

# Recreational Trails Program

## Application Policies for Competitive Grants



Nebraska Game and Parks Commission • Planning and Programming Division  
2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-5443

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# Recreational Trails Program (RTP)

## Overview

The Recreational Trails Program (RTP) provides funds to the states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. This program is through the Federal Highway Administration (FHWA) and administered through the Nebraska Game and Parks Commission. The funding comes from excise tax on off-highway vehicles (OHV). This program has been around since 1994 funding trail projects across Nebraska.

Nebraska receives **\$1.2 million each year**. By law, this program is required to have a 30-30-40 split, where 30% of funds go to motorized projects, 30% of funds go to non-motorized projects and the remaining 40% go to diversified projects, either motorized or non-motorized.

Check our website for other details regarding RTP including scoring sheet and grant dates.

RTP Website: <https://outdoornebraska.gov/about/community-resources/grants/recreational-trails-program/>

## Grant Portal

All applicants are required to apply through the online grant portal. There are instructions on how to create an account and videos on how to navigate the portal. Applicants can also find the portal on our website by going to [outdoornebraska.gov](https://outdoornebraska.gov) > search RTP.

Grant Portal: <https://ngpcgrants.outdoornebraska.gov>.

## Grant Administrators

Reach out to the grant administrators if you have any questions about the program.

Alex Duryea  
Recreational Trails Manager/Responsible Charge (RC)  
[Alexander.duryea@nebraska.gov](mailto:Alexander.duryea@nebraska.gov)

Hannah Jones  
Assistant Division Administrator/Alternate State Liaison Officer (ASLO)  
[Hannah.jones@nebraska.gov](mailto:Hannah.jones@nebraska.gov)

## **Program Intent**

The purpose of financial assistance through RTP is to provide recreational public trails and trail-related development and restoration funding to political subdivisions in Nebraska. Private organizations, individuals, and corporations may assist the grant applicants on the project through their contributions of funding, but they cannot be the primary project sponsor or the financial pass-through (they can be a co-sponsor). RTP is specifically to provide recreational trails, so transportation connections/commuter trails will be referred to Nebraska's Transportation Alternatives Program (TAP), administered by the Nebraska Department of Transportation (NDOT).

## **Eligible Sponsors/Applicants**

Eligible applicants for Nebraska RTP grants are villages, cities, counties, tribes, public power districts, natural resource districts (NRD), sanitation improvement districts (SID). Non-profits can be a co-sponsor for a construction project and manage it, but they cannot be the financial pass through, that must be the political subdivision. Applicant/project sponsor are used interchangeably throughout this application policy document. Non-profits and others listed above are eligible to apply for equipment grants and educational grants.

## **Match**

This is an 80:20 reimbursable grant, where the federal share is 80% of the total allowable cost and the local matching share is 20%. The match may be derived from one or a combination of cash, state, local, federal grants, donations, in-kind labor and equipment.

When creating your budget within the RTP application, please outline all forms of match and consider including any preliminary engineering design work that has been done within 18-months of FHWA obligating funding, as match. Cash, design engineering, environmental costs, and/or forced labor of political subdivisions are allowed as part of the local matching share as well. **At a minimum, 5% of the match must be in cash if you are a federal entity.**

You must provide proof of your match in your application. This means showing that you have the matching funds for your project and intent for donations from the sources you've outlined in your budget within the RTP application. If the cash funds will be derived from individual organizations or foundations, please provide a letter of commitment from those that these funds are on hand to donate to the project when needed by the sponsor. Forced account labor and equipment usage must also be documented. Funds should be in place at the time of project agreement signing.

The minimum or maximum grant award amount request can be waived for applications if requested via letter, which includes justification as to why they are requesting the waiver.

The RTP Selection Committee will determine if the waiver request is justifiable. Know that waivers are extremely rare.

### **Projects in Partnership with Federal Agencies**

RTP funds can be used on federal lands, and any federal land management agency may be a project sponsor. However, the non-federal share cannot include other federal funds, unless specific legislation allows the other federal funds to be used to match another federal source. At least 5% of the 20% match must come from a partner to the Federal agency as cash. The remaining 15% can come from other “identified and approved” sources.

