

# LAND AND WATER CONSERVATION FUND GRANT APPLICATION AND GUIDE 2019



Oklahoma Tourism and Recreation Department  
Division of State Parks – Federal Grants Section  
900 N. Stiles Avenue  
Oklahoma City, Oklahoma 73104

## PREFACE

This guide will provide the Land and Water Conservation Fund applicant (project sponsor) with the instructions and forms necessary to prepare and submit a complete application. Project sponsors must provide all requested information in this application and guide to be considered for funding; therefore, it is important to read all items carefully. A checklist is included in the Appendix to help ensure project sponsors have met all requirements.

Project sponsors must submit two (2) bound original and one digital copy of the application and all supporting documents to:

Oklahoma Tourism & Recreation Department  
Division of State Parks – Federal Grants Section  
900 N. Stiles Avenue  
Oklahoma City, OK 73104

**Applications must be in our office by 4:00 P.M., the last business day of July.**

Thank you for your interest in the Land and Water Conservation Fund program. Please contact our office with any questions or for assistance with the application process.

Susan Henry, Grant Administrator

405-522-9521

[Susan.Henry@TravelOK.com](mailto:Susan.Henry@TravelOK.com)

Rhonda Moore, Administrative Assistant/Reimbursements

405-522-9522

[Rhonda.Moore@TravelOK.com](mailto:Rhonda.Moore@TravelOK.com)

Eve Atkinson, Planner/ADA Accessibility

405-522-9516

[Eve.Atkinson@TravelOK.com](mailto:Eve.Atkinson@TravelOK.com)



# LAND AND WATER CONSERVATION FUND

## PROGRAM SUMMARY

The Land and Water Conservation Fund (LWCF) is a federal assistance program administered by the National Park Service (NPS) at the federal level. The NPS provides the LWCF matching grants to the States, and through the States to local governments, for the acquisition and development of public outdoor recreation areas and facilities.

Funds for the program are derived from sales of federal surplus, a small portion of federal motorboat fuel taxes, and Outer Continental Shelf (OCS) revenues from the leasing of oil and gas sites in coastal waters.

In Oklahoma, the Oklahoma Tourism and Recreation Department administers the fund at the state level through its Division of State Parks.

## HISTORY AND PURPOSE

The Land and Water Conservation Fund Act of 1965 was enacted “...to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations...such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation...”

Goals of the LWCF State Assistance Program are to:

- a. Meet state and locally identified public outdoor recreation resource needs to strengthen the health and vitality of the American People.
- b. Increase the number of protected state and local outdoor recreation resources and to ensure their availability for public use in perpetuity.
- c. Encourage sound planning and long-term partnerships to expand the quantity and to ensure the quality of needed state and local outdoor recreation resources.

## STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

In keeping with the law under the LWCF Act, the Oklahoma Tourism and Recreation Department coordinates the production of Oklahoma's Statewide Comprehensive Outdoor Recreation Plan (SCORP). The SCORP is a study that evaluates the demand and supply of public outdoor recreation resources throughout the State.

The SCORP is used to identify priorities for acquiring, developing, and protecting all types of outdoor recreation resources and outdoor recreation programs throughout the State.

All proposed LWCF projects must meet priority outdoor recreation needs as identified in the current SCORP to be eligible for assistance. The SCORP can be found online at <https://www.travelok.com/state-parks> under the GET INVOLVED tab.

An *approved* local Master Plan that shows a need for the requested recreational facility *may* take priority over the SCORP needs assessment.

### REIMBURSABLE GRANT

The Land and Water Conservation Fund is a reimbursable grant, meaning the project sponsor must pay all project costs as they are incurred. Sponsors then may request reimbursement for 50% of eligible expenses up to the amount approved for the project. All costs must be incurred and paid by the project sponsor during the project period as identified in the approved Sponsor Agreement. There is not a funding cap, so an eligible sponsor may request as much funding as they are able to match.

Any project expenses incurred or paid by the sponsor before or after the project period will not be eligible for reimbursement or project match.

### TYPES OF PROJECTS

- A. Acquisition – There must be public access.
- B. Development – Must provide or support public outdoor recreation.
- C. Combination (acquisition and development)

## ELIGIBLE ACQUISITION PROJECTS

Acquisition of lands and waters for public outdoor recreation may be eligible for assistance. This may include new areas or additions to existing parks, forests, wildlife areas, beaches, and other similar areas dedicated to outdoor recreation. Acquisition may be accomplished through purchase, transfer, or by gift.

Any land acquisition included in the grant request or as part of the matching funds will need an appraisal and an appraisal review.

*Appraisal requirements for land purchases.* Unless a waiver valuation applies in accordance with [49 CFR 24.102\(c\)](#), land or interests in land that will be acquired under the award must be appraised in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, 6th Edition, dated December 6, 2016 (UASFLA or the “Yellow Book”) by a real property appraiser licensed or certified by the state or states in which the property is located. The appraisal report shall be reviewed by a qualified review appraiser that meets qualifications established by the DOI Appraisal and Valuation Services Office (AVSO), which is responsible for appraisal and valuation services and policy across the Department. See UASFLA Section C-1 for further guidance on technical reviews.

## ELIGIBLE DEVELOPMENT PROJECTS

Development projects may consist of basic outdoor recreation facilities to serve the general public as long as the projects are in the public interest and in accord with the SCORP. Such eligible facilities may include but are not limited to the following facility types:

Sports and playfields used in competitive and individual sports (baseball, softball, soccer, and football, tennis courts, golf courses, rodeo arenas, skate parks, etc.); Playgrounds and tot lots; Picnic or camping facilities (tables, fireplaces, shelters, etc.); Trails (nature, hiking, bicycling, horseback riding, exercising, etc.); Swimming facilities (outdoor pools, wading pools, spray grounds, splash pads, etc.); Boating facilities (docks, ramps, berths, etc.)

Support facilities (roads, parking areas, walkways, restrooms, utilities, etc.) may also be eligible for funding if they are needed by the public for outdoor recreation use of an area. Some restrictions may apply to certain facilities or locations.

All facilities within the project boundary (either existing or proposed) must conform to current ADA accessibility standards.

All utility lines (either existing or proposed) must be buried or relocated.



# PROJECT SPONSOR COMMITMENT AND RESPONSIBILITY

## ELIGIBLE APPLICANTS

Incorporated cities, counties, state agencies, Indian Tribes, public schools and public universities are eligible to apply for Land and Water Conservation Funds for the acquisition and development of outdoor recreation projects. State Parks and statewide planning projects may also be funded.

All eligible project sponsors must be able to commit their resources to the perpetual stewardship of the LWCF-assisted public outdoor recreation area.

## OWNERSHIP AND CONTROL

If land acquisition is part of a project, the sponsor may not take title to the land or begin development until after both federal and state approval of the project. An appraisal of the property will be required.

For all development projects, the project sponsor must possess sufficient title and adequate legal control of the property. This will typically require the sponsor to hold fee-simple title to the property. However, ownership of less-than-fee interest may be acceptable if it provides for permanent control of the property to be utilized as an outdoor recreation area in perpetuity.

## PERMANENT OUTDOOR RECREATION ESTATE

The Land and Water Conservation Fund Act requires the sponsor to operate and maintain the properties or facilities acquired, developed, and/or renovated with LWCF assistance for public outdoor recreation use in perpetuity. As required by Section 6(f)(3) of the LWCF Act, should any portion of LWCF-assisted property be converted for anything other than public outdoor recreation use, the project sponsor must replace, at its own expense, the converted property with property having equal or greater appraised value and equal or greater recreational usefulness.

## **OPERATION AND MAINTENANCE**

Property acquired or developed with LWCF assistance must be operated and maintained by the project sponsor according to certain federal and state standards. These responsibilities begin immediately upon completion of a project and will remain as such in perpetuity.

Beginning no later than five years from project completion, staff from the Oklahoma Tourism & Recreation Department will make periodic compliance inspections (with or without notice). Staff from the National Park Service may also conduct random inspections to ensure long-term stewardship.

Every application must contain a five-year maintenance plan that includes anticipated needs and costs as well as available resources for operating and maintaining the project area. You will find this noted in the Attachments section.

Operation and Maintenance Guidelines are included in the Appendix.

## **PROJECT EXECUTION**

The Oklahoma Tourism and Recreation Department encourages project sponsors to begin projects promptly following state and federal approval. It is important sponsors commit the necessary resources toward the project to ensure the facilities are available timely to the public.

Failure of sponsors to initiate a project within a reasonable period of time may result in rescission of funds and termination of the project agreement.



# PROJECT RESEARCH AND PLANNING

## PUBLIC PARTICIPATION

Project sponsors are required to hold a public meeting to obtain input from the interested and affected public on recreation needs and the planning of each proposed project. A public notice about the meeting must appear in a local newspaper at least 7 days prior to the date of the hearing.

