

Submitted on:

**3/4/2013**

Managing Entity:

**NDPRD  
1600 E. Century Ave  
Suite 3  
Bismarck, ND 58503**

Contact Information:

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PHONE : 701-328-5364  
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Trail Project Name: **Maah-Daah-Hey Trail  
Connect**

Description of Proposed Project:

**The project would involve construction of approximately 1.5 miles of single track trail between Sully Creek State Park and the Bully Pulpit Trail head of the MDH II Trail. ND Parks and Recreation has recently completed an easement with the Theodore Roosevelt Medora Foundation (TRMF) which will allow for construction of this trail segment on TRMF land. This 1.5 mile trail will complete the last section of the Sully Creek to Burning Coal Vein terminus of the MDH II trail**

Property Location Information

Urban or Rural Development: **Rural**

Address Line 1: **14651**  
Address Line 2: **36th Street**  
City: **Medora**  
County: **Billings**  
State: **ND**  
Zip Code: **58001**  
Township: N **140.00**  
Range: W **102.00**  
Township Section: **3**  
Length of New Trail: **1.50**  
Length of Total Trail if Project is an  
Extension: **50.00**

General Funding and Property Information

Total Cost: **87,600.00**  
Fund Amount: **79,080.00**

Is this Project an Extension to an Existing Trail Project?

Who Holds the Title to the Project Land?

**Theodore Roosevelt Medora Foundation owns title to the land**

Estimated Start Date: **10/1/2013**

Estimated End Date: **6/1/2014**

Classification of Land:

State  Federal  Local  Private

**Check all of the uses the Project impacts:**

Walking/Hiking  Bicycling  Horseback Riding  Cross-Country Skiing

In-line Skating  Snowmobiling  ATV Riding  Off-road Motorcycling

4x4 Trucking Other:

Does the Project fall substantially within a federal highway right-of-way? **No**

**Federal Funding Sources**

**Local Funding Sources**

\*\*All RTP projects must meet accessibility guidelines in compliance with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 and the Architectural Barriers Act. For more information refer to the U.S. Access Board at [www.access-board.gov](http://www.access-board.gov). Look for the Reg Neg Committee 1999 Report: Accessibility Guidelines for Outdoor Developed Areas.

**Requirement-**

Each application must address each of the following requirements in the order they appear below:

1. A project description sufficient to understand the project. Indicate prominently whether this is primarily a maintenance request, an enhancement to an existing trail, new development, acquisition, length of trail etc. Please explain if the application is for one or more phases of a multi-phase project.
2. Clearly defined goals for the project (with a delineation of which user groups would benefit from the project).
3. Costs associated with the project (with estimates of the following components: material/service purchases including hardware, paint, lumber, sand/gravel concrete, landscape materials, signs, design/engineering services and contractor services).
4. Evidence of local/area support (e.g., council resolutions, minutes of

- public meetings, letters of support, etc ).
5. Availability/access to 20% match for eligible elements of the project proposal. Matching funds must not be from other federal sources such as Transportation Enhancement through the Department of Transportation. A resolution from the sponsor of the project regarding the availability of funds will be required prior to any award of a grant.
  6. Identification of the sponsor of the project: This organization or unit of government will be legally responsible for the project.
  7. Evidence of applicant capability (e.g., ability to carry out project, and for development projects, to operate, maintain, and protect trail and facilities when completed).
  8. Written Assurances (if applicable). Produce leases or written assurances that the project will be open for public use.

### **Evaluation Criterion-**

All applications must address the following criteria in the order that they appear. Failure to provide this information may result in the disqualification of this application.

1. **Site and project quality:** consideration of the needs of the intended trail user group(s); aesthetic quality of the trail location; appropriateness of the trail for the intended or existing uses; clarity, detail, and quality of project plan/design; quality of existing development (if any) on site or in corridor; attention to safety, accessibility and health considerations.
2. **Public need for and benefit of project:** safety concerns, urgency of action, potential to lose the opportunity, number of people who would benefit from the project when compared to cost. Why should this project be funded? How many people could be expected to use the trail over the course of the year as a result of funding the project?
3. **Context of the project in a wider plan:** demonstrated compatibility with local/region/area trail plans and the Statewide Comprehensive Outdoor Recreation Plan. For proposed facilities, what relationship does the proposed development/acquisition have to other outdoor recreation facilities and trails?
4. **Attention to the potential environmental impact of the project and efforts to mitigate adverse effects:** Possible areas of consideration include but are not limited to: noise, odors, dust, surface erosion, fish and wildlife populations, damage to wetlands, or other ecologically sensitive natural resources or historical/archeological remains. A cultural review letter or document should be included with the application. All applications are subject to review by the State Historical Society.
5. **Impact on adjoining landowners in the vicinity of the project:**

