

**COMPLETE THE TRAILS PROGRAM FUND:  
GRANT FUNDS FOR STATE TRAILS**

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**State Authorization:**                      **Session Law 2021-180 Support for NC Trails Section 14.7**  
   **Session Law 2023-134 Complete the Trails Fund Section 14.7**  
   **Session Law 2024-57 Funds for Trails Section 2H.7**

**NC Department of Natural and Cultural Resources**  
**Division of Parks and Recreation**

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**The auditor should not consider the Supplement to be “safe harbor” for identifying audit procedures to apply in a particular engagement, but the auditor should be prepared to justify departures from the suggested procedures. The auditor can consider the supplement a “safe harbor” for identification of compliance requirements to be tested if the auditor performs reasonable procedures to ensure that the requirements in the Supplement are current.**

**The grantor agency may elect to review audit working papers to determine that audit tests are adequate.**

**Auditors may request documentation of monitoring visits by the State Agencies.**

**I. PROGRAM OBJECTIVES**

The Complete the Trails Program (CTP) was created with Session Law 2021-180, and further funded through Session Law 2023-134 and Session Law 2024-57, as a special fund within the Department of Natural and Cultural Resources (DNCR). The Fund consists of appropriations or allocations directed by the General Assembly to the Fund, contributions, and grants from public or private sources. The CTP is administered by the Planning Program within the Division of Parks and Recreation (Division). Funds appropriated in these acts to DNCR for support of the North Carolina Trails System shall be allocated to the CTP for the purpose of planning, construction, promotion, and maintenance of authorized state trails in North Carolina. It is the intent of the General Assembly that, where practicable, these activities be carried out through partnerships with local governments or nonprofit organizations. Funding in this program includes a capacity building grant for fourteen of the fifteen partner organizations and the partner for the Saluda Grade Rail Trail; trail development funds for thirteen of the fifteen authorized state trails; a land acquisition grant program open to the fifteen state trail partners; and a connecting grant program open to small communities (less than 25,000 population) that are located within 6 miles of a planned state trail corridor. 2021 trail development funds were allocated to each state trail based on a formula that accounted for trail mileage yet to be constructed, for the land-based trails and a set formula that depended on when the trail was authorized for the paddle (water) trails. 2023 trail development funds allocated to state trail partners were directed allocations in specific amounts.

## **II. PROGRAM PROCEDURES**

The Division administers the program on behalf of DNCR. At the direction of the General Assembly, each of the state trails has a non-profit or local government partner organization which receives grants for trail development. Each partner organization has a signed Memorandum of Understanding or Agreement (MOU/MOA) with DNCR and has developed a 5 Year Plan for its state trail. The plans were reviewed and approved by the Division. Projects proposed to receive funding by the partner organization must be included in the 5 Year Plan. Any project that involves land-disturbing activities must go through an environmental review prior to grant funding. This process is directed by the partner organization, with oversight by the Division.

Partners submit a project scope to the Division for review and approval. Once approved, then the project will go to contract to receive grant funding. Partners are required to submit quarterly reports which outline expenditures in any grant contract within the CTP, including the capacity building grants that were distributed to each of the partners. Upon completion of a project, Division staff will make a site visit to ensure that the project is completed as directed in the scope and project contract. In the case of capacity building funds, the Partner must submit itemized expenditures in the quarterly report.

The Land Acquisition grant program portion of the CTP is only open to the Partners who must complete and apply. Session Law 2021-180 does not require a match for its associated funds. Session Law 2023-134 requires a 1-to-1 match with non-state funds for the Land Acquisition Grant and limits applications at a request of \$200,000. Applications will be reviewed by Division staff. Each application is reviewed and evaluated by staff for completeness and eligibility. Staff evaluates eligible applications based on the following criteria in the scoring system:

- Readiness and need: The property must be located within the planning corridor of a state trail. Partners who received less than \$1M in CTP funding will receive extra consideration in this section.
- Connectivity: The property must provide a potential or future connection or extension of a state trail.
- Future development potential: The development potential, in addition to trail construction, will be considered. Camping and trailhead development potential will score additional points.
- Leveraged value: Funding matches and additional partnerships are rewarded in this section.
- Urgency: Points are awarded to properties in imminent danger of being developed in a manner that would preclude trails.