Applications must include a description of this process as well as the minutes and attendance records of the meeting. Proof of publication of the notice and other methods of invitation to the public to participate in the public hearing are also required.

Project sponsors should attempt to develop a comprehensive project plan based on information and input received at the public hearing.

## PROJECT LOCATION

When determining the location for a project, project sponsors should choose an area suitable for the proposed recreation facilities as well as any support facilities that will serve the project area. The location should be free of adverse environmental factors that could minimize quality recreation or present a health or safety hazard. The area should also be easily accessible for users as well as maintenance and control.

Again, sponsors should keep in mind that all facilities within the project boundary (either existing or proposed) must conform to current ADA accessibility standards, and all utility lines (either existing or proposed) must be buried or relocated. These requirements may be a factor when choosing a feasible project location.

## **PLANS AND SPECIFICATIONS**

Plans for the development of land and/or facilities should be based on the needs of the public, the expected use, and the type and character of the project area. Facilities should be attractive for public use and generally be consistent with the environment. Plans and specifications for the improvements should be in accord with established engineering and architectural practices. Emphasis should be given to the health and safety of the users, accessibility to the general public, and the protection of the recreational and natural values of the area.

After a proposed project has been approved for funding, the project sponsor will be required to sign a form (to be provided), certifying acceptable practice and code compliance.

### **PRELIMINARY CONSTRUCTION FLOOR PLANS**

For projects that include enclosed buildings such as restrooms or storage buildings, the Project Sponsor must submit a preliminary floor plan for each building being constructed indicating the intended use of each room or area. Accurate dimensions must be shown, including door openings, stall openings and the size of exterior slab or foundation. All spaces and the entry to the building must meet accessibility requirements.

### **FLOOD PLAIN**

If the project area is in a flood plain as designated by HUD, the Project Sponsor will be required to obtain flood insurance. A written assurance to purchase flood insurance to cover all walled or roofed structures being constructed must be included with the application. If the project area is not in a flood plain, the Project Sponsor must include a written statement to that effect.

### **COST ESTIMATE**

A cost estimate is required in every project application. It must follow the format of the example included in the Appendix.

A cost estimate should be drafted to determine the estimated costs and to assess the sponsor's resources to complete the project. In addition to actual construction costs, the cost estimate should take into account expenses for items such as site clearing, preparation, landscaping, accessibility, burying utility lines, and signage.

## SIGNAGE

**LWCF Acknowledgement:** Project sponsors are required to install and maintain permanent signs acknowledging the federal-state-local partnership role in providing the outdoor recreation areas and facilities that were acquired or developed with assistance from the Land and Water Conservation Fund.

**Public Availability:** Project areas and facilities must be available for public use at reasonable hours and times of the year, according to the type of area or facility. Some areas or facilities may be reserved at certain times for school use (or use by other organizations). At such facilities, the project sponsor is required to install and maintain a sign posting public availability.

Sign specifications and examples are provided in the Appendix.



# APPLICATION AND EVALUATION PROCEDURES

## PRIORITY RATING SYSTEM

Complete applications received by the Oklahoma Tourism and Recreation Department by 4:00 P.M., the last business day of July, will be reviewed by this office and ranked using the Priority Rating System. The Priority Rating System is included in the Appendix to assist project sponsors in preparing applications to achieve their highest possible scores.

This period of review and ranking will take place within the first few months following the application deadline.

## APPROPRIATION AND PRE-APPROVAL

After this office receives official notification of Oklahoma's Land and Water Conservation Fund appropriation, the applications will be selected for *recommended* funding by this office in order from the highest scoring project (according to the Priority Rating System) until the annual appropriation is exhausted. Recommendations will be sent to the Governor's office for pre-approval, and then submitted to the National Park Service for final approval.

## ENVIRONMENTAL REVIEWS

Upon receiving State pre-approval, the project sponsor will be required to submit state environmental review documentation relating to the project to the Oklahoma Archeological Survey and the Oklahoma Historic Preservation Offices.

<http://www.okhistory.org/shpo/shpom.htm>

The Oklahoma Tourism & Recreation Department will provide the forms for obtaining these reviews. Project applications will not be submitted to the National Park Service until the environmental reviews have been completed and clearance obtained.

Project sponsors should allow four to six weeks for the environmental reviews to be conducted.

## INSPECTIONS

Once the proposed project has received environmental clearance, OTRD staff will conduct a pre-award inspection of the project site.

Note: A minimum of two more inspections will be conducted over the course of an approved project period. OTRD staff will conduct an inspection when a project is approximately 50% complete. A final inspection will also be required before the final reimbursement of funds is processed.

## NATIONAL PARK SERVICE

After all State reviews and inspections have been completed with positive results and all necessary documentation has been obtained, pre-approved project applications will be forwarded to the National Park Service Regional Office for federal review and approval. Project sponsors should allow four to eight weeks for the NPS review.

## SPONSOR AGREEMENT

Once the National Park Service provides official notice to our office that a project application has been approved, we will prepare an agreement between OTRD and the project sponsor. The agreement will include the scope of the project and the project period. Any additional documents or forms needed specific to the project also will be obtained.

After all required documents are on file in this office and both parties have signed the agreement, the project sponsor will receive official notice to begin work on the project. Any project expenses incurred or paid by the sponsor *before* the Sponsor Agreement is signed by both parties will not be eligible for reimbursement or project match.



# 2018 LAND AND WATER CONSERVATION FUND PROJECT APPLICATION

## Project Sponsor Information

Project Sponsor: \_\_\_\_\_

Federal ID#: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/Zip: \_\_\_\_\_

County: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Additional Contact Info/Instructions: \_\_\_\_\_

\_\_\_\_\_

**Brief description of proposed project:** \_\_\_\_\_

\_\_\_\_\_

## Project Cost

LWCF Federal Funds Requested: \$ \_\_\_\_\_

Sponsor Match: \$ \_\_\_\_\_

Total Estimated Project Cost: \$ \_\_\_\_\_

Does the sponsor currently have the 50% match readily available? Yes \_\_\_\_\_ No \_\_\_\_\_

## Certification

I hereby certify that the information contained in this application and all supporting documents are, to the best of my knowledge, both true and accurate. The submission of this application has been duly authorized by the governing body of the applicant (project sponsor), and the applicant/project sponsor will comply with the attached assurances if assistance is awarded.

\_\_\_\_\_

Print Name of Authorized Representative

\_\_\_\_\_

Title of Authorized Representative

\_\_\_\_\_

Signature of Authorized Representative

\_\_\_\_\_

Date

*(Signature must be Mayor or City Manager or other such person with governing authority)*

# LWCF PROJECT APPLICATION

Project Sponsors, please read all instructions thoroughly. All items are required as part of your application. Incomplete applications will not be considered for LWCF funding. Organize your application in the order of the sections below and submit as a separate document: I. Project Narrative; II. Financial Profile; III. Property Information/Maps; IV. Environmental Assessment; V. Supplemental Attachments. Please use the Project Application Summary as a cover page and label, index or tab each major section for easy reference.

Answer all questions as completely and clearly as possible. Do not assume those reviewing your application will have any prior knowledge or information. The review committee may include individuals who are not familiar with you or your area.

## SECTION I. PROJECT NARRATIVE

### A. Project Justification

1. Why does your community need this project? How are people adversely affected by the current situation? Provide information about economic, social, financial, physical, institutional or other issues related to the need.
2. Provide information on the project site or facility usage (frequency of use, number of users, age groups affected, current uses of the area, etc.).
3. Provide information received from the interested affected public about community recreation needs. Include records and minutes from public meetings or public comment periods. At a minimum, the completed application and required support material must be available for comment at the duly advertised public meeting.
4. Discuss how you chose this project as a priority in the community. Cite the results of citizen surveys or similar local input, including letters of support. You are encouraged to include the items with your application.
5. Comment on partnerships with local citizens and organizations who will offer support relative to planning, development and/or upkeep of the proposed project.
6. List any other areas or facilities owned by the sponsor that provide the same type of recreation proposed by this project. Provide an explanation why the new developments are needed.
7. Provide any additional comments to justify the need for this project.

## **B. Project Description**

Provide a detailed description of the proposed project.

