

**NEVADA'S FY 2012
RECREATIONAL TRAILS PROGRAM
GRANTS MANUAL
DUE APRIL 6, 2012, 5 PM**

**No emailed or faxed versions accepted.
10 full copies double sided.
Do not attach items not required.**

**National Recreational Trails Program
CFDA 20.219**



Nevada Division of State Parks
Department of Conservation and Natural Resources
Jan, 2012

Brian Sandoval
Governor, State of Nevada

Leo Drozdoff
Director, Department of Conservation
and Natural Resources

David K. Morrow
Administrator, Division of State Parks

Jennifer Scanland, State Trails Administrator

The policy of the Department of Conservation and Natural Resources is to fully comply with the intent of Title VI of the Civil Rights Act of 1964. Title VI provides that no person in the United States shall, on grounds of race, color, or national origin, be excluded from participating in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance.

The preparation of this manual was financed in part through funds from the Federal Highway Administration under the provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) which authorized the Recreational Trails Program as a Federal-aid highway program and codified it in 23 U.S.C. 206.

CFDA 20.219

This edition is effective for the FY 2012 funding cycle.

TABLE OF CONTENTS

RecTrails Program Summary	4
2012 Available Funding	4
Funding Information 2012	5
Project Categories	6
Program Technical Assistance.....	7
Project Implementation and Grant Administration.....	7
Permissible Uses	9
Financial Responsibility	10
Progress Reports and Compliance/Construction Inspection.....	13
Terminating a Grant	15

Appendix A: Example of Project Agreement and forms

Appendix B: Example of Quarterly Progress Report

Appendix C: Example of Request for Reimbursement

Appendix D: Nevada’s 2005 State Recreational Trails Plan Issues

Appendix E: DOCUMENTATION NECESSARY FOR NATIONAL ENVIRONMENTAL POLICY ACT AND SECTION 106 EVALUATIONS, STATE HISTORIC PRESERVATION

RECTRAILS PROGRAM SUMMARY

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law in 2005, continuing the National Recreational Trails Program (RecTrails). This Program provides for the allocation of federal gas taxes paid on non-highway recreation fuel use and is administered by the Federal Highway Administration (FHWA). SAFETEA-LU replaces the original Intermodal Surface Transportation Efficiency Act (ISTEA), which provided similar funding from 1992-1997, and the Transportation Equity Act for the 21st Century (TEA-21) providing funding from 1997-2003 with interim funding from 2003-2005. The establishment of the original Symms National Recreational Trails Fund in 1991, the subsequent RecTrails program under TEA-21 in 1998, and the availability of federal funds for trails and trails-related projects resulted in the establishment of a Nevada Recreational Trails Program. Administration of the program has been delegated through the Nevada Department of Transportation by the Governor to the Division of State Parks.

The RTP is designed to supplement and assist current federal, state, local and volunteer trail efforts. Through financial and technical assistance, and improved communications among all trail interests, the program is intended to expand the quantity and improve the quality of recreational trails in America. This program requires states to (1) designate a state official responsible for the trails program, (2) create a state recreational trails advisory board and (3) use the funds to meet the goals of the Trails Act.

The Division has an approved 2010 Statewide Comprehensive Outdoor Recreation Plan (SCORP) that addresses issues related to recreational trails. In addition the Nevada 2005 State Recreational Trails Plan lists issues (see Appendix D for a complete list of all 13 State Trails Plan issues). Projects submitted for funding will be specifically assessed as they address the State Recreational Trails Plan issues.

FHWA guidelines require each state to establish a State Recreational Trails Advisory Board (SRTAB) consisting of both motorized and non-motorized trail users. This board is charged with evaluating proposed projects and making recommendations on projects to be funded. In Nevada, an Ad Hoc Nevada State Recreational Trails Advisory Committee comprised of federal, state, and local government officials, and representatives of trail user groups from across Nevada performs this function. See Nevada State Parks website for more information.

FY 2012 FUNDS AVAILABLE

Nevada's FY 2012 apportionment for projects is approximately \$589,488.

All Projects funded must be completed by Dec. 31, 2014.

Due April 6, 2012, 5 pm

No emailed or faxed versions accepted.

10 full copies double sided.

Do not attach items not required.

The U.S. Congress or the Nevada Department of Transportation (NDOT) Director may authorize spending limits less than the apportionment to the State of Nevada at any time. Federal rescissions are also a possibility that would further reduce available funding.

States may provide funds as grants to private individuals and organizations, city, county, state, and federal governmental entities, and special government districts, such as General Improvement Districts.

FUNDING INFORMATION 2012

All project sponsors are advised to read this manual thoroughly before proceeding with a RecTrails application. Project sponsors are also encouraged to call the RecTrails Program Manager of the Nevada Division of State Parks at (775) 684-2770 for additional guidance and advice.

The RecTrails Program is a *reimbursable program for costs actually incurred*. Project sponsors must incur project costs and then submit requests for reimbursement. Project sponsors may request reimbursement quarterly while the project is underway, or as a full sum upon project completion. Costs incurred prior to project approval and issuance of a Notice to Proceed, are not eligible for reimbursement. Payments usually take a few weeks to process.

FUNDING ALLOCATION: Federal requirements mandate that a maximum of 7% of the state's allocation may be used by the state to administer the program, and a maximum of 5% may be used for educational projects. The state is required to use a minimum of 40% for motorized projects, a minimum of 30% for diversified or multiple use projects, and the remaining 30% for non-motorized projects.

AMOUNT YOU CAN REQUEST: Non-Motorized and Educational applications have a funding request maximum of \$200,000 and a minimum of \$4,000.

Motorized applications have no maximum request ceiling, and a minimum of \$4,000.

