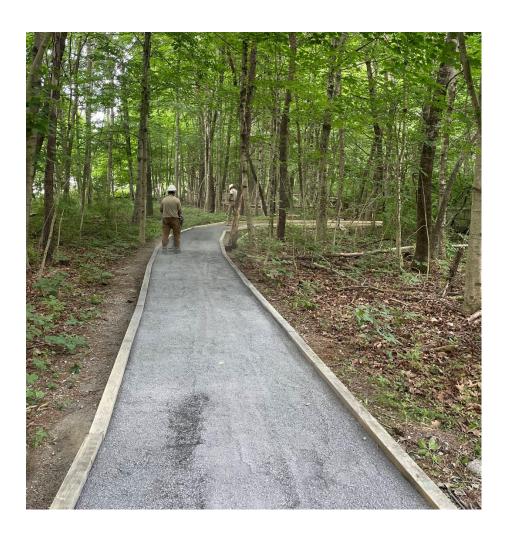
# Virginia Recreational Trails Program 2025 Trail Maintenance and Amenity Grants Application Manual





RTP grant information produced by the Virginia Recreational Trails Program is guidance. This document can be updated or changed at any time pending program or funding changes by the Federal Highway Administration.

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The following documents, available on the DCR RTP website at <a href="https://www.dcr.virginia.gov/recreational-planning/trailfnd">https://www.dcr.virginia.gov/recreational-planning/trailfnd</a>, should be referenced or used along with this manual:

- RTP Procurement Procedures
- RTP Environmental Review and Public Comment Requirements
- 2025 Recreational Trails Program Application
- 2025 Recreational Trails Program Application Certification Form
- 2025 RTP Scoring Criteria

# I. Virginia Recreational Trails Program Overview

The Recreational Trails Program (RTP) is an 80%-20% matching reimbursement program established for the purposes of developing and maintaining public recreational trails and trail-related facilities. The Federal Highway Administration (FHWA) allocates funds to each state and provides oversight to state agencies who administer the program. The agency responsible for administering the program in Virginia is the Department of Conservation and Recreation (DCR).

The RTP requirements mandate that each year's apportioned funds be specifically divided among three categories: 30% for motorized trail uses, 30% for non-motorized trail uses, and 40% for multi-use/ diversified trail uses.

Entities eligible to receive funding include town, city, and county governments, tribes, recreation agencies and regional recreation authorities, and state agencies. Non-profit organizations, with support from the local governmental body, are also eligible to receive funding. Private individuals and for-profit businesses or organizations are not eligible to receive funding.

The RTP is a reimbursement program, meaning that the applicant must be capable of financing the project upfront while requesting periodic reimbursements. The program will reimburse up to 80% of eligible project costs included in the project authorization request. Project sponsors are responsible for at least 20% of project costs. Selected applicants enter into a grant agreement with DCR that outlines the maximum funding amount, scope of work, and other requirements for their project.

Projects are selected and recommended for funding through an open grant round. All proposals are reviewed and scored by the Virginia RTP Advisory Committee.

Sponsors of projects recommended for funding must complete an environmental analysis prior to construction in accordance with federal and state regulations. These costs may be included in the grant proposal.

The application deadline for the 2025 RTP grant cycle is <u>4:00PM on Tuesday, May 6, 2025</u>. All applications must be submitted electronically via email to <u>recreationgrants@dcr.virginia.gov</u> by this deadline. Applicants are responsible for delivery by the deadline; late submissions will not be accepted.

# **Programmatic Changes for 2025**

Applicants should familiarize themselves with this manual in its entirety, however the following list outlines the **most significant** changes to the RTP program from the 2024 RTP grant round. Each of these points is discussed in further detail within this manual:

- Only trail maintenance, amenity projects, and/or accessibility improvements to existing trails are eligible for funding this year and all odd-year grant rounds.
- Additional detail provided on minimum public access and right-of-way requirements.
- Updated guidance documents on environmental review procedures.
- Changes have been made to the application questions and scoring criteria.





#### II. **Eligibility**

Eligible Entities - RTP funding may be awarded to any of the following:

- Municipalities (cities, towns, counties, etc.);
- Tribes;
- State agencies (Dept. of Forestry, Wildlife Resources, etc.);
- Federal government agencies (note that combined total of RTP funds and matching federal agency funds cannot exceed 95% of total project cost);
- Other government entities (regional park authorities, etc.);
- Non-profit organizations [requires letters of support from landowner (if property not owned by applicant) and local government body].
  - o If selected, non-profit organizations may be asked to provide additional financial records and documentation on easements and land use agreements.

# Eligible Projects - This year's RTP funding may be used for:

- Maintenance and restoration of existing recreational trails;
- Development and rehabilitation of trailside, trailhead facilities and/or amenities, including new launches on existing water trails;
- Provision of features that facilitate access and use of trails by persons with disabilities;
- Lease or purchase\* of recreational trail maintenance equipment;
  - \*Applicants should discuss proposed equipment purchases with DCR Recreation Grants staff to verify eligibility prior to application submission.
- Assessment of trail conditions for accessibility and maintenance:
- Acquisition of easement and fee simple title to property for existing recreational trails or recreational trail corridors. Note that an appraisal and appraisal review in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA or "Yellowbook") must be completed prior to the acquisition.

Recreational trails are defined in the RTP regulations as a thoroughfare or track across land or snow used for recreational purposes. These recreational purposes can include:

- traditional pedestrian-oriented activities such as hiking and jogging;
- skating and skateboarding;
- equestrian activities;
- bicycling and mountain biking;
- activities on water trails such as kayaking and canoeing; and
- motorized recreational activities such as all-terrain, utility-terrain, or other off-road vehicle riding, motorcycling, motor boating on water trails, and electric biking.