An internal Land Acquisition Committee (LAC) will review and evaluate each application and other relevant factors and will select applications for funding. The first cycle of review and funding occurred May – August 2023, and a second cycle occurred May – October 2024. Upon approval of an application by the LAC, a contract is executed between the local grant recipient and DNCR. The contract defines DNCR's and the grant recipient's responsibilities and obligations, the contract's project period, project scope, and the amount of grant assistance. The grant recipient's application and support documentation become a part of the contract.

## **COMPLETE THE TRAILS PROGRAM FUND: GRANT FUNDS FOR STATE TRAILS**

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Grant recipients are paid for grant contracts once the contract is executed. For Development projects, 10% of the grant contract will be held until the project is completed and passes inspection by Division staff.

The Connecting Communities to State Trails (CCST) grant program portion of the CTP is only open to eligible North Carolina local governments (municipalities with less than 25,000 in population and located within 6 miles of a state trail) who must complete an application. Communities under 5,000 in population do not have a match requirement, otherwise there is a 1-to-1 match required with non-state funds. The first cycle of review and funding occurred July to October of 2024. Applications will be reviewed by Division staff. Each application is reviewed and evaluated by staff for completeness and eligibility. Staff evaluates eligible applications based on the following criteria in the scoring system:

- Trail Facilities Provided by Project: Projects are evaluated based on providing new facilities, adding to existing facilities, renovating, and creating connections to destinations.
- Planning: Projects are awarded points based on the type and amount of planning for a project as well as how recent the planning process occurred.
- Commitment to operating and maintaining the project: The management of a project site is evaluated based on the type and level of operations and maintenance.
- Level of public support in developing and supporting the project:
- The suitability of the site for the proposed project: Projects are evaluated on the degree to which they incorporate public support, including holding meetings with different types of groups and the public.
- Social Vulnerability Index: Points awarded based on the social vulnerability of the census tract in which the project occurs.
- Land acquisition: Points awarded based on the urgency of the acquisition, the degree to which it connects or extends to trails, and the availability of the property.

**III. COMPLIANCE REQUIREMENTS**

*Noted below in the following matrix are the types of compliance requirements that are applicable to the State program. These Types are determined by the State agency noted by “Y.”*

If the Matrix indicates “Y,” the auditor must determine if a particular type of compliance requirement has a direct and material effect on the State program for the auditee.

1	2	3	4	5	6	7	8	9	10	12	13	14
Activities Allowed or Unallowed	Allowable Costs/ Cost Principles	Cash Management	Conflict of Interest	Eligibility	Equipment/ Real Property Management	Matching, Level of Effort, Earmarking	Period Of Performance	Procurement Suspension & Debarment	Program Income	Reporting	Subrecipient Monitoring	Special Tests and Provisions
Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	N	N

**1. Activities Allowed or Unallowed  
Compliance Requirements**

**a. Capacity Building Funds**

i. State Trail partners with a MOU/MOA received 2021 capacity building funds to increase the ability of the organization to develop the state trail. 2023 capacity building funds were distributed in early 2024. 2024 capacity building funds will be distributed upon use of 2021 and 2023 funding.

ii. Staffing and web site development are among the permitted uses of these capacity building funds.

**b. Trail Development**

i. Session Law 2021-180 only allows natural surface trails and Session Law 2023-134 allows paved and natural surface trails. Allowed activities for both 2021 and 2023 Session Law are otherwise similar:

ii. Session Law 2021-180 allowed activities:

1. Planning, design, and related environmental assessment or permitting activities for natural surface trails and paddle trail facilities
2. Land and easement acquisition for natural surface and paddle trails