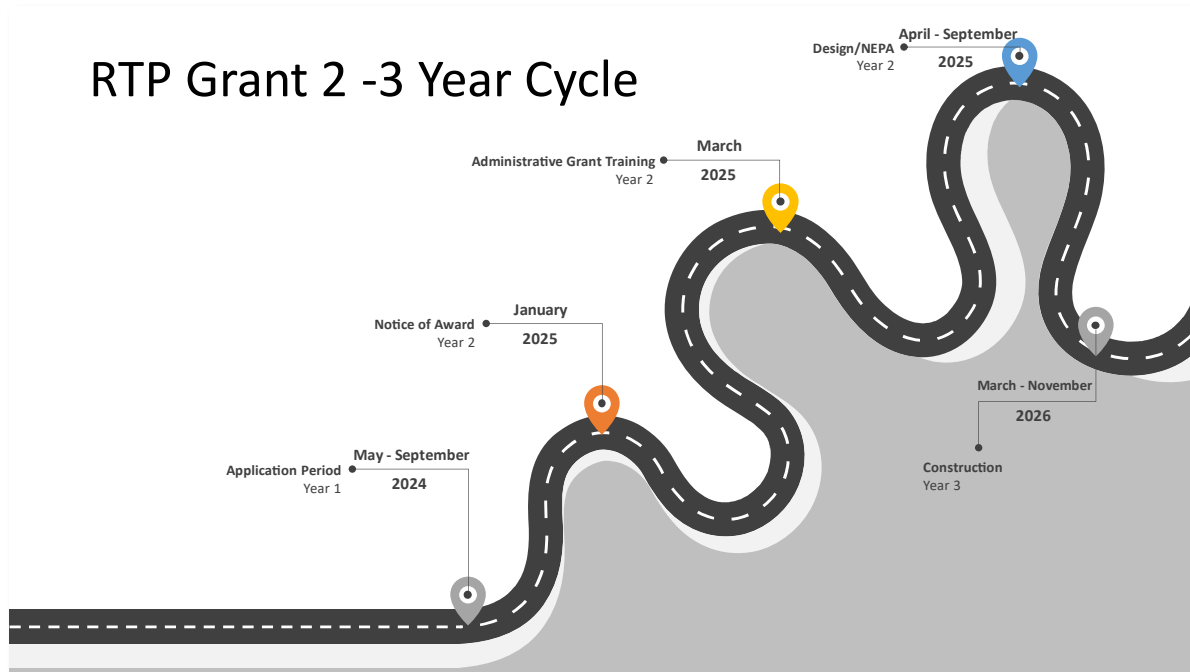
### **Eligible Projects**

Eligible projects are listed below. If your project does not clearly fall under one of these categories, reach out to the grant administrators to determine if it’s an eligible project before applying.

- Maintenance and restoration of existing recreational trails
  - Projects that improve accessibility for all users (where applicable), including people with disabilities, are prioritized
- Construction and development of new recreational trails (with restriction for new trails on Federal lands)
  - New trail expansions, linkages
- Rehabilitation of trailside and trailhead facilities
  - Parking areas, staging areas, restrooms, kiosks, benches, bike fixing stations, etc.
  - Facilities must have a direct and primary relationship with a recreational trail to be eligible
- Purchase, rental, and/or lease of recreational trail construction and maintenance equipment
  - 10% of each FY apportionment is prioritized for trail maintenance equipment applications (appx. \$120,000)
- Acquisition of easements or property for recreational trails
- Assessment of trail conditions for accessibility and maintenance
- Safety and education
  - Training related to trail construction, maintenance, or environmental stewardship.
  - Up to 5% of the RTP apportionment can be used for education projects (appx. \$60,000)
- Water trail facilities (motorized or non-motorized)
- Motorized trail projects, such as ATV and snowmobile trails
- Environmental consideration projects that address environmental sustainability, such as erosion control and habitat restoration along trails

### **Grant Cycle**

An overview of a typical RTP grant cycle is outlined below. Applicants should consider this timeline when applying for the program. Typically, the RTP funding opportunity will open the first week of May and close the first week of September. Check our website for more details.



### Reimbursement

RTP is a reimbursement program, which means the grant sponsor first incurs the cost for the project and then is reimbursed up to 80% of the allowable costs or whatever percentage is in the signed contract between the political subdivision and Game and Parks. Project sponsors will be required to document the costs prior to obtaining reimbursement.