Grant recipients may recover administrative costs, if any, not to exceed 7% of the projects federal grant share. However, the administration costs must pertain to the approved project and be included in the approved budget.

MATCHING REQUIREMENT: There is a required matching share from a project sponsor. In Nevada, the match requirements are 20% matching share for non-motorized projects and 5% for motorized projects. The matching share may include volunteer labor, in-kind services, cash, and the donation of private funds, materials, and services at fair market value. *Note: Under SATETEA-LU, federal funds can be used toward the 20% matching share; the total federal share cannot exceed 95% of the total project cost. Grantee must provide the minimum of 5% of the total project cost.*

Costs of environmental ground surveys (archaeological, biological) and planning can be used as MATCH under the following conditions (but not the costs of the actual NEPA writing or grant writing):

1. ***Up to 15% of the TOTAL COST OF THE PROJECT can be claimed as match.***
2. ***These costs can be retroactive up to 18 months prior to the application deadline.***
3. ***They may not be reimbursed, only used as match.***

PROJECT CATEGORIES

The funding categories are defined as:

➤ **Category 1 - Non-motorized for single use**

A project primarily intended to benefit only one mode of non-motorized recreational trail use, such as pedestrian only, or equestrian only. Projects serving various pedestrian uses (such as walking, hiking, wheelchair use, running, bird-watching, education, interpretation, backpacking, etc.) constitute a single use for the purposes of this category. Note: wheelchair use by mobility-impaired people, whether operated manually or powered, constitutes pedestrian use, not motorized trail use. Projects serving various non-motorized human-powered snow uses (such as skiing, snow shoeing, etc.) constitute a single use for this category.

➤ **Category 2 - Non-motorized for diverse use**

A project primarily intended to benefit more than one mode of non-motorized recreational trail use such as: walking, bicycling, and skating; both pedestrian and equestrian use; and pedestrian use in summer and cross-country ski use in winter.

➤ **Category 3 - Diverse use (motorized and non-motorized)**

A project intended to benefit both non-motorized recreational trail use and motorized recreational trail use. This category includes projects where motorized use is permitted, but is not the predominant beneficiary. This category includes projects where motorized and non-motorized uses are separated by season, such as equestrian use in summer and snowmobile use in winter. Other examples: a common trailhead project serving separate ATV and bicycle trails; purchasing a machine to groom both snowmobile and cross-country ski trails.

➤ **Category 4 - Motorized for single use**

A project primarily intended to benefit only one mode of motorized recreational use, such as snowmobile trail grooming. 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.

➤ **Category 5 - Motorized for diverse use**

A project primarily intended to benefit more than one mode of motorized recreational use, such as: motorcycle and ATV use; or ATV use in summer and snowmobile use in winter. 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.

Projects in categories 1 and 2 count toward the 30% non-motorized minimum. Projects in categories 4 and 5 count toward the 40% motorized minimum. Projects in categories 2, 3 and 5 count toward the 30% diversified minimum. If an educational project includes a motorized component ‘on the ground’ you may apply for motorized category.

If the State chooses not to use the 5% allowance for “educational” projects, this money is redistributed into the assured access funding categories (motorized, non-motorized and diversified) according to the required 40/30/30 distribution.

PROGRAM TECHNICAL ASSISTANCE

Technical assistance is available through the Nevada Division of State Parks. Planning staff will make every effort possible to answer questions regarding procedures, the proper completion of quarterly reports and request for reimbursements.

DESIGN STANDARDS

Project sponsors are required to identify the standards that will be used for each trail project. **A final inspection will be conducted to ensure that the design standards stated on the application were applied to the project. The final reimbursement will not be released until the project has passed a final inspection, as determined by Nevada State Parks.**

Facilities intended for use as bicycle transportation facilities must meet or exceed the guidelines in AASHTO's *Guide for the Development of Bicycle Facilities*. Signs should conform to the *Manual on Uniform Traffic Control Devices* and/or *Standard Highway Signs*, particularly for trails within or crossing highway rights-of-way. The latter manual does allow some variable dimensions for trail signs. **NOTE: All proposed projects that include bicycle transportation paths; lanes and routes must be included in both Local and State Bicycle Plans.**

PROJECT IMPLEMENTATION AND GRANT ADMINISTRATION

NOTIFICATION OF GRANT ACCEPTANCE AND FUNDING APPROVAL

The Recreational Trails Program Manager will notify all applicants of grant eligibility following grant application deadline. Successful applicants and those denied following the Ad Hoc Nevada State Recreational Trails Advisory Committee and final review will be contacted within two weeks of the committee meeting. Projects accepted as viable will be included in the state's consolidated grant application to the FHWA.

Only after the Division has been notified of FHWA approval will Funding be approved. Funds will be allocated to projects based on the priority scoring and conditions set forth by the Committee until the

available funds are depleted. Viable projects that do not score high enough to receive funding will be notified of insufficient funds and can remain on the funding list for notification should more funds become available in FY 2012. No project will be considered active or viable for reimbursement until a Notice to Proceed is issued.

PROJECT IMPLEMENTATION

Upon receipt of a fully executed Project Agreement and Notice to Proceed, the grant recipient shall initiate activities to undertake the approved scope of work. Costs incurred by grant recipients *prior* to receipt of a fully executed Project Agreement and Notice to Proceed are not eligible for funding unless specifically authorized as planning match as described under the “Funding Information 2012” section above, and specifically listed in the funding agreement.

Grant recipients are required to finish the project in a timely and orderly matter not to exceed 2 years.

