## **Government of the District of Columbia**

**Department of Transportation** 



# Recreational Trails Program Summary and Application Guide

## What is The Recreational Trails Program?

The Recreational Trails Program (RTP) is federal grant program that provides funding for recreational trail projects. RTP provides funding for the development, renovation, and maintenance of recreational trails and trailside facilities. The Federal Highway Administration (FHWA) administers this program at the federal level while the District Department of Transportation (DDOT) administers the program for the District of Columbia (District).

## **Program Background**

Funding for the RTP is currently made available through the Infrastructure and Investment Jobs Act (IIJA) of 2021. The District currently receives a federal allocation of approximately \$800,000 each federal fiscal year. The RTP exists because of fuel tax revenue generated by snowmobiles, off-highway motorcycles, all-terrain vehicles, off-highway light trucks and other motorized trail uses. Each state receives a different apportionment of RTP funds, of which one-half is based on an estimate of non-highway recreational fuel use within each state.

# Who is eligible to apply?

The entities listed below are eligible to apply for RTP funding:

- Local governments
- Federal Agencies (like the National Park Service)
- Regional transportation authorities
- Natural resource or public land agencies
- Tribal governments
- Nonprofit 501 (c) organizations
- o If a non-profit organization is interested in applying for RTP funds to execute a design or construction project, then the organization must partner with an eligible government agency that is willing to act as the official Project Sponsor. Nonprofits that apply using this arrangement should clearly articulate the role and responsibilities of the respective parties in the application. The Project Sponsor must provide a signed letter outlining the agreement and the breakdown of the roles and responsibilities in the RTP application.
- Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails consistent with the goals of subsection <u>23 U.S.C.</u> <u>133(h)</u>.

State DOTs are typically considered ineligible to apply for RTP funding. However, as DC government is the only local government within the District of Columbia, the DDOT qualifies as a local government entity. DDOT project managers can submit applications for projects which will be subject to the same competitive process for selection.

## Eligible projects include:

- Maintenance and restoration of existing trails
- Development and rehabilitation of trailside and trailhead facilities and trail linkages
- Construction of new trails (with certain restrictions on federal lands)
- Purchase and lease of recreational trail construction and maintenance equipment
- Assessment of trail conditions
- Development and dissemination of publications and operation of educational programs to promote safety and environmental protection related to trails

For a full list of eligible projects and ineligible projects, visit: Eligible and ineligible project types and activities

## **Education Projects**

Education projects are limited to 5% of the total RTP allocation for the state per fiscal year. Educational programs promote safety and environmental protection as related to the use of recreational trails. Eligible projects include the development and operation of trail safety education programs, development and operation of trail-related environmental education programs, or production of trail-related education materials.

## **Application and Review Timeline**

Application Due	Application Review	<b>Tentative Funding Decision Date</b>
November 1, 2022	Nov-Dec 2022	December 21, 2022

# **Environmental Review Requirements**

Because the RTP is federally funded, RTP projects must therefore satisfy National Environmental Policy Act (NEPA) requirements to be eligible for funding. Grantees are responsible for completing the necessary environmental review with the landowner.

# **Conditions for a Categorical Exclusion**

RTP projects qualify as a Categorical Exclusion (CE) in accordance with NEPA (40 CFR 1508.4) and FHWA (23 CFR 771.117(c)(3) and 23 CFR 771.117(c)(23)) regulations. In accordance with 23 CFR 771.117(a), a project may be considered a CE if it does not cause significant environmental impacts and does not involve unusual circumstances as described in 23 CFR 771.117(b).

A project must therefore meet the conditions below to be approved for a CE, in compliance with NEPA and FHWA regulations, as well as Stipulation IV.B.b. of the Programmatic Agreement between FHWA and DDOT regarding processing of actions classified as CE for Federal-aid highway projects. Specifically, it must be demonstrated that an individual project will not:

- Involve the acquisition of more than a minor amount of right-of-way (an acquisition is considered more than minor if it will involve more than 10,000 sq feet);
- Involve acquisitions that result in any residential or non-residential displacements;