- 1.** Explain the scope of work you intend to complete using the funds requested.
- 2.** Describe the characteristics of the project area to be included within the 6(f) (3) boundary (also shown on your site map). Include the physical location, type of terrain, and any notable features.
- 3.** Discuss the existing developments in the project area. Include any support facilities, lighting, water lines, easements, or rights-of-way. If non-recreational facilities or structures are in the project area (other than support facilities), describe how they are being used. Note any structures that will be removed for this project.
- 4.** Explain any proposed renovation or replacement of older facilities or equipment as part of this project.
- 5.** Describe any natural, cultural, or historical features associated with the project area that will serve to enhance or preserve the area.
- 6.** Explain how this project might serve to protect the environment or solve a site problem. Include how it might reduce the potential for vandalism or provide for ease of maintenance.
- 7.** How will the project will meet or exceed the Americans with Disabilities Act (ADA)? Describe any existing accessibility features as well as the accessibility developments included with this project.
- 8.** Explain any overhead utility lines that currently exist within the project boundary. Describe whether they will be buried or relocated. All overhead lines must be identified on the required site map.
- 9.** List and describe any prior LWCF-funded projects in this project area or at other sponsor-owned locations. Have any of the LWCF project areas been closed, or have any been all or partially converted to non-outdoor recreational use? If so, explain.
- 10.** Provide a project schedule for the commencement, progress, and completion of this project. List an anticipated timeframe for each stage.
- 11.** Describe the degree of commitment to continue operation and maintenance of the project after the project is complete and provide a 5 year maintenance plan including cost.

## SECTION II. FINANCIAL PROFILE

### A. Cost Estimate and Sponsor's Matching Share

Provide documentation that shows the minimum required 50% local match for the project is readily available. Include tables detailing the sources and uses of funding, including line item expenses. An example is provided in the Appendix.

The following is a list of methods by which the local share of a project may be financed. You may use one or a combination of these methods:

Donated Cash: Strictly monetary contributions. Project sponsor will be required to provide documentation (invoices, etc.) how the money was used when requesting reimbursement.

Donated Land: Strictly the donation of real property by a non-public entity. Land must be appraised according to LWCF guidelines. Do NOT take title prior to project approval or the land value will NOT be eligible for reimbursement.

Donated Equipment/Materials: The actual items are donated for permanent ownership.

Donated Labor and/or Equipment Use: **Donated Labor** is an estimated value of *unpaid* labor performed by volunteers on the project based on the wage scale of the job performed. **Donated Equipment Use** is the estimated value of donated equipment to be used on the project, based on FEMA hourly-use rates.

Land Acquisition: The purchase of real property. Land must be appraised according to LWCF guidelines. Do NOT take title prior to project approval or the land value will NOT be eligible for reimbursement.

Cash Financing: The purchase of equipment or materials, hiring paid labor, or contracting for work performance by a private business.

In-kind Labor and/or Equipment Use: **In-kind Labor** is the estimated value of the **wages to be paid to the sponsor's employees** for work on this project.

**In-kind Equipment Use** is the estimated value of **sponsor-owned** equipment to be used on the project, based on FEMA hourly-use rates.



## A. Land Ownership

1. To ensure the sponsor has control and tenure of the site, the sponsor is required to submit a copy of the Title or Deed.
2. For acquisition or combination projects, only a Certificate of Title is necessary at the time of application. After state and federal approval and acquisition by sponsor, an updated Title will be required.

## B. Location Map

Provide an aerial map of the city or county showing the geographic location of the proposed project. Identify park boundaries and outline the proposed project area within the park.

## C. Project 6(f) (3) Boundary Map

The project boundary map is one of the most important components of the project proposal. This map should clearly delineate the property boundaries. The boundary map will identify the area to be permanently dedicated to public outdoor recreation under provisions of Section 6(f) (3) of the Land and Water Conservation Fund Act.

The boundary map must have the legal boundaries highlighted in red. Include the street names and make sure they are legible. Also include *LWCF Recreational Area* as the header, Project Title, Acreage, Latitude and Longitude, North Arrow, and the date and signature of the Project Sponsor.

## D. Site Map/Plan

The site map/plan should show existing facilities, including overhead utility lines and lighting. The map should also show the proposed facilities to be included in this project. Existing and proposed facilities need to be clearly designated as such.

## E. Floor Plan

Floor plans for all proposed support buildings (restrooms, shelters, etc.) must be submitted and clearly indicate Americans with Disabilities Act compliance.

**NOTE: Separate maps may be submitted to satisfy the project boundary map and site map requirements, or one map containing all the required information may be submitted for both.**

## SECTION IV. ENVIRONMENTAL ASSESSMENT





## PROPOSAL DESCRIPTION AND ENVIRONMENTAL SCREENING FORM Land and Water Conservation Fund



The purpose of this Proposal Description and Environmental Screening Form (PD/ESF) is to provide descriptive and environmental information about a variety of Land and Water Conservation Fund (LWCF) state assistance proposals submitted for National Park Service (NPS) review and decision. The completed PD/ESF becomes part of the “federal administrative record” in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations. The PD portion of the form captures administrative and descriptive details enabling the NPS to understand the proposal. The ESF portion is designed for States and/or project sponsors to use while the LWCF proposal is under development. Upon completion, the ESF will indicate the resources that could be impacted by the proposal enabling States and/or project sponsors to more accurately follow an appropriate pathway for NEPA analysis: 1) a recommendation for a Categorical Exclusion (CE), 2) production of an Environmental Assessment (EA), or 3) production of an Environmental Impact Statement (EIS). The ESF should also be used to document any previously conducted yet still viable environmental analysis if used for this federal proposal. The completed PD/ESF must be submitted as part of the State’s LWCF proposal to NPS.

**Except for the proposals listed below**, the PD/ESF **must** be completed, including the appropriate NEPA document, signed by the State, and submitted with each new federal application for LWCF assistance and amendments for: scope changes that alter or add facilities and/or acres; conversions; public facility exceptions; sheltering outdoor facilities; and changing the original intended use of an area from that which was approved in an earlier LWCF agreement. Consult the LWCF Program Manual ([www.nps.gov/lwcf](http://www.nps.gov/lwcf)) for detailed guidance for your type of proposal and on how to comply with NEPA.

**For the following types of proposals only this Cover Page is required** because these types of proposals are administrative in nature and are categorically excluded from further NEPA environmental analysis. NPS will complete the NEPA CE Form. Simply check the applicable box below, and complete and submit only this **Cover Page** to NPS along with the other items required for your type of proposal as instructed in the LWCF Program Manual.

- SCORP planning proposal
- Time extension with no change in project scope or with a reduction in project scope
- To delete work and no other work is added back into the project scope
- To change project cost with no change in project scope or with a reduction in project scope
- To make an administrative change that does not change project scope

<b>Name of LWCF Proposal:</b>		<b>Date Submitted to NPS:</b>	
<b>LWCF Project Number:</b>	<b>Prior LWCF Project Number(s) and Park Name(s) Associated with the Assisted Site(s):</b>		
<b>Local or State Project Sponsoring Agency</b> <i>(recipient, or sub-recipient in case of pass-through grants)</i>			
<b>Name of Local or State Sponsor Contact:</b>		<b>Title</b>	
<b>Address</b>		<b>City</b>	<b>State</b>
<b>Phone</b>	<b>Fax</b>	<b>Email Address</b>	

Using a separate sheet for narrative descriptions and explanations, address each item and question in the order it is presented, and identify each response with its item number such as Step 1-A1, A2; Step 3-B1; Step 6-A1, A29; etc.

<b>Step 1. Type of LWCF Proposal</b>		
<input type="checkbox"/> <b>New Project Application</b> <input type="checkbox"/> <b>Acquisition</b> Go to Step A	<input type="checkbox"/> <b>Development</b> Go to Step 2B	<input type="checkbox"/> <b>Combination (Acquisition and Development)</b> Go to Step 2C
<input type="checkbox"/> <b>New Project Application</b> <input type="checkbox"/> <b>Increase in scope or change in scope from original agreement.</b> Complete Steps 3A, and 5 through 7.		
<input type="checkbox"/> <b>6(f) conversion proposal.</b> Complete Steps 3B, and 5 through 7.		
<input type="checkbox"/> <b>Request for public facility in a Section 6(f) area.</b> Complete Steps 3C, and 5 through 7.		
<input type="checkbox"/> <b>Request for temporary non-conforming use in a Section 6(f) area.</b> Complete Steps 4A, and 5 through 7.		
<input type="checkbox"/> <b>Request for significant change in use/intent of original LWCF application.</b> Complete Steps 4B, and 5 through 7.		
<input type="checkbox"/> <b>Request to shelter existing/new facility within a Section 6(f) area regardless of funding source.</b> Complete Steps 4C, and 5 through 7.		
<b>Step 2. New Project Application</b> (See LWCF Manual for guidance)		
<b>A. For an Acquisition Project</b> 1. Provide a brief narrative about the proposal that provides the reasons for the acquisition, the number of acres to be acquired with LWCF assistance, and a description of the property. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.). 2. How and when will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)? 3. Describe development plans for the proposal for the site(s) for public outdoor recreation use within the next three (3) years. 4. SLO must complete the State Appraisal/Waiver Valuation Review form in Step 7 certifying that the appraisal(s) has been reviewed and meets the "Uniform Appraisal Standards for Federal Land Acquisitions" or a waiver valuation was approved per 49 CFR 24.102(c)(2)(ii). State should retain copies of the appraisals and make them available if needed. 5. Address each item in "D" below.		
<b>B. For a Development Project</b> 1. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including a site sketch depicting improvements, where and how the public will access the site, parking, etc. Indicate entrances on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities. 2. When will the project be completed and open for public outdoor recreation use? 3. Address each item in "D" below.		
<b>C. For a Combination Project</b> 1. For the acquisition part of the proposal: a. Provide a brief narrative about the proposal that provides the reasons for the acquisition, number of acres to be acquired with LWCF assistance, and describes the property. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.) b. How and when will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)? c. Describe development plans for the proposed for the site(s) for public outdoor recreation use within the next three (3) years. SLO must complete the State Appraisal/Waiver Valuation Review form in Step 7 certifying that the appraisal(s) has been reviewed and meets the "Uniform Appraisal Standards for Federal Land Acquisitions" or a waiver valuation was approved per 49 CFR 24.102(c)(2)(ii). State should retain copies of the appraisals and make them available if needed. d. reviewed and meets the "Uniform Appraisal Standards for Federal Land Acquisitions" or a waiver valuation was approved per 49 CFR 24.102(c)(2)(ii). State should retain copies of the appraisals and make them available if needed. 2. For the development part of the proposal:		

