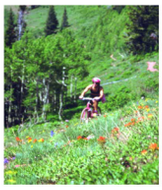

# Idaho Department of Parks and Recreation | Recreational Grant Programs, Fiscal Year 2014

Recreational Vehicle Program ● Waterways Improvement Fund ● Off-Road Motor Vehicle Program ● Motorbike Recreation Fund

Recreational Trails Program ● Recreational Road & Bridge Fund ● Land & Water Conservation Fund

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## Important Dates

| | |
|---|---|
| **Summer 2012** | **Contact IDPR for field review.** |
| **September 2012** | **Announce grant workshops/ availability of funds.** |
| **October 15 - 24, 2012** | **Conduct grant workshops throughout the state.** |
| **Mid-December** | **IDPR preliminary review of draft applications.** |
| **January 25, 2013** | **All applications must be received by IDPR by 5:00 p.m. Mountain Standard Time.** |
| **February 2013** | **IDPR staff review for eligibility/ distribute applications to respective Advisory Committee members.** |
| **March 2013** | **Advisory Committee evaluate/ rate applications.** |
| **May 2013** | **IDPR Board awards grants.** |
| **June 2013** | **Applicants contacted.** |
| **After July 15, 2013*** | **Funding is available.** |

**Recreational Trails Program and Land and Water Conservation Fund awards may be delayed.*

This agency's programs and activities are operated free from discrimination on the basis of race, color, religion, national origin, gender, age or disability. Anyone who believes they have been discriminated against or who needs further information regarding discrimination should write: Director, Idaho Department of Parks and Recreation, P.O. Box 83720, Boise, ID 83720-0065, or National Parks Service, Equal Opportunity Officer (010), P.O. Box 37127, Washington DC 20013. Costs associated with this publication are available from the Idaho Department of Parks and Recreation in accordance with Section 60-202, Idaho Code HB366:9/12/500/17007.

Idaho Department of Parks and Recreation
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**IDPR Director.....Nancy Merrill**

**Idaho Park and Recreation Board**
**Region 1.....Tom Crimmins (Chair)**
**Region 2.....Randy Doman**
**Region 3.....Susan Buxton**
**Region 4.....Charles Correll**
**Region 5.....Jean McDevitt (Vice-chair)**
**Region 6.....Bob Hansen**

E-mail general questions and requests for electronic forms to:
recgrants@idpr.idaho.gov

***Check us out on the web at www.parksandrecreation.idaho.gov***

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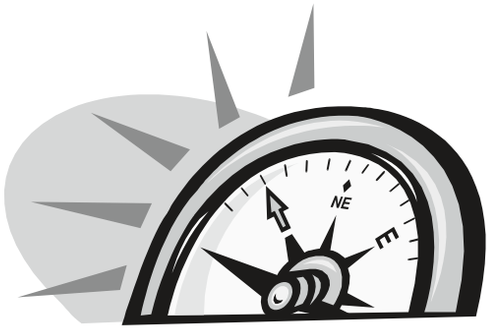


# General Introduction

## Idaho Department of Parks and Recreation Grant Programs

**(Recreational Vehicle Program, Waterways Improvement Fund, Off Road Motor Vehicle Fund, Motorbike Recreation Account, Recreational Trails Program, Recreational Road & Bridge, Land & Water Conservation Fund)**

The purpose of this handbook is to provide information, forms and instructions to prospective grant applicants. This information will inform you of the purpose of the grant programs, what is needed to apply and what will be required of you if the project is approved. You are encouraged to review this information carefully.

**Application** Applicants must submit a complete application (1 original PLUS 15 copies) with all necessary attachments as listed below. If the application is not complete, the project will not be considered for funding. We strongly encourage providing a draft by mid-December for staff to review for deficiencies. The applicant will be notified if the application is ineligible and will be allowed to resubmit the application if it is completed prior to the deadline.

An **Application Packet** consists of a completed application form, bearing original signatures (1 original PLUS 15 copies). An application must include a description of the project and the site, justification of the need and the demand for the project, cost estimates, and all support documentation necessary (i.e. maps, photos, design drawings, specifications, proof of ownership).

If you have any questions regarding information found in this guide, please contact your regional representative.

**North RegionGrant Specialist**
Tami Johnson (208) 769-1511
tami.johnson@idpr.idaho.gov

**South Region Grant Specialist**
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**East Region Grant Specialist**
Jennifer Park
(208) 525-7121
jennifer.park@idpr.idaho.gov

## Deadline/Timeline

Project applications will be received by the Idaho Department of Parks & Recreation (IDPR) at the Boise office at least once per state fiscal year, typically in January. Applicants are encouraged to submit an application by mid-December, giving department staff time to request any needed changes to make the project eligible. Grants must be received in the Boise office by 5 p.m., Friday, January 25, 2013 to be eligible for the grant. Applications received during this grant period will be rated by the Advisory Committees in March, and be awarded by the Idaho Park and Recreation Board in April or May. These funds are typically available July 15th and applicants typically have one year to expend the funds.

**All applications and supporting documentations (ie, letters of commitment, public notice) must be received by IDPR in Boise by the January 25, 2013 deadline. Applications missing documentation to make the project eligible WILL NOT BE CONSIDERED.**



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## Application/Submission

A comprehensive, well-written application provides all the information necessary for IDPR staff and the advisory committees to review. Incomplete applications are subject to disqualification.

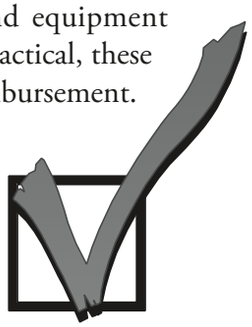
The narrative is the heart of the application and is your opportunity to communicate the need of the project. **The narrative should NOT exceed the space provided.** While composing the narrative and assembling support materials pay close attention to the evaluation criteria. The advisory committee evaluates your project only on the criteria.

**Applications are due in the IDPR Boise Headquarters office by 5:00 p.m. (Mountain Time), on January 25, 2013. Late applications will not be considered.**

## Match

Match is the donation of a product, service or cash used to complete the project. Idaho Park and Recreation Board policy requires that ORMV, RTP, Motorbike, and RV grant applicants provide a 50% match on motorized equipment valued at $1,000 - $50,000 per item. Waterways Improvement Fund grant requests for motorized equipment valued at less than $50,000 each require a 25% match. Waterways Improvement Fund grant requests for motorized equipment valued at $50,000 or more require a 20% match. The RV, WIF, ORMV, Motorbike, Road & Bridge, and Cutthroat program grants do not require a match on non-equipment requests, however, match is encouraged. The more match you have committed, the higher the application will be rated during the evaluation process. All other grant programs require some match. See the respective grant sections for match requirements.

Grantees are encouraged to supply their "in-house" engineering, design, labor, and equipment costs as match. If this is not practical, these are also allowable costs for reimbursement.



All items used for match must be described in the grant agreement and must be documented upon the completion of the project. The following are types of match that can be used to match reimbursable funds:

1. **Force Account** is the use of the applicant's staff (labor) and/or equipment. Documentation of force account labor must include the name of each worker, dates worked, hourly rate of pay, number of hours worked, total cost and work accomplished. Documentation of force account equipment must include type of equipment, dates used, hours used, hourly cost of operation, total cost of operation and work accomplished.

2. **Donated Material** that is submitted as match may not exceed the cost of the materials or the market price at the time they were charged to the project, whichever is less. An invoice marked "donation," or a gift letter from the donor must be retained as documentation of the donation.

3. **Contract Services** may be submitted as match. When an employer, other than the grantee, furnishes the services of an employee, these services are valued at the employee's regular rate of pay (benefits are not included). These services must be for the same skill for which the employee is normally paid. Documentation must include the employee's name, dates worked, hourly rate, number of hours worked, total cost, and work accomplished.



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4. **Volunteer Labor** may be used for match. Rates must be consistent with the rate regularly paid by the grantee for similar work, refer to 250.03-d p.45.

   Documentation must include name, dates worked, hourly rate, number of hours worked, total donated cost, and work accomplished.

## Bidding Process

The grantee must follow all applicable local, state and/or federal laws pertaining to the expenditure of funds. **Proof of Invitation to Bid, contracts and any other pertinent documentation must be retained by the grantee. Likewise, all local, state and federal permits required for construction projects must be acquired by the grantee before grant monies can be expended.**

## Disabled Access

The grantee shall assure that persons with disabilities are not precluded from using IDPR grant funded facilities. Projects must meet requirements as set by the Americans with Disabilities Act.

## Maintenance and Operation

The grantee is responsible to see that IDPR grant funded projects are maintained and operated in a condition equal to what existed when the project was completed, normal wear and tear is excepted. Maintenance and operations standards should be adopted upon completion of the project.

## Signs

Grantee shall post and maintain appropriate permanent signs or decals upon project sites or equipment acknowledging funding assistance from the appropriate grant fund and the Department upon start of the project or purchase of equipment.

## Nondiscrimination

Physical facilities and equipment purchased with IDPR grant funds shall be available for public use, regardless of race, religion, gender, age, disability, or national origin.

## Project Conversion

The grantee must assure that no IDPR grant funded project will be converted to uses other than those specified in the original project agreement, without prior written approval of the Idaho Park and Recreation Board. Procedures for project conversions are outlined in the IDAPA Rules (See Title 01 Chapter 31 Section 26.01.31 Rule 350).

## Federal Funds

Any grant funded through federal funds including, but not limited to, Land and Water Conservation Fund and Recreational Trails Program must comply with compliance requirements as outlined in the Office of Management and Budget Circular # A-133. The circular can be found at htt/://www.whitehouse.gov/omb/circulars/a133/a133.html.

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of $100,000 and all non-procurement transactions (e.g., sub-awards to sub-recipients).
*(See A-133 Compliance Supplement "I. Procurement and Suspension and Debarment")*



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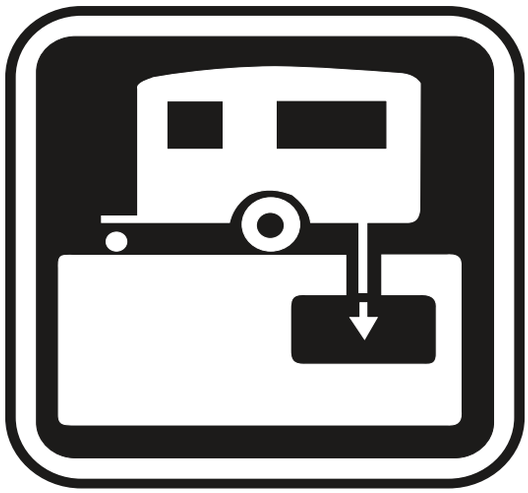
# Program Descriptions

## Idaho Recreational Vehicle (RV) Program



### Introduction

The Idaho Recreational Vehicle (RV) Program was established by the 1985 Idaho Legislature in response to requests from RV users to receive benefits from the registration fees they pay. As stated in *Idaho Code*, the purpose of the account is to provide financial assistance in the form of grants to public agencies to provide facilities for the RV user. Currently the funding level is approximately $2 million annually.

The Idaho Department of Parks and Recreation (IDPR) has been given the responsibility of administering this grant account. Department staff and the RV Advisory Committee are eager to work with governmental agencies to provide safe, enjoyable recreational vehicle facilities.

### Enabling Legislation

**49-448. Disposition of fees.** The revenues received from the annual license fees imposed by Section 49-445, *Idaho Code*, for recreational vehicle registration shall be paid over monthly to the county treasurer, to be distributed as follows:

(1) Two dollars ($2.00) from each recreational vehicle registration sold shall be apportioned to the county current expense fund, which shall be deemed necessary costs of collection and administration;

(2) From the balance remaining, ninety-nine percent (99%) shall be transmitted to the state treasurer for deposit in a fund known as the "state recreational vehicle fund," which is established in the state treasury, and one percent (1%) shall be distributed to the search and rescue fund created in section 67-2913, Idaho Code.

**67-4223. Powers of the board.** The park and recreation board shall:

(d) Appoint a six (6) member recreational vehicle advisory committee, who shall be compensated as provided in Section 59-509(f), *Idaho Code*, and act in an advisory capacity to the board on matters relating to the development and improvement of recreational vehicle related facilities and services as provided in subsection (e) of this section. Each member of the advisory committee shall be representative of recreational vehicle users with one (1) from each of the districts described in Section 67-4221, *Idaho Code*. The terms of appointment shall be three (3) years.

(e) Administer the funds derived from the recreational vehicle account established in Section 49-448, *Idaho Code*, to provide financial assistance in the form of grants to public entities for the acquisition, lease, development, improvement, operations and maintenance of facilities and services designed to promote the health, safety and enjoyment of recreational vehicle users. Up to fifteen percent (15%) of the recreational vehicle account generated each year may be used by the department to defray recreational vehicle program administrative costs. Any moneys unused at the end of the fiscal year shall be returned to the state treasurer for deposit in the recreational vehicle account.



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## Recreational Vehicle Advisory Committee

The Recreational Vehicle (RV) Advisory Committee is a very important component of the Idaho Recreational Vehicle Fund. This committee is comprised of recreational vehicle users, one from each of the state's six planning regions (see "Advisory Committee" section in this manual).

It is very important that the project applicant contact the local RV Advisor before completing the grant application so the Advisor can be well versed in all aspects of the proposed project.

All applications are reviewed and rated by the Recreational Vehicle Advisory Committee.

For a current committee listing see "Advisory Committee" section in this manual.

# Waterways Improvement Fund (WIF)

## Introduction

The Waterways Improvement Fund (WIF) was created by legislation (Senate Bill 256) in 1963. The WIF is funded annually with a portion of the total state gas tax revenues. The typical grant funding level for the program is approximately $1million annually. The Idaho Department of Parks and Recreation (IDPR) has been given the responsibility of administering this grant program.

## Enabling Legislation

**57-1501. Waterways improvement fund created—Purpose**. There is hereby created a fund to be known and designated as the "Waterways Improvement Fund" of the State of Idaho, which fund shall be administered by the Park and Recreation Board and shall be used for the protection and promotion of safety, waterways improvement, creation and improvement of parking areas for boating purposes, making and improving boat ramps and moorings, marking of waterways, search and rescue and all things incident to such purposes including the purchase of real and personal property.

## Waterways Improvement Fund Advisory Committee

The Waterways Improvement Fund Advisory Committee was established by the legislature on July 1, 1994. The committee was formed by the appointment of one representative from each of the six regions in Idaho (see "Advisory Committee" section in this manual). Each member is an active recreational boater possessing knowledge of boats, boating and boating facilities meeting or exceeding that of an average recreational boater. The committee acts in an advisory capacity to the board in matters relating to the evaluation of grants from the Waterways Improvement Fund, as established in 57-1501, Idaho Code. The committee evaluates applications for grants based upon criteria established by the board. In addition, it provides one avenue of citizen involvement in the management of recreational boating in Idaho and acts as a liaison with the public regarding trends, needs and boating developments.

The total amount of WIF grant funds approved in any one county may not exceed thirty percent (30%) of the total WIF grant funds approved for statewide distribution in a state fiscal year. The applications will be approved up to the 30% funding level according to their ranking order.



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# Off Road Motor Vehicle Fund (ORMV)

## Introduction

The Off Road Motor Vehicle Fund (ORMV) was created by legislation in 1973. The ORMV Fund is funded annually with a portion of the total state gas tax revenues. The typical grant funding level for the program is approximately $400,000 annually. The Idaho Department of Parks and Recreation (IDPR) has been given the responsibility of administering this grant program.

## Enabling Legislation

**57-1901. Creation of off-road motor vehicle account—Purpose.** There is hereby created and established in the state treasury an account to be known as the "off-road motor vehicle account" to which shall be credited or deposited all moneys accruing for the purposes of the account. The purposes for which moneys in the account may be used shall be to acquire, purchase, improve, repair, maintain, furnish, and equip off-road motor vehicle facilities and sites or areas used by off-road vehicles on public or private land, and to assist with the enforcement of laws and regulations governing the use of off-road vehicles in the State of Idaho. The Park and Recreation Board is charged with the administration of the account for the purposes specified herein. All claims against the account may be examined, audited and allowed in the same manner now or hereafter provided by law for claims against the state, except that the board is hereby empowered to enter into agreements with legal governmental agencies in Idaho, for the disbursement of funds to them on a project by project basis [1973, ch. 297, § 2, p. 625; am. 1976, ch. 258, § 1, p. 877: am. 1988, ch. 253, § 3, p. 487.]