Identify adverse impacts that might be realized as a result of completing the project, and how the projects design attempts to mitigate adverse impacts. How might the project improve conditions for adjacent landowners?

### **Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying**

Persons submitting this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions – The prospective primary participant further agrees by submitting this proposal that it will include the clause titles, “Certification Regarding Debarment, Suspension, Ineligibility and voluntary Exclusion – Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used; use this form for certification and sign; Certification Regarding Drug- Free Workplace Requirements-Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) – (See Appendix C of Subpart D of 43 CFR Part 12)

Checking the boxes on this form and submitting it provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the funding agency determines to award the covered transaction, grant, cooperative agreement or loan.

#### **PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or

- contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Part B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Part C: Certification Regarding Drug-Free Workplace Requirements**

CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL

Alternate I. (Grantees Other Than Individuals)

1. The grantee certifies that it will or continue to provide a drug-free workplace by:
  1. (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  2. (b) Establishing an ongoing drug-free awareness program to inform employees about-
    1. The dangers of drug abuse in the workplace;

2. The grantee's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
4. (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
  1. Abide by the terms of the statement; and
  2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. (e) Notifying the agency in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers (s) of each affected grant;
6. (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—
  1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a),(b),(c),(d),(e) and (f).
2. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code)

Address Line 1:

**Sully Creek State Park**

Address Line 2: **14651m 36th Street**  
City: **Medora**  
State: **ND**  
Zip: **58001**

Check if there are workplaces on file that are not identified here

3.

#### **Part D: Certification Regarding Drug-Free Workplace Requirements**

CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL

Alternate II. (Grantees Who Are Individuals)

1. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number (s) of each affected grant.

#### **Part E: Certification Regarding Lobbying Certification for Contracts, Grants, Loans, and Cooperative**

CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

**Status:**

**Recreation Trail Number:**

**Comments:**



Jack Dalrymple, Governor  
Mark A. Zimmerman, Director

1600 East Century Avenue, Suite 3  
Bismarck, ND 58503-0649  
Phone 701-328-5357  
Fax 701-328-5363  
E-mail [parkrec@nd.gov](mailto:parkrec@nd.gov)  
[www.parkrec.nd.gov](http://www.parkrec.nd.gov)

March 1<sup>st</sup>, 2013

Kevin Stankiewicz  
Recreation and Trail Grants Coordinator  
ND Parks and Recreation Department  
1600 East Century Avenue  
Bismarck, North Dakota 58503

Mr. Stankiewicz:

Attached you will find a grant application to the Recreation Trails Program for construction of a 1.5 mile single track, multi-use trail near Sully Creek State Park.

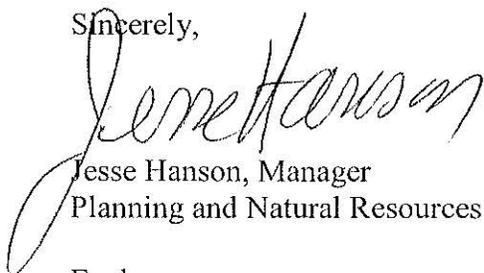
When completed this trail will provide a critical link between Sully Creek State Park and the Bully Pulpit trail head on the Maah Daah Hey II trail.

Enclosed you will find the accompanying documents:

- Proposed trail route map
- Project description
- Evaluation criteria information

If you have any questions on the grant application, please contact me at 328-5374 or by e-mail [jehanson@nd.gov](mailto:jehanson@nd.gov)

Sincerely,



Jesse Hanson, Manager  
Planning and Natural Resources Division

Enclosure

.....  
*Play in our backyard!*

**MAAH DAAH HEY TRAIL CONNECTION – SULLY CREEK  
S.P. TO THE BULLY PULPIT TRAIL HEAD  
ND Parks and Recreation Department (Project Sponsor)**

**PROJECT DESCRIPTION:**

The Maah Daah Hey II (MDH II) trail is a 40 + mile extension of the original Maah Daah Hey Trail. The MDH II starts (or ends) at Sully Creek State Park on the north end and ends (or starts) at the USFS Burning Coal Vein trailhead near the USFS campground with the same name.

