

# Outdoor Heritage Fund Grant Application



## Instructions

After completing the form, applications and supporting documentation may be submitted by e-mail to [ndicgrants@nd.gov](mailto:ndicgrants@nd.gov). It is preferred that only electronic copies are submitted.

You are not limited to the spacing provided, except in those instances where there is a limit on the number of words. If you need additional space, please indicate that on the application form, answer the question on a separate page, and include with your submission.

The application and all attachments must be received by the application deadline. You may submit your application at any time prior to the application deadline. **Applicants are strongly encouraged to submit applications prior to the deadline for staff review in order ensure that proposals will be complete when submitted on deadline date.** Incomplete applications may not be considered for funding.

**Please review the back of this form to determine project eligibility, definitions, budget criteria, and statutory requirements.**

Project Name: Grasslands Enhancement Project Phase III

Name of Organization: Ducks Unlimited

Federal Tax ID#:13-5643799

Contact Person/Title: Dane Buysse, Regional Biologist

Address: 2525 River Road

City: Bismarck

State: ND

Zip Code: 58503

E-mail Address: [dbuysse@ducks.org](mailto:dbuysse@ducks.org)

Web Site Address (If applicable): [www.ducks.org](http://www.ducks.org)

Phone: (O) 701-355-3584, (C) 701-425-4852

List names of co-applicants if this is a joint proposal

**MAJOR Directive:**

Choose only one response

**Directive A.** Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

**Directive B.** Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

**Directive C.** Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

**Directive D.** Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

**Additional Directive:**

Choose all that apply

**Directive A.**

**Directive B.**

**Directive C.**

**Directive D.**

**Type of organization:**

State Agency

Political Subdivision

Tribal Entity

Tax-exempt, nonprofit corporation.

**Abstract/Executive Summary.**

Summarize the project, including its objectives, expected results, duration, total project costs and participants. (no more than 500 words)

The Grasslands Enhancement Project Phase III (GEPPIII) is a request to continue the great work done through GEPP and GEPP II which received overwhelming support by the Outdoor Heritage Fund Advisory board and North Dakota Industrial Commission in 2017. Thanks to your support, the GEPP and GEPP II have improved grazing systems and grassland habitat on over 18,000 acres of publicly accessible and adjacent acres across North Dakota. The GEPP was developed through conversations with livestock producers in North Dakota to address the need for rotational grazing infrastructure on state school trust lands, other publicly accessible lands, and adjacent private land. The GEPP was successfully completed, and we are pleased to report that 100% of GEPP II funds have been contractually obligated with lessees across North Dakota. Those projects are underway

and nearing completion, but our team continues to see high demand for projects on lands that allow public access across North Dakota.

GEPP III's objective will continue to focus on enhancing rotational grazing infrastructure on state school trust, public and adjacent private lands, with an added incentive from the North Dakota Game and Fish Departments (NDGFD) – Private Lands Open To Sportsmen (PLOTS) program. By bringing landowners and lessees together with a common goal to improve access to reliable water and enhance grassland health through rotational livestock grazing, we will support abundant wildlife populations for all North Dakotans to enjoy. The expected results of GEPP III continues to be a collaboration with interested lessees to “Improve grassland management on state school trust lands, other public lands and adjacent private land through rotational grazing systems and planned grazing”. Project success will be measured by the number of acres applying rotational grazing practices for improved habitat and by collaborating with landowners to meet habitat objectives. This will be accomplished by addressing resource concerns through planned rotational grazing practices and by providing technical and financial assistance to interested producers.

Collaboration between land managers, lessees, conservation partners, and local soil conservation district services will provide the technical assistance needed to implement these grazing systems. GEPP III will provide cost share assistance to install grazing infrastructure for grassland management and project agreements will align with landowner grazing lease terms. We are requesting \$555,851.92 from OHF. Funding will be allocated and delivered within 6 years (2026-2031) and we are projecting a total project cost of \$807,798.83. Over the course of 6 years we expect to assist at least 20 lessees with project enhancements across 8,000 acres of critical grassland and wetland habitat on state school trust, public, PLOTS, and adjacent private land.