Compiler's notes. Section 2 and 4 of S.L. to in § 63-2412.and 49-2805, respectively Sec. to sec. ref. This section is referred 1988, ch. 253 are compiled as §§ 57-1801.

## Off Road Motor Vehicle Advisory Committee

This 9-member committee is comprised of three (3) members from Regions 1 and 2, three (3) members from Regions 3 and 4, and three (3) members from Regions 5 and 6. (See "Advisory Commitee" section of this manual for a map of the regions.)

- One (1) member from each area represents Snowmobilers,
- One (1) member from each area represents either ATV or Motorbike interests,
- One (1) member from each area represents users not otherwise represented.



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# Motorbike Recreation Account

## Enabling Legislation

**67-7127. USE OF MONEYS IN ACCOUNT.**
The board shall administer the motorbike recreation account. The moneys derived from this account shall be used as follows:

(1) For the securing of special leases or permits, or for the actual purchase of land under private, state or federal ownership to be used for recreational off-highway vehicle activity;

(2) For the securing, maintenance, construction or development of trails and other recreational facilities for off-highway vehicle use on state and federal lands;

(3) To finance the formulation and implementation under the board's direction of an off the road rider education program.

(4) To acquire applicable federal matching funds.

The typical grant funding level for the program is approximately $300,000 annually.

## Motorbike Recreation Account Advisory Committee

The three (3) motorbike or all-terrain vehicle representatives from the ORMV advisory committee shall advise the department on matters relating to the use of money in the Motorbike Recreation Account as provided for in section 67-7127, Idaho Code.

# Recreational Trails Program (RTP)

## Introduction

*The Recreational Trails Program of 1998* establishes a program for allocating funds to the States for recreational trails and trail-related projects. Projects must be from trail plans included or referenced in a Statewide Comprehensive Outdoor Recreation Plan required by the Land and Water Conservation Fund Act (Section 1302 (a)(b)). The typical grant funding level for the program is approximately $1.5 million annually.

Permissible uses of the funds are: maintenance and restoration of existing recreational trails; development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails; purchase and lease of recreational trail construction and maintenance equipment; and construction of new recreational trails (with restrictions for new trails on Federal lands).

The Idaho Department of Parks and Recreation is responsible for the administration of the Recreational Trails Program in the state of Idaho.

## Funding Provisions

At least 30 percent of funds received annually by the State must be reserved for uses relating to motorized recreation, at least 30 percent must be reserved for non-motorized recreation, and the remaining 40 percent must give preference to projects that provide for innovative recreational trails corridor sharing by motorized and non-motorized use.

To provide more flexibility in project selection, the Federal Highway Administration established five categories to account for the 30-30-40 requirements:

**Nonmotorized project for a single use:** A project primarily intended to benefit only one user mode of nonmotorized recreational trail use, such as pedestrian only or equestrian only.



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

**Diverse use project including both motorized and nonmotorized uses:** A project intended to benefit both motorized and nonmotorized recreational trail use. This category includes projects where motorized and nonmotorized uses are separated by season.

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

**Motorized diverse use project:** 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.

## Recreational Trails Program Advisory Committee

A State Recreational Trails Advisory Committee consisting of 10 members representing the various recreational trail user groups are appointed by the Idaho Park and Recreation Board. The Committee is composed of Hiking, Cross-Country Skiing, Off-Highway Motorcycling, Snowmobiling, Equestrian, All-Terrain Vehicle, Bicycling, Four Wheel Drive, Water Trail, and People with Disabilities representatives.

## Match

RTP grants require a 20% match. At least 5% of the overall project costs must be non-federal funds. Indian Tribe government funds are considered non-federal. Complete program rules are available upon request.

# Recreational Road and Bridge Fund

## Introduction

The 1993 session of the legislature passed HB 185 which authorized the idaho Department of Parks and Recreation to administer .44% of state gas tax revenues to "be used solely to develop, construct, maintain and repair roads, bridges and parking areas within and leading to parks and recreation areas of the state."

The typical grant funding level for the program is approximately $300,000 annually.

Currently all Road and Bridge applications are reviewed by IDPR staff and recommendations are presented to the Idaho Park and Recreation Board for final approval.



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# Land and Water Conservation Fund (LWCF)

## Introduction

The congressional intent of the Land and Water Conservation Fund (LWCF) is to acquire, develop, and maintain outstanding property into **perpetuity** for outdoor recreation purposes. It is important that quality recreation facilities are developed for the people in our community and our state for future generations.

With the passage of the Federal Land and Water Conservation Fund Act of 1964 (Public Law 88-578; 78 Stat. 897) funds were made available to the states for the "planning, acquisition and development of needed land and water areas and facilities." This law requires each state to prepare an acceptable comprehensive outdoor recreation plan before acquisition and development projects are considered. Idaho's plan is the "Statewide Comprehensive Outdoor Recreation and Tourism Plan" (SCORTP).

There are several steps in applying for LWCF money. The project proposal is used to determine a project's eligibility. IDPR staff checks proposals against SCORTP priorities for eligibility. In addition, it will allow IDPR the opportunity to provide you technical assistance in submitting an application.

Eligible projects are then presented to the LWCF Advisory Committee. Sponsors are asked to give an oral presentation on their project. The advisory committee rates and ranks the projects in priority order for recommendation to the Idaho Park and Recreation Board.

If your project is recommended for approval by the board, IDPR will request an application. You must be prepared to make a financial investment to properly submit an application. The application requires complete information such as specific site plans, and drawings, cost estimates, title information, appraisals, and an environmental assessment. Depending on your resources and the type and size of the project, this may require that you employ architects, engineers, surveyors, attorneys, and appraisers. In addition, all costs to qualify a project must be assumed by the applicant. These may include a state appraisal review or engineering review. Some of these costs may be reimbursed if the project is approved. Information on reimbursement is provided in the program rules (See Appendix IDAPA 26 Title 01 Chapter 33).

## Eligibility

**Sponsors**

Funds are made available to the following political subdivisions of the State of Idaho through IDPR:

a. Incorporated Cities
b. Counties
c. Recreation Districts
d. State Agencies
e. School Districts

**Partnerships**

In situations where two or more agencies jointly apply and/or manage a facility, only one agency may act as the "managing partner." This means they assume responsibility for the application and construction, must have control and tenure of the property, must manage the completed project into perpetuity, and must act as liaison to IDPR.

**Eligible Projects**

IDPR grants are available for up to 50% of the cost to acquire and/or develop land, which is to be used for public outdoor recreation uses.

Acquisition of less than fee interest, such as easements and development rights, will be considered in the same manner as simple fee acquisition subject to the



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following conditions: (1) The interest cannot be revocable; (2) The value can be supported through standard appraisal techniques; (3) Recreation can be demonstrated as the primary purpose of the acquisition. Acquisition of leases is not eligible.

Projects must address outdoor recreation needs as outlined in the current Statewide Comprehensive Outdoor Recreation and Tourism Plan (SCORTP) to be eligible. The SCORTP may be viewed at: www.parksandrecreation.idaho.gov/datacenter/statewide-planning.aspx..

LWCF administration is subject to all applicable state and federal statutes, rules, ordinances, and requirements.

Project sponsors and all contractors will be required to comply with all federal and state laws pertaining to equal opportunity employment, civil rights, competitive bidding and contracting procedures, acquisition procedures, etc.

**Contracts (Project Agreements)**
Following acceptance of the federal application, project sponsors will be required to execute a project agreement (contract) with IDPR covering the terms of the LWCF Program provided below. The application information you provide will constitute the specific terms of this agreement. Breach of this agreement during the project may result in the return of the funds involved and the termination of future financial assistance available under this program. After the project is completed, breaking the agreement will result in replacing the facility or correcting the damage at the project sponsor's expense.

It is important that the sponsor clearly understand that this agreement will obligate them to a perpetual commitment to IDPR for this project.

**Project Time Limitations**
The Idaho Department of Parks and Recreation Board has established a policy which limits projects to a period that encompasses two work seasons.

If there is no significant physical development on the project site within one work season after the project is approved, funds for the project can be withdrawn.

**Disabled Access**
All completed facilities must reasonably provide handicapped access and features, which comply with the Americans with Disabilities Act Guidelines. Failure to adequately provide disabled access is the most common factor delaying reimbursement.

Sponsors are expected to give all individuals the opportunity to use public facilities. Plans for handicapped accessibility must be clearly shown on all application materials. If a specific scope element is not going to be accessible, a clear explanation must be made in the application.

**Park/School Projects**
Projects must be clearly designed and located to primarily meet identified needs for general public outdoor recreation. They, secondarily, may provide a school district's outdoor education, physical education and recreation facilities. Facilities to be used for varsity athletics are ineligible.

**Legal Documents**
You will be required to submit and have approved all deeds, title insurance policies, leases, appraisals, etc. **Difficulties in acquiring or documenting property ownership are a primary reason many projects are denied.** Please be specific on these matters.

**Title Requirements**
The LWCF includes a requirement that sponsors own or exercise control over properties to be developed with



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*Land and Water Conservation Fund, continued*

assistance from the fund. This can be done through outright ownership or through an easement.

Regardless of whether the project is to acquire or develop property, it is necessary to inquire about the current status of the property at the time of the application. This requirement is satisfied by the issuance of an opinion from the Office of the Attorney General. The Attorney General's review is based on the title documents provided in the application. Generally, a current title policy is the preferred document on which to base an opinion concerning ownership and restrictions for outdoor recreation.

If a title policy exists but is not current, clarification may be necessary. This can be accomplished inexpensively by contracting with a title company for a "lot book search." A "lot book search" will reveal the ownership of a parcel and all recorded interests as of the date of search. It provides no title guarantees. It is most useful when there is already a title policy in effect prior to application.

There are other methods of reviewing title for LWCF purposes besides use of a title policy in conjunction with a "lot book search." Opinion letters by the project sponsor's attorney may be issued based on other documentation when appropriate as determined by IDPR.

The cost of a title policy is not reimbursable.

**Description of Property and Applicability**

You will be required to establish project boundaries based on the title information provided in your application. All lands immediately adjacent to this site, which are designated as recreational must be identified as being within the project boundaries. A final determination will be made during a pre-award inspection.

All LWCF requirements will pertain to the total facility and all future developments.

Upon completion of the project and before final reimbursement you will be required to provide an "as built" map, and a written project summary.

Property rights obtained with LWCF assistance must be free of all reservations or encumbrances that would limit the use of the site disproportionate to the public benefit.

**Title Restrictions**

After you have taken title to the property and before you apply for final reimbursement, all property affected by the grant must be dedicated to outdoor recreation use in perpetuity by a recorded "Deed of Right to Use Land for Public Recreation Purposes."

**Project Records**

The project sponsor must maintain project records for three years after final payment. The material shall be maintained beyond the required three-year period if audit findings have not been resolved. The project sponsor must maintain property records in perpetuity.

## Funding

**Participant's Matching Share**

Project sponsors must provide, as matching share, the balance of a project's cost (at lease 50%). Project sponsors share can be local funds, state funds, force account or donation of privately owned lands.

**Use of Other Grants As Match**

State grants may be used as the sponsor's matching share. However, the grant must be approved prior to being listed as a source of financing the project in the application. The sponsor may obligate city funds to the grant in the application and then change this obligation once a grant is approved during the project. This must be done through a written request to IDPR.



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**Reimbursement**
This is a reimbursement program. Sponsors will be required to initially finance 100% of the project.

On projects of less than $100,00 ($50,000 matching share) the project sponsor must assume the full cost of the project of which 50% will be reimbursed.

**Retroactive Cost Reimbursement**
Costs for planning, design or engineering incurred prior to project approval are eligible provided they are undertaken by qualified professionals, they are listed on the application, and they are accepted as part of the project.

These costs may not exceed 12% of the total project cost and will be reimbursed on specific billings at the completion of the project.

For projects with a total cost of more than $100,000 ($50,000 matching share) partial reimbursements may be negotiated prior to the signing of the project agreement. A total of 50% of the eligible cost of each billing will be reimbursed. Partial reimbursement by IDPR shall never exceed the cash expended on the project. Sponsors will not be permitted to use (In-Kind) contributions, or donated real property for partial reimbursement. A 25% hold back will be made on all partial reimbursement which is payable at the completion of the project.

To receive total reimbursement, the project must be completed according to the project agreement and receive an approved final inspection. Sponsors should not plan to use LWCF reimbursement as "seed money."

Specific recreation scope elements will be provided as part of the project agreement. These scope elements are determined from the application information you submit. It is the project sponsor's responsibility to manage total project costs. You will be responsible to complete the project as outlined in the project agreement and for any additional costs over the approved project amount. Limited cost increases may be available but should not be anticipated.

Costs for operation and maintenance are not reimbursable under this program. Preliminary costs to acquire property, including appraisals, appraisal reviews, surveys, and legal fees, are not eligible.

**Cash As Matching Share**
Cash as matching share, and willingness to contract for development is most desirable for meeting the 100% funding with 50% reimbursement requirement. IDPR encourages the use of cash match.

**Force Account As Matching Share**
All, or a portion of the project sponsor's share can be provided through force account (i.e. use of sponsor's staff and equipment) when such contributions are verifiable from the project sponsor's records, are not included as contributions for any other IDPR (and some federal) programs, and are necessary and reasonable for proper and efficient accomplishment of the project.

**Donated Real Property As Matching Share**
The value of privately owned donated real property may be used as a portion of or all of the participant's matching share of an approved project when the transfer of title to the project sponsor has not been accomplished prior to the execution of the project contract.

The donation must consist of real property, which would normally qualify for LWCF funding.

The value of the donation must be established by an IDPR approved appraisal. Any portion of the value of the donation not utilized by the participant for matching in the project is not available for subsequent projects. The amount of donation that is eligible for matching funds is the value of the land up to the limit of the local agency's share of the project.



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# Advisory Committees

Each Idaho Department of Parks and Recreation (IDPR) grant program has an Advisory Committee which is a very important component of each grant program. Most committees are comprised of representatives from each of the state's six planning regions (shown on this page). The Recreational Trails Program committee represents user groups on a statewide basis. The Land & Water Conservation Fund Committee includes representatives with experience in community development or public outdoor recreation on a statewide basis.