The full MDH II trail tread is complete with the exception of an approximate 1.5 mile section immediately adjacent to Sully Creek State Park, 3 miles south of the town of Medora. This last section of trail crosses private land owned by the Theodore Roosevelt Medora Foundation (TRMF). NDPRD has recently entered into a trail easement with TRMF which will allow this project to proceed.

Without this section of trail, MDH II trail users would be forced to travel from Sully Creek State Park to the Bully Pulpit Trail head via the “East River Road” ditch or on the road itself for approximately 2 miles. Constructing the trail on the easement alignment will provide a scenic and safe route for trail users.

The proposed route on the attached map was laid out by USFS trail/engineering staff several years ago as the full MDH II trail was established. USFS biological and cultural resource staff have completed botanical and cultural reviews of the route which found the area cleared for construction. The North Dakota Parks and Recreation Department, (NDPRD) understands pertinent state cultural/natural resource reviews will need to be completed however, we expect that process will proceed quickly based on USFS work.

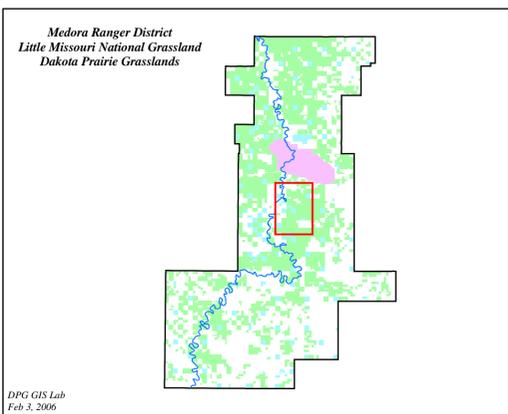
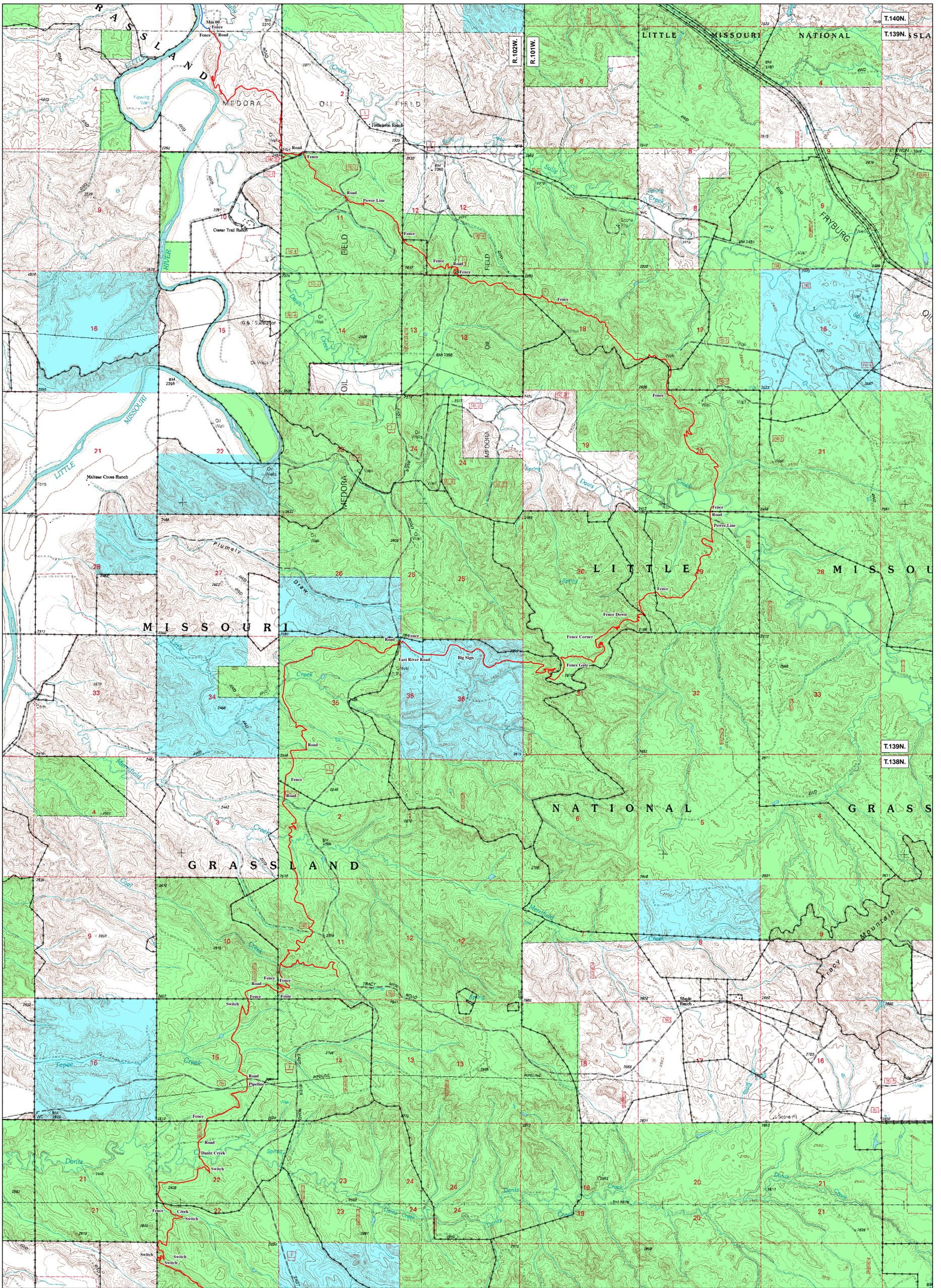
The local match for this project (\$17,520.00) will be supplied by the NDPRD. Other match funds and/or volunteer assistance with trail building will be sought out by NDPRD as the project is initiated.