**Project Duration:**

**Indicate the intended schedule for drawing down OHF funds.**

2026 – Program promotion, partner coordination, landowner/lessee agreements, projects begin construction, water infiltration testing.

2027 – Program promotion, landowner/lessee agreements, water infiltration testing, cost-share reimbursement for projects. (10% Completed)

2028 – Program promotion, landowner/lessee agreements, water infiltration testing, cost-share reimbursement for projects. (30% Completed)

2029 – Program promotion, landowner/lessee agreements, water infiltration testing, cost-share reimbursement for projects. (60% Completed)

2030 – Water infiltration testing, cost-share reimbursement for projects. (90% Completed)

2031 – Water infiltration testing, cost-share reimbursement for projects, final report. (100% Completed)

**Amount of Grant request: \$555,851.92**

**Total Project Costs: \$807,798.83**

Note: in-kind and indirect costs can be used for matching funds.

**Amount of Matching Funds: \$251,946.91 (31% of Total Project Costs)**

**A minimum of 25% Match Funding is required.** Indicate if the matching funds will be in-kind, indirect or cash. Please provide verification that these matching funds are available for your project. Note that

effective as of July 1, 2015 no State General Fund dollars can be used for a match unless funding was legislatively appropriated for that purpose.

Amount of Match	Funding Source	Type of Match (Cash, In-kind or Indirect)
\$45,000.00	Ducks Unlimited	In-Kind
\$3,750.00	Ducks Unlimited	Cash
\$10,000.00	ND Natural Resources Trust	Cash
\$193,196.91	Lessees/Landowners	Cash

### Certifications

X I certify that this application has been made with the support of the governing body and chief executive of my organization.

X I certify that if awarded grant funding none of the funding will be used for any of the exemptions noted in the back of this application.

### Narrative

#### Organization Information – Briefly summarize your organization’s history, mission, current programs and activities.

Include an overview of your organizational structure, including board, staff and volunteer involvement. (no more than 300 words)

Ducks Unlimited (DU) conserves, restores and manages wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people. Established in 1937, DU and its partners have conserved more than 19 million acres of habitat across North America thanks to the generous contributions from more than a million supporters. Guided by science and dedicated to program efficiency, DU works toward the vision of wetlands sufficient to fill the skies with waterfowl today, tomorrow and forever. Thanks to 88 years of success, DU is recognized as the world's largest and most effective private waterfowl and wetlands conservation organization. DU is known for our ability to partner with private individuals, landowners, government agencies, scientific communities, industry leaders and other entities to successfully deliver collaborative conservation projects. DU is a grassroots and volunteer-based organization. Our 750,000 members are conservationists and outdoor enthusiasts who reside across the United States, Canada and Mexico, including over 4,600 members in North Dakota. DU's Great Plains Regional Office, located in Bismarck, ND, employs a multidisciplinary team of engineers, biologists, scientists, agronomists, real estate and administrative support personnel. Since 1984, DU and our partners have completed over 2,000 projects impacting more than 600,000 acres in North Dakota. DU is a tax exempt, non-profit corporation under section 501 (c)(3) of the Internal Revenue Code and our Board of Directors is comprised of volunteers from across the country. For a full listing of DU's Board members, please visit: <https://www.ducks.org/about-ducks-unlimited/du-leadership>.

## **Purpose of Grant – Describe the proposed project identifying how the project will meet the specific directive(s) of the Outdoor Heritage Fund Program**

Identify project goals, strategies and benefits and your timetable for implementation. Include information about the need for the project and whether there is urgency for funding. Indicate if this is a new project or if it is replacing funding that is no longer available to your organization. Identify any innovative features or processes of your project. Note: if your proposal provides funding to an individual, the names of the recipients must be reported to the Industrial Commission/Outdoor Heritage Fund. These names will be disclosed upon request.