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## Off-Road Motor Vehicle Fund Advisory Committee

**Representing Regions 1 & 2**

| | |
|---|---|
| Patrick Gunter<br>208-263-7383 | Motorbike/ATV |
| Michael Howzen<br>208-842-2749<br>mm.howzen@gmail.com | Snowmobiling |
| Don Capparelli<br>208-783-0757<br>cappann@hotmail.com | Non-motorized Use |

**Representing Regions 3 & 4**

| | |
|---|---|
| Bud Morris<br>208-322-3995<br>dpmorris@q.com | Motorbike/ATV |
| Meril Ebbers<br>208-337-3312<br>meril@safelink.net | Snowmobiling |
| Mark Weaver<br>208-515-6900<br>marklweaver@hotmail.com | Non-motorized Use |

**Representing Regions 5 & 6**

| | |
|---|---|
| Jeffrey Kaiser<br>208-524-3244<br>compweld@cableone.net | Motorbike/ATV |
| Warren Wilde<br>208-852-2767<br>wwilde@digis.net | Snowmobiling |
| Donna Whitham<br>208-520-1728<br>climb_on2002@yahoo.com | Non-motorized Use |

## Recreational Trails Program Advisory Committee

| | |
|---|---|
| Alan Crockett<br>208-529-5188<br>abcrock.fu73573@msn.com | Hiking |
| Albert Youngwerth<br>208-761-1626<br>al@rekluse.com | Motorbike |
| Jana Shields<br>208-610-8114<br>janashields@live.com | Bicycling |
| Clark L. Collins<br>208-237-3460<br>brclark@sharetrails.org | ATV |
| Natalie Bartley<br>208-853-2977<br>natbartley@earthlink.net | Cross Country Ski |
| Chris Schut<br>208-220-1008<br>chrisnlori@cableone.net | Snowmobiling |
| Pat Cudmore<br>208-859-6275<br>patcudmore@kw.com | Equestrian |
| David P. Claiborne<br>208-867-7062<br>dpc@ringertlaw.com | 4-Wheel Drive |
| Nancy Corege<br>208-661-1822<br>ncorege@msn.com | Water Trails |
| William Freelove<br>208-251-0809<br>bcfreelove@q.com | Disabilities |



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# Idaho Department of Parks and Recreation

## Recreational Vehicle Advisory Committee

**Region I**
Bob Hallock
208-667-3372
byhallock@gmail.com

**Region II**
Richard Kizer
208-310-9275
rekitect@gmail.com

**Region III**
Dennis Lawson
208-695-3081
dklawson@cableone.net

**Region IV**
Paul Remaley
208-404-1031
paulrem@msn.com

**Region V**
Jack Olney
208-785-6973
jackolney@juno.com

**Region VI**
William J. Henry
208-589-0739
whenry1025@msn.com

## Waterways Improvement Fund Advisory Committee

**Region I**
Kathleen Goodwin
208-765-9668
kathleengoodwin@yahoo.com

**Region II**
Brice Barnes
208-746-1412
brice@boatingfun.com

**Region III**
William Monti
208-365-7197
wjmonti@clearwire.net

**Region IV**
James Olson
208-731-5839
jandj58@q.com

**Region V**
Craig Bunn
208-847-1494
allbunnz@yahoo.com

**Region VI**
Kent Bateman
208-680-7403
kent@actionmotor.com

## Land & Water Conservation Fund Advisory Committee

| | |
|---|---|
| Doug Eastwood<br>208-769-2251<br>dougeast@cdaid.org | Communities over 5,000 |
| Carol Coyle<br>208-315-3004<br>ccoyle@mccall.id.us | Communities under 5,000 |
| Lynn Moss<br>208-743-7971<br>lmoss@cableone.net | Elderly |
| Bob Batista<br>208-287-5650<br>bbatista@expoidaho.com | Minority |
| Joyce Dunning<br>208-343-0671<br>joyce.m.dunning@usace.army.mil | State - Federal |
| Glen Shewmaker<br>208-423-4600<br>gshew@uidaho.edu | State - Federal |
| Morgan Stage<br>208-870-2957<br>morgan.stage@gmail.com | Disabled |
| Sharon Hubler<br>208-459-8882<br>wlhub@cableone.net | State - Federal |
| Charles Correll<br>208-324-4813<br>charliecorrell@gmail.com | Park Board |



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# Application Process

## Instructions

**It is important that you review these instructions prior to preparing your application**. Completed applications (1 original plus 15 copies/program, with original photos and maps. Make sure to mark original **after** making your 15 copies.) are to be received at the IDPR Boise office by **5:00 p.m. (Mountain Time), Friday, January 25, 2013** to:

Idaho Department of Parks and Recreation
ATTN: Grants Program
5657 Warm Springs Ave.
Boise, ID 83716

IMPORTANT:

- Use only the space provided on the application form.
- The only attachments should be items such as maps, photos, construction drawings, etc. Place attachments after the application.
- Maps and construction drawings are limited to 11x17 paper.
- No cover letters please.
- Please staple the application and all attachments. No paper clips or other binder clips. Please do not bind application or use three-ring binders or report covers with clasps.

**Applicant –** Any public agency or Indian Tribe applying for IDPR grant funds. Only one agency can apply for funds per project. (For RTP funds only - private groups are also eligible.)

**Address –** The address of the applicant agency.

**Contact Person –** The person who will be managing the grant (if awarded), title, address, daytime phone number, cell number, fax number, and e-mail address. This person should be easy to contact and able to answer questions on all aspects of the grant (i.e., construction or financial status).

**County –** the County in which the project is located.

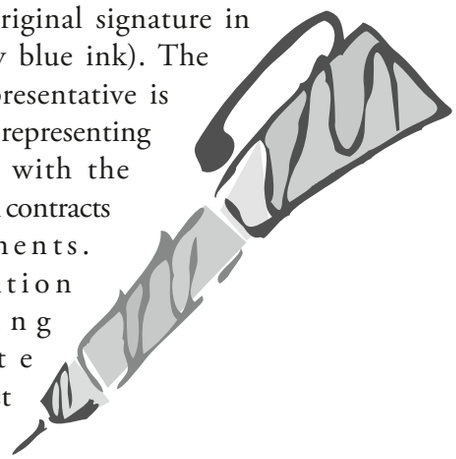
**Common Name of the Project –** Give the most common name of the site/project.

**Project Location –** Give a **brief** description of the location of the site with driving directions.

**IDPR Program –** Check the program from which you are applying for grant funds. Double click on the box to place a check mark inside. Check only one box.

**Briefly Describe the Overall Grant Project –** Give a **very brief** (in one sentence) explanation of the project.

**Signature –** All applications must be completed and bear an original signature in ink (preferably blue ink). The authorized representative is the individual representing the applicant with the authority to sign contracts and agreements. Documentation authorizing alternate signatures must be included. Authorized representatives are:



City Agency – **Mayor**
County Agency – **County Commissioner**
Forest Service – **Forest Supervisor**
Bureau of Land Management – **Area Supervisor** Non-Profit Organization – **President**
Fill in the date of the signature, type in the name of the Authorized Representative and his/her title.



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**For Waterways Improvement Fund Grant Applicants Only**
SIGNATURE OF COUNTY WATERWAYS COMMITTEE CHAIRMAN: All applications for construction MUST have the signature of the chairman of the County Waterways Committee. No waterways improvements facility will be constructed in any county of the state without this approval. The signature does not obligate the county to any legal responsibilities regarding non-county applications. The signature certifies compliance with *Idaho Code* and ensures that the application meets the county's waterways improvement planning requirements.

**Questions 1-10 will be used by the program advisory committee to rate the project. Questions A-K determine project eligibility before the rating process.**

**1. Program Purpose:** Explain how this project fits the purpose of the grant program (see program descriptions).

**2. Project Urgency:**
**A.** What will be the adverse effects if this project does not receive funding?

**B.** Explain how this project addresses public health and safety issues. (EXAMPLE – Providing a restroom in this area will bring the area up to environmental safety standards.)

**3. Project Impact:**
Explain if this project creates new opportunities not currently available. (EXAMPLE – This project will create a boat ramp in an area that will help disperse boaters on the body of water.)

**4. Plan or Survey:** If this project is in a current plan or survey, please describe how it is reflected and give the title of the plan or survey, the date it was issued, and the agency who sponsored the plan or survey. There are many recreational plans where a project could be identified including: State Trails Plan, Idaho Boating Plan, Statewide Comprehensive Outdoor Recreation & Tourism Plan (SCORTP), regional or local plans or surveys.

**5. Scope of Work: A.** Give a ***detailed*** description of the work that will be accomplished in this grant. Explain who will do what, the process in which it will be accomplished, the number of units to be constructed, the time table and any other information which explains the project ***Do not assume the evaluation committee is familiar with the proposed project.*** Construction drawings or conceptual plans **should** be submitted with this application. Please do not submit drawings or plans larger than 11x17. Place attachments after the application. **B.** If you contacted Idaho Parks and Recreation staff and/or an advisory committee member about your project, it is strongly recommended that you list the person's name and the date you discussed it with him/her.

**6. Justify the Need and Demand for the Project:** Describe the ***current*** use of the project site and what the use will be if this project is funded. Indicate the ***types of users who will benefit*** from the project. Explain the deficiencies, the need for the project and how you determined them. (Photos, aerial photos, maps, etc. are helpful.) Describe how this project will ***meet the needs and demands of the users*** and how it will benefit the primary user group from the specific grant program. What is the anticipated number of users? Why is this project needed?

**Types of users could be:**
RV – motorhomes, van conversions, travel trailers, pickup campers

WIF – recreational boats, both motorized and non-motorized, ie., personal watercraft, sailboats, ski boats, etc.

RTP – type of trail user, motorized and/or non-motorized, ie, ATV, motorbike, snowmobile, equestrian, hikers, bikers, UTV, etc.

ORMV – ATV users, off-road motorbike, snowmobiles, UTV.

Motorbike – Off-road motorbike, ATV, or UTV.



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**7. Maintenance and Operation:** Explain who will be responsible for the maintenance and operation of this project, and what is budgeted for routine maintenance of the project.

**8. Obligated Matching Funds:**

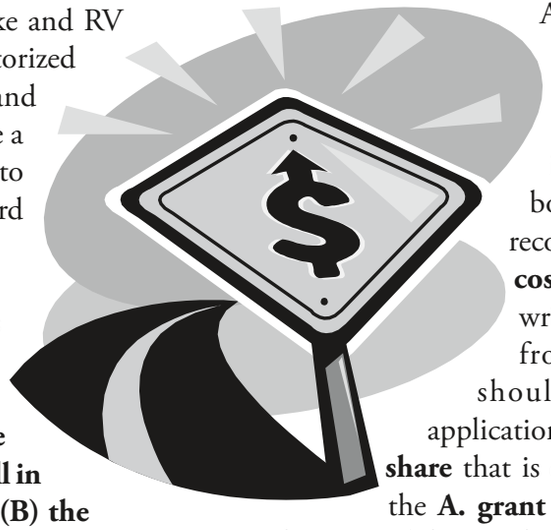
❑ For RV, WIF, ORMV, Motorbike, Road & Bridge projects – match is not required (except for motorized equipment as noted below), but more points are awarded to projects with financial commitments from the sponsor.

❑ For RTP projects only – A 20% match is required with 5% of the total project being non-federal money.

❑ For WIF projects only – grants for motorized equipment valued up to $50,000 each require a 25% match. WIF grants for motorized equipment valued at greater than $50,000 require a 20% match.

❑ For ORMV, RTP, Motorbike and RV projects – grant requests for motorized equipment over $1,000 (each) and under $50,000 (each) shall require a minimum of 50% matching funds to be eligible for funding under Board Policy.

❑ For LWCF – 50% match is required.



**Indicate the match to be contributed to the project. (A) Fill in the donor's name/organization, (B) the amount to be donated, and (C) what the donation is for (i.e., construction labor, equipment, gravel, employee services, etc.). Total column "B."**

**IMPORTANT**: Letter(s) of commitment or other documentation to verify the match **must be** submitted with the "original" only, from each donor. The letter of commitment **must show the dollar value** of the match and what it is for. All match must deal directly with the project in the grant application. If the project covers a broad recreational use, do not include the costs of the items that are not related to the application. The match will **not** be considered without an appropriate letter of commitment. Make sure the dollar value of the donation is noted on the letter(s) of commitment.

Applicants are encouraged to supply their "in-house" engineering, design, labor, and equipment costs as match. In RV, WIF, Motorbike and ORMV only – the value of engineering and/or architectural fees, that have been incurred one (1) year prior to the grant award, may be used as match, if requested. (These are also allowable costs for reimbursement if they are applied for and approved in the application.) The rates for donated services should be consistent with those paid for similar work in the applicant's labor market. ALL MATCH MUST BE DOCUMENTED. Volunteer labor can only be calculated with federal minimum wage.

**9. User Group Support:** Demonstrate how user groups show support for this project. Attach letters of support.

**10. Budget:** Itemized Project Components: Fill in the item to be funded (i.e. boat ramp, campground, trail reconstruction) and the **C. total cost** of the item. **Suggestion:** A written estimate or price quote from a contractor or vendor should be submitted with the application. Then list the **B. matching share** that is committed for that item and the **A. grant amount** being requested for that item. (The matching share and the grant amount should equal the total cost of the item.) Column A plus B must equal C.

**Total all the columns at the bottom,** making sure that all totals are *correct.* **NOTE:** The total amount of match in question #8 that is committed to the project must equal the total amount of match listed on the budget sheet, question #10. Round all dollar amounts to the nearest dollar and all percentages to the nearest whole number. ***Please double check your addition.***



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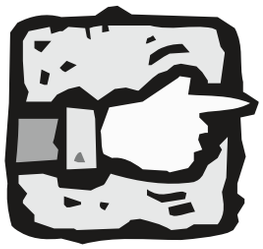
## Eligibility Questions

**A. Accessibility** - Explain how the project complies with accessibility standards, if applicable. Submit construction drawings or conceptual plans. Applicants requesting equipment should enter NA for this question. Uniform building code, ADAAG, ect.



**B. Site Description** - Explain how the project is suitable to the site. Indicate any unusual existing conditions that would require extensive site preparation. Provide a detailed location map to easily locate the site AND a detailed site map. On the map, indicate north, the project site and the use of adjacent property. Photos, aerial photos, location maps, engineering plans, etc., are extremely beneficial. Applicants requesting equipment should indicate the site or area where the equipment will be used. Be specific.

**C. Project Design** - Indicate who will design and/or engineer this project, if awarded. Indicate if the person/company is licensed.

**D. Project Period** - Indicate the proposed starting date and estimated date of completion for this project. **Do not begin work on your project until after the project is approved and an agreement signed, or after notice to proceed is given by an IDPR grants specialist.**

**E. Projected Life of the Project** – Check the appropriate box. Double click on the box to enter a check.

**F. Use fee** - Indicate if a fee will be charged for the use of this project. Applicants are strongly encouraged to provide free public access and use of projects funded with these grant funds. If you intend to charge a fee, submit justification for the need to charge, the amount, to whom the fees will apply, and for what the fees will be used. Be specific.

**G. Public Involvement** - *PUBLIC NOTIFICATION IS MANDATORY FOR ALL APPLICANTS – APPLICATIONS WITHOUT PUBLIC INVOLVEMENT ARE NOT ELIGIBLE* (as stated in IDAPA Code 26.1.31.100.03). Explain what has been accomplished to notify the public of this project. Attach any notices, agendas, public comments, etc. with the "original" only. **If your project will impact fish and/or wildlife, the Idaho Department of Fish and Game must be notified.** Examples of public notification are as follows:

Public meeting: A process of coming together to discuss a common topic. The agenda must specifically list the topic of discussion and a public notice of the meeting must be distributed at least 24 hours prior to the meeting. Submit a copy of the minutes.

Public hearing: A session in which witnesses are heard and testimony is taken. The hearing must specifically list the topic of discussion and a public notice must be distributed at least 24 hours prior to the hearing. Submit the hearing results.

Newspaper/radio/TV notice: A public notice published in the press or broadcast over the air. Submit a copy of the notice.

Direct contact with user groups: Contact by letter, announce at users' meeting, brochure, etc. with the possible users of the project. Submit a copy of the letter or meeting minutes.

National Environmental Policy Act (NEPA): Federal agencies may need to complete National Environmental Policy Act (NEPA) documents and submit an approved copy with the application as required by their agency.

**H. Permits** - Indicate the permits (and/or NEPA documents, if applicable) that are required for the project and the status of each. Submit a copy(s) of the permit(s) or NEPA documents, if available, with the "original" only.



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**I. Applicant Ownership** - Indicate the ownership status and attach proof of ownership or management status of the project site with the "original" only. This will ensure authorized use, project liability, management for the life of the project and legal responsibilities. Your project is not eligible without proof of ownership or a management agreement. If you are applying for equipment, check the first box.

**J. For Recreational Trails Program (RTP) Applicants Only –** The Federal Highways Administration requires the environmental survey be completed for all projects requesting RTP funds. Check whether the project is primarily for motorized use, non-motorized use, or diverse use (see program description).

**K. For Land & Water Conservation Fund (LWCF) Grant Applicants Only –** These questions only apply to the Land & Water Conservation Fund Program.

**One (1) original (with original photos and maps) PLUS fifteen (15) copies *per program* of the application must be received in IDPR Boise office by 5:00 p.m. (Mountain Time), Friday, January 25, 2013 to:**

Idaho Department of Parks & Recreation
ATTN: Grant Programs
5657 Warm Springs Ave.
Boise, ID 83716
Phone: (208) 334-4199



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IDPR REV 50.11

**IDPR** *Use Only*
**Rec'd by:**_____
**Date:**_____

**IDAHO DEPARTMENT OF PARKS AND RECREATION (IDPR)**
**GRANT APPLICATION**
*READ instructions carefully before completing this application.*
*********Use the space provided on this form only.*********

Applicant Agency:_____

Address:_____
City Zip

Contact Person:_____
Name Title

Address:_____
City Zip

Daytime Phone:_____ Cell Phone:_____ Fax:_____

E-Mail:_____ ❑ Check if you would like an email confirmation IDPR received application.

**County** (where project is located):_____

**Common name of project:**_____

**Project Location** (state highway, area or body of water nearest to the site location and proximity to the nearest town or physical address):_____

**IDPR Program** (from which you are applying for funds): **(Check one box only)**

- ❑ Water Improvement Fund (WIF)
- ❑ Recreational Vehicle Account (RV)
- ❑ Off-Road Motor Vehicle Fund (ORMV)
- ❑ Motorbike Recreational Account (MBR)
- ❑ Recreational Trails Program (RTP)
- ❑ Recreational Road & Bridge (RRBF)
- ❑ Land & Water Conservation Fund (LWCF)
- ❑ Other

Grant Amount Request: $_____ Match Amount Committed: $_____

Briefly describe the overall grant project (In one sentence):_____

_____

_____

It is hereby mutually agreed and understood that the use of these funds will be for the purposes stated in this document only and are subjected to the terms of the current Idaho Department of Parks and Recreation's Grant Agreement for this project, as signed by the authorized individuals. It is also understood that the applicant will comply with the appropriate Recreation Program rules as the now exist. Applicants that receive grants involving federal funds must comply with requirements as outlined in the Office of Management and Budget Circular A-133. **PLEASE SEE INSTRUCTIONS FOR EXAMPLES OF AUTHORIZED REPRESENTATIVE SIGNATURES.**

_____ _____
Signature of Authorized Representative Title

_____ _____
Typed or Printed Name Date

***FOR WATERWAYS IMPROVEMENT GRANTS ONLY***

The County Waterways Committee agrees understands that this application meets county's waterways improvement planning requirements.