- a. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including a site sketch depicting improvements, where and how the public will access the site, parking, etc. Indicate entrances on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities.
- b. When will the project be completed and open for public outdoor recreation use?

3. Address each item in "D" below.

**D. For a Combination Project**

- 1. Will this proposal create a new public park/recreation area where none previously existed and is not an addition to an existing public park/recreation area? Yes  (go to #3) No  (go to #2)
- 2.
  - a. What is the name of the pre-existing public area that this new site will be added to?
  - b. Is the pre-existing public park/recreation area already protected under Section 6(f)? Yes  No   
If no, will it now be included in the 6(f) boundary? Yes  No
- 3. What will be the name of this new public park/recreation area?
- 4.
  - a. Who will hold title to the property assisted by LWCF? Who will manage and operate the site(s)?
  - b. What is the sponsor's type of ownership and control of the property?  
 Fee simple ownership  
 Less than fee simple. Explain:  
 Lease. Describe lease terms including renewable clauses, # of years remaining on lease, etc.  
 Who will lease area? Submit copy of lease with this PD/ESF. (See LWCF Manual for **program restrictions** for leases and further guidance)
- 5. Describe the nature of any rights-of-way, easements, reversionary interests, etc. to the Section 6(f) park area? Indicate the location on 6(f) map. Do parties understand that a Section 6(f) conversion may occur if private or non-recreation activities occur on any pre-existing right-of-way, easement, leased area?
- 6. Are overhead utility lines present, and if so, explain how they will be treated per LWCF Manual.
- 7. As a result of this project, describe **new** types of outdoor recreation opportunities and capacities, and short and long term public benefits.
- 8. Explain any existing non-recreation and non-public uses that will continue on the site(s) and/or proposed for the future within the 6(f) boundary.
- 9. Describe the planning process that led to the development of this proposal. Your narrative should address:
  - a. How was the interested and affected public notified and provided opportunity to be involved in planning for and developing your LWCF proposal? Who was involved and how were they able to review the **completed** proposal, including any state, local, federal agency professionals, subject matter experts, members of the public and Indian Tribes. Describe any public meetings held and/or formal public comment periods, including dates and length of time provided for the public to participate in the planning process and/or to provide comments on the completed proposal.
  - b. What information was made available to the public for review and comment? Did the sponsor provide written responses addressing the comments? If so, include responses with this PD/ESF submission.
- 10. How does this proposal implement statewide outdoor recreation goals as presented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) (include references), and explain why this proposal was selected using the State's Open Project Selection Process (OPSP).
- 11. List all source(s) and amounts of financial match to the LWCF federal share of the project. The value of the match can consist of cash, donation, and in-kind contributions. The federal LWCF share and financial matches must result in a viable outdoor recreation area and not rely on other funding not mentioned here. Other federal resources may be used as a match if specifically authorized by law.

Source	Type of Match	Amount

- 12. Is this LWCF project scope part of a larger effort not reflected on the SF-424 (Application for Federal Assistance) and grant agreement? If so, briefly describe the larger effort, funding amount(s) and source(s). This will capture information about partnerships and how LWCF plays a role in leveraging funding for projects beyond the scope of this federal grant.
- 13. List all required federal, state, and local permits/approvals needed for the proposal and explain their purpose and status.

**Proceed to Steps 5 through 7**

**Step 3. Project Amendment** (See LWCF Manual for guidance)

**A. Increase/Change in Project Scope**

1. **For Acquisition Projects:** To acquire additional property that was not described in the original project proposal and NEPA documentation, follow Step 2A-Acquisition Project and 2D.
2. **For Development Projects:** To change the project scope for a development project that alters work from the original project scope by adding elements or enlarging facilities, follow Step 2B-Development Project and 2D.
3. **For Combination Projects:** Follow Step 2C as appropriate.

**B. Section 6(f)(3) Conversion Proposal**

Prior to developing your Section 6(f)(3) conversion proposal, you must consult the LWCF Manual and 36 CFR 59.3 for complete guidance on conversions. Local sponsors must consult early with the State LWCF manager when a conversion is under consideration or has been discovered. States must consult with their NPS-LWCF manager as early as possible in the conversion process for guidance and to sort out and discuss details of the conversion proposal to avoid mid-course corrections and unnecessary delays. **A critical first step is for the State and NPS to agree on the size of the Section 6(f) park land impacted by any non-recreation, non-public use, especially prior to any appraisal activity.** Any previous LWCF project agreements and actions must be identified and understood to determine the actual Section 6(f) boundary.

The Section 6(f)(3) conversion proposal including the required NEPA environmental review documents (CE recommendation or an EA document) must focus on the loss of public outdoor recreation park land and recreational usefulness, and its replacement per 36 CFR 59, and not the activities precipitating the conversion or benefits thereof, such as the impacts of constructing a new school to relieve overcrowding or constructing a hotel/restaurant facility to stimulate the local economy. Rather, the environmental review must: 1) focus on "resource impacts" as indicated on the ESF (Step 6), including the loss of public park land and recreation opportunities (ESF A-15), and 2) the impacts of creating new replacement park land and replacement recreation opportunities. A separate ESF must be generated for the converted park area and each replacement site. Section 6(f)(3) conversions always have more than minor impacts to outdoor recreation (ESF A-15) as a result of loss of parkland requiring an EA, except for "small" conversions as defined in the LWCF Manual Chapter 8.

For NPS review and decision, the following elements are required to be included in the State's completed conversion proposal to be submitted to NPS:

1. A letter of transmittal from the SLO recommending the proposal.
2. A detailed explanation of the sponsor's need to convert the Section 6(f) parkland including all efforts to consider other practical alternatives to this conversion, how they were evaluated, and the reasons they were not pursued.
3. An explanation of how the conversion is in accord with the State Comprehensive Outdoor Recreation Plan (SCORP).
4. Completed "State Appraisal/Waiver Valuation Review form in Step 7 for each of the converted and replacement parcels certifying that the appraisals meet the "Uniform Appraisal Standards for Federal Land Acquisitions." States must retain copies of the appraisals/waiver valuations and make them available for review upon request.
5. For the park land proposed for conversion, a detailed description including the following:
  - a. Specific geographic location on a map, 9-digit zip code, and name of park or recreation area proposed for conversion.
  - b. Description of the area proposed for the conversion including the acreage to be converted and any acreage remaining. For determining the size of the conversion, consider not only the physical footprint of the activity precipitating the conversion, but how the precipitating activity will impact the entire 6(f) park area. **In many cases the size of the converted area is larger than the physical footprint.** Include a description of the recreation resources, facilities, and recreation opportunities that will be impacted, displaced or lost by the proposed conversion. For proposals to partially convert a Section 6(f) park area, the remaining 6(f) park land must remain recreationally viable and not be impacted by the activities that are precipitating the conversion. If it is anticipated that the precipitating activities impact the remaining Section 6(f) area, the proposed area for the conversion should be expanded to encompass all impacted park land.
  - c. Description of the community and population served by the park, including users of the park and uses.
  - d. For partial conversions, a revised 6(f) map clearly indicating both the portion that is being converted and the portion remaining intact under Section 6(f).
6. For each proposed replacement site:
  - a. Specific geographic location on a map, 9-digit zip code, and geographical relationship of converted and replacement sites. If site will be added to an existing public park/outdoor recreation area, indicate on map.
  - b. Description of the site's physical characteristics and resource attributes with number and types of resources and features on the site, for example, 15 acres wetland, 2,000 feet beachfront, 50 acres forest, scenic views, 75 acres riparian, vacant lot, special habitat, any unique or special features, structures, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, overhead/underground utilities including overhead wires, towers, etc.
  - c. Identification of the owner of the replacement site and its recent history of use/function up to the present.

