

Land and Water Conservation Fund

*What is it and how it can be used to
fund trails*



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INTRODUCTIONS

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LIVE LIFE
OUTSIDE



ARIZONA
STATE PARKS & TRAILS



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LAND AND WATER CONSERVATION FUND

PRESENTATION OVERVIEW

- What is the Land and Water Conservation Fund?
- What does LWCF pay for?
- Eligible Projects
- Match and sources of matching funds
- Rules and Requirements
- How to use LWCF to fund trails



LAND AND WATER CONSERVATION FUND

- The Land and Water Conservation Fund Act was enacted in 1964 to assist in preserving, developing, and assuring accessibility of outdoor recreation resources to all citizens of the United States.
- The program funds the acquisition and/or development of public outdoor recreation facilities for federal, state, tribal, local governments.
- The program is administered at the federal level by the National Park Service.
- “State Side” funds go to states, “Federal Side” funds are used for Federal land acquisition



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LAND AND WATER CONSERVATION FUND

Goals of the LWCF program:

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



LAND AND WATER CONSERVATION FUND

SOURCE OF FUNDS

Uses earnings from offshore oil and gas leases. NO TAXPAYER DOLLARS.



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LWCF FUNDING HISTORY

Stateside Funding (in millions)
2000-2022



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RECREATIONAL TRAILS FUNDING HISTORY

RTP Funding in Millions
2020-2022



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**LAND & WATER
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LAND AND WATER CONSERVATION FUND

Eligibility : Federal, State, County, Local, Tribal, Schools (Non-Profits not eligible)

Grant Type : Reimbursement

Required Match : 50% (1 to 1). Cash, labor, materials, other grants.

Timeframe : 3 years

Additional Information :

- LWCF Manual <https://www.nps.gov/subjects/lwcf/upload/LWCF-FA-Manual-Vol-71-3-11-2021-final.pdf>
- Project Area Boundary
 - Must remain open to outdoor recreation in perpetuity
- Inspections required every 5 years
- Acknowledgement sign required
- Priorities based on State Comprehensive Outdoor Recreation Plan
- Sponsor must either own the property OR lease for 25 plus years
- **NEW!** Buy American/Build America: <https://www.congress.gov/bill/117th-congress/senate-bill/1303>



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LAND AND WATER CONSERVATION FUND

WHAT CAN LWCF FUND?

- Acquisition of land or water for public outdoor recreation
- Development of parks, trails, and outdoor recreation facilities
- Redevelopment or renovation of existing park infrastructure
- Statewide planning grants to assist states in creating and updating their SCORP'S



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Partnership for the Future

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Partnership for the Trails



LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS



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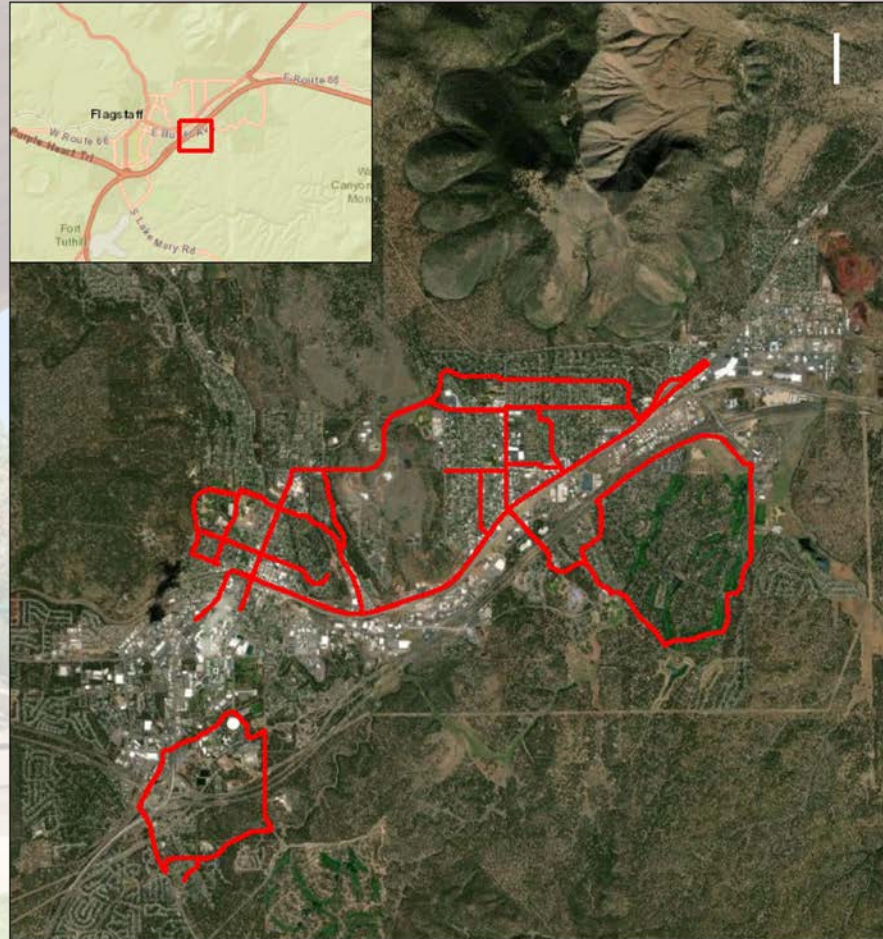