_____ _____ _____
County Waterways Committee Chair Please Print Name Here Date



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**1) PROGRAM PURPOSE -** How does this project address the stated purpose of the program? (Please refer to the Program Description section of this manual for explanation of the program purpose.)

**2a) PROJECT URGENCY -** Describe the urgency of this project due to potential resource damage, or other impacts that may cause an opportunity to be lost if no action is taken. **If this project is not funded, what affects will it have?**



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**2b)** How does the project address public health and safety issues?

**3) PROJECT IMPACT -**

A. Describe how the project creates new opportunities not currently available?

**4) PLAN OR SURVEY** - Is this project included in an outdoor recreation plan or survey? How does this project relate to the recommendations of the plan?



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5) **SCOPE OF WORK -**

a. **Describe what the project will accomplish.** Describe the project planning. Explain, in detail, what will be accomplished, including the number of units, timetable, etc. If equipment, who will be using, number of hours used per year, and for what? (***IMPORTANT****: Construction drawings or conceptual plans* ***should be*** *attached to this application. Please do not use anything larger than 11x17 size paper.)*

b. Have you discussed this project (in detail) with IDPR staff and/or the respective advisory committee member? Please list the IDPR staff and/or committee member:

| Name: | Date Contacted: |
|---|---|
| | |
| | |
| | |
| | |



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**6) JUSTIFY THE NEED AND DEMAND FOR THE PROJECT -**

**(Why is the project needed?)** Describe the **CURRENT** use of the site and the **POTENTIAL** use expected with the development of this project. (Include user days, types of users, number of users, ect,) Describe the current deficiencies and how they will be corrected with the development of this project.

**7) MAINTENANCE AND OPERATION -** Describe provisions for ongoing maintenance and operation of the project. *Who will be responsible for the maintenance and operation and what is the annual budget?*



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**8) OBLIGATED MATCHING FUNDS -** (a.) List the source, (b.) amount, and give a description of matching funds obligated to the project. Add column "b" and put total at the bottom.

| (a.) CONTRIBUTOR | (b.) AMOUNT | (c.) DESCRIPTION |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| TOTAL | | |

*Provide letter(s) of commitment or other documentation to verify the match from **each** contributor.*
*Your match will not be considered without appropriate letter(s) of commitment.*
*The total in column "b" must be the same as the total in the "matching share" column "B" on the next page.*
*Make sure the dollar value is noted on the letter of commitment.*

**9) USER GROUP SUPPORT -** Describe the support this project has received from its associated user group(s). How has this support been demonstrated? (List supporting groups and attach letters of support.



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**10)BUDGET**

**Project Name:** _____

| For IDPR Use Only Grant # | | Source of Funding | | IDPR Use Only |
|---|---|---|---|---|
| **Project Components** | **(C) Total Cost** | **(B) Matching Share** | **(A) Grant Request** | **Amount Approved** |
| | | | | |
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| **TOTALS** | | | | |
| **% Of TOTAL** | **100%** | **%** | **%** | **%** |

***Round to the nearest dollar and percentage. Be sure to check your addition. Columns A+B=C.***

## Notes:

- *For RV,WIF, ORMV, Motorbike, and Road and Bridge projects - match is not required (except for motorized equipment as noted below), but more points are awarded to projects with financial commitments.*
- *For RTP projects only - A 20% match is required with 5% of the total project being non-federal money.*
- *For WIF projects only - grants for motorized equipment valued up to $50,000 require 25% match. WIF grants for motorized equipment valued at greater than $50,000 require 20% match.*
- *For ORMV, RTP, Motorbike and RV projects - grant requests for motorized equipment over $1,000 each and under $50,000 each shall require a minimum of 50% matching funds to be eligible for funding.*
- *For LWCF - 50% match is required.*



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The following questions are for administrative use and must be completed to establish eligibility of the project.

A. **ACCESSBILITY -** Explain how the project complies with accessibility requirements. *(**Include construction drawings or conceptual plans** to support accessibility. Please do not use anything larger than 11"x17" size paper.)*

B. **SITE DESCRIPTION -** Describe the site as well as the surrounding area. Explain the compatibility of the project to the site. *(Include the site location map, scale site plan including boundary and utility information, if available.)* If the grant is for equipment, describe where it will be used (include map). Be specific.

C. **PROJECT DESIGN -** Who will design and/or engineer the project? Is the person/company licensed?

D. **PROJECT PERIOD -** What are the intended start and completion dates?

Estimated Project Start Date: ___/___/___
Estimated Project End Date: ___/___/___

**Do not begin on your project or in cut costs until notified by an IDPR grants specialist.**

E. **PROJECTED LIFE OF THE PROJECT/EQUIPMENT -**

- ❑ 1-5 years
- ❑ 6-10 years
- ❑ 11-15 years
- ❑ 16-20 years
- ❑ 20+ years



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**F. USE FEE -** Will a fee be charged for use of or access to this project?

❑ Yes ❑ No

If *Yes*, justify the need to charge and specify the amount, to whom the fee will apply, and how the collected fee will be used. Be specific.

**G. PUBLIC INVOLVEMENT -** Describe the public involvement process *(in detail)* used in the planning of this project and the results of the input *(attach necessary documentation)*. **If your project will impact fish and/or wildlife, the Idaho Department of Fish and Game must be notified.**
NOTE: PUBLIC INVOLVEMENT IS MANDATORY FOR ALL APPLICANTS. YOUR APPLICATION IS NOT ELIGIBLE WITHOUT PROOF OF PUBLIC INVOLVEMENT!

**H. Permits -** Does this project require any necessary permits or National Environmental Policy Act (NEPA) documentation? ❑ Yes ❑ No

If *Yes*,

❑ the permits have been obtained *(attach copy)*

❑ the permits have been applied for

❑ the permits have not been applied for

❑ the approved NEPA documentation is complete *(attach copy)*

If *Yes*, please identify the permits that will be required: _____

**I. APPLICANT OWNERSHIP -** Describe ownership of the project site:

❑ The application is for equipment/service *(land ownership is not required)*

❑ Applicant owns land *(attach a copy of Fee Sample Title - Is the deed and title clear?)*

❑ Applicant has a Management Agreement or Memorandum of Understanding with the legal landowner/management agency. (attach copy of MOU, letter of support and proof of land ownership from landowner)

❑ If ownership is different from above, describe specifically:



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## J. For *Recreational Trails Program* Grant Applications *ONLY*

☐ Motorized ☐ Non-Motorized ☐ Diverse Use **(Must check one. See program descriptions)**

**Project Name** _____

**INSTRUCTIONS:**
This survey is a requirement for funding from the Federal Highway Administration (FHWA) and the Recreational Trails Program. Please complete all items. Only those projects selected for funding will be submitted to the FHWA for their approval. **Please note that any answer enclosed by a box ☐ requires further explanation *(on a separate sheet).***

**1. Land Use**

a. Briefly describe the land use in the project area. Attach a land use map if needed.

b. Is the project consistent with management/development plans for the area? Yes ___ No ☐

Name of Plan _____

**2. Socioeconomics**

Will the proposed project *positively or negatively impact, or have no effect* on any of the following?

| | | | |
|---|---|---|---|
| a. Health/Education Facilities | + | no effect | -- ☐ |
| b. Emergency Service Providers | + | no effect | -- ☐ |
| c. Public Utilities | + | no effect | -- ☐ |
| d. Residential Area | + | no effect | -- ☐ |
| e. Handicapped, Minorities, or Elderly | + | no effect | -- ☐ |
| f. Local Tax Base | + | no effect | -- ☐ |
| g. Economic Activity | + | no effect | -- ☐ |

**3. Natural Resources**

a. Are any of the following in the project area? *(please check)*

| | | | | | |
|---|---|---|---|---|---|
| Streams | ___ | Floodplains | ___ | Wild and Scenic Rivers | ___ |
| Rivers | ___ | Lakes | ___ | National Natural Landmarks | ___ |
| Wetlands | ___ | | | | |

b. Will the project permanently or negatively impact the following?
Soil Erosion or Sedimentation Yes ☐ No ___ Wildlife and Wildlife Habitat Yes ☐ No ___

**4. Historic and Archeological Resources**

a. Will the project have an effect on historic or archeological resources? Yes ☐ No ___

b. If the project has an effect on historic or archeological resources, has the effect been coordinated with the State Historic Preservation Office? Yes ☐ No ___

**5. Hazardous Wastes**

Is there any potential for involvement with hazardous wastes? Yes ☐ No ___

**6. Noise**

Is there potential for the project to have a noise impact on surrounding land uses? Yes ☐ No ___

**7. Air Quality**

Will the project have an adverse impact on air quality? Yes ☐ No ___



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## *K. For Land & Water Conservation Fund (LWCF) Grant Applications ONLY*

(Further explanation of the project may be described on a separate sheet.)

**PROJECT DESCRIPTION:**

I. Project Type: ☐ Acquisition ☐ Development ☐ Redevelopment

☐ Combination: Acquisition & Development

II. Is the facility part of or adjacent to another recreation facility?
☐ Yes ☐ No

III. Is the facility a former LWCF Project? ☐ Yes ☐ No If yes, list project number(s) 16-_____

IV. How many acres are included in the project? _____

V. GPS Coordinates (Deg./Min./Sec./Dir.) _____
Latitude _____ Longitude _____

VI. Maps: The 6(f)(3) project boundary map is a dated project boundary map showing the park area to be covered by Section 6(f)(3) of the Land and Water Conservation Act of 1965. The map should provide location, size indicators and a picture of key facilities and landmarks to help later project inspectors better identify and evaluate the site. All streets must be labeled, include a north arrow, etc. The area will be the entire park, open space, or recreation area being developed or added to. The property must remain open to public outdoor recreation in perpetuity.

Submit a map that shows the location of the site. The location map must give sufficient detail so a person who has never been in the area before can find the site.

VII. Congressional District where the project is located: _____

VIII. Does the project acquire or protect wetlands? ☐ Yes ☐ No If yes, please explain.

_____

_____

IX. What currently exists on the property? (Any existing development, power lines [underground or overhead], sewer or water, buildings, etc.) If support elements such as roads, parking, water, sewer, and power do not exist on the property, please explain how they will be provided. Also describe any changes you will make to them.

X. How does this proposal implement statewide outdoor recreation goals as presented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) (include references).

XI. Has any prior environmental review been undertaken at any time for this proposal or related efforts that could be useful to understanding potential environmental impacts? If so, please explain.

**FUNDING:**

I. Fifty percent (50%) match is required on all LWCF projects.

II. The applicant agency will be responsible for the Grand Total in relation to the completed project. Explain how your agency will finance the total cost of the project. Remember, LWCF money cannot be used as "seed money". LWCF only reimburses completed work.

**Do not start work on the project prior to receipt of a signed agreement.**



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## IDPR GRANT APPLICATION CHECKLIST

Check off the following items as you accomplish them to ensure that your application is eligible and ready to be reviewed by IDPR.

- ❑ Read each question and instructions **thoroughly** and provide all information that is requested.
- ❑ **(Question 8)**: Be sure to attach a letter of commitment from each contributor that provides the contributor's name/company, amount obligated, and a description of the donation. Matching funds listed in the application will not be considered match without a letter of commitment.
- ❑ **(Question G)**: All grant applications must have proof of public involvement. Be sure to attach a copy of a news release, agenda/minutes or newspaper ad to show that the public was involved.
- ❑ **(Question I)**: Grant applicants must have proof of land ownership, if applicable.
- ❑ Have you checked your addition on the budget sheet?
- ❑ Are all attachments (photos, letters of commitment, drawings, etc.) included?
- ❑ Are all required signatures (BY THE APPROPRIATE SIGNATORIES) included? Please use blue ink.
- ❑ Have you identified the original copy?
- ❑ Have you included 15 copies PLUS original?

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT YOUR REGIONAL GRANT SPECIALIST.

**We strongly recommend sending a draft copy of your grant application to be reviewed by IDPR staff by mid-December before sending the final application. Doing this well before the application deadline will allow us to assist you with your grant application and help us catch any deficiencies in your application. Your final application must include the original plus15 copies. Incomplete applications will not be considered after the deadline.**

## Evaluation and Approval of Applications

The State and Federal Grant Manager shall establish final eligibility of grants and may consider past performance of applicants. All eligible applications will be referred to the respective advisory committee for evaluation.

IDPR staff will initially review the applications to ensure that certain eligibility requirements are met. These requirements relate to:

1. Program Purpose.
2. Eligibility of applicant.
3. Completeness of application.
4. Applicant's control of the site.
5. Disabled access.
6. Suitability of site for intended use.
7. Public input process.
8. Match, if applicable.
9. Appropriate signatures

The appropriate committee will rate the eligible applications using the IDPR Grant Application Evaluation Criteria. All applications will be rated by each of the committee members in attendance at the evaluation meeting. The scores of the project ratings will be ranked in descending order.

The ranking sheet (as described above) will be used to make recommendations to the Idaho Park and Recreation Board. The Board will make the final award of the grant funds.



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## IDAHO DEPARTMENT OF PARKS AND RECREATION
## Grant Application Evaluation Criteria

Project Name: _____ Applicant: _____

Rater: _____

### Credibility

1. Degree to which project reflects the purpose of the program or fund and benefits a full range of users contributing to the specific program fund. _____ 0-10 pts.

### Assessment of Need

2. Degree of urgency due to potential resource damage, or health and safety concerns that may cause an opportunity to be lost if no action is taken. _____ 0-10 pts.

3. Degree to which the project creates new recreational opportunities not currently available in the area. _____ 0-10 pts.

4. Degree to which project is reflected as a user need in current comprehensive outdoor recreation plans or surveys. _____ 0-10 pts.

### Scope of Work

5. Degree of quality in project planning, design, organization, and coordination with IDPR staff and respective advisory committees. _____ 0-10 pts.

6. Degree of overall quality and importance of the project as demonstrated to the Advisory Committee. _____ 0-10 pts.

### Commitment

7. Degree to which applicant has committed to the ongoing maintenance of the facility or continuation of the service. _____ 0-10 pts.

8. Degree of matching funds from applicant and other applicant sources or investment in the project as demonstrated by the applicant. _____ 0-10 pts.

9. Degree of statewide user group support for the project. _____ 0-10 pts.

### Feasibility

10. Degree to which project costs are reasonable and accurate and relate to project benefits. _____ 0-10 pts.

_____ **TOTAL**

Comments _____

_____

_____

_____

**NOTE:** In reviewing recommendations of the Advisory Committees, the Idaho Park and Recreation Board retains the discretion to consider criteria, factors, or information other than the rating criteria considered by the Committee in awarding or denying the award of a grant.



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## Grant Agreement

Upon Idaho Park and Recreation Board approval, the Idaho Department of Parks and Recreation (IDPR) will notify successful applicants by mail of their selection for funding. Along with this notification will be two original grant agreements. The grantee must return the agreements with original signatures of the individual with authority to make long-term obligations for their respective agency or organization, within sixty (60) days of the notification of the award.

The final "Request for Reimbursement/Close-out Report" along with associated invoices/receipts must be submitted to IDPR within forty-five (45) days after the completion of the project.

Examples of appropriate signatories for IDPR Grant Agreements are as follows:
US Forest Service – Forest Supervisor; US Bureau of Land Management – Area Supervisor; US Bureau of Reclamation – Area Manager; City – Mayor; County Commissioner.

Terms, obligations, and scope of the grant agreement can be modified only with the approval of IDPR. Written justification and application for such modifications must be received by IDPR before they are considered.

Grantees should review the grant agreement on the next page prior to submitting the grant application.

## Disbursement of Funds

**IDPR grant funds will be disbursed on a reimbursement basis after the grantee has acquired goods or services as described in the agreement form.** Partial reimbursements may be made during the course of a project upon submittal of IDPR Form 50.7 – "Request for Reimbursement/Close-out Report and associated invoices/receipts".



