

PROCEDURAL GUIDE
FOR THE
***NATIONAL RECREATIONAL TRAILS FUND
ACT PROGRAM***

under the

**STEVE SYMMS
NATIONAL RECREATIONAL TRAILS FUND
ACT OF 1991**

PUBLIC LAW 102-240

State of California - Resources Agency
Department of Parks & Recreation
1416 Ninth Street
P. O. Box 942896
Sacramento, CA 94296-0001
FAX: (916) 653-9824

August 1993

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INTRODUCTION

This procedural guide will assist local and state agencies and non-profit organizations in applying for and administering grants from the National Recreational Trails Fund Act (NRTFA) of 1991. The program provides funds for recreational trails and trail-related projects. The guide contains information on the program as well as application materials.

The Trails Program is administered at the federal level by the Federal Highway Administration (FHWA) and at the state level by the California Department of Parks and Recreation (DPR). Day-to-day administration of individual projects is the responsibility of a project officer assigned to your agency. Nonmotorized projects are administered by the Local Services Section. Motorized projects are administered by the Off-Highway Motor Vehicle Recreation Division. All correspondence for **nonmotorized projects** should be addressed to:

California Dept. of Parks and Recreation
Local Services Section
1416 9th Street
P. O. Box 942896
Sacramento, CA 94296-0001
Telephone (916) 653-7423
FAX (916) 653-9824

For the **motorized projects**, send correspondence to:

California Dept. Of Parks and Recreation
Off-Highway Motor Vehicle Division
(Address same as above)
Telephone (916) 653-9072
FAX (916) 653-9824

DISTRIBUTION OF FUNDS

Up to \$30,000,000 may be allocated annually, nationwide. The allocation is subject to appropriation each year.

Funds are allocated to states by (1) 50 percent equally among all eligible states and (2) 50 percent proportionately on non-highway recreational fuel use.

For non-motorized trails, seventy percent of the funds received by California will be available on a competitive basis. At least one-half of the funds for non-motorized trails will be available to cities, counties, districts and nonprofit organizations with management responsibilities over public lands.

For motorized trails, thirty percent of the funds will be available on a competitive basis to cities, counties, districts, nonprofit organizations, and state agencies.

ELIGIBLE APPLICANTS

Cities, counties, districts, state agencies and nonprofit organizations with management responsibilities over public lands are eligible.

PERMISSIBLE USES

Under the NRTFA, funds may be used for:

1. Development of urban trail linkages near homes and work places including trails to schools, parks, and existing trails;
2. Restoration of areas damaged by usage of recreational trails and back country terrain;
3. Development of trail-side and trail-head facilities that meet goals identified by the National Recreational Trails Advisory Committee; (The terms "trail-side and trail-head facilities" mean trail components or associated facilities which may include: drainage, crossings, stabilization, parking, signage, controls, shelters, and water, sanitary, and access facilities.);
4. Acquisition of easements for trails, or for trail corridors identified in the State trail plan;
5. Acquisition of fee simple title to property from a willing seller, when the acquisition cannot be accomplished by acquisition of an easement or other means;
6. Construction of new trails on state, county, municipal, or private lands, where a recreational need for such construction is shown;
7. Construction of new trails crossing Federal lands, when required by the State Comprehensive Outdoor Recreational Plan (construction must be approved by State and the Federal agencies managing those lands);
8. Maintenance of existing recreational trails, including grooming and maintenance of trails across snow (motorized only); and
9. Operation of environmental protection and safety education programs relating to the use of recreational trails (motorized only).
10. Provision of features which facilitate the access and use of trails by persons with disabilities.

Bridges may be constructed, repaired, or replaced to provide an integral link along a trail, to provide connections between trails, and/or to improve trail crossings over railroads, roads, rivers or other watercourses, ravines, wetlands, or to prevent erosion on slopes.

USES NOT PERMITTED

1. Condemnation of any kind of property;
2. Construction of recreational trails on Bureau of Land Management or National Forest System lands for motorized uses unless such land;
 - (a) have been allocated for uses other than wilderness by an approved agency resource management plan or have been released to uses other than wilderness by an Act of Congress, and
 - (b) such construction is otherwise consistent with the management direction in such approved land and resource management plan;
3. Upgrading, expanding or otherwise facilitating motorized use or access to trails predominantly used by non-motorized trail users, and on which, as of May 1, 1991 motorized use is either prohibited or has not occurred.
4. Improvements to roads accessible by general passenger vehicles, or for provision of paths or sidewalks adjacent to such roads, unless approved the State Recreational Trail Advisory Board.

IMPORTANT POINTS

The procedures identified in this guide are "interim". There may be additional information required for those projects recommended for funding prior to approval.

1. Only project costs incurred after project approval are eligible for grant funds. After approval, a fully executed agreement should be received before starting your project.
2. Projects that involve new construction or renovation of facilities must provide access in accordance with the Americans with Disabilities Act (ADA).
3. All applications shall comply with the National Environmental Policy Act of 1969 (NEPA), California Environmental Quality Act of 1970 (CEQA), the National Historic Preservation Act of 1966, and the Endangered Species Act of 1973.
4. This is a reimbursement program.
5. There is no match requirement for this program.
6. For acquisition projects, DPR approval of acquisition documents is required. Property acquired under the program must comply with provisions of Chapter 16, Sec. 7260 of Div. 7, Title 1 of the State Government Code.
7. For development projects, DPR approval of a complete bid package or a force account schedule is required.
8. Adequate tenure to the property is required for development projects. Adequate tenure means the applicant owns the land or holds a lease or other long-term interest for a period commensurate with the type of project and the proportion of grant funds allocated.
9. Up to 20% of the grant amount may be expended for nonconstruction costs such as preparation of plans and specifications, acquisition documents, and directly related administration costs. (For acquisition, development, and reconstruction projects only)
10. The funding for your project cannot be changed to a different site without DPR approval.
11. This program is subject to the Single Audit Act of 1984. AVOID AUDIT EXCEPTIONS - KEEP ACCURATE RECORDS OF ALL EXPENDITURES.

APPLICATION PROCEDURES

When to Apply

Applications must be postmarked or delivered to DPR no later than July 1, 1993 for the 1993/94 fiscal year allocation. Applications for fiscal year 1994-95 are due October 1, 1993. Thereafter, October 1 will be the annual application deadline through 1997.

What to Submit

A complete application consists of one copy each of the items listed on the back of the Application Form (Appendix A).

The justification for the project must be addressed in the project proposal (Appendix B).

Selection and Notification

DPR will review each project application, and make final recommendations for selection. Applicants will be notified of the final selections.

After the project is selected, funds become available for four years, during which you must complete the project. Projects that can be initiated, completed, and made available for public use at an early date are preferred.

PROJECT ADMINISTRATION

Normal Grant Process

1. Applicant completes and submits applications to DPR.
2. If project is selected, the project is placed in the State budget. After funds are appropriated, an agreement is sent to applicant.
3. Applicant returns the signed agreement to DPR.
4. A fully executed agreement is sent to applicant.
5. Office of Historic Preservation contacts applicant to complete approval process.
6. Acquisition and/or development documents are submitted to DPR for review and approval. Allow up to four weeks for approval.

7. Applicant commences work on the project and may submit reimbursement requests for project expenditures prior to completion. Allow up to six weeks to receive payment after submitting request.
8. After completion of the project, the applicant submits Project Completion Packet (Appendix H).
9. Project officer makes final project inspection and processes the final payment.

Withdrawal From Program

If an applicant withdraws from the program or elects not to use the grant funds, the allocation will be lost.

Changes to Project Scope

Major scope changes will normally not be approved for these competitive projects. However, minor modifications may be acceptable. Written justification must be submitted to DPR for approval.

Time Extension

A time extension amendment may be requested to extend the project performance period of the grant agreement. Justification for the extension must be submitted to the DPR for approval.

Payment of Grant Funds

Payments under this grant program will be on a reimbursement basis. There will be no advances. The applicant may complete the project and request the total amount of the grant or request progress payments as the project proceeds. Up to three progress payments plus a final payment may be made (a maximum of four). The minimum payment request shall be \$5,000, except for the final.

For progress payments, the applicant must demonstrate that costs have been incurred. Documentation should include warrant numbers, amounts, dates, recipients, and purpose of expenditures. Refer to the Project Cost Summary Form in the Projection Completion Packet, Appendix H.

Applicants should allow four to six weeks to receive payment after submitting request. When completing the payment request forms, all figures should be rounded to the nearest dollar.

Accounting Requirements

The applicant must maintain an accounting system that accurately reflects fiscal transactions, with the necessary controls and safeguards. Applicants should provide good audit trails, especially the source of original documents such as receipts, progress payments, invoices, time cards, etc. The system must also provide accounting data so the total cost of each individual project can be readily determined. These records must be retained for a period of three years after final payment is made by the state. AVOID AUDIT EXCEPTIONS - KEEP ACCURATE RECORDS

Eligible Costs

Only project-related costs incurred during the project performance period specified in the grant agreement may be funded. All such costs must be supported by appropriate documentation. Any funds spent for nonacquisition or nonconstruction purposes reduce the amount of usable facilities available for public use. Therefore, no more than 20% of grant funds shall be spent on eligible nonconstruction or nonacquisition costs such as preparation of plans and specifications and appraisals, unless approved by the State.

1. Personnel or employee services - Services of the applicant's employees directly engaged in project execution are eligible costs. These costs must be computed according to the applicant's prevailing wage or salary scales, and may include fringe benefit costs such as vacations, sick leave and social security contributions that are customarily charged to the applicant's various projects. Costs charged to the project must be computed on actual time spent on a project, and supported by time and attendance records describing the work performed on the project. Overtime costs may be allowed under the applicant's established policy, provided that the regular work time was devoted to the same project.

Salaries and wages claimed for employees working on state grant funded projects must not exceed the applicant's established rates for similar positions.

2. Consultant services - The costs of consultant services necessary for the project are eligible. Consultants must be paid by the customary or established method and rate of the applicant.

