

Draft for the 2023 Application Cycle

# APPLICATION GUIDE

## LAND AND WATER CONSERVATION FUND (LWCF)



**State of California Natural Resources Agency**  
**Department of Parks and Recreation Office of Grants and Local Services**  
*"Creating Community through People, Parks, and Programs"*

Information about LWCF can be found at [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf)

Applications are submitted through an online application system.  
Questions should be directed to the [competitive project officers, assigned by county](#).

**Main Office Phone:** (916) 653-7423  
**Grants Website:** [www.parks.ca.gov/grants](http://www.parks.ca.gov/grants)



## **Department Mission**

The mission of the California Department of Parks and Recreation (DPR) is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

## **The Office of Grants and Local Services (OGALS) Mission Statement**

The mission of the Office of Grants and Local Services is to address California's diverse recreational, cultural and historical resource needs by developing grant programs, administering funds, offering technical assistance, building partnerships and providing leadership through quality customer service.

## **OGALS Vision Goals**

- Proactive in meeting California's park and recreation needs through innovative grant programs and a commitment to quality customer service.
- Sensitive to local concerns while mindful of prevailing laws, rules, and regulations.
- Responsive to the needs of applicants, grantees, nonprofit organizations, local governments, and legislative members, who are our partners working to improve the quality of life for all Californians by creating new parks and recreation opportunities.

## **Why Parks Matter**

Parks are unique places where people play, people exercise, families bond, older adults socialize, youth are mentored, cultures share and celebrate their differences, and everyone connects with nature. For these reasons, vibrant parks funded by this program will be a cost-effective means of creating humane, livable communities.

**See page 51 for the definitions of words and terms shown in  
SMALL CAPS that appear throughout this guide.**

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## Welcome to the Land and Water Conservation Fund (LWCF) Program

This guide covers two parallel APPLICATION processes:

- The COMPETITIVE APPLICATION process for LOCAL AGENCIES (LOCAL AGENCY COMPETITIVE PROGRAM).
- The APPLICATION process for STATE AGENCIES (established in California Public Resources Codes §5099.12).

OGALS recommends that all APPLICANTS review the following resources at [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf) before applying:

1. This APPLICATION Guide.
2. Additional information on POST-SELECTION FEDERAL REQUIREMENTS.
3. The [GRANT ADMINISTRATION GUIDE](#), which contains important information about administrative requirements for GRANTEES.
4. The [POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS](#), which contain important information about the operation and maintenance requirements in PERPETUITY for land within an LWCF BOUNDARY MAP approved by the National Park Service (NPS).

Please contact the PROJECT SITE county's [assigned COMPETITIVE PROJECT OFFICER](#) with any questions or to request a pre-review of APPLICATION documents (except Checklist Item 5).

You can find more information about OGALS' grant programs at [www.parks.ca.gov/grants](http://www.parks.ca.gov/grants). The website features a link to the [LWCF webpage](#), which provides important APPLICATION information such as technical assistance materials and updates, staff contacts, and a link to the online APPLICATION.

## LWCF Overview

This section provides general information about the LWCF program and APPLICATION process.

## LWCF Legacy

On February 14, 1963, President Kennedy's Administration proposed legislation to establish a "Land and Water Conservation Fund" to assist states in planning, ACQUISITION, and DEVELOPMENT of recreation lands. With bipartisan support, President Johnson signed it into law on September 3, 1964, as Public Law 88- 578, 16 U.S.C.460/-4.

NPS administers the LWCF program at the federal level. Previously, the Bureau of Outdoor Recreation administered the LWCF program from 1964 to 1978 and the Heritage Conservation & Recreation Service administered it from 1978 to 1981. Funds allocated to California are administered by the DEPARTMENT under the provisions of the California Outdoor Recreation Resources Plan Act of 1967, (Public Resources Code §5099 et seq.). Outer Continental Shelf mineral receipts, sales of federal surplus real property, federal recreation fees, and federal motorboat fuel taxes all serve as funding sources for the LWCF. On August 4, 2020, the [Great American Outdoors Act \(GAOA\)](#) was signed into law, authorizing \$900 million nationwide annually in permanent funding for LWCF.

**When an LWCF PROJECT is completed, the land within the approved LWCF BOUNDARY MAP is placed under federal protection, preserving the public's outdoor recreational use of the site in PERPETUITY for the benefit of our nation's future generations.**

This PARK protection legacy is based on the provision of 54 U.S.C. §200305(f)(3) of the LWCF Act. Thousands of PARKS throughout California will remain as perpetual monuments to the foresight of President Kennedy's Administration and the American people.

## Application Deadline

- The LOCAL AGENCY COMPETITIVE PROGRAM deadline will be on the **first Thursday in June**.
- The STATE AGENCY deadline will follow three months afterward, on the **first Thursday in September**.
  - The State Coastal Conservancy must submit a letter of intent by the **first Thursday in June** to be eligible to submit a STATE AGENCY APPLICATION. Refer to the "Eligible State Agency Applicants" section for additional information.

## Eligible Local Agency Applicants

- Cities and counties
- Federally recognized Native American tribes
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies. A JPA can include a STATE AGENCY if at least one member is a local (non-state) public agency or district, and the JPA was formed for the purpose of providing PARK and recreation areas.
- Non-STATE AGENCY recreation and PARK districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas

## Eligible State Agency Applicants

The following eligible STATE AGENCY APPLICANTS and their LWCF allocation percentages are established through Public Resources Code §5099.12. A chart showing an example of the allocation percentages is available on the [LWCF website](#).

- Department of Parks and Recreation
- Department of Water Resources
- Department of Fish and Wildlife/Wildlife Conservation Board
- In addition, a DIRECTOR'S CONTINGENCY FUND is first available to the State Coastal Conservancy. The State Coastal Conservancy must submit a letter of intent describing the proposed PROJECT to OGALS by the **first Thursday in June** or the funding will be made available for a DPR APPLICATION.

STATE AGENCIES may designate funds to another eligible LWCF APPLICANT:

1. The designated LWCF APPLICANT must submit an APPLICATION by the STATE AGENCY deadline of the same year.
2. If the designated LWCF APPLICANT does not submit an APPLICATION by the STATE AGENCY deadline, the funds will be moved into the reallocation process.

## Reallocation Process

This process ensures LWCF funds are OBLIGATED on time and do not revert to NPS. If this reallocation process is needed, the LWCF funding is allocated to a LOCAL AGENCY COMPETITIVE PROJECT.

Reallocation to a LOCAL AGENCY COMPETITIVE PROJECT will occur for any of the following reasons:

1. If a STATE AGENCY or designee does not submit an APPLICATION by the STATE AGENCY deadline of that year.
2. If a selected APPLICATION cannot be approved due to technical reasons. Examples include, but are not limited to, loss of eligible MATCH funds; ineligible federal MATCH sources; a scope change request that would be a significant reduction of the PROJECT benefits; the POST-SELECTION FEDERAL REQUIREMENTS cannot be completed; or site control issues that negatively impact public outdoor recreation access.
3. If a selected APPLICATION has reduction in scope or increase of funding sources and a portion of the LWCF GRANT is no longer needed for the PROJECT.
4. If a PROJECT approved by NPS is later withdrawn or completed under budget and NPS moves the balance of funds to the state SPECIAL REAPPORTIONMENT ACCOUNT (SRA).

## Amount of Funds Available

There are two LWCF funding sources:

1. Annual APPORTIONMENT TO CALIFORNIA.
2. SRA funds from previous APPORTIONMENTS TO CALIFORNIA.

The annual APPORTIONMENT TO CALIFORNIA is subject to change, based on annual federal budget decisions made by Congress.

California's Public Resources Code §5099.12 divides the annual APPORTIONMENT TO CALIFORNIA into approximately 60% for LOCAL AGENCY COMPETITIVE PROGRAM funding and 40% for STATE AGENCIES.

OGALS may combine multiple REGULAR APPORTIONMENT and SRA apportionments into one COMPETITIVE APPLICATION cycle.



## Maximum Grant Amount per Application

Please visit the [LWCF website](#) for the current maximum GRANT request amount. APPLICANTS may also choose to establish a GRANT REQUEST RANGE. The maximum GRANT request amount cannot exceed 50% of the TOTAL PROJECT COST.

## Match Requirements

- **MATCH requirement:** A minimum of 50% of the TOTAL PROJECT COST (MATCH can range from 50% to 99% of the TOTAL PROJECT COST).
  - For example, a PROJECT with a TOTAL PROJECT COST of \$6,000,000 has a minimum MATCH amount of \$3,000,000. Eligible MATCH sources are explained on page 34.
- All MATCH must be for ELIGIBLE COSTS (see pages 47-50).

## Rate of Reimbursement and Match Calculation

LWCF is a reimbursement-only program, and APPLICANTS are reimbursed at a set RATE OF REIMBURSEMENT.

The RATE OF REIMBURSEMENT is calculated as the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established by the APPLICANT at the time of APPLICATION.

For each payment request, OGALS can only reimburse the RATE OF REIMBURSEMENT percentage of the ELIGIBLE COSTS listed on a Grant Expenditure Form by the GRANTEE. For example, a TOTAL PROJECT COST with a 50% LWCF GRANT amount will be reimbursed at 50% of the total eligible expenditures.

For guidance about the RATE OF REIMBURSEMENT and MATCH, please go to [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf).

## Eligible Projects

ACQUISITION PROJECTS **or** DEVELOPMENT PROJECTS are eligible for LWCF funding. Combination PROJECTS are not eligible.

All PROJECTS must meet at least one SCORP priority. See page 12 for more information.

The next two pages provide examples of eligible ACQUISITION or DEVELOPMENT PROJECTS. PROJECTS may include, but are not limited to, the listed examples.

## Acquisition Examples:

- ACQUISITION to create a NEW PARK.
- ACQUISITION to EXPAND or provide a buffer for an existing PARK.
- ACQUISITION to provide a wildlife corridor that supports public viewing and outdoor recreational use (not habitat conservation for its own sake—all PROJECTS must have a primary purpose of public outdoor recreation).
- ACQUISITION to provide a recreational/active transportation trail corridor that connects neighborhoods to workplaces, schools, homes, and other recreational opportunities.

## New Recreation Opportunity for Acquisitions:

ACQUISITION PROJECTS must result in at least one NEW RECREATION OPPORTUNITY for the public within three years after the completion of the ACQUISITION. The entire PARK DEVELOPMENT does not need to be completed; a phased portion is acceptable and must be completed within three years.