## MAAH DAAH HEY TRAIL CONNECTION cont.

### Evaluation Criteria:

- **Site and Project Quality:** The route chosen for this 1.5 mile trail is designed using sustainable trail design. Starting out at the Sully Creek S.P. trail head, the trail climbs through an open ravine with cedar/ash coulees adjacent to the trail and eventually climbs to high bluffs with panoramic views of the Little Missouri River and surrounding badlands. Trail users will be able to view down onto the beautiful Bully Pulpit Golf course as the trail serpentine across a high plateau. The trail will be marked by “reassurance markers” along with the typical MDH II trail mile markers.
- **Public Need for and Benefit of Project:** The project will result in completion of the final 1.5 miles of the 40+ mile MDH II trail. Avoiding the need to direct trail users down the East River Road and the associated danger of being on a public highway is the prime benefit of this project.
- **Context of the Project in a Wider Plan:** The project is part of the full MDH trail units which have an over 150 total mile length of trail.
- **Attention to the Potential Environmental Impact of the Project and Efforts to Mitigate Adverse Effects:** This project was first planned out by the USFS. As part of their preliminary work, USFS staff completed environmental review and route clearances. NDPRD intends to follow the route planned by the USFS and expects no adverse affects. Tread construction will be completed to minimize the amount of earth needing to be moved. NDPRD will consult with the SHSPO for concurrence with USFS cultural review data already completed.
- **Impacts on Adjoining Landowners in the Vicinity of the Project:** An future housing development is in the general area of the project. No dwellings are on the development yet and none will be constructed prior to the project completion.

Proper signing will alert trail users to stay on the trail and respect the privacy of adjacent homeowners when houses are built in the adjacent subdivision. The project will be a positive impact on future homeowners and other neighbors due to the close proximity of the section of trail to Sully Creek S.P. and the Bully Pulpit golf course.