For tree/shrub/grass plantings: provide a planting plan describing the site design, planting methods, number of trees/shrubs by species and stock size, grass species and future maintenance. A statement certifying that the applicant will adhere to USDA-NRCS tree/shrub/grass planting specifications along with the name of the governmental entity designing the planting may be substituted for a planting plan.

For projects including Section 319 funding: provide in detail the specific best management practices that will be implemented and the specific projects for which you are seeking funding.

For projects including fencing: A minimum cost share of 40% by the recipient is preferred. Include detailed information on the type of fencing to be installed, whether funding is requested for boundary fencing, new or replacement of existing fencing, and/or cross fencing.

### Project Background and Funding Urgency

North Dakota has nearly 4 million acres of land open to the public for various outdoor recreation opportunities. At any given time, you may be accessing private land thanks to the Private Land Open To Sportsmen (PLOTS) program for a deer hunt, picking berries on State School Trust Land, hunting for ducks on a Waterfowl Production Area or bird watching at a National Wildlife Refuge. The enjoyment we get from North Dakota's vast grasslands is endless and if you look closely, you will be able to count nearly 200 species of grasses and forbs in a native prairie system. All species of wildlife benefit from a diverse grassland ecosystem and this diversity is most effectively maintained through rotational grazing. Kentucky bluegrass, intermediate brome, snowberry and buckthorn dominate grassland systems when left unmanaged.

The underutilization of public grasslands has resulted in monocultures of invasive cool season grasses and woody vegetation. Over utilization of grasslands results in reduced winter cover for wildlife, decreased drought tolerance and stunted vegetative communities. Both happen due to a variety of factors including the absence of reliable water resources for cattle, lack of grazing infrastructure and lack of management. Throughout North Dakota, many parcels of land open to the public simply don't have adequate grazing infrastructure to support a rotational grazing system. Lessees have been limited to continual haying, grazing large pastures, non-use and settling to do the best management possible with their currently available resources. Multiple periods of drought over the last decade have negatively affected grassland production and emphasized how important access to reliable water sources is for grassland management. Frequent rainfall in the fall of 2025 has set the stage for non-native cool season grasses to flourish in 2026 and water availability combined with cross fencing will continue to be a necessity for effective grassland management.

Grassland managers agree that infrastructure improvements allow for better utilization, increased grazing opportunities, improved grassland diversity and an enhanced outdoor recreation experience for the public. Collaborating with ranchers to provide grazing enhancements on lands open to the public is a win-win scenario. GEPP, GEPPII and GEPPIII directly address recommendations brought forth in the 2024 Habitat and Access Summit by concerned citizens, legislators, conservation groups, and public and private land stewards across North Dakota.

As a result of the Outdoor Heritage Fund, Grasslands Enhancement Pilot Project (GEPP) and GEPP II, lessees of school trust, public and adjacent private land have improved grazing infrastructure and management practices on lands open to the public. The primary objective of GEPP and GEPP II was to improve rangeland health and wildlife habitat on school trust, public, and adjacent private lands. Between these two projects over 18,000 acres of grasslands have improved grassland management.

GEPP III builds upon the proven success of GEPP and GEPP II. We are estimating that through GEPP III an additional 8,000 acres of grassland will be enhanced by establishing rotational grazing infrastructure on school trust, public, PLOTS, and adjacent private lands from (2026 – 2031). This will be achieved by providing 60% cost-share for traditional fencing and 75% cost-share for water developments and grass plantings. Providing this cost-share will make enhancements a viable option for lessees and assist land managers with enhanced habitat management for public enjoyment. Project partners will work collaboratively to advance grazing systems and provide lessees with technical assistance. Offering cost-share is a proven, cost-effective way to improve wildlife habitat, water quality and grassland diversity.