In some cases, the ACQUISITION property may not require DEVELOPMENT to provide a NEW RECREATION OPPORTUNITY. Examples include:

- An existing fire or safety road in the ACQUISITION property that is readily useable as a trail or walking pathway.
- EXPANSIONS: The ACQUISITION property is adjacent to an existing PARK, and can serve:
  - To protect the VIEWSHED of the PARK for current and future generations of PARK visitors. In this case, enjoying the VIEWSHED is a recreation opportunity for the PARK visitors.
  - To protect a wildlife corridor for current and future generations, where visitors of the existing PARK come to enjoy watching wildlife.

**Development Examples:**

DEVELOPMENT of RECREATION FEATURES must be for outdoor recreation. LWCF funds are intended to increase outdoor recreational opportunities for the health and wellness of Californians.

The following examples are not intended to show a preference from OGALS for any particular outdoor RECREATION FEATURES.

<b>RECREATION FEATURE Examples</b>
<ul style="list-style-type: none"><li>• Athletic courts (basketball, tennis, futsal, pickleball, etc.)</li><li>• Athletic fields (soccer regulation or futbol rapido, baseball, softball, football, etc.)</li><li>• Community, demonstration, and botanic gardens</li><li>• Dog parks and fixed features, such as fixed obstacle courses</li><li>• OPEN SPACE and natural areas</li><li>• Outdoor gyms (aerobic or strength building equipment)</li><li>• Outdoor performing arts venues</li><li>• Picnic areas</li><li>• Playgrounds and tot lots</li><li>• Recreational trails</li><li>• Skate parks and BMX or pump tracks</li><li>• Tracks, jogging loops, and par courses</li><li>• Outdoor swimming pools and aquatic features</li></ul>
<b>MAJOR SUPPORT AMENITY Examples</b>
<ul style="list-style-type: none"><li>• Restroom buildings</li><li>• Parking lots</li><li>• Lighting and Landscaping</li></ul>

## Statewide Comprehensive Outdoor Recreation Plan (SCORP) Priorities

- The SCORP is updated every five years to evaluate demand, supply, and priorities to protect existing recreation resources and create new public outdoor recreation resources. Priorities identified in the SCORP drive the LWCF project selection criteria through the OPEN PROJECT SELECTION PROCESS (OPSP).
- For both the LOCAL AGENCY COMPETITIVE PROGRAM and the STATE AGENCY process, **at least one** of the current SCORP Priorities must be met for NPS to approve a PROJECT.
- For the LOCAL AGENCY COMPETITIVE PROGRAM, PROJECTS that address more than one SCORP priority will be more COMPETITIVE compared to other statewide APPLICATIONS.
- Visit <https://www.parksforcalifornia.org/scorp/> to read the current SCORP and review the SCORP Priorities.

## Application Process and Timeline

1. LOCAL AGENCIES and STATE AGENCIES should review this guide to understand the APPLICATION requirements.
  - Use the Eligibility Card beginning on page 16 as a guide for PROJECT selection to meet the basic federal requirements and use the APPLICATION Checklist on page 17 to submit a complete APPLICATION by the deadline.
  - LOCAL AGENCIES should use the SCORP priorities and project selection criteria to help conceptualize a COMPETITIVE APPLICATION.
2. Review the GRANT ADMINISTRATION GUIDE to understand OGALS' GRANT administration requirements. Review the [POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS](#) to understand the federal requirements in PERPETUITY.
  - **A sample GRANT CONTRACT can be found in the GRANT ADMINISTRATION GUIDE.** The GRANT ADMINISTRATION GUIDE explains the requirements for GRANTEES, such as federal procurement requirements, deed restrictions, and the reimbursement process.
3. This guide provides directions and forms for both LOCAL and STATE AGENCIES.
4. Submit the APPLICATION online by or before the APPLICATION deadline. The online APPLICATION portal will close at exactly 5:00pm, which means APPLICATIONS must be submitted by 4:59pm. APPLICATIONS will not be accepted after the deadline.
5. OGALS will review the APPLICATIONS for approximately six months.

6. APPLICANTS will be notified when APPLICATIONS are selected to move forward to the POST-SELECTION FEDERAL REQUIREMENTS and recommendation to NPS.
7. Selected APPLICANTS will be notified to begin the POST-SELECTION FEDERAL REQUIREMENTS, including compliance with SECTION 106 of the National Historic Preservation Act. See [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf) for more information on these requirements.
8. OGALS will submit the final federal package to NPS after APPLICANTS have completed all POST-SELECTION FEDERAL REQUIREMENTS. NPS reviews the package, requests updates as needed, and approves (OBLIGATES) the PROJECT, establishing the GRANT PERFORMANCE PERIOD.
  - All federally approved conditions and mitigation responsibilities resulting from NEPA and SECTION 106 must be adhered to before and during construction, as applicable.
9. Once NPS has OBLIGATED the PROJECT, OGALS will issue the GRANT CONTRACT. The APPLICANT officially becomes a GRANTEE when the CONTRACT is signed by the AUTHORIZED REPRESENTATIVE and OGALS.
10. OGALS will work with the GRANTEE during the PROJECT and after completion to ensure the land is protected for outdoor recreation in PERPETUITY.

## Important Timeline Considerations

The following timeline is designed to ensure all funds made available to California, including REGULAR APPORTIONMENT and SRA funds are OBLIGATED on time.

APPLICANTS should plan for approximately a two-to-three-year period from the date of APPLICATION until funds are OBLIGATED, if selected, per the steps below.

<b>LWCF Application Timeline</b>	<b>Approximate Timeframe</b>
<b>APPLICATION Technical Assistance</b>	5 months
<b>LOCAL AGENCY Deadline</b>	1 <sup>st</sup> Thursday in June
<b>STATE AGENCY Deadline</b>	1 <sup>st</sup> Thursday in September
<b>Selected APPLICATIONS Announced</b>	6 months after the LOCAL AGENCY APPLICATION Deadline
<p><b>POST-SELECTION FEDERAL REQUIREMENTS</b></p> <p>Once an LWCF APPLICATION is submitted, the site is subject to NEPA and SECTION 106 approval and cannot have any activities associated with PROJECT implementation (or another scope of work from other funding that overlaps with the LWCF PROJECT SITE) such as grading, demolition, construction, landscaping, etc. in the PROJECT SITE footprint until these federal requirements are complete.</p>	1+ year, including Office of Historic Preservation Consultation for SECTION 106 and NPS NEPA Review
<b>Submission of Complete Application to NPS</b>	Dependent on POST-SELECTION FEDERAL REQUIREMENTS completion
<b>NPS Review and Approval</b> (Construction or ACQUISITION may only begin after NPS approval)	6 months – 2 years
<b>OGALS CONTRACT Issuance and Finalization</b> (Reimbursement requests may begin once the CONTRACT is finalized)	3 months
<b>GRANT PERFORMANCE PERIOD</b>	From date of NPS approval, up to 3 years to complete the PROJECT

## Grant Performance Period and Eligible Costs

The GRANT PERFORMANCE PERIOD begins only when NPS approves the federal APPLICATION package and GRANTEES have up to three years to complete a PROJECT. The ACQUISITION or DEVELOPMENT must wait until SECTION 106 is complete and NPS approval is received (see exceptions below, including planning and design costs as part of the PRE-AWARD PLANNING COSTS).

In addition, typically no other construction can occur in the PROJECT footprint until SECTION 106 is complete. Please reach out to the county's assigned [COMPETITIVE PROJECT OFFICER](#) with questions on other phases or site preparation that may overlap with the PROJECT'S footprint.

The chart below summarizes when ELIGIBLE COSTS may be incurred. Also see the ELIGIBLE COSTS Chart on pages 47-50.

When ELIGIBLE COSTS may be incurred	Type of Cost and Situation
Up to three years before the APPLICATION is approved NPS.	PRE-AWARD PLANNING COSTS only.
After the APPLICATION is submitted and before NPS OBLIGATES funds to the PROJECT.	PRE-AWARD PLANNING COSTS and costs <u>approved</u> through a WAIVER OF RETROACTIVITY.
After NPS approves and OBLIGATES funds to the PROJECT (the GRANT PERFORMANCE PERIOD).	All ELIGIBLE COSTS. See the ELIGIBLE COSTS Chart on pages 47-50.
After the GRANT PERFORMANCE PERIOD.	No costs can be paid.

- The first two boxes above are the only circumstances when costs can be incurred before NPS approves (OBLIGATES) the funds (before the GRANT PERFORMANCE PERIOD).
  - **Submitting an APPLICATION does not guarantee funding in this program; funding is not guaranteed until NPS has approved the PROJECT.** Approval of a WAIVER OF RETROACTIVITY also does not guarantee funding.

A WAIVER OF RETROACTIVITY is a request to move forward with the PROJECT based on an urgent need, before NPS PROJECT approval. Before a waiver can be approved, all POST-SELECTION FEDERAL REQUIREMENTS must be completed. The WAIVER OF RETROACTIVITY allows the APPLICANT to incur costs and even complete the PROJECT at the APPLICANT'S own risk before NPS approves the PROJECT and OBLIGATES the GRANT funds (before the APPLICANT becomes a GRANTEE). Once approved by NPS, the APPLICANT can then incur costs and eventually request a reimbursement, if the APPLICANT becomes a GRANTEE.

## Application Eligibility Card

The Eligibility Card covers significant issues that APPLICANTS and GRANTEES must be aware of to succeed in this federal program. Use it to select a COMPETITIVE PROJECT that will meet the APPLICATION, GRANT administration, and POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS.

	<b>APPLICATION Requirements</b>	<b>Yes</b>	<b>No</b>
<b>1</b>	<b>SCORP:</b> Does the PROJECT meet at least one of the current SCORP Priorities?	Eligible	Ineligible
<b>2</b>	<b>ACQUISITION PROJECT:</b> Will the APPLICANT become the landowner through the ACQUISITION? <i>Or</i> <b>DEVELOPMENT PROJECT:</b> Is the APPLICANT the land owner at the time of APPLICATION?	Eligible	Ineligible
<b>3</b>	Will the entire PARK shown on the LWCF BOUNDARY MAP be protected, operated, and maintained according to the <a href="#">POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS</a> in PERPETUITY?	Eligible	Ineligible
<b>4</b>	Will the APPLICATION be submitted by the deadline? Will checklist items that are not ready by the APPLICATION deadline, such as CEQA, be completed and submitted to OGALS <u>within 60 days</u> after the APPLICATION deadline?  For the LOCAL AGENCY COMPETITIVE PROGRAM, will the project section criteria be submitted by the deadline?	Eligible	Ineligible
<b>5</b>	Does the APPLICANT understand the MATCH and RATE OF REIMBURSEMENT requirements and have funds to “cash-flow” 100% of the PROJECT costs before reimbursement?	Eligible	Ineligible
<b>6</b>	Will the PROJECT be completed no later than 3 years from the start date of the GRANT PERFORMANCE PERIOD?	Eligible	Ineligible
<b>7</b>	Does the APPLICANT understand the construction or ACQUISITION cannot begin until NPS approval? This includes ensuring no PROJECT-related activities, or other site work from other funding sources, takes place before NPS approval (except for eligible PRE-AWARD PLANNING COSTS).	Eligible	Ineligible

**Select a different PROJECT if one or more answers are “no.”  
A “no” means the APPLICATION/PROJECT is ineligible.**



# Application Packet

LOCAL and STATE AGENCIES should use the checklist below to prepare the LWCF APPLICATION.