- d. Detailed explanation of how the proposed replacement site is of reasonably equivalent usefulness and location as the property being converted, including a description of the recreation needs that will be met by the new replacement parks, populations to be served, and new outdoor recreation resources, facilities, and opportunities to be provided.
  - e. Identification of owner and manager of the new replacement park?
  - f. Name of the new replacement park. If the replacement park is added to an existing public park area, will the existing area be included within the 6(f) boundary? What is the name of the existing public park area?
  - g. Timeframe for completing the new outdoor recreation area(s) to replace the recreation opportunity lost per the terms of conversion approval and the date replacement park(s) will be open to the public.
  - h. New Section 6(f) map for the new replacement park.
7. NEPA environmental review, including NHPA Section 106 review, for both the converted and replacement sites in the same document to analyze how the converted park land and recreational usefulness will be replaced. Except for "small" conversions (see LWCF Manual Chapter 8), conversions usually require an EA.

**Proceed to Steps 5 through 7** 

**C. Proposal for a Public Facility in a Section 6(f) Area**

Prior to developing this proposal, you must consult the LWCF Manual for complete guidance. In summary, NPS must review and decide on requests to construct a public indoor and/or non-recreation facility within a Section 6(f) area. In certain cases NPS may approve the construction of public facilities within a Section 6(f) area where it can be shown that there will be a net gain in **outdoor recreation** benefits and enhancements for the entire park. In most cases, development of a non-recreation public facility within a Section 6(f) area constitutes a conversion. For NPS review, the State/sponsor must submit a proposal to NPS under a letter of transmittal from the SLO that:

- 1. Describes the purpose and all proposed uses of the public facility such as types of programming, recreation activities, and special events including intended users of the new facility and any agency, organization, or other party to occupy the facility. Describe the interior and exterior of the facility, such as office space, meeting rooms, food/beverage area, residential/lodging area, classrooms, gyms, etc. Explain how the facility will be compatible with the outdoor recreation area. Explain how the facility and associated uses will significantly support and enhance existing and planned outdoor recreation resources and uses of the site, and how outdoor recreation use will remain the primary function of the site. (The public's outdoor recreation use must continue to be greater than that expected for any indoor use, unless the site is a single facility, such as a swimming pool, which virtually occupies the entire site.)
- 2. Indicates the exact location of the proposed public facility and associated activities on the site's Section 6(f) map. Explain the design and location alternatives considered for the public facility and why they were not pursued.
- 3. Explains who will own and/or operate and maintain the facility? Attach any 3<sup>rd</sup> party leases and operation and management agreements. When will the facility be open to the public? Will the facility ever be used for private functions and closed to the public? Explain any user or other fees that will be instituted, including the fee structure.
- 4. Includes required documents as a result of a completed NEPA process (Steps 5 – 7).

**Proceed to Steps 5 through 7** 

**Step 4. Proposals for Temporary Non-Conforming Use, Significant Change in Use, and Sheltering Facilities**  
(See LWCF Manual for guidance)

**A. Proposal for Temporary Non-Conforming Use**

Prior to developing this proposal, you must consult the LWCF Manual for complete guidance. NPS must review and decided on requests for temporary uses that do not meet the requirements of allowable activities within a Section 6(f) area. A temporary non-conforming use is limited to a period of six months (180 days) or less. Continued use beyond six-months will not be considered temporary, and may result in a Section 6(f)(3) conversion of use requiring the replacement of converted parkland. For NPS review, describe the temporary non-conforming use (activities other than public outdoor recreation) in detail including the following information:

- 1. A letter of transmittal from the SLO recommending the proposal.
- 2. Describe in detail the proposed temporary non-conforming use and all associated activities, why it is needed, and alternative locations that were considered and why they were not pursued.
- 3. Explain length of time needed for the temporary non-conforming use and why.
- 4. Describe the size of the Section 6(f) area affected by the temporary non-conforming use activities and expected impacts to public outdoor recreation areas, facilities and opportunities. Explain efforts to keep the size of the area impacted to a minimum. Indicate the location of the non-conforming use on the site's 6(f) map.
- 5. Describe any anticipated temporary/permanent impacts to the Section 6(f) area and how the sponsor will mitigate them during and after the non-conforming use ceases.
- 6. Consult the LWCF Manual for additional requirements and guidelines before developing the proposal.

**Proceed to Steps 5 through 7** 

**B. Proposal for Significant Change in Use**

Prior to developing the proposal, you must consult the LWCF Manual for complete guidance. NPS approval must be obtained prior to any change from one eligible use to another when the proposed use would significantly contravene the original plans or intent for the area outlined in the original LWCF application for federal assistance. Consult with NPS for early determination on the need for a formal review. NPS approval is only required for proposals that will significantly change the use of a LWCF-assisted site (e.g., from passive to active recreation). The proposal must include and address the following items:

1. A letter of transmittal from the SLO recommending the proposal.
2. Description of the proposed changes and how they significantly contravene the original plans or intent of LWCF agreements.
3. Explanation of the need for change in use and how the change is consistent with local plans and the SCORP.
4. Consult the LWCF Manual for additional requirements and guidelines before developing the proposal.

**Proceed to Steps 5 through 7** 

**C. Proposal for Sheltering Facilities**

Prior to developing this proposal, you must consult the LWCF Manual for complete guidance. NPS must review and decide on all proposals to shelter an existing outdoor recreation facility or construct a new sheltered recreation facility within a Section 6(f) area regardless of funding source. The proposal must demonstrate that there is an increased benefit to public recreation opportunity. Describe the sheltering proposal in detail, including the following:

1. A letter of transmittal from the SLO recommending the proposal.
2. Describe the proposed sheltered facility, how it would operate, how the sheltered facility will include recreation uses that could typically occur outdoors, and how the primary purpose of the sheltered facility is recreation.
3. Explain how the sheltered facility would not substantially diminish the outdoor recreation values of the site including how the sheltered facility will be compatible and significantly supportive of the outdoor recreation resources present and/or planned.
4. Explain how the sheltered facility will benefit the total park's outdoor recreation use.
5. Describe efforts provided to the public to review the proposal to shelter the facility and has local support.
6. Document that the sheltered facility will be under the control and tenure of the public agency which sponsors and administers the original park area.
7. Consult the LWCF Manual for additional requirements and guidelines before developing the proposal.

**Proceed to Steps 5 through 7** 

**Step 5. Summary of Previous Environmental Review** (including E.O. 12372 - Intergovernmental Review)

To avoid duplication of effort and unnecessary delays, describe any prior environmental review undertaken at any time and still viable for this proposal or related efforts that could be useful for understanding potential environmental impacts. Consider previous local, state, federal (e.g. HUD, EPA, USFWS, FHWA, DOT) and any other environmental reviews. At a minimum, address the following:

1. Date of environmental review(s), purpose for the environmental review(s) and for whom they were conducted.
2. Description of the proposed action and alternatives.
3. Who was involved in identifying resource impact issues and developing the proposal including the interested and affected public, government agencies, and Indian tribes?
4. Environmental resources analyzed and determination of impacts for proposed actions and alternatives.
5. Any mitigation measures to be part of the proposed action.
6. Intergovernmental Review Process (Executive Order 12372):  
Does the State have an Intergovernmental Review Process? Yes  No . If "Yes", has the LWCF Program been selected for review under the State Intergovernmental Review Process? Yes  No . If "Yes", was this proposal reviewed by the appropriate State, metropolitan, regional and local agencies, and if so, attach any information and comments received about this proposal. If proposal was not reviewed, explain why not.
7. Public comment periods (how long, when in the process, who was invited to comment) and agency response.
8. Any formal decision and supporting reasons regarding degree of potential impacts to the human environment.
9. Was this proposed LWCF federal action and/or any other federal actions analyzed/reviewed in any of the previous environmental reviews? If so, what was analyzed and what impacts were identified? Provide specific environmental review document references.

Use resource impact information generated during previous environmental reviews described above and from recently conducted site inspections to complete the Environmental Screening Form (ESF) portion of this PD/ESF under Step 6. Your ESF responses should indicate your proposal's potential for impacting each resource as determined in the previous environmental review(s), and include a reference to where the analysis can be found in an earlier environmental review document. If the previous environmental review documents contain proposed actions to mitigate impacts, briefly summarize the mitigation for each resource as appropriate. The appropriate references for previous environmental review document(s) must be documented on the ESF, and the actual document(s)

along with this PD/ESF must be included in the submission for NPS review.