No consultant fee may be paid to the applicant's own employees without prior state approval.

3. Construction equipment - Equipment owned by the grant recipient may be charged to the project for each use. Equipment use charges must be made in accordance with the applicant's normal accounting practices. The equipment rental rates published by the State Department of Transportation may be used as a guide.

If the applicant's equipment is used, a report or source document must describe the work performed, indicate the hours used, relate the use to the project.

Equipment may be leased, rented, or purchased, whichever is most economical. If equipment is purchased, its residual market value must be credited to the project costs on completion.

4. Construction supplies and materials - Supplies and materials may be purchased for a specific project or may be drawn from a central stock, providing they are claimed at a cost no higher than that paid by the applicant. Supplies and materials purchased for the construction of a piece of equipment, a structure or a part of a structure, may be charged to the project. If charged, only that cost attributed to the project may be claimed under the project.
5. Signs and interpretive aids - The cost of signs, display boards, or other minor interpretive aids relating to the project are eligible.
6. Construction - The cost of all necessary construction activities, from site preparation (including demolition, excavation, grading, etc.) to the completion of a structure or facility is eligible.
7. Acquisition - Costs of acquiring real property are eligible and may include the purchase price of the property, appraisals, surveys, preliminary title reports, escrow fees, title insurance fees.
8. Relocation costs - Relocation costs are allowable for projects that result in displacement of any person and/or business. The applicant must comply with the requirements of the State Relocation Act (Chapter 16 Government Code, Section 7260 et seq.) if applicable, even if relocation costs are not claimed for reimbursement.
9. Non-Fixed Equipment - The purchase of non-fixed equipment, such as snow grooming tractors or off-highway patrol vehicles, is eligible only for maintenance projects and environmental protection or safety education programs.
10. Other expenditures - In addition to the major categories of expenditures, reimbursements may be made for miscellaneous costs necessary for execution of the project. Some of these costs are:
 - a. Communications (such as telephone, telegrams, letters, etc.);
 - b. Premiums on hazard and liability insurance to cover personnel and/or property;
 - c. Work performed by another section or department of the applicant's agency; and
 - d. Transportation costs for moving equipment and/or personnel.

PROJECT COMPLETION

See Appendix H, Project Completion Packet, for a complete list of the items that must be submitted to close a project and receive final payment.

AUDIT

The National Recreational Trails Fund Act Program is subject to the provision of the Single Audit Act of 1984, P.L. 98-502. It focuses on your jurisdiction as a grant recipient, rather than on individual projects.

The Single Audit Act requires:

1. Local governments that receive more than \$100,000 or more a year federal financial assistance shall have an audit conducted in accordance with OMB Circular No. A-128.
2. Local governments that receive between \$25,000 and \$100,000 shall have an audit conducted in accordance with OMB Circular A-128, or in accordance with federal laws and regulations governing the programs in which they participate.
3. Local governments that receive less than \$25,000 a year shall be exempt from compliance with the act and other federal audit requirements.

Federal finance assistance includes funds received from all federal sources and is not limited to the National Recreational Trails Funds Act Program.

The audit shall be conducted by an independent auditor in accordance with generally accepted government auditing standards. It shall be done annually unless a jurisdiction has, by January 1, 1987, a constitutional or statutory requirement for less frequent audits, in which case biennial audits are permitted.

The Single Audit Act provides for cognizant agencies to oversee implementation of OMB Circular A-128. In most cases the agency for a jurisdiction will be the federal agency that provides the most funds. The cognizant agency has a number of responsibilities, including providing technical advice and liaison to local governments and to independent auditors.

Copies of the audit should be sent to the Chief, Single Audits Branch, Division of Audits, State Controllers Office, P. O. Box 942850, Sacramento 94250-0001 and the Chief of the Audits Office, Department of Parks and Recreation each year as appropriate.

APPENDIX A

Application Form

State of California-The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

NATIONAL RECREATIONAL TRAILS ACT PROGRAM APPLICATION

This Form and Required Attachments Must Be Submitted for Each Project Site

PROGRAM TYPE: (Check Appropriate Boxes)
 Non-Motorized
 Motorized

APPLICANT TYPE:
 Municipal State
 Non-Profit

PROJECT NAME	AMOUNT OF GRANT REQUESTED \$	
	ESTIMATED TOTAL PROJECT COST <i>(State Grant and other funds)</i> \$	
	ESTIMATED DATE OF COMPLETION	

APPLICANT <i>Agency and address, include zip code</i>	COUNTY OF PROJECT	NEAREST CITY
	PROJECT ADDRESS	
	NEAREST CROSS STREET	CONGRESSIONAL DISTRICT
	SENATE DISTRICT NO.	ASSEMBLY DISTRICT NO.

COUNTY OF APPLICANT	
---------------------	--

Person with day-to-day responsibility

NAME	TITLE	PHONE
------	-------	-------

Description of Project (include types of facilities)

For Development Projects Land Tenure-Project is ___ acres

<input type="checkbox"/> Public Land	<input type="checkbox"/> Private Land	<input type="checkbox"/> Acres owned in fee simple by Grant Applicant
<input type="checkbox"/> Acres available under a ___ year lease	<input type="checkbox"/> Acres other interest <i>(explain)</i> _____	

I certify that the information contained in this project application form, including required attachments, is accurate.

Signed _____ Date _____
Grant Applicant's Authorized Representative as shown in Resolution

IMPORTANT

An application for grant funds consist of one copy of each of the following:

1. Application Form.
2. Authorizing Resolution from governing body. (Doesn't pertain to State agencies)
3. Environmental Compliance
 - a. Notice of Exemption stamped by the county clerk, and Environmental Certification (attached); or
 - b. Negative Declaration and initial study including the checklist and Notice of Determination stamped by the county clerk with State Clearinghouse response;
or
 - c. Final EIR with initial study including the checklist and Notice of Determination with State Clearinghouse response.
4. Project location map (city or county) with enough detail to allow a person unfamiliar with the area to locate the project.
5. For development projects, evidence of adequate land tenure (lease, joint powers agreement, etc.)
6. Site plan (development projects).
7. Cost Estimate (development/maintenance/environmental projects).
8. Acquisition map showing exterior boundaries and parcel numbers.
9. Acquisition Schedule of each parcel to be acquired (acquisition projects).
10. List other sources of funds to be used for the project (include in-kind values).
11. Other required permits.
12. All leases, agreements, etc., affecting project lands or the operation and maintenance thereof.
13. Completed project proposal.
14. Photos of project site.
15. Articles of incorporation if non-profit applicant.
16. Completed SHPO Memorandum of Understanding.

APPENDIX B

Project Proposal

PROJECT PROPOSAL

The information provided in the project proposal will permit the Department of Parks and Recreation (DPR) to evaluate competing grant proposals. In addition to striving for objectivity and uniformity in the application of the ranking criteria, DPR will make every effort to ensure an equitable and geographic spread of grant funds throughout the state.

Please provide a written proposal answering each question or statement as it pertains to your project in the order presented in the following outline. Cite studies, reports or other data that support your application.

A. NEED FOR THE PROJECT: (60 points)

1. Describe the deficiency of similar opportunities in the project area?

Projects that enhance trail opportunities or provide immediate impacts on the quality, quantity or variety of recreational opportunities and experiences provided in the area will receive higher priority.

2. Who will be served by this project and what is the estimated use?

Expanded trail use by diverse populations, including special and economically disadvantaged populations, will receive high priority. High use will receive high priority. Projected visitation figures should be cited.

3. How is your project supported by others (non-profit groups, public agencies, or citizen groups)? If so, attach letters of support. Is there additional support for the project (outside funding, donated materials, volunteer labor, trail patrols)?

Projects with broad community support will receive high priority. The project should respond to citizen identified needs or display citizen support for the idea.

4. How is the project consistent with the Statewide Comprehensive Outdoor Recreation Plan (SCORP), Statewide Trails Plan, city, county, or regional master plan or the applicant's general plan?

Higher priority will be given to projects which are consistent with state and/or local plans.

5. How will this project connect or compliment other trails or result in the development of urban trail linkages near homes and workplaces?

Trails which enhance the quality and quantity of recreational trail opportunities and link with other trails available in the community or region will receive higher priority.

6. What are the additional points of interest that contribute to the project (historic, cultural, geographical or scenic)?

Projects providing natural, cultural, historic or scenic characteristics will receive a higher priority.

7. Describe how the project provides for diversified recreational uses and/or trail corridor sharing (hiking, bicycling and/or equestrian)?

Projects meeting the highest demonstrated demand in terms of compatible trail uses will receive higher priority.

8. What are the additional benefits of your project?

B. ACCESS

(20 Points)

1. What is the available access (public transportation, bicycle lanes, staging areas, etc.) and/or improve access?

Higher priority will be given to projects with the following attributes:

- a. projects that are easily accessible to all users;
 - b. projects presenting few limiting barriers such as flood control channels or major throughfares; and/or
 - c. projects which have onsite or close-by parking or that are accessible through public transportation.
2. Describe the degree to which your project provides trail linkages near homes, workplaces and other recreational open space.

Projects which provide linkages near homes and work places; to parks, trails, greenways, scenic corridors; or natural, cultural, historical or recreation areas will receive higher priority.

C. ORGANIZATIONAL CAPABILITY

(10 Points)

1. What is your capability for developing, operating, or maintaining trail projects or similar projects?

Those agencies with resources available or similar experiences in project administration will receive higher priority.

D. PROJECT READINESS

(10 Points)

1. How soon can the project start after funds become available?

Applications that display the ability to start the project immediately will receive higher priority.

Development projects without land tenure will not be considered.

Acquisition projects without a willing seller will not be considered.