- **If a checklist item is pending, provide a placeholder stating when it will be complete.**
  - **Exception:** Item 5, Project Selection Criteria, must be completed by all LOCAL AGENCY APPLICANTS by the APPLICATION deadline.
- Provide only the items shown in the checklist. Do not upload supplementary materials, such as power point presentations, videos, or letters of support. Letters of support are **not** requested.
- Directions for each checklist item can be found within this guide and forms can be found at [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf).

## Application Checklist





Checklist Item	Page	LOCAL AGENCY COMPETITIVE PROGRAM	STATE AGENCY
<b>General Application Items</b>			
1. Application Form	18		
2. Authorizing Resolution	20		N/A
3. Certification Letter	22	N/A	
4. Project Summary	24		
5. Project Selection Criteria	25		N/A
6. Detailed Budget Narrative	33		
7. CEQA Compliance	36		
8. Project Location Map	38		
9. Photos of the Project Site	38		
10. Community FactFinder <u>and</u> Park Access Tool Report	38		N/A
<b>Acquisition Projects</b>			
11. Public Use Plan	40		
12. Purchase Agreement	41		
<b>Development Projects</b>			
13. Land Tenure	42		
14. Concept Level Site Plan	42		

## Checklist Item 1: LWCF Program Application Form

Complete and **upload** the Application Form into the online APPLICATION. APPLICANTS must provide all the information requested on the LWCF Application Form shown on the next page. Use the fillable LWCF Application Form at <http://www.parks.ca.gov/lwcf>.

**California Natural Resources Agency  
Department of Parks and Recreation**

**Land and Water Conservation Fund Application Form**

Project Name:		County:	
Total Project Cost:		Minimum Grant Request:	
Total Pre-Award Planning Costs:		Maximum Grant Request:	
Project Site Address:			
Project Site Latitude and Longitude:		Nearest Cross Streets:	
Grant Applicant (Entity):			
Grant Applicant Mailing Address:			
Authorized Representative (as shown in the Resolution):			
Name:		Title:	
Email:		Phone:	
Day-to-Day Contact (if different from the Authorized Representative):			
Name:		Title:	
Email:		Phone:	
Type of Project:		Acres to be Acquired:	
Total Site Acreage Currently Under LWCF Protection:		Total Acreage to be Placed Under LWCF Protection:	
<p>GRANT SCOPE: I represent and warrant that this APPLICATION describes the intended use of the requested GRANT to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES proposed through the PROJECT. I agree with the APPLICATION and procedural requirements described in the Application Guide and GRANT ADMINISTRATION GUIDE. I declare under penalty of perjury, under the laws of the State of California, that the information contained in this APPLICATION PACKET, including required attachments, is accurate.</p>			
			
Signature of the Authorized Representative (as shown in the Resolution)			Date
			
Print Name		Title	

## Checklist Item 2: Authorizing Resolution

For the **LOCAL AGENCY COMPETITIVE PROGRAM APPLICATION**.

LOCAL AGENCY APPLICANTS will **upload** the Authorizing Resolution into the online APPLICATION.

1. Fill in the blanks on the Resolution as appropriate. Ensure it is approved by your governing body. Use the same PROJECT name that appears on the APPLICATION Form.
2. The Resolution template may be reformatted. However, modifying the language may delay APPLICATION approval if the changes require legal office review and/or subsequent revisions.
3. For Provision 4: **Identify a position** instead of a person's name.
  - The designated position is responsible for signing all APPLICATION documents. The Application Form, Funding Sources Form, and CEQA Compliance Certification Form AUTHORIZED REPRESENTATIVE signature lines must be signed by the same designated position identified on the Authorizing Resolution – Provision 4.
  - If the AUTHORIZED REPRESENTATIVE will have another person (designee) sign a form on their behalf, include a letter or memo from the AUTHORIZED REPRESENTATIVE that identifies the designee's position and the documents they can sign. For example, indicate whether the designee is authorized to sign *all* documents or *list the specific* documents they can sign.
  - **All signatures required in this APPLICATION guide are the signature of the AUTHORIZED REPRESENTATIVE or designee.**

Resolution No. \_\_\_\_\_ RESOLUTION OF  
THE (APPLICANT's Governing Body) APPROVING THE APPLICATION FOR  
LAND AND WATER CONSERVATION FUND  
(PROJECT Name) PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing APPLICATIONS by local agencies under the program; and

WHEREAS, the APPLICANT certifies by resolution the approval of the APPLICATION and the availability of eligible MATCHING funds prior to submission of the APPLICATION to the State; and

NOW, THEREFORE, BE IT RESOLVED that the (Governing Body) hereby:

1. Approves the filing of an APPLICATION for Land and Water Conservation Fund assistance for the proposed; (PROJECT Name)
2. Certifies that the APPLICANT has reviewed, understands, and agrees to the General Provisions contained in the CONTRACT shown in the Grant Administration Guide; and
3. Agrees to abide by 54 U.S.C. §200305(f)(3) which requires, "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."
4. Certifies that said agency has MATCHING funds from eligible source(s) and can finance 100 percent of the PROJECT, which up to half may be reimbursed; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
6. Appoints the (AUTHORIZED REPRESENTATIVE Designated Position Title) as agent of the APPLICANT to conduct all negotiations and execute and submit all documents, including, but not limited to, APPLICATIONS, CONTRACTS, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned PROJECT.

Approved and Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by \_\_\_\_\_ following a roll call vote:

\_\_\_\_\_  
(APPLICANT'S Governing Body)  
Ayes Noes Absent

\_\_\_\_\_  
(Clerk)

### Checklist Item 3: Certification Letter

For the **STATE AGENCY APPLICATION** only.

STATE AGENCY APPLICANTS will **upload** the Certification Letter into the online APPLICATION.

1. Fill in the blanks on the Letter as appropriate. Ensure it is approved by the STATE AGENCY Director. Use the same PROJECT name that appears on the Application Form.
2. For Provision 3: **Identify a position** instead of a person's name.
  - The designated position is responsible for signing all APPLICATION documents. The Application Form and CEQA Compliance Certification Form AUTHORIZED REPRESENTATIVE signature lines must be signed by the same designated position identified on the Certification Letter – Provision 3.
  - If the AUTHORIZED REPRESENTATIVE will have another person (designee) sign a form on their behalf, include a letter or memo from the AUTHORIZED REPRESENTATIVE that identifies the designee's position and the documents they can sign. For example, indicate whether the designee is authorized to sign *all* documents or *list the specific* documents they can sign.
  - **All signatures required in this APPLICATION guide are the signature of the AUTHORIZED REPRESENTATIVE or designee.**

#### **Alternate Process for Reallocation to an Eligible Public Agency:**

If a STATE AGENCY reallocates its funding to another eligible public agency, provide a letter designating the entity, funding amount, PROJECT name, and a description how the PROJECT aligns with at least one of the STATE AGENCY'S SCORP priorities.

**Certification Letter Language**

Date:

To: California Department of Parks and Recreation Office of Grants and Local Services  
Land and Water Conservation Fund (LWCF) Program

From: Director  
Name of State Agency  
Address

Re: Certification Letter  
Name of LWCF Project: \_\_\_\_\_

This letter confirms that the Director has reviewed the (Name of Project):  
\_\_\_\_\_ LWCF application packet, approves the  
filing of the application, and certifies the following:

1. Agrees to place the land shown within the LWCF Boundary Map under federal protection in Perpetuity through 54 U.S.C. §200305(f)(3), which states: “No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”
2. Attests that there are no known issues that would delay the project’s timely obligation and agrees to move forward with Post-Selection Federal Requirements quickly, in order to avoid the Reallocation Process.
3. Appoints the (Authorized Representative Position):  
\_\_\_\_\_ as agent of the Applicant to sign all documents, including, but not limited to application forms, Grant contracts, amendments, payment request forms, and post completion park stewardship forms.

Signed by: \_\_\_\_\_  
DIRECTOR

Date: \_\_\_\_\_

## Checklist Item 4: Project Summary

APPLICANTS will enter Project Summary responses directly into the online APPLICATION.

### Project Summary

1. Provide a brief summary (up to 500 words) of the proposed PROJECT scope. List the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that are proposed for the LWCF GRANT plus MATCH **only**.
2. Explain how this PROJECT meets SCORP priorities. Cite and explain which SCORP and LWCF priorities will be met by this PROJECT.



## Checklist Item 5: Project Selection Criteria

For the **LOCAL AGENCY COMPETITIVE PROGRAM APPLICATION** only.

APPLICANTS will enter project selection criteria responses directly into the online APPLICATION.

<b>Point Value</b>	<b>Project Selection Criteria Title</b>
20	1. Unmet Need
10	2. Type of Project
15	3. New Acreage placed under LWCF protection
15	4. Park Deficient or Economically Disadvantaged Area
15	5. Population Served
10	6. Public Input
15	7. Project Readiness
Eligibility Requirement	8. Applicant Capacity
Total Points: 100	

**1. Unmet Need**

Describe the need for the ACQUISITION or DEVELOPMENT by answering either A and B for ACQUISITION or C and D for DEVELOPMENT.

A high priority PROJECT will address more than one of the current SCORP priorities (as described in the Project Summary) and will meet one or more urgent unmet needs. APPLICATIONS will be scored in comparison to other statewide APPLICATIONS.

**ACQUISITION: Respond to A and B below only.**

- A. Was this land on the open market before the purchase agreement was entered into, or was/is there any evidence or threat that it could be available for non-PARK DEVELOPMENT within the next two years?
  
- B. Why is this ACQUISITION a high priority PROJECT to serve the current and future generations of the region, city-wide public, or neighborhood residents (based on the type of PARK and the SCORP/LWCF priorities described in the Project Summary)?