LAND AND WATER CONSERVATION FUND ELIGIBLE TRAIL PROJECTS



LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS

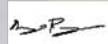
LWCF Section Boundary Map

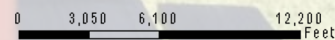


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Project Title: Bicycle Trail Development
Project Number: 04-00525
Sponsor: City of Flagstaff
Park Name: Flagstaff Urban Bicycle Trail
Total Acres: 30.3
Address: 3000 E Old Walnut Canyon Rd, Flagstaff, AZ 86004
Project Coordinates: 35.202679, -111.623237

	1/18/2020
ASLO Mickey Rogers	Date



LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS



GRANITE CREEK CORRIDOR MASTER PLAN



LEGEND

- EXISTING PRIMARY ACCESS POINT
- PROPOSED PRIMARY ACCESS POINT
- EXISTING SECONDARY ACCESS POINT
- PROPOSED SECONDARY ACCESS POINT
- PROPOSED ENHANCED CONNECTION
- PROPOSED WAYFINDING SIGN
- TOE ROCK WALL PROTECTION
- PROPOSED RETAINING WALL
- EXISTING AMENITY
- PROPOSED AMENITY AREA
- PROPOSED CROSS-VANE WEIR
- Lighting near access points and throughout the corridor



TOE ROCK WALL PROTECTION



PROPOSED WAYFINDING SIGN



PROPOSED RETAINING WALL



PROPOSED CROSS-VANE WEIR



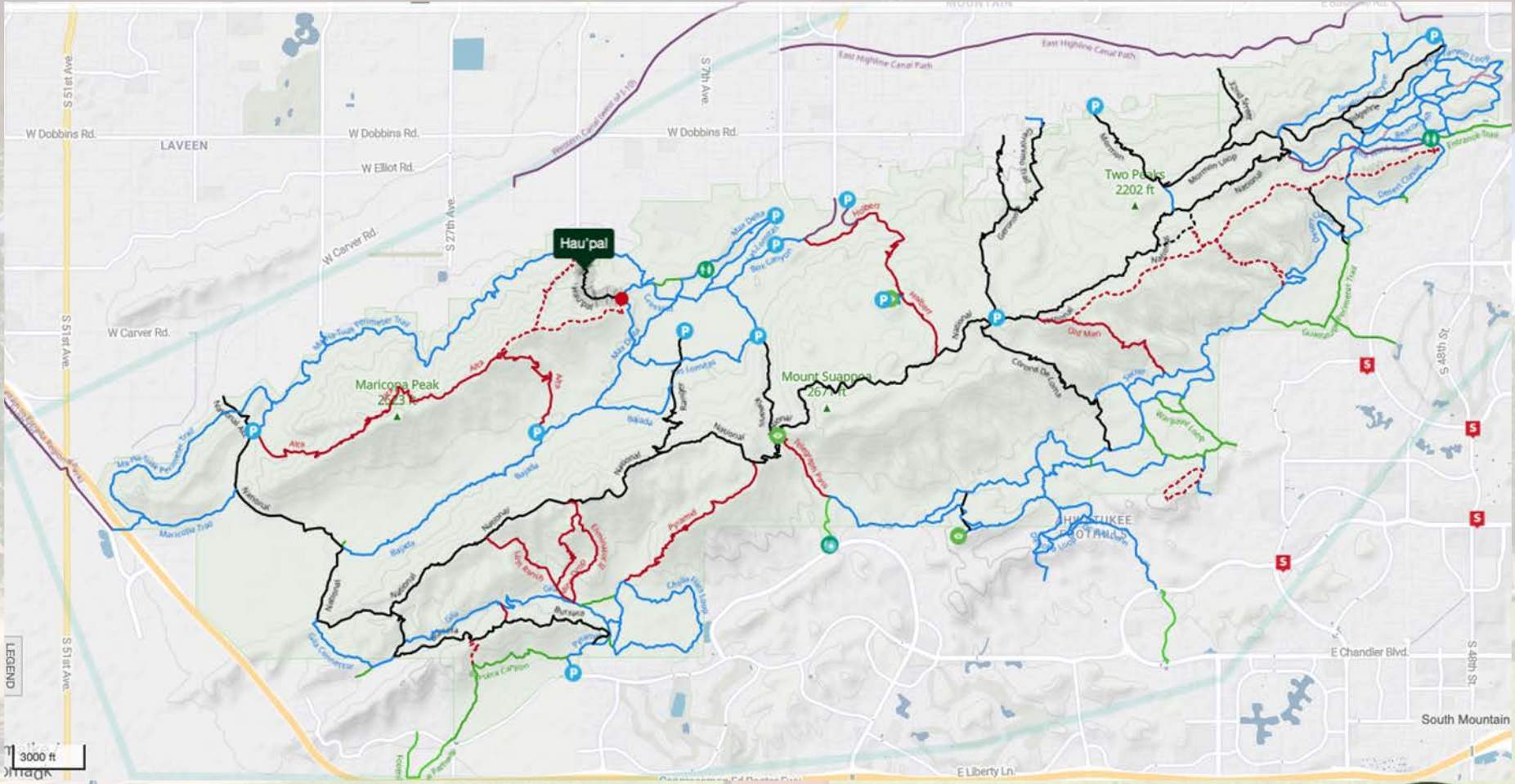
PROPOSED AMENITY AREA



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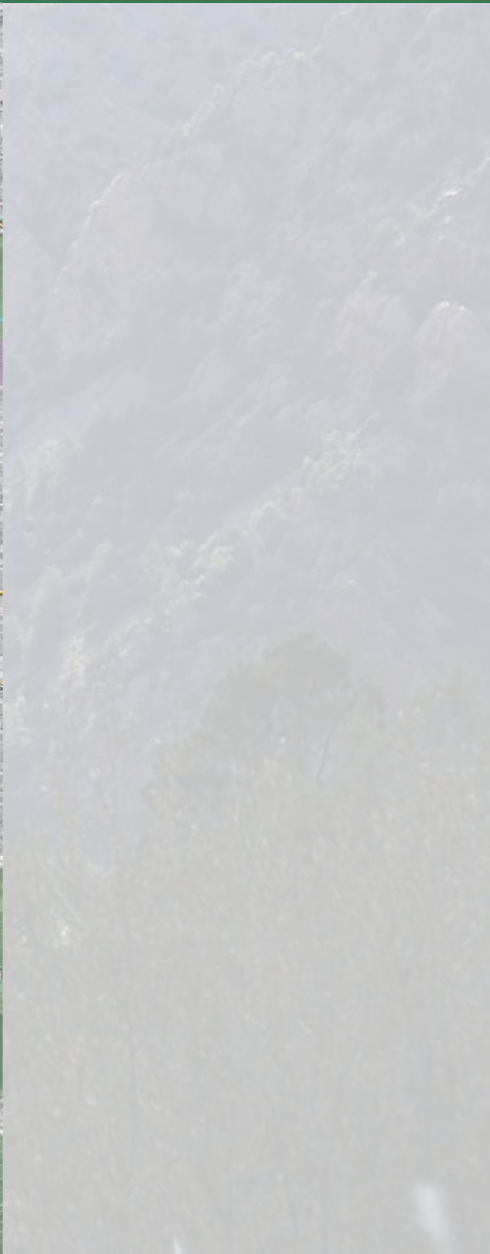
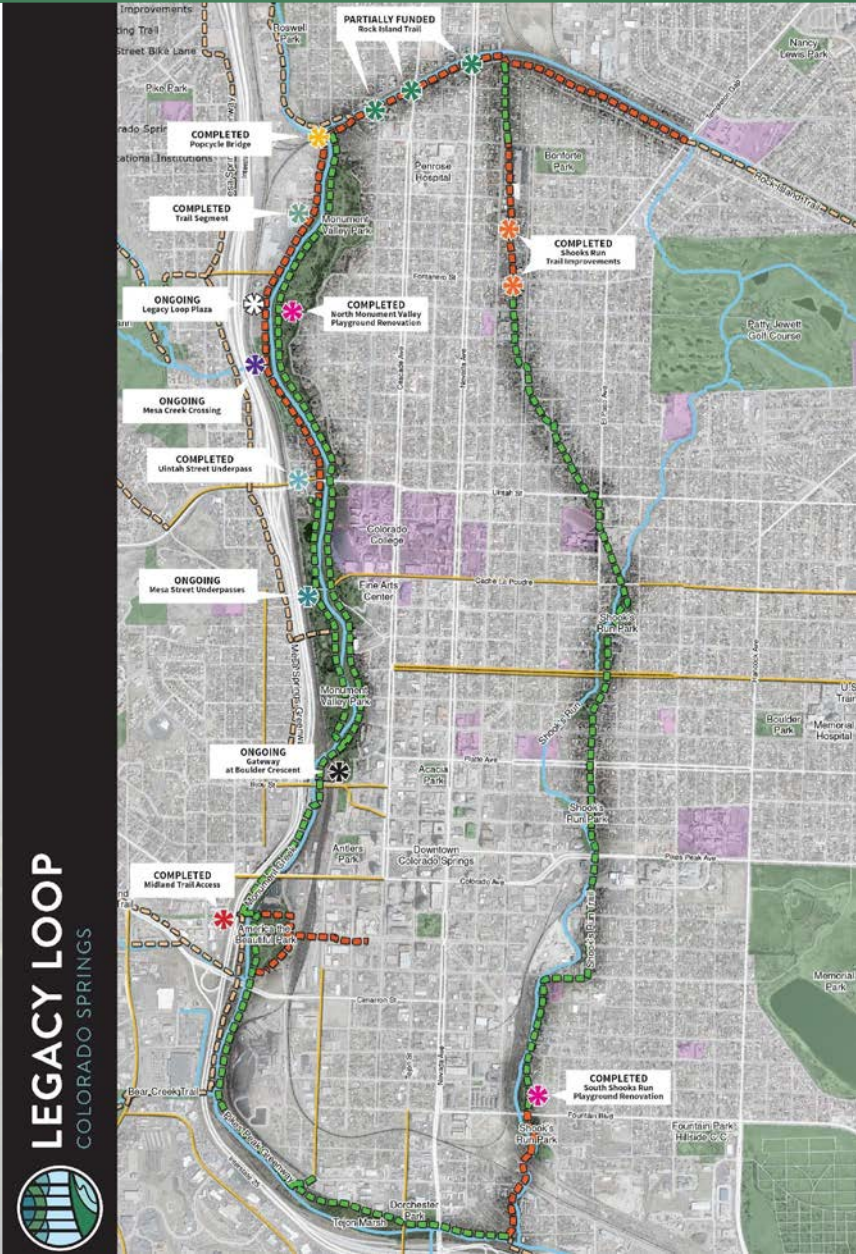
LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS



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LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS



LEGACY LOOP
COLORADO SPRINGS



LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS

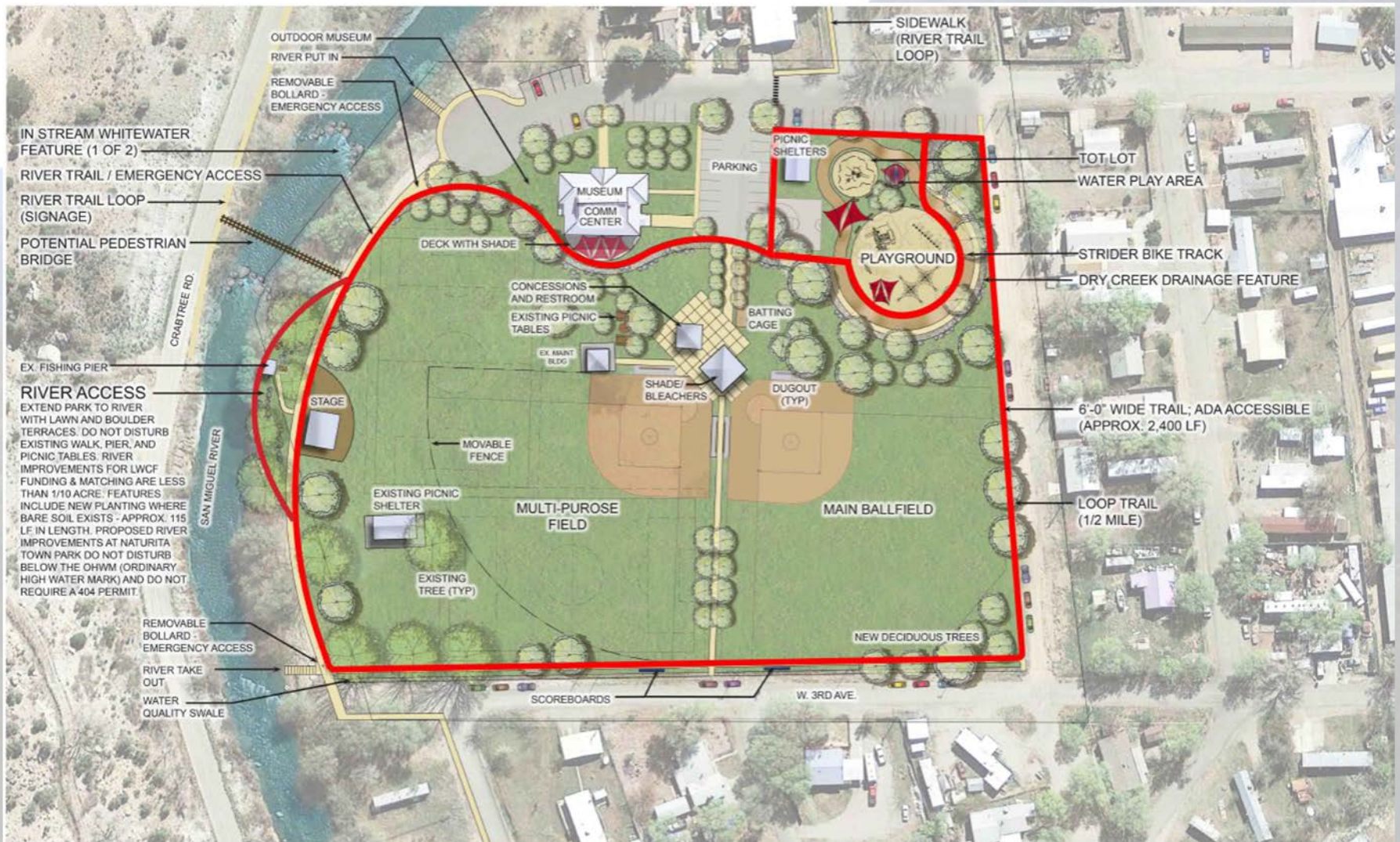


Heron Pond/Carpio-Sanguinette Phase II

Site Plan



LAND AND WATER CONSERVATION FUND ELIGIBLE PROJECTS



NATURITA TOWN PARK - TRAIL ALIGNMENT

SAMPLE BUDGET

Sample Budget

	Units	Price	Total Cost	Match
Trail Crew Expense	40	\$ 7,000.00	\$ 280,000.00	
Materials	2	\$ 20,000.00	\$ 40,000.00	
Equipment rental	6	\$ 5,000.00	\$ 30,000.00	
Volunteers	100	\$ 29.95		\$ 2,995.00
Camping	140	\$ 70.00		\$ 9,800.00
Tool Rental	1	\$ 3,000.00		\$ 3,000.00
				\$ 15,795.00
			\$ 350,000.00	
LWCF		\$ 200,000.00		
RTP		\$ 150,000.00		