- Involve the construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions during construction. Major traffic disruption is such that within the context of the project, the disruption does not create a potential for public controversy, or the intensity of the impacts to resources in the study area rises to the level of significance;
- Involve changes in access control on an interstate highway;
- Result in a determination of adverse effect on historic properties pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108);
- Require the use of properties protected by Section 4(f) (49 U.S.C. § 303/23 U.S.C. § 138) that cannot be documented with an FHWA de minimis determination, or a programmatic Section 4(f) evaluation other than the programmatic evaluation for the use of historic bridges;
- Be expected to induce controversy on environmental grounds;
- Require a US Army Corps of Engineers Clean Water Act Section 404 permit other than a Nationwide Permit or a General Permit;
- Require floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitates open space use (e.g., recreational trails, bicycle and pedestrian paths), as well as work encroaching on a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A;
- Require construction in, across, or adjacent to a river designated as a component of, or proposed for inclusion in, the National System of Wild and Scenic Rivers published by the US Department of Interior/US Department of Agriculture;
- Include acquisition of land for hardship or protective purposes, or early acquisition pursuant to Federal acquisition project (23 U.S.C. § 108(d));
- Require any adverse impacts to minority, low-income, limited-English populations or any other population protected by Title VI of the Civil Rights Act of 1964 and Executive Order 12898 (Environmental Justice in Minority Populations and Low-Income Populations);
- Require any Clean Water Act Section 402 (NPDES) Individual Permits;
- Involve any known hazardous materials sites or previous land uses with potential for hazardous materials remains within the right-of-way;
- Affect federally listed or candidate species, or proposed or designated critical habitat, or have impacts subject to the conditions of the Bald and Golden Eagle Protection Act; and,
- Have impacts on migratory birds subject to the conditions of the Migratory Bird Treaty Act.

Applicable environmental laws must be satisfied by the RTP grantee and land management agency involved in the project whether that project is on federal, state, city, or private land.

# Considerations for specific project types/expenses

#### **Outdoor Recreation Accessibility**

The RTP strives to integrate and maximize accessibility for residents with disabilities into the full range of recreation opportunities while conserving the outdoor experience via maintaining its

character and experience. Trail designers should seek opportunities to incorporate accessible features and elements. For example, where appropriate, RTP projects should:

- Provide the required level of accessibility and be served by an accessible route where trail related facilities such as parking lots, shelters, toilets, drinking fountains, and other features are provided on or along an accessible trail site.
- Include trail routings that meet accessibility criteria to ensure that there are recreation opportunities for a variety of trail users, both traditional and non-traditional.
- Account for people experiencing disabilities that may arrive at trail facilities with
  assistance or by other means The Accessibility Guidebook for Outdoor Recreation and
  Trails (2016), published in cooperation with the U.S. Department of Transportation,
  Federal Highway Administration's Recreational Trails Program, and the USDA Forest
  Service, contains useful concepts to help organizations maximize accessibility without
  changing the setting in outdoor recreation areas and on trails.

#### Funding to Construct or Resurface a Trail

Applicants proposing to build or resurface a trail should justify the chosen trail-surface type in their application. Regardless of trail surface, construction costs and maintenance costs vary widely for each surface type. RTP applicants should therefore reach out to potential contractors for a quote(s) to develop the most detailed, accurate budget for their proposed project. All projects must comply with the <u>District Department of Energy and Environment (DOEE)</u> stormwater requirements. The applicant should coordinate with DOEE and DDOT before submitting their application.

**Maintenance Plans:** Any applicant proposing to construct or resurface trails must include a detailed maintenance plan on the application. A detailed maintenance plan should:

- Identify the entity(s) which will perform both short- and long-term maintenance
- An explanation of how the maintenance will be funded
- o The maintenance activities which will take place; and
- The anticipated timeline and schedule for performing maintenance

#### Projects within a Metropolitan Planning Organization Boundary

The RTP is codified under Chapter 2 of title 23 U.S.C. Therefore, the metropolitan and statewide transportation planning requirements apply to the RTP. RTP projects must be consistent with statewide (moveDC) and applicable metropolitan long-range transportation plans (Visualize 2045). Projects which are within a Metropolitan Planning Organization (MPO) boundary must work to include their projects in the MPO's Transportation Improvement Program (TIP). Projects within an MPO must be included within that MPO's TIP prior to initiating any project work or incurring expenses. No documentation is required at the time of application, but if awarded funds, any subrecipient with project work within an MPO must supply an updated TIP which includes their project.

#### Salaries/Labor Costs

Proposed salary/labor costs must be associated with on-the-ground trail efforts. For salaries/labor costs to be considered for RTP funding, the application must identify the following:

The title of each position proposed to be funded with RTP funds

- The number of hours each position will work on this project and an overview of the work they will perform
- Each position's hourly rate of pay and/or how you've calculated the value of the salary(ies) you are proposing for reimbursement

Only 20% of a project's overall salary/labor costs can be used on project oversight. Project oversight all work that does not take place on-the-ground. A trail crew leader, who is conducting work on the trail while also supervising a trail crew, is not considered project oversight. A volunteer trail coordinator who coordinates projects but does not assist with on the ground efforts is considered project oversight. The remaining labor costs within a project are meant for on-the-ground trail efforts or education/ethics projects.