Ineligible Projects - The following project types are ineligible in 2025 and all odd-year grant rounds. We anticipate these to eligible again in 2026 and all even-year grant rounds:

- Construction of new recreational trails and trail linkages;
- Lease or purchase of equipment to construct new trails;
- Acquisition of easements and fee simple title to property for new recreational trails.





<u>Public Access Requirement</u> - Beginning at grant closeout, RTP-funded projects must be open to the public during reasonable hours for a minimum of 10 years. The project property must be either owned by a local, state, federal, or tribal governmental entity, or protected by an easement or other legally-binding agreement that ensures public access for the minimum time period.

# **Uses Not Permitted -** RTP funding may not be used for:

- Condemnation of any kind of interest in property.
- Upgrading, expanding, or otherwise facilitating motorized use or access to trails that prior to May 1, 1991, were predominantly used by non-motorized trail users, and on which motorized use was either prohibited or had not occurred.
- Planning proposals, gap analysis, and feasibility studies.
- RTP funds cannot be used to provide sidewalks along or adjacent to public roads or streets. The Virginia Department of Transportation may have funding available to assist with these types of facilities.

# III. Project Categories and Available Funding

# **Categories**

RTP Legislation (23 U.S.C. 206) dictates categorical requirements for the use of each state's RTP apportionment: 40 percent of funds apportioned must be used for diverse recreational trail use, 30 percent for motorized recreation, and 30 percent for non-motorized recreation.

- Diversified use project: A project primarily intended to benefit more than one mode of
  recreational use such as: walking, bicycling, and skating; or both pedestrian and
  equestrian use; or pedestrian and mountain biking. A diverse use project may also
  include both motorized and non-motorized uses where motorized use is not the
  predominant use or when the motorized and non-motorized uses are separated by
  season, such as equestrian use in summer and snow sports use in winter.
- Non-motorized project for a single use: A project primarily intended to benefit only
  one mode of non-motorized recreational trail use, such as pedestrian only, or equestrian
  only, or mountain biking only. RTP projects serving various pedestrian uses (such as
  walking, hiking, running, bird-watching, nature interpretation, backpacking, etc.)
  constitute a single use for the purposes of this category.
- Motorized use project: A project primarily intended to benefit motorized use. A project
  may be classified in this category if the project serves only one mode of motorized
  recreational use or more than one mode of motorized recreational use. A project may
  be classified in this category if the project also benefits some non-motorized uses (it is
  not necessary to exclude non-motorized uses), but the primary intent must be for the
  benefit of motorized use.

DCR staff can aid applicants to determine the category their project fits into.



# **Available Funding by Category**

The approximate funds available for the 2025 grant round as per the fiscal year 2025 FHWA apportionment and remaining funds from projects completed under budget are as follows:

- **Diversified category** \$630,000 available
  - o Minimum request \$25,000, maximum request \$250,000
- Non-motorized single use category \$465,000 available
  - o Minimum request \$25,000, maximum request \$250,000
- Motorized category \$690,000 available
  - Minimum request \$25,000, maximum request \$690,000\*

\*There is no maximum request up to the available funds in the motorized category due to historically few applications being received. However if multiple competitive applications are received, award amounts may be less than requested. Note grant awards of \$500,000.00 and up do not qualify for the Build America, Buy America materials waiver discussed under procurement section heading.

It is anticipated that 3-5 grants may be awarded in the diversified category, 2-4 grants in the non-motorized category, and 1-3 grants in the motorized category. The actual number of grants awarded and dollar value of the award is contingent upon committee evaluation and the amount of RTP funding available to Virginia at the time of grant award selections.

# IV. Application Procedures and Selection Process

#### **Application Procedures**

- 1. Read this manual in its entirety. It reflects the most recent guidance on the RTP program and supersedes previous guidance materials distributed by DCR.
- 2. Review the 2025 scoring criteria and application resources posted with this manual.
- Download the RTP application form and certification form from the <u>DCR RTP website</u>.
   The application is a fillable Microsoft Word document. Questions are answered by typing or pasting into the space provided. The certification form is a fillable PDF and requires a signature.
  - If you are unable to download or use the documents, please contact <u>recreationgrants@dcr.virginia.gov</u> or 804-786-1119 to obtain an alternative format of the application.
- 4. Complete the application. All questions should be answered in the space available. Be clear and concise. Only attach additional pages when instructed to do so (listed at the end of each section of the application). Failure to follow these instructions may disqualify the application.



5. Submit the certification form, application, and attachments as a single PDF via email (max email size 30 MB) to <a href="mailto:recreationgrants@dcr.virginia.gov">recreationgrants@dcr.virginia.gov</a> by Tuesday May 6th, 2025 at 4:00 pm.

If your email with attachments exceeds 30 MB, contact <a href="mailto:recreationgrants@dcr.virginia.gov">recreationgrants@dcr.virginia.gov</a> at least two business days prior to the deadline to discuss using an alternative submission method.

If you do not receive a reply acknowledging receipt of your electronic submission within one business day of submission, please contact DCR at the email or phone number listed above to ensure your application was received.