APPENDIX C

Sample Resolution

SAMPLE RESOLUTION

Resolution No: _____

**RESOLUTION OF THE (Title of Governing Body/City Council, Board of Supervisors) OF (City, County, District Applicant)
APPROVING THE APPLICATION FOR GRANT FUNDS THE NATIONAL RECREATIONAL
TRAILS FUND ACT - FISCAL YEAR**

WHEREAS, the National Recreational Trails Fund Act of 1991, provides funds to the State of California for grants to state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing project application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into an agreement with the State of California to complete the project(s);

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) hereby:

1. Approves the filing of an application for the National Recreational Trails Fund Act Program; and
2. Certifies that said applicant has or will have available prior to commencement of any work on the project(s) included in this application, sufficient funds to operate and maintain the project(s); and
3. Appoints the (Title - not name) as agent of the (Applicant) to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Approved and Adopted the ____ day of _____, 19__.

I, the undersigned, hereby certify that the foregoing Resolution Number ____ was duly adopted by the (Governing Body) following roll call vote:

Ayes:

Noes:

Absent:

(Clerk)

APPENDIX D

Project Agreement

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PROJECT AGREEMENT

NATIONAL RECREATIONAL TRAILS FUND ACT

APPLICANT _____

PROJECT TITLE _____ PROJECT NUMBER _____

PROJECT PERFORMANCE PERIOD IS July 1, 19 to June 30, 19

Under the terms and conditions of this agreement, the applicant agrees to complete the project as described in the project description, and the State of California, acting through its Director of Parks and Recreation pursuant to the National Recreational Trails Fund Act Program, agrees to fund the project up to the total grant amount indicated.

PROJECT DESCRIPTION:

Total Grant not to exceed \$ _____

APPLICANT
By _____
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Title _____

Date _____

By _____

Title _____

Date _____

The General Provisions attached are made a part of and are incorporated into the Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

By _____

Date _____

CERTIFICATION OF FUNDING

CONTRACT NUMBER		FUND NATIONAL RECREATIONAL TRAILS FUND ACT OF 1991			
PROJECT NO.	AMOUNT OF THIS ESTIMATE	APPROPRIATION			
UNENCUMBERED BALANCE	ITEM NO.	CHAPTER	STATUTES	FISCAL YEAR	
ADJ. INCREASING ENCUMBRANCE		FUNCTION			
ADJ. DECREASING ENCUMBRANCE		LINE ITEM ALLOTMENT			

I hereby certify upon my own personal knowledge that budgeted funds are available for this encumbrance.

SIGNATURE OF ACCOUNTING OFFICER _____ DATE _____

NATIONAL RECREATIONAL TRAILS FUND ACT

Project Agreement Special Provisions

Applicant agrees that lands acquired with grant moneys shall not be acquired through the use of eminent domain.

General Provisions

A. Definitions

1. The term "State" as used herein means the California State Department of Parks and Recreation.
2. The term "Act" as used herein means the National Recreational Trails Fund Act of 1991.
3. The term "Project" as used herein means the project which is described on page 1 of this agreement.
4. The term "Applicant" as used herein means the party described as applicant on page 1 of this agreement.
5. The term "Application" as used herein means the individual application and its required attachments for grants pursuant to the National Recreational Trails Fund Act.

B. Project Execution

1. Subject to the availability of grant moneys in the Act, the State hereby grants to the Applicant a sum of money (grant moneys) not to exceed the amount stated on page 1 in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the Description of Project on page 1 and under the terms and conditions set forth in this agreement.

Applicant agrees to assume any obligation to furnish any additional funds that may be necessary to complete the project. Any modification or alteration in the project as set forth in the application on file with the State must be submitted to the State for approval.

2. Applicant agrees to complete the Project in accordance with the time of project performance set forth on page 1, and under the terms and conditions of this agreement.
3. Applicant shall comply as lead agency with the California Environmental Quality Act (Public Resources Code, Section 21,000 et. seq. and the National Environmental Policy Act.
4. If the Project includes development, the bid package or force account schedule shall be reviewed and approved by the State.
5. Applicant agrees to secure completion of the development work in accordance with the approved bid package or force account schedule.
6. Applicant agrees to permit periodic site visits by the State to determine if development work is in accordance with the approved bid package or force account schedule, including a final inspection upon Project completion.
7. Applicant agrees to submit all significant deviations from the Project to the State for prior approval.
8. If the Project includes acquisition of real property Applicant agrees to comply with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code and any applicable federal, state, or local laws or ordinances. Documentation of such compliance will be made available for review upon request by the State.

9. Applicant agrees to furnish state preliminary title reports respecting such real property or such other evidence of title which is determined to be sufficient by State. Applicant agrees in negotiated purchases to correct prior to or at the close of escrow any defects of title which in the opinion of State might interfere with the operation of the Project. In condemnation actions such title defects must be eliminated by the final judgment.
10. Applicant agrees to provide for reasonable public access to lands acquired in fee with grant moneys except where that access may interfere with habitat protection.

C. Project Costs

The grant moneys to be provided Applicant under this agreement may be disbursed as follows:

1. If the Project includes acquisition of real property, the State may disburse the amount of the State approved purchase price together with State approved costs of acquisition, but not to exceed in any event the grant amount set forth on page 1 of this agreement.
2. If the Project includes development, after approval by State of Applicant's plans and specifications or force account schedule and after completion of the Project or any phase or unit thereof, State may disburse to Applicant upon receipt and approval by State of a statement of incurred costs from Applicant, the amount of such approved incurred costs shown on such statement, not to exceed the State grant amount set forth on page 1 of this agreement, or any remaining portion of such grant amount to the extent of such statement.

The statements to be submitted by Applicant shall set forth in detail the incurred or estimated cost of work performed or to be performed on development of the Project and whether performance will be by construction contract or by force account. Statements shall not be submitted more frequently than ninety day periods unless otherwise requested by State.

Modifications of the development plans and specifications and/or force account schedule must be approved by State prior to any deviation from the State approved plans and specifications and/or force account schedule unless previously authorized by the State.

D. Project Administration

1. Applicant agrees to promptly submit such reports as the State may request.

In any event Applicant shall provide State a report showing total final Project expenditures.

2. Applicant agrees that property and facilities acquired or developed pursuant to this agreement shall be available for inspection upon request by the State.
3. Applicant agrees that income earned by the Applicant from a State approved non-recreational use on the Project shall be used for recreational purposes at the Project, or, if approved by the State, for recreational purposes within the Applicant's jurisdiction.

E. Project Termination

1. Applicant may unilaterally rescind this agreement at any time prior to the commencement of the Project. After Project commencement this agreement may be rescinded, modified or amended by mutual agreement in writing.
2. Failure by the Applicant to comply with the terms of this agreement or any other agreement under the Act may be cause for suspension of all obligations of the State hereunder.
3. Failure of the Applicant to comply with the terms of this agreement shall not be cause for the suspension of all obligations of the State hereunder if in the judgment of the State such failure was due to no fault of the Applicant. In such case, any amount required to settle at minimum cost any irrevocable obligations properly incurred shall be eligible for reimbursement under this agreement.
4. Because the benefit to be derived by the State, from the full compliance by the Applicant with the terms of this agreement, is the preservation, protection and net increase in the quantity and quality of parks, public recreation facilities and/or historical resources available to the people of the State of California and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of grant moneys under the provisions of this agreement, the Applicant agrees that payment by the Applicant to the State of an amount equal to the amount of the grant moneys disbursed under this agreement by the State would be inadequate compensation to the State for any breach by the Applicant of this agreement. The applicant further agrees therefore, that the appropriate remedy in the event of a breach by the Applicant of this agreement shall be the specific performance of this agreement, unless otherwise agreed to by the State.
5. Applicant and State agree that if the Project includes development final payment may not be made until the Project conforms substantially with this agreement and is a usable public recreation facility.

F. Hold Harmless

1. Applicant agrees to waive all claims and recourse against the State including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this agreement except claims arising from the concurrent or sole negligence of State, its officers, agents, and employees.
2. Applicant agrees to indemnify, hold harmless and defend State, its officers, agents and employees against any and all claims demands, damages, costs, expenses or liability costs arising out of the acquisition, development, construction, operation or maintenance of the property described as the Project which claims, demands or causes of action arise under Government Code Section 895.2 or otherwise except for liability arising out of the concurrent or sole negligence of State, its officers, agents, or employees.
3. Applicant agrees that in the event State is named as codefendant under the provisions of Government Code Section 895 et seq., the Applicant shall notify State of such fact and shall represent State in the legal action unless State undertakes to represent itself as codefendant in such legal action in which event State shall bear its own litigation costs, expenses, and attorney's fees.
4. Applicant and State agrees that in the event of judgment entered against the State and Applicant because of the concurrent negligence of the State and Applicant, their officers, agents, or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.
5. Applicant agrees to indemnify, hold harmless and defend the State, its officers, agents and employees against any and all claims, demands, costs, expenses or liability costs arising out of legal actions pursuant to items to which the Applicant has certified. Applicant acknowledges that it is solely responsible for compliance with items to which it has certified.

G. Financial Records

1. Applicant agrees to maintain satisfactory financial accounts, documents and records for the Project and to make them available to the State for auditing at reasonable times. Applicant also agrees to retain such financial accounts, documents and records for three years following project termination or completion.

Applicant and State agree that during regular office hours each of the parties hereto and their duly authorized representatives shall have the right to inspect and make copies of any books, records or reports of the other party pertaining to this agreement or matters related thereto. Applicant agrees to maintain and make available for inspection by the State accurate records of all of its costs, disbursements and receipts with respect to its activities under this agreement.

2. Applicant agrees to use any generally accepted accounting system.

H. Use of Facilities

1. Applicant agrees that the property acquired or developed with grant moneys under this agreement shall be used by the Applicant only for the purpose for which the grant moneys were requested and no other use of the area shall be permitted except by specific act of the Legislature.
2. Applicant agrees to maintain and operate the property acquired, developed, rehabilitated or restored with grant monies in perpetuity subject to the provisions of the National Recreational Trails Fund Act. With the approval of State, the applicant or its successors in interest in the property may transfer the responsibility to maintain and operate the property in accordance with Section 5919.