Key Factors in the Development of the RecTrail Project Implementation Plan

1. Upon approval of the grant application through a funding agreement, both are part of the binding contract. The grant recipient shall treat the application as a binding contract and plan the implementation of the RecTrail project accordingly.
2. The RecTrail project shall be completed by the completion date cited in the Project Agreement issued by the Division of State Parks to the grant recipient, it is not to exceed 2 years.
3. Project implementation shall include the timely submission of all quarterly progress reports. The sponsor shall be aware that the Division of State Parks must report the progress of all active RecTrail projects to the Federal Highway Administration Division Office for the State of Nevada. The State report is based on the quarterly reports submitted by the grant recipients. Should the grant recipient fail to submit the required quarterly progress reports on a timely basis, this failure could result in unfavorable actions by both the Division of State Parks and the FHWA Division Office on the current and future RecTrail projects in which the grant recipient is involved.
4. The RecTrail Program is a reimbursable grant program. The grant recipient can only submit requests for reimbursements *after* the costs are incurred, not in advance. Credit for the sponsor’s match can only be awarded after the match has been accomplished and appropriately justified through complete documentation of costs.
5. Receipts and/or invoices from vendors MUST support requests for reimbursements.
6. Final Requests for reimbursement will be approved only if the match specified in the project application has been fulfilled. 10% of the grant will be withheld until all match is met, failure to provide match or complete the project can result in repayment of previous reimbursements in full.
7. The grant recipient shall be aware that all requests for reimbursement must be submitted on the Quarterly Progress Report and Request for Reimbursement Forms.
8. Deviations from the project scope described in the project application and the project agreement will require an amendment to the project agreement reflecting the change in the scope. The grant recipient should consult with the RecTrail Program Manager **before**

proceeding on the project if the scope of the project is subject to change. After consultation with the RecTrail Program Manager, the grant recipient shall submit, in writing, a request to amend the project scope. The RecTrail Program Manager will process the request to amend the scope following the guidelines outlined under Project Extensions if change is not outside the original intent of the grant and within the originally submitted NEPA documentation.

9. Land owned by the grantee, or in the case of a nonprofit grantee or governmental entity, which is acquired with RTP funds, shall have a deed restriction upon said property as an outdoor recreational site open, accessible and maintained for the use and benefit of the general public for ninety-nine (99) years. Land under ownership of the grantee or controlled such as by lease, upon which RTP funding for trail access development or maintenance is being used, shall be dedicated as an outdoor recreation trail open, accessible and maintained for the use and benefit of the general public for a minimum of twenty-five (25) years after the project completion date as set forth in the Project Agreement. A lease must not be revocable at will and must contain a clause which enables the grantee to dedicate the land for the twenty-five (25) year period. All deed dedications must be recorded in the public property records by the grantee, or in the case of a nonprofit grantee, by the land owner.

The grantee must have and prove sufficient control and tenure of the project site that a loss of use will not occur without appropriate mitigation to the satisfaction of the Division of State Parks and FHWA.

PERMISSIBLE USES

According to RTP Legislation: 23 U.S.C. 206:

A grant recipient may use moneys received from the RecTrails Program to:

1. Provide for trail related educational programs.
2. Develop urban trail linkages near homes and workplaces; community gardens with trail components;
3. Maintain existing recreational trails, including the grooming and maintenance of trails across snow;
4. Restore areas damaged by usage of recreational trails and backcountry terrain;
5. Develop trailside and trailhead facilities;
6. Provide features that facilitate the access and use of trails by persons with disabilities;
7. Acquire easements for trails, or for trail corridors;
8. Acquire fee simple title to property from a willing seller, when the objective of the acquisition cannot be accomplished by acquisition of an easement or by other means;
9. Construct new trails and signage.
10. Maintenance of trails, sign replacement etc. that have not been funded within 25 years of current application.
11. Construction of new trails crossing federal lands if the construction is approved by the administering agency of the State and the Federal agency charged with management of all impacted lands. **Sponsor must include NEPA decision document and support letter in the grant application.**
12. Landscaping and trailhead facilities are eligible; however, landscaping should be a relatively small portion of an overall project.

13. Utilities that are directly related to the trail project are eligible such as lighting, drinking fountains, horse washing stations, toilets, electric, irrigation etc...
14. Grant recipients may recover administrative costs, if any, not to exceed 7% of the projects federal grant share. However, the administration costs must pertain to the approved project and be included in the approved budget

USES NOT PERMITTED (PROJECTS NOT ELIGIBLE)

A grant recipient may not use moneys received from the RecTrails Program for:

1. Condemnation of any kind of interest in property;
2. Construction of any recreational trail on Federal Lands for any motorized use unless the land has been designated for uses other than wilderness by an approved forest land and resource management plan or has been released to uses other than wilderness by an Act of Congress, and the construction is otherwise consistent with the management direction in the approved land and resource management plan.
3. Upgrading, expanding, or otherwise facilitating motorized use or access to recreational trails predominantly used by non-motorized recreational trail users and on which, as of May 1, 1991, motorized use was prohibited or had not occurred.
4. **Small equipment purchase such as hand tools and office equipment:** Hand tools, office equipment and other small equipment may not be purchased with RTP funds. Small equipment such as this cannot be used as match either. Equipment over \$5000 is eligible if authorized by the Division of State Parks.

As per FHWA the following kinds of projects are also ineligible under RTP legislation:

Trail Feasibility Studies: Trail feasibility studies are not permissible uses in the RTP legislation. The permissible uses relate to actual on-the-ground trail projects.

Planning: Trail planning is not listed among the permissible uses in the RTP legislation. Therefore, a project proposal solely for the purpose of trail planning would not be eligible for funding under permissible use categories. However, if trail planning is a relatively small portion of an overall trail project (15%), it may be allowed. Planning may be used for matching funds if preformed less than 18 months prior to grant award.