*The scale below shows that 20 points will be given to high priority ACQUISITIONS.*

<b>20-15</b>	This ACQUISITION is a <u>high priority</u> compared to other statewide APPLICATIONS.
<b>14-10</b>	This ACQUISITION is an above average priority compared to other statewide APPLICATIONS.
<b>9-1</b>	There was/is no threat that the land could be acquired for non-PARK DEVELOPMENT within the next two years. Or, this is not a high or above average priority opportunity compared to other statewide ACQUISITIONS.
<b>0</b>	No response.

**DEVELOPMENT: Respond to C and D below only.**

- C. Why is this DEVELOPMENT a high priority PROJECT to serve the region, city-wide public, or neighborhood residents (based on the type of PARK and the SCORP/LWCF priorities described in the Project Summary)?
  
- D. If this proposed DEVELOPMENT is not completed in the next five years, what effect will the continued lack of this proposed recreational opportunity(s) have on the region, city-wide public, or neighborhood residents?

The scale below shows that 20 points will be given to high priority DEVELOPMENT.

<b>20-15</b>	This DEVELOPMENT is a <u>high priority</u> compared to other statewide APPLICATIONS.
<b>14-10</b>	This DEVELOPMENT is an above average priority compared to other statewide APPLICATIONS.
<b>9-1</b>	There is no significant effect on the region, city-wide public, or neighborhood residents if this opportunity(s) will be unavailable over the next five years compared to other proposed statewide DEVELOPMENTS. The PROJECT SITE is an existing functional PARK with adequate RECREATION FEATURES.
<b>0</b>	No response.

## 2. Type of Project

Identify the type of PROJECT by checking the appropriate field below based on what will be accomplished with the GRANT and MATCH.

*A maximum of 10 points will be given to ACQUISITION PROJECTS for the creation of a NEW PARK.*

<b>10</b>	ACQUISITION to create a NEW PARK
<b>8</b>	DEVELOPMENT to create a NEW PARK
<b>6</b>	ACQUISITION to EXPAND an existing PARK
<b>4</b>	DEVELOPMENT to improve an existing PARK

### 3. New Acreage Placed Under LWCF Protection

Provide the new PARK acreage to be placed under LWCF PROTECTION (that is not currently under LWCF PROTECTION), if the GRANT is awarded.

- For an **ACQUISITION that will EXPAND an existing PARK**, the APPLICANT can include the PARK acreage of the existing PARK, in addition to the proposed ACQUISITION of that parcel(s), only if the existing PARK is not under LWCF PROTECTION.
- For **DEVELOPMENT to improve an existing PARK**, the APPLICANT can include the PARK acreage of the existing PARK only if it is not already under LWCF PROTECTION.

**PARK acreage already under federal LWCF PROTECTION will not be considered in this criteria (meaning do not report or count the number of protected acres as part of the response). As a reminder, if the GRANT is selected, the entire PARK must be placed under LWCF PROTECTION and an LWCF BOUNDARY MAP will be required.**

#### New Acreage:

*The scale below shows that 10 points will be given to APPLICATIONS proposing to place new acreage under LWCF PROTECTION that is not currently already under LWCF PROTECTION.*

<b>10</b>	The APPLICATION proposes to place new acreage under LWCF PROTECTION. All or a portion of the site is not currently under LWCF PROTECTION.
<b>5</b>	The entire PARK is already under LWCF PROTECTION; however, the PROJECT will be a high priority PROJECT per the response to Criteria 1.
<b>0</b>	No information provided, or the entire PARK is already under LWCF PROTECTION, and the PROJECT will not be a high priority PROJECT per the response to Criteria 1.

#### Ranked Percentage of New Acreage:

*The scale below shows that up to 5 points will be given to all statewide APPLICATIONS, regardless of the type-of-PARK, proposing to place the greatest number of PARK acres under LWCF PROTECTION that are not currently already under LWCF PROTECTION.*

<b>5</b>	Highest 30% on the ranked statewide list of all combined PARK categories/all statewide APPLICATIONS.
<b>3</b>	From 31% to 70% on the ranked list of all combined PARK categories.
<b>1</b>	From 71% to 100% on the ranked list of all combined PARK categories.
<b>0</b>	The entire PARK is already under LWCF PROTECTION, or no information provided.

#### 4. Park Deficient or Economically Disadvantaged Area

PROJECT SITES that serve PARK deficient and/or economically disadvantaged areas are prioritized as part of California’s OPEN PROJECT SELECTION PROCESS (OPSP). APPLICANTS will use a **Park Access Tool Report** and a **Community FactFinder Report** to show how the PROJECT SITE meets one or more of the following priorities:

1. Community FactFinder Report:

- a. The PROJECT creates a NEW PARK in an area with **no other PARKS within a half-mile radius.**
- b. The PROJECT area’s half-mile radius has a **median household income** that is at or less than 80% of the state average.\*

2. Park Access Tool Report:

- a. PROJECT is in a city or county that has more than the state average\* of **residents living further than a half-mile from a PARK.**
- b. PROJECT is in a city or county with a higher percentage than the state average\* of **residents living in areas with a ratio of less than three acres of parkland per 1,000 people.**

*\*Visit the Application Process section of the [LWCF webpage](#) for the current annual median household income figure for priority 1.b. and state averages for priorities 2.a and 2.b above.*

Provide **one** Community FactFinder Report and **one** Park Access Tool Report. APPLICANTS may not submit more than one of each type of report. Technical assistance is available on page 38.

*The scale below shows that a maximum of 15 points will be given to PROJECTS that meet two or more of the above priorities.*

<b>15</b>	Two or more of the priorities listed above will be met.
<b>10</b>	One of the priorities listed above will be met.
<b>0</b>	None of the priorities listed above will be met, or no information provided.

**5. Population Served (Benefits for Older Adults, At Risk Youth, and/or Persons with Disabilities)**

Explain how the PROJECT will benefit the health and wellness of older adults, at risk youth, and/or persons with disabilities. **The response does not need to include demographic data.** Rather, describe how the PROJECT design specifically includes the recreational needs of older adults, at risk youth, and/or persons with disabilities. Responses should list the specific recreation elements that will serve each group in order to score the points for each.

If the PROJECT is an ACQUISITION and the specific facility DEVELOPMENT plans are pending, explain how members of the UNDERSERVED POPULATION will be involved in the DEVELOPMENT plans.

*The scale below shows that 15 points will be given to PROJECTS that benefit all three groups.*

<b>15</b>	All three UNDERSERVED POPULATIONS, older adults, at risk youth, and persons with disabilities, will benefit from the PROJECT.
<b>10</b>	Two groups will benefit from the PROJECT.
<b>5</b>	One group will benefit from the PROJECT.
<b>0</b>	No one from an UNDERSERVED POPULATION will benefit, or no information was provided.

**6. Public Input (Within Five Years Prior to the Application Deadline)**

Describe the process that led to the development of this proposal and how the public was involved within 5 years of the APPLICATION deadline.

*The scale below shows that a maximum of 10 points will be given to PROJECTS that incorporated a public input process within the last 5 years.*

<b>10</b>	The development of this PROJECT included public input within the last 5 years.
<b>0</b>	The development of this PROJECT did not include public input within the last 5 years (the public input cannot be older than 5 years from the APPLICATION deadline).

## 7. Project Readiness

PROJECTS that are ready to move forward quickly with the POST-SELECTION FEDERAL REQUIREMENTS and submission to NPS are prioritized through this criteria. ACQUISITION or DEVELOPMENT PROJECTS with one or more milestones completed will receive additional points, as shown in the chart below.

APPLICANTS will provide the date of completion when filling out the APPLICATION. If not yet complete, APPLICANTS will provide the expected date of completion for each applicable milestone.

### ACQUISITION

*The scale below shows that a maximum of 10 points will be given to ACQUISITION PROJECTS that are ready to proceed.*

Points for completion	Milestone
5	"Yellow Book" UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA)
5	Purchase Agreement between landowner and APPLICANT

*The scale below shows that 5 additional points will be given to ACQUISITION PROJECTS where the land to be acquired will be readily available for PARK and recreation purposes without the need for construction.*

5	The land to be acquired will be readily available for PARK and recreation purposes without the need for construction.
---	---

### DEVELOPMENT

*The scale below shows that a maximum of 10 points will be given to DEVELOPMENT PROJECTS that are ready to proceed.*

Points for completion	Milestone
2	Concept level site plan
2	Engineer cost estimate for further design DEVELOPMENT
2	Construction documents
2	Construction permits
2	Bid package prepared or employee services for construction has been determined

## 8. Applicant's Eligibility

An LWCF GRANT APPLICATION **cannot be recommended to NPS** under the following ineligibility circumstances:

- The APPLICANT has an unresolved conversion as described in the LWCF PARK STEWARDSHIP REQUIREMENTS.
- The APPLICANT has a recent track record of failing to complete or otherwise comply with GRANT and PROJECT operation/maintenance requirements of GRANT-funded sites administered by OGALS.
- The APPLICANT has no track record of administering an OGALS GRANT and also has no track record of successfully administering an ACQUISITION or DEVELOPMENT GRANT PROJECT with other funding sources.

As part of the APPLICATION process and to ensure eligibility, APPLICANTS will answer either A or B below:

### For LOCAL AGENCIES that have administered a GRANT with OGALS in the last 15 years:

- A. Are any of the ineligibility circumstances listed above applicable? Does the APPLICANT have any unresolved conversion or prior failure to comply with OGALS GRANT requirements?

If there is a reason to believe the ineligibility circumstances listed above are applicable, contact the [COMPETITIVE PROJECT OFFICER](#), assigned by county, to discuss before applying.

### For APPLICANTS that have not administered a GRANT with OGALS:

- B. Describe recent successes from any funding source. List recent federal, state, and/or local ACQUISITION or DEVELOPMENT GRANTS successfully administered by the APPLICANT for ACQUISITION or DEVELOPMENT. Provide up to five examples that include:
- Date of completion
  - Funding amount
  - Scope
  - Funding source

No points will be given for A or B. However, if any of the ineligibility circumstances are applicable, the APPLICATION cannot be recommended to NPS.



## Checklist Item 6: Detailed Budget Narrative

NPS requires a detailed Budget Narrative that covers expected PROJECT components, number of units for each component, cost per unit, and total cost of all units, as well as which costs are PRE-AWARD PLANNING COSTS. For example, a PROJECT that includes benches would list benches as a line item, include the number of benches planned for purchase and installation, the price for each bench, and the total expected price for all benches. See the eligible and ineligible cost charts on pages 47-50 for additional information on ELIGIBLE COSTS.

APPLICANTS will **upload** a detailed Budget Narrative spreadsheet into the online APPLICATION. Instructions can be found on the first tab of the spreadsheet, available on the [LWCF webpage](#).