I. Nondiscrimination

1. The Applicant shall not discriminate against any person on the basis of sex, race, color, national origin, age, religion, ancestry, or physical handicap in the use of any property or facility acquired or developed pursuant to this agreement.
2. The Applicant shall not discriminate against any person on the basis of residence except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence and pursuant to law.
3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project agreement.

J. Application Incorporation

The Application and any subsequent change or addition approved by the State is hereby incorporated in this agreement as though set forth in full in this agreement.

K. Severability

If any provision of this agreement or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the agreement which can be given effect without the invalid provision or application, and to this end the provisions of this agreement are severable.

APPENDIX E

Development Procedures

INTRODUCTION

Grant programs administered by the California Department of Parks and Recreation, Local Assistance Section, are developed in accordance with these guidelines. This Section has the responsibility to ensure that funds are expended in a manner consistent with state law, and to ensure that the development will provide facilities that will be safe and secure for public use at a reasonable cost.

The following procedures have been developed to create a framework that will permit the orderly and expeditious processing of materials and documents requiring state review and approval. The applicant should adhere to all procedures unless exceptions are approved in advance by the Department of Parks and Recreation.

Laws affecting development by public agencies are continually being added to or amended. *It is your responsibility to be aware of all current laws and to conform to them.*

When federal funds are involved with a state project, their standards also have to be followed, with the stricter requirement prevailing. For instance, in the case of handicap standards, the State requirements are currently more stringent, whereas the federal government has more stringent affirmative action standards. In some cases, both standards may have to be followed.

DEFINITIONS

- Department: California Department of Parks and Recreation.
- Prevailing Wage: Minimum wage rates that must be paid for certain types of work as established by State Labor Code, Part 7, Chapter 1, Article 2, Sections 1770 and 1773.
- Force Account: Construction using the applicant's own work force, volunteer labor or, in some cases, individuals paid on a time and material basis.
- Bidder: Any individual, firm, co-partnership or corporation submitting a proposal for the work contemplated, acting directly or through a duly authorized representative.
- Contractor: The party of the second part, or his duly authorized agent, entering into contract with the applicant for performance of the work described by plans and specifications.
- Plans: The detail drawings or exact reproductions which show location, character, layout, dimensions and details of the work to be constructed under the contract.

Specifications: All written directions, provisions and requirements governing the methods and procedures to be followed in connection with bidding and award of contract and performance and execution of the work, the quantities and qualities of materials to be used, the method of measurement of the quantities of work and the nature of the contractual relationships that will exist during the course of the work.

Notice of Completion
and Acceptance of
Work for Each
Contract:

A formal, written statement filed by the applicant at the completion of the contract which states that the work has been completed and is acceptable to the applicant. (The form is provided by the applicant.)

PROGRAM PROCEDURES

The procedures below should be followed unless specific exceptions have been granted in advance by the State:

1. State approval in writing of plans and specifications (including bid conditions) is required before starting any work on the project or awarding a contract for the work.
2. For development or rehabilitation projects constructed under contract, submit one complete set of contract documents (construction drawings, bid documents, contract specifications) and an itemized engineer's estimate of construction costs for each contract. Allow three to four weeks for written approval.
3. For development or rehabilitation projects constructed by force account, submit one set of approved plans drawn to scale, a force account schedule and a breakdown of costs.

There are several items that often cause problems in the engineering review. They are discussed below so that you (and your designers) will be aware of them.

Handicap Standards

Handicap standards have changed frequently. The standards that the state enforces are generally more strict and detailed than the federally-adopted requirements published by the American National Standards Institute or than those found in the Uniform Building Code. The applicable state standards are set by the Office of the State Architect as required by the California laws, Chapter 7, commencing with Section 4450, Division of Title I of the Government Code.

All new structures, additions, structural repair and alterations must adhere to the handicapped standards. On all remodeling jobs, the area of the remodel must comply plus there must be an accessible path of travel to the remodeled area and the restrooms, telephones, and drinking fountains that serve the remodeled area must also be accessible. Minor repairs such as replacing fixtures, rewiring, air conditioning, patching, replumbing, painting, reroofing, or replacing floor coverings do not normally trigger the accessibility laws as long as no remodeling is done in the process. Also, certain minor changes which improve handicapped access can be done without triggering the requirement that other work be done, i.e. a building entrance can be made accessible, a toilet modified, railings modified, all without other work being required.

The restoration of historic buildings in some cases may be exempted from the handicap codes or subject to more lenient requirements by having the State Historic Commission in the Office of the State Architect review the plans and specifications.

Structural Items

Plans must be signed by a registered civil or structural engineer or a licensed architect when structural items are involved. This includes the signature and the license number of the person who is legally responsible for the design of the proposed structure. A landscape architect cannot legally sign the plans for structural items except for wood frame structures with clear spans of 24 feet or less and retaining walls that are four feet high or less. Structural items include concrete, masonry, brick and structural steel constructions (other than freestanding fences and walls) that can land on somebody or drop someone more than six feet if they collapse.

Prevailing Wage Rates

Contractors must pay the prevailing wage rates as determined by the Labor Statistics and Research Division of the Department of Industrial Relations. The general bid conditions must reflect the need to pay the prevailing wage rates (which are generally based on union contracts).

The prevailing wage rates can be obtained from the Department of Industrial Relations and are usually mailed to contractors, cities and counties. For a copy of the wage rates, write to: Labor Statistics and Research, P. O. Box 603, 455 Golden Gate Avenue, San Francisco, CA 94101.

Backflow Preventer

Health departments generally require approved backflow prevention devices on irrigation systems to prevent contamination of domestic water systems by poisons and fertilizer that might be drawn into the pipes through sprinkler heads. Even when the preventers are not required by county public health, it is the Department's policy not to advance funds unless the devices are included. (Obviously, backflow preventers are not required where the irrigation system is completely separate from the domestic water systems in the area as, for instance, where a local pond or treated sewage is used for irrigation water.)

Name Brands

When an item is specified by a brand name rather than by a full technical specification, California Government Code, Section 4380, requires that at least two brand names followed by "or equal" be called out in the specifications or plans. The only exceptions are where the applicant is matching an existing system or where a unique item with no known equal is needed.

FORCE ACCOUNT SCHEDULE

INTRODUCTION

Remember that the engineer from the state who reviews your plans and specifications has not seen the project site, and is not familiar with the project. Your plans, narrative descriptions, and facility/materials cost estimate are known collectively as a Force Account Schedule. The schedule should be written in a way that the project could be built from those instructions. You need to include information about what, how many, where, and how the work is to be done. We need to understand how the project will be built, and the steps you intend to take to accomplish the work.

OBTAIN LEGAL ADVICE

Preparation of the Force Account Schedule should be initiated only after you have consulted your attorney and obtained legal advice to determine how much money your agency can legally spend using the force account approach. Though State law has identified certain exceptions from the legal force account definition and spending limits, a force account schedule will always be required for grant purposes when you do not intend to develop a project using formal bid contract procedures.

CRITERIA FOR REVIEW OF THE FORCE ACCOUNT SCHEDULE

1. Prior to preparing a force account schedule, you should consult your legal counsel your legal counsel to determine when you may use the force account approach. The criteria that we will use in evaluating your force account schedule are:
 - a. Have the steps for project development been well thought out?
 - b. Has visitor safety been considered throughout?
 - c. Is the work being done legally? Special attention will be given to disabled access to restrooms, structures, walkways, and other facilities. A construction plan or schematic must be submitted along with a step-by-step description of the work process.
2. What to submit.
 - a. Transmittal letter - include the following:
 - 1.) Project name and number.
 - 2.) An explanation of why your agency does not have to bid the project.
 - 3.) A general discussion of what you propose to do. Include a list of construction items in priority order, with a brief description and statement of the need for each item.
 - 4.) The time frame for completion.

- 5.) An explanation of who is doing the work, how it will be done, and the name of the agency supervising and inspecting the work.
 - 6.) Indicate who the authorizing body is (city council, board of supervisors, etc.).
- b. Construction Information - Indicate which items are included in the project to be funded by this grant. Provide a step-by-step narrative on how each element of the project will be developed. The elements should correspond with those on the priority list.
 - c. Cost Estimate - include each major item.
 - d. Project Plan or Schematic - Submit building plans, including a location map and site plan or schematic with enough detail to show how the project is to be built. If structures are included, provide elevation views and at least one cross-section, along with floor and foundation plans. The plan must be drawn to scale, and include a signature and date block.

SAMPLE FORCE ACCOUNT SCHEDULE

Examples of a transmittal letter, construction information, cost estimate, and a project plan are shown on the following pages:

a. *Sample Transmittal Letter*

Project Officer (Name)
Local Assistance Section or OHMVR Division
Dept. of Parks & Recreation
P. O. Box 942896
Sacramento, CA 94296-0001

Dear

Mythical County Park Development
Grant Number 06-01399

Enclosed for your review is the force account information for the work we propose to do under this grant. We do not have to bid the project because the total project costs are below our bid minimums.

The order of priority for construction of the items under this grant is:

1. Rip rap the creek
2. Sidewalk on Main Street
3. Pave off-street parking
4. Complete fence along Main Street
5. New poured matting for the playground.

The \$10,000 from the state grant is the only source of funds for this project. If the grant does not cover the work, we will postpone lower-priority items until we can raise the money from other sources.

Heavy winter storms of two years ago caused a lot of erosion on the creek bank, and left steep banks which are a hazard to the children who play in the area. We plan to slope the bank back to a 1:1 slope and put in heavy boulder rip rap to make the area safer and stop future erosion.

Installation of concrete sidewalks will eliminate the serious problem arising from tracking of mud and sand from the present gravel walks into the museum. In addition, concrete walks will present a much neater appearance and enhance disabled access.

Paving of the parking lot will eliminate maintenance of the graveled area - now compounded by youngsters on motorcycles and in cars.

