



November  
2023

# Land & Water Conservation Fund

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Application Overview





# Prerequisites to Applying

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Taken from LWCF Manual 2021 Edition



# Prerequisites

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Prior to submitting an application to NPS for LWCF assistance, the following conditions must be met:

- The state's SCORP and OPSP meets the eligibility requirements of the Land and Water Conservation Fund Act and this manual. Project applications must be received by NPS while there is eligibility remaining to allow processing of the applications. Applications that cannot be processed prior to the revocation of eligibility will not be acted upon until the state's eligibility has been reinstated.
- The state's apportionment and reapportionment balances from NPS are adequate to cover the proposed project.
- The grant applicant has developed plans for the proposed project to the point where the project scope can be described, timeline estimated, and reasonable estimates of cost can be made.
- The applicant has passed a pre-award financial risk assessment (as per 2 C.F.R. § 200.205).





# Application Overview

The successful LWCF application must navigate a series of steps before a project can begin:

- Applicant scoping and public involvement
- Grant submission to the relevant state agency
- Competition and ranking in the OPSP
- NPS technical review
- State formal submission to NPS
- NPS formal review
- NPS notifies Congress of award(s)
- NPS releases project to state
- State executes grant agreement
- State issues notice to proceed, subject to any special conditions.

All LWCF proposals must be submitted and compete in the relevant state process. Potential applicants are encouraged to coordinate early with their state, review their state's SCORP and OPSP, and review any state produced LWCF manuals. The state prioritizes and selects eligible projects for LWCF assistance through its OPSP. The state is responsible for ensuring the development of the project proposal and completion of the federal grant application according to federal requirements.



# Grant Round Timeline 2025

## State Application

**August 15, 2024** deadline to submit state application in Survey Monkey platform.

**September 2024** LWCF Advisory Committee reviews and scores all eligible applications after sponsor presents project at meeting in Boise.

**November 2024** Park Board approves projects to be submitted to the National Park Service (NPS) for final award.

NEW process as of 2023

## Federal Pre-Application Review

**Project Pre-Application Review:** Applications must be complete and include all documents on the A&R Form page 2 checklist. The intent is to confirm the appropriate NEPA Pathway has been chosen and ensure the necessary federal environmental laws and regulations have been completed for each project and set conditions for which the grant will be actionable (for example, completion of any additional steps for consultation with Fish and Wildlife Service or coordination with the US Army Corps of Engineers). The NPS will begin tribal consultation, if not already initiated. States will not be given permission to upload applications into Grants.gov for approval and funding until compliance with all federal laws and regulations has been completed. **(DUE either January or April)**

## Final Application Submission to National Park Service

**Final Applications Submission:** States address NPS comments on application documents and make revisions or corrections as directed, with support of local applicant as needed. When revisions are complete, the program officer will approve submission of the final application (ALL required elements are included) into Grants.gov.

**Grant Award:** Application is complete and final. During this period, the NPS establishes the funding stream(s) for the grant, writes the agreement, creates the award in GrantSolutions, and generally works the application through the steps needed to release it. **(NOFO March or June)**



# LWCF EVALUATION COMMITTEE PROJECT EVALUATION FORM

Project Name: \_\_\_\_\_ Date: \_\_\_\_\_

Evaluator's Name: \_\_\_\_\_

Please evaluate the project on the basis of the following criteria:

7-8 = Excellent or Extensive  
5-6 = Good or Considerable  
3-4 = Fair or Moderate  
1-2 = Poor or Little  
0 = None or Missing



A. Degree to which the project aligns with the Statewide Comprehensive Outdoor Recreation Plan, particularly Chapters 3 and 4.	
B. Degree to which the project benefits the general public and the facility is open and usable for outdoor recreation during reasonable hours.	
C. Degree to which the costs are reasonable, accurate and relate to an acceptable cost-to-benefit ratio.	
D. Degree to which the property and/or design is well planned and suited for the intended uses.	
E. Degree to which the facility will encourage universal accessibility beyond minimum requirements.	
F. Degree to which the applicant has demonstrated a financial commitment for the ongoing operation and maintenance of the site. (Is there a maintenance budget and/or impact statement for 3-5 years of commitment?)	
G. Degree to which the applicant understands environmental issues and will take action to mitigate any concerns for potential resource damage or health and safety matters.	
H. Degree to which the project creates new or improved recreational opportunities supported by the community.	
I. Degree to which project is reflected as a user need in a current agency plan (this could include a city master plan, local parks and recreation master plan, or county comprehensive plan.)	
J. Degree to which the project brings outdoor recreation activities closer to users and/or underserved demographics.	
K. Degree to which the applicant demonstrates public outreach to sufficiently identify community needs. (Excellent or extensive scores should be reserved for projects that include either statistically valid surveys or public meetings specific to the project.)	
<b>TOTAL</b>	