## Proposed MDH 2 Trail Location - North Half

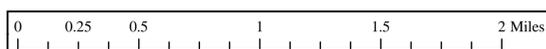


For internal Review Purposes

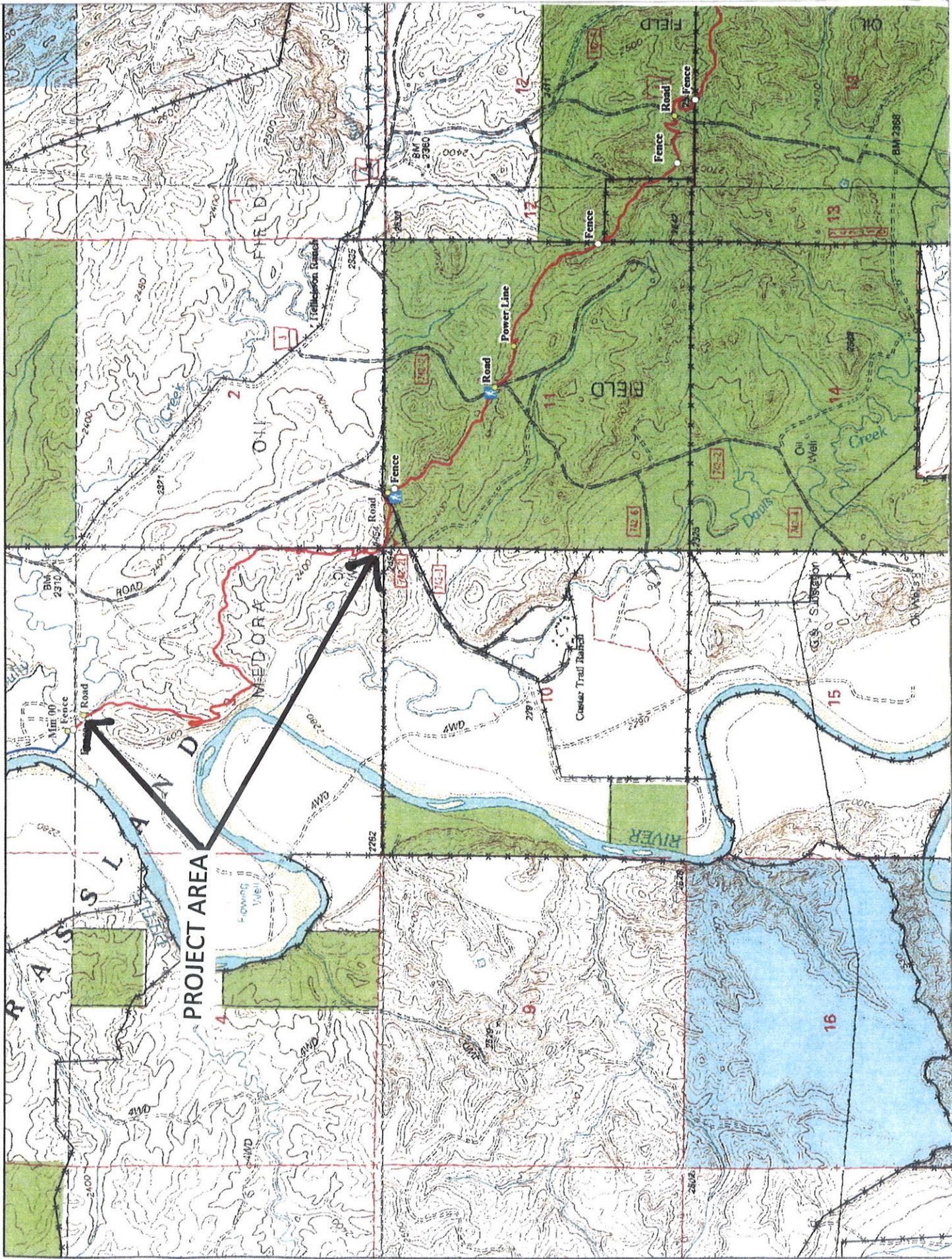
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# M



Legend	
GPS Trail Point Features	National Grassland
Other Points	Private
Fence	National Park
Fence Gate	State
MDH 2 Trail Heads	
MDH Trail	
Proposed MDH 2 Trail	
Fences and Natural Barriers	



PROJECT AREA

RASSLAND

NEEDORA

FIELD

FIELD

DOWNS CREEK

RIVER

Fence Road

Power Line

Cassidy Trail Ranch

Oil Wells 3

16

15

14

13

12

4

10

11

17

BM 2310

BM 2368

BM 2368

Flowing Well

4WD

4WD

4WD

4WD

4WD

4WD

4WD

4WD

4WD

BM 2310

**Part E: Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative**

CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

Signature: Jesse Hanson

Date: 3/1/2013