The existing split rail fence only goes halfway across the front of the property. Finishing the fence will give the park a better appearance, and enhance security.

The sand in the playground is getting thin, as the children just naturally scatter it around, and it is not disabled accessible. Poured matting by Perot Petroleum Industries will provide disabled access, and help prevent injuries.

We expect that the bulk of the improvements planned will be accomplished by force account during 1998 under the supervision of the Timberline County Parks Department, as agent of the Timberline County Board of Supervisors.

Please advise me if any additional information is needed.

Sincerely,

Director
Timberline County Parks Department

b. *Sample Construction Information*

MYTHICAL PARK
PROJECT NO. 84-59001
SPECIFICATIONS

RIP RAP OF CREEK

1. The creek will be graded back to a 1:1 slope from the end of Ten Cent Gulch to the park boundary (about 120'). Excess soil will be used to straighten the bank a little, and fill in a couple of holes in the bank. Existing bushes and vines will not be disturbed if possible.
2. A base course of 24" diameter boulders will be placed in a trench by the side of the stream bed, and a layer of 12" diameter boulders will be placed up the bank. (In most places, this will be 4' to 6').
3. We will try to interlock the boulders, and will fill in the chinks and voids with rocks, sand, and/or gravel. Hopefully, we will get enough soil in the voids that the vines and brambles will grow back.
4. The county building inspector along with the sheriff will oversee the construction of the rip rap by using volunteers from the Rattler Conservation Camp.

SIDEWALKS

1. The existing gravel walk shall be excavated and graded to a finished depth of 4" below the top of the existing concrete curb.
2. Trees in the existing walkway shall be formed around, as directed by the inspector.
3. Walk shall be constructed to the county's sidewalk standard.
4. The new walk will be about 4 1/2" wide, except that where it has to go around a tree, it will be at least 36" wide on one side of the tree, and not less than 24" wide on the other side.
5. The walks will be constructed by county crews, and the project cost is less than our bid requirements.

PAVED PARKING

1. The existing graveled parking area shall be graded, watered, and rolled to a uniformly level surface.
2. Two inches of asphaltic concrete shall be placed by machine, and rolled to a finished depth of one and one-half inches.
3. The finished surface shall be sealed with an emulsified liquid asphalt seal coat.

4. All work will be done to county standards by the company that has the county road contract for this year. See the attached contract.
5. The two existing disabled parking stalls (marked with blue curb) will remain. We will paint the HC "chair" symbol on each stall. The disabled stalls will be 9' wide with a 5' wide area between them, painted with diagonal stripes to mark the ramp location. (There are a total of 11 spaces, so this is one more disabled stall than required by code.)

FENCE

1. About 135' of split rail fence shall be constructed along the west half of the south side of the park.
2. Posts shall be placed ten feet apart. Rails shall be selected for their stacking ability, and shall be stacked six rails high - forming a fence approximately three and one-half feet high.
3. Posts shall be prefabricated in pairs by placing a 4" by 4" x 24" redwood block between two posts six feet long, and wiring them together with No. 9 galvanized wire.
4. A 4' wide gate built out of rail and hung off of heavy galvanized hinges will be located as shown on the plan. (It will be just like the gate by the playground.)
5. The project will be supervised by the county Engineering Department and carried out by the Timberline County Chapter of the "Senior Gleaners".

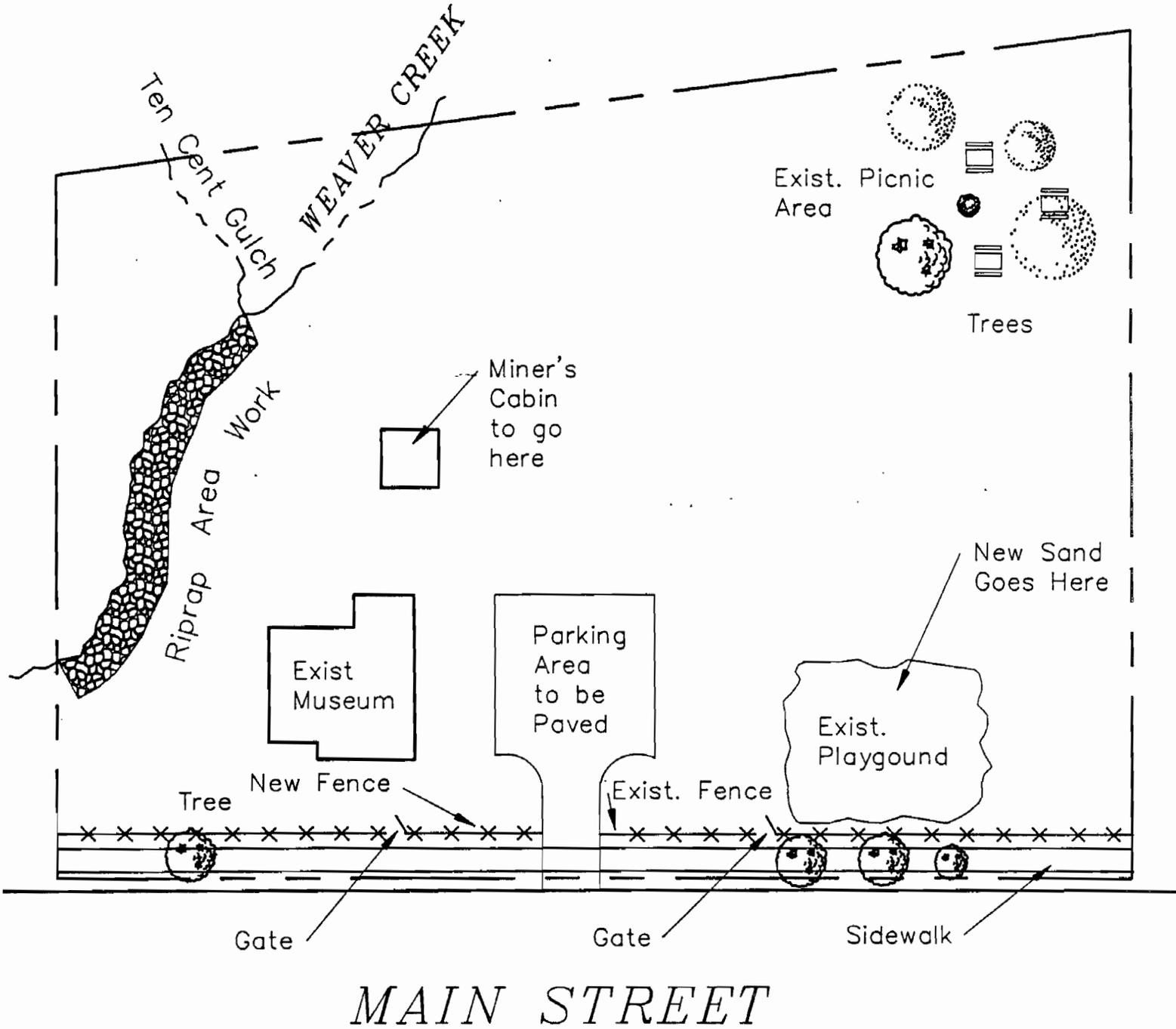
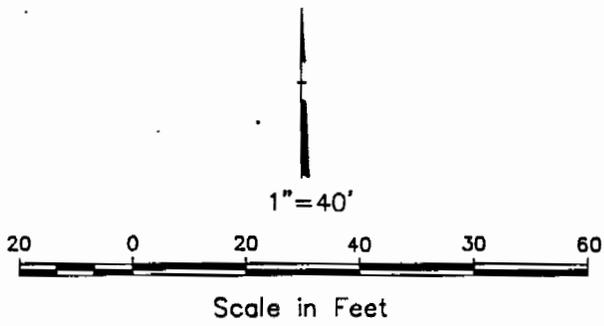
MATTING FOR PLAYGROUND

1. County crews will remove existing sand from under all play areas.
2. Perot Petroleum, as a demonstration project for their new "J-12 Instant Surface", will provide four and one half inches of poured matting under all our existing play equipment, which will be disabled accessible, and provide cushioning as required by the Consumer Product Safety Council (CPSC). We will pay for materials only. The labor is donated. Please read the attached specification sheet. The playground was built in 1991, and meets all CPSC Guideline. We will not have to move any equipment to provide the required safety clearances.
3. Disabled access to the matting surface is provided by a 48" wide concrete walk run to the play area, and will be flush with the finished surface of the matting.

c. *Sample Cost Estimate*

1. BOULDER RIP RAP. Approximately 600 sq. ft.	\$3,200.00
2. SIDEWALK. Approximately 610 sq. ft.	\$1,628.00
3. RAIL FENCE. Labor, grading, gravel.	\$530.00
4. PARKING LOT PAVING. Approximately 3,500 sq. ft. A.C.	\$7,100.00
5. MATTING FOR PLAY AREA. Approximately 960 sq. ft.	\$7,042.00
6. ENGINEERING, SUPERVISION AND MISC. LABOR.	\$500.00
Total Project Costs	\$20,000.00

d. A sample plan for Mythical Park is shown on the next page.