Sidewalks: RTP funds should not be used to provide sidewalks along or adjacent to public roads or streets, unless the path or sidewalk is needed to complete a missing link between other recreational trails.

Parks: RTP funds should not be used to provide parks and park related features such as picnic areas, day use or camping areas or amphitheatres. Trail components or associated facilities must serve the purpose and safe use of the recreational trail.

FINANCIAL RESPONSIBILITY

The grant recipient shall be responsible for the financial management of approved projects. The grant recipient shall appoint a financial manager or supervisor who will be responsible for financial management of the project. The appointed financial manager shall adopt and install the appropriate internal controls to ensure that the project is accomplished in the most efficient and economical manner.

PROCUREMENT PROCEDURES

For federal, state and local agency projects, the normal agency procurement procedures shall apply to all procurement activities and contract work, unless otherwise waived by proper authorities.

For all other grant recipients the procurement procedures are based on the appropriate Federal Circular which can be found on the internet: http://www.whitehouse.gov/omb/grants_circulars

Cost Principles

A-21, Educational Institutions (05/10/2004) [HTML](#) or [PDF](#) (109 pages, 263 kb), [Relocated to 2 CFR, Part 220](#) (30 pages, 384 kb)

A-87, State and Local Governments (05/10/2004) [HTML](#) or [PDF](#) (57 pages, 199 kb), [Relocated to 2 CFR, Part 225](#) (18 pages, 362 kb)

A-122, Non-Profit Organizations (05/10/2004) [HTML](#) or [PDF](#) (55 pages, 220 kb) , [Relocated to 2 CFR, Part 230](#) (17 pages, 235 kb)

ACCOUNTING PROCEDURES

Grant recipients may recover administrative costs, if any, not to exceed 7% of the projects federal grant share. However, the administration costs must pertain to the approved project and be included in the approved budget.

The total reimbursable funds made available for an approved project shall not exceed the approved budget as identified in the project agreement. Project sponsors shall be reimbursed only for actual expenses made in accordance with the project agreement and project application.

The grant recipient shall

1. Keep adequate records on the particular project.
2. Fully support quarterly reimbursement requests with complete documentation of funds spent and match, such as invoices paid, timesheets, volunteer documentation and copies of checks and submit them in an orderly manner.
3. Provide for accounting procedures necessary to assure proper disbursement and accounting for moneys paid.
4. Base the accounting procedures on generally accepted accounting standards and meet the following minimum requirements unless the Division of State Parks agrees to specific exceptions.

- a) Establishment of separate accounts and supporting documentation. Each project account should be identified by the number assigned to the project by the Division of State Parks.
- b) Identification of all receipts in sufficient detail to show the dates and sources of such receipts. Receipts and/or invoices should be labeled and costs clearly marked as to whether they apply to the grant share or matching share.
- c) Itemization of all supporting records of project expenditures in sufficient detail to show the exact nature of expenditures.
- d) When payment is by check, the canceled check should be properly identified and filed. Receipts and/or invoices must support all cash disbursements.
- e) Do not submit more information than that which is required for justification.

Federal Highway Administration and the State of Nevada can audit project sponsors projects. Records maintained by the Division of State Parks are subject to FHWA and state audits as well. The Division of State Parks will maintain all records provided by the project sponsor until such audits are conducted. The project sponsor shall retain all project records (including design plans, specifications, contracts, vouchers, etc.) for four years after the completion of the project.

As a sub-recipient of these federal funds, each project sponsor is reminded that sub-recipients of federal financial assistance must comply with the audit requirements of the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996 as specified in OMB Circular A-133 Audits of State, Local Governments, and Non-Profit Organizations. The Single Audit Act raised the audit threshold to \$500,000 in federal expenditures. The \$500,000 audit threshold means that state and local governments, and non-profit organizations acting as RecTrail project sponsors are required to hire an independent firm to audit them when the *total of all federal grants* awarded to the sponsor in a sponsor's fiscal year from all federal sources reaches \$500,000. The project sponsor shall provide the Nevada Division of State Parks a copy of the entire audit. The Nevada Division of State Parks will review the entire audit to determine implications to the RecTrail project.

Documentation for Sponsor's Matching Share

If the sponsor's matching share includes volunteer labor, the grant recipient shall keep volunteer sign-in sheets which show the volunteer's signature, date worked, number of hours worked, and type of work (i.e., clearing, planting, crew supervisor, equipment operator, etc.) to demonstrate if the work is classified as "skilled" or "unskilled" labor.

If "In-Kind Services" or "Hard Cash" are applied, the grant recipient will be required to provide adequate documentation in a format that fully accounts for the services or funds. If "Volunteer Labor" is used, it must be documented and valued at \$15.00 per hour for unskilled labor, and \$22.00 per hour for skilled labor (e.g., carpenter, mason, surveyor, crew supervisor, or equipment operator). Donations of cash, labor or equipment must also be documented. **Administrative costs (if any) cannot exceed 7% of the Federal grant share.**

If a construction company is donating equipment or services, such as the donation of a grader, some type of record must be kept indicating what was donated and the value of the donation. In this example, the number of hours the grader was in operation and the standard charge-out rate the

company normally applies to that particular piece of equipment would have to be documented to count as a matching donation.

PROGRESS REPORTS AND COMPLIANCE CONSTRUCTION INSPECTION

QUARTERLY PROGRESS REPORTS

Project sponsors shall submit quarterly progress reports (Appendix B) throughout the duration of the grant. Reports are comprised of Section A: *Quarterly Progress Reports* and Section B: *Request for Reimbursement*. Each project sponsor must submit quarterly progress reports to the Division of State Parks on or before January 10, April 10, July 10, and October 10 of each year. The first quarterly progress shall be due the first of these four dates that occurs after the issuance of the Notice to Proceed by the Division of State Parks to the project sponsor. The Division of State Parks shall report the quarterly progress of all active RecTrail projects to the FHWA Division Office in Nevada.