3. Construction or rehabilitation of natural surface trails, bridges and boardwalks, and trail facilities such as trailheads and camping sites.
  4. Trail signage
  5. Maintenance activities
  6. Matching funds for federal grants provided to a local government or nonprofit organization for any of the above purposes.
- iii. Session Law 2023-134 allowed activities:
1. Planning, design, and related environmental assessment or permitting activities for trails.
  2. Land and easement acquisition for trails
  3. Construction of trails and trail structures
  4. Trail amenities
  5. Maintenance activities, which include the rehabilitation of trails and trail structures, the installation of water bars, the relocation of eroded trail segments, and other activities that will mitigate erosion or deterioration of trails or prevent future erosion or deterioration of trails
  6. Matching funds for grants awarded by the federal government or any other non-State source or entity to an eligible entity for any of the purposes set forth in this subdivision.
- c. Land Acquisition
- i. Land acquisition
  - ii. Easement acquisition
  - iii. All land and easements acquired must be within the planned corridor of the state trail.
  - iv. All property and/or easements must be held by public agencies and/or land conservancies with a permanent public trail easement.
- d. Connecting Communities to State Trails Grant
- i. Trail and trail facility construction (natural surface trails)
  - ii. Land and/or permanent easement acquisition
  - iii. Planning
  - iv. Applicants must be communities with populations less than 25,000 that are located within 6 miles of the planned state trail corridor.

**Audit Objectives**

Ensure that the grantee completes projects with CTP funds as approved by The Division and complies with Division administrative rules.

**Suggested Audit Procedures**

Verify elements of the contract and project scope agree with records or evidence of actual performance.

**2. Allowable Costs/Cost Principles**

**Compliance Requirements**

Eligible costs include planning, design, environmental assessment or permitting; land and easement acquisition; trail construction or rehabilitation; paddle access construction; signage; maintenance of natural surface trails, trailheads, or paddle accesses; maintenance of paddle trails including construction of portages, snagging river channels and construction and/or maintenance of accesses.

Eligible costs must be incurred during the project period and described in the project scope of the project agreement or be documented in the application. Land acquisition costs for the Land Acquisition and Connecting Communities to State Trails Grants may be incurred before the grant application period as long as the Partner is provided with a waiver from The Division. This waiver will not guarantee grant funding.

DNCR is not to be invoiced for sales taxes for which a refund will later be requested.

**Audit Objectives**

Determine whether costs covered by the contract were allowable.

**Suggested Audit Procedures**

Check expenditure records against the scope and project period listed in the CTP contract as well as the CTP administrative rules.

**3. Cash Management**

**Compliance Requirements**

A contract between DNCR and the grantee is executed before the grantee begins work on the grant. To be eligible, project costs must be incurred during the contract period, be documented in the grant application, described in the project scope of this agreement, and initiated and/or undertaken after execution of this agreement by the Grantee and DNCR.

Payment shall be made in accordance with the Contract documents as described in the Scope of Work. 10% of the contract amount will be held until successful completion and inspection of the project.

Accounting records should be based on generally accepted local government accounting standards and principles including the Local Government Budget and Fiscal Control Act (G.S. 159-7 to 159-42). Records shall be retained for a period of five (5) years following project completion, except that records shall be retained beyond a five (5) year period if audit findings have not been resolved.

All accounting records and supporting documents will clearly show the number of the Contract and CTP project to which they are applicable. The State Auditor and the Department's Internal Auditors shall have access to persons and records as a result of all Contracts and Grants entered into by state agencies and or political subdivisions in accordance with General Statute 147-64.7.

The Grantee agrees to refund to the Department, subsequent to audit of the project's financial records, any costs disallowed or required to be refunded to the Department on account of audit exceptions.

**Audit Objectives**

Determine whether cash management practices are in compliance with the contract.

**Suggested Audit Procedures**

Ensure that cash management practices are consistent with those called for in the contract.

**4. Conflict of Interest**

**Compliance Requirements**

In addition to legislation enacted by the General Assembly (North Carolina General Statutes 14-234) for local governments, the contract between DNCR and the grantee specifies the measures necessary to guard against a conflict-of-interest issue. N.C.G.S. §133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any state employee of any gift from anyone with a contract with the state, or from any person seeking to do business with the State. The grantee attests that its employees or agents are not aware that any such gift has been offered, accepted, or promised by any employees of the organization.

**Audit Objectives**

Make sure the grantee adhered to its conflict-of-interest policy as well as the measures to prevent conflicts of interest described in the contract.

**Suggested Audit Procedures**

1. Verify existence of a written policy and adherence to it.
2. Verify written policy does not contradict anything in the contract.