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Idaho Department of Parks and Recreation
***STATE AND FEDERAL AID GRANT PROGRAMS***

AGREEMENT FORM

| | |
|---|---|
| Applicant: | Project No: |
| Project Name: | Date Approved: |
| Location | Project Period:<br>From:<br>To: |

It is mutually agreed and understood that the use of these funds will be for the purposes stated on the attached Exhibit A which is incorporated herein by this reference and subject to the terms as described herein. It is also understood that the Grantee is responsible to obtain all necessary permits; follow applicable bidding laws; keep accurate records of expenses for audit purposes; construct all improvements according to mutually agreed upon construction standards and all applicable state, local, or federal codes and maintain improvements to be open and safe for public use, without regard to one's race, gender, national origin, religion, or disability. It is expressly agreed that the Department's sole involvement in the project covered by this agreement is in design and contribution of funds, that the Department shall acquire no interest in the property or improvements covered by this agreement, and that the Department and the state of Idaho, therefore, shall not bear any liability for use of the facilities or project area except insofar as such loss may be attributable to design by the Department. It is mutually agreed that the Grantee will comply with the rules governing the appropriate recreation program in effect as of the date of this agreement.

These funds are sub-granted to the applicant as a portion of federal funds granted to the Idaho Department of Parks and Recreation as identified below:

1. Federal Agency: _____
2. CFDA Title: _____
3. CFDA #: _____
4. Award Name: _____
5. Award #: _____

In witness thereof:

_____
Signature-Applicant's Authorized Representative

_____
Title

_____
Date

APPROVED:

_____
Idaho Department of Parks and Recreation

_____
Date



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IDPR/SWI 50.7
9/04

Idaho Department of Parks and Recreation

# Request for Reimbursement/Close-out Report

1.Request # _____ 2. Project Name _____ 3-a. Grant # _____

*CFDA #'s are for Federally funded grants* 3-b. CFDA# _____

4. Project Period _____ 5. Partial Payment ❑ Closeout ❑

6. Project Applicant (Payee) _____

7. Grant Manager _____

8. Address _____

9. Phone _____ 10. Fax _____ 11. Email _____

## Grant Funds (IDPR)

Original Grant Amount..... _____
Amount Requested This Form..... _____
Amount Previously Expended..... _____

Balance ..... _____

## Match Funds (Applicant)

Match Committed..... _____
Match Reported This Form..... _____
Match Previously Reported ..... _____

Balance ..... _____

Program rules require that signs be posted acknowledging funding assistance by IDPR grant funds.

☐ Please check this box if a grant program sign or sticker needs to be sent to you.

**Note:** Furnishing false information may constitute a violation of applicable state and federal laws. I certify that the above data is correct based on the contractor's official accounting system and records, consistently applied and maintained, and that the costs shown have been made for the purpose of, and in accordance with, the terms of the grant contract.

Authorized Signature _____ Title _____ Date: _____

***Reimbursement/Close-out cannot be processed without an authorized signature from the applicant.***

Submit to: *Idaho Department of Parks and Recreation*

***Please attach copies of invoices/receipts***



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# Federal Grant Programs

## Clean Vessel Act (CVA) Grant

### Introduction

Congress authorized funding for the Clean Vessel Act grants to make money available for projects such as boat pump-out stations and educational programs relating to environmental and water pollution control pertaining to vessel operation. Public agencies and private businesses are eligible, provided total access is given to the public.

### Clean Vessel Act Grant Guidelines

Through the Federal Clean Vessel Act of 1992, the Idaho Department of Parks and Recreation was given the responsibility of managing federal funds to provide vessel pump-outs within the state. Money is available to purchase, install and maintain vessel pump-outs and to educate the public on environmental issues.

***Eligible grant activities:***

1) Plans for construction, renovation, operation and maintenance of pump-out and dump stations. Eligible grant activities also include any activity necessary to hold and transport sewage to sewage treatment plants, such as holding tanks, piping, haulage costs; and any activity necessary to get sewage treatment plants to accept sewage, such as installing bleed-in facilities.
2) Education/information programs to educate and/or inform recreational boaters about the environmental pollution problems resulting from sewage discharges from vessels and to inform them of the location of pump-out and dump stations.

***Ineligible grant activities:***

1) Activities that do not provide public benefits.
2) Enforcement activities.
3) Construction/renovation of restroom facilities.
4) Construction, renovation, operation and maintenance of on-site sewage treatment plants, such as package treatment plants and septic systems, and of municipal sewage treatment plants for primary and secondary treatment.

***Grant proposals must consist of a narrative, which identifies and describes the following:***

1) The need for the project within the purpose of the Act.
2) Specific objective(s) to be accomplished during a specific time period that address the need(s).
3) Expected results or benefits from accomplishing the objectives, including the numbers of recreational vessels and people served.
4) The approach to be used in meeting the objectives, including specific procedures, schedules, key personnel, cooperators, grant location, innovative approaches, and estimated costs.
   a) Amount and sources of matching funds.
   b) Fees for use of facility.

***Priority consideration shall be given to grant proposals that meet the following criteria:***

1) Proposals that provide for public/private partnership efforts to develop and operate pump-out and dump stations.
2) Proposals for innovative ways to increase the availability and use of pump-out and dump stations, e.g., where private parties put in more than the minimum amount.



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3) Proposals that include an education/information component.
4) Proposals which benefit the waters most likely to be affected by the discharge of sewage from vessels, including the waters as defined in the technical guidelines as published in the Federal Register, and
5) Proposals in areas with high vessel/pump-out or dump station ratios.

***Cost sharing:***

1) The federal share shall not exceed 75% of total costs approved in the grant agreement. Grantees must provide at least 25% of the total cost as match.
2) The provisions of 43 CFR 12.64 apply to cost sharing or matching requirements. Third party in-kind contributions must be necessary and reasonable to accomplish grant objectives and represent the current market value of non-cash contributions furnished as part of the grant by another public agency, private organization or individual.

***Allowable costs:***

1) Allowable grant costs are limited to those costs that are necessary and reasonable for accomplishment of approved grant objectives and meet the applicable federal cost principles in 43 CFR 12.60(b). Purchase of informational signs, program signs, and symbols designating pump-out and dump stations, are allowable costs.
2) Grants or facilities designed to include purposes other than those eligible under the Act shall have the costs prorated equitably among the various purposes. Grant funds shall only be used for the part of the activity related to the Clean Vessel Act.
3) Costs incurred prior to the effective date of the grant agreement are not allowable with the exception that preliminary costs are allowed only with prior approval. Preliminary costs may include such items as feasibility surveys, engineering design, biological reconnaissance, appraisals, preparation of grant documents such as environmental assessments for compliance with the National Environmental Policy Act, or prior costs for surveys and plans.

***Signs and symbols:***

1) A national symbol shall be installed and be clearly visible to direct boaters entering the facility to pump-out and dump stations. Appropriate information signs should be installed at pump-out and dump stations. Such information could indicate fees, restrictions, hours of operation, operation instructions, and a contact name and telephone number of the facility when it is inoperable.

***Fee charges for use of facilities:***

1) A maximum of a $5.00 may be charged for use of pump-out facilities constructed, operated or maintained with grant funds. Such proceeds shall be retained, accounted for, and used by the operator to defray operation and maintenance costs for the useful life of the facility.

***Public access to facilities and maintenance:***

1) All recreational vessels must have access to pump-out and dump stations funded under this grant program. Facilities shall be operated, maintained, and continue to be reasonably accessible to all recreational vessels for the full period of their useful life.

***Program crediting:***

1) Signs should acknowledge that the facility was constructed or improved with funds from the Clean Vessel Act. Following is suggested language: "This facility was built (or improved) using Federal Aid matching funds authorized by the Clean Vessel Act."



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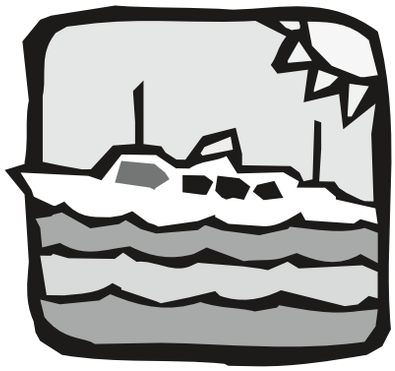
# Boating Infrastructure Grant (BIG) Program

Congress authorized funding for the Boating Infrastructure Grant (BIG) Program. The money is available for the construction, renovation, and maintenance of tie-up facilities with features for transient boaters in **vessels 26 feet or more in length**, and to produce and distribute information and educational materials about the program.



The guidelines for the BIG Program are prescribed by the U.S. Fish & Wildlife Service, which manages the program. Each state has a designated agency, which administers these grants. Idaho's designated agency is the Idaho Department of Parks and Recreation (IDPR).

Any state designated by the Governor to participate on behalf of the state can apply for these grants. States may issue sub-grants and contracts to other public or private entities.

The program has two funding tiers:

1. Tier One ensures a broad geographic distribution of funds, providing each state or territory submitting an eligible proposal up to $100,000 per fiscal year. States may use Tier One funds for projects meeting the eligibility requirements in 50 CFR 86.14 and listed in 50 CFR 86.20. States may submit multiple projects within a Tier One proposal, however, the total funding requested may not exceed $100,000.
2. Tier Two proposals are awarded through a competitive process, based on individual project merits. There is no limit on the dollar amounts associated with any Tier Two project proposal. All Tier Two projects must satisfy eligibility requirements listed in 50 CFR 86.14 and 86.20. The projects will be scored according to established criteria in 50 CRF 86.60 (e.g., transient applicability, partnership involvement, innovativeness, other funding contributions, cost efficiency, links with other destinations, access opportunities, economic impacts, and multi-state efforts).

### Match

The program is a cost-reimbursable program, i.e. the grantees cover the full amount of an approved activity and then apply for reimbursement for up to 75 percent of the project expenses. Grantees must provide at least 25 percent of project funding from a non-federal source.

### Application/Selection

Grantees submit project proposals for eligibility under the Sport Fish Restoration Act and for determination of substantiality in character and design. Compliance with other applicable Federal regulations (i.e., endangered species issues, environmental issues, etc.) will be reviewed as applicable. States are not in competition with each other for funding under Tier One, and if approved, Tier One projects (maximum available/project, $100,000) may then begin and the States may be reimbursed for the Federal share as costs are incurred.

States are in competition (with each other) for funding under Tier Two, thus the Service is involved in ranking and selecting projects. However, the states have full authority to determine their needs and priorities and submit projects accordingly.

Approved projects are monitored to ensure work is complete as proposed and that funds are spent on approved activities.



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# Appendix

**IDAPA 26**

**TITLE 01**

**CHAPTER 31**

## 26.01.31 - RULES GOVERNING THE ADMINISTRATION OF IDAHO DEPARTMENT OF PARKS AND RECREATION STATE AND FEDERAL GRANT FUNDS

**000. LEGAL AUTHORITY.**
The Idaho Park and Recreation Board is authorized under Section 67-4223(a), Idaho Code, to adopt, amend, or rescind rules as may be necessary for proper administration of the Department and its programs. (7-1-99)

**001. TITLE AND SCOPE.**

**01. Title**. The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.31, "Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds". (4-11-06)

**02. Scope**. This chapter establishes procedures for grants administration of the Off-Road Motor Vehicle Account, the Recreational Vehicle Account, the Waterways Improvement Fund, the State Trust for Outdoor Recreation Enhancement, the Recreational Trails Program, the Motorbike Recreation Account, the Cutthroat License Plate Fund, and the Recreational Road and Bridge Fund. This chapter includes requirements for project application, eligibility, review, award and management. (4-11-06)

**002. WRITTEN INTERPRETATIONS.**
This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rule-making that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 150. In addition, Idaho Department of Parks and Recreation Grant Guidelines prepared and maintained by the Department provide additional interpretation of these rules. These documents are available for public inspection and copying in the central office of the agency. (4-11-06)



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**003. ADMINISTRATIVE APPEALS.**
Any applicant who may be adversely affected by a final decision, ruling, or direction of the Department may seek relief as outlined under IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 250. (4-11-06)

**004. PUBLIC RECORDS.**
The records relative to any grant project are public records, and are to be controlled as outlined under IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 300. (4-11-06)

**005. CITATION.**
The official citation of this chapter is IDAPA 26.01.31.000 et seq. For example, the citation for this section is IDAPA 26.01.31.005. (7-1-99)

**006. — 009. (RESERVED).**

**010. DEFINITIONS.**
As used in this chapter: (7-1-99)

**01. Applicant**. An IDPR approved entity, that identifies a need for a project, supplies initial support data, and applies for program grant through the Department. (4-11-06)

**02. Board**. The Idaho Park and Recreation Board. (7-1-99)

**03. County Waterways Committee**. Those committees created by Section 67-7012, Idaho Code, whose purpose is to advise the county on the maintenance and improvements of waterways and expenditures of moneys deposited in the county vessel account. (4-11-06)

**04. Cutthroat License Plate Fund (CLP)**. That portion of the Park and Recreation fund created in Section 67-4225, Idaho Code, received from the sale of cutthroat wildlife license plates. (4-11-06)

**05. Department**. The Idaho Department of Parks and Recreation. (7-1-99)

**06. Director**. The chief administrator of the Department, or the designee of the Director. (7-1-99)

**07. Grant**. A grant from programs or funds as described in Section 001.02 of this chapter. (4-11-06)

**08. Grantee**. An applicant who receives a grant from the Department for the programs or funds as described in Section 001.02. (4-11-06)

**09. IDPR Grant Guidelines**. A compilation of state procedures, rules, and instructions assembled in manual form for dissemination to the potential applicant and public entities that may wish to apply for grants. (4-11-06)



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**10. Management**. The actions taken in exercising control over, regulating the use, operation, and maintenance of facilities or programs. (7-1-99)

**11. Motorbike Recreation (MBR) Account**. This account, created by Section 67-7126, Idaho Code, may be used for all of the purposes outlined in Subsection 010.11 of this chapter and rider education programs. When reference is made to the ORMV Account in this chapter, it is intended to include the MBR Fund the same as if it was specifically denoted as such except enforcement of laws and rules governing the use of off-road motor vehicles in Idaho. (4-11-06)

**12. Off-Road Motor Vehicle (ORMV) Account**. That account created by Section 57-1901, Idaho Code. These moneys may be used to acquire, purchase, improve, repair, maintain, furnish and equip off-road motor vehicle facilities and sites or areas used by off-road vehicles on public or private land, and to assist with enforcement of laws and regulations governing the use of off-road vehicles in the state of Idaho. (7-1-99)

**13. Off-Road Motor Vehicle (ORMV) Account Advisory Committee**. A nine (9) member committee appointed by the Board to advise the Department on matters involving ORMV Fund grants. (7-1-99)

**14. Project**. An effort to comply with Idaho statutes and rules for which grant funds shall be used to assist the grantee in achieving the objectives of the grant programs. (4-11-06)

**15. Project Manager**. Any individual who has the principle responsibility for the ongoing management of projects. (7-1-99)

**16. Public Entity**. The state, federal or local government or a subdivision thereof, or an Indian tribe. (7-1-99)

**17. Recreational Road and Bridge Fund (RRBF)**. That portion of the park and recreation capital improvement account designated for grants to improve roads, bridges, and parking lots in or leading to park and recreation areas of the state. (4-11-06)

**18. Recreational Trails Program (RTP)**. The account created by the Transportation Equity Act for the 21st Century (Section 1112). This fund may be used for maintenance and restoration of existing recreational trails, development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails, purchase and lease of recreational trail construction equipment, construction of new recreational trails, acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors, and the operation of education programs to promote safety and environmental protection as those objectives relate to the use of recreational trails. (4-11-06)

**19. Recreational Trails Program (RTP) Advisory Committee**. A ten (10) member advisory committee appointed by the Board to advise the Department on matters related to the Recreational Trails Program. (4-11-06)



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**20. Recreational Vehicle (RV) Account**. That account created by Section 49-448, Idaho Code. The moneys may be used for the acquisition, lease, development, improvement, and maintenance of facilities designed to promote the health, safety, and enjoyment of recreational vehicle users. (7-1-99)

**21. Recreational Vehicle (RV) Advisory Committee**. A six (6) member committee appointed by the Board to advise the Board and Department on matters involving the RV Account. (7-1-99)

**22. Staff**. Any individual employed by the Department. (7-1-99)

**23. State and Federal Grant Manager**. The Department administrator in charge of State and Federal grant programs. (4-11-06)