#### Selection Process

- 1. Applications received by the deadline undergo a preliminary review by DCR staff to verify application completeness and project eligibility.
- 2. All eligible and complete applications are sent to the Virginia Recreational Trails Program Advisory Committee for review and scoring.
- 3. The Virginia Recreational Trails Advisory Committee meets to review all scores and recommend projects for funding.
- 4. Applicants of projects recommended for funding are contacted by DCR and a site inspection is scheduled.
  - a. Applicants not recommended for funding will also be notified at this time.
- 5. DCR staff conduct a site inspection to ascertain field conditions and suitability for recommendation to FHWA.
- 6. DCR staff work with the applicant to gather information and prepare the necessary forms to submit the project for FHWA approval and authorization.
- 7. Projects authorized by FHWA are issued a project agreement that allows 3 years to complete the required environmental review process, design plans (if applicable), permitting, and project construction.

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# V. Award Timeline

The anticipated timeline for the 2025 grant cycle is as follows:

March 11, 2025 Grant round opens

March 25, 2025 2:30PM Informational webinar (registration information available at and

post-webinar recording posted to <a href="DCR RTP website">DCR RTP website</a>)

May 6, 2025 4:00PM Application deadline

May – June 2025 Applications reviewed by DCR and Advisory Committee

Late June 2025 Applicants of projects recommended for funding are contacted

July 2025 Site inspections and preparing documents for FHWA authorization

Late July 2025 Applicants not recommended for funding are notified

August 2025 Project authorizations and release of grant agreements

September 2025 Agreement execution

# VI. Programmatic Requirements

# Public Access/ Right of Way

The preference for federal-aid investments is that public access to the trail should be in perpetuity. All Virginia RTP-funded project sites must remain open to the public for a minimum of 10 years from grant closeout, however DCR will prioritize projects with legal access to the project right of way for at least a 20 year period. Applicants should have the public right of way secured (deed, easement/s, license agreement, etc.) *prior* to applying for RTP funding.

#### Work on Public Lands

Applicants submitting proposals for work on lands owned by another public entity are required to enter into a separate legal agreement with that public entity to undertake the work described in the RTP application. A copy of this agreement, draft if the agreement is pending, or letter of support must be included with the RTP application.

#### Work on Private Lands

Public access to private lands must be secured at the time of application. An easement or other legally-binding agreement that ensures public access must already be in place. Applicants submitting proposals for work on privately owned land must submit a copy of the relevant recorded deed, easement, license, or agreement with the RTP application. If the public access rights are not perpetual, they must, at a minimum at the time of application, be effective through the end of the three-year grant period. At the time of grant closeout the term must be effective for a minimum of 10 additional years.



# **Access for People with Disabilities**

Recipients of federal financial assistance, including subrecipients, must comply with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794). Section 504 states that:

No otherwise qualified individual with a disability in the United States...shall, solely by reason of...disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, service, or activity receiving federal financial assistance.

There is also a nearly identical mandate in the Americans with Disabilities Act (ADA), which applies to state and local governments and public accommodations of businesses and non-profit organizations. Most entities applying for RTP funding must follow both this provision and the 2010 ADA Standards for Accessible Design.

While there currently are no minimum standards for trails and related outdoor recreation amenities in the ADA standards, entities must not discriminate against people with disabilities in the programs and activities they offer, which includes trails. The best available guidance is to follow, at a minimum, the federal outdoor accessibility standards of the Architectural Barriers Act (ABA) and the Public Right-of-Way Accessibility Guidelines (PROWAG). The ABA Accessibility Standards (ABAAS) can be found at <a href="https://www.access-board.gov/aba/">https://www.access-board.gov/aba/</a>. In most cases, ABAAS are identical to the 2010 ADA Standards. However, ABAAS includes additional provisions for outdoor recreation areas including trails, trailheads, campgrounds, picnic areas, and viewing areas. A guide for these standards can be found at <a href="https://www.access-board.gov/aba/guides/chapter-10-outdoor/">https://www.access-board.gov/aba/guides/chapter-10-outdoor/</a>. The recently adopted PROWAG includes guidelines for shared use paths that serve a transportation purpose and are also used for recreation. They can be found at <a href="https://www.access-board.gov/prowag/">https://www.access-board.gov/prowag/</a>. For technical assistance on the ABA Standards or PROWAG, contact the U.S. Access Board at 202-272-0080 or <a href="mailto:tagaccess-board.gov">tagaccess-board.gov</a>. For technical assistance on the ADA, contact the Department of Justice at 800-514-0301 (voice) or 1-833-610-1264 (tty).

The ADA and ABA standards primarily address access for people with disabilities that impact mobility. Entities will also need to demonstrate how their project provides equitable experiences for users with sensory, cognitive, neurological and/or mental health disabilities.

Additional accessibility resources can be found in Appendix B.

Note that these requirements do not preclude any state or local accessibility laws or standards that provide greater accessibility than those discussed above.

Project applications must describe *how* a project will provide access for people with disabilities, not simply state that the project will comply with all legal requirements.

#### **Environmental Review**

All project sponsors must complete an environmental analysis prior to construction in accordance with the National Environmental Policy Act (NEPA) and at a minimum compliance with the Endangered Species Act, Historic Preservation Act (Section 106), and Executive Orders 11988 and 11990: Floodplain Management and Wetlands Protection. Additional information is provided in the RTP Environmental Review Guidance document posted on the DCR RTP website.



