

Updated 11.23.2022

## **FREQUENTLY ASKED QUESTIONS**

### **Legacy Trails Grant Program • 2023-24 Field Seasons**

#### **Project type and scope**

##### **What specific trail work can be funded?**

Projects must be on Forest Service land, and include implementation or NEPA analysis of one or more of the following eligible activities<sup>1</sup>:

- Restore passages for fish and other aquatic species by improving, repairing, or replacing culverts and other infrastructure, and removing barriers from passages.
- Decommission unauthorized user-created roads and trails that are not a National Forest System road (NFSR) or trail (NFST)
- Prepare previously closed NFSRs for long-term storage in a manner that prevents motor vehicle use in conformance with route designations, prevents roads from damaging adjacent resources, reduces or eliminates need for road maintenance, and preserves roads for future use.
- Decommission previously closed NFSRs and trails.
- Relocate NFSTs to increase resilience to extreme weather, flooding, and other natural disasters; and to respond to changing resource conditions and public input.
- Convert National Forest System Roads (NFSRs) to NFSTs while allowing for continued use for motorized and nonmotorized recreation, to the extent the use is compatible with management status of the road or trail. For more information, please refer to the USFS best practices document available in October 2022.
- Decommission temporary roads constructed before the date of enactment of the Act for emergency operations or to facilitate a resource extraction project; that were designated as a temporary road by the Secretary; and in violation of Forest and Rangeland Renewable Resources Planning Act of 1974 on which vegetation cover has not been reestablished, or that have not been fully decommissioned.
- Carry out projects on NFSTs and trail bridges to improve resilience to weather events, flooding, or other natural disasters.

##### **What is the ideal project type for this grant program?**

The ideal project would support restoring fish and aquatic organism passage, improving road and trail resiliency, preserving access, and decommissioning unneeded roads as determined by transportation planning. The program allows the Forest Service to identify and prioritize watershed acres or areas where Forest Service roads and trails potentially impact water quality in streams and water bodies. Protecting threatened, endangered, and sensitive species, and community water sources are among the top priorities for projects that improve and maintain

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<sup>1</sup> All projects must have the appropriate level of environmental analysis done (unless completing environmental analysis and planning is part of the application). This includes public comment in the case of changing the management status of the applicable National Forest System road or trail: 1) to close the road or trail to access; and 2) to minimize impacts to natural resources; and has closed the road or trail to access.

access. Emergency operations, such as evacuation routes during wildfires, floods or other natural disasters also benefit from this program.

An example of a fundable project is a National Forest System trail which has suffered a lack of regular maintenance over time resulting in trail erosion and/or a proliferation of informal trails which in turn have caused damage to aquatic habitat. We are looking for projects that help create environmentally resilient trails systems, that have significant community support and/or volunteer involvement, and which represent a good value economically.

### **Can you tell me if our project is on National Forest Land, and how to find my local FS Ranger?**

Since the Legacy Trails Program serves all 50 states and Puerto Rico, American Trails must rely on applicants to determine whether their project fits our application criteria, and connect with the appropriate FS staff person. One resource you may find helpful in researching National Forests in your area, is the [National Forest Interactive Visitor Map](#).

If your trails are not on USDA FS land, you may want to consider applying for Trails Capacity Program funding. This is another grant program that American Trails administers which supports research, education, and stewardship projects on public and private land. Although we are currently fundraising for the next grant cycle, we hope to open this program to applications in the fall of 2023.

### **Could this funding be used to protect watersheds against larger environmental impacts such as reducing the potential for high severity fire by building trails with “fire line” buffers?**

Projects must primarily focus on the eligible activities as previously described. Those which have the potential to significantly increase environmental resiliency will be given a higher score than those that do not.

### **Is a trail that falls on both National Forest System (NFS) land and other land areas eligible to be improved by this program? For example, our community may be interested in improving an entire trail that has one terminus on National Forest System land and another terminus on land owned by a land trust or a state park.**

This funding is only for work on National Forest System land, but any work on adjacent land that is part of the project could be considered as all or part of this project's required match.

### **There is an existing rail-trail that is owned by the state rail authority and managed by volunteers from the local gateway community. The trail is bordered by NFS lands on both sides but the trail isn't technically on NFS lands. Would this trail be eligible for this grant funding?**

No, at this time this funding is only for projects that are located on National Forest System lands.

**Can this grant be used to purchase rights of ways or easements on land that is enrolled in the USFS Forest Legacy program?**

No, at this time funding is only for projects currently located on a National Forest System road, National Forest System trail, or unauthorized roads and trails under National Forest System jurisdiction.