Do you feel that this project meets the criteria and general quality necessary to merit approval by the Idaho Park and Recreation Board? ☐ Yes ☐ No

COMMENTS AND RECOMMENDATIONS:

- SCORP reference
- Adequate public outreach
- Good cost estimates and budget description (50% match requirement)
- Solid planning documents
- Accessibility
- Environmental clearances/permits
- Recreation priority
- User benefits/demographics

**New SCORP January 2023 – Make sure you are using the correct version**



# Application Elements

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An application for LWCF development and/or acquisition assistance must include the following elements for NPS review :

- Application and Revision Form (A&R)
- Pre-award Onsite Inspection Report
- Standard Forms for Federal Assistance with signatures, as needed (the 424 Family)
- Project Budget including Negotiated Indirect Cost Rate (NICRA) and pre-award costs, if applicable
- Evidence of control and tenure
- Maps
- Description and Notification Form (DNF)
- Evidence of compliance with applicable federal laws (i.e. NHPA, ESA, etc.)
- Project Abstract Summary - *Ensure the Project Abstract field succinctly describes the project in plain language that the public can understand and use without the full proposal.*

State provides all forms to applicant



# Application & Revision Form (A&R)

Using the LWCF Application and Revision Form (A&R), the state develops the proposal for a federal LWCF grant. A completed A&R form will include the following key information:

- **Proposal description** – a description of the project that outlines the scope of work, planned results and outcomes, and a general timeline. Elements to be funded as part of the grant project should be specifically detailed.
- **SCORP reference** – all projects funded with LWCF must meet goals identified in the SCORP. This section of the A&R should explain how the projects does that.
- **Stewardship considerations** – because every park funded with LWCF must be managed for public outdoor recreation use in perpetuity, the form asks applicants to identify all pre-existing site conditions relevant to those requirements. This includes identifying land rights held by other parties, non-recreation uses, and pre-existing buildings.
- **Match source** – NPS must verify that all match is eligible.
- **Public review** – NPS encourages applicants to vet all projects through a sound public review process and the details of that process will also influence which NEPA pathway is selected for the grant.
- **Intergovernmental Review of Federal Programs process**, Executive Order 12372 – if the state participates in this process, the A&R is where that information can be shared with NPS.
- **Acquisition information** – grants that involve an acquisition will need to provide preliminary information including name, size, value, and anticipated acquisition date. Prior to project close out, property must have appraisals completed that meet the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA - see Chapter 4 of LWCF Manual).
- **ERS** – The survey form can be completed either as part of a pre-award inspection or as part of a dedicated environmental review process.





# Pre-award on-site inspection report

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The inspection must be conducted in accord with the on-site inspection agreement between the state and NPS and conducted by individuals knowledgeable about the resources of the site. Sufficient documentation and photos of the site's current conditions are a critical element that help to identify baseline conditions, which can later be compared as the project advances to completion.





# Budget

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## Project budget

- The project budget should clearly identify all project costs and align with the scope of work identified in the project description. It should include detailed information on all cost categories including the value of in-kind contributions submitted for matching purposes. Costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C. While those two forms provide summaries by cost category, the project budget should give additional detail on the details of what each item includes.
- There is no specific format required by NPS for the project budget.

## *Pre-award costs*

- If the budget includes pre-award costs, the project budget should identify the amount of pre-award costs anticipated prior to the grant award, the date from when they began to accrue, and the cost items for which they're being requested. If pre-award costs are approved by the NPS, it will be specified in the grant agreement.

Pre-Award costs are typically design and engineering. There is no guarantee NPS will approve pre-award costs. Please consult the State for more details.