INELIGIBLE COSTS

Ineligible Costs

- Food, beverages
- Development of local or regional plans
- Administrative or overhead costs; costs associated with grant application preparation
- Operation and maintenance
- Costs incurred prior to PROJECT APPROVAL
- Costs associated with design and engineering are not eligible for reimbursement without prior approval
- Costs associated with land acquisition (surveys)
- Indoor facilities
- Acquisition costs above appraised value
- Ceremonial or entertainment expenses
- Interest expenses
- Employee facilities
- Lobbying fees



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LAND AND WATER CONSERVATION FUND NOT ELIGIBLE



MATCHING FUNDS

LWCF requires a minimum
1:1 match or
50% of the total cost.

50/50



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MATCHING FUNDS

WHAT KIND OF MATCH IS ELIGIBLE?

- Cash
- Donated funds
- Value of property
- Equipment
- Materials
- Labor
- Pre-award costs for
 - Planning
 - Design
 - Clearances
 - Can be used as match up to 3 years before grant award



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MATCHING FUNDS

FEDERAL SOURCES:

- Recreational Trails Program (RTP)
- Community Development Block Grant (CDBG)
- American Rescue Plan Act Revenue Recovery Funds (ARPA)
- Readiness and Environmental Protection Initiative (REPI)



MATCHING FUNDS

NON-FEDERAL SOURCES:

- State, County, Municipal General Funds
- State, County Municipal Bond Money
- Nonprofit and grant foundations
- Staff Labor and Equipment
- Land Donation
- Bargain Acquisition Sale
- Donated Supplies
- Discounted Purchases
- Volunteer Labor



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LAND AND WATER CONSERVATION FUND

Statewide Comprehensive Outdoor Recreation Plan (SCORP)

Each state is required to complete a SCORP every 5 years.

The plan must:

- Identify statewide outdoor recreation issues with public input
- Evaluate demand of outdoor recreation through quantitative surveys or analyses
- Evaluate supply of outdoor recreation resources

The plan identifies the state's priorities which will develop the scoring process for LWCF grants.



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Environmental and Cultural Clearances

Clearances must be completed before project begins

- **National Historic Preservation Act (Section 106 consultation)** – Required when using Federal funds. Agencies must determine the effects of their undertakings on historic properties
- **National Environmental Policy Act (NEPA)** - Required when using Federal funds. Agencies must assess environmental, social and economic effects of proposed actions prior to making decisions.



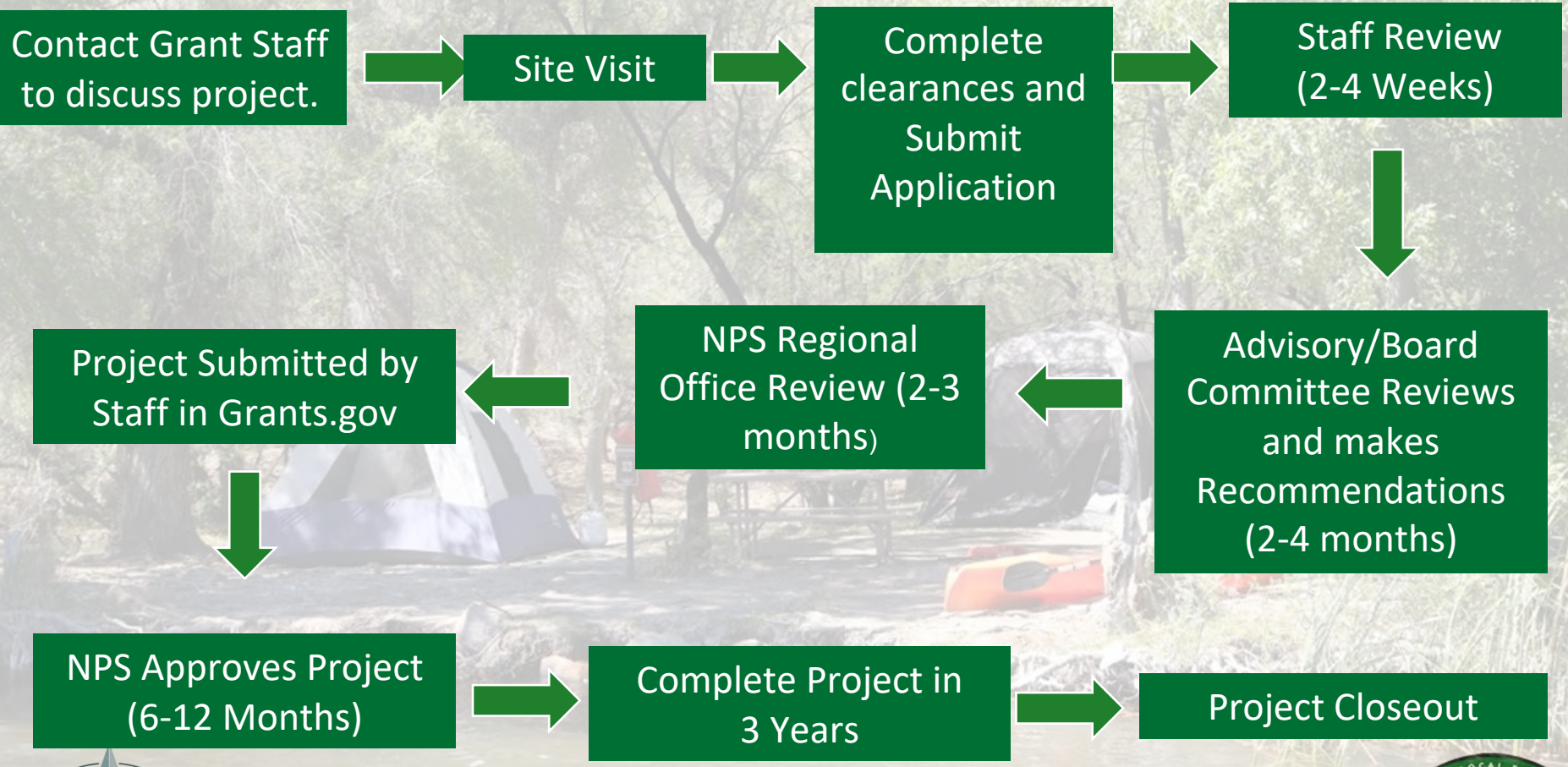
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PROCESS OVERVIEW