GEPP III is requesting OHF to provide funding for grassland enhancement practices that include traditional livestock fencing, water developments and grass plantings. Boundary fence cost-share will be provided only on projects which DO NOT CONTAIN any existing fence and increase grazing land available to agricultural lessees; Examples for boundary fence include (hay land, existing cropland being planted to grass, or currently unmanaged grasslands).

Technical assistance will be provided by applicants and supporting partners. Grazing systems will consist of a grazing plan which will be focused on duration and recovery time to determine success. A grazing plan based on the principles of duration and recovery time provides producers with opportunity to be flexible based on each year's conditions and associated monitoring. Soil health of the systems will be monitored by water infiltration and success of the systems will ultimately be determined by the satisfaction of cooperating producers.

### Directives and Timeline

#### OHF Major Directive

(B) – Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching.

This is the major directive for GEPP III and will be achieved by providing lessees with cost share and technical guidance to address resource concerns (water quality, soil conditions, plant diversity, animal health). Resource concerns will be addressed by improving rotational grazing systems through establishing livestock grazing infrastructure. Water quality will improve by installing alternative water sources away from waterways. Soil conditions will improve through enhanced manure distribution, rest recovery, and plant utilization. Rotational grazing promotes plant diversity through whole plant community utilization and increased stocking density for shorter grazing periods.

#### OHF Additional Directives

(A)– Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen.

School trust lands have been open to public hunting since 1983. Waterfowl Production Areas are open to public hunting, fishing, trapping, wildlife education, and wildlife observation. Wildlife Refuges are open to the public for wildlife observation, photography, limited hunting and ice fishing. North Dakota Forest Service lands are open to the public for outdoor recreation. Through the North

Dakota Game and Fish Departments – Private Lands Open To Sportsmen (PLOTS) program the public is able to access private land for hunting opportunities. This program seeks to provide landowners with financial and technical assistance to establish grazing infrastructure for the benefit of grassland heterogeneity across pastures.

(C)– Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands.

This will be achieved by installing infrastructure to support rotational grazing on school trust, public, PLOTS, and adjacent private land. Grassland establishment will be utilized when needed to enhance perennial cover for wildlife. Implementing grazing plans across the project area will promote rest recovery time, boost wildlife habitat, and enhance existing cover.

If GEPP III is funded, agreements will be 10 years in length and/or will align with landowner grazing lease terms. Grazing infrastructure and improvements will be completed during the 6-year grant term (2026 - 2031). GEPP III partners will continue to monitor the success of grazing systems throughout each agreement. Lessees of state trust land and U.S. Fish and Wildlife Service land are typically 5-year agreements, whereas Forest Service agreements are typically 3 years in length. Landowners who enroll into the NDGFD PLOTS program for 5 years will potentially be incentivized with an additional 15% cost-share by NDGFD at their biologists discretion.

Is this project part of a Comprehensive Conservation Plan?  Yes  No

If yes, provide a copy with the application.

*Note: Projects involving buildings and infrastructure will only be considered if part of a Comprehensive Conservation Plan. Please refer to the “Definitions” section at the back of the form for more details.*

**Management of Project – Provide a description of how you will manage and oversee the project to ensure it is carried out on schedule and in a manner that best ensures its objectives will be met.**

Include a brief background and work experience for those managing the project.

DU will provide management, coordination, and administration for GEPP III. DU’s conservation program team of biologists and agronomists will coordinate with grant partners to identify lessees with an interest in expanding their grazing infrastructure on state school trust, public, PLOTS, and adjacent private land. DU will work collaboratively with partners and lessees to provide program guidance and cost-share for implementing grazing systems. The North Dakota Natural Resources Trust will provide program promotion, technical guidance and match for grazing infrastructure. The North Dakota Grazing Lands Coalition (NDGLC) will provide technical assistance through their network of mentors across North Dakota by assisting in the development of rotational grazing systems. North Dakota Department of Trust Lands will provide assistance with permit allocations to install grazing infrastructure.

Dane Buysse, Regional Biologist in North Dakota, will serve as the program coordinator. Dane has more than 11 years of experience in delivering conservation projects for DU. DU will provide tracking and progress reporting of all landowner agreements according to grant deadlines. Maintaining good communication with agreement participants and partners is important to DU. On-the-ground DU biologists, agronomists, and other conservation partners will direct all producers in this project who are interested in additional cost share or public access incentives to the PLOTS program through the NDGFD. NDGFD will provide technical assistance when signing parcels up for PLOTS. NDGFD biologists may also provide additional opportunities for habitat enhancements and non-match cost-

share up to an additional 15% if enrolled in GEPP III. Grant funds will be distributed to cooperators, contractors and consultants as agreement items are completed, and proper documentation is provided to DU. Projects will be funded on a first come first serve basis until funds are all allocated.

**Evaluation – Describe your plan to document progress and results.**

Please be specific on the methods you will utilize to measure success. Note that regular reporting, final evaluation and expenditure reports will be required for every grant awarded.

Success of the GEPP III will be determined by the number of grassland and wetland acres enhanced by the project. The number of grazing cells created through rotational grazing practices will also be a metric to determine the success of GEPP III to promote plant vigor and improve wildlife habitat. Soil health will be evaluated by testing water infiltration. We’re optimistic to enroll additional acres into the PLOTS program so that the public can also enjoy the benefits of rotational grazing management and understand the role livestock play in improving habitat for wildlife populations. Success of the program will ultimately be determined by the satisfaction of lessees, land managers, and the amount of interest in the project.

**Financial Information**

**Project Budget – Use the table below to provide an itemized list of project expenses and describe the matching funds being utilized for this project.**

Indicate if the matching funds are in the form of cash, indirect costs or in-kind services. The budget should identify all other committed funding sources and the amount of funding from each source. **A minimum of 25% match funding is required.** An application will be scored higher the greater the amount of match funding provided. (See Scoring Form.)

Certain values have been identified for in-kind services as detailed under “Budget Information” at the back of this form. Refer to that section and utilize these values in identifying your matching funds.

**NOTE: No indirect costs will be funded. Supporting documentation for project expenses, including bids, must be included or application will be considered incomplete.**

Project Expense	OHF Request	Applicant’s Match Share (Cash)	Applicant’s Match Share (In-Kind)	Other Project Sponsor’s Share	Total Each Project Expense
Grassland Enhancement Practices	\$524,601.92	\$0.00	\$0.00	\$193,196.91	\$717,798.83
Portable Infrastructure	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00
Contracted Services	\$11,250.00	\$3,750.00	\$0.00	\$0.00	\$15,000.00
Project Staffing	\$20,000.00	\$0.00	\$45,000.00	\$0.00	\$65,000.00
<b>Total Costs</b>	<b>\$555,851.92</b>	<b>\$3,750.00</b>	<b>\$45,000.00</b>	<b>\$203,196.91</b>	<b>\$807,798.83</b>

Note: Costs for seeding, fencing, pipelines, wells, and cover crops cannot exceed NRCS Field Office Tech Guide without justification. Projects involving perimeter fencing must follow NRCS eligibility standards.

**Budget Narrative – Use the space below to provide additional detail regarding project expenses.**

- Grassland Enhancement Practices
  - Fencing - ND OHF will provide 60% cost-share for traditional cross fencing and perimeter fence to support rotational grazing systems. Fencing will follow the NRCS Field Office Tech Guide Allowable Cost; the full funding rate will be determined by