## Budget Narrative

Sponsor: Boise City Parks & Recreation  
 State: Idaho  
 Indirect Cost Rate: 4.63%  
 Project Name: Croffoot Park Improvements  
 Project Number: 16-00593  
 Date: 8-Dec-21

Item	Costs
Engineering/Surveying/Staking/Environmental Review	\$108,000.00
Earthwork	\$104,000.00
Utilities	\$95,000.00
Pavement/Base/Concrete	\$274,560.00
Structures ?	\$261,500.00
Landscaping/Irrigation	\$185,500.00
Amenities (fencing/picnic tables/garbage cans)	\$51,440.00
<b>TOTAL</b>	<b>\$1,130,004.00</b>

Basic budget compared to NPS budget aligning to SF424 form

9. Construction  
 Mobilization  
 General Electric, Water Service  
 Irrigation, Landscaping, Fencing,  
 Pavement Markings  
 Restroom/Concession  
 Shelter

## LWCF State & Local Assistance Grant Budget Narrative / Milestone Plan

State:	Idaho	Sub-grantee:	
Project Name:	2022 Croffoot Park Project	Indirect (ICR):	4.63%
LWCF Legacy Project #:		PoP Start:	10/01/21
Total Project Cost (including ICR):	\$1,130,004.00	PoP End:	12/31/23
Federal Share:	\$565,002.00	Development:	X
Federal Share as % of project:	50.0%	NPS Region:	
		Acquisition:	
		Date Prepared:	07/27/21

Scope of Work: The project will expand Croffoot Park (Hayden's sports complex) by adding a restroom/concession facility, a picnic shelter, add parking, provide walkways, and develop soccer fields.

PROPOSED ACCOMPLISHMENTS	LWCF grant (federal share)	MATCH - from grant sponsor	MATCH - not from grant sponsor	SUBTOTALS by Category	Pre- Agreement Cost?	MILESTONES - projected dates by scope element
1. Administrative and legal expenses						
				\$0.00		10/1/2021 - 12/31/2023
4. Architectural and Engineering Fees						
Professional design services	\$31,500.00	\$31,500.00		\$63,000.00		10/1/2021 - 12/31/2023
6. Project Inspection Fees						
Construction surveying and project inspection	\$22,500.00	\$22,500.00		\$45,000.00		10/1/2021 - 12/31/2023
7. Site Work						
Clearing, Grubbing, & Grading	\$25,000.00	\$25,000.00				
Asphalt, Base, Concrete, Paths	\$135,775.00	\$135,775.00		\$321,550.00		10/1/2021 - 12/31/2023
8. Demolition/Removal				\$0.00		
9. Construction						
Mobilization	\$27,000.00	\$27,000.00				
General Electric, Water Service	\$35,000.00	\$35,000.00				
Irrigation, Landscaping, Fencing, Pavement Markings	\$116,375.00	\$116,375.00				
Restroom/Concession	\$90,000.00	\$90,000.00				
Shelter	\$40,000.00	\$40,000.00		\$616,750.00		10/1/2021 - 12/31/2023
10. Equipment & Materials (no labor)				\$0.00		
11. Miscellaneous						
Picnic Table, Garbage Cans, Storage Shed	\$4,350.00	\$4,350.00				
Water Cap Fee and Power Service	\$12,500.00	\$12,500.00		\$33,700.00		10/1/2021 - 12/31/2023
Subtotals - federal cost share	\$540,000.00	\$540,000.00	\$0.00	\$1,080,000.00		
Subtotal - local cost share (all sources)		\$540,000.00				
16. TOTAL PROJECT COSTS (not incl ICR)	\$1,080,000.00					
Indirect Cost by federal and local cost share	\$25,002.00	\$25,002.00		\$50,004.00		
Total project cost by type of cost share	\$565,002.00	\$565,002.00				
TOTAL Project Cost (including ICR)	\$1,130,004.00				Over Match (Not Reimbursable):	\$0.00

Notes: On the SF424C, Misc and Indirect are combined so \$33,700 + \$50,004 = \$83,704

The indirect cost rate in effect will be applied to each billing.