Sponsors who do not submit quarterly progress reports on time may risk losing their grant funds and/or eligibility for future grant awards.

CONSTRUCTION COMPLETION INSPECTION

At the completion of each project, and before the final reimbursement the grantee, in writing will request the Division of State Parks to conduct an on-site inspection of the project (Appendix C). The inspection will verify that the project was completed per the approved Project Agreement, and that all funded items are accounted for.

Program compliance and project inspections will include, but not be limited to:

- Compliance with specifications and guidelines checked on project application.
- Project compliance and account records.
- Conformance to approved project scope.
- Environmental impact on the resources.
- Project workmanship.
- Health and safety measures to protect the workers and public during construction.
- Accessibility for persons with disabilities.
- Scheduled Progress.

RECORD RETENTION

The grant recipient shall retain all program and financial records for 4 years after the project is completed. At a minimum, the following records shall be maintained and made available for audit, with copies forwarded to the Division:

- Payroll register by pay period showing the names, hours worked hourly rate, benefits, deductions, gross pay and net pay.
- Final Cost Summary of all payroll registers indicating applicable totals.
- Time Sheets signed by both employees and their respective supervisors, including volunteers.
- Receipts/Invoices for purchased materials.
- Receipts/Invoices for all design and construction costs.
- Each receipt/invoice shall include the date paid and check number.
- Canceled checks or copies thereof.

RECTRAIL RESPONSIBILITIES

At the Federal level, the administration of the RecTrail Program rests with the Federal Highway Administration (FHWA). In Nevada, the FHWA Division Office oversees the RecTrail Grants Program. Responsibility for the state’s compliance with the terms of the Recreational Trails Program rests with the Division of State Parks. Project sponsors are responsible for keeping accurate and clear records, and completing each project within the terms of the Project Agreement and Project Application in accordance with all Federal and State guidelines, including this Grants Manual.

PENALTIES

Failure to comply with the provisions of this Grants Manual and other established guidelines may be considered cause for the Division to withhold future payments to the project sponsor responsible for the infraction in question until any such discrepancies are corrected.

PROJECT DEADLINES AND EXTENSIONS

Project sponsors will be given 24 months to complete each RecTrail project awarded Federal funding.

Extending project deadlines increase the staff workload and paperwork for both the grantee and Nevada State Parks; therefore, grantees should attempt to complete the project by the initial agreed upon deadline. Requests for extensions will be considered solely to complete a viable project and to protect the taxpayer’s investment.

Nevada State Parks does not guarantee requests for extensions will be approved. Extensions will be approved in three-month increments, or as deemed necessary by Nevada State Parks. All extensions may not total more than 12 months beyond the original completion date specified in the original Project Agreement.

Before submitting a request for extension, all grantees should meet the criteria listed below:

- Submit requests for extensions in writing for receipt by the Recreational Trails Program Manager before the expiration date of the grant.

- Fully justify requests for time extensions in writing, illustrating unavoidable delays. Delays caused by winter weather and fire season are not sufficient justification. Weather related delays will only be considered if they are unusual events.
- Grantee has not received an approval for a major scope change to the same project. The Federal Highway Administration will not approve extensions and a major scope change. If grantee has received approval for a minor scope change, Nevada State Parks may consider approving an extension.
- To receive favorable consideration for a time extension, the grantee should have submitted timely quarterly progress reports throughout the life of the grant. For reporting purposes, (Nevada State Parks to the Federal Highway Administration) grantees quarterly progress reports submitted between the 11th -15th of the month following the end of the previous quarter are considered late. Quarterly progress reports received after the 15th of the month following the end of the quarter are considered missing.

Failure to submit timely quarterly progress reports, as outlined above, or reports that reflect little or no progress toward completing the scope of work, will reflect unfavorably on the grantee's request for a time extension.

Grantees who maintain communication with the Recreational Trails Program Manager (via telephone, E-mail, in person, site visits, quarterly reports, etc.) are more likely to receive favorable consideration when requesting a time extension. Grantees are strongly encouraged to determine how much time it will take to complete the project and request one extension accordingly. Multiple time extensions will only be considered if:

- Significant progress was made throughout the life of the project, including during the first extension.
- The grantee encounters problems caused by external factors (legal problems, new regulatory requirements).
- Unforeseen circumstances arise during construction (physical, site specific problems).

COMPLIANCE RESPONSIBILITIES

Land owned by the grantee, or in the case of a nonprofit grantee or governmental entity, which is acquired with RTP funds, shall have a deed restriction upon said property as an outdoor recreational site open and accessible for the use and benefit of the general public for ninety-nine (99) years. Land under ownership of the grantee or controlled such as by lease, upon which RTP funding for trail access development or maintenance is being used, shall be dedicated as an outdoor recreation trail open and accessible for the use and benefit of the general public for a minimum of twenty-five (25) years after the project completion date as set forth in the Project Agreement. A lease must not be revocable at will and must contain a clause which enables the grantee to dedicate by deeded easement, the land for the twenty-five (25) year period. All deed dedications must be recorded in the public property records by the grantee, or in the case of a nonprofit grantee, by the land owner.

The grantee must have and prove sufficient control and tenure of the project site that a conversion of use will not occur without appropriate mitigation to the satisfaction of the Division of State Parks and FHWA.