**Proceed to Steps 6 through 7** 

**Step 6. Environmental Screening Form (ESF)**

This portion of the PD/ESF is a working tool used to identify the level of environmental documentation which must accompany the proposal submission to the NPS. By completing the ESF, the project sponsor is providing support for its recommendation in Step 7 that the proposal either:

1. meets criteria to be categorically excluded (CE) from further NEPA review and no additional environmental documentation is necessary; or
2. requires further analysis through an environmental assessment (EA) or an environmental impact statement (EIS).

An ESF alone does not constitute adequate environmental documentation unless a CE is recommended. If an EA is required, the EA process and resulting documents must be included in the proposal submission to the NPS. If an EIS may be required, the State must request NPS guidance on how to proceed.

The scope of the required environmental analysis will vary according to the type of LWCF proposal. For example, the scope for a new LWCF project will differ from the scope for a conversion. Consult the LWCF Manual for guidance on defining the scope or extent of environmental analysis needed for your LWCF proposal. As early as possible in your planning process, consider how your proposal/project may have direct, indirect and cumulative impacts on the human environment for your type of LWCF action so planners have an opportunity to design alternatives to lessen impacts on resources, if appropriate. When used as a planning tool in this way, the ESF responses may change as the proposal is revised until it is ready for submission for federal review. Initiating or completing environmental analysis after a decision has been made is contrary to both the spirit and letter of the law of the NEPA.

The ESF should be completed with input from resource experts and in consultation with relevant local, state, tribal and federal governments, as applicable. The interested and affected public should be notified of the proposal and be invited to participate in scoping out the proposal (see LWCF Manual Chapter 4). At a minimum, a site inspection of the affected area must be conducted by individuals who are familiar with the type of affected resources, possess the ability to identify potential resource impacts, and to know when to seek additional data when needed.

At the time of proposal submission to NPS for federal review, the completed ESF must justify the NEPA pathway that was followed: CE recommendation, production of an EA, or production of an EIS. The resource topics and issues identified on the ESF for this proposal must be presented and analyzed in an attached EA/EIS. Consult the LWCF Manual for further guidance on LWCF and NEPA. The ESF contains two parts that must be completed:

**Part A. Environmental Resources**

**Part B. Mandatory Criteria**

**Part A:** For each environmental resource topic, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential negative impact for each listed resource that may occur directly, indirectly and cumulatively as a result of federal approval of your proposal. For each impacted resource provide a brief explanation of how the resource might be affected, how the impact level was determined, and why the chosen impact level is appropriate. If an environmental review has already been conducted on your proposal and is still viable, include the citation including any planned mitigation for each applicable resource, and choose an impact level as mitigated. If the resource does not apply to your proposal, mark NA in the first column. Add any relevant resources (see A.24 on the ESF) if not included in the list.

Use a separate sheet to briefly clarify how each resource could be adversely impacted; any direct, indirect, and cumulative impacts that may occur; and any additional data that still needs to be determined. Also explain any planned mitigation already addressed in previous environmental reviews.

**Part B:** This is a list of mandatory impact criteria that preclude the use of categorical exclusions. If you answer “yes” or “maybe” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in Part A. Explain all “yes” and “maybe” answers on a separate sheet.

<b>A. ENVIRONMENTAL RESOURCES</b> Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	<b>Not Applicable -</b> Resource does not exist	<b>No/Negligible Impacts -</b> Exists but no or negligible impacts	<b>Minor Impacts</b>	<b>Impacts Exceed Minor</b> EA/EIS required	<b>More Data Needed to Determine Degree of Impact</b> EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.					
2. Air quality					
3. Sound (noise impacts)					
4. Water quality/quantity					
5. Stream flow characteristics					
6. Marine/estuarine					
7. Floodplains/wetlands					
8. Land use/ownership patterns; property values; community livability					
9. Circulation, transportation					
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing					
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.					
12. Unique or important wildlife/ wildlife habitat					
13. Unique or important fish/habitat					
14. Introduce or promote invasive species (plant or animal)					
15. Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc. <i>Most conversions exceed minor impacts. See Step 3.B</i>					
16. Accessibility for populations with disabilities					
17. Overall aesthetics, special characteristics/ features					
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.					
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure					
20. Minority and low-income populations					
21. Energy resources (geothermal, fossil fuels, etc.)					
22. Other agency or tribal land use plans or policies					
23. Land/structures with history of contamination/hazardous materials even if remediated					
24. Other important environmental resources to address.					

<b>B. Mandatory Criterial</b> <i>If your LWCF proposal is approved, would it...</i>	<b>Yes</b>	<b>No</b>	<b>To Be Determined</b>
1. Have significant impacts on public health or safety?			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O. 11988); and other ecologically significant or critical areas.			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?			
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?			
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?			
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office. (Attach SHPO/THPO Comments)			
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.			
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of			

**Environmental Reviewers**

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.

- 1.
- 2.
- 3.

**The following individuals conducted a site inspection to verify field conditions.**

*List name of inspector(s), title, agency, and date(s) of inspection.*

- 1.
- 2.
- 3.

**State may require signature of**

**LWCF sub-recipient applicant here:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Step 7. Recommended NEPA Pathway and State Appraisal/Waiver Valuation**

First, consult the NPS list of Categorical Exclusions (CEs). If you find your action in the CE list and you have determined in Step 6A that impacts will be minor or less for each applicable environmental resource on the ESF and you answered "no" to all of the "Mandatory Criteria" questions in Step 6B, the proposal qualifies for a CE. Complete the following "State LWCF Environmental Recommendations" box indicating the CE recommendation.

If you find your action in the CE list and you have determined in Step 6A that impacts will be greater than minor or that more data is needed for any of the resources and you answered "no" to all of the "Mandatory Criteria" questions, your environmental review team may choose to do additional analysis to determine the context, duration, and intensity of the impacts of your project or may wish to revise the proposal to minimize impacts to meet the CE criteria. If impacts remain at the greater than minor level, the State/sponsor must prepare an EA for the proposal. Complete the following "State Environmental Recommendations" box indicating the need for an EA.



## NOTICES

### Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), please note the following. This information collection is authorized by the Land and Water Conservation Fund Act of 1965 (54 U.S.C. 2003 et seq.). Your response is required to obtain or retain a benefit. We use this information to obtain descriptive and environmental information about the proposal. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget control number. OMB has assigned control number 1024-0031 to this collection.

### Estimated Burden Statement

Completion times vary widely depending on the use of the form, from approximately 30 minutes to complete the cover page only to 500 hours for a difficult conversion of use. We estimate that the average completion time for this form is 8 hours for an application, 2 hours for an amendment, and 112 hours for a conversion of use, including the time necessary to review instructions gather data and review the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information Collection Officer, National Park Service, 12201 Sunrise Valley Drive, MS-242 Rm. 2C114, Reston, VA 20192. Please do not send your completed form to this address; but rather to the address at the top of the form.

## SECTION V. SUPPLEMENTAL ATTACHMENTS

1. Complete and sign each of the forms on the following pages and submit in your bound application:

- Minority Business Enterprise
- Participating Agencies
- Civil Rights Assurance
- National Historic Register
- Assurance Construction Programs
- Debarment and Suspension (2)
- Accessibility Compliance
- Consultant Form (if applicable)
- Reimbursement Assurance
- Buy America Instructions

2. In addition to the provided forms, please include:

- Five-year Maintenance Plan
- Flood Plain/Insurance Statement as designated by FEMA



# MINORITY BUSINESS ENTERPRISE DEVELOPMENT

**THE PROJECT SPONSOR SHALL COMPLY WITH EXECUTIVE ORDER #12432,  
MINORITY BUSINESS ENTERPRISE DEVELOPMENT AS FOLLOWS:**

It is national policy to place a fair share of purchases with minority business firms. The Department of the interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. In particular, recipients should:

1. Place minority business firms on bidders' mailing lists.
2. Solicit these firms whenever they are potential sources of supplies, equipment, construction or services.
3. Where feasible, divide total requirements into smaller needs, and set delivery schedules that will encourage participation by these firms.
4. Use the assistance of the Minority Business Development Agency of the Department of Commerce, the Small Business Administration, the Office of Small and Disadvantaged Business Utilization, DOI, the Business Utilization and Development Specialists who reside in each DOI bureau and office, and similar state and local offices, where they exist.

For projects involving \$500,000 or more in grant assistance (except for projects involving acquisition only), the Project Sponsor shall submit, prior to the commencement of construction and every fiscal year quarter thereafter (until project completion), reports documenting the efforts to hire minority business firms. These reports (DI-1925) will be submitted to the National Park Service Regional Office.