**24. State and Federal Grant Program**. That section of the Department responsible for the administration of state and federal grant programs. (4-11-06)

**25. State Trust for Outdoor Recreation Enhancement (STORE)**. The recreation account created by Section 67-4247, Idaho Code. (7-1-99)

**26. Waterways Improvement Fund (WIF)**. That fund created by Section 57-1501, Idaho Code. These moneys may be used for the protection and promotion of safety, waterways improvements, creation and improvement of parking areas for boating purposes, making and improving boat ramps and moorings, marking of waterways, search and rescue, and all things incident to such purposes including the purchase of real and personal property. No such improvements shall be constructed in any county of the state without the approval of the county waterways committee of the plan for such improvements. (4-11-06)

**27. Waterways Improvement Fund Grant Advisory Committee**. A six (6) member committee appointed by the Board to advise the Department on matters relating to Waterways Improvement Fund grants. (7-1-99)

**011. — 049. (RESERVED).**

**050. GENERAL PROVISIONS OF THE STATE AND FEDERAL GRANT PROGRAM.**
It is the intent of the Department, through the State and Federal Grant program, to provide funds and planning assistance to entities for the acquisition, lease, development, improvement and maintenance of facilities and equipment to promote the health, safety, enjoyment and general welfare of recreational users in the state of Idaho. (4-11-06)

**051. — 074. (RESERVED).**

**075. ELIGIBLE APPLICANTS.**
Public entities as defined in Subsection 010.16, and sponsors as defined by Federal Highway Administration Recreation Trail Program Interim Guidance, are eligible to apply for and receive grants as described on Subsection 001.02 of this chapter. (4-11-06)



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**076. — 099. (RESERVED).**

**100. APPLICATION PROCEDURE.**
All forms and documents required by these rules and the Department shall be completed and submitted according to these rules in order for a grant application to be considered for approval. (7-1-99)

**01. Forms**. To be considered for a grant, an applicant must file with the Department a completed grant application form and other documentation specified in the IDPR Grant Guidelines, all of which shall have original signatures. An applicant must file with the Department a completed grant agreement form, with original signatures, within sixty (60) calendar days of written notification of grant approval. The application and grant agreement forms shall be provided to the applicant by the Department. (4-11-06)

**02. Review**. The applicant or applicant's representative may review the project and all associated documentation with the Department prior to submitting the application to ensure the project and documentation meet the criteria of the State and Federal grant program. When possible, Department staff may perform an on-site visit to the project site for preliminary fact finding and to evaluate the viability and eligibility of the project. (4-11-06)

**03. Public Comment**. The applicant shall submit to the Department proof of public comment regarding the project. Proof of public comment may include the results of public meetings, scoping of National Environmental Policy Act (NEPA) processes, individual contacts with recreationists and others that may be affected by the project, newspaper articles and/or other media releases which describe the project and request public input. (4-11-06)

**04. Deadline**. The deadline for grant applications shall be established by the Department. The Department shall announce the availability of funds at least sixty (60) days prior to the deadline date for receipt of applications. (4-11-06)

**101. — 149. (RESERVED).**

**150. ELIGIBILITY AND PRIORITY RATING OF PROJECTS.**
Eligibility of all projects or applicants shall be determined by the State and Federal Grant Manager who shall consider relevant rules, statutes and past performance of the applicant. (4-11-06)

**01. Pre-Application Activities**. Projects, or any part thereof, either paid for by the grantee or completed prior to the grant application deadline date established by the Department, shall be ineligible for grant funding or to be considered as match. However, costs for design and engineering incurred within one (1) year prior to the application deadline date may be considered as match, provided they are listed as a scope element on the application. Recreational Trail Program projects, or any part thereof, completed prior to the execution of the project agreement shall be ineligible for grant funding or to be considered as match. (4-11-06)



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**02. Priority Rating Criteria**. The Department and/or appropriate advisory committee shall establish project rankings by rating each eligible project using criteria established by the Board. Specific evaluation criteria shall be listed in the IDPR Grant Guidelines. (4-11-06)

**151. — 174. (RESERVED).**

**175. PROJECT TIME PERIOD.**

**01. Grant Cycle**. Applications for ORMV Fund, RV Account, WIF, Motorbike Recreation Account (MRB), Cutthroat License Plate Fund, (CLP), Recreational Road and Bridge Fund (RRBF), or STORE shall be considered at least once each state fiscal year (July 1 through June 30) dependant upon adequate funding availability. Applications for RTP projects shall be considered at least once each federal fiscal year (October 1 through September 30) dependent upon adequate funding availability. (4-11-06)

**02. Expenditure of Grant Funds**. Except as herein provided, the grantee shall have only the designated state or federal fiscal year or years to expend grant funds. If the grant funds are not expended within the designated fiscal year or years, the grant shall be revoked unless the applicant requests and receives an extension of time from the Department. (4-11-06)

**03. Requests for Extension**. A written request for an extension of the project period shall be received by the Department prior to the end of the project period. The State and Federal Grant Manager shall make the final determination of extensions. No project extension shall be granted for more than one (1) year, however, project extensions may be granted in consecutive years. (4-11-06)

**176. — 199. (RESERVED).**

**200. AUTHORITY FOR FUNDING APPROVAL.**
Projects up to and including twenty thousand dollars ($20,000) may be approved by the Director. Projects over twenty thousand dollars ($20,000) shall be presented to the Board for approval. (4-11-06)

**01. Minor Cost Increases**. Cost increases of fifteen percent (15%) or less of the original grant amount may be approved by the Director. (4-11-06)

**02. Major Cost Increases**. Cost increases of more than fifteen percent (15%) of the original grant amount shall require the project be presented as a totally new proposal and compete through the general application process described herein. Should the revised project not receive approval for cost increase grant funding, the grantee shall be required to complete the scope of the project as originally proposed at its expense or return any project grant funds paid to it so that the project may be canceled and the grant funds reallocated. (4-11-06)



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**03. Waterways Improvement Fund Grant Limit**. The total sum of WIF grant funds approved to be used in any one (1) county may not exceed thirty percent (30%) of the total WIF grant funds approved to be used statewide in any state fiscal year. (4-11-06)

**201. — 249. (RESERVED).**

**250. DISBURSEMENT OF FUNDS.**

**01. Allowable Costs**. Applicable Office of Management and Budget (OMB) cost principles, program regulations, and the terms of grant agreements shall be followed in determining the reasonableness and allowability of costs. (7-1-99)

**02. Documentation and System of Internal Controls**. The grantee shall maintain a system of internal controls in order to identify the source and disbursement of funds provided for all project costs and match by grant or project. Accounting records shall be supported by source documentation such as vouchers, canceled checks, invoices, payroll, time and attendance records, contract and sub-grant award documents, and other required billing forms. (4-11-06)

**03. Match**. Match is the donation of cash, product or service used to complete the grant project as approved. The following types of match may be used: (4-11-06)

**a.** Force account labor and equipment, i.e., the use of the grantee's staff (labor) and equipment costs. Documentation of force account shall include: the name of each worker, dates worked, hourly rate of pay, number of hours worked, and the total cost by each person. Documentation of equipment costs shall include the type of equipment used, dates used, hourly rate value, number of hours used, how the hourly rate was determined, and total cost. (7-1-99)

**b.** Donated material that is used as match shall be reasonable and cannot exceed the costs of the materials to the donor or the market price at the time they are charged to the project, whichever is less. A detailed invoice marked "donation" or a letter from the donor shall be used as documentation of donated material. (7-1-99)

**c.** Donated Contract Labor. When an employer, other than the grantee, furnishes the services of an employee, these services are valued at the employee's regular rate of pay (not including fringe benefits and overhead costs). These services shall be for the same skill for which the employee is normally paid. Documentation shall include the employee's name, dates worked, hourly rate, number of hours worked, and total cost. (7-1-99)

**d.** Rates for Volunteers. Skilled and unskilled shall be consistent with the rate regularly paid by the grantee for similar work or shall be consistent with those paid for similar work in the grantee's labor market. If the volunteer is professionally skilled and employed in the work he is performing on the project, the grantee may use the individual's normal wage rate. If the volunteer is unskilled and not professionally employed in the work he is performing the grantee shall value the donated labor at the national minimum wage rate. Documentation shall include the volunteer's name, date worked, hourly rate, number of hours worked, and total cost. (7-1-99)



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**04. Disbursement of Funds**. Except as provided in Subsection 250.05 herein, the Department shall authorize disbursement of funds allocated to a project on a reimbursement basis. This means that the grantee shall initially pay all project costs and then seek reimbursement through the Department. (4-11-06)

**a.** General. Grantees shall use only the forms specified in this section, and such supplementary or other forms as may from time to time be authorized by the Department. (7-1-99)

**b.** Request for Reimbursement. The grantee shall complete an Idaho Department of Parks & Recreation (IDPR), Request for Reimbursement/Close-out Report form certifying that the data is correct and submit the form to the State and Federal grant program with an original signature. (4-11-06)

**c**. Extend the Due Date. The Department may extend the due date of any financial report upon receiving a justified request from a grantee. (7-1-99)

**d**. Accounting Basis. Each grantee shall report program outlays and program income on a cash or accrual basis pursuant to Generally Accepted Accounting Principles. (7-1-99)

**05. Cash Advances**. When approved for an advance grantees shall be paid in advance no sooner than thirty (30) days prior to project start, provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds and their disbursement by the grantee. (4-11-06)

**a.** Requesting an Advance. A disbursement of funds may be made on an advance basis by submitting an IDPR Request for Advancement form provided by the Department. Written Justification for an advance is required unless there is a Memorandum of Understanding or Collection Agreement on file. (4-11-06)

**b.** Interest Earned on Advances. Grantees and subgrantees shall promptly, at grant close-out, remit interest earned on advances to the Department. (7-1-99)

**06. Reporting**. Each grantee receiving grant funds that require reporting shall remit a complete activities report to the Department no later than January 31 of each year which shall cover the preceding calendar year and shall be on forms provided by the Department. Failure to report or poor performance indicated by the report may disqualify grantee from future grant application. (4-11-06)

**07. Grant Closeouts**. Within forty-five (45) days after the completion of the project, the grantee shall submit an IDPR Request for Reimbursement/Close-out form and immediately refund to the Department any balance of unobligated cash advanced and interest earned. (4-11-06)



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**08. Record Retention**. The grantee shall retain all financial information referenced in these rules regarding a project for a time period of three (3) years from the date of the final grant payment, unless any litigation or audit concerning the project has been started or announced. (4-11-06)

**09. Audit Authority**. The Department shall have the right of access to any pertinent books, documents, papers, or other records of grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. An audit of the award may result in the disallowance of costs incurred by the recipient and the establishment of a debt (account receivable) due the Department. (7-1-99)

**10. Contingency Fund**. The Department may retain grant funds from each recreational program grant account for the exclusive purpose of providing facilities or services. (7-1-99)

**251. — 299. (RESERVED).**

**300. GRANTEE OBLIGATIONS.**

**01. Project Completion**. Except as herein proved, upon approval of a grant application the grantee shall be obligated to complete all elements of a project as described on the approved grant application, grant agreement, or approved amendment. (4-11-06)

**02. Project Management**. Except as herein provided, upon approval of a grant application the grantee shall ensure adequate management of the project as specified in the approved grant application or grant agreement. (4-11-06)

**03. Grant Modification**. Only for good cause, and upon the submission of detailed justification shown in writing and approval by the State and Federal Grant Manager may the terms and obligations of the grant application or grant agreement be modified. (4-11-06)

**04. Maintenance and Operation**. Real property, physical facilities and equipment funded by a grant shall be maintained and operated in the condition or state equivalent to that existing when such facility was completed or property or equipment purchased, normal wear and tear excepted. (4-11-06)

**05. Public Use/Nondiscrimination**. Physical facilities and real property purchased in whole or in part with grant moneys shall be available for public use regardless of race, color, religion, national origin, gender, age, or disability. Facilities constructed with grant moneys shall meet the requirements as set by the Americans with Disabilities Act Guidelines. (4-11-06)

**06. Fees And Donations**. Except as herein provided, fees may be charged or donations subscribed for the use of or access to facilities or real property developed or purchased with grant funds at a level commensurate with the costs of maintenance and upkeep of the facility or real property with the approval of the Board. Fees may be charged or donations subscribed for special events of limited duration at the facility when approved by the Department. (4-11-06)



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**07. Acknowledgment of Funding Assistance**. Grantee shall post and maintain appropriate permanent signs or decals upon project sites or equipment acknowledging funding assistance from the appropriate grant fund and the Department upon start of the project or purchase of equipment. (4-11-06)

**08. Notice Of Registration Requirements**. Off-Road Motor Vehicle Account project applicants and sponsors shall be responsible for posting a written notice of the requirement of applicable registration requirements and enforcing such requirements for special events as well as general use. (7-1-99)

**09. Project Liability**. Grantees, through a signed agreement, shall assume all project liability and hold the Department harmless. (4-11-06)

**10. Purchase and Bidding Requirements**. The grantee shall follow all local, state and federal laws pertaining to the expenditure of public funds. (4-11-06)

**11. Permits**. The grantee shall legally acquire all required local, state and federal permits for the construction or development of the project before grant funds shall be expended. Construction shall comply with the then current codes and standards as set by the Uniform Building Code, Uniform Plumbing Code, and the National Electrical Code. (4-11-06)

**12. Failure to Comply**. Failure by the grantee to comply with such terms and obligations as set forth in the approved grant application or grant agreement shall result in the immediate revocation of an approved grant or shall constitute a conversion pursuant to Section 350 of this chapter, as applicable. (4-11-06)

**301. — 349. (RESERVED).**

**350. PROJECT CONVERSIONS.**

No grant funded project shall, without the prior written approval of the Board, be converted to uses other than for the authorized purposes specified in the original grant application or grant agreement. (4-11-06)

**01. Approval of a Conversion**. The Board shall approve a conversion only when the grant moneys spent on the project can be returned to the appropriate grant fund or the grantee can provide an immediate substitution of other projects of at least equal current fair market value and of reasonably equivalent recreational usefulness and location. (4-11-06)

**02. Resolving a Conversion**. If there is a project conversion, the grantee is responsible for repaying the appropriate grant fund an amount determined by investment amortization through use, project life expectancy, and depreciation or appreciation of the facilities or equipment. (4-11-06)

**03. Conversion Requests**. Project conversion requests shall be in writing by the grantee prior to any conversion attempts. (7-1-99)



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**351. — 399. (RESERVED).**

**400. RESPONSIBILITY FOR EQUIPMENT.**
Motorized equipment purchased with grant funds shall become property of the grantee. Such units of motorized equipment shall be subject to Subsection 250.06 and Section 350 of this chapter. (4-11-06)

**401. — 449. (RESERVED).**

**450. REAL PROPERTY.**

**01. Appraisals**. A real estate appraisal is required for all real property to be acquired with grant funds. All appraisals shall be prepared according to Department procedures. The appraisal shall be paid for by the grantee, but may be included as part of eligible project costs. The selection of the appraiser shall be approved by the Department. (4-11-06)

**02. Appraisal Review**. The Department shall review appraisals as necessary. Any appraisal report which does not meet content requirements or use correct analysis procedures shall be corrected to the satisfaction of the Department. All costs shall be covered by the grantee. (4-11-06)

**03. Negotiated Price**. An approved appraisal is an acceptable estimate of property value. The negotiation between a willing seller and a willing buyer may set a price which is higher than the appraisal, and this value can be considered along with the appraised value in establishing the reasonable limits of assistance. If the grantee believes the negotiated price is a better indication of market value, yet is higher that the appraised value, a detailed statement of this difference shall be submitted to the Department. (4-11-06)

**04. Adequate Title and Public Access**. The grantee shall have clear title to, or adequate control and tenure of, the real property (land, land improvement, structures, and appurtenances) to be developed. The term “adequate control and tenure” of real property means a lease or an easement that provides the grantee sufficient control over the real property to permit the proposed development and use for a period of at least twenty-five (25) years from the date of application, unless specifically approved in writing by the Department for a shorter term. The grantee shall list all outstanding rights or interests held by others in the real property to be developed. If access to the real property to be developed is over private property, then the grantee shall describe the provisions made to ensure adequate public access. In the event the real property becomes unusable for its intended purposes or if such use ceases, the grantee shall be responsible for conversion of the project as described in Section 350 of this chapter. (4-11-06)

**05. Limitations on Use**. Property rights obtained with grant funds shall be free of all reservations or encumbrances which would limit the use of the site disproportionate to the public benefit. (4-11-06)

**451. — 999. (RESERVED).**



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**IDAPA 26**
**TITLE 01**
**CHAPTER 33**

## 26.01.33 - Rules Governing the Administration of the Land and Water Conservation Fund Program

**000. LEGAL AUTHORITY.**
The Idaho Park and Recreation Board is authorized under Section 67-4223, Idaho Code, to adopt, amend, or rescind rules as may be necessary for proper administration of the department and its programs.

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.33, "Rules Governing the Administration of the Land and Water Conservation Fund Program".

**02. Scope.** This chapter establishes procedures for the administration of the Land and Water Conservation Fund program, including requirements for project application, eligibility, review, award, and management.

**002. WRITTEN INTERPRETATIONS.**
This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01.150, "Rules of Administrative Procedure of the Idaho Park and Recreation Board". In addition, Participation Manuals and Internal Procedures Manuals referred to in this chapter provide additional interpretation of these rules. These documents are available for public inspection and copying in the central office of the agency.

**003. APPEALS.**
Any applicant who may be adversely affected by a final decision ruling, or direction, of the SLO may appeal such decision, ruling, or direction as outlined under IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board".

**004. — 005. (RESERVED).**

**006. CITATION.**
The official citation of this chapter is IDAPA 26.01.33.000 et seq. For example, the citation for this section is IDAPA 26.01.33.006.

**007. — 009. (RESERVED).**

**010. DEFINITIONS.**
As used in this chapter:



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**01. Acquisition.** The gaining of rights of public use by purchase or donation of fee or less than fee interests in real property.

**02. Board.** The Idaho Park and Recreation Board, a bipartisan, six (6) member board, appointed by the governor.

**03. Development.** The act of physically improving an area or constructing facilities necessary to increase its ability to serve outdoor recreation purposes.

**04. Director.** The director and chief administrator of IDPR or the designee of the director. Designated by the governor to serve as the State Liaison Officer for the LWCF program.

**05. Evaluation Committee.** Representatives from federal, state and local agencies with expertise in community development or public outdoor recreation needs. The committee determines acceptability of projects based on technical criteria, rates LWCF projects, and assists IDPR staff in making funding priority recommendations to the Idaho Park and Recreation Board.

**06. Grants Program.** All funding programs administered by IDPR.

**07. IDPR.** The Idaho Department of Parks and Recreation.

**08. LWCF.** The Land and Water Conservation Fund, a federal grant program which provides fifty percent (50%) matching grants to states, and through states to local governments, for the planning, acquisition and development of public outdoor recreation areas and facilities.

**09. NPS.** The National Park Service.

**10. Open Project Selection Process (OPSP).** The overall objective decision making process by which IDPR selects LWCF projects for funding.

**11. Participation Manual And Internal Procedures Manuals.** A compilation of state procedures, rules, and instructions that have been assembled in manual form and which have been approved by the board for dissemination to the public and public agencies that may wish to participate in grant programs of IDPR or which outline operation of the Land and Water Conservation Program by IDPR for staff use.

**12. Planning.** The development of documents and programs to identify and propose actions for managing recreational resources and the preparation and review of designs and specifications for such resources.

**13. Priority Needs Assessment.** Incorporates SCORTP related activities which refined Idaho's priorities for LWCF obligation. These area are reflected in the OPSP criteria (see Section 440 of this chapter).

**14. Project.** The undertaking which is or may be funded in whole or in part with funds administered by IDPR.



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**15. Retroactive Cost.** Costs incurred after receipt of application but prior to the execution of the project contract.

**16. SCORP/SCORTP.** Statewide Comprehensive Outdoor Recreation Plan/Statewide Comprehensive Outdoor Recreation and Tourism Plan.

**17. Scope Element.** A specific item, for example, one (1) facility or amenity, listed on a project application or project agreement which is a part of the whole.

**18. Sponsor.** A state or local government agency which solicits a grant of funds from IDPR for a projector is responsible for administering the grant or funding of an approved application or completed project.

**19. State Liaison Officer (SLO).** The director is designated by the governor to serve as the State Liaison Officer to the National Park Service for the LWCF program. The chief of the Recreation Resources Bureau is designated as the Alternate State Liaison Officer.

**011. — 049. (RESERVED).**

**050. GENERAL PROVISIONS.**

Federal Land and Water Conservation Fund (LWCF) grants are available through IDPR for the acquisition or development of land to be used for outdoor recreation or for the combined acquisition and development of land to be used for outdoor recreation. Any land acquired or developed with these funds shall be held in perpetuity for outdoor recreation or, with approval from IDPR abd NPS, be replaced with land of equal or higher fair market value, recreation utility and location. LWCF grants may be used for SCORTP activities.

**051. — 064. (RESERVED).**

**065. COMPLIANCE WITH LAWS.**

LWCF administration is subject to all applicable state and federal statutes, rules, regulations, ordinances and requirements.

**066. — 079. (RESERVED).**

**080. FUND ALLOCATION.**

**01. Eligible Applicants.** Governmental agencies which are eligible to receive or apply for the grant funds include incorporated cities, counties, state agencies, recreation districts and other state or local governmental agencies authorized to provide general public recreation facilities.

**02. Allocation Of Funds.** Idaho's cost of administering the SCORTP program, the LWCF program and a contingency fund are deducted from the state's annual apportionment.



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Remaining funds are divided fifty percent (50%) for local governmental agencies and fifty percent (50%) for state agencies. This policy may be altered in any year at the discretion of the board.

**a.** To assure that the needs of rural areas are met, twenty percent (20%) of the amount dedicated for local governmental agencies is dedicated for use by governmental agencies of five thousand (5,000) population or less. If the cumulative request of the governmental agencies of five thousand (5,000) population or less is more than the twenty percent (20%) of the amount dedicated for local governmental agencies, governmental agencies of five thousand (5,000) population or less may compete for the total remaining allocation.

**b.** If the total cost for a single project of a governmental agency with a population of five thousand (5,000) or less requires over one-half (1/2) of the twenty percent (20%) dedicated for use by governmental agencies of five thousand (5,000) population or less, that project shall compete with the large governmental agency projects.

**03. Exceptions.** The board may suspend (through formal action at the board meeting at which LWCF grant requests are considered) any provision of Subsection 080.02 of this chapter if the allocation is too small to warrant viable projects.

**04. Project Requests Insufficient.** The board is not required to distribute all available funds. IDPR staff may recommend, and the board determine, to reject projects with evaluation scores so low as to be noncompetitive.

**081. — 094. (RESERVED).**

**095. CONTINGENCY FUND.**
Twenty percent (20%) of the total allocation may be held out for needed cost overruns, special projects, and emergency needs. Any unused funds at the end of the funding cycle shall be obligated through the normal process.

**096. — 109. (RESERVED).**

**110. SPONSOR'S MATCHING SHARE.**
The sponsor shall be reimbursed up to fifty percent (50%) of the approved project cost. The sponsor's share can be either local funds, acceptable state funds, force account, or donation of privately owned lands, goods or services. Reimbursement varies according to the type of project and total project cost (see Section 515 of this chapter). The use of specific types of sponsor's share match may be adjusted in any year at the discretion of the board (see Section 140.04 of this chapter).

**111. — 124. (RESERVED).**

**125. PROJECT TIME LIMITATIONS.**
The project shall be completed by the applicant within twenty-four (24) months of the federal contract signing.

**126. — 139. (RESERVED).**



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**140. ELIGIBLE PROJECTS.**

**01. Generally.** LWCF grants are available for up to fifty percent (50%) of the cost to acquire or develop land which is to be used for outdoor recreation purposes and is to be held in perpetuity for public outdoor recreation uses.

**02. Less Than Fee Acquisition.** Acquisition of less than fee interest, such as easements and development right, shall be considered in the same manner as simple fee acquisition subject to the following conditions:

**a.** The interest cannot be revocable;

**b.** The value can be supported through standard appraisal techniques; and

**c.** Recreation can be demonstrated as the primary purpose of the acquisition.

**03.** Ineligible Projects. Acquisitions or developments which do not contribute directly to general public outdoor recreation facilities or activities are ineligible for LWCF funding. Acquisition of leases are not eligible.

**04. SCORTP.** LWCF grants are available for up to fifty percent (50%) of the cost of the SCORTP.

**141. — 154. (RESERVED).**

**155. ELIGIBLE PROJECT COSTS.**
IDPR may place restrictions on reimbursement of some acquisition and development costs.

**156. — 169. (RESERVED).**

**170. ACQUISITION OF PUBLICLY OWNED LANDS.**
The cost to the sponsor of land purchased from another public agency is generally not eligible for matching assistance.

**171. — 184. (RESERVED).**

**185. ACQUISITION OF STRUCTURES.**
Structures which are proposed to be retained and are incidental to the land are eligible for LWCF matching funds if they are to be used primarily for support facilities for outdoor recreation activities. The anticipated used shall be clearly identified in the project application so that IDPR may exercise reasonable judgment in determining the eligibility of the structure for funding assistance.

**186. — 199. (RESERVED).**

**200. WAIVER OF RETROACTIVITY.**



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**01. Generally.** The SLO may grant permission to a sponsor to proceed prior to normal processing of an application through a written waiver of retroactivity. This shall not be construed as a qualitative approval of the proposed project. Should the project subsequently be approved, the costs incurred shall be eligible for assistance.

**02. NPS Waiver Required.** The SLO shall not grant a waiver of retroactivity until the NPS has issued its waiver of retroactivity. A waiver shall be granted only if LWCF moneys are available and only if an emergency situation warrants it.

**03. Limitations.** Retroactive development costs are not eligible for reimbursement, other than expenses necessary for planning a development project and then only if it is specifically requested in the project application.

**201. — 214. (RESERVED).**

**215. ENCUMBRANCES.**
Property rights obtained with LWCF assistance must be free of all reservations or encumbrances which would limit the use of the site disproportionate to the public benefit.

**216. — 229. (RESERVED).**

**230. ACQUISITION COSTS EXCEEDING FAIR MARKET VALUE.**
An approved appraisal is an acceptable estimate of property value (see Section 350 of this chapter). The negotiation between a willing seller and a willing buyer may set a price that is higher than the appraisal, and this market place value can be considered along with the appraised value in establishing the reasonable limits of assistance. If the sponsor believes that the negotiated price is a better indication of market value, yet it is higher than the appraised value, a detailed and well documented statement of this differences shall be submitted, together with a formal request for a cost increase (see Section 620 of this chapter).

**231. — 259. (RESERVED).**

**260. ACQUISITIONS INVOLVING COMPATIBLE MULTIPLE USES.**
Nonrecreation uses, such as timber management, grazing, and other natural resource uses, may be carried out on lands acquired with LWCF assistance if they are clearly compatible with and secondary to recreation use, and are approved by IDPR prior to execution of the project contract.

**261. — 274. (RESERVED).**

**275. ACQUISITIONS INVOLVING NONRECREATION USE.**

**01. Nonrecreation Use Limited.** Lands acquired with LWCF assistance are immediately dedicated to public outdoor recreation and therefore, in the interim period between acquisition and planned development, the public cannot be denied use. In some instances during this period the temporary continuation of nonrecreation uses of LWCF assisted areas may be appropriate if not at the expense of public use. Continuation of existing nonrecreation uses shall



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be approved by IDPR. When approved by IDPR, the uses shall be phased out within three (3) years from the date of the acquisition.

**02. Life Estates.** Life estates, whereby an owner is allowed to use the property to the end of his life, is an allowable nonrecreation use provided all of the following conditions are met:

**a.** The life estate shall not totally limit public use of the site;

**b.** The value of the life estate is not included within the total project cost as established through acceptable appraisal techniques; and

**c.** The life estate provisions are approved by IDPR.

**276. — 289. (RESERVED).**

**290. PUBLIC PARK AND SCHOOL DEVELOPMENT PROJECTS.**
Projects clearly designed and located to meet identified needs for general public recreation, as well as to provide school districts with outdoor education, physical education, and recreation facilities may be eligible for funding, provided general public recreation is clearly the primary use.

**291. — 304. (RESERVED).**

**305. DONATED REAL PROPERTY AS MATCHING SHARE.**

**01. Generally.** The value of privately owned donated real property may be used as a portion or as all of the sponsor's matching share of an approved project when the transfer of title to the sponsor has not been accomplished prior to the execution by IDPR of the project contract, unless such action has been previously approved by IDPR under the waiver of retroactivity procedure (see Section 200 of this chapter).

**02. Limitations.** The donation shall consist of real property which would normally qualify for LWCF funding. If the donation does not adjoin the tract being acquired or is not being developed as part of the project then it shall stand on its own merits as an acceptable public recreation area in order to be considered an eligible donation. It also shall be within the jurisdiction of the sponsor.

**03. Appraisal Required.** The value of the donation shall be established by an appraisal report prepared under the provision of Section 350 of this chapter. Any portion of the value of the donation not utilized by the sponsor for matching in the project is not available for subsequent projects. The amount of donation that is matchable is the value of the land donation up to the limit of the local agency's share of the project. The maximum reimbursed by IDPR shall never exceed the cash expended on the project.

**306. — 319. (RESERVED).**

**320. DONATED GOODS AND SERVICES AS MATCHING SHARE.**



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**01. Generally.** Donated services, materials and equipment are eligible for reimbursement. Allowable rates shall be agreed upon by IDPR prior to initiation of construction and shall be in accordance with current federal regulations and state rules. Partial reimbursement on projects involving such donations shall be limited to the amount of actual cash outlay by the grantee.

**02. Excess Value.** Donated services above the needs for a project are not eligible for further funding assistance.

**03. Requirements.** Donated services may be furnished by professional and technical personnel, consultants, and other skilled or unskilled labor. The services shall be an integral and necessary part of an approved project. Rates for donated services shall be consistent with those paid for similar work in other activities of the state or local government. In those instances in which the required skills are not found in the sponsor's organization, rates shall be consistent with those paid for similar work in the labor market in which the sponsor competes for the kind of services involved.

**321. — 334. (RESERVED).**

**335. FORCE ACCOUNT AS MATCHING SHARE.**
All or a portion of the sponsor's share can be provided through force account (i.e., use of sponsor's staff and equipment) when such contributions are verifiable from the sponsor's records, are not included as contributions for any other IDPR program, and are necessary and reasonable for proper and efficient accomplishment of the project.

**336. — 349. (RESERVED).**

**350. Appraisal Requirements.**
A real estate appraisal is required for all land to be acquired. The appraisal shall be prepared and paid for by the sponsor. The type of appraisal to be used shall be determined by the cost of the property, and difficulty of the appraisal assignment. All appraisal shall be done according to "Uniform Appraisal Standards for Federal Land Acquisitions".

**351. — 364. (RESERVED).**

**365. APPRAISAL REVIEWS.**
IDPR shall review appraisals as necessary. Any appraisal report that does not meet the basic content requirement or use correct analysis procedures shall be corrected to the satisfaction of IDPR. All costs shall be paid by the sponsor.

**366. — 379. (RESERVED).**

**380. REVENUE FEASIBILITY STUDIES.**
At the discretion of the SLO, a feasibility report prepared by a fiscal specialist may be required prior to funding consideration by the board. Specifically, it shall provide the SLO with detailed financial information and data which shall be incorporated in staff recommendations to the board. This report shall be paid for by the sponsor.



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**381. — 394. (RESERVED).**

**395. TECHNICAL REVIEW.**
At the discretion of the SLO, a technical report prepared by a licensed, certified engineer may be required prior to funding consideration by the board. This report shall be paid for by the sponsor.

**396. — 409. (RESERVED).**

**410. FUNDING CYCLE.**

**01. Generally.** A funding cycle shall be held at a minimum of once every two (2) years with the following exception: subject to the level of funding, the board may suspend (through formal action at any regular meeting) a funding cycle.

**02. Procedure.** The funding cycle shall consist of the following:

**a.** Notification to begin a funding cycle shall be made no less than ninety (90) days before applications are due.

**b.** The evaluation committee meeting shall be held within one hundred twenty (120) days of the application due date.

**c.** Recommendations shall be formulated by IDPR staff within thirty (30) days following the evaluation committee meeting and shall be made to the board no later than the next regularly scheduled meeting.

**d.** Subject to the level of funding, the board may suspend (through formal action at any regular meeting) the evaluation committee meeting and may elect to adopt staff recommendations.

**03. Fees.** At the discretion of the SLO, fees may be charged for the various stages of any funding cycle. When charged, fees shall be assessed equally on all applicants. Fees charge may not exceed fifty dollars ($50) for all stages combined.