**Does assessment of trails (alongside deferred maintenance) work for this grant as well? Specifically thinking about post fire.**

If this assessment is done in order to inform a required environmental analysis, then it would qualify.

**Can you clarify how much of a factor the work occurring in defined Trail Maintenance Priority Areas per the National Forest Trail Stewardship Act will play?**

Forest Service Priority Areas defined as a result of the 2016 Trails Act will not be given added weight under Legacy Trails grant scoring.

**Could this grant be used to create an official trail to a destination where there is currently no trail but many redundant unauthorized trails?**

The program allows the Forest Service to identify and prioritize watershed acres or areas where Forest Service roads and trails potentially impact water quality in streams and water bodies. If the proposal would decommission unauthorized trails and improve riparian habitat it could qualify. Work with the local Forest Service staff to determine the necessary process for removing unauthorized trails and creating an authorized trail or trail system in this area.

**Would we have to work with biologists specifically to confirm/explain that a proposal addresses watershed issues?**

Not necessarily. There are many types of trail work that have obvious benefits to watershed resources. It would be beneficial to have supplemental information from biologists included in your project proposals, but it is not mandatory.

**Would trailhead improvements like a parking lot or kiosk qualify for funding, or a campground project if the campground provides trail access?**

The intent of this program is to fund trail work with a positive impact on watershed health. A trailhead or campground could count as project match. Or if the trailhead or campground had unauthorized trails associated with it that would be eliminated and improved or upstream aquatic habitat that could be reconnected, the whole project might qualify.

**Are shovel ready projects a priority?**

On-the-ground physical projects need to have the NEPA planning complete are preferred but projects that seek to do the NEPA assessment can also apply and be awarded.

**Would repairing storm damage to NFS trails and roads from hurricanes from 2 years ago be an eligible use?**

Yes, as long as the project addresses other program criteria.

We have approx 6.5 miles of shovel ready trails we need funding for and it's been difficult to find funding for new construction. We also have some trails that need rerouting due to erosion. I'm assuming we should be looking at the rerouting of trails for this grant?

This program is more likely to fund work on existing trails or rerouting existing trails. If the NEPA analysis for new trails to replace unauthorized trails has been completed and the new trails would provide watershed and aquatic benefits they could be considered. If not then I would encourage you to look at RTP grants or NFSTS Stewardship grants as possible sources.”

Can this funding be used for project planning? For example, developing a trails plan for the local area/district, or perhaps funding NEPA activities including wildlife/arch surveys?

This funding is not generally for project planning, but if a tie to improving watershed conditions and aquatic resources can be made as part of the project planning and trail implementation then it would be acceptable.

Motorized trails may have sedimentation issues that are orders of magnitude greater than other trails. Is there any mechanism in place to prevent this funding going only to motorized trails projects?

Our evaluation and selection committee is composed of representatives of a broad spectrum of both motorized and nonmotorized trails user types, and we will be making every effort to distribute funding equitably by Forest Service region and by trail user type.

Is trail clearing and maintenance a fundable activity?

While trail clearing and addressing deferred trail maintenance can be a part of a project the main goal of this funding is to make improvements to trails that will result in watershed and aquatic habitat improvements. There may be ways that maintenance, like cleaning culverts, improving water flow features, upgrading puncheons and boardwalks to improve water flow, etc can be considered.

Does the program fund trail grooming?

The intent of the Legacy Trails Program grant is to fund deferred trail maintenance or address a multi-year maintenance backlog, with a goal of protecting or improving watershed health. Unfortunately, this grant does not fund regular maintenance, but a project proposal that addresses deferred maintenance and/or work that improves aquatic habitat such as addressing chronic trail erosion or improving a trail/stream crossing will be considered. A good first step is to talk to your local FS District Ranger and get their thoughts.

Is this program suitable where landslides have closed a portion of trail and they need to be rerouted (build new/close old)?

Yes this would be an appropriate activity, especially in conjunction with slope stabilization and/or aquatic habitat restoration.

What level of NEPA analysis is needed in advance of trails development?

That would be a great question for the local NFS unit. It depends, we are not necessarily developing new trails. This grant is focused on improving existing legacy trails.

Would a trail assessment survey of a trail impacted by wildfire using the USFS eTRACS protocol be eligible for consideration?