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**AUTHORIZED SIGNATURE**

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**DATE**

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**PROJECT SPONSOR**

## **PARTICIPATING AGENCIES AGREEMENT**

There **currently** are no agreements with other agencies, individuals, or organizations for participating in this project, including its future operation and maintenance.

There are no **contemplated** agreements with other agencies, individuals, or organizations for participating in this project, including its future operation and maintenance.

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**AUTHORIZED SIGNATURE**

---

**DATE**

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**PROJECT SPONSOR**

# CIVIL RIGHTS ASSURANCE

U. S. DEPARTMENT OF THE INTERIOR

## CIVIL RIGHTS ASSURANCE

As the authorized representative of the applicant, I certify that the applicant agrees that as a condition to receiving any Federal financial assistance from the Department of the Interior it will comply with all Federal laws relating to nondiscrimination. These laws include, but are not limited to: (a) Title VI of Civil Rights Act of 1964 (42 U.S.C. 2000d-1), which prohibits discrimination on the basis of race, color, or national origin; (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap; (c) the Age Discrimination Act of 1975, as amended (42 U. S. C. 6101 *et. seq.*), which prohibits discrimination on the basis of age; and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, handicap or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the applicant. **THE APPLICANT HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.**

THE ASSURANCE shall apply to all aspects of the applicant's operation including those parts that have not received or benefited from Federal financial assistance.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Department, including installment payments after such date on account of applicants for Federal financial assistance which were approved before such date.

The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, and sub-recipients and the person whose signature appears below who is authorized to sign this assurance on behalf of the Applicant.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT/ORGANIZATION	DATE SUBMITTED
APPLICANT/ORGANIZATION MAILING ADDRESS	BUREAU OR OFFICE EXTENDING ASSISTANCE

## **ASSURANCE REGARDING THE NATIONAL REGISTER OF HISTORIC PLACES**

The \_\_\_\_\_ shall assist the State in any

(Name of Project Sponsor)

Necessary investigations to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are within the area of impact of the proposed action.

The \_\_\_\_\_ will comply with all requirements

(Name of Project Sponsor)

established by the federal grantor agency to avoid or mitigate adverse effects upon such properties.

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**PROJECT SPONSOR**

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  	TITLE  
APPLICANT ORGANIZATION  	DATE SUBMITTED  

SF-424D (Rev. 7-97) Back

U.S. Department of the Interior

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

Persons signing 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 titled, "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 or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

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)

Signature on this form 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 Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

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

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*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:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) 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;
  - (c) 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
  - (d) 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.

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**PART : Certification Regarding Drug-Free Workplace Requirements**

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*CHECK\_\_IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.*

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (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;
- (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;
- (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);
- (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;
- (e) Notifying the agency in writing, within ten 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 number(s) of each affected grant;
- (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;
- (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).

B. 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)

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Check\_\_if there are workplaces on files that are not identified here.

---

**PART D: Certification Regarding Drug-Free Workplace Requirements**

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*CHECK\_\_IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.*

Alternate II. (Grantees Who Are Individuals)

- (a) 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;
- (b) 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 Agreements**

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*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 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 officer or employee of 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 Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into 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-LLL, "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 OF AUTHORIZED CERTIFYING OFFICIAL

---

TYPED NAME AND TITLE

---

DATE

DI-2010  
June 1995  
(This form replaces DI-1953, DI-1954,  
DI-1955, DI-1956 and DI-1963)

## ASSURANCE OF COMPLIANCE WITH ACCESSIBILITY GUIDELINES

I, the undersigned, hereby affirm that I have read, researched and understand the design guidelines for persons with disabilities, and will incorporate disability design requirements into the construction of all facilities under this grant, if awarded.

(Accessibility guidelines are available from the ACCESS Board – address and phone number are shown at the bottom of this form.)

---

**AUTHORIZED SIGNATURE**

---

**DATE**

---

**PROJECT SPONSOR**

ACCESS Board  
1331 'F' St. N.W., Ste 100  
Washington D.C. 20004-1111  
(800) 872-2253

The Standards may also be copied from the files posted on the ACCESS Board website at [www.Access-Board.gov](http://www.Access-Board.gov).

## OUTSIDE CONSULTANT CONFIRMATION

I, \_\_\_\_\_, the authorized representative and undersigned, confirm that although an outside consultant was used to complete the application, I have full knowledge of its contents and am aware of all the Land and Water Conservation Fund guidelines and will follow the requirements completely.

---

**AUTHORIZED SIGNATURE**

---

**TITLE**

---

**DATE**

---

**PROJECT SPONSOR**

## **ASSURANCE REGARDING THE Reimbursement Guidelines and Instructions**

The \_\_\_\_\_ shall assist the State of Oklahoma by

(Name of Project Sponsor)

reading and following the Reimbursement Instructions and viewing the Reimbursement Power Point Presentation provided by the Oklahoma Tourism & Recreation Department to the grant sub-recipient upon receiving a Federal Award.

The \_\_\_\_\_ will comply with all reimbursement

(Name of Project Sponsor)

requirements.

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**PROJECT SPONSOR**

# Federal Grant Programs Buy America Certification Guidance

FHWA's Buy America regulations, embodied in 23 CFR 635.410, "require a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid construction project. The regulation also provides a waiver of the Buy America requirements when the application would be inconsistent with the public interest of when satisfactory quality domestic steel and iron products are not sufficiently available.

To determine the necessary certification under Buy America, please follow the steps below:

- 1.** Does the product contain any steel or iron manufactured outside the United States? To be considered domestic, all steel and iron used and all products manufactured from steel and/or iron must be produced in the United States, and all manufacturing processes, including application of a coating, for these materials must occur in the United States. If the product does not contain any foreign steel or iron then you may fill out a Buy America Certification form and submit it to OTRD before bidding your project or before making your equipment purchase. **If there is ANY foreign steel or iron in your product then you must move to step 2.**
- 2.** The Buy America regulation does "not prevent a minimal use of foreign steel and iron materials, if the cost of such materials used does not exceed one-tenth of one percent (0.1percent) of the total contract cost or \$2,500, whichever is greater. For purposes of this paragraph, the cost is that shown to be the value of the steel and iron products as they are delivered to the project" if the minimal use clause applies to your project then please fill out the Buy America Certification form and submit it to OTRD stating that the Buy America process does not apply to your project. **If the minimal use clause does not apply to your project then you must move to step 3.**
- 3.** FHWA policy provides for a Buy America waiver for certain manufactured products. To be eligible for the Manufactured Products waiver, the product must consist of less than 90% steel or iron content when it is delivered to the job site for installation. If your product meets this manufactured products definition, please provide documentation of how the product is a manufactured product and submit to OTRD for approval. \*Waivers are not guaranteed to be granted.

If your product meets the manufactured products waiver criteria above please provide documentation of how the product is a manufactured product and submit to OTRD for approval. Information included in your documentation should include, at a minimum

- Materials Composition of Product
- Percentage of Steel and Iron in Product by Cost
- Percentage of Steel and Iron in Product by Weight
- Manufacture Location
- National Origin of Steel and Iron Contained in Product

**If your product does not meet the above criteria for the manufactured products waiver then you must move to step 4.**

4. Products that have *foreign* steel and are *not manufactured* products must go through the “Buy America” waiver process. OTRD will initiate the process of obtaining a waiver from FHWA or ODOT. OTRD will request information from the project sponsor to use as part of the submission. The waiver process can take time and the project may not move forward until a waiver is completed.

**\*WAIVERS ARE NOT GUARANTEED TO BE GRANTED!**

*FHWA processes Buy America waiver requests in accordance with applicable statutes, regulations and related implementation guidance. Our waiver review process and the status of recent Buy America waiver requests are posted on our [Notice of Buy America Waiver Request web site](#). We will inform our FHWA Division Offices when waivers have been approved for projects in their state.*

<https://www.fhwa.dot.gov/construction/contracts/waivers.cfm>

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Project Sponsor

# APPENDIX



# APPLICATION CHECKLIST

Please ensure all information and documentation is included in your application prior to submission. In fairness to other applicants who have met all requirements, incomplete applications will NOT be considered for funding. If you have any questions or need additional clarification, please contact our office before submitting your application.