- NRCS's practice scenario amount. All fencing cost-share will be paid based on a rate per foot of fence and type of fence installed. Landowners and partners will provide the remaining 40% cost-share.
- Water Developments - ND OHF will provide up to 75% cost-share for water developments to support rotational grazing systems. Water Developments will follow the NRCS Field Office Tech Guide Allowable Cost; the full funding rate will be determined by NRCS's practice scenario amount. This grant will use 75% cost-share of these rates for agreement development but will pay up to 75% of actual costs. Landowners and partners will provide the remaining 25% cost-share.
  - Grass Plantings - ND OHF will provide up to 75% cost-share for grass plantings. Grass plantings will follow the NRCS Field Office Tech Guide Allowable Cost; the full funding rate will be determined by NRCS's practice scenario amount and will be paid on a per acre basis for the type of grass seeding being established. Landowners and partners will provide the remaining 25% cost-share.
- Portable Infrastructure
    - The ND Natural Resource Trust will provide \$10,000 cash to cover 75% of the costs for grassland enhancement practices which may not be an approved NRCS practice. These will be used to cover additional grassland enhancement practices if not used on portable infrastructure.
  - Contracted Services
    - ND OHF will provide 75% cost-share for contracted services. All projects will be reviewed by State Historical Society of North Dakota for cultural resources and North Dakota State Historical and Preservation Office approval. If the project requires a cultural resource professional, we contract out that expertise to conduct a field review. Contracted services for a pedestrian review cost \$1,500 and costs would advance depending on findings. Based on DU's experience in requesting cultural reviews and the high potential for projects to involve native rangeland and pastureland, an estimate of 10 agreements will need pedestrian cultural review that can only be done by a certified reviewer. The cost of 10 reviews at \$1,500 per review is \$15,000. Other contracted services may include water testing at \$60/sample or soil testing at \$25/sample. Ducks Unlimited will provide a cash match of \$3,750.00 toward these contracted services. Grant request \$15,000 for contracted services.
  - Project Staffing
    - Project Delivery will consist of actual time spent by DU biologists and agronomists who will meet with landowners to provide technical assistance, complete landowner agreements, partner with state, federal, local, and nongovernmental organizations, process payments, provide agreement monitoring, and complete all grant administration. Ducks Unlimited staffing costs include staff time, benefits and travel. This OHF grant proposal is requesting \$20,000.00 in OHF funds and Ducks Unlimited is providing at least \$45,000.00 of in-kind match.
  - Partner Non-Match
    - For landowners enrolled in GEPPIII, NDGFD will provide an additional 15% non-match cost-share (up to a total of \$75,000) for wildlife friendly grazing infrastructure to landowners who also enroll in the PLOTS program on private lands for a minimum of 5 years during the GEPPIII project agreement (10 years). GEPPIII's cost share

for grazing infrastructure will be available to landowners throughout the state of North Dakota regardless of their enrollment in NDGFD's PLOTS program.

**Sustainability – Indicate how the project will be funded or sustained in future years.**

Include information on the sustainability of this project after OHF funds have been expended and whether the sustainability will be in the form of ongoing management or additional funding from a different source.

The Grasslands Enhancement Project Phase III (GEPP III) is a voluntary option for lessees of state school trust, public, PLOTS, and adjacent private lands. Working cooperatively with lessees and landowners to install grazing infrastructure will promote rotational grazing systems to be used for years to come. These systems improve access to water, promote grassland health, improve drought tolerance and provide ranchers with additional access to valuable grassland resources. The GEPP was originally designed to fill a need for cost-share on state school trust and public lands. Since the project initiated in the summer of 2017 there have been thirty-eight projects funded and are being managed as rotational systems thanks to the established water systems and cross-fencing. Providing cost-share for grazing infrastructure reduces financial barriers for a rancher to make improvements to support a resilient livestock grazing system. Working cooperatively with lessees and landowners to provide critical infrastructure improvements we can help ensure future ranchers the opportunity to graze these lands, which are open to the public.

**Partial Funding – Indicate how the project will be affected if less funding is available than that requested.**

Your favorable consideration to fully fund GEPP III is greatly appreciated by Ducks Unlimited and partners. However, if the proposal receives partial funding it would result in a reduced capacity to improve grazing systems on school trust, public, PLOTS and adjacent private land. The result would be fewer agreements and fewer acres enhanced. The amount of cash and in-kind match available by Ducks Unlimited and partners would also be reduced.