Trail survey work is considered annual maintenance and would not meet the [requirements of the Legacy Trails Program](#). The work is undoubtedly important and if the results from the survey identify projects that meet the criteria, the survey work could be used as in-kind match for a future grant proposal. If the trail assessment survey work was tied to NEPA analysis and on-the-ground trail project work within the two year scope of the project, then it could qualify.

What about a heritage survey required by the Forest Service prior to doing on-the-ground work?

Survey work could potentially be included in your project scope, as part of the NEPA analysis and an element of the overall project. If this work is done in the same season or within the scope of the two-year project, including on-the-ground trail work then it would qualify. If this work is a stand-alone project it would not qualify.

Can you share some examples of funded projects? This is the inaugural year for this program so although we can't share examples of past projects that we have funded, you can find examples on the [FS Legacy Roads and Trails site](#) in the sidebar on the Legacy Trails Program website. Just scroll down and look at project examples in different states. There is not a lot of detail provided but you can get a sense of the scope of projects.

## **Project partners and partner status**

What is the role of volunteers with these grants?

Projects that have a volunteer component are encouraged and preferred but are not required. Volunteers help to connect the project to the local community, and when they use the trail and stay engaged they can be trail ambassadors. Volunteers can increase a trail project's social resiliency in the form of responsible behavior on the trail, and sustained engagement of individuals in trail maintenance activities over time. A project that engages a significant number of volunteers relative to its size, and results in increased trail user safety is preferred. Projects that rely solely on paid staff, interns, or contractors are also acceptable.

Do we as a volunteer group have to be classified as Federal Non-Profit to apply/ receive these grants?

Informal volunteer groups are encouraged to partner with nonprofits, businesses and local or state agencies to apply. Your group does not have to be classified as a non-profit with the IRS as long as you are working under the direction of one or more primary project partners. Applicants should work with their local Forest Service office to determine the type of agreement required to implement the proposed project

I work with a non-profit. Do we need to set up a contract agreement with the Forest Service for this work?

No. This grant program is managed by American Trails and all contracts with project awardees will be through American Trails.

The District Ranger for my region is currently on detail elsewhere. For the FS letter of support, is it acceptable to use a letter from the person currently acting as District Ranger?

Usually an acting DR is delegated full authority when in a detail. As long as the project can be implemented when the district ranger returns, documentation from the acting would be acceptable (example, the proper type of agreement will be in place, NEPA is done, etc.). The other option would be to have the forest supervisor sign it.

Can an FS employee work with a partner to write the grant (essentially initiating the project) or is this meant to be partner driven?

This is acceptable as long as the partner is the one receiving the funds and managing the project.

What doesn't this program fund?

This program does not fund projects on private land or on publicly owned land that is not managed by the U.S. Forest Service. This program is not intended to fund annual trail maintenance or new trails where no trails currently exist.

## **Funding/budget/match**

How much money is available in the Legacy Trails Grant Program?

Total funding amounts are expected to be \$1,500,000 per year for the next five years beginning in 2023. We anticipate splitting this amount into a pool for smaller projects and a pool for larger projects. This program is dependent on the FS depositing Challenge Cost Share Program funding with AT each year. A final federal budget and allocation into this agreement is required prior to project awards.

Will my project be funded if it is very small or large?

Legacy Trails Program projects are anticipated to be a minimum of \$5,000 and a maximum of \$100,000 per organization. This year, smaller projects in the \$5,000 - \$20,000 range will be pooled to compete against other smaller projects. Larger projects from \$20,001 - \$100,000 will also be pooled. Actual funding may vary depending on the needs of each project, the number of proposals, and the availability of funds.

If my project is more than \$100K should I apply? Is it better to break it down into \$100k increments?

The maximum award is \$100,000 but the overall project cost, including match is not restricted to \$100,000. A larger project would need to be broken into phases or implementable increments

Is the \$100k max for the grant contribution or the total project? ie Can a \$175k bridge and trail project be awarded with \$100k of grant funds and \$75k of match?

Yes, the \$100K award maximum refers to what is covered by the grant dollars, not the total project size.

### Can partners submit multiple projects for consideration that occur on the same NFS unit?

Yes. If the projects are on the same FS unit, then consider combining them together as long as the total is under the \$100,000 limit.

### Is there a match requirement?

Yes, there is a matching contribution requirement. The match must be at least 50% of the requested funding (or .5:1) or cash equivalent and may be accomplished through cash, contributed funding, and/or in-kind contribution. Contributed funding in this context is where the member organization pays for a portion of the project through actual cash outlays for salaries, equipment, supplies or other expenses. In-kind contributions are generally for volunteer labor or use of existing equipment and vehicles. Projects must meet the minimum of 50% match to qualify, but outstanding projects that do not meet the match may be considered.