**411. — 24. (RESERVED).**

**425. APPLICATION PROCEDURE.**

**01. Initial Review.** Participation manuals are available to guide sponsors in preparing projects for funding consideration. Materials submitted for consideration shall be reviewed by IDPR staff for completeness and for project eligibility. Once all application materials are submitted and a project is determined to be potentially eligible under criteria established in the OPSP, IDPR shall ask the sponsor to make a presentation to the evaluation committee.

**02. Eligible Projects.** Eligible projects shall be ranked according to the (OPSP (see Section 440 of this chapter) and approved by the board (see Section 470 of this chapter). Full federal application materials shall be submitted to NPS for final funding approval (see Section 485 of this chapter).



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**426. — 439. (RESERVED).**

**440. OPEN PROJECT SELECTION PROCESS (OPSP).**

**01. Generally.** The procedures outlined in OPSP through the SCORTP process are for the purpose of defining criteria which a proposed LWCF project shall meet in order to be eligible for funding, and to establish priorities on the basis of which competing eligible projects can be rated objectively. The intent is to ensure that available funds are used to fund those projects which most nearly satisfy the intent of the LWCF Act, and the recreational needs of the people of Idaho.

**02. Requirements.** Requirements for the SCORTP and the OPSP can be found in the "LWCF Participation Manual," available from IDPR or NPS.

**03. Availability.** Copies of the SCORTP and the OPSP criteria used in prioritizing those projects submitted for LWCF assistance may be obtained from IDPR or NPS. Typically, this criteria is provided in all LWCF application guidelines.

**04. Suspension Of OPSP.** Subject to the level of funding, the board may elect to suspend OPSP (through formal action at any regular meeting).

**441. — 454. (RESERVED).**

**455. EVALUATION COMMITTEE.**

**01. Composition.** The evaluation committee includes representatives with experience in community development or public outdoor recreation. The committee shall rank projects based on its review of the application and a presentation by the sponsor. It shall rate all projects based on the selected criteria found in OPSP. The evaluation committee includes nine (9) members as follows:

**a.** Three (3) members shall be representatives of state and federal agencies with a technical relationship to community development or the outdoor recreation needs in the state.

**b.** One (1) member shall represent a community of five thousand (5,000) population or more

**c.** One (1) members shall represent a community of five thousand (5,000) population or less.

**d.** One (1) member shall represent the interests of ethnic minorities.

**e.** One (1) member shall represent the interests of the elderly.

**f.** One (1) member shall represent the interests of people with disabilities.

**g.** One (1) member shall be from the board.



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**02. Quorum.** A quorum is required to conduct committee business. Five (5) people constitute a quorum.

**03. Appointment And Term.** Members are appointed by and serve at the discretion of the SLO for three (3) funding sessions and may be reappointed, except, the board member shall be selected by and serve at the discretion of the board. As necessary, the SLO shall provide public notice of available seats. Any interested individual or organization may nominate individuals to serve on the committee.

**456. — 469. (RESERVED).**

**470. BOARD REVIEW AND APPROVAL.**
The board reviews and approves projects according to the priority list provided by IDPR staff. Applications are submitted to NPS according to priority after LWCF moneys have been appropriated by congress and allocated to the state.

**471. — 484. (RESERVED).**

**485. NPS PROJECT APPROVAL.**
When a project is approved by NPS, the announcement is made by one of the state's congressional delegation following notification from IDPR. All appraisals, title and deed work shall be finalized prior to submitting a project to NPS.

**486. — 499. (RESERVED).**

**500. PROCEEDING ON THE PROJECT.**
After project approval, the IDPR staff assists the sponsor in meeting the requirements of the LWCF including providing information on the steps and required documentation for acquisition and development projects along with financial responsibilities and allowable costs. The sponsor shall complete work on the project according to the scope elements in the state/local agreement.

**501. — 514. (RESERVED).**

**515. DISBURSEMENT OF FUNDS.**

**01. Authorization.** Except as otherwise provided herein, the SLO shall authorize disbursement of funds allocated to a project through reimbursement basis. The LWCF program is a reimbursement program, which means that the participants shall initially pay all project costs and then seek reimbursement through IDPR.

**02. Documentation.** Reimbursement not be made by IDPR until deed, title insurance and appraisal requirements are satisfied on all projects. Reimbursement may be made on development or combination acquisition and development projects once construction shows evidence and reasonable progress toward the completion of all scope elements and LWCF requirements.



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**03. Partial Reimbursement.** Partial reimbursement shall not be made for projects where the project sponsor's matching share is less than fifteen thousand dollars ($15,000). When reimbursement is granted prior to project completion, the sponsor shall receive a reimbursement for fifty percent (50%) of the eligible costs incurred less a fifteen percent (15%) hold back. When the project has been completed and receives final approval from IDPR, the sponsor shall be paid the fifteen percent (15%) hold back. If multiple payments are to be incurred as part of the project, the final payment may be used as the fifteen percent (15%) hold back.

**04. Request For Reimbursement.** Reimbursement shall be requested by local governmental agencies on voucher forms provided by IDPR and shall include all required documentation. The sponsor will receive a reimbursement for fifty percent (50%) of the eligible costs incurred. The amount of reimbursement shall never exceed the cash expended on the project.

**05. Advance Payment.** An advance payment is a payment made to a sponsor upon its request before cash outlays are made by the sponsor or payment made through the use of predetermined payment schedules before such payments are due. Advance payment may be made subject to the conditions outlined below:

**a.** IDPR will consider the payment of advances on development projects where the matching share is non-cash, and on acquisition projects where funds must be available up front in order to prevent the loss of an available site to other interested buyers. Such advances must receive prior approval of NPS. A written request must be submitted by the sponsor to IDPR to initiate the process.

**b.** Advances shall be timed and procedures observed to assure that cash withdrawals occur only as and when essential to meet the needs of the project sponsors. Advances shall be limited to the minimum amounts needed and shall be timed to be in accord with the requirements of carrying out the purpose of the approved project. Any moneys advanced to the sponsor are public moneys (owned by the Federal Government and the State of Idaho) and must be deposited in a bank with FDIC insurance coverage and the balances exceeding the FDIC coverage must be collaterally secure.

**c.** One (1) month after the advance has been received, the sponsor shall submit a billing indicating expenditures made from the advanced funds. This shall be used by IDPR as a basis for liquidating obligations, reducing the advance account and making charges to the appropriate cost account.

**d.** At least monthly, IDPR shall review the sponsor's disbursements of advanced funds for reasonableness of cash balances on hand. In the event IDPR determines a sponsor is making insufficient progress using advanced funds, IDPR may request an immediate refund.

**516. — 529. (RESERVED).**

**530. PROJECT CONTRACT.**

For every funded project, a project contracts shall be executed. The project contract shall be prepared by the IDPR staff subsequent to approval of the project. Upon execution by the sponsor,



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the parties shall thereafter be bound by the project contract terms. The sponsor may not proceed with the project until the project contract has been executed. IDPR may not execute a project contract until federal funding has been authorized by NPS.

**531. — 544. (RESERVED).**

**545. CONTROL AND TENURE.**
The sponsor shall have title to or adequate control and tenure of the area to be developed. The sponsor shall list all outstanding rights or interests held by others in the property to be developed. In the event that outstanding rights later prove to be incompatible with public outdoor recreation uses of the site, the sponsor assumes the responsibility for having to replace the facilities developed with state or federal assistance with others of at least equal value and reasonably equivalent usefulness and location at the sole cost of the sponsor.

**546. — 559. (RESERVED).**

**560. APPLICABILITY.**
All LWCF requirements apply to each area or facility, regardless of the extent of LWCF assistance. When LWCF development assistance is given to a project limited to less than a complete recreational property, all lands immediately adjacent to that LWCF development which are designated as recreational property shall be identified as being within the LWCF project boundary and shall be subject to LWCF guidelines.

**561. — 574. (RESERVED).**

**575. SPONSOR COMMITMENT.**
A proclamation from the sponsor's governing body committing the project and the sponsor to LWCF requirements shall be submitted to IDPR prior to IDPR project approval.

**576. — 589. (RESERVED).**

**590. RESTRICTION ON TITLE.**
Land acquired in fee or developed with outdoor recreation funds shall be dedicated to outdoor recreation use in perpetuity by a recorded "Deed of Right to Use Land for Public Recreation Purposes" (Deed of Right) which conveys a real property interest to the public. This shall be executed and recorded by the sponsor after it has taken title to the property, and before it applies for reimbursement.

**591. — 604. (RESERVED).**

**605. RECORDS.**
Project records shall be maintained by the state and sponsor for three (3) years after final payment. The material shall be maintained beyond the required three (3) year period if audit findings have not been resolved. Property records shall be maintained in perpetuity.

**606. — 619. (RESERVED).**



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## 620. PROJECT AMENDMENTS, COST INCREASES AND TIME EXTENSIONS.

**01. Amendments.** The project contract may be amended by execution of a project amendment. All amendment requests shall be made in writing and shall include a detailed justification. Sponsors are expected to complete projects as originally proposed and evaluated. However, amendments for minor changes in scope may be requested. Cost increases of twenty-five percent (25%) or more or changes in project elements which change the total project cost by twenty-five percent (25%) or more shall require that the project be presented as a totally new proposal and compete through the OPSP (see Sections 440 through 485 of this chapter) during a current funding cycle. Should the revised project not receive enough points to be funded, the sponsor shall be required to complete the scope of the project as originally proposed at its expense or return any funds reimbursed so that the project may be cancelled and the funds reallocated. This does not apply to SCORTP projects.

**02. Cost Increases On Development Projects.** For cost increase requests on development projects to be considered, all of the following requirements shall be met:

**a.** The increase, or any portion thereof, is to be used only for costs incurred on elements specified in the project agreement; and

**b.** The sponsor has initiated implementation of the project in a timely manner and has had little control over the condition causing the cost overrun.

**03. Cost Increases On Acquisition Projects.** Acquisition project cost increases shall meet all of the following conditions:

**a.** The increased market value is supported by an acceptable appraisal;

**b.** The sponsor has diligently pursued the acquisition; and

**c.** If increased relocation costs have caused a cost overrun, an explanation shall be required.

**04. Condemnation.** Acquisition cost increases based on condemnation awards, if granted, shall be based on compensation for the property and direct relocation costs; no court or legal costs are eligible for reimbursement.

**05. Basis For Cost Increase.** Cost increase requests for development projects are based on the total approved costs. Cost increase requests for acquisition projects are based on a parcel by parcel determination.

**06. Extensions Of Time.** Extensions of time limitations shall be considered if based on unavoidable circumstances such as condemnation of property for acquisition projects and delays due to unusually poor weather or unavailability of supplies for a development project. Extensions shall generally be granted in six (6) month intervals. Avoidable project delays shall result in loss of funding with the sponsor being required to return any funds reimbursed so that the project can be cancelled.



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**621. — 634. (RESERVED).**

**635. DEVELOPMENT PROJECT CONTRACT REQUIREMENTS.**
Development projects shall require competitive bidding according to state and federal statutes.

**636. — 649. (RESERVED).**

**650. CONVERSION TO OTHER USES.**

**01. Generally.** Property acquired or developed with LWCF assistance shall not be converted to other than public outdoor recreation uses without prior approval of the SLO and the NPS regional director. The SLO has authority to disapprove conversion requests or to reject proposed property substitutions.

**02. Prerequisites To Approval Of Conversion.** IDPR shall only consider a conversion request once the following prerequisites have been met:

**a.** All practical alternatives to the conversion have been evaluated and rejected on a sound basis.

**b.** At least thirty (30) days prior to IDPR submitting a request to NPS to convert LWCF properties, the sponsors shall hold a public hearing.

**c.** The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by a state approved appraisal.

**d.** The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted. It shall be administered by the same political jurisdiction as the converted property.

**e.** The property proposed for substitution meets the eligibility requirements for LWCF assisted acquisition. The replacement property shall constitute or be part of a viable recreation area.

**f.** Public land may not be used for substitution on acquisition projects unless it meets the criteria for an eligible acquisition project. However, in the case of development projects for which the state match was not derived from the cost of the purchase or value of a donation of the land to be converted, public land not currently dedicated to recreation or conservation use may be used as replacement land even if this land is transferred from one public agency to another without cost.

**g.** All necessary coordination with other federal agencies has been satisfactorily accomplished.



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**h.** The guidelines for environmental evaluation have been satisfactorily completed and considered.

**i.** The proposed conversion and substitution are in accord with the SCORTP.

**j.** Staff consideration of the above points reveals no reason for disapproval and the project files are so documented.

**k.** It should also be noted that the acquisition of one (1) parcel of land may be used in satisfaction of several approved conversions. However, previously acquired property cannot be used to satisfy substitution requirements except in the case of development projects.

**03. Project Amendments.** Approved conversions require amendments in the project contract when the property to be substituted is off site or when replacement of property is deferred.

**04. Fees.** Deposit, cost and fees for the administration and management of the LWCF conversion process shall be as follows:

**a.** The sponsor shall be required to pay a deposit of two and five-tenths percent (2.5%) of the appraised value of the property or the total cost of the project grant, whichever is greater. This deposit shall not be less than one thousand dollars ($1,000).

**b.** IDPR shall charge the sponsor for all administrative costs relating to the conversion and a service fee of one percent (1%) of the current appraised value of the converted property. The service fee shall not exceed three thousand five hundred dollars ($3,500) for each converted tract of property.

**c.** The administrative costs and the service fee shall be deducted from the deposit. The sponsor shall be reimbursed the remaining amount upon the successful completion of the conversion. Any incidental costs exceeding the deposit shall be paid by the sponsor.

**651. — 664. (RESERVED).**

**665. USER FEES, CHARGES AND INCOME.**

**01. User Fees.** User or other types of fees may be charged in connection with facilities developed with LWCF grants, provided that the fees and charges are commensurate with the value of recreation services or opportunities furnished and are in the prevailing range of public fees and charges for the particular activity involved. Discrimination on the basis of residence, including preferential reservation or membership systems and annual permit systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

**02. Nonrecreational User Fees.** Nonrecreational income that accrues to an outdoor recreation area other than the intended recreational use, including income from land management practices, shall derive from use which is consistent with, and complementary to, the intended



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outdoor recreational use of the area. Gross nonrecreational income that accrues during the project period established in the project contract shall be used to reduce the total cost of the project. Gross nonrecreational income that accrues subsequent to the ending date identified in the project contracts shall be used only to offset the expense of operation and maintenance of the facility.

**666. — 679. (RESERVED).**

**680. PERMANENT PROJECT SIGNS.**
Permanent public acknowledgment of LWCF assistance at project sites is required on at least one prominently placed area identification sign. The LWCF symbol established and provided by IDPR shall be used for such acknowledgment at the project site entrance, or other appropriate locations. The sponsor may desire to provide a more detailed identification. IDPR staff shall approve the sponsor's park sign prior to its construction to ensure proper designation is included.

**681. — 694. (RESERVED).**

**695. ARCHITECTURAL BARRIERS.**
Sponsors in the LWCF programs shall assure that persons with disabilities are not precluded from the use of LWCF assisted recreational facilities.

**696. — 709. (RESERVED).**

**710. UNIFORM RELOCATION COMPLAINT PROCEDURE.**
The two (2) appeal procedure recommended by NPS shall be an appeal to the SLO and then to the board for resolution (see IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board").

**711. — 725. AVAILABILITY TO USERS.**

**01. Nondiscrimination.** Property shall be open to entry and use by all persons regardless of race, color, or national origin. Discrimination is also prohibited on the basis of age, disability, religion or gender.

**02. Seasons And Hours.** Facilities shall be kept open for public use at reasonable hours and times of the year based on intended use.

**726. — 739. (RESERVED).**

**740. CIVIL RIGHTS COMPLAINT PROCEDURE.**
An opportunity is provided for filing civil rights complaints. A written complaint shall be filed with the SLO within one hundred eighty (180) days from the date the alleged discrimination occurred. Within ten (10) working days of IDPR receiving the complaint, the complainant shall be notified of action that has been or shall be taken to resolve the complaint. An investigation shall be conducted by the deputy director or his designee within thirty (30) working days of IDPR's receipt of the complaint. The SLO or SLO's designee shall send a written response to



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the complainant regarding the results of the investigation within thirty (30) working days of the time the investigation began. If dissatisfied with the results of the investigation, the complainant may submit a written request for reconsideration to the SLO within ten (10) days of the receipt of resolution. The complainant may also file a complaint with the Idaho Human Rights Commission and The Office of Equal Opportunity. Addresses are available from IDPR.

**741. — 999. (RESERVED).**



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