**Partnership Recognition - If you are a successful recipient of Outdoor Heritage Fund dollars, how would you recognize the Outdoor Heritage Fund partnership? \* *There must be signage at the location of the project acknowledging OHF funding when appropriate.***

GEPP III will provide OHF partnership and funding recognition in the following ways. 1) GEPP III will include the OHF logo on all landowner agreements. 2) OHF will also be mentioned as a partner and funding source in all discussions with landowners in the delivery of this project. 3) All GEPP III distributed information for outreach and/or media will identify OHF as a partner and funding source. Examples of such outreach and media include but are not limited to landowner workshops, landowner field days, national DU press releases, and the DU website. 4) Presentations or discussions with partners and/or other organizations will also acknowledge OHF as a partner and funding source.

**Awarding of Grants - Review the appropriate sample contract for your organization on the website at <http://www.nd.gov/ndic/outdoor-infopage.htm>.**

Can you meet all the provisions of the sample contract?  Yes  No

If there are provisions in that contract that your organization is unable to meet, please indicate below what those provisions would be:

## **ABOUT OHF:**

The purpose of the North Dakota Outdoor Heritage Fund is to provide funding to state agencies, tribal governments, political subdivisions, and nonprofit organizations, with higher priority given to projects that enhance **conservation** practices in this state by:

**Directive A.** Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

**Directive B.** Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

**Directive C.** Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

**Directive D.** Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

## **EXEMPTIONS**

Outdoor Heritage Fund grants may not be used to finance the following:

- Litigation;
- Lobbying activities;
- Any activity that would interfere, disrupt, or prevent activities associated with surface coal mining operations; sand, gravel, or scoria extraction activities; oil and gas operations; or other energy facility or infrastructure development;
- The acquisition of land or to encumber any land for a term longer than twenty years; or
- Projects outside this state or projects that are beyond the scope of defined activities that fulfill the purposes of Chapter 54-17.8 of the North Dakota Century Code.

OHF funds may not be used, except after a finding of exceptional circumstances by the Industrial Commission, to finance:

- A completed project or project commenced before the grant application is submitted;
- A feasibility or research study;
- Maintenance costs;
- A paving project for a road or parking lot;
- A swimming pool or aquatic park;
- Personal property that is not affixed to the land;
- Playground equipment, except that grant funds may be provided for up to 25% of the cost of the equipment not exceeding \$10,000 per project and all playground equipment grants may not exceed 5% of the total grants per year (see Definitions/Clarifications for how this will be calculated);

- Staffing or outside consultants except for costs for staffing or an outside consultant to design and implement an approved project based on the documented need of the applicant and the expenditures may not exceed 5% of the grant to a grantee if the grant exceeds \$250,000 and expenditures may not exceed 10% of the grant to a grantee if the grant is \$250,000 or less (see Definitions/Clarifications for how this will be calculated);
- A building except for a building that is included as part of a comprehensive conservation plan for a new or expanded recreational project (see Definitions/Clarifications for definition of comprehensive conservation plan and new or expanded recreational project); or
- A project in which the applicant is not directly involved in the execution and completion of the project.

The goal of the Industrial Commission is that at a minimum 15% of the funding received for a biennium will be given priority for recreation projects that meet Directive D.

The following projects are not eligible for funding, unless there is a finding of exceptional circumstances by the Industrial Commission include:

- Construction or refurbishment of indoor/outdoor ice rinks,
- Construction or refurbishment of indoor/outdoor athletic courts and sports fields,
- Other substantially similar facilities.
- Infrastructure that is not part of a comprehensive conservation plan.
- Projects not meeting a minimum funding request of \$2,500.

