easier for most applicants. In this discussion, MEPA refers to the Montana Environmental Policy Act, which is State Law, and NEPA refers to the National Environmental Policy Act, which is Federal Law.

Exemptions: Due to legislative action in 2012, House Bill 225 exempts Montana Fish, Wildlife & Parks from environmental compliance when it provides funding assistance to a 'snowmobile area operator.' The only exception is when a proposed grooming project has not been previously subjected to environmental review or when there is a change to the action or the use of the award. In short, most snowmobile clubs will not be required to submit new or modified MEPA environmental analyses in applications to the Recreational Trails Program.

Other types of projects that are exempted from completion of an environmental review include: ethics or safety education projects; brochures; and, portable exhibits and displays.

Project applicants can "tier" from an approved federal environmental analysis. Because federal and state agencies are required to coordinate with each other and each may 'tier to' or adopt by reference the other's approved environmental review, RTP grant applicants with projects occurring on U.S. Forest Service (USFS) or other federal property can often satisfy MEPA requirements "by reference." This process is limited to projects that have been cleared by the USFS and other federal agencies because the NEPA analysis has already been completed or because the category of work to be conducted is covered by a NEPA categorical exclusion.

According to the RTP guidance, a categorical exclusion is "*an action which does not induce significant impact to planned growth or land use for the area, require the relocation of significant numbers of people, have a significant impact on any natural, cultural, recreational, historic, or other resource; involve significant air, noise, or water quality impacts, have a significant impact on travel patterns, or otherwise, either individually or cumulatively, have any significant environmental impacts.*" Please refer to the [Environmental Tiering Form](#) in the "Forms" section of the webpage if you intend to "tier" off a NEPA review/document.

Applicants that do not fall under any of these exemptions are required to submit appropriate environmental review documents. For most applicants, the MEPA/NEPA Environmental Checklist must be submitted.

**Note:** Dated MEPA/NEPA Checklists or other environmental forms are valid for three years. If the proposed project is exactly the same as submitted in previous applications (no variations in your project scope), the original MEPA/NEPA Checklist and associated documents may be used with this application.

### **Historic Preservation Act Compliance**

The State Historic Preservation Office (SHPO) must review each grant application recommended for funding in order to determine the effect, if any, a proposed project may have on archaeological or cultural resources. To assist the SHPO in this review, the applicant is required to submit information with each application in the WebGrants application forms (listed under Environmental Review Documents). If a federal agency is involved, the agency must consult with SHPO pursuant to the National Historic Preservation Act; a state agency must consult with SHPO pursuant to the State Historic Preservation Act; or a copy of SHPO comments if the survey report has already been reviewed by SHPO must be uploaded into your application forms.

### **Planning, Design, and Feasibility Studies**

Federal Highway Administration Guidance will only allow a “small” portion (less than 20%) of a grant to be used for planning, engineering and design needs associated with a recreational trail project. According to Recreational Trails Program Guidance, Section 206(h)(1)(C) allows preapproval project planning and environmental compliance costs to be credited toward the non-Federal share of the cost of a project, limited to costs incurred less than 18 months prior to project approval. The costs incurred must be costs that would be allowable if the project had been approved. This provision helps project sponsors cover significant up-front costs incurred prior to project approval. The 18-month limit is intended to assure that planning and environmental documentation are still valid. The limit also encourages timely project approval.

If your project includes construction or improvements along any State Highway Right-of-Ways (ROW), the project sponsor must contact their local Montana Department of Transportation office and follow all applicable ROW requirements. FHWA Office of Real Estate Services published [Real Estate Acquisition Guide for Local Public Agencies](#). This will be helpful for any local public agency acquiring land using Federal-aid highway program funds (including TAP or RTP funds). See Realty related documents at [www.fhwa.dot.gov/realestate/index.htm](http://www.fhwa.dot.gov/realestate/index.htm).

### **ADA Accessibility (access for people experiencing different abilities and access impediments)**

*NOTE: A Regulatory Negotiation Committee reported to the U.S. Architectural and Transportation Barriers Compliance Board (Access Board) on September 15, 1999. The Committee developed Americans with Disabilities Act Accessibility Guidelines (ADAAG) for picnic and camping facilities, beach access routes, and trails. For more information see: <http://www.access-board.gov/guidelines-and-standards>.*

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against people on the basis of disability. While specific technical standards have not yet been finalized for recreation facilities (including recreational trails), state and local government trail developers and operators nevertheless have statutory responsibilities to provide opportunities for the participation of people experiencing disabilities. Federal laws that affect the design, construction, alteration, and operation of trail facilities include the Architectural Barriers Act of 1968 (ABA), the Rehabilitation Act of 1973, and the ADA. Current regulations implementing these statutes contain requirements that apply to existing trail construction and program operations and adopt technical standards to guide new trail construction and alterations of existing networks:

- Buildings and facilities newly-constructed or altered with Federal funds are subject to the accessibility requirements contained in the Uniform Federal Accessibility Standards (UFAS), the standard currently referenced in the ABA.
- Accessibility in federally-assisted programs is governed by the requirements of the USDOT regulations (49 CFR part 27) implementing Section 504 of the Rehabilitation Act (29 U.S.C. 794).

At the time of latest revision of this document, the ADA is the newest legislation intended to improve access for people experiencing disabilities. The U.S. Department of Justice's (DOJ) title II implementing regulations (28 CFR part 35) describe the obligations of state and local governments for existing facilities and program operations, and require title II entities (public entities) to comply with either UFAS or the Americans with Disabilities Act Accessibility Guidelines (ADAAG) developed by the U.S. Architectural and Transportation Barriers Compliance Board (the Access Board) when newly constructing or altering facilities. Private sector entities, including lessees, concessionaires, and contractors to State and local governments, are governed by the DOJ title III implementing regulations, which adopt ADAAG as the standard for accessible design.

RTP projects are primarily recreational in nature, rather than serving a more utilitarian transportation function. The applicant should consider the potential uses of each trail project, consider what is reasonable and feasible, and provide for users in an appropriate manner. It is not necessary to construct every recreational trail according to the ADA guidelines, but trail project sponsors must not install barriers or other features that would make it more difficult for people with disabilities to use the trail.

Trail designers should seek opportunities to incorporate accessible features and elements, and to include trail routings that meet accessibility criteria to ensure that there are recreation opportunities for a variety of users within the RTP. Where trail-related facilities, such as parking, shelters, toilets, drinking fountains, and other features are provided on or along an accessible trail site, they should provide the required level of accessibility and be served by an accessible route. Trail designers should account for people experiencing disabilities that may arrive at trail facilities by horse, ATV, or snowmobile, with assistance, or by other means.

## **Trail Surface Considerations**

Applicants are strongly encouraged to consider ALL trail-surface types and the long-term maintenance costs associated with each type. Paved paths aren't always necessary and involve a lot more maintenance issues in 5, 10, and 20 years. ADA standards can still be met without the high costs of pavement. *The Transportation Alternatives (or newly named Active Transportation) Program with the Department of Transportation is a more appropriate funding source for shared-use paths and crosswalks that require pavement and MDT provides design and engineering assistance.*

### **Maintenance Costs**

Figures for asphalt, crushed gravel, and concrete maintenance costs are included below. Maintenance of asphalt, concrete, and crushed gravel trails differs due to the different properties of the materials. Periodic maintenance of a crushed gravel trail is greater since it is more susceptible to adverse weather conditions such as rainstorms and run-off. Heavy amounts of water running on the trail can cause ruts to form and soften the trail as a whole. More use on a soft trail will cause greater damage to the overall smooth surface and require grading. One advantage to a crushed gravel trail is that it is not affected much by the freeze/thaw cycle that exists in the Montana area. Although asphalt and concrete trails are generally not affected by rain and water erosion, freeze/thaw cycles can cause buckling, creating potholes and cracks which can be dangerous and costly to repair.

Regardless of trail surface type, there are many other factors that can affect cost of maintenance. The main factor affecting cost is the difference in agencies that maintain and operate trails. Each agency will have different labor costs, access to different machinery and equipment, and may or may not have a volunteer base to offer assistance. Routine maintenance can be defined as maintenance that is needed to keep the trail operating in a safe and usable condition, not involving major trail development for reconstruction. Below is a list of routine maintenance activities:

- Yearly facility evaluations to determine the need for minor repairs
- Removing encroaching vegetation
- Mowing
- Map/signage updates
- Trash removal/litter clean-up
- Flood or rain damage repair: silt clean up, culvert clean out, etc.
- Patching, minor regrading, or concrete panel replacement
- Planting, pruning, and general landscaping
- Snowplowing is also a routine maintenance activity but involves a separate cost

Research was conducted to determine annual per mile maintenance costs for shared-use paths and other types of trails. Some estimates found were specific to a trail surface type and others were not. Below is a list of construction and maintenance costs from various sources but remember that costs vary so widely that it is difficult to provide accurate cost estimates:

<b>Average Costs</b>	Aggregate Surface/Non-Asphalt	Asphalt	Cement
Construction per mile*	\$1.25 (per sq. foot) \$6,600 (per sq. mile)	\$3.77 (per sq. foot) \$19,905 (per sq. mile)**	5.65 (per sq. foot) \$29,832 (per sq. mile)
Maintenance per mile*	\$2,500-5,000 per mile	\$5,000-15,000 per mile	\$5,000-25,000 per mile

\*Average costs based on a 10-foot wide path. \*\*Total for asphalt-surface components: Plant Mix, Asphalt Cement, Crushed Aggregate Course and Aggregate Treatment.

## **Legal Easements, Public Access and Land Acquisitions**

The public must be assured legal access to trails and trail-related facilities developed or maintained with RTP funds. If the proposed project is not entirely on public land and crosses private property, the applicant must include an owner-signed legal easement or lease agreement that will be valid for a minimum of 15 years.

If an application proposes to purchase property, the application must include legal descriptions of the property to be acquired, names of property owners whose property is to be acquired, and a letter of intent from the landowners indicating their willingness to sell. Projects on public land must have documented approval from the land manager and access assured for at least 5 years. The scoring committee will place higher value on a longer term easement/agreement that has the potential of being into perpetuity for new trail construction or development projects. For grooming operations/projects, the easement term requirement is five years. Applications missing landowner permission to access will be considered incomplete and ineligible.

RTP grant recipients are required to follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Implementation regulations are found in 49 CFR Part 24 (see link below).

<http://www.fhwa.dot.gov/legsregs/directives/fapg/cfr4924a.htm>

### **Davis-Bacon Wage Rates:**

Any RTP project within the right-of-way of a federal-aid highway must pay prevailing wages to all non-volunteer labor. If a proposed project includes work within an existing highway, contact the Montana Department of Transportation to determine if the highway is a federal-aid highway. If it is, the applicant must contact the Montana Department of Commerce for prevailing wages for the project location. These wages are the minimum to be paid on the project. A contract for the labor must be made prior to the beginning of construction. The applicant should be aware that these wages are subject to change and the correct wages must be verified by contacting the appropriate office of the Department of Commerce at: For more Davis-Bacon information, including current, advance notice and archived DBWR information and website links, please visit the Montana Department of Commerce, Community Development Division (CDD) Resources website:

<http://comdev.mt.gov/Resources/currentdavis-baconwagedeterminations.mcp>

### **Application Guidelines for Indirect Costs**

Direct costs allocated to a particular Federal award will be reimbursed by the Federal government if they are allowable and reasonable under the applicable cost principles.

- Reimbursement of indirect costs under Federal awards is determined by the organization's indirect cost rate, which recipients negotiated with the cognizant agency.
- The **indirect cost rate** is a ratio or percentage of an organization's total indirect costs to its direct cost base.

Before you can receive an indirect cost rate, recipients must develop an indirect cost rate proposal and submit it for negotiation and approval by their cognizant agency.

Recipients are reimbursed for indirect costs based on this rate, and they are entitled to charge indirect costs unless prohibited by the program's authorizing legislation, or State or local laws. De Minimis Rate of 10% of Modified Total Direct Costs

If your organization does not have a federally negotiated indirect cost rate and receives less than \$35 million in direct federal funding, you may indefinitely use a de minimis rate of 10% of modified total direct costs (MTDC). Additional information regarding what is included and use of this option can be found at 2 CFR 200.414 (<https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-sec200-414>). If this option is elected, it must be used consistently across all federal awards.

Please refer to the Indirect and Direct Costs Guidelines document under the Information Section of the website to determine eligible costs for your project.

<http://stateparks.mt.gov/recreation/rtpGrants.html>

### **USFS and BLM "Trail Steward" Applications**

Trail Steward projects remain capped as in previous grant cycles at \$16,000/position and winter trail stewards requests will be accepted but there must be a compelling explanation as to the need for the position and how it benefits various types of winter trail users. Approved grant funding for Trail Steward projects will cover salaries and travel per diem only. As a reminder, all federal project sponsors must contribute a 5% non-federal match. We encourage partnering with local trail organizations and clubs that could assist with in-kind contributions. Only one Trail Steward position can be requested per grant application. Enforcement activities are not considered to be an eligible use of RTP funds.

### **Application Guidelines for Snowmobile and Ski Clubs**

Montana Fish, Wildlife & Parks implemented a snowmobile trail groomer reimbursement methodology that employs an hourly rate based on average expenditures for fuel, oil, maintenance, repairs, etc. FWP will reimburse snowmobile and cross-country ski clubs for all expenditures associated with grooming operations through the hourly rate.

- Costs included: repairs, maintenance (including maintenance labor), costs associated with transportation of groomers, fuel, oil.
- Costs not included: labor to operate machine and any other costs not associated with actual operation of the equipment.

Labor and other costs (i.e. signs, weed spray) not directly associated with operation of a snowmobile trail groomer are reimbursed based on exact expenditures.

### **Hourly Rates**

**Utility Sled Used for Trail Grooming: \$20.00 per hour (does not include grooming labor)**

**All Other Large Groomers: \$60.00 per hour (does not include grooming labor)**

RTP grant sponsors are reimbursed for trail groomer expenses at \$20 or \$60 per hour of trail groomed, according to the groomer's hour meter or record of hours. These rates are used in lieu of receipts for fuel, oil, maintenance, repairs, etc. Labor and other eligible costs not directly associated with operation of the snowmobile trail groomer are reimbursed under standard and previously approved methods.

It is very important that each Club documents hours and miles groomed using Snowmobile Program record sheets or similar reporting forms (daily grooming logs and monthly summary sheets).

Fiscal Year 2017 Recreational Trails Program grant applicants will need to comply with these reimbursement requirements in order to receive grant funds for grooming operations. All clubs need to submit project cost tables based on the above explanation.

### **Buy America Requirements**

Buy America requirements apply to all steel and iron permanently incorporated in a project funded under title 23 including Recreational Trails projects ([and associated eligible contracts](#)). See [FHWA's Buy America Construction Program Guide](#).

- The purchase of motorized trail grooming vehicles/snowmobiles and motorized equipment must comply with Buy America requirements or must request a waiver. See FHWA's [Notice of Buy America Waiver Request](#) webpage for information. The waiver approval process may take up to 6-8 months beyond the award letter/Agreement being received which will delay any approved purchases. Non-motorized trail grooming attachments or trailers will be evaluated on a case-by-case basis by FWP and FHWA.
- For any Recreational Trails Program project, “Buy America” applies unless items are off-the-shelf products or the total documented cost for the steel/iron item(s) is less \$2,500. See 23 CFR 635.410(b)(4).
- “Buy America”, which is specific Congressional Law for US DOT funding, is different than “Buy American”. Buy America only applies to projects that have expenditures over \$2,500 for bridges made of steel or iron and for trail grooming equipment.

### **2017 Application Equipment Purchasing Guidelines**

- Under federal RTP guidance, the purchase of recreational trail construction and maintenance equipment is allowed.
- Depending upon the equipment purchase applications received and the merits of individual proposals, RTP funds may or may not be allocated for equipment purchases in a given RTP funding cycle.
- RTP purchased equipment may include, but is not limited to: Utility Terrain Vehicles (for weed control and general trail maintenance efforts); trail grooming machines; and other equipment that can be demonstrated to be solely utilized to construct and maintain recreational trails or very specific trail-related features.
- The proposed piece of equipment **MUST** be identified in the grant application as essential to the project and it must be 100% trail related for trail construction and/or trail maintenance for the life of the piece of equipment.

- For the purposes of the RTP grant program, ‘equipment’ is defined as an article of nonexpendable, tangible, property having a useful life of more than five years and with an acquisition cost which exceeds \$1,000.
- A reminder that the purchase of small tools utilizing RTP grant funds remains ineligible. This includes such items as: shovels, rakes, chainsaws, backpack sprayers, hard hats, axes, pulaskis, etc.
- For the 2016 RTP grant cycle, the following equipment purchase expenditures will be considered:
  1. Five (5) equipment purchases will be considered for the ‘Small Grant’ category (a purchase of \$20,000 or less).
  2. One (1) equipment purchase will be considered for the ‘General Grant’ category (a purchase value of \$45,000 or less).
  3. One (1) equipment purchase will be considered for the ‘Big Grant’ category (a purchase value of \$90,000 or less).
- A project sponsor can apply for an equipment purchase in any one of the above categories, and a trail project (i.e. grooming operations, maintenance of an existing trail, etc.) in the same RTP funding cycle.
- For approved equipment purchase grants, project sponsors must follow state and federal purchasing procedures during the purchasing process.
- Depending upon the specific approved equipment purchase for an RTP grant sponsor, a life-cycle will be assigned, which will then become part of the RTP Agreement (Section 8.f.). This will be a minimum of five (5) years, and may be as great as fifteen (15) years. The grant sponsor must be in agreement with the assigned life cycle prior and as a condition of the award of the grant funds.
- For any approved equipment purchase over \$15,000, the project sponsor will be responsible for liability insurance coverage. The insurance coverage shall be adequate to cover the replacement of the equipment for the term of the life-cycle assigned to it and documented in the RTP Agreement.
- Should a project sponsor sell or otherwise cause a piece of approved equipment to not reach its useful life (i.e. failure to carry adequate insurance coverage or failure to properly maintain or operate the equipment, etc.), the sponsor may be deemed ineligible for future RTP grant awards.
- A thorough maintenance plan and procedures explanation must also be included in your application and will be scored. Project sponsors must provide a maintenance plan that considers both long-term and short-term maintenance.

- Equipment tracking—The project sponsor will be required to inventory the equipment and submit updated status reports (including pictures and proof of insurance) annually through the RTP WebGrants online system.
- Trail grooming vehicles and mechanized equipment primarily constructed with steel or iron must comply with Buy America requirements or must request a waiver. The waiver approval process may take up to 6-8 months beyond the award letter/RTP Agreement being received which will delay any approved purchases.

**Deadline: Your RTP Application Must Be Submitted by 5:00 p.m. on February 1, 2017!**