### Can the cash match be other federal funds?

Federal funding that is coming directly from the Forest Service cannot be used as a cash match. Some federal funding may be allowable if it has already been awarded at the state or local level. For instance, AmeriCorps dollars that have already been awarded to a state-level organization or PPP dollars already awarded to a local nonprofit are allowable. States that are using RTP funding for state-level program may in some cases use these dollars as a cash match. The intent of the Legacy Trails Program is to leverage non-federal funds as much as possible and the source of the outside funds will always be scrutinized to ensure it meets the requirements of the Act that authorizes this program.

### How much weight does cash match hold vs in kind?

Although it would be good for our metrics to show that our program is leveraging local funding in a significant way across the country, having all in-kind funding won't count against your project when we evaluate them. In-kind funding demonstrates that you have strong community support which is worth a lot in terms of project success.

When we consider the economic significance of your project, we look at three factors: 1. whether your match is at or above 50%, 2. whether your project will be a wise investment in terms of reducing future need of funds, and 3. what kind of economic impact it represents for the community.

### Can volunteer labor be counted towards match? If so, is the current USFS hourly volunteer rate the one to be used to calculate match?

Yes, volunteer labor counts as an in-kind match. The current 2023 rate value is \$29.95. Please refer to [IndependentSector.org](https://www.independentsector.org) for the most recent USFS volunteer labor rate.

### Does the selected organization provide all engineering, contracting services and are they part of in-kind work credit?

Yes, the selected organization would typically provide all the work necessary to complete the project. Any contributions by the partner to plan and implement the project work would qualify as an in-kind match.

## Does my organization need to have cash match funding secured at the time of application?

Ideally, yes. If you have applied for a cash match and anticipate securing funding before we award the Legacy Trails Program grants, you would need to indicate that funds are pending in your application. If selected you would need to confirm that your match is secured before on or before the date that American Trails makes our awards. If your matching funds are not secured by this date, American Trails reserves the right to withdraw your award, and make an award to a similarly qualified candidate.

## **Project Application/Completion/Reporting**

### What must be included in the Legacy Trails Program Application?

Each Funding Application must include:

- The Application, which includes a description of the project, the specific accomplishments, the benefit of the project, timeline, a budget narrative, and description of matching funds.
- Proposed project budget
- A letter of Support from the District Ranger/Forest Supervisor that also identifies the areas or trail segments that will be improved by this grant.
- IRS letter of determination of non-profit status (eg. 501(c)(3), 501 (c)(7), etc...), if not already on file with American Trails. Business and corporations may provide a copy of their business licenses or EIN. Agencies aren't required to provide documentation other than a Letter Of Support from leadership

### Would one grant application with several smaller projects across different Forest Service Ranger Districts qualify?

Since these projects are in different FS Ranger Districts, it might make the most sense for them to be submitted individually. However, since we only have \$1.5 million to distribute to projects across all 50 states and Puerto Rico, keep in mind that we are unlikely to fund more than one project submitted by a given organization.

This application would not be disqualified from review if it were submitted as one application with several smaller projects across different districts, as long as you included letters of support from the FS line officer in each District. It would help the evaluation process if the overall project description could demonstrate that the smaller projects contributed to a larger shared social, economic, and environmental goals.

Should we split up our projects into different applications and just use the same letter of support from the ranger in order to add more information (considering the 1000 character count is limiting) or should we just do one application and limit the information for each project?



A good way to look at this is to consider the relationship of the projects to each other. If they are related, they should be included in one application. If they seem totally separate geographically and/or in terms of scope, then they should be submitted individually.

Also it is important to consider the total project cost. We are not likely to award more than \$100,000 to any one organization regardless of how many projects they submit.

### When must projects be completed?

This funding is intended to support eligible projects during the 2023-24 field seasons. Funding will be provided for two years. Any final payments and final reports will be due in January of 2025.

### What are the reporting requirements?

Awarded organizations will be expected to submit a final report of their accomplishments at the end of the project (within 30 days). This report will consist of 2-3 pages of narrative, photos, and final trail maintenance and improvement achievements. Reports will be due prior to final reimbursement for the project. A reporting template will be provided to organizations receiving funding. In addition, the awarded organization may be expected to respond to several phone calls and emails during the life of the grants to monitor progress and report interim accomplishments. The local Forest Service unit is required to manage the project in the corporate database of record (INFRA Project Module) and report progress quarterly.