**The spreadsheet template for the detailed Budget Narrative is available on the [LWCF Application Process Webpage](#).**

### Funding Sources

Within the Detailed Budget Narrative spreadsheet, APPLICANTS will list the PROJECT'S COMMITTED FUNDS on the Fundings Sources tab.

- LWCF is a reimbursement-only program. The APPLICANT must be able to cash-flow 100% of the PROJECT prior to reimbursement through LWCF.
- **Funds for the TOTAL PROJECT COST must be committed at the time when the APPLICATION is submitted.** This means funds must be in hand, or there is a contract or other binding agreement with another entity(s) OBLIGATING funds that will be spent on the PROJECT. Funds that are not in the APPLICANT'S possession or not OBLIGATED through a binding agreement are not COMMITTED FUNDS. A date shown as "To Be Determined (TBD)" will not be accepted.
- Identify if the source will be used as MATCH or will be reimbursed by the LWCF GRANT. Both MATCH and the funding source to be reimbursed by the LWCF GRANT must be identified to equal the TOTAL PROJECT COST. The APPLICANT must be able to cash-flow 100% of the PROJECT prior to reimbursement through LWCF.
- When identifying what source(s) will be reimbursed by the LWCF GRANT, use the highest amount of the GRANT REQUEST RANGE.
- See pages 34-35 for eligible MATCH sources and calculation.
- If the funding sources change (including MATCH) during the course of the PROJECT, a revised spreadsheet is not required. However, the funding sources must still be eligible as explained on page 34.
- The TOTAL PROJECT COST listed on the spreadsheet must equal the estimated TOTAL PROJECT COST listed throughout the APPLICATION.

## Eligible Match Sources and Calculation

MATCH is subject to the same ELIGIBLE COST requirements as the GRANT. A cost that is not eligible for reimbursement cannot be included as MATCH.

**Federal funds are not eligible** for LWCF MATCH except:

- A federal GRANT program that has statutory language included that specifically allows it to be used as MATCH for LWCF.
- Examples of the MATCH allowed for LWCF from federal funds include Community Development Block Grants (CDBG) and Fixing America's Surface Transportation (FAST) Act Recreational Trail Program funds.
- Reach out to your assigned [COMPETITIVE PROJECT OFFICER](#) with additional questions on eligible federal MATCH sources.

**State, local, and private sources are eligible** for LWCF MATCH. Examples include, but are not limited to:

- Habitat Conservation Fund or other state-funded GRANT programs and/or state local assistance programs
- GRANTEE'S employee labor
- Local government general funds
- Private funds/donation
- Gifts of real property, equipment, and consumable supplies
- Volunteer services directly related to PROJECT COMPLETION furnished by professional and technical personnel, consultants, and other skilled and unskilled labor
- Free or reduced-cost use of land, facilities, or equipment
- Bequests and income from wills, estates, and trusts

For ACQUISITION PROJECTS, donated real property used as all or part of the MATCHING share must meet UASFLA requirements and must be acquired during the GRANT PERFORMANCE PERIOD.

Funding or donations required by law or regulation are not eligible for MATCH.

Other funding contributions used as MATCH cannot have any restrictions that might limit the intended public recreation use.

## **Calculating the value of donations used as Match:**

Specific procedures for placing the value of contributions from private organizations and individuals are in the LWCF MANUAL, Chapter 5.B.

- **Volunteer Services**

- Rates for volunteers, which can be professional and technical personnel, consultants, and other skilled and unskilled labor, should be consistent with the regular rates paid for similar work in the labor market in which the APPLICANT competes for the kind of services involved.
- Records for volunteer services from personnel shall include timesheets containing the signatures of the person whose time is donated and of the supervisor verifying the record is accurate. The pay rate must be what the employee is normally paid and must exclude fringe benefits and overhead cost.

- **Materials**

- Prices assessed to donated materials should be reasonable and should not exceed current market prices at the time they are charged to the PROJECT.
- A record needs to be kept showing the fair market value by listing comparable prices and vendors.

- **Real Property (ACQUISITION Only)**

- If an ACQUISITION involves multiple parcels, and one or more parcels are donated, the donated parcel's value can be used as MATCH. Value of donated real property shall be established by an independent appraiser in accord with UASFLA. See pages 45-46 for information on appraisals and UASFLA.

- **Equipment**

- The hourly rate for donated equipment used on a PROJECT shall not exceed its fair rental rate.
- Records of equipment use shall include the schedules showing the hours and dates of use and the signature of the operator of the equipment.

In addition, more information on how to value and account for in-kind funds and/or donations used as MATCH can be found in the NPS LWCF MANUAL.

## Checklist Item 7: CEQA Compliance

CEQA is the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of an entity's proposed PROJECT.

**Complete CEQA by the APPLICATION deadline or no later than 60 days after the APPLICATION deadline.**

- For ACQUISITION PROJECTS: The scope of the environmental review shall include the lands to be acquired. Including a future construction PROJECT is not required because the LWCF PROJECT is ACQUISITION only.
- For DEVELOPMENT PROJECTS: The scope of the environmental review shall include the construction as described in the APPLICATION.

### PROJECT CEQA Compliance Requirements

1. Upload the following documents:
  - a) A Notice of Exemption filed with, and stamped by, the county clerk, **OR**
  - b) An Initial Study with a Negative Declaration and a copy of the Notice of Determination filed with, and stamped by, the county clerk, **OR**
  - c) An Initial Study and an Environmental Impact Report and a copy of the Notice of Determination filed with, and stamped by, the county clerk.

### **AND:**

2. The CEQA Compliance Certification Form (available on [the LWCF Application Process webpage](#)).
3. A State Clearinghouse Filing Receipt. For more information on filing with the State Clearinghouse, see [www.opr.ca.gov](http://www.opr.ca.gov) and follow links for CEQA.

**Note that even if an APPLICANT'S typical CEQA process does not require CEQA be filed with the State Clearinghouse, it is required for this APPLICATION to be considered complete.**

CEQA Compliance Certification Form

APPLICANT/GRANTEE: [ ] PROJECT Name: [ ]

PROJECT Address: [ ]

When was CEQA analysis completed for this PROJECT? Date: [ ]

What documents were completed for this PROJECT's CEQA analysis (check all that apply)?

- Initial Study
- Environmental Impact Report
- Negative Declaration
- Mitigated Negative Declaration
- Notice of Exemption
- Notice of Determination
- State Clearinghouse Receipt
- Other: [ ]

Please attach all checked documents.

If these forms were not completed, please attach a letter from the Lead Agency explaining why, certifying the PROJECT has complied with CEQA, and noting the date that the PROJECT was approved by the Lead Agency.

Lead Agency Contact Information:

Agency Name: [ ] Contact Person: [ ]

Mailing Address: [ ]

Phone: [ ] Email: [ ]

Certification:

I hereby certify that the Lead Agency listed above has determined that it has complied with the California Environmental Quality Act (CEQA) for the PROJECT identified above and that the PROJECT is described in adequate and sufficient detail to allow the PROJECT's construction or ACQUISITION. I certify that the CEQA analysis for this PROJECT encompasses all aspects of the work to be completed with GRANT funds.

[ ]

AUTHORIZED REPRESENTATIVE (Signature)

[ ]

Date

[ ]

AUTHORIZED REPRESENTATIVE (Printed Name and Title)

## Checklist Item 8: Project Location Map(s)

APPLICANTS will **upload** a map showing highway and street access to the PROJECT SITE into the online APPLICATION. Provide directions from the nearest major highway to the PROJECT SITE so that a person not familiar with the area can locate it.

## Checklist Item 9: Photos of the Project Site

APPLICANTS will **upload** up to 10 high-definition JPEG or PNG photos of the PROJECT SITE and its surrounding area into the online APPLICATION. Provide a very brief description of what is in each of the photos in the photo name. Adding the direction of the view noted with each photo as “looking north, south, east, or west” is helpful to position someone not familiar with the site. Use a point of reference for the direction of the view, such as “from the center of the PROJECT SITE” or “from the corner of X and Y Streets.”

## Checklist Item 10: Community FactFinder Report and Park Access Tool Report

APPLICANTS will **upload** one Community FactFinder Report and one Park Access Tool Report.

**Provide a Community FactFinder Report following these directions:**

- Go to [www.parksforcalifornia.org/communities](http://www.parksforcalifornia.org/communities).
- Enter the PROJECT address.
- Locate the pushpin with the needle point inside the PARK or on the PARK’S boundary. Pushpins placed outside of the PARK will be replaced in the center of the PARK by OGALS and the new statistics used for Project Selection Criteria 4.
- Select “Create Report.”

**Provide a Park Access Tool Report following these directions:**

- Go to [www.parksforcalifornia.org/parkaccess](http://www.parksforcalifornia.org/parkaccess).
- Using the search bar, enter either the city or county where the PROJECT will be located. The APPLICANT must submit a report using either the city **or** county data.
- Select “Create Report.”

**Note:** The statistics shown on the Community FactFinder and Park Access Tool reports must be the same as the statistics included in the response for Project Selection Criteria 4. Only one Community FactFinder Report and one Park Access Tool Report will be accepted per APPLICATION.

## Acquisition Projects

Checklist Items 11 and 12 are required for ACQUISITION PROJECTS only. Please review the general ACQUISITION guidelines below before proceeding with Checklist Items 11 and 12.

### Ownership Rights

ACQUISITION can be by fee simple title or by permanent easement to ensure the APPLICANT will be able to enforce the LWCF BOUNDARY MAP provisions in PERPETUITY. ACQUISITIONS for leasehold interests are ineligible.

### Timber Management, Grazing Land, and Conservation Easements in ACQUISITIONS

ACQUISITION of properties with natural resources management practices, such as timber management or grazing, and/or conservation easements, may be funded with LWCF assistance if they are clearly described in the Project Summary (and POST-SELECTION FEDERAL REQUIREMENTS), are compatible with **and secondary to** the proposed public outdoor recreation uses, and are approved by NPS.

### For Profit Agriculture or Preserves

For profit agriculture business is not permitted on acquired lands assisted with LWCF funding. NPS will not fund ACQUISITIONS of land that will be used for an agricultural preserve.

### Rights Held by Other Parties to the Property

Reservations and rights held by others are permissible only if the public outdoor recreation use would not be affected. These must be identified on the LWCF BOUNDARY MAP and in the applicable POST-SELECTION FEDERAL REQUIREMENTS documents.

**ACQUISITIONS that will not be approved by NPS are explained below. This list is not exhaustive and NPS has the final approval of any ACQUISITION:**

- Historic sites and structures, except when it can be demonstrated clearly that the ACQUISITION is primarily for public outdoor recreation purposes and the historic aspects are secondary or complimentary to the primary purpose of providing outdoor recreation.
- Museums and sites to be used for museums or primarily for archeological excavations.
- Areas and facilities designed to be used primarily by a specific group and professional arts and athletics and which will not be used by the general public.
- Areas and facilities to be used exclusively for game refuges or fish production purposes and which are not compatible with outdoor recreation.
- Areas to be used mainly for indoor facilities, including both construction of new structures and existing indoor recreational or non-recreational facilities or buildings that, if left in place, will not leave enough space for public outdoor recreation.
- Sites containing luxury lodges, hotels, motels, restaurants and similar elaborate facilities that are to be operated by the APPLICANT or a concessionaire to provide food or

sleeping quarters.

- Federal surplus property.

See the NPS LWCF MANUAL for additional information and examples.

## Checklist Item 11: Public Use Plan (Acquisitions Only)

APPLICANTS will **upload** a response (1-2 pages) to the questions below into the online APPLICATION.

**ACQUISITION PROJECTS must result in a NEW RECREATIONAL OPPORTUNITY for the public within three years after the completion of the ACQUISITION.** This means that a fully useable recreational opportunity must be completed and open to the public within three years after the completion of the ACQUISITION. The PARK does not need to be completely developed within that timeframe as long as at least one NEW RECREATIONAL OPPORTUNITY is made available.

1. Describe each existing building on the ACQUISITION parcel(s) and the planned use for the buildings. If the buildings will not be demolished to create a PARK/OPEN SPACE, further describe the structures and the proposed use for them. The intent of the LWCF program is to provide outdoor public recreation.

NPS will not approve an ACQUISITION if the majority of the land includes one or more buildings that will not be demolished to create a PARK or OPEN SPACE. However, note that the cost of some buildings/structures may need to be excluded from the TOTAL PROJECT COST. The LWCF MANUAL states, "LWCF funding may be used to acquire a structure only if it will be used to support or is necessary to achieve the outdoor recreation goal for the site." Consultation with OGALS regarding the eligibility of the structure for ACQUISITION assistance is encouraged prior to APPLICATION submission.

2. Explain if the ACQUISITION parcel(s) will require DEVELOPMENT to make the parcel(s) useable by the public. If DEVELOPMENT is not necessary, provide an explanation.
  - a. Examples of when an ACQUISITION may not require DEVELOPMENT include the presence of an existing fire or safety road that is readily useable as a trail or walking pathway, where the ACQUISITION will EXPAND the PARK to preserve the VIEWSHED for the public, and where the ACQUISITION will EXPAND the PARK to protect a wildlife corridor for the public to use to watch wildlife.
3. If DEVELOPMENT is necessary, provide the following:
  - a. Description (up to one page) of the DEVELOPMENT necessary to make the parcels useable.
  - b. Estimated cost of the DEVELOPMENT.



- c. Funding source(s) to cover the estimated cost of the DEVELOPMENT.
- d. DEVELOPMENT timeline starting with the ACQUISITION completion date and ending with the date the parcels will become useable by the public (must be useable by the public within three years upon the close of escrow).

### **Checklist Item 12: Purchase Agreement (Acquisitions Only)**

Provide a document showing that the landowner will sell the property to the APPLICANT and that the purchase price will not exceed the appraised value price. The letter of intent can include the following clause: "The landowner agrees to sell to APPLICANT for the price of the appraisal. However, if the APPLICATION is not selected for funding, then this agreement is null and void."

## Development Projects

The following checklist items are only applicable to DEVELOPMENT PROJECTS.

### Checklist Item 13: Land Tenure Requirement (Development Only)

For DEVELOPMENT PROJECTS, the PROJECT land must be owned by the APPLICANT at the time of APPLICATION.

APPLICANTS will **upload** the deed or other document showing that the APPLICANT owns the PROJECT land. Other documentation could be a legal description and a letter stating the APPLICANT owns the PROJECT SITE and provides the length of time they have owned it.

### Checklist Item 14: Concept Level Site Plan (Development Only)

APPLICANTS will **upload** a drawing showing where each of the proposed RECREATION FEATURES and MAJOR SUPPORT AMENITIES will be located in the PARK. Clearly label each proposed RECREATION FEATURE and MAJOR SUPPORT AMENITY. To clearly distinguish proposed features and amenities from existing ones, use different colors, shading, or symbols.

LWCF assistance may be available for support facilities needed by the public for outdoor recreation use of an area, such as restroom buildings, visitor information centers, kiosks, interpretive centers, and snack bar stands. While NPS may approve visitor and interpretive centers, NPS will not approve community centers in PARKS. A center designed primarily for indoor recreation instead of supporting outdoor recreation will not be approved by NPS. APPLICANTS may send a description to OGALS for review before applying, if desired.

If the GRANT SCOPE includes any of these eligible support facilities/buildings, note the function and approximate square footage for each.

Indicate or describe where and how the public will access the PARK and where parking is currently located or will be located.

## Post-Selection Federal Requirements

**This section is only applicable to APPLICANTS selected by OGALS to move forward in the APPLICATION process.**

APPLICATIONS selected to move forward through the LOCAL AGENCY COMPETITIVE PROGRAM or through the STATE AGENCY process are not awarded the GRANT by NPS at that time. Selected APPLICANTS instead enter the POST-SELECTION FEDERAL REQUIREMENTS process, which involves completing the federal requirements listed below. Once these requirements are complete, APPLICATIONS are submitted to NPS during an eligible submission period, or “window,” for final review and approval. These windows are established by NPS and typically there are a few each FEDERAL FISCAL YEAR, although the timing may vary from year to year.

**The following POST-SELECTION FEDERAL REQUIREMENTS are required for all APPLICANTS:**

- SECTION 106
- Application and Revision Form (including NEPA requirements)
- LWCF BOUNDARY MAP

**Additional Requirements for ACQUISITION PROJECTS:**

- UASFLA appraisal **and** Independent Review Certifying the submitted appraisal meets UASFLA standards, **or**
- Waiver Valuation

Once APPLICATIONS are selected to move forward with the POST-SELECTION FEDERAL REQUIREMENTS, OGALS will schedule technical assistance workshops to take selected APPLICANTS step-by-step through these requirements. Additional resources are also available on the [LWCF Website](#). Please direct any questions about these requirements to the [COMPETITIVE PROJECT OFFICER](#) assigned to the county of the PROJECT SITE.

### Section 106

SECTION 106 of the National Historic Preservation Act of 1966 (NHPA) is a federal requirement that mandates review of the effects a proposed PROJECT may have on historic properties (i.e., sites, districts, buildings, structures, or objects listed or eligible for listing in the National Register of Historic Places) and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. Since LWCF is a federal program, PROJECTS that receive LWCF GRANT funding must go through the SECTION 106 process.

Completing the SECTION 106 process can be a six-month to one year (or longer) process, especially for DEVELOPMENT PROJECTS involving ground disturbances. It can also be costly,

and APPLICANTS are encouraged to include the cost of completing SECTION 106 in their TOTAL PROJECT COST as a PRE-AWARD PLANNING COST in the Budget Narrative.

SECTION 106 is required **before the GRANTEE may proceed with the ACQUISITION or DEVELOPMENT of land** using LWCF funds and MATCH. For DEVELOPMENT PROJECTS in particular, carefully plan the PROJECT timeline to ensure that no PROJECT activities such as ground-disturbing activities or construction occur until the SECTION 106 process is complete. This will ensure compliance with SECTION 106 by taking into account PROJECT effects to any historic properties, given the PROJECT'S unique footprint and area of effect. Destruction of any historic property in anticipation of applying for LWCF assistance can result in denial of LWCF assistance from NPS pursuant to 54 U.S.C. 306103.

For more information on the SECTION 106 process, visit [the LWCF Application Process webpage](#).

## **Application and Revision Form (including NEPA requirements)**

The Application and Revision (A&R) Form requests information on the PROJECT, other rights and interests within the PROJECT SITE, and the NEPA Pathway (Categorical Exclusion, Environmental Assessment, or Environmental Impact Study).

PROJECT SITES that include waterways and/or wetlands will likely require consultation with the US Army Corps of Engineers (USACE) as part of the NEPA Pathway process. If there are protected species found within the site, APPLICANTS will likely need to consult with the US Fish and Wildlife Service (USFWS). NPS can review the NEPA Pathway section of the A&R Form and provide guidance for selected APPLICANTS on what consultations are required; however, if the proposed PROJECT clearly involves waterways/wetlands and/or the APPLICANT is aware of protected species on site, APPLICANTS should begin the consultation process as soon as possible. If a permit is required from either USACE or USFWS, NPS will not approve the GRANT until the permit is issued.

## **LWCF Boundary Map**

The LWCF BOUNDARY MAP establishes the agreed-upon boundary of land to be protected for outdoor recreation in PERPETUITY, including how the public will access the PARK.

Prior to OBLIGATION, APPLICANTS must provide a prepared map that shows the entire PARK boundary, acres to be protected, any other rights and interests, and other information about the PARK. OGALS and NPS compliance reviews will rely on this map of record in PERPETUITY. APPLICANTS will work with OGALS and NPS on establishing that boundary as part of the POST-SELECTION FEDERAL REQUIREMENTS, although the map is not considered finalized until the PROJECT is complete.

More information on the LWCF BOUNDARY MAP is available at [the LWCF Application Process webpage](#).

## **Acquisition Requirements: UASFLA Appraisal and Independent Review or Waiver Valuation**

ACQUISITION PROJECTS are bound by federal law relating to the valuation of real estate because LWCF is a federal funding source.

LWCF ACQUISITIONS must have for each parcel to be acquired either:

- An appraisal that includes all parcels by a qualified appraiser that meets the “Yellow Book” UASFLA, ***and*** an independent appraiser’s review certifying that the appraisal meets the “Yellow Book” UASFLA.

### **OR**

- Documentation for the value using the waiver valuation method when the estimated property value is less than \$10,000.

For all ACQUISITIONS, the fair market value established through the UASFLA appraisal, or the value established through the waiver valuation method, will be used to establish the amount eligible for LWCF funding assistance. The TOTAL PROJECT COST for an LWCF ACQUISITION cannot be more than the fair market value, and this in turn affects the amount eligible for MATCH (including the value of ACQUISITIONS by donation for MATCH).

If there are structures on the property to be acquired that do not support the outdoor recreation use of the site, reach out to the [COMPETITIVE PROJECT OFFICER](#) assigned by the PROJECT SITE’S county to determine whether the value of these buildings is eligible to be included in the TOTAL PROJECT COST, or whether the site must be appraised, and the value of the buildings/structures removed from the GRANT.

### **Waiver Valuation Method:**

If the ACQUISITION qualifies for the waiver valuation method, where the estimated property value is less than \$10,000, reach out to the [COMPETITIVE PROJECT OFFICER](#) assigned by the PROJECT SITE’S county for guidance on next steps.

### **UASFLA/Yellow Book Appraisal:**

Most PROJECTS will not qualify for the waiver valuation method. For these PROJECTS, it is critical to select an appraiser familiar with UASFLA to do the appraisal, and a separate appraiser also familiar with UASFLA for the independent appraiser’s review.

Uniform Standards of Professional Appraisal Practice (USPAP) compliance alone will not result in UASFLA compliance. UASFLA federal standards are considered “Supplemental Standards” to

USPAP. See the NPS LWCF MANUAL for further information about the difference between appraisals conducted according to UASFLA and USPAP.

For the purpose of the UASFLA compliance, any appraisal report, whether identified by the appraiser as a self-contained report or a summary report, will be considered as meeting UASFLA requirements if it has been prepared in accordance with UASFLA.

The UASFLA Appraisal and Independent Review is required prior to submitting the payment request to OGALS.

Visit the Appraisal Unit page on the U.S. Department of Justice website for a full copy of the UASFLA/Yellow Book Standards (<https://www.justice.gov/enrd/appraisal-unit>).

# Eligible Costs Chart

This section provides rules and examples of ELIGIBLE COSTS for ACQUISITION and DEVELOPMENT.

## Acquisition Costs

The following provide examples of ELIGIBLE COSTS for ACQUISITION.

<b>ACQUISITION COSTS</b> (Up to 100% of GRANT Amount)	<b>EXAMPLES</b>
<p><b>Purchase price of the property and relocation costs</b></p> <p>(Note: LWCF will not reimburse incidental costs. Per the NPS LWCF MANUAL: “The LWCF Act precludes using Fund assistance for incidental costs relating to ACQUISITION.”)</p> <p>These incidental costs include preliminary title reports, appraisal fees, escrow costs, and title insurance fees – all are ineligible).</p>	<ul style="list-style-type: none"> <li>• Cost of the land, as established by the UASFLA Appraisal</li> <li>• Relocation costs (Costs resulting in displacement of tenants (not willing sellers or GRANTEES) pursuant to Government Code §7260 – 7277).                         <ul style="list-style-type: none"> <li>○ If the GRANT is not paying for relocation costs, the GRANTEE must ensure that the seller is paying displaced tenants in compliance with Government Code §7260 – 7277.</li> </ul> </li> <li>• Employee services (See accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE).</li> <li>• PROJECT/GRANT administration and accounting</li> </ul>

## Development Costs

The following charts provide examples of ELIGIBLE COSTS for PRE-AWARD PLANNING COSTS and CONSTRUCTION COSTS.

PRE-AWARD PLANNING COSTS	EXAMPLES
<p><b>Costs incurred during the planning, design, and permit phase of the PROJECT, <u>before</u> construction begins.</b></p> <p>These costs may be incurred up to three years prior to OGALS sending the APPLICATION to NPS, and still be reimbursed or eligible for MATCH. See page 34.</p>	<ul style="list-style-type: none"> <li>• Public meetings, focus groups, and design workshop costs</li> <li>• Plans, specifications, construction documents, and cost estimates</li> <li>• Permits</li> <li>• POST-SELECTION FEDERAL REQUIREMENTS such as CEQA, NEPA, A&amp;R Form, and SECTION 106</li> <li>• Bid packages</li> <li>• Employee services: See accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE</li> <li>• PROJECT/GRANT administration (excluding GRANT writing)</li> </ul>

CONSTRUCTION COSTS	EXAMPLES
<p><b>Costs incurred during the construction phase of the PROJECT (after NPS approval), when ground-breaking activities such as site preparation, grading, or gutting begins.</b></p>	<ul style="list-style-type: none"> <li>• Site preparation, grading, gutting, clearing and grubbing, and demolition</li> <li>• Foundation work</li> <li>• Purchase and installation of permanent equipment: Playground equipment, benches, signs, display boards, etc.</li> <li>• Construction supplies and materials: May be drawn from central stock if claimed costs are no higher than supplies or materials purchased elsewhere</li> </ul>



CONSTRUCTION COSTS (continued)	EXAMPLES
	<ul style="list-style-type: none"> <li>• Construction equipment owned by GRANTEE: Equipment owned by the GRANTEE may be charged to the GRANT for each use. For audit purposes, a report or source document must describe the work performed, indicate the hours used, relate the use to the GRANT SCOPE, and must be signed by the operator or supervisor.</li> <li>• Construction equipment rented or purchased by GRANTEE: For purchased equipment, GRANT will pay for the total cost, if the purchase price is less than the rental equivalent (i.e., rental price equivalent in proportion to the time the equipment is used on the GRANT SCOPE).</li> <li>• Construction management, including site inspections.</li> <li>• Employee services: See accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE.</li> <li>• Payment of premiums on hazard and liability insurance to cover personnel and property directly connected with the PROJECT.</li> <li>• PROJECT/GRANT administration and accounting.</li> <li>• Miscellaneous costs: Other costs incurred during the construction phase, such as transporting materials, equipment, personnel, and communications.</li> </ul>

## Ineligible Costs

INELIGIBLE COSTS	EXAMPLES OF INELIGIBLE COSTS
<p><b>Cannot be charged to the GRANT</b></p>	<ul style="list-style-type: none"> <li>• Outside the GRANT PERFORMANCE PERIOD – costs incurred before or after the GRANT PERFORMANCE PERIOD. Exception is only when PRE-AWARD PLANNING COSTS are identified on the PRE-AWARD PLANNING COSTS Form and approved by NPS.</li> <li>• Overhead business expenses <u>of the GRANTEE'S fixed or ordinary operating costs</u>: (rent, mortgage payments, property taxes, utilities, office supplies).</li> <li>• Outside PARK/PROJECT SITE boundaries – Street improvements, traffic lights, or other infrastructure not located within the PARK/PROJECT SITE.</li> <li>• Incidental costs relating to ACQUISITION of real property and of interests in real property, unless allowable under the Uniform Relocation Assistance and Real Property Policies Act, P.L. 91- 646.” These incidental costs include preliminary title reports, appraisal fees, escrow costs, and title insurance fees – all not eligible.</li> <li>• <b>Public art, security cameras, sound systems, televisions, video equipment, and EV charging stations</b></li> <li>• Fundraising</li> <li>• Food</li> <li>• GRANT Writing</li> <li>• Programming costs</li> <li>• Brochures</li> <li>• Operation and maintenance costs</li> <li>• Employee residences and furnishings</li> </ul>

## Definitions

Capitalized words and terms used in this procedural guide are defined below.

**ACQUISITION** – to obtain fee title of real property or a permanent easement, which gives rights for the GRANTEE to use the property as a public PARK and prioritize outdoor recreation access in PERPETUITY. A lease or rental is not considered ACQUISITION.

**APPLICANT** – an entity requesting GRANT funding through a COMPETITIVE process.

**APPLICATION** – the required documents listed in the Application Checklist on page 17.

**APPORTIONMENT TO CALIFORNIA** – the amount of LWCF GRANT funding NPS gives authority to OBLIGATE each year to PROJECTS in California, after Congress approves the nationwide LWCF appropriation for that FEDERAL FISCAL YEAR.

**AUTHORIZED REPRESENTATIVE** – an APPLICANT'S/GRANTEE'S designated position authorized to sign all required GRANT documents. LOCAL AGENCY APPLICANTS establish the AUTHORIZED REPRESENTATIVE in the Authorizing Resolution and STATE AGENCY APPLICANTS use the Certification Letter.

The AUTHORIZED REPRESENTATIVE may designate an alternate by informing OGALS in writing.

**CEQA** – the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of the entities' proposed PROJECT. For more information see <https://opr.ca.gov/ceqa>.

**COMMITTED FUNDS** – at the time when the APPLICATION is sent to OGALS, the APPLICANT has possession of all funds for the TOTAL PROJECT COST (MATCH *and* the funding source to be reimbursed by the LWCF GRANT) that will be spent on the PROJECT or has a contract or other binding agreement with another entity(s) OBLIGATING funds that will be spent on the PROJECT. Funds that are not in the APPLICANT'S possession or not OBLIGATED through a binding agreement are not COMMITTED FUNDS.

**COMPETITIVE** – funds made available to eligible LOCAL AGENCIES pursuant to Public Resource Code §5099.12 through a selection process where all statewide APPLICATIONS are ranked using the established project selection criteria.

**CONTRACT** – an agreement between OGALS and the GRANTEE specifying the achievement of the GRANT SCOPE within the GRANT PERFORMANCE PERIOD, and other GRANT obligations between the GRANTEE and OGALS.

**DEVELOPMENT** – to construct a new RECREATION FEATURE(S) or MAJOR SUPPORT AMENITY. RENOVATION of an existing RECREATION FEATURE or MAJOR SUPPORT AMENITY is also considered DEVELOPMENT.

**DIRECTOR'S CONTINGENCY FUND** – 6% of the APPORTIONMENT TO CALIFORNIA available to a State Coastal Conservancy APPLICATION or a DPR APPLICATION according to Public Resources Code §5099.12.

**DPR** – the California Department of Parks and Recreation, which includes OGALS, is the lead entity for administration of LWCF in California.

**ELIGIBLE COSTS** – PRE-AWARD PLANNING COSTS and expenses incurred during the GRANT PERFORMANCE PERIOD to complete the GRANT SCOPE approved by OGALS through a fully executed CONTRACT. Costs of MINOR SUPPORT AMENITIES are combined with costs associated with RECREATION FEATURES and MAJOR SUPPORT AMENITIES.

**EXPAND** – the PROJECT will add new PARK acreage adjacent to an existing PARK.

**FEDERAL FISCAL YEAR** – October 1 through September 30. NPS announces funding availability, plans submission windows, and requires OBLIGATION of funding using the FEDERAL FISCAL YEAR calendar.

**GRANT** – amount of LWCF funds made available to a GRANTEE for completion of the GRANT SCOPE during the GRANT PERFORMANCE PERIOD.

**GRANTEE** – an entity that has a CONTRACT with the OGALS for a GRANT.

**GRANT ADMINISTRATION GUIDE** – a document that provides requirements and forms for GRANT administration after an APPLICANT becomes a GRANTEE. The document can be found at [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf).

**GRANT PERFORMANCE PERIOD** – the period of time shown on the CONTRACT, starting with the date NPS OBLIGATES the funds for the PROJECT, during which ELIGIBLE COSTS may be incurred by the GRANTEE and charged to the GRANT.

Exception: See the definitions for PRE-AWARD PLANNING COSTS and WAIVER OF RETROACTIVITY for costs that can be incurred before NPS OBLIGATES the funds for the PROJECT, and then later reimbursed after the APPLICANT becomes a GRANTEE.

**GRANT REQUEST RANGE** – the highest and lowest amount requested by an APPLICANT through the same APPLICATION.

- Maximum of Range: 50% of the TOTAL PROJECT COST.
- Minimum of Range: The lowest LWCF GRANT amount that the APPLICANT is willing to accept through the same APPLICATION.

**GRANT SCOPE** – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES proposed through the PROJECT. These must be completed prior to final GRANT payment.

**JOINT POWERS AUTHORITY (JPA)** – an agreement between a city, county, and/or a district to perform services, cooperate with, or lend powers for the operation and maintenance of PARK land. For a JPA to be an eligible APPLICANT for the LOCAL AGENCY COMPETITIVE PROGRAM, at least one member of the JPA must be a LOCAL AGENCY and all members must be public agencies.

**LOCAL AGENCIES –**

- Counties, cities, recreation and park districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas.
- Federally recognized Native American tribes are also considered eligible for the purposes of the LOCAL AGENCY COMPETITIVE PROGRAM.
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies, and that can include a STATE AGENCY, if at least one member is a local (non-state) public agency or district formed for the purpose of providing public PARK and recreation areas.

**LOCAL AGENCY COMPETITIVE PROGRAM** – California’s COMPETITIVE selection process for LOCAL AGENCIES, including project selection criteria and APPLICATION documents, where the APPLICANTS compete for an LWCF GRANT.

**LWCF** – Land and Water Conservation Fund GRANT program.

**LWCF BOUNDARY MAP** – a tool used as communication between NPS, OGALS, and GRANTEES that:

- Shows the agreed boundaries of the protected PARK site at the time of PROJECT approval pursuant to 54 U.S.C. §200305(f)(3) of the LWCF Act and Title 36, Part 59 in the U.S. Code of Federal Regulations.
- Shows key information about the site, including any other rights and interests present.
- Helps with site inspections for compliance with POST-COMPLETION PARK STEWARDSHIP STANDARDS.

When an LWCF PROJECT is completed, the land within the approved LWCF BOUNDARY MAP is placed under federal protection to preserve the public’s outdoor recreational use of the site in PERPETUITY.

**LWCF MANUAL** – the LWCF State Assistance Program, Federal Financial Assistance Manual. This manual is regularly updated by NPS and provides the requirements for all aspects of the LWCF program nationwide. Visit <https://www.nps.gov/subjects/lwcf/lwcf-manual.htm> for the latest version.

**LWCF PROTECTION** – the area within the PROJECT SITE boundary must remain designated for outdoor public recreation use in PERPETUITY.

**MATCH** – amount required to make up the difference between the LWCF GRANT amount requested (the federal share) and the TOTAL PROJECT COST. The GRANTEE must cash-flow both the LWCF GRANT amount and MATCH, covering the TOTAL PROJECT COST established at the time of APPLICATION, to be reimbursed the full LWCF GRANT amount.

**MAJOR SUPPORT AMENITY** – a non-recreational facility located within a PROJECT SITE and necessary to support the outdoor recreation use of the PARK. Examples include parking lots, restroom buildings, lighting, landscaping, and maintenance buildings.

**NEPA** – the National Environmental Policy Act. Each federal agency including NPS has its own unique NEPA process and pathways. More information is available at NPS' NEPA Policy website: <https://www.nps.gov/subjects/nepa/policy.htm>.

**NEW PARK** – a PARK that did not exist before the APPLICATION deadline.

**NEW RECREATIONAL OPPORTUNITY** – construction of a new RECREATION FEATURE where none currently exists, or substantial RENOVATION of an existing RECREATION FEATURE to allow for new and expanded use(s).

**NPS** – National Park Service, federal agency that oversees LWCF.

**OBLIGATE** – when NPS approves a PROJECT and enters into a funding agreement with OGALS to designate the GRANT funds for the PROJECT.

**OGALS** – the Office of Grants and Local Services, under the California Department of Parks and Recreation, responsible for administering LWCF.

**OPEN PROJECT SELECTION PROCESS (OPSP)** – the use of COMPETITIVE project selection criteria as part of the LOCAL AGENCY COMPETITIVE PROGRAM, used to select California's LWCF GRANT PROJECTS for recommendation to NPS.

**OPEN SPACE** – a natural or landscaped portion of the PROJECT designed specifically for active or passive outdoor recreation.

**PARK** – public land that provides outdoor active or passive opportunities with RECREATION FEATURES for physical activities, social health, cultural enrichment, and nature appreciation.

**PERPETUITY** – the required POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS of land to continue for all future generations within an LWCF BOUNDARY MAP approved by NPS.

**PRE-AWARD PLANNING COSTS** – ELIGIBLE COSTS incurred up to three years prior to NPS' PROJECT approval. Examples include site selection and planning, feasibility studies, CEQA/NEPA environmental review, SECTION 106, the Application and Revision Form, preliminary design, preparation of cost estimates, and construction drawings and specifications.

**POST-COMPLETION PARK STEWARDSHIP REQUIREMENTS** – additional information on NPS' operation and maintenance requirements in PERPETUITY for GRANTEES, found at [www.parks.ca.gov/lwcf](http://www.parks.ca.gov/lwcf).

**POST-SELECTION FEDERAL REQUIREMENTS** – documents and processes required by NPS prior to their federal PROJECT review and approval, including SECTION 106, NEPA, and other required

federal forms. LOCAL AGENCIES will move forward with these requirements after the COMPETITIVE program review and selection. STATE AGENCIES will move forward immediately with these requirements following their APPLICATION deadline.

**PROJECT** – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES to be developed through the GRANT.

**PROJECT COMPLETION** – when the RECREATION FEATURES and MAJOR SUPPORT AMENITIES proposed through the PROJECT are complete and the facilities are open and useable by the public. With approval by OGALS, PROJECT COMPLETION may occur before the facilities are open and useable by the public.

**PROJECT OFFICER** – an OGALS employee who acts as a GRANT APPLICATION contact for APPLICANTS or administration contact for GRANTEES.

**PROJECT SITE** – the entire PARK property.

**RATE OF REIMBURSEMENT** – the rate at which GRANTEES are reimbursed on each payment request, based on the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established when the APPLICATION is approved by NPS.

**RECREATION FEATURE** – a facility that provides active or passive recreational use. The ACQUISITION of land is also considered a RECREATION FEATURE.

**REGULAR APPORTIONMENT** – the amount of LWCF funding appropriated annually by Congress for California. OGALS has three years to OBLIGATE this funding through actionable PROJECTS (PROJECTS that have completed all checklist items and POST-SELECTION FEDERAL REQUIREMENTS). However, OGALS has only one year to OBLIGATE SRA funding, and SRA funding is only available once all the REGULAR APPORTIONMENT is OBLIGATED. Therefore, to utilize the maximum amount of LWCF funding, OGALS must OBLIGATE all of the REGULAR APPORTIONMENT and all SRA funds within one year.

**RENOVATION** – improvements to an existing RECREATION FEATURE beyond its original condition so that it creates a NEW RECREATION OPPORTUNITY and expanded use.

**SECTION 106** – a law codified at 54 U.S.C. § 306108, with implementing regulation set forth in 36 CFR Part 800, that requires federal agencies to consider the effects on historic properties (i.e., archaeological, tribal, and built environment cultural resources that are listed, or eligible for listing, in the National Register of Historic Places) for federally funded or permitted PROJECTS or for PROJECTS proposed on federal land.

**STATE AGENCIES** – Public Resources Code §5099.12 establishes the split of LWCF funding between LOCAL and STATE AGENCIES, as well as the STATE AGENCIES that are eligible for a direct apportionment amount. The code states:

“60 percent shall be allocated for local governmental agency projects and 40 percent for

state agency projects. The state agency share shall be disbursed to the following state agencies in the following percentages: 60 percent to the Department of Parks and Recreation; 35 percent to the Wildlife Conservation Board or the Department of Fish and Game; and 5 percent to the Department of Water Resources. The State Coastal Conservancy established pursuant to Section 31100 is eligible to compete for grants of funds for projects of an outdoor recreational nature from the 6-percent contingency fund established by this section.”

Since these amounts are established for specific STATE AGENCIES through California’s Public Resources Code §5099.12, the STATE AGENCY APPLICATION process differs somewhat from the LOCAL AGENCY COMPETITIVE PROGRAM.

**SPECIAL REAPPORTIONMENT ACCOUNT (SRA)** – previously OBLIGATED funds that are no longer needed for the PROJECT because the PROJECT was withdrawn or completed under-budget. NPS moves these unspent, previously OBLIGATED funds into an SRA account for the next fiscal year and only makes the funds available to California for other PROJECTS if all other REGULAR APPORTIONMENT UNOBLIGATED FUNDS become OBLIGATED.

**STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP)** – an analysis and report updated every five years as required by LWCF to identify California’s public outdoor recreation needs and priorities. The most recent SCORP can be found at <https://www.parksforcalifornia.org/scorp/>.

**TOTAL PROJECT COST** – the estimated cost at the time of APPLICATION to complete the PROJECT, including both the LWCF GRANT plus MATCH.

**UNDERSERVED POPULATION** – communities that lack PARKS in their neighborhood and lack the resources to access PARKS outside their neighborhood, city, or region, including older adults, at risk youth, and persons with disabilities.

**UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA)** – appraisal standards (also known as the “Yellow Book” standards) required for federal land ACQUISITION. Compliance with UASFLA differs from the Uniform Standards of Professional Appraisal Practice (USPAP). For a more information on the specific UASFLA policies and guidance for LWCF appraisals, see the [NPS LWCF MANUAL](#).

**UNOBLIGATED FUNDS** – money made available through a REGULAR APPORTIONMENT or through SRA that NPS has not yet allocated to any PROJECT.

**VIEWSHED** – a particular scenic outdoor natural area deemed worthy of preservation against DEVELOPMENT.

**WAIVER OF RETROACTIVITY** – approval by NPS for the APPLICANT to incur costs and even complete the PROJECT at the APPLICANT’S own risk before NPS approves the PROJECT and OBLIGATES the GRANT funds (before the APPLICANT becomes a GRANTEE). Once approved by NPS, the APPLICANT can then incur costs and eventually request a reimbursement if the APPLICANT becomes a GRANTEE.