#### **Trail Steward Positions**

Trail Steward positions may be an eligible RTP expense. The application must include a compelling explanation as to the need for the position and how it uniquely benefits various trail user groups. Approved grant funding for Trail Steward projects will cover salaries and travel per diem only. Enforcement activities are not considered an eligible use of RTP funds.

#### **Executive Director and Staff Compensation**

To be considered for funding, the staff position's work must be clearly tied to the project scope and show a direct benefit specific to trail users. You must ensure only 20% of the overall salary/labor costs within your project are attributed to trail-related project oversight. Any other labor costs must be associated with on-the-ground trail efforts or education/ethics projects.

#### **Volunteer Trail Coordinator Positions**

Volunteer Trail Coordinator positions may be an eligible RTP expense. The application must include a compelling explanation as to the need for the position and how it uniquely benefits various trail user groups and recreation. Approved grant funding for Volunteer Trail Coordinator positions will cover salaries and travel per diem only. Projects requesting only Volunteer Trail Coordinator funding, with no associated/defined project, will not be considered. Volunteer Trail Coordinator funding must be utilized in connection to a larger trail project. Only 20% of the overall salary/labor costs within your project may be attributed to trail-related project oversight, which includes coordinating volunteer trail crews.

# **Project Applicant Responsibilities**

DDOT is responsible for project selection and providing oversight for the Recreational Trails Program, but the grant awardee is responsible for the administration of the project. The listed project manager will be responsible for project development, quality assurance, daily project management and construction, and supervision of contractors. Prior to obligating federal funds to Rec Trails Program projects, DDOT will require project applicant to sign a memorandum of agreement outlining their responsibilities for the project. In addition to the duties listed above, project applicant will agree to uphold all federal requirements, provide accurate cost estimates, document availability of cash flow, and obtain all necessary public space and construction permits. All projects must be completed within two years of availability of federal funds.

Projects which are unable to begin the implementation process (payment of the first invoice) within one year of obligation risk having their funding de-obligated. Project applicants will bear responsibility for all cost overruns and must commit to repayment of all federal funds for projects which are left uncompleted. Upon completion, the project applicant will be required to provide future maintenance and upkeep for all improvements unless alternative maintenance plans are explicitly agreed upon by DDOT. In accordance with federal record retention guidelines, the sponsor will be responsible for maintaining all financial documents and project development records for a minimum of three years after project close-out.

## Treatment of Projects & Federal Requirements

The "treatment of projects" requirement (23 U.S.C. 213(e)) means that all projects carried out using RTP funds must comply with applicable provisions in Title 23, such as project agreements, authorization to proceed prior to incurring costs, competitive bidding, and other contracting requirements, regardless of whether the projects are located within the right of-way of a Federal-aid highway. The grant awardee must ensure compliance not only with District, but with federal rules and regulations. Some of the basic federal regulations include:

- Americans with Disabilities Act (ADA)
- National Environment Policy Act (NEPA)
- Section 106 of the National Historic Preservation Act (NHPA)
- Section 4(f) of the U.S. Department of Transportation Act
- Davis-Bacon Wage Rates
- Disadvantaged Business Enterprises (DBE)
- Uniform Relocation Property Assistance and Real Property Acquisition Policies Act
- Brooks Act
- Buy America
- Competitive bidding
- Environmental Justice (Executive Order 12898)
- Title VI of the Civil Rights Act of 1964

In addition to the above regulations, the sponsor must be familiar with District and federal procurement requirements. Sponsors should also be familiar with AASHTO and DDOT design standards. All projects must be constructed according to the standards outlined in the DDOT Design and Engineering Manual and the DDOT Public Realm Design Manual.

## **Application Reviewing and Scoring**

The RTP application review process involves:

- 1. Internal Review Panel: DDOT's review panel is comprised of at least 3 DDOT employees
- 2. The Mayor's Recreational Trails Advisory Committee (MRTAC)

Step 1: Internal Review – Preliminary Review: The Internal Review Panel (DDOT's Grant Review Panel) performs a technical review of each application. The preliminary review rubric can be found below. Applications which do not pass preliminary review will not be considered for funding. All applications that pass preliminary review will move on to step 2 and be shared with the MRTAC members.

Step 2: Internal Review- Scoring Criteria: If the application meets the preliminary review process, DDOT's Grant Review Panel as well as the MRTAC members review the overall application based on the RTP Scoring Criteria and provide individual scores per criterion.

Step 3: Internal Review Panel Meeting with Rec Trails Advisory Committee: The DDOT Grant Review Panel holds a meeting with the MRTAC members to discuss the recommended list of projects to be awarded based on scoring results.

#### Step 4: Finalizing Recommendations

The DDOT Grant Administrator provides a summary of the recommendations in Memorandum of Record to the DDOT Grant Review Panel as well as the MRTAC. Award recommendations will be circulated internally for approval from DDOT's leadership. Following approval, applicants will be notified of their award.

## **Preliminary Review Rubric**

DDOT's Internal Review Panel performs a technical review of each application based on the rubric presented below. The application will not move past the preliminary review process if 2 or more criteria are not met (receive a "no").

Criteria	Additional Details	Yes	No
1. The application is	All questions have been answered to a minimum level		
complete.	necessary to score and understand the project. All		
	necessary documents have been attached and are readable.		
2. The project is an	"Project" refers to the overall scope and goals		
eligible use of RTP	presented in the application. Small instances of		
funds as defined by	ineligible budget line items will not result in the		
FHWA.	application failing preliminary review unless otherwise		
	noted.		
3. The project is	The timeline presented in the application corresponds		
ready to proceed.	to the grant period. All necessary permits, agreements,		
	environmental documentation, etc. have been		
	completed and compiled. The project scope of work is		
	attainable within the grant period.		
4. The	The appropriate environmental review documentation		
environmental	has been uploaded. The uploaded documentation		
review requirements demonstrates a willingness from the applicant to			
have been met.	complete the document to the best of their ability. The		
	documentation is pertinent to the project, scaled		
	appropriately, and signed by all necessary		
	representatives.		
5. The application	Adequate landowner permission allows for continuous		
includes adequate	public use/access. If the applicant is operating on public		
	land, a signed agreement valid for the term of the grant		

landowner	with the appropriate public land agency has been	
permission.	uploaded.	

## **Application Scoring Criteria**

Internal Review Panel members will give each criterion a base score of 0-10 (10 being "Excellent or Very Strongly Agree"). The base score is then weighted, which yields the score for that criterion. The DC Rec Trails Advisory Committee members give one overall score based on the combined Scoring Criteria:

- Access and Connectivity (20%) The proposed project is accessible by the public and improves the public's connection to existing trails or on-street bicycle network and/or natural, cultural, historical, and recreational areas. The proposed project is included on the National Capital Trail Network and or MoveDC.
- Equity Assessment (20%) Equity Emphasis Areas (EEAs) are a <u>regional planning</u>
   <u>concept</u> adopted in <u>2021 by the COG Board of Directors</u> to elevate equity and inform
   future growth and investment decisions. Projects will be scored based off its <u>Total Index</u>
   <u>Score generated by COG's Equity Emphasis Areas.</u> If a project crosses over multiple
   census tracts, then the highest index score will be used.

MWCOG EEA Total	Base Score (for
Index Score	RTP)
1	0
2	1
3	2
4	3
5	4
6	5
7	6
8	7
9	8
10	9
11-12	10

Ex. If a project is located on Kingman Island, the project would receive a Total Index Score of 12 (<u>as shown on COG's map</u>). This translates to a 10-base score (as shown on the table above). I then multiply 10 times 2 for a total of 20.

- Recreational Opportunity (10%) The proposed project provides expanded recreational opportunity(s) for a variety of user groups. Additional consideration will be given to projects providing increased recreational access for nontraditional trail users (e.g., persons with disabilities, senior citizens, etc.).
- **Need for Project (10%)** The application shows a clear need/demand for the proposed project. Need/demand may be demonstrated with planning documents, formal agreements, research/data, photos, letters of support, etc.
- **Benefits of Proposed Project (20%)** The application identifies and justifies unique benefits of the proposed project. Such benefits may include:

- Closes a key gap in the transportation network
- o Protection and enhancement of natural resources
- o Cultural or natural resource interpretation, ethics, safety, education, etc.
- o Development of partnerships to carry out the project, future project maintenance
- Short- and Long-term Maintenance (10%) The application demonstrates a commitment to short-term and long-term maintenance of the proposed project. The application describes a maintenance plan and identifies the party(ies) responsible. If applicable, letters of commitment are provided from any entity that will perform or share in the maintenance of the proposed project.
- Application Quality/Clarity (10%) The application provides a clear and complete overview of the proposed project, budget, and timeline. Responses are specific to the proposed project, grammar/spelling errors are minimal, and the budget is detailed and justified.

#### Overview

Available Funding	How to Apply?
The amount of available funding is	DC Recreational Trails Program Application FY23
\$800,000.	
Eligible Applicants	Application Period
Grant applicants may include federal,	September 22, 2022-November 1, 2022
tribal, or state agencies, regional	
transportation authorities, and non-	
profit organizations.	
Expense Reimbursement	Project Close
Projects may begin once the Contract	The deadline to expend project funds is two years
Agreement is signed. Project expenses	from when federal funds are received. Ex. If you are
incurred prior to the start date are	awarded RTP funds on January 25, 2023, funds
ineligible for reimbursement.	must be spent by January 25, 2025.

# How to Apply?

**DC Recreational Trails Program Application FY23**