### What coordination is required with the local Forest Service Ranger District?

All projects must be coordinated and approved by the local line officer (District Ranger or Forest Supervisor). A letter or email of support from the District Ranger or Forest Supervisor is required in the application package. The local Forest Service unit should also be aware that grant-funded projects will need to be entered into and tracked through the Infra Projects Module (IPM), the same as Legacy Roads and Trails projects funded internally. USFS units are required to enter the project in IPM after it is funded and update IPM quarterly until project completion.

## Program Funding/Federal Standards

### Is this program funded by the Great American Outdoors Act? What other federal legislation and standards should applicants be aware of?

The Great American Outdoors Act focuses on major investments in recreation infrastructure, public lands access, and land and water conservation. **This program is funded through the Legacy Roads and Trails Act** and has a tighter focus on watershed improvement.

[The National Environmental Policy Act \(NEPA\)](#) requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions.

The National Quality Standards for Trails in planning, constructing, and managing National Forest System trails and related trail project. The National Quality Standards for Trails is found at FSH 2309.18, Chapter 10, Section 15, available at:

[https://www.fs.usda.gov/im/directives/fsh/2309.18/2309.18\\_10\\_Trail%20Planning\\_clear.doc](https://www.fs.usda.gov/im/directives/fsh/2309.18/2309.18_10_Trail%20Planning_clear.doc)

**Design Parameters** are technical guidelines for the survey, design, construction, maintenance, and assessment of National Forest System trails based on their designed use and trail class

and consistent with their management intent. More information available at [https://www.fs.usda.gov/recreation/programs/trail-management/documents/trailfundamentals/03-TrailDesignParaHandout\\_Sec508\\_01-24-17\\_150dpi.pdf](https://www.fs.usda.gov/recreation/programs/trail-management/documents/trailfundamentals/03-TrailDesignParaHandout_Sec508_01-24-17_150dpi.pdf)

**Trail Management Objectives (TMOs)** document the intended purpose and management of a National Forest System trail.

## **Project Evaluation**

### How will proposals be rated?

American Trails will convene a Review Team with representatives from the motorized and non-motorized trail communities representing different types of trail uses found on the National Forests. This Review Team will rank and select projects after a thorough review of project qualifications. Projects that show promise to maximize the social, ecological and economic resiliency of a given trails segment or system will be given extra consideration. Projects without written approval by District Ranger or Forest Supervisor of the local unit will not be considered for funding.

### Will my project be rated higher if I engage under-represented populations?

Project evaluators will be looking for projects that demonstrate partnerships with public and private sector entities, and work across boundaries with States, Tribes, local communities, private landowners, and other federal agencies to leverage diverse capacities and build broad public and community support for the work at the scale necessary to make a difference. Your project will be ranked higher if you align with the Forest Service pledge to work with partners to identify risks to critical infrastructure, social, cultural, and economic values, and the incorporation of indigenous and traditional ecological knowledge to inform shared priorities and project design.

### What are the specific criteria that will be used for ratings?

Please see the attached [LRT Rubric and Rating Spreadsheet](#).

### Can you explain what is meant by "reconnecting upstream habitat" and how to estimate "miles of upstream habitat reconnected"?

Adding or improving aquatic organism passages such as a trail culvert or trail bridge would qualify. We are looking for an estimate of linear miles of upstream habitat within a certain watershed. If you would also like to share an estimate of total acreage within that watershed that is reconnected, you may do so in your project narrative.

## **Project Award/Management**

### How will the funds be awarded and managed?

This grant funding is provided by the Forest Service through a Challenge Cost-Share Agreement with American Trails and therefore will be managed as reimbursable funds. This means that organizations must complete work first, then seek reimbursement from American Trails, based on the approved budget and work plan provided as part of the award. Awarded

organizations will submit invoices, based on their actual project expenses (including salary for paid employees), for reimbursement periodically. Awarded organizations do not need to enter into a new partner agreement or modification with the U.S. Forest Service as American Trails is managing the grant program.

### **How frequently will funds be reimbursed?**

Typically awarded organizations submit invoices monthly, usually by the 15<sup>th</sup> of the month for work completed during the previous month, during the life of these grants until awarded grant funds are expended. Organizations should plan for a 45-60 day window from time of submitting an invoice to receiving a reimbursement check from American Trails. In special circumstances American Trails may be able to expedite this process.

### **Who do I contact at American Trails for more information?**

Questions can be forwarded to Cathy Corlett, Trail Fund Program Director, at American Trails. [trailfund@americantrails.org](mailto:trailfund@americantrails.org)