#### **Procurement**

All RTP projects must comply with <u>2 CFR 200.317-327</u>, the <u>Virginia Public Procurement Act</u> (VPPA), and local entity procurement standards, as well as other applicable state and federal procurement regulations. Please review the **RTP Procurement Procedures** document available at the <u>DCR RTP website</u> for additional details on required procurement procedures. Important points include:

- Small, Women-owned and Minority-owned Businesses (SWaM) and
   Disadvantaged Business Enterprises (DBE) In accordance with the VPPA, RTP
   project sponsors must take appropriate and reasonable steps to provide SWaM
   businesses and DBE with the maximum opportunity to compete for contracts for trail
   projects receiving aid through RTP. Documentation of SWaM and DBE outreach
   efforts must be submitted.
- Construction Bidding All construction contracts must be competitively bid, unless
  the procurement qualifies under the locality's established small purchase procedures
  in accordance with the VPPA. Additionally, at least two bids must be received for
  construction contracts, otherwise the project must be re-bid. However, project
  sponsors may hire qualified youth service and conservation corps organizations to
  perform work on RTP-funded projects non-competitively. A list of qualified
  organizations can be found at <a href="The Corps Network">The Corps Network</a> under "Find a Corps."
- Buy America Projects authorized after August 2023 utilizing less than \$500,000 of federal funding are exempt from Build America, Buy America requirements for iron, steel, construction materials, and manufactured products. Projects with \$500,000 or more in federal funding or those authorized prior to this date are not exempt. Material certification documentation proving the material was sourced and manufactured in the U.S may be required.
- Trail Construction and Maintenance Equipment Purchases In accordance with 2 CFR 200.313, project sponsors are limited in how equipment purchased with RTP funds can be used and must report on the status of equipment every two years following grant closeout. Applicants should discuss proposed equipment purchases with DCR Recreation Grants staff prior to application submission. If grant-purchased equipment is sold or disposed before the value falls below \$10,000 a portion of grant funds may require repayment to FHWA.
- DCR Administrative Review Drafts of select procurement documents must be submitted for DCR administrative review before proceeding at various steps of the procurement process.
- Recordkeeping The project sponsor must maintain records sufficient to detail the
  history of all procurements and is responsible for submitting certain procurement
  records to DCR. These records should include: final solicitation/advertisement, final
  Invitation for Bid or Request for Proposals, bid/response spreadsheet listing all
  bids/responses received, executed contract, and summary of the RTP project
  sponsor's efforts to comply with the RTP DBE and SWaM Policy.



Project sponsors are responsible for ensuring that all contracts are in compliance with federal and state laws concerning the solicitation of supplies, equipment, and services. When conflicts exist, DCR must be contacted for consultation with the FHWA. If any project components or services are not procured per the applicable standards, those expenses will not be eligible for RTP reimbursement and the project may be withdrawn and any previous payments received returned to FHWA.

# Facility Life

It is understood that facilities and features will have associated life expectancies/ lifespans. The greater the amount of federal funding involved, the greater expectation for a long facility life. All RTP projects should be designed and built for longevity and must submit maintenance plans with the application.

# VII. Eligible Project Costs and Applicant Share

# **Eligible Project Costs**

The following list represents costs that *may* be eligible for reimbursement. All project costs must be outlined in the project budget proposal and approved in the project grant agreement.

- Costs to conduct required environmental review for NEPA and Section 106 compliance
- Costs associated with project engineering and design
- Construction, rehabilitation, and maintenance work on trails
- Construction of bridges, railings, ramps, fences, and retaining structures
- Bank stabilization, re-vegetation (excluding ornamental landscaping), erosion control
- Trailhead development including parking, restrooms, and related facilities for land or water trails
- Motorized boat launches and non-motorized paddle launches on water trails
- Signs and interpretive aids
- Features that facilitate trail use by people with disabilities
- Consultant/ contractor services
- Trail construction and maintenance equipment rental or purchase
- Bid advertisements for project-related work
- Employee salary for on-the-ground project work in the field
- Costs to administer the project and the grant when agreed upon up front and documented correctly (does not include general overhead costs)
- Environmental review and engineering costs incurred less than 18 months prior to FHWA authorization *may* be counted towards the applicant's 20% share in limited circumstances. These services must have been procured following the requirements outlined in the RTP Procurement Procedures document and require documentation including invoicing and proof of payment specific to the project to prove this. Discuss with the DCR grant administrator if you wish to include these costs.

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# **Ineligible Project Costs**

- Costs incurred prior to the grant award date, with the exception noted above.
- Equipment for purposes other than trail construction and maintenance (such as equipment for general grounds maintenance, and trail-user rental equipment such as kayaks, bicycles, and track chairs).
- Legal and late payment fees
- Indirect costs that are incurred for common or joint purposes such as office expenses, depreciation of facilities and equipment, and general administration or overhead. Note however that since FHWA encourages use of qualified youth service and conservation corps in RTP-funded projects, some indirect costs may be allowable from these organizations in accordance with their federally approved cost allocation plan.

# **Matching Share Requirement**

Of the eligible total project costs, the RTP program will reimburse up to 80% of approved costs. The remaining 20% contribution from the applicant is referred to as the non-federal or matching share. Another way to determine the required match amount is to calculate 25% of the grant award amount.

Example: If a grant is awarded for \$100,000, applicants must provide \$25,000 in match, for a total project cost of \$125,000. The 80% RTP share is \$100,000 and the 20% matching share is \$25,000.

The simplest way for entities to provide their matching share is to directly pay for eligible items, and the program will then reimburse the entity at 80%, leaving the 20% share. However, many other items can be used towards the matching share with appropriate documentation, including:

- Force account labor (employees of entity working on the project, either in-field or in project/grant administration);
  - o Timesheets, proof of salary, and proof of payment to the employee are required.
- Donation of private funds;
- Value of volunteer and/or in-kind labor, donated and/or in-kind equipment, donated and/or in-kind materials, at fair market value;
  - These items may only be used to cover recipient's 20% share and are never a reimbursable expense, i.e. cannot receive cash reimbursement for item that was not actually spent in cash. Volunteer, in-kind, and donation values exceeding the 20% share will not be reimbursed.
  - General volunteer labor rate calculated using current independent for Virginia. As of March 2025, the posted rate was \$33.38 per hour.
  - In kind equipment costs will require a time log, other items require proof of fair market value determination.
- Other federal, state, local, and private grants;
  - Eligible as long as the requirements are not in conflict with RTP regulations.
  - In some cases, combined federal funds cannot exceed 95% of the total project costs. Any projects planning to use federal funds for more than 95% of the total project costs should consult with DCR prior to submission.



All volunteer or in-kind labor; donated or in-kind materials, equipment, and services; and in-house or consultant administrative costs must meet three primary requirements to be eligible:

- 1. They must be clearly outlined in the project application narrative and proposed budget.
- 2. They must be included in the FHWA authorization and signed agreement, and
- 3. They must have proper documentation.

The value of donations and in-kind items cannot be added to the budget after authorization.

The two examples below illustrate how donated labor and materials can be used to cover the non-federal share:

#1	Total Project Cost	\$40,000
	Cost of materials	\$20,000
	Cost of county work forces (Force Account)	\$12,000
	Value of private volunteer labor	\$8,000

Maximum RTP reimbursement on the above project is \$32,000. The sponsor actually spent \$32,000 on materials, services, and work forces, and then added the volunteer labor to the local match. The sponsor would receive a grant reimbursement of \$32,000 which is also the full 80% of overall project cost.

#2	Total Project Cost	\$40,000
	Cost of materials	\$8,000
	Cost of county work forces (Force Account)	\$8,000
	Value of donated materials	\$12,000
	Value of private volunteer labor	\$12,000

Maximum RTP reimbursement on the above project is only \$16,000. The total paid expenditures on the project equal \$16,000. The total value of donated materials and labor is \$24,000. Therefore, the maximum allowable reimbursement amount is \$16,000 or the cost of materials and work forces. The sponsor does not receive the full 80% of the project cost because only \$16,000 of the costs were paid in cash.

# VIII. Reimbursement Procedures

RTP is a reimbursement program; therefore, the RTP project sponsor must pay 100% of the cost of any item before submitting a request for reimbursement of 80% of costs. The sponsor must have cash on hand or other financing available to cover all project expenses until reimbursement is received.

Reimbursement requests can be submitted as soon as documentation of the payment (cleared check, ACH statement, bank statement) is available. However, since banks sometimes only release that documentation monthly, there can be a 1-3 month delay between incurring the expense, the availability of payment verification documentation, document submission to DCR, DCR and FHWA processing, and receiving reimbursement.

Reimbursement requests must be submitted via email. Regular reimbursement requests must be submitted to maintain the project in active status. Specific deadlines will be provided in the grant agreement.

# Reimbursement request submissions must include:

- 1. Signed certification cover sheet (template provided);
- 2. The following summary sheet/s, as applicable (templates provided):
  - a. Data sheet summarizing invoices,
  - b. Data sheet summarizing employee labor,
  - c. Data sheet summarizing volunteer labor,
  - d. Data sheet summarizing in-kind equipment records;
- 3. Documentation of each expense specific to the RTP project (invoice, billing statement, signed timesheets, signed daily volunteer work log, documentation of value determination for donated materials, volunteer time, etc.);
- 4. Proof of payment for each expense (cleared check- front and back, or other document confirming vendor receipt of payment such as: ACH statement, bank statement, or payroll ledger);
- 5. Additional documentation as requested by DCR.

Once received, DCR reviews the request and follows up with the project sponsor if any additional documentation is needed. DCR then prepares the forms and submits to FHWA to process the reimbursement. Once approved, FHWA releases the funds to DCR, and then DCR sends the reimbursement to the project sponsor.

Additional guidance on reimbursement procedures and templates of forms used in the reimbursement process can be found under "Documents and forms for grant recipients" on the <u>DCR RTP website</u>.





# IX. Project Administration

# FHWA Authorization and Grant Agreements

DCR will collect the necessary information from applicants to submit a project to FHWA for approval and authorization. FHWA will review the project and if found to meet all program requirements, will authorize a grant agreement to DCR for the specific project scope and amount of funding.

Once a project is authorized by FHWA, DCR will draft a grant agreement between DCR and the applicant/ project sponsor (now called the *subrecipient since DCR is the primary recipient from FHWA*) for both parties to sign. This subrecipient agreement outlines program rules and regulations, approved scope of work, approved budget, approved non-federal share items, and reporting requirements. **Do not incur costs that will be submitted for reimbursement until the project is authorized by FHWA and a DCR-subrecipient agreement is signed.** 

# **Project Management**

One person should be assigned as the project coordinator, with at least one additional person designated as backup. The project coordinator will have the responsibility for grant reporting and all coordination with DCR. All grant communication and deliverables should be submitted to recreationgrants@dcr.virginia.gov not to individual DCR staff email addresses.

# **Quarterly Reports**

Subrecipients must submit quarterly reports summarizing grant activities completed and providing the status of the trail project. A template is provided that indicates the required information. Reports are due via email every three months (reporting periods end on last day of March, June, September, December). The first due date will be identified in the project agreement. It is the responsibility of the subrecipient to submit the status reports to DCR.

#### Record Retention

All program and financial records shall be retained by the subrecipient for state and federal audit purposes during and following completion of the project for a minimum of 3 years.

# Administrative Review of Project Documentation

Plans, environmental analysis documents, and bid documentation must be administratively reviewed by DCR prior to the start of construction on the project. Administrative review is defined as a review of documents to determine consistency with the approved Recreational Trail Program scope of work. DCR's administrative review of these items and permission to proceed shall not be considered a professional architectural, engineering, or legal review or an endorsement of design practices and standards.

Plans which include the design of structural components, such as trail bridges, tunnels, or scenic overlooks, must be stamped, signed and dated by a Licensed Professional Engineer.



#### **Grant Phases**

RTP projects have two phases. The first phase is preliminary engineering (PE). The preliminary engineering phase provides time and funding to assist in completing the required environmental review, final design plan specifications, and permitting. **No bidding or on-the-ground work may begin before the PE Phase is complete and the NEPA pathway document is signed by FHWA**.

- Preliminary Engineering Phase the PE phase includes performing the studies and analysis needed to address the requirements of the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act, and other environmental laws. The PE phase also can include completion of design plans and specifications and obtaining required permits. A completed environmental review and supporting documents, including all agency correspondence, must be submitted to DCR for a NEPA pathway recommendation to FHWA prior to closeout of the PE phase. Additional information about the environmental review process can be found in the RTP Environmental Review Guidance document posted on the DCR RTP website.
- Construction Phase the construction phase includes bid advertisement for construction, construction, and may include obtaining permits if the permits were not acquired in the PE phase. Bid documentation must be reviewed by DCR prior to advertisement.

The PE phase should be complete within the first 18 months of the overall grant period of three years from initial project authorization. Projects unable to complete both PE and Construction in three years may be terminated and funds returned for reauthorization to other projects.

#### **Project Completion and Closeout**

To close out the grant, a DCR staff site inspection of the completed work is required. The last reimbursement request should be submitted prior to the project end date that includes a written statement of project completion and notice of final reimbursement request. The project completion statement must describe the actual work accomplished, how it differed, if at all, from the original scope of work, and the percentage and dollar value of volunteer, in-kind, donated, and cash contributions. It should also include a report on the total DBE and SWaM, if any, involvement in the project, and photos of the completed work.

Note that if a project is not able to be constructed as agreed upon, RTP funds provided for the project may need to be returned to FHWA. If the subrecipient has any reason to believe construction cannot be completed DCR must be notified immediately.

#### Changes to Approved Scope of Work

Requests for changes to the project scope outlined in the project agreement must be submitted in writing to DCR. Changes in scope must be approved by DCR and FHWA; FHWA has final authority on eligibility issues and modifications or amendments. If approved, an amendment to the project agreement will be prepared and forwarded to the subrecipient for signature.



# **Extension Policy**

RTP project agreement extensions may be considered, on a case by case basis, based on the following conditions. If any of these conditions arise, DCR should be contacted immediately:

- 1. Unforeseeable *severe* weather conditions preventing project implementation as scheduled.
- 2. Unexpected staff turnover during the project period resulting in new personnel being hired or trained to meet project deliverables.
- 3. Delays due to unexpected environmental findings or concerns.

Conditions that do not warrant an extension include, but are <u>not limited</u> to:

- 1. Project delays resulting from lack of attention;
- 2. Extension request on projects where program reporting requirements have not been met:
- 3. Failure to complete project deliverables in accordance with the project schedule established in grant application and project agreement scope of work.

# Administrative Procedure for Extensions

At least **90 days prior** to the agreement expiration date, the subrecipient must provide a written request to DCR that specifies the reason for the project extension, supporting documentation, and the necessary time period needed to complete the project. Typically only one extension request per project agreement will be considered. If an extension is approved by DCR, then DCR will request an extension for the project from the FHWA. Final approval of extensions or project modifications are at the discretion of the FHWA. Updates to DCR and FHWA RTP program guidelines may also result in an extension request being denied.



# X. Appendices

# Appendix A - Application Guidance

This appendix is provided as a supplement to the 2025 VA RTP Application. Please refer to this information while completing the application. It provides instructions on answering specific questions, including directions on how to access web-based mapping software referenced in the application and source links for other data-based questions.

# **Application Certification Form**

#### **Question 2 - Contact Person**

Provide the contact name and title of the person who will be responsible for direct communication with DCR.

#### Question 11 - FIPS Code

If you do not know your organization's Federal Information Processing Standards code, you can use the Virginia Department of Taxation Locality Code Lookup feature at <a href="https://www.business.tax.virginia.gov/fips/index.cfm">https://www.business.tax.virginia.gov/fips/index.cfm</a>.

# **Application Form**

# Section A

# Question 2 - Project Title

Please provide a descriptive yet concise title for the project, typically 3-7 words.

# **Question 3 – Grant Request Amount**

Category maximum requests are listed in Section III. of this manual.

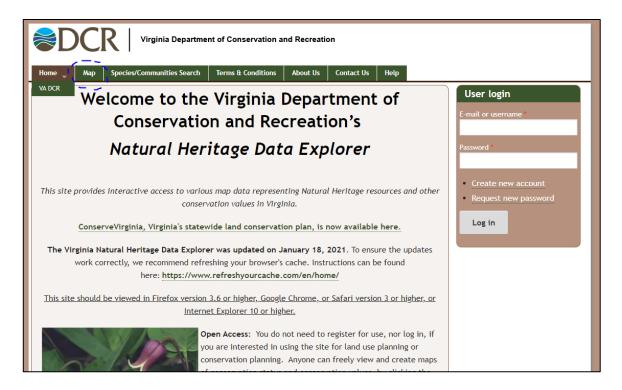
#### Question 5 – Project Category

RTP project categories are defined in Section III. of this manual.

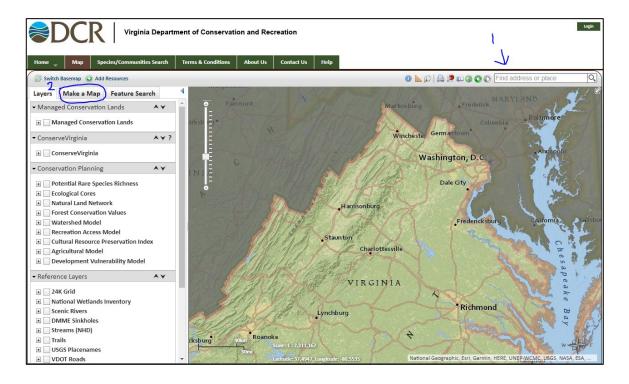
#### Questions 10 & 12 - Location and Trail Maps

Location maps can be generated using Google Maps or similar screen captures with pins or arrows identifying the project location. If you do not have an existing trail map, you can make one using DCR's Natural Heritage Data Explorer:

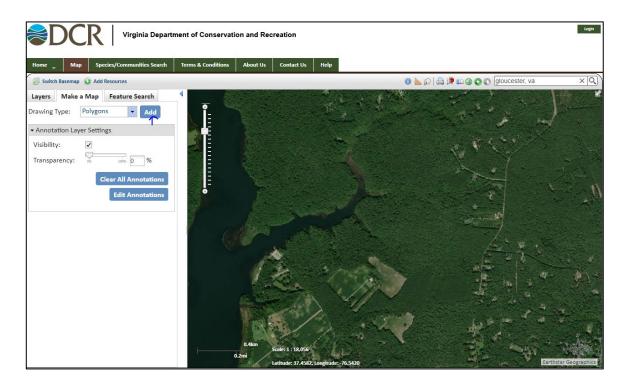
 To access the Natural Heritage Data Explorer, visit: <a href="https://vanhde.org/">https://vanhde.org/</a> and click on the "Map" tab. A separate browser tab will open. Please read and accept the Terms of Use.



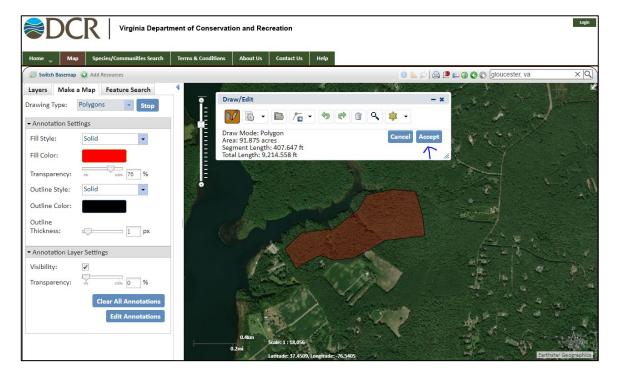
- Navigate to your location by either using the map's zoom feature, or entering an address into the box in the upper right side of the screen labeled "find address or place."
- 3. Once your area is located, select the "Make a Map" tab. Note you can switch the basemap to an aerial view by clicking "Switch Basemap" directly above the "Layers," "Make a Map," and "Feature Search" tabs.



4. To create a polygon that defines the subject property, select "Polygons" from the Drawing Type drop-down and click "Add." A drop-down Annotation Settings menu will appear allowing you to adjust the color and transparency of the polygon shape.

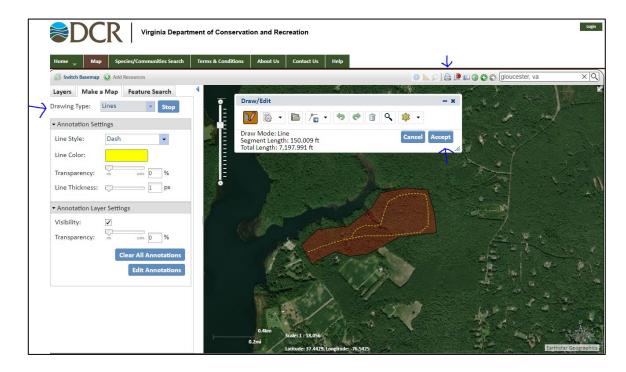


5. Draw your polygon by clicking around the edge of your parcel on the map. When the shape is complete, double-click and then click "Accept."

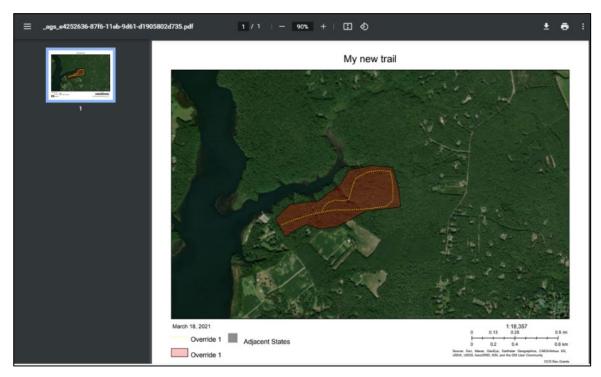


6. If you wish to also add a line to indicate the trail layout, select "Line" from the Drawing Type drop-down menu and click "Add." You can select from the same options to change the color and transparency of the line. Once you have drawn the line, double click to complete the line and click "Accept." You can then print your map by either

using the "Print" option on the top right side of the screen, or using your computer's "Snip" tool.