All project business must be coordinated through the sponsor.. NGPC will reimburse sponsors after major items have been completed. All requests must be substantial enough to warrant the paperwork process, generally above \$10,000. If cash flow is needed, we can discuss other options.

Indirect cost rates are not allowed to be charged to the project per Nebraska RTP policy. Reimbursement will not be permitted for costs incurred PRIOR (besides approved matching elements as noted in the match section of this policy) to the date of federal obligation which is when FHWA adds funds to your project. Grant administrators will inform applicants when to proceed on the various stages of the project which includes design, bidding, and construction. **Proceeding with work prior to receiving “notice to proceed” from your grant administrator will result in those items being ineligible for reimbursement.**

### State Procurement Requirements

Any construction work with an aggregate cost of more than \$50,000 (which is all RTP construction projects since Nebraska’s floor is \$50,000), must be procured by the method of sealed bids (formal advertising). To determine the project item's aggregate cost, the

sponsor or engineer must add the sum of all the parts of the item that will make it a whole, usable, and functional facility. As such, the project must be publicly advertised for sealed bids.

Sealed bids are defined as bids that are publicly solicited, and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. All sealed bid procurement transactions will be conducted in a manner providing full and open competition.

Game and Parks must review all bid packages before being publicly advertised. The bid process may not begin until after a grant is awarded and you've been notified from the grant administrator to move forward with this step.

[State of Nebraska Procurement Manual](https://das.nebraska.gov/materiel/docs/NE_DAS_Materiel_SPB_Procurement%20Manual2024.pdf) :

[https://das.nebraska.gov/materiel/docs/NE\\_DAS\\_Materiel\\_SPB\\_Procurement%20Manual2024.pdf](https://das.nebraska.gov/materiel/docs/NE_DAS_Materiel_SPB_Procurement%20Manual2024.pdf)[https://das.nebraska.gov/materiel/docs/NE\\_DAS\\_Materiel\\_SPB\\_Procurement%20Manual2024.pdf](https://das.nebraska.gov/materiel/docs/NE_DAS_Materiel_SPB_Procurement%20Manual2024.pdf)

## **Planning Leads to Success**

Proper planning ensures that trail objectives will be met and guarantees there are adequate funds to complete the project. Seek advice from experts, consult with landscape architects, architects (if buildings are involved), engineers, your attorney, volunteers, users, RTP grant administrators, and others. Then, develop a project scope and a work plan. Experience has shown that well thought out projects will prevent problems that later could delay or possibly cause the project to be withdrawn.

Applicants are required to hold one or more public meetings, as well as other actions deemed appropriate, to obtain input from interested and affected public on the trail project. Adjacent landowners along the proposed route should be contacted and that information should be included as part of the planning process. Including these documents in your application is critical to show evidence of your public participation efforts.

The project sponsor should make any proposed project available to the public for review and comment prior to submission for funding. At a minimum it will be available for public comment when you pass your resolution to apply. Project sponsors should include a description of this process as well as the official records and minutes of public meetings and/or formal public comment periods in their application if available. For projects involving floodplains and wetlands, the public meetings and notices of the meetings should indicate the project is proposed for a floodplain or wetland.

Public opinion of the trail project and how the project meets the needs of the community is a critical component to the design of the project. These items will likely be required to complete the National Environmental Policy Act (NEPA) process if the project is funded.

### Trail Planning Guide

Utilize the Game and Parks **Trail Planning Guide completed in 2023**. Trails are one of the most valuable recreational amenities in Nebraska. The Trail Planning Guide assists in the creation of trail planning and guides sponsors in the necessary steps to develop trails. It also contains links to other documents and guides which will help you make your trail a reality.

To learn more, go to our website [outdoornebraska.gov](http://outdoornebraska.gov) > search community plans

### **National Environmental Policy Act (NEPA)**

Most, but not all, projects will qualify for a Categorical Exclusion (CE) under the National Environmental Policy Act (NEPA).

If your application is selected for funding, you will be required to go through the National Environmental Policy Act (NEPA) review process if it contains ground disturbing activity or acquire property. This process reviews your project for impacts to environmental, cultural, and historical resources. The RTP administrator will provide an overview of what this process looks like during your administrative training (typically in March for newly awarded recipients). Game and Parks will work with Federal Highway Administration (FHWA) to ensure there will be no significant impacts on the environment which results in a CE determination.

