

4310.8130 APPLICATION PROCESS.

Subpart 1. **Eligibility.** An eligible local unit of government may apply for an outdoor recreation grant. To receive a grant, an eligible applicant must satisfy the requirements in parts 4310.8105 to 4310.8160 and related statutory requirements.

Subp. 2. **Notice.** Annually, the Community Development Division shall provide notice concerning the application process for outdoor recreation grants to the following:

- A. mayors in care of the clerks of all cities in Minnesota;
- B. county board chairs in care of the auditors of all counties in Minnesota;
- C. chairs of county planning commissions and city planning commissions of all cities over 5,000 population according to the last federal decennial census in Minnesota;
- D. chairs of county park and recreation commissions and city park and recreation commissions of all cities over 5,000 population according to the last federal decennial census in Minnesota;
- E. chairs in care of the executive directors of regional development commissions;
- F. chairs of each county's township association;
- G. chairs of tribal councils of recognized Indian tribal governments;
- H. statewide organizations representing Minnesota local governments;
- I. persons requesting notice; and
- J. upon request, to the Minnesota state legislature.

Subp. 2a. **Application content and submission.** Applications may be submitted year-round to the Community Development Division and on the Community Development Division's community development application.

A completed community development application must include:

- A. needs narrative summarizing the need for the proposed outdoor recreation project;
- B. project summary outlining the facilities and land acquisition to be completed and the scope of the project;
- C. activities and budget detailing the specific estimated costs associated with each proposed acquisition or development activity;
- D. assurances necessary to comply with federal or state requirements as a prerequisite to receiving state or federal funding;

E. a resolution from the local unit of government approving the submission of the application and authorizing execution of the grant agreement in accordance with the requirements of the Community Development Division, if funds are made available; and

F. supporting materials that are designed to verify or support information presented in items A to E.

The Community Development Division may require additional information from the applicant if it is necessary to clarify and evaluate the application.

Subp. 3. [Repealed, 13 SR 2933]

Subp. 3a. **Evaluation criteria.** Funding of outdoor recreation projects, included on completed community development applications, shall be officially determined during an annual competitive review and ranking period. The Community Development Division may request applicants who have submitted completed applications with outdoor recreation projects, before the annual competitive review and ranking period, to submit additional materials and support documentation necessary to complete the evaluation and ranking.

Outdoor recreation projects, included on completed community development applications, shall be officially evaluated, scored, and ranked in accordance with the general criteria in subpart 4a, acquisition priorities in subpart 5a, and development priorities in subpart 6a.

Subp. 4. [Repealed, 13 SR 2933]

Subp. 4a. **General criteria.** Applications that meet one or more of the following criteria shall receive priority over similar projects that do not:

A. projects involving outstanding irreplaceable resources or features of statewide or regional significance that are in danger of commercial (nonrecreational) development, subdivision, or other use that may be incompatible with outdoor recreation uses;

B. projects that have received a prior outdoor recreation grant for a preceding phase of the proposed project and that have been satisfactorily managed;

C. projects that are designed with a sensitivity toward the physical limitations and natural characteristics of the site; recognize and complement existing land forms and recreation facilities; provide for ease of maintenance and operation of the site; do not have major environmental intrusions that are detrimental to the intended use of the property; make good use of available space without crowding; and include facilities that are designed in accordance with generally-accepted engineering and architectural standards;

D. projects for which the applicant has submitted a statement documenting a financial commitment to continued operations and maintenance of the proposed facilities;

E. projects that are consistent with the outdoor recreation needs and priorities related to local governments as identified in SCORP; and

F. projects for which the applicant can demonstrate a need for priority consideration for state financial assistance.

Subp. 5. [Repealed, 13 SR 2933]

Subp. 5a. **Acquisition priorities.** The following criteria shall be used to evaluate applications for acquisition projects and to determine priorities for projects:

A. acquisition of project sites having existing or potential natural, scientific, cultural, historical, educational, or recreational values that would be made available for public enjoyment;

B. acquisition of project sites that would protect or enhance aesthetics, land and water quality, or the recreational use of existing outdoor recreation facilities; and

C. acquisition of project sites that address the outdoor recreation land acquisition needs and priorities related to local governments as identified in SCORP.

Subp. 6. [Repealed, 13 SR 2933]

Subp. 6a. **Development priorities.** The following criteria shall be used to evaluate applications for outdoor recreation development projects and to determine priorities for projects:

A. projects designed to protect and enhance land and water quality of the site consistent with the estimated number of its potential users and the proposed outdoor recreation activities;

B. projects designed to be readily accessible to a wide range of potential users, including users with disabilities;

C. projects designed to minimize any potential risk to the health and safety of users; and

D. projects designed to provide to the general public a wide range of outdoor recreation opportunities that are related to the needs and priorities established in SCORP.

Subp. 7. [Repealed, 13 SR 2933]

Subp. 7a. **Competitive review and ranking period.** As part of the competitive review and ranking period, Community Development Division staff shall conduct an on-site inspection of each project. After completion of the on-site inspections, each project shall be reviewed in accordance with the evaluation criteria contained in subpart 3a, and a priority ranking shall be established for each applicant based on the evaluation criteria. All applicants shall be notified by the Community Development Division about the disposition

of their project after the competitive review and ranking period has been completed and a funding determination has been made.

Grants shall be allocated to applicants in descending order or priority, as determined by the ranking, until all available grant funds are depleted.

The highest ranked projects will be eligible for and shall be awarded federal LAWCON funds. The Community Development Division shall determine which projects will be eligible for state funds.

Subp. 8. [Repealed, 13 SR 2933]

Subp. 8a. **NPS approval and notice of LAWCON grant award.** For any eligible project for which the Community Development Division has determined that federal LAWCON funds will be awarded, the Community Development Division shall request NPS approval of a LAWCON grant for the recommended project. The Community Development Division shall notify the applicant that the project has been recommended for a grant and will be submitted to the NPS for final approval. The Community Development Division shall also notify the applicant of the action taken by the NPS.

Subp. 9. [Repealed, 13 SR 2933]

Subp. 9a. **Notification of state grant award.** For any eligible project for which the Community Development Division has determined that state funds will be awarded, the Community Development Division shall notify the applicant that the project has received a grant award. If an eligible project is not recommended to receive a grant award, the Community Development Division shall notify the applicant that the project did not rank highly enough for funding.

Subp. 10. [Repealed, 13 SR 2933]

Subp. 11. [Repealed, 13 SR 2933]

Subp. 12. [Repealed, 13 SR 2933]

Statutory Authority: *MS s 86.71; 116J.035; 116J.401; 116J.406*

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