**5. Eligibility**

**Compliance Requirements**

DNCR determines eligibility for local governments and their applications. No additional work is deemed necessary by the local CPA.

**Audit Objectives**

Not applicable.

**Suggested Audit Procedures**

Not applicable.

**6. Equipment and Real Property Management**

The contract between DNCR and the grantee specifies equipment and real property management and accounting guidelines. When CTP funds are used to purchase land, permanent public trail easements must be included in the deed of the purchased property.

The Grantee agrees not to discriminate against any person on the basis of race, sex, color, national origin, age, residency, or ability in the use of any property or facility acquired or developed pursuant to this agreement.

**7. Matching, Level of Effort, Earmarking**

**Compliance Requirements**

No match is needed for most of the CTP funds. There is an exception for the Connecting Communities to State Trails grant program. Communities with a population of 5001-25,000 must provide a dollar-for-dollar match with non-State funds.

Another exception is the land acquisition grant program funds allocated by Session Law 2023-134, which require a dollar-for-dollar match with non-State funds.

If no match requirement, then the auditor is not expected to perform any testing.

**Level of Effort**-Not Applicable

**Earmarking**-Not Applicable

**Audit Objectives**

For funding with matching requirements, ensure compliance with contract requirements stated in the law, contract, or grant agreement.

**Suggested Audit Procedure** Perform tests to verify that the required matching contributions were met.

**8. Period of Performance**

**Compliance Requirements**

The contract between DNCR and the grantee specifies the period of availability of the State's CTP grant specific funds. For grantees, the date the contract is signed by the local grantee and DNCR is the beginning of the project period, unless the incidental costs required to complete an application and as defined in the application's cost estimates may be incurred within two years of the application deadline. The total project period is normally three years as stated in the contract.

**Audit Objectives**

Ensure compliance with the grant period.

**Suggested Audit Procedures**

Verify expenditures are for costs incurred during the grant period and described in the contract and application's cost estimates.

**9. Procurement and Suspension and Debarment**

**Procurement:**

**Compliance Requirements**

The contract between DNCR and the grantee specifies the requirements, if any, for procurement. Local Government Budget and Fiscal Control Act (G.S. 159-7 to 159-42); Formal Contracts, Informal Contracts and Purchasing (including but not limited to G.S. 44A-26, G.S. 87-1 to 87.15.4, G.S. 133.1 to 133-40, G.S. 143-128 to G.S.143-135; Uniform Relocation Assistance Act (G.S. 133-5 to 133-18); Contractors must use E-Verify (G.S. 143-48.5); Americans With Disabilities Act of 1990 (P.L. 101-336) and ADA Accessibility Guidelines; N.C. State Building Code; and Sales Tax Refund (G.S. 105-164.14(c)).

**Audit Objectives**

Ensure compliance with the contract.

**Suggested Audit Procedures**

Verify existence of procurement requirements, if any, in the contract. If present, review grantee's records to ensure compliance.

**Suspension and Debarment:**

**Compliance Requirements**

A local grantee is prohibited from entering into a contract with a party that has been suspended or debarred by the State of North Carolina.

**Audit Objectives**

To determine whether a grantee has not entered a contract with a party that has been suspended or debarred by the State of North Carolina.

**Suggested Audit Procedure**

Test a sample of contracts, if applicable, and verify that the grantee has not entered into a contract with a party that has been suspended or debarred by the State of North Carolina. A list of debarred parties can be found at: <http://doa.state.nc.us/PandC/actions.htm>.

**10. Program Income**

**Compliance Requirements**

No income is anticipated, as there is no charge to use state trails.

**Audit Objectives**

None. There are no required uses of program income.

**Suggested Audit Procedures**

None.

**12. Reporting**

**Compliance Requirements**

Reporting requirements enacted by the General Assembly for local governments and public authorities are found in General Statutes 159-34. The contract between DNCR and the grantee also specifies reporting requirements regarding project progress and status.

**Audit Objectives**

Ensure compliance with the contract.

**Suggested Audit Procedures**

Verify compliance requirements in the contract. Then review recipient records to ensure compliance.

**13. Subrecipient Monitoring**

**14. Special Tests and Provisions**