Cost estimates prepared by: Melissa Cleveland, City of Hayden

Cost categories should align with SF-424c categories. The most common categories for LWCF projects are included above; add others as needed to complete the budget detail.



Your budget must fit cleanly into the federal 424C form. The state “milestone plan” is designed to follow this form and will be used for performance reporting and reimbursement requests. Make sure your budget clearly lines up with this form.

[View Burden Statement](#)

OMB Number: 4040-0008  
Expiration Date: 01/31/2019

### BUDGET INFORMATION - Construction Programs

*NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.*

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 0.00	\$	\$ 0.00
2. Land, structures, rights-of-way, appraisals, etc.	\$ 0.00	\$	\$ 0.00
3. Relocation expenses and payments	\$ 0.00	\$	\$ 0.00
4. Architectural and engineering fees	\$ 15,500.00	\$	\$ 15,500.00
5. Other architectural and engineering fees	\$ 0.00	\$	\$ 0.00
6. Project inspection fees	\$ 0.00	\$	\$ 0.00
7. Site work	\$ 35,000.00	\$	\$ 35,000.00
8. Demolition and removal	\$ 5,313.00	\$	\$ 5,313.00
9. Construction	\$ 48,206.00	\$	\$ 48,206.00
10. Equipment	\$	\$	\$
11. Miscellaneous	\$ 167,989.00	\$	\$ 167,989.00
12. SUBTOTAL (sum of lines 1-11)	\$ 272,008.00	\$	\$ 272,008.00
13. Contingencies	\$	\$	\$
14. SUBTOTAL	\$ 272,008.00	\$	\$ 272,008.00
15. Project (program) income	\$	\$	\$
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 272,008.00	\$	\$ 272,008.00
<b>FEDERAL FUNDING</b>			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X 50 %		\$ 136,004.00



# Cost Principles

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- To be eligible for matching assistance, costs must have been incurred within the project period except for certain pre-award project planning costs, which may be approved retroactively. The project period is the span of time stipulated on the agreement during which all work to be accomplished under the terms of the agreement must be completed. The LWCF does not reimburse obligations, regardless of when they are assumed; it reimburses costs incurred during the project period.
- For development projects, the costs of site investigation and selection, site planning, feasibility studies, preliminary design, environmental review and other federal and State compliance, preparation of cost estimates, preparation of construction drawings and specifications, and similar items necessary for project proposal preparation may be eligible for assistance, although incurred prior to project approval. Similar costs may be allowable for acquisition proposals except for incidental costs.

All such pre-award planning costs will be allowable if incurred within three years prior to project submission to the NPS.



# Public Outreach/Public Comment Period

## Decision to place water tower in Capital Park stirs local debate

By BRENNEN KAUFFMAN bkauffman@postregister.com Feb 27, 2021 0



An evening picture of the Idaho Falls water tower from September 2019.

Brian Allison

### MORE INFORMATION



#### Hundreds sign petition to preserve Idaho Falls water tower

An online petition to keep an oft-photographed Idaho Falls water tower from being torn down and replaced has passed its 500-signature goal.



A circle outlined in the snow in Capital Park-South marks the site of renewed debate over the future of the Idaho Falls water tower.

David and Renee Morgan have lived directly across Capitol Avenue from the park for four years. The Morgans knew the site was one of the three possible locations for the city's next water tower and had attended public hearings last March to speak against placing the tower there. But until two weeks ago, they didn't know the city had long since made its official decision.

Idaho Falls City Council had voted to approve the location in Capital Park during a May work session. On Thursday, the Board of Adjustment held a conditional-use permit hearing to decide on allowing the water tower site to continue forward. The

1 of 3



## Travers Park project concerns citizens



A concept drawing for improvements at the Travers/Centennial/Great Northern Sports Complex. Improvements at the complex were identified as a community priority in terms of the city's parks system.

(Illustration courtesy CITY OF SANDPOINT)

5.50%  
MONTHLY MARKET ADJUSTMENT



# Buy America/Buy America

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project.

- As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver.





# Buy America Preference

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## Buy America, Build America Act

The Buy America, Build America Act (sections 70901-52 of the Infrastructure Investment and Jobs Act, Pub. L. 117-58) requires all federal agencies to ensure that no financial assistance funding is provided for infrastