

761—165.12(465B) Project eligibility.

165.12(1) *Public use.* The recreational trails program is restricted to the acquisition, construction or improvement of recreational trails open for public use or trails which will be dedicated to public use upon completion. A private trail project or a project for a private purpose is not eligible for funding under this program.

165.12(2) *Criteria.* A proposed recreational trails project shall meet all of the following requirements:

- a. The project must be part of a local, areawide, regional or statewide plan.
- b. The trail route shall be designed to allow enjoyment of scenic views or points of historical interest and to maximize safety. The route may use existing roads, streets or parkways, if the normal flow of motor vehicle traffic will not be hindered, abandoned railroad corridors, utility corridors, or new right-of-way as necessary.
- c. The project shall include a contribution of at least 25 percent matching funds.
- d. Matching funds may include grants from other state agencies or programs if their laws and rules allow and the donation of in-kind labor, materials, equipment, and services from a third party. The department has the sole authority to determine the value of noncash contributions. The value of donated land may be an eligible matching contribution if:
 - (1) The land is donated after the commission's funding commitment, and
 - (2) The value is based on a real estate appraisal acceptable to the department. The appraisal is subject to review and approval by the department after a funding commitment has been made.

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