7. If you use the "Print" feature, enter your project details and click "Print." When the map is ready, the "Print" box will change to "Printout." Click this and a new window with you map will open. This can be attached to your application.



# **Question 13 – Property Ownership**

If applicant is a non-profit organization, a letter of support from the locality in which the project is located in must be provided. This letter should indicate the locality's support for the project and its willingness to advise the project sponsor, if needed, on required permitting, environmental review, and public procurement procedures.

If the applicant is not the property owner, whether governmental entity or non-profit organization, documentation showing that the property owner has authorized the proposed work is required. If no formal easement or use agreement is in place, then at a minimum a letter of support from the property owner should be submitted with the application. If the entire document would cause the application to exceed the maximum page limit, please include only the most relevant page/s and the full document can be submitted prior to grant award.

#### **Question 14 - Proof of Public Access**

All RTP-funded projects must remain open to the public for 10 years following grant closeout. This provision will be included in the grant agreement for all awards. Additionally, per federal program requirements, if the property is not owned by a public or tribal governmental entity, there must be an easement or legally binding agreement in place that ensures public access to the property. At the time of application, this document should be effective through the grant period of performance. At the time of grant closeout it should be renewed to be effective for the minimum 10 year period. Proof of this agreement must be submitted with the application. If the entire document would cause the application to exceed the maximum page limit, please include only the most relevant page/s and the full document can be submitted prior to grant award.

#### Section B

# **Question 17 - Virginia Outdoors Plan Needs**

The 2024 Virginia Outdoors Plan can be found at <a href="https://www.dcr.virginia.gov/recreational-planning/vop">https://www.dcr.virginia.gov/recreational-planning/vop</a>. The Recreation for All recommendations can be found in section <a href="https://www.dcr.virginia.gov/recreational-planning/vop">2.1.6</a>. Applicants should explain if and how their project meets these priorities. The regional featured projects can be found in an interactive <a href="https://www.dcr.virginia.gov/recreational-planning/vop">dashboard</a>. Navigate to the appropriate region to view a list of the regional featured projects.

# **Section C**

#### Question 24 - Accessibility

See Appendix B of this manual for a list of online accessibility resources.

#### Section D

Question 25 – Design

If full construction documents are not yet available or not required for the project, providing conceptual designs, specification sheets, or and/or sketches allows the review committee to better understand the project.

# Section E

# Questions 33 & 34

Review the RTP Procurement Procedures document available at <a href="https://www.dcr.virginia.gov/recreational-planning/trailfnd">https://www.dcr.virginia.gov/recreational-planning/trailfnd</a> for overview of procurement procedures required for RTP projects and a description of Buy America applicability to specific projects.

# **Question 35**

Review the RTP Environmental Review Guidance document available at <a href="https://www.dcr.virginia.gov/recreational-planning/trailfnd">https://www.dcr.virginia.gov/recreational-planning/trailfnd</a> for overview of agency correspondence and procedures required to comply with NEPA and Section 106 requirements.

# **Appendix B - Accessibility Resources**

The following resources may aid entities in planning for inclusive trail experiences and understanding legal obligations.

# 2010 ADA Standards for Accessible Design https://www.access-board.gov/ada/

Full text of the technical standards that apply to state and local governments, non-profits, and businesses.

# ABA Accessibility Standards https://www.access-board.gov/aba/

Full text of the technical standards that apply to federal government agencies and some recipients of federal funds.

# U.S. Access Board Public Right-of-Way Accessibility Guidelines.

https://www.access-board.gov/prowag/

Recently published guidelines for pedestrian facilities in the public right of way, included shared use paths designed for transportation and recreation purposes.

# U.S. Access Board Guide to the ABA Accessibility Standards (Outdoor)

https://www.access-board.gov/aba/guides/chapter-10-outdoor/

Illustrated guide to the technical requirements of the ABA Outdoor Developed Area standards, which include trails, viewing areas, picnic areas and camping areas.

#### **U.S. Forest Service Accessibility Resources Website**

https://www.fs.usda.gov/managing-land/national-forests-grasslands/accessibility/resources

Contains links to numerous documents, including the Forest Service Trail Accessibility Guidelines, and other guides, summaries, and best practices.

# **American Trails Trail Accessibility Hub**

https://www.americantrails.org/resources/accessibility-hub

Summary collection of accessible land and water trail articles, webinars, guides, bulletins from a variety of sources.

# AccessibilityOnline Webinar Archives <a href="https://www.accessibilityonline.org/ao/archives">https://www.accessibilityOnline.org/ao/archives</a>

Archive of recorded webinars presented by the U.S. Access Board on ADA and ABA standards, including Recreation Facilities and Outdoor Developed Areas.

# Birdability Access Considerations <a href="https://www.birdability.org/access-considerations">https://www.birdability.org/access-considerations</a>

Online resource that considers outdoor access from an entry to exit perspective.

# **Massachusetts Audubon Accessible Trails Manual**

https://www.massaudubon.org/get-outdoors/accessibility/accessible-projects-and-partners/accessible-trails-manual

Summary and recommendations from Mass Audubon detailing their experiences in creating multisensory and inclusive trail environments.

# Trails for All People: Guidance for Accessibility and Inclusive Design

https://conservationtools.org/guides/115

Guide from WeConservePA with overview of legal requirements and summary of best practices.