TERMINATING A GRANT

1. Termination Without Cause. Any discretionary or vested right of renewal notwithstanding, this Contract may be terminated upon written notice by mutual consent of both parties or unilaterally by either party without cause.
2. State Termination for Nonappropriation. The State may terminate this Contract, and Grantee waives any and all claim(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the Contracting Agency's funding from State and/or federal sources is not appropriated or is withdrawn, limited, or impaired.
3. Cause Termination for Default or Breach. A default or breach may be declared with or without termination. This Contract may be terminated upon written notice of default or breach as follows:
 - a. If Grantee fails to provide or satisfactorily perform any of the conditions, work, deliverables, goods, documentation or services called for by this Contract within the time requirements specified in this Contract or within any granted extension of those time requirements; or
 - b. If any state, county, city or federal license, authorization, waiver, permit, qualification or certification required by statute, ordinance, law, or regulation to be held by Grantee to provide the goods or services required by this Contract is for any reason denied, revoked, debarred, excluded, terminated, suspended, lapsed, or not renewed; or
 - c. If Grantee becomes insolvent, subject to receivership, or becomes voluntarily or involuntarily subject to the jurisdiction of the bankruptcy court; or
 - d. If it is found by the State that any quid pro quo or gratuities in the form of money, services, entertainment, gifts, or otherwise were offered or given by Grantee, or any agent or representative of Grantee, to any officer or employee of the State of Nevada with a view toward securing a contract or securing favorable treatment with respect to awarding, extending, amending, or making any determination with respect to the performing of such contract; or
 - e. If it is found by the State that Grantee has failed to disclose any material conflict of interest relative to the performance of this Contract.
4. Time to Correct. Termination upon a declared default or breach may be exercised only after service of formal written notice and the subsequent failure of the defaulting party within 15 calendar days of receipt of that notice to provide evidence, satisfactory to the State, showing that the declared default or breach has been corrected.
5. Winding Up Affairs Upon Termination. In the event of termination of this Contract for any reason, the parties agree that the provisions of this paragraph survive termination:
 - a. The grantee shall account for and be responsible for all claims for fees and expenses for the project as identified in the Project agreement.
 - b. Grantee shall preserve, protect and promptly deliver into State possession all proprietary information.
 - c. In the case of Cause Termination for Default or Breach, the Grantee will reimburse the Division all federal grant monies previously received through the RTP program for the project in question.
6. Remedies. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or

equity, including, without limitation, actual damages, and to a prevailing party reasonable attorneys' fees and costs. It is specifically agreed that reasonable attorneys' fees shall include without limitation \$125 per hour for State-employed attorneys. The State may set off consideration against any unpaid obligation of Grantee to any State agency in accordance with NRS 353C.190.

**STATE OF NEVADA
Division of State Parks
Recreational Trails Program Project Agreement**

Project Sponsor: Ghost Riders ITS.	Project Number: FY 2010-96
Project Name: Ridge Runner Trail	
Period Covered by Agreement: From: Date of Notice to Proceed To: 12/31/2012	
Scope of Work: The scope of work will consists of seven trailheads with kiosk and brochures, three bridges a historic brick walkway, and the start of an extensive trail that will span from The Ridge to Cloudy Draw. Grant funds will be used to purchase a Steel Hooves ATV, a kiosk and carsonite/stickers. Standards applied to this project: USFS Standard Specifications for Construction & Maintenance of Trails, Universal Access to Outdoor Recreation – A Design Guide	
Total Project Cost: \$ 125,765 See: Attachment A –Budget	Federal Grant Share: <u>\$ 76,206</u> <u>61%</u> Matching Share: <u>\$ 49,559</u> <u>39%</u>
The following attachments are hereby incorporated into this agreement: <input checked="" type="checkbox"/> General Provisions <input checked="" type="checkbox"/> Project Proposal <input checked="" type="checkbox"/> Approved Budget	
This Agreement and its integrated attachment(s) constitute the entire agreement of the parties and as such are intended to be the complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto. The project sponsor agrees to submit quarterly progress reports and requests for reimbursement. Reports must be submitted to the Nevada Division of State Parks on the forms provided by the Division on the dates listed below, in accordance with Nevada’s FY 2012 Recreational Trails Program Manual. Quarters and due dates: 1 st quarter January 1 through March 31 Report due: April 10 2 nd quarter April 1 through June 30 Report due: July 10 3 rd quarter July 1 through September 30 Report due: October 10 4 th quarter October 1 through December 31 Report due: January 10	

Land owned by the grantee, or in the case of a nonprofit grantee or governmental entity, which is acquired with RTP funds, shall have a deed restriction upon said property as an outdoor recreational site open, accessible and maintained for the use and benefit of the general public for ninety-nine (99) years. Land under ownership of the grantee or controlled such as by lease, upon which RTP funding for trail access development or maintenance is being used, shall be dedicated as an outdoor recreation trail open, accessible and maintained for the use and benefit of the general public for a minimum of twenty-five (25) years after the project completion date as set forth in the Project Agreement. A lease must not be revocable at will and must contain a clause which enables the grantee to dedicate by deeded easement, the land for the twenty-five (25) year period. All deed dedications must be recorded in the public property records by the grantee, or in the case of a nonprofit grantee, by the land owner. The grantee must have and prove sufficient control and tenure of the project site that a conversion of use will not occur without appropriate mitigation to the satisfaction of the Division of State Parks and FHWA.

The State of Nevada hereby promises, in consideration of the promises made by the Project Sponsor herein, to take the necessary steps and action and to attempt to enter into an agreement with the Federal Highway Administration to obtain Federal Money for that portion of the project referred to as Federal Assistance, to accept such funds from the United States and to tender to the Project Sponsor that portion of the obligation which is required as the Federal Grant.

The Project Sponsor hereby promises, in consideration of the promises made by the State of Nevada herein, to execute the project described above in accordance with the terms of this agreement and as described in the Nevada Recreational Trails Program Grants Manual.