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OUTDOOR RECREATION LEGACY PARTNERSHIP (ORLP) PROGRAM

Same rules as LWCF but with additional eligibility requirements:

- located within or serve an Urbanized Area (population of 30,000 or more) as designated by the Census Bureau from the 2020 Census;
- located in or are directly accessible to neighborhoods or communities that are underserved* in terms of parks and recreation resources.

Funds Available : Up to \$125,000,000

*Additional Information :

- Underserved is defined as no existing parks; OR
- Existing parks are not adequate to support the population size or recreational demand; OR
- Existing parks that are so deteriorated/obsolete/underdeveloped that a major redevelopment or rehabilitation is needed



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IMPORTANT POLICIES AND REQUIREMENTS

New: Build America, Buy American Act (BABAA)

- All iron and steel used in the project must be produced in the US
- All manufactured products used in the project must be produced in the US
- Cost of manufactured components must be greater than 55% of the total cost of all components
- All construction materials must be manufactured in the US
- Waivers: \$250,000 total project exempt, 5% of total project exempt



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IMPORTANT POLICIES AND REQUIREMENTS



IMPORTANT POLICIES AND REQUIREMENTS

Control and Tenure

- Sponsors must have adequate control of project sites to construct, operate, and maintain the areas for the term required by the grant program and project agreement.
- May be documented in several ways, including by:
 - Showing Fee Title
 - Land Ownership
 - Lease
 - Use Agreement
 - Easement

Land Manager Approval Letter

- Identifies that authority has been received from that entity to make the proposed improvements.



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BOUNDARY MAPS (6(f))