Project Name: _____

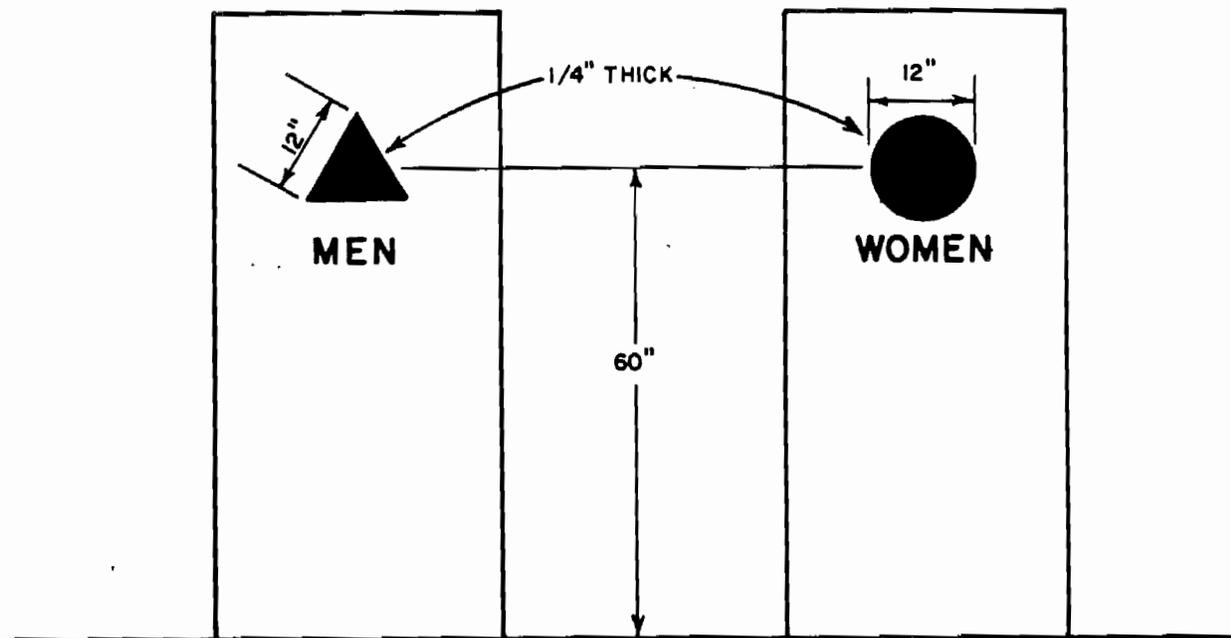
Signature: _____

Applicant: _____

Date: _____

DISABLED ACCESS DRAWINGS

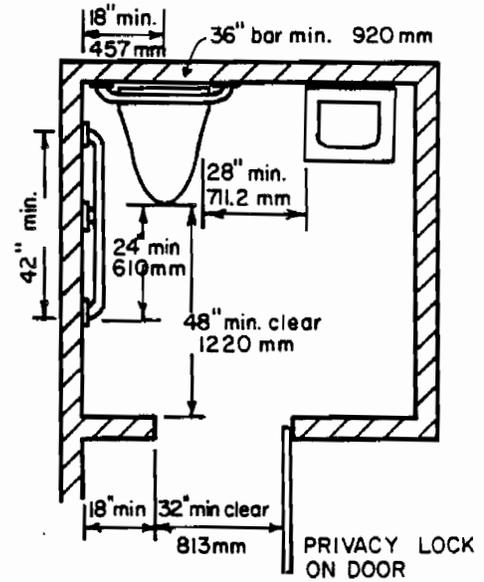
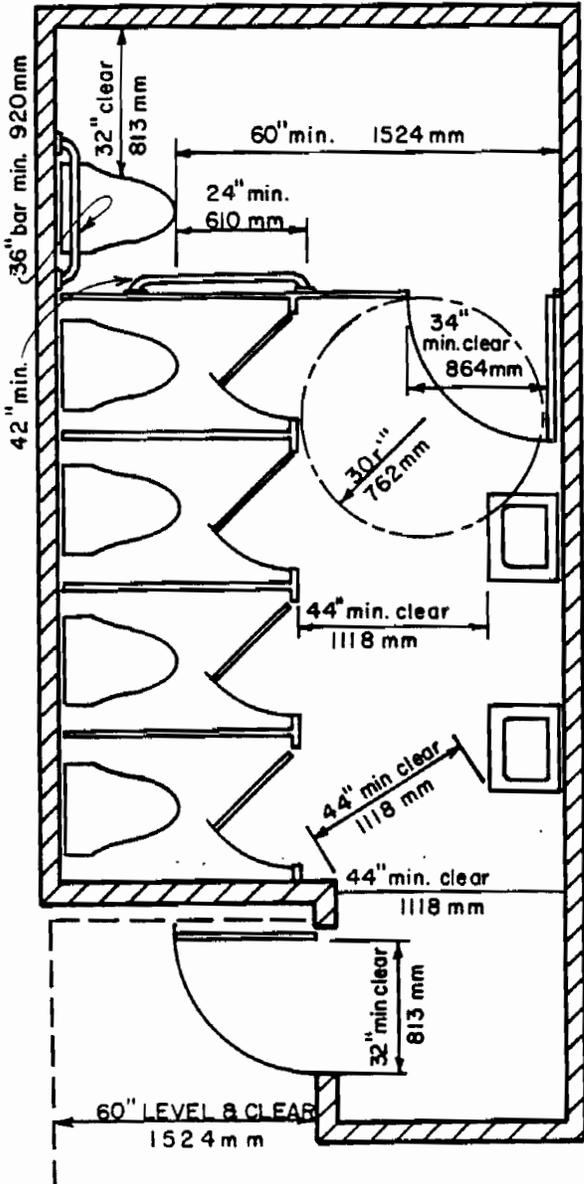
RESTROOM DOORS



Part 2, Title 24, C.A.C. Section 2-1711, (e).3.

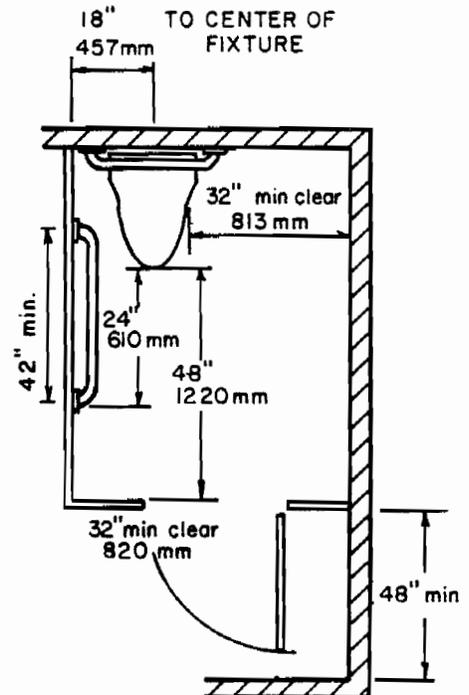
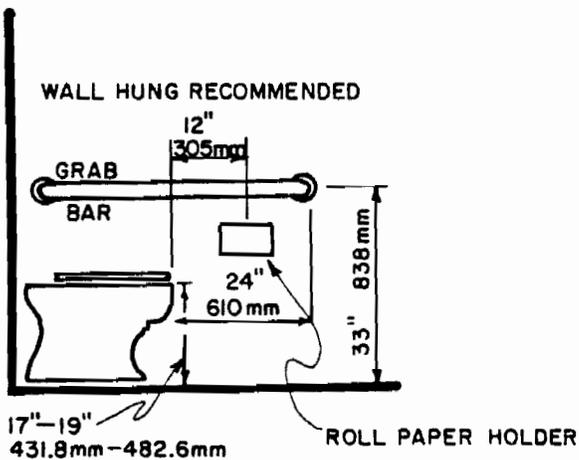
"On doorways leading to men's sanitary facilities, an equilateral triangle 1/4 inch (6.35mm) thick with edges 12 inches (304.8mm) and a vertex pointing upward and on women's sanitary facilities a circle 1/4 inch (6.35mm) thick and 12 inches (304.8mm) in diameter. These geometric symbols shall be centered on the door at a height of 60 inches (1524mm) and their color and contrast shall be distinctly different from the color and contrast of the door."

NEW RESTROOMS

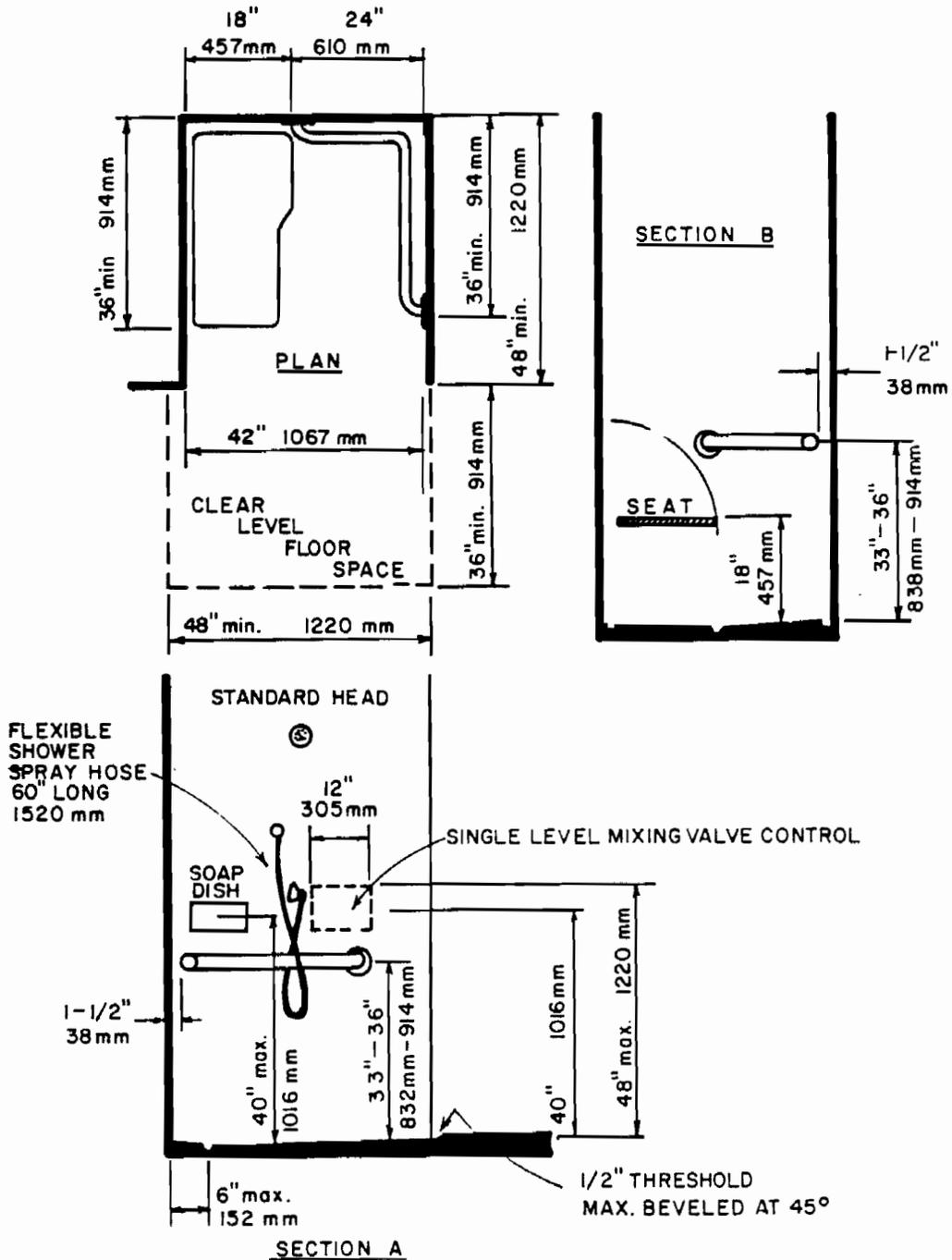


Privacy Toilet

Where the door is located in a corridor sidewall and swings into the corridor the minimum width of the corridor shall be 60" (1524mm) unless other state or local building codes allow a lesser corridor width.