## Budget Information

In-kind services used to match the request for Outdoor Heritage Fund dollars shall be valued as follows:

- |                        |   |
|------------------------|---|
| • Labor costs          | \$15.00 an hour   |
| • Land costs           | Average rent costs for the county as shown in the most recent publication of the USDA, National Agricultural Statistics Services, North Dakota Field Office |
| • Permanent Equipment  | Any equipment purchased must be listed separately with documentation showing actual cost. (For example: playground equipment)                               |
| • Equipment usage      | Actual documentation  |
| • Seed & Seedlings     | Actual documentation  |
| • Transportation       | Mileage at federal rate   |
| • Supplies & materials | Actual documentation  |

More categories will be added as we better understand the types of applications that will be submitted. We will use as our basis for these standards other State and Federal programs that have established rates. For example, the North Dakota Nonpoint Source Pollution Management Program has established rates. If your project includes work that has an established rate under another State Program, please use those rates and note your source.

## **Definitions/Clarifications:**

**Building** - Defined as "A structure with a roof either with walls or without walls and is attached to the ground in a permanent nature."

**Comprehensive Conservation Plan** - Defined as "A detailed plan that has been formally adopted by the governing board which includes goals and objectives--both short and long term, must show how this

building will enhance the overall conservation goals of the project and the protection or preservation of wildlife and fish habitat or natural areas.” This does not need to be a complex multi-page document. It could be included as a part of the application or be an attachment.

New and Expanded Recreational Project means that the proposed building cannot be a replacement of a current building. The proposed building must also be related to either a new or expanded recreational project--either an expansion in land or an expansion of an existing building or in the opportunities for recreation at the project site.

Playground equipment calculation - Only the actual costs of the playground equipment (a bid or invoice showing the amount of the equipment costs must be provided) - cannot include freight or installation or surface materials or removal of old equipment, etc.

Staffing/Outside Consultants Costs - If you are requesting OHF funding for staffing or for an outside consultant, you must provide information in your application on the need for OHF funding to cover these costs. For example, if you are an entity that has engineering staff you must explain why you don't have sufficient staff to do the work or if specific expertise is needed or whatever the reason is for your entity to retain an outside consultant. If it is a request for reimbursement for staff time then a written explanation is required in the application of why OHF funding is needed to pay for the costs of that staff member(s)' time. **The budget form must reflect on a separate line item the specific amount that is being requested for staffing and/or the hiring of an outside consultant.** This separate line item will then be used to make the calculation of 5% or 10% as outlined in the law. Note that the calculation will be made on the grant less the costs for the consultant or staff.

Maintenance – Activities that preserve or keep infrastructure in a given existing condition, including repairs. Repair means to restore to sound condition after damage, to renew or refresh; except repairs due to damage caused by Acts of God.

## Scoring of Grants

**Oral Presentation.** Please note that you will be given an opportunity to make a ten-minute Oral Presentation at a meeting of the Outdoor Heritage Fund Advisory Board. These presentations are strongly encouraged.

**Open Record.** Please note that your application and any attachments will be open records as defined by law and will be posted on the Industrial Commission/Outdoor Heritage Fund website.

All applications will be scored by the Outdoor Heritage Fund Advisory Board after your ten-minute oral presentation. The ranking form that will be used by the Board is available on the website at <http://www.nd.gov/ndic/outdoor-infopage.htm> .

## Awarding of Grants

All decisions on requests will be reported to applicants no later than 30 days after Industrial Commission consideration. The Commission can set a limit on duration of an offer on each application or if there isn't a specific date indicated in the application for implementation of the project, then the applicant has until the next Outdoor Heritage Fund Advisory Board regular meeting to sign the contract and get the project underway or the commitment for funding will be terminated and the applicant may resubmit for funding. Applicants whose proposals have been approved will receive a contract outlining the terms and conditions of the grant.

## **Responsibility of Recipient**

The recipient of any grant from the Industrial Commission must use the funds awarded for the specific purpose described in the grant application and in accordance with the contract. The recipient cannot use any of the funds for the purposes stated under Exemptions on the first page of this application.

If you have any questions about the application, the Commission can be reached at 701-328-3722 or [ndicgrants@nd.gov](mailto:ndicgrants@nd.gov).

Revised: November 4, 2019, April 12, 2023