



- Site Dedication
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(1) SITE DEDICATION. Land owned by the grantee, which is developed or acquired with FRDAP funds, shall be dedicated in perpetuity as an outdoor recreational site for the use and benefit of the general public. Land under control other than by ownership of the grantee such as by lease, shall be dedicated as an outdoor recreation area for the use and benefit of the general public for a minimum period of 25 years from the completion date set forth in the project completion certificate. The dedications must be recorded in the public property records by the grantee.

(2) MANAGEMENT OF PROJECT SITES. Grantees shall ensure by site inspections that facilities on project sites developed with FRDAP funds are being operated and maintained for outdoor recreational purposes for a minimum period of twenty-five (25) years from the completion date set forth in the project completion certificate. All project sites shall be open at reasonable times and shall be managed in a safe and attractive manner.

(3) CONVERSION. Should a grantee, within the periods set forth in Subsections 62D-5.059 (1) and (2), convert all or part of the project site to other than public outdoor recreational uses, the grantee shall replace the area, facilities, resource or site at its own expense with a project of comparable scope and quality.

(4) NON-COMPLIANCE. The Department shall terminate a project agreement and demand return of the program funds (including interest) for non-compliance by a grantee with the terms stated in the project agreement or this rule. If grantee fails to comply with the provisions of this part or the project agreement, the Department shall declare the grantee ineligible for further participation in FRDAP until such time as compliance has been obtained.

(5) PUBLIC ACCESSIBILITY. All facilities shall be accessible to the public on a non-exclusive basis without regard to age, sex, race, religion, or ability level.

(6) ENTRANCE FEES. Reasonable differences in entrance fees for program projects may be maintained on the basis of residence. Such fees may only be charged if the grantee can clearly show that the difference in entrance fees reflects, and is substantially related to, all economic factors related to park management, and it is not simply related to the amount of tax dollars spent by the residents for the park; and that a definite burden on the grantee in park maintenance costs clearly justifies a higher fee for nonresidents.

(7) NATIVE PLANTINGS. In developing a project area with program funds, a grantee shall primarily use vegetation native to the area, except for lawn grasses.

(8) POST COMPLETION INSPECTIONS. Department staff shall have the right to perform an on-site inspection of completed program sites to ensure compliance with program requirements as stated in Subsections (1), (2) and (3) of this section.