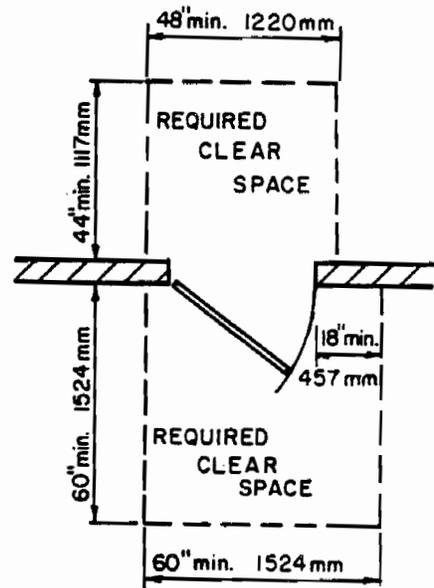


SHOWERS



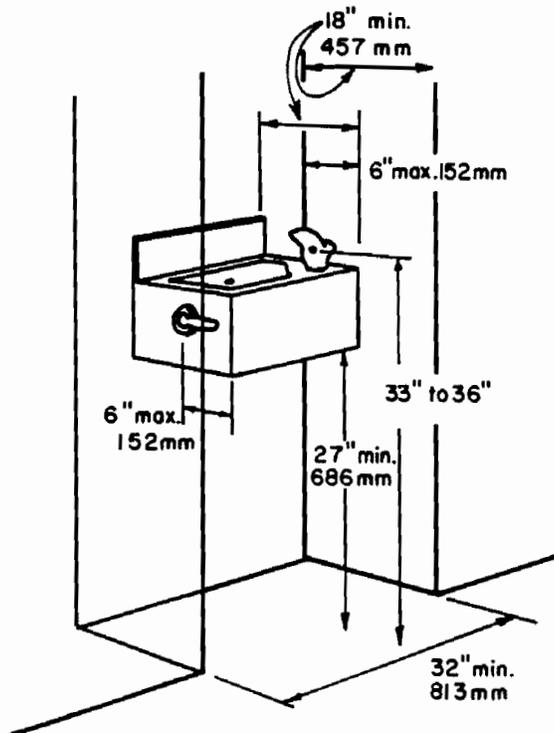
IN AREAS OF VANDALISM, use two wall mounted shower heads, one at 40 inches and one at the standard height. Each head must be able to swivel horizontally and vertically. Each one shall be controlled independently.

**RAMPS 1:12 OR FLATTER
LANDINGS 30' MAX.
WALKS 48" MIN. WIDTH
HALLS 44" MIN. WIDTH**

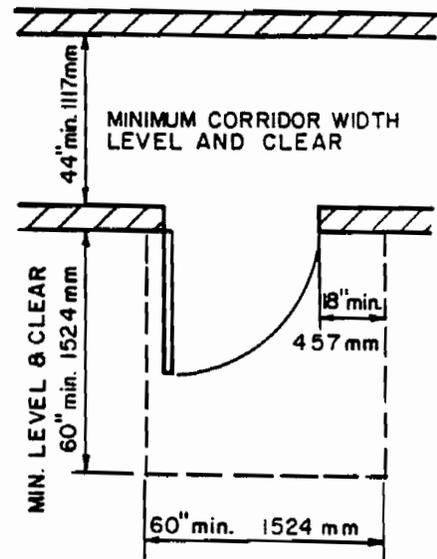


Note: Clear spaces must be level to prevent wheelchairs from rolling when occupant releases the wheel grips to reach for door, 1/4" slope per foot is allowed for drainage.

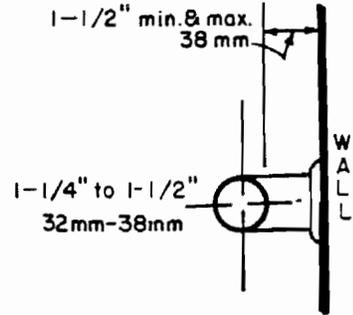
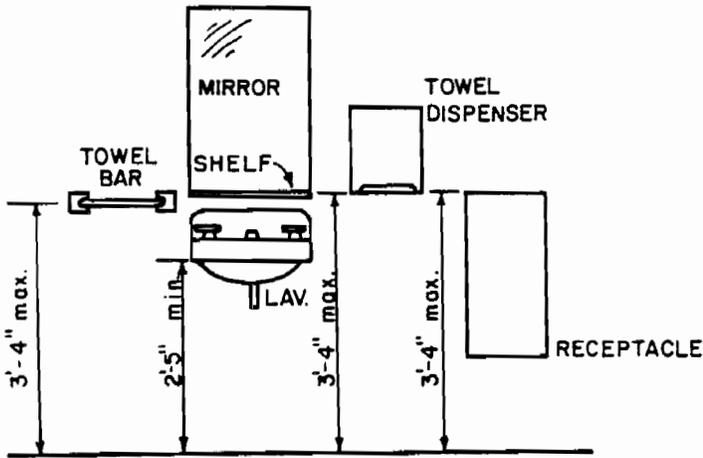
Note: Where doors open onto, but not into corridor, the required level floor beyond the door may be the minimum 44" corridor width.



WATER FOUNTAINS



DETAILS: ALL RESTROOMS



TURNAROUND SPACE

Each restroom must have a clear space measured from the floor to a height of 27" above the floor that is either 5'0" in diameter or else is a rectangle of at least 56" by 63" in size. No door may encroach into this space by more than 12" in any position.

APPENDIX F

Acquisition Procedures

If you are contemplating a project involving an acquisition, please contact the Local Services Section at (916) 653-7423 for an Acquisition Guide.

APPENDIX G

Payment Request Forms

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PAYMENT REQUEST

State Grant Programs

See instructions on reverse.

1. PROJECT NUMBER	2. CONTRACT NUMBER
-------------------	--------------------

3. APPLICANT

4. PROJECT TITLE

5. TYPE OF PAYMENT

Advance Reimbursement Final

6. PAYMENT INFORMATION
(ROUND ALL FIGURES TO THE NEAREST DOLLAR)

a. Grant Project Amount	\$ _____
b. Funds Received To Date	\$ _____
c. Available (<i>a. minus b.</i>)	\$ _____
d. Amount Of This Request	\$ <input type="text"/>
e. Remaining Funds After This Payment (<i>c. minus d.</i>)	\$ _____

7. SEND WARRANT TO

AGENCY NAME

STREET ADDRESS

CITY/STATE/ZIP CODE

ATTENTION

8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION	TITLE	DATE
-------------------------------------------------	-------	------

FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION USE ONLY

PAYMENT APPROVAL SIGNATURE	DATE
----------------------------	------

PAYMENT INSTRUCTIONS

One Payment Request Form must be submitted for each grant project

The following instructions are keyed to corresponding items on the Payment Request Form:

1. PROJECT NUMBER — The number assigned by the State to this project.
2. CONTRACT NUMBER — As shown in the Certification of Funding section of the project agreement.
3. APPLICANT — Agency name as shown on the project agreement.
4. PROJECT TITLE — Title of project for which payment is requested.
5. TYPE OF PAYMENT — Check appropriate box.
6. PAYMENT INFORMATION
 - (a) Grant Project Amount — The amount of state grant funds assigned to this project.
 - (b) Funds Received to Date — Total amount already received for this project.
 - (c) Available — (a. minus b.)
 - (d) Amount of This Payment Request — Amount that is being requested.
 - (e) Remaining Funds After This Payment — (c. minus d.)
7. SEND WARRANT TO — Agency name, address and contact person.
8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION — Must be an original signature by the person authorized in the application resolution.

APPENDIX H
Project Completion Packet

PROJECT COMPLETION STATE PARK GRANT PROGRAMS

This packet will assist in the preparation of documents necessary to complete State grant projects. Any questions should be directed to your project officer.

1. READ ALL MATERIALS IN THIS PACKET. Share it with individuals who will be preparing the financial documents.
2. Use this packet for all State grant programs. Make copies of the forms as needed.
3. FORMS: The forms in this packet have been designed for your convenience. You may elect to use another format provided that all requested information is presented in a clear and concise manner.
4. REMEMBER, YOU ARE REQUIRED TO KEEP SOURCE DOCUMENTS FOR ALL EXPENDITURES RELATED TO EACH GRANT FOR AT LEAST THREE YEARS FOLLOWING PROJECT COMPLETION. A project is considered complete upon receipt of final grant payment from the State.
5. The specific State grant program procedural guide provides further information on project administration. NOTE: This packet replaces the "Support Material for Final Payment" list in the guides and contains a revised payment request form (DPR 212), dated 2/91, which replaces previous payment request forms.

PROJECT COMPLETION CHECKLIST

Please submit the following documentation to receive final payment for the grant project. Incomplete documentation may result in a delayed payment.

REQUIRED:

1. Payment Request Form (attached) - One copy of the payment request form, DPR 212, signed by person authorized in application resolution.
2. Project Certification Form (attached) - Insure that the form is completely filled out and signed by the agency representative responsible for fiscal accountability.
3. Project Costs Summary Form (attached) - Use this form for final payment requests and reimbursement requests to summarize all project costs. Include warrant number, date, recipient, purpose (i.e. construction contract, fencing materials) and amount.

IF APPLICABLE:

4. Labor Costs Summary Form (attached) - Summarize any in-house labor costs charged to the project; the summary should note the location of source documentation to verify the summary (i.e., journal voucher number, work authorization, etc.). You may claim standard hourly wages plus benefits; no overhead.
5. Equipment Cost Summary Form (attached) - Include type of equipment, dates, amount, work performed. Indicate how the rate was obtained (i.e., Department of Transportation standards)

PAYMENT REQUEST
State Grant Programs

See instructions on reverse.

1. PROJECT NUMBER

2. CONTRACT NUMBER

3. APPLICANT

4. PROJECT TITLE

5. TYPE OF PAYMENT

Advance

Reimbursement

Final

6. PAYMENT INFORMATION
(ROUND ALL FIGURES TO THE NEAREST DOLLAR)

a. Grant Project Amount

\$ _____

b. Funds Received To Date

\$ _____

c. Available (*a. minus b.*)

\$ _____

d. Amount Of This Request

\$

e. Remaining Funds After This Payment (*c. minus d.*)

\$ _____

7. SEND WARRANT TO

AGENCY NAME

STREET ADDRESS

CITY/STATE/ZIP CODE

ATTENTION

8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION

TITLE

DATE

FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION USE ONLY

PAYMENT APPROVAL SIGNATURE

DATE

PROJECT CERTIFICATION FORM

AGENCY: _____ PROJECT NUMBER: _____

AGENCY CONTACT FOR AUDIT PURPOSES: NAME: _____

ADDRESS: _____

PHONE: (_____) _____

PROJECT DESCRIPTION - List facilities developed and/or property acquired:

LIST OTHER FUNDS USED ON PROJECT (SOURCES AND AMOUNTS):

INTEREST EARNED ON ADVANCED GRANT FUNDS: \$ _____

HAS A NOTICE OF COMPLETION BEEN FILED? YES ___ NO ___
IF NO, PLEASE EXPLAIN:

CERTIFICATION:

I hereby certify that all grant funds were expended on the above named project(s) and that the project(s) is complete and we have made final payment for all work done.

Agency Fiscal Representative, Title

Date

PROJECT COSTS SUMMARY FORM

Project Number: _____

Warrant Number	Date	Recipient	Purpose	Amount
-------------------	------	-----------	---------	--------

Total Labor Costs (from attached form) \$ _____
Total Equipments Costs (from attached form) \$ _____

Grand Total \$ _____

LABOR COSTS SUMMARY FORM

Project Number: _____

Work Authorization #	Unit Performing Work	Dates/ Pay Period	Purpose	Amount
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(Carry Total forward to Project Costs Summary Form) Total \$ _____

EQUIPMENT COSTS SUMMARY FORM

Project Number: _____

<u>Type of Equipment</u>	<u>Dates</u>	<u>Work Performed</u>	<u>Amount</u>

(Carry Total forward to Project Costs Summary Form) Total \$ _____

APPENDIX I

Environmental Compliance

ENVIRONMENTAL COMPLIANCE

Applicants must demonstrate compliance with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The applicant may do so by submitting either (a), (b), or (c) below, as appropriate.

- (a). Notice of Exemption stamped by the county clerk, and Environmental Certification (attached);
- (b). Negative Declaration and initial study including the checklist and Notice of Determination stamped by the county clerk with State Clearinghouse response;
- (c). Final EIR with initial study including the checklist and Notice of Determination with State Clearinghouse response.

EXCLUSION CATEGORIES TO BE USED WITH THE ENVIRONMENTAL CERTIFICATION FORM

For the purposes of complying with NEPA, the following four categories of NRTFA grant projects do not constitute major actions significantly affecting the quality of the human environment. Therefore, they do not require preparation of an environmental assessment to determine the need for an environmental impact statement. The following four areas are categorical exclusions:

1. Grants for acquisition of areas which will continue in the same or lower density use with no additional disturbance to the natural setting.
2. Grants for replacement or renovation of facilities at their same location without altering the kind and amount of recreational, historical, or cultural resources of the area, or the integrity of the existing setting.
3. Grants for construction of facilities on lands acquired under a previous federal grant, provided that the development is in accord the plans submitted with the acquisition grant.
4. Grant for construction of new facilities in an existing park or recreation area, provided that the facilities will not:
 - a. conflict with the adjacent ownership or land use or cause a nuisance to adjacent owners or occupants (e.g., extend use beyond daylight hours);
 - b. introduce motorized recreation vehicles;
 - c. introduce active recreation pursuits into a passive recreation area;

... ..
compromising the nature and character of the property or causing physical damage to it; or,

- e. add or alter access to the park from the surrounding area.
5. Grants for educational materials and programs (motorized only).
 6. Grants for expenditures to maintain existing trails (motorized only).

Exceptions

The following exceptions apply to individual actions within the categorical exclusions. Environmental assessments must be prepared for actions which may:

1. have significant effects on public health or safety.
2. adversely affect such unique geographic characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks.
3. have highly controversial environmental effects.
4. have highly uncertain environmental effects or involve unique or unknown environmental risks.
5. establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects.
6. be related to other actions which are individually insignificant but which have cumulatively significant environmental effects.
7. adversely affect properties listed or eligible for listing on the National Register of Historic Places.
8. affect a species listed or proposed to be listed on the List of Endangered or Threatened Species.
9. threaten to violate a federal, state, local or tribal law or requirements imposed for protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.

NATIONAL RECREATIONAL TRAILS FUND ACT PROJECT

Federal Environmental Certification

To be completed by the applicant:(Check either 1 or 2).

NAME OF PROJECT _____

On the basis of my review:

___ 1. I conclude that it qualifies for exclusion under categorical exclusion number___
(see page 75),

OR

___ 2. The adverse impact will be mitigated to insignificance. (Environmental Study
attached).

Authorized Representative

Date

Title

To be completed by the State:

Based on a review of the application and supporting documentation, we have determined that the proposed project meets the criteria for the NEPA categorical exclusion identified above.

State Official

Date

Title

To be completed by the FHWA:

We Concur:

FHWA Official

Date

Title

APPENDIX J

SHPO Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

The applicant and the state must determine that the proposed project does not adversely affect any historic or archeological resources. The attached memorandum of understanding outlines a process that will insure that. The applicant should:

1. read the memorandum of understanding to determine your responsibilities.
2. fill in the name of your agency and the project and sign where appropriate.
3. submit the form as a part of the application.

COMPLIANCE WITH HISTORIC PRESERVATION ACT MEMORANDUM OF UNDERSTANDING - NRTFA GRANT

APPLICANT: _____
PROJECT(S): _____

I have determined that the applicant's acquisition and/or development project(s) will not adversely affect cultural properties included in or eligible for inclusion in the National Register of Historic Places. This determination is contingent upon the applicant's concurrence that any plans for development, not to exclude minor improvements involving ground disturbance, will be submitted to the State Historic Preservation Officer for review and comment at the earliest opportunity. In the event that development plans will not be formulated and/or implemented by the applicant, but by another agency or group, the applicant will assume the responsibility for ensuring that all provisions and stipulations contained herein are executed, as needed, jointly with that agency or group or independently by that agency or group. This determination is further contingent upon the applicant's commitment to implement in good faith the following program of compliance with 36 CFR 800, Executive Order 11593 and Section 106 of the National Historic Preservation Act of 1966, as amended:

1. The applicant accepts the premise that proper cultural resources identification, evaluation and management will be an integral part of the planning process for the project(s).
2. Accordingly, prior to the commencement of any physical development activity, the applicant or his designee will arrange to have appropriately qualified professionals perform such investigations as may be necessary to:
 - a. Identify, evaluate and manage any cultural values located within the project(s)'s potential area of environmental impact that are included in or may be eligible for inclusion in the National Register of Historic Places.
 - (1) If, after consultation with the State Historic Preservation Officer, any values not already included in the National Register are determined to be eligible for inclusion in the National Register, the applicant or his designee will nominate them to the Register according to established procedures. Nominations shall be submitted to the State Historic Preservation Officer no later than six months after the adoption of a final development plan.
 - b. Determine, in consultation with the State Historic Preservation Officer, if and to what extent, these values may be adversely affected by planning, development, operation and maintenance activity.

- c. Develop and implement prudent and feasible measures, acceptable to the applicant or his designee and the State Historic Preservation Officer, capable of either effectively mitigating or avoiding adverse effects on National Register and National Register values. Avoidance and protection will be preferred objectives. However, should discussions indicate that only something less is achievable, that course of action which is likely to cause the least unnecessary damage to these values will proceed.

Documentation of compliance with each of these stipulations as needed will be submitted to the State Historic Preservation Officer for review and comment in a timely fashion.

The applicant or his designee will unilaterally determine the time most suitable for the commencement of cultural resource investigations acknowledging, however, that:

1. They will constitute a part of the planning process providing data for sound, advance planning decisions.
2. They will be completed before a final development plan is adopted and any physical activity begins.

Failure to comply with any of the provisions and stipulations therein contained shall constitute ground for revocation of a no adverse effect determination and shall require full application compliance with the Advisory Council procedures.

By _____

Authorized Representative

Date

To Be Completed by State:

By _____
STATE HISTORIC PRESERVATION OFFICER

Date