In witness whereof, the parties hereto have executed this agreement as of the date below:

STATE OF NEVADA	PROJECT SPONSOR
By:	By:
<i>State Parks Person</i>	<i>Jack A. Moe</i>
_____	_____
Signature	Signature of Representative
Joe Schmo	Jack A. Moe
_____	_____
Typed Name	Typed Name
State Trails Coordinator	Ghost Riders ITS.
_____	_____
Title	Name of Board/Commission/Agency
6/24/2012	6/23/2012
_____	_____
Date	Date

Reimbursement checks should be made payable to:

Name of Agency/Individual: Ghost Riders ITS

Address: 98766 ghost riders road

City, State, Zip: Carson City, NV 89701
 DUNS # 09876668

Tax Identification #: 88-6987098

APPENDIX B - EXAMPLE QUARTERLY REPORT

QUARTERLY PROGRESS REPORT

(Submit this form every quarter)

- I am
 I am not

Submitting a request for reimbursement with this quarterly progress report.

Percent of Project Completed to Date: 80 %

Recreational Trails Program

Project Number: 2010-96 Grant Expiration Date: 12/31/2012
Grant Name: Ridge Runner Trail Maintenance
Contact: Jack A. Moe

Please verify and update the project sponsor contact data as needed.

- Submission Period (*Check one*): January 1- March 31 (due April 10)
 April 1- June 30 (due July 10)
 July 1- September 30 (due October 10)
 October 1- December 31 (due January 10)

Quarterly Progress: (*Narrative description of work accomplished this quarter as it pertains to the scope of work.*)

All seven trail heads are constructed and completed. Three bridges were constructed and one was installed. Two kiosks were partially constructed. Brochure mapping work was completed. Work with the design company for bridge and signage projects is in the formative stage (two meetings). Pavers and Base material were ordered. Photos are attached.

APPENDIX C - EXAMPLE REIMBURSEMENT

REQUEST FOR REIMBURSEMENT

(Submit this form only if requesting reimbursement and/or match)

Project # 2010-96.

- I am submitting a request for reimbursement.
- I am submitting a request for match adjustment.

Dates This Request Covers From: April 1, 2012 to June 30, 2012.

INSTRUCTIONS

1. Complete each blank every quarterly reporting period. If you are not submitting a request for reimbursement with this quarterly report, please enter zeroes in the appropriate columns.
2. **Round requests for reimbursement to the nearest dollar—do not show decimals.**
3. Attach receipts, copies of checks or vouchers documenting proof that payment has been made for this reimbursement request. Documentation must be clearly labeled whether it is to apply toward the match or the grant share. The request must demonstrate that both the grant share and the matching share are being met.

A	B	C	D	E	F	G
Grant Award			Requests for Reimbursements			Balance Remaining (B-F)
Type	Amount	%	This Request	Previous Requests	Total (D + E)	
Grant	\$ 76,206	61%	\$ 11,124	\$ 23,453	\$ 34,577	\$ 41,629
Match	\$ 49,559	39%	\$ 4,554	\$ 12,798	\$ 17,352	\$ 32,207
Total	\$ 125,765	100%	\$ 15,678	\$ 36,251	\$ 51,929	\$ 73,836

Grant Share Request:

Please provide an itemized list of expenditures applied toward the grant share for this request.
(Please, only information pertinent to the reimbursement justification)

Please **list** invoices and amounts here and attach backup documentation/copies

Matching Share:

Please provide an itemized list of expenditures applied toward the matching share for this request.
(Please, only information pertinent to the match justification)

Please **list** invoices and amounts and other documentation.

Jack A. Marshall

Signature

June 31, 2012

Date

EXAMPLE OF GRANT SHARE

Brimstone Cinder and Rock Company

Invoice

111 Nevada Street

Ely, Nevada 87909

Phone 702-687-3845

Fax 702-687-4117

Invoice Number:

125-01

Invoice Date:

Nov 1, 2010

Bill To:

Ghost Riders ITS

PO Box 666

Rachel, Nevada 89700

Customer ID

Customer PO

Payment Terms

0008

2003-0631

Net Due

Quantity	Item	Description	Unit Price	Extension
300	Road Base	Type 2	\$22/cuy	\$ 6,600
2200	Pavers	3x6	\$1.77ea	3,894

Subtotal \$10,494.00

Sales Tax 629.64

TOTAL \$11,123.64

EXAMPLE OF MATCH SHARE

Volunteer Sign-In Sheet –Ward Charcoal Ovens State Historic Trail

Name	Date	Assignment	Hours	Rate	Total
J. Smith	11-5-01	Clear brush	8	\$15	\$120
	11-10-01	Clear brush	8	15	120
	11-20-01	Remove debris	8	15	120
	12-1-01	Clear brush	8	15	120
	12-5-10	Clear brush	8	15	120
	12-12-01	Clear brush	8	15	120
S. Jones	11-5-01	Clear brush	8	\$15	120
	11-10-01	Trail work	8	15	120
	12-1-01	Trail work	8	15	120
	12-5-10	Trail work	8	15	120
	12-12-01	Trail work	8	15	120
B. Brown	11-5-01	Clear brush	8	\$15	120
	11-15-01	Trail work	8	15	120
	12-1-01	Trail work	8	15	120
	12-5-10	Remove debris	8	15	120
	12-12-01	Remove debris	10	15	120
K. Wilson	11-5-01	Remove debris	8	\$15	120
	11-12-01	Remove debris	8	15	120
	11-13-01	Clear brush	8	15	120
R. Davis	11-5-01	Construct kiosk	8	\$22	176
	11-6-01	Construct kiosk	8	22	176
	12-1-01	Construct kiosk	8	22	176
	12-5-10	Construct kiosk	8	22	176
	12-12-01	Construct kiosk	10	22	220
C. Freeman	11-5-01	Crew leader	8	\$22	176
	11-6-01	Crew leader	8	22	176
	11-10-01	Crew leader	8	22	176
	11-15-01	Crew leader	8	22	176
	12-1-01	Crew leader	8	22	176
	12-5-10	Crew leader	10	22	220
	12-12-01	Crew leader	10	22	220
TOTALS					\$4554