Included in the application is a short estimated environmental form that must be completed and signed by the political subdivision to assist in this process. This helps us gauge the potential impacts of the project and assess if additional agency consultations could be required during NEPA process, no consultation is needed just your best judgement for application purposes.

Applicants do not have to work with a consultant if internal expertise and capacity exists to fill out the NEPA form, but if a sponsor chooses to use a consultant, **these costs must be outlined in the application budget**. Typically, NEPA reviews cost vary greatly depending on the complexity of the trail project.

The NEPA process takes around 6 months so applicants are encouraged to plan ahead for that lag in time as no bidding or construction can take place.

### ***Need your application reviewed?***

*Game and Parks is willing to review applications prior to the deadline and give recommendations on how to improve the application, but the application must be received by Game and Parks for review at least 6 weeks prior to the grant deadline date. This allows adequate review time and ability for the applicant to incorporate requested changes before the grant deadline. Ability to review your application is not guaranteed but we will try to facilitate your request is provided.*



## Design, Construction, Signage, and Accessibility

Trail design is ever evolving. It is recommended you follow guidance and design standards from sources such as AASHTO, USFS, IMBA, FHWA, and others.

### Signage

Signs which function as traffic control devices must conform with the [Manual on Uniform Traffic Control Devices](#) (MUTCD). Part IX of the MUTCD, [Traffic Controls for Bicycle Facilities](#), covers the bicycle related signs, pavement markings, and signals which may be used on highways or bikeways. Part 9 is for bicycle facilities, and is suitable for shared use paths (nonmotorized multiple-use trails which may provide a transportation purpose).<sup>[24]</sup> The publication [Standard Highway Signs](#) has the detailed drawings for the highway signs prescribed in the MUTCD.<sup>[25]</sup> These documents are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington DC 20402 or at <https://mutcd.fhwa.dot.gov/>.

Signs which do not function as traffic control devices are not subject to the MUTCD. However, informational signs and kiosks must take into consideration the needs of various users, such as:

- People who are blind or who have low vision.
- People who use wheelchairs.
- Children.

Contact NGPC for more information on these guidelines.

## In-Kind/Land Donations for Match

### Forced Account Labor and Equipment

The NGPC staff will require the political subdivision to provide the appropriate forms to track forced account labor and equipment. Forced account refers to the grant sponsor's labor force and to sponsor-owned equipment. The allowable rate that may be charged to the project is the hourly or salaried rate he/she earns in the normal course of their employment. The wages include benefits but do not include overhead and indirect costs. The sponsor will provide a wage schedule of all employees working on the trail in the application, along with the estimated hours it will take to complete the tasks. Equipment may be charged to a project at the rate charged for similar work within the applicant(s) jurisdiction through FEMA wage rates. Donated land and/or easements are acceptable as part of the local match once a federal appraisal and review have been completed at the cost of the political subdivision. Contact NGPC staff for questions and assistance.

### Land Acquisition

Land may be acquired **only** on a willing seller/willing buyer basis. *You may not, at application time, negotiate a price for the land with a landowner; you may only inquire if the land is for sale.* Later, at the direction of the NGPC staff, an appraisal report will be required utilizing the [Uniform Standards of Professional Appraisal Practice](#) and to the extent appropriate the [Uniform Appraisal Standards for Federal Land Acquisitions](#), revised 1992. A general certified appraiser of Nebraska must complete the report. The

project sponsor will be required to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P. L. 91-646, as amended, 42 U.S.C. ss 4601, et seq. and comply with 49 CFR Part 24, regarding appraisals.

During the acquisition process, NGPC staff will provide guidance when and as needed. The sponsor will also be responsible for an appraisal review by a qualified General Certified Appraiser of Nebraska. See pages 7-9 of the policies for more information and guidance for this process. The appraisal is a cost that is reimbursable or can be used as part of the local match.

This type of project will require more time for set up due to the appraisal and review period. Please expect the project to take at least **6 more months** than originally figured to deal with the appraisal process.

### **Easements**

If the trail project requires an easement and the cost of acquiring the easement is not being requested for reimbursement, the easement paperwork should be included in the application. If the easement is a donation and is part of the local match for the application, the proper paperwork along with a federal appraisal and appraisal review meeting federal requirements **MUST** be completed prior to development. To determine the "Value of land" for the match, the sponsor will have to coordinate with its sources to provide a value. If this value is determined to be less than what was stated in the application, the sponsor will provide additional matching funds in the form of cash. If the easement is a donation then you must submit forms showing the owner was advised of their right to receive just compensation and follow NDOT's Right-of-Way Acquisition Guide for Local Public Agencies, see page 8 of the policies for more information. These must accompany the application or be provided to NGPC within 3 months of receiving notification of approval of the grant. If the easement is a part of the request for reimbursement of the project, the applicant must provide a "Letter of Intent" from the landowner for the land in question. The paperwork and appraisal may be completed after the Nebraska Game and Parks Commission Board of Commissioners approve the project and NGPC has provided a letter stating the project can move forward with the appraisal process. If an applicant is unsure of how to proceed in this or has questions, they are encouraged to contact NGPC staff.

### **Project Administration**

Once a project sponsor has been contacted by Game and Parks that they've been selected for funding, a grant administration training will occur prior to the sponsor starting on the project (typically in March).

It is required that a sponsor goes through training prior to signing any agreement with Game and Parks. Game and Parks RTP administrators will inform grant recipients when to initiate the required processes so that the project can flow in a logical manner and comply with all applicable state and federal laws, rules and regulations.

The grant recipient should call Game and Parks any time there is a question on how to proceed with a project phase. The grant recipient should assign a point of contact (POC) to administer the project who will have a good working knowledge of the project and with whom Game and Parks can stay in contact with throughout the grant. If there is a need on the project sponsor's side to have more than one person involved, Game and Parks requests that these individuals coordinate with one another and have only one person as the liaison to Game and Parks to alleviate any miscommunication between parties.

### **Requirements of Sponsor**

There are several requirements of the project sponsor if they receive funding from RTP. The following items will be required:

- Sponsors are required to attend training on grant administration (see below).
- Sponsors must have adequate cost estimate (see below).
- Sponsors must sign project agreement with NGPC regarding project.
- Sponsors must provide all paperwork in a timely fashion for all requests from NGPC (less than 30 days).
- Sponsors **MUST** provide quarterly reports as outlined in agreement with NGPC (see below).
- Sponsors are responsible to keep project progressing in a timely fashion.
- Sponsors must complete NEPA compliance.
- Sponsors must seek NGPC's approval on most all steps of the process and when in doubt, should contact NGPC for the steps of the process.
- Sponsors must follow all federal regulations relating to RTP. Contact NGPC if you have questions.

### **Grant Timeframe & Extensions**

From the date of authorization of funds from Federal Highway Administration (FHWA) and contracts have been signed between Game and Parks and the Project Sponsor, the project will have two years to complete the project.

Extension(s) may be granted, **IF** requested in writing 30 days prior to the deadline set in the **contract**. You must have reasonable justification for the extension as long as reasonable progress is being made and justification provided

### **Quarterly Progress Reporting**

Each project sponsor will be required to provide Game and Parks with progress reports regarding the progress of the project. These reports will be due every quarter after the contract has been signed between Game and Parks and the sponsor. This information will be covered in the administrative grant training after notification of award.

The project sponsor is responsible for supplying Game and Parks with the report **without** being notified by Game and parks to request the form, except for the first report. Game and Parks will remind sponsors for the first report, but no reminders will be sent after the initial report. If a sponsor misses more than two reports in a row, they will be subject to

reduced funding or potentially lose all funding for the project.

### **RTP Selection Committee**

The RTP grant requires the establishment of an advisory committee before Nebraska may allocate funds for any project. Nebraska's committee consists of members who represent both non- motorized and motorized recreational trail uses. Other advisory members include the representative from FHWA assigned to manage Nebraska's RTP projects. The current selection committee includes members from all trail user types in Nebraska. Game and Parks RTP grant administrators and FHWA do not get to vote on selected projects but provide clarity to the selection committee for the scoring process and administer the grant cycle process with project sponsors.

The committee meets twice per year. Once in the spring to update RTP policies and once in the fall to rank and select projects for RTP funding.

The RTP Policies document provides further clarification on the RTP policies, eligible projects and requirements of the RTP program in Nebraska. Please go to our website to learn more at [outdoornebraska.gov](http://outdoornebraska.gov) > search for RTP.