Signed Project Application Summary (Cover Page)

- Appropriate Authorized Representative

Section I. Project Narrative

- Documentation of Public Hearing
- Need for Assistance
- SCORP/Master Plan
- Project Description
- Project Schedule and 5 year Maintenance Plan
- Site Description

Section II. Financial Profile

- Documentation of Sponsor's Funding Sources
- Cost Estimate
- Line Item Expenses

Section III. Property Information/Maps

- Property Deed, Title Insurance, Title Opinion
- Project Location Map
- Project 6(f)(3) Boundary Map
- Project Site Map
- Floor Plan (if applicable)

Section IV. Environmental Assessment

- PDESf

Section V. Supplemental Attachments

- Minority Business Enterprise
- Participating Agencies
- Civil Rights Assurance
- National Historic Register
- Assurance Construction Programs
- Debarment and Suspension (2)
- Accessibility Compliance
- Consultant Form (if applicable)
- Reimbursement Assurance
- Buy America Instructions

# PRIORITY RATING SYSTEM

Criteria	Yes	No	Poor	Fair	Good	Total
<b>I. Planning Considerations</b>						
A. Does the project include recreational features identified in local plans and/or facilities SCORP recommendations?		0	1	3	5	
B. Does the project application narrative provide a clear explanation of how local citizens have had the opportunity to participate in the selections and planning for outdoor recreation acquisitions and development?		0	1	3	5	
C. Does applicant document public support for the project by including letters of support or a citizen signature list in support of the project?		0	1	3	5	
D. Does the project design reduce or eliminate the potential for vandalism and provide ease of maintenance?		0	1	3	5	
E. Does the project protect the environment and/or solve a site problem?		0	1	3	5	
<b>Section Total</b>						
<b>II. Past History</b>						
A. Does the applicant have a history of not completing projects within a reasonable time frame?		0	-5	-3	-1	
B. Does the project sponsor have a history of not adequately maintaining previous LWCF projects?		0	-5	-3	-1	
<b>Section Total</b>						
<b>III. Local Considerations</b>						
A. Will some of the applicant's matching funds come from private donations and/or volunteer labor?		0	1	3	5	
B. Does the sponsor have a minimum of ten percent (10%) of the project cost in cash?	5	0				
C. Does the project create partnerships at the local level?		0	1	3	5	
D. Does the sponsor provide a maintenance plan that is feasible and show a maintenance allocation in the budget?		0	1	3	5	
<b>Section Total</b>						
<b>IV. Recreational Opportunity</b>						
A. Does the project acquire property or include acquiring property that is not currently part of Oklahoma's public recreation estate?	10	0				
B. Are handicapped accessibility features included in the cost estimate, the site map and described in the project justification for both existing and new developments?		0	1	3	5	
C. Does the project provide a recreational opportunity not presently available?		0	1	3	5	
D. Does the project preserve or enhance a natural, cultural and/or historic feature?		0	1	3	5	
E. Does the project develop multiple-use facilities (i.e., sports & play fields, picnicking, playgrounds, etc.)?		0	1	3	5	
F. Does the project involve renovation of older facilities?		0	1	3	5	
G. Does the project either add or already provide lighting for nighttime use as well as daytime?		0	1	3	5	
<b>Section Total</b>						
<b>V. Application Considerations</b>						
A. Are the project scope and proposed developments clearly defined and feasible?		0	1	3	5	
B. Is the project cost estimate a realistic estimate of project expenses?		0	1	3	5	
C. Does the project sponsor adequately demonstrate that they are able to finance and complete the project?		0	1	3	5	
D. Is the project schedule stated and feasible?		0	1	3	5	
E. Does the Site Map clearly identify the project location and the proposed developments?		0	1	3	5	
<b>Section Total</b>						
<b>Grand Total</b>						

## \*EXAMPLE\* COST ESTIMATE

*All figures rounded to nearest whole dollar.*

The format below should be used when preparing the project cost estimate. It should clearly show the dollar amounts of the grant request, total project cost, and the match for cash and in-kind/donated services.

Under "Source of Funds," list the applicant, partner agencies, organizations, and businesses, and their specific contributions.

Under "Use of Funds," list the major budget items or expenditures in categories appropriate to your project. The totals should match the totals of "Source of Funds."

### COST ESTIMATE Sponsor City Recreational Park

Source of Funds	Grant Request	Cash Match	In-kind Match	Donation Match	Totals
LWCF Grant	\$ 83,000				\$ 83,000
Sponsor/Applicant		\$ 25,000	\$ 16,700		\$ 41,700
Grant, i.e. Foundation		\$ 25,000			\$ 25,000
County Partner				\$ 2,300	\$ 2,300
Neighborhood Association				\$ 2,000	\$ 2,000
Local Hardware Company				\$ 12,000	\$ 12,000
<b>TOTALS</b>	<b>\$ 83,000</b>	<b>\$ 50,000</b>	<b>\$ 16,700</b>	<b>\$ 16,300</b>	<b>\$ 166,000</b>

Use of Funds	Grant Request	Cash Match	In-kind Match	Donation Match	Totals
<b>I. Professional Services</b>					
Surveying	\$ 5,300				\$ 5,300
Design and Engineering	\$ 11,200				\$ 11,200
<b>II. Project Materials</b>					
Perimeter Fencing & Installation	\$ 24,000		\$ 8,850		\$ 32,850
Playground Equipment		\$ 35,000			\$ 35,000
Play Surface	\$ 11,700				\$ 11,700
2 Accessible Picnic Tables	\$ 4,800				\$ 4,800
<b>III. Park Construction</b>					
Site Clearing and Preparation		\$ 4,400	\$ 6,050		\$ 10,450
Playground Site Preparation		\$ 600	\$ 700	\$ 1,600	\$ 2,900
Install Playground Equipment			\$ 1,100	\$ 2,400	\$ 3,500
Lighting	\$ 26,000	\$ 7,000		\$ 8,000	\$ 41,000
<b>IV. Other</b>					
Volunteer Support				\$ 4,300	\$ 4,300
LWCF Signage		\$ 250			\$ 250
Other Park Signage		\$ 2,750			\$ 2,750
<b>TOTALS</b>	<b>\$ 83,000</b>	<b>\$ 50,000</b>	<b>\$ 16,700</b>	<b>\$ 16,300</b>	<b>\$ 166,000</b>

# SIGN SPECIFICATIONS AND EXAMPLES

## MINIMUM LOCATION/PLACEMENT

A Land and Water Conservation Fund acknowledgement sign must be posted at all project funded sites to recognize that Land & Water Conservation Funding was used for the project development and /or acquisition. These signs should be posted at the main entrance to the facility.

## DESIGN INSTRUCTIONS

The LWCF acknowledgement sign must include the following design. Costs related to project signs, school-use signs, directional, informational and handicap accessibility signs, are allowable for reimbursement as part of the initial capital investment.

If you prefer, the following vendor can be contacted for ready-made LWCF acknowledgement signs at minimal cost:

Oklahoma Correctional Institute (OCI)

OCI Customer Service – 1-800-522-3565 [www.ocisales.com](http://www.ocisales.com)



## **SIGN SPECIFICATIONS AND EXAMPLES**

### **SCHOOL USE SIGNS**

Project sites within public school owned property must post a sign stating, in general, the hours the facility will be open to the public and when it will be reserved for school use. These signs also should be posted at the main entrance to the facility.

### **EXAMPLES**

**OPEN TO THE PUBLIC AT ALL TIMES  
EXCEPT 8:00 A.M. TO 4:00 P.M.  
SCHOOL DAYS**

**OPEN TO THE PUBLIC  
AT ALL TIMES**

## SITES AND FACILITIES OPERATION AND MAINTENANCE

Pursuant to Section 6(f)(3) of the LWCF Act and 36 CFR59.3, Chapter 8 of the LWCF Manual contains the requirements for maintaining LWCF-assisted sites and facilities in public outdoor recreation use following project completion and to assure that LWCF-assisted areas remain accessible to the general public, including non-residents of assisted jurisdictions. These post-completion responsibilities apply to each area or facility for which LWCF assistance is obtained, regardless of the extent of participation of the program in the assisted area or facility.

### **Property acquired or developed with LWCF assistance shall be operated and maintained as follows:**

- The property shall be maintained so as to appear attractive and inviting to the public.
- Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
- Properties shall be kept reasonably open, accessible, and safe for public use. Fire prevention, lifeguard, and similar activities shall be maintained for proper public safety.
- Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use.
- The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.
- A posted LWCF acknowledgement sign shall remain displayed at the project site pursuant to Chapter 7 of the LWCF Manual.

### **AVAILABILITY TO USERS**

1. Under Title VI of the 1964 Civil Rights Act, property acquired or developed with LWCF assistance shall be open to entry and use by all persons regardless of race, color, or national origin, who are otherwise eligible. Discrimination is also prohibited on the basis of religion or sex.
2. Section 504 of the Rehabilitation Act of 1973 requires no qualified person shall, on the basis of disability, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

### **PENALTIES FOR NON-COMPLIANCE**

If a project sponsor fails to comply with the regulations governing this program and does not take appropriate remedial actions, obtaining future federal or state funding may be compromised.

For further explanation of post-completion requirements, refer to the LWCF Manual on the National Park Service web site <http://www.nps.gov/ncrc/programs/lwcf/>.