EXAMPLE OF APPROVED BUDGET
(ALWAYS ROUND CENTS UP OR DOWN TO THE NEAREST DOLLAR)

Budget

Applicant: **Ghost Riders ITS**

Project Name: **Ridge Runner Trail**

Item Description	Grant	+	Match	=	Total
A. Design and Engineering Costs	\$3,400		\$0		\$3,400
1. Project Design & Brochure Layout					
B. Direct labor costs					
<u>Salaries or actual costs</u>	\$0		\$6,872		\$6,872
1. Brochure design: 80 hrs @\$22=\$1,760					
2. In-kind labor: 220 hrs @\$22= \$4,840					
3. Travel Costs: 160 mi x \$1.70= \$272					
<u>Volunteer or donated labor</u>	\$0		\$42,172		\$42,172
4. 2,640 hrs unskilled labor @\$15/hr = \$39,600					
5. 117 hrs skilled labor @\$22/hr = \$ 2,574					
C. Special Service Purchase Contract:	\$3,033		\$0		\$3,033
1. Brochures-NV State Printer = \$1,800					
2. Design & Fabricate 4-18x24 Interpretive Panels = \$1,233					
D. Purchase or rental of equipment:	\$0		\$515		\$515
1. White Pine County – Dump truck					
E. Construction Contract-for bridge installation	\$22,000		\$0		\$22,000
F. Purchase of Materials	\$47,773		\$0		\$47,773
1. Trail side benches: 6 x \$252.84 = \$1,517					
2. 3 bridges: 3 x \$9,700 = \$29,100					
3. Trail traffic counter: \$1,809					
4. Carsonite trail markers: \$2,847					
5. Kiosk: \$927					
6. 4 sets of mounting hardware: \$244					
7. Base material; 300cuy@ \$22 = \$6600					
8. Pavers: 2200 at \$1.77=\$3,894					
7. Misc. materials: \$835					
G. Other (be specific)					
TOTAL	\$76,206		\$49,559		\$126.00

Nevada's 2005 State Recreational Trails Plan Issues

Issue #1

General Category: Loss of Public Access to Trails

Issue: Trail users perceive that recreation opportunities and motorized access are being reduced in both urban and rural settings.

Issue #2

General Category: Lack of Funding for Trails

Issue: The need for funding to plan, develop and maintain trails and Trailhead facilities will more than likely continue as Nevada's population grows and trail use and demand for new trails increase.

Issue #3

General Category: Closure of Trails and Roads

Issue: The concern is for the loss of opportunities due to closure of Recreational trails and roads for reasons such as erosion, environmental concerns, wilderness or special use designations.

Issue #4

General Category: Not Enough Trails

Issue: There is a demand for new trail opportunities in areas experiencing high growth rates.

Issue #5

General Category: Not Enough Support Facilities Near Trails

Issue: In addition to actual trail resources, users require support facilities appropriate to the area's use and activities.

Issue #6

General Category: Erosion and Deterioration of Trails

Issue: Trail users are concerned that the quality of their experience is being diminished through trail deterioration and erosion.

Issue #7

General Category: Not Enough Good Information Material About Nevada Trails

Issue: Trail users request information and detailed maps that provide up-to-date accurate information regarding trail condition and routes.

Issue #8

General Category: Lack of Trail Etiquette/Ethics

Issue: Lack of trail etiquette and environmental ethics can lead to user conflicts, unpleasant trail experiences and impacts to the environment.

Issue #9

General Category: Inadequate Trail Maintenance

Issue: Land managers are struggling to maintain existing trails due to increasing use levels and declining maintenance budgets.

Issue #10

General Category: Too Much Litter and Trash Along Trails

Issue: Littering and lack of routine custodial maintenance are visible problems and negatively impact many trail users.

Issue #11

General Category: Lack of Directional Signs Along Trails and Trailheads

Issue: Trails signs let people know their location and alerts users to intersections and points of confusion. Mileage markers and directional signs allow users to define the time and route needed for their trip. Damaged signs need to be replaced.

Issue #12

General Category: Lack of Trails Close to Home

Issue: Demand for trails and different types of use, especially within and adjacent to communities is increasing. The public demands trail opportunities that link homes to public land and other recreation features.

Issue #13

General Category: Too Many Different Types of Users on Trails

Issue: Conflicts between trail users increase when unintended activities or inappropriate behaviors occur such as mountain bicycles using a pedestrian only trail or users not yielding to others.

NEPA and DOCUMENTATION NECESSARY FOR
SECTION 106 EVALUATION (SHPO)

NOTE: Applications for funding for 2012 must have all NEPA Completed, and decision documents signed by a lead FEDERAL agency, prior to application. No applications will be accepted that do not have NEPA complete for this round of funding. Therefore, SHPO consultation will have already been completed and is therefore not additional required documentation this year.

Determinations and required documentation must be submitted with application to be eligible in 2012.

The action has been classified as a:

1. Categorical exclusion (CE) (requires justification and explanation of determination) by the appropriate Federal lead agency. Federal Highways will not be lead agency on any determinations.
2. A FONSI has been approved (for EA), or A final EIS has been approved and available for the prescribed period of time and a Record Of Decision (ROD) has been signed;

A determination and NEPA documentation must be attached to the application