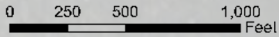


LWCF Boundary Area Map

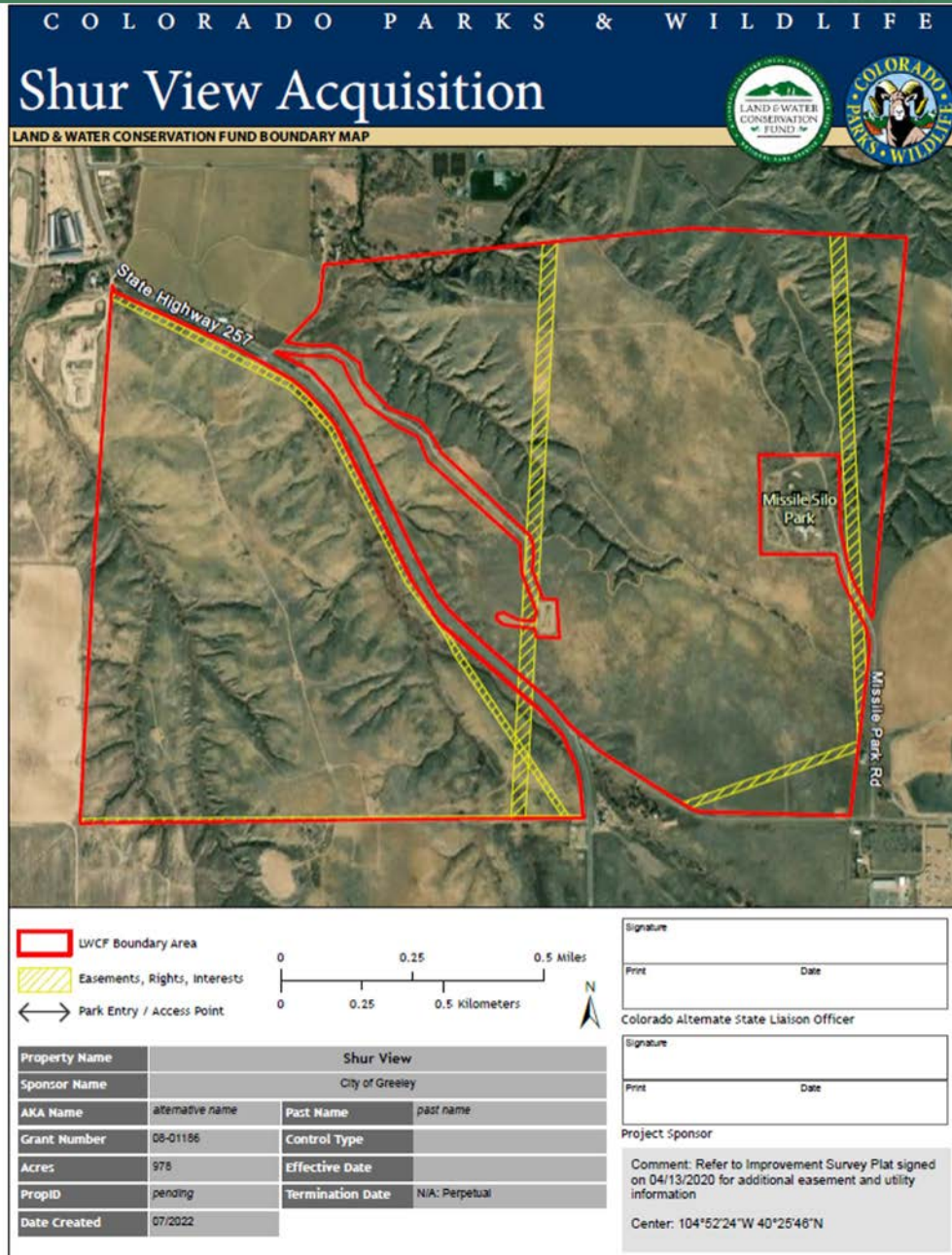


Project Title: Quartzsite Town Park
Project Number: 04-00779
Sponsor: Town of Quartzsite
Park Name: Quartzsite Town Park
Total Acres: 80
Address: 295 E Chandler St, Quartzsite, AZ 85346
Project Coordinates: 33.679190, -114.210681

Sponsor Signature	Date
ASLO Mickey Rogers	Date



BOUNDARY MAPS (6(f))



APPRAISALS

- Property must be appraised in accordance with the *Uniform Appraisal Standards for Federal Land Acquisitions* or “**Yellow Book**” guidelines
- Appraisal and review is required to establish the purchase price eligible for reimbursement.
- If the property is worth less than \$25,000, a qualified appraiser can do a waiver valuation instead
- An appraisal by a qualified appraiser (Member, Appraisal Institute (MAI) or equivalent), must be submitted with the grant application



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IMPORTANT POLICIES AND REQUIREMENTS

- Property acquired, improved or developed with LWCF assistance must be open, maintained and operated in perpetuity for public outdoor recreation
- Maintain property so it is attractive and inviting to the public
- Maintain sanitation facilities in accordance with applicable health standards
- Properties must be kept reasonably safe for public use



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IMPORTANT POLICIES AND REQUIREMENTS

- Buildings, roads, trails, and other elements must be kept in repair throughout their reasonable lifetime
- The facility must be kept open for public use during reasonable hours and seasons, as determined by the nature of the facility and its environment
- What happens if the LWCF assisted property is no longer open to outdoor recreation?



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CONVERSIONS

LWCF property that is converted to activities other than public outdoor recreation uses, the sponsor must:

- Find replacement property not already in park use or set aside for future recreation use
- Of equal fair market value and reasonable equivalent usefulness and location
- Be in accord with the state's current SCORP
- **Avoid if possible!**

FREQUENT QUESTION: Can we just pay back the LWCF awarded grant?



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CONVERSIONS

WHAT TRIGGERS A CONVERSION?

- Termination of public access
- Unallowable indoor facilities
- Anything within the park boundary that does not support outdoor recreation

EXAMPLES:

- Overhead powerlines
- Cell towers
- Utility boxes



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CONVERSION EXAMPLES



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CONVERSION EXAMPLES



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CONVERSION EXAMPLES



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CONVERSION EXAMPLES



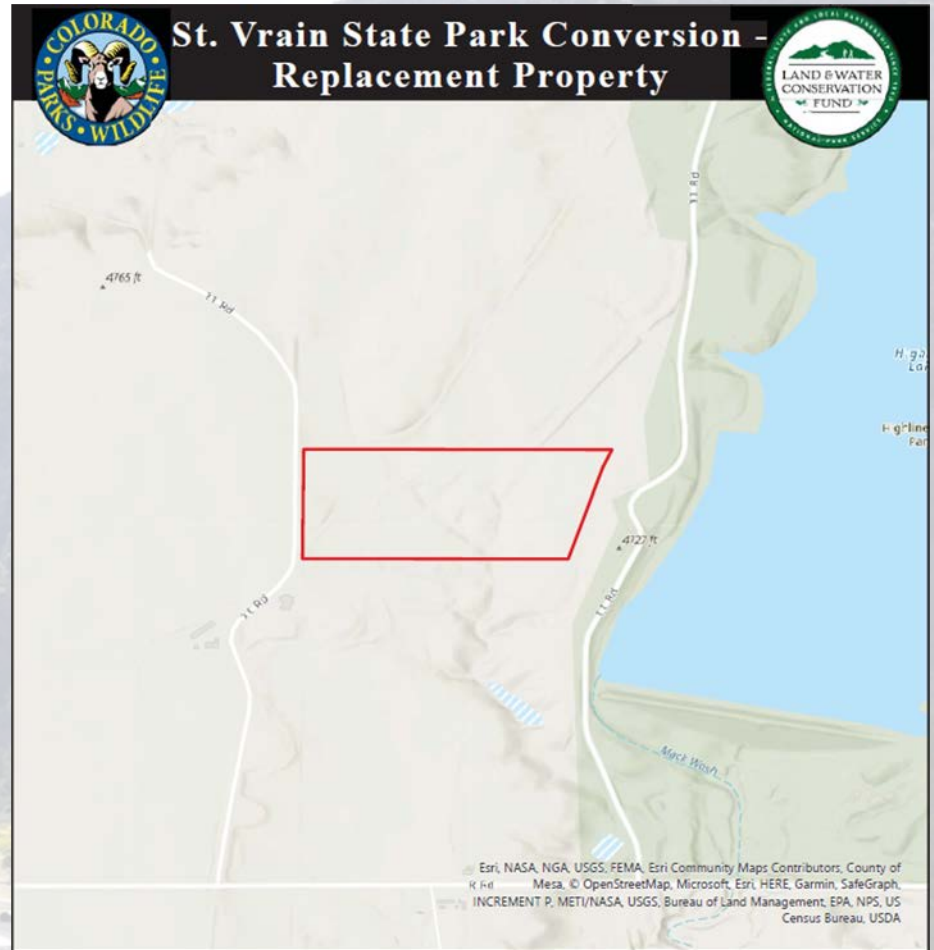
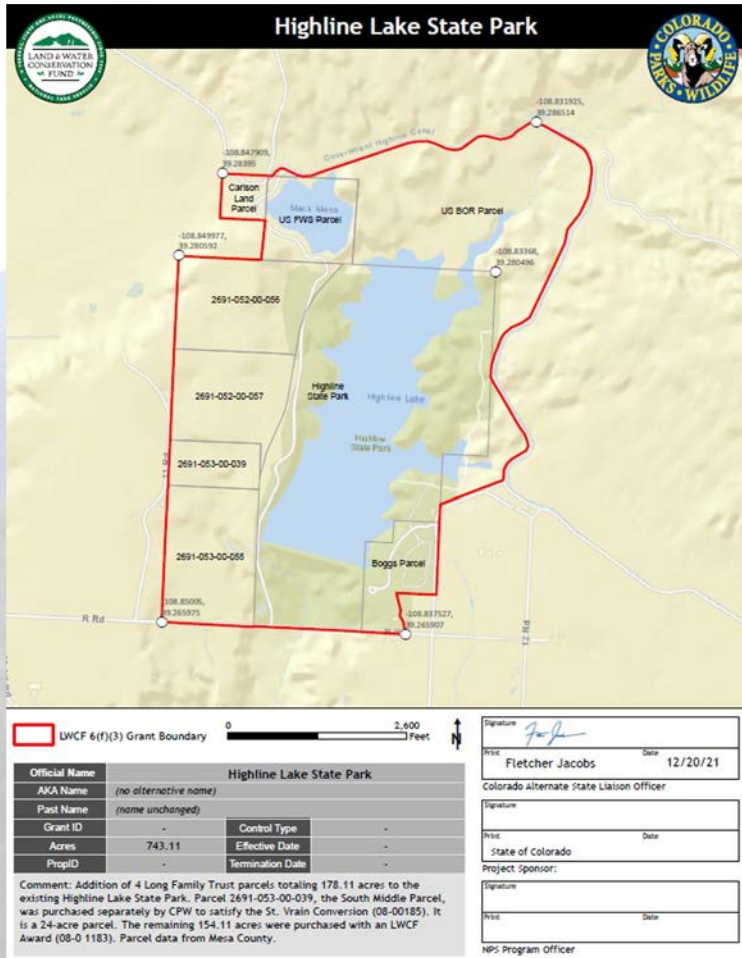
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CONVERSION EXAMPLES



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GRANT ADMINISTRATION

- Grantee must comply with grant agreement terms and conditions
- All LWCF previously funded projects must be in compliance with the program requirements
- LWCF properties must be available for inspection by state and NPS representatives



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LWCF contacts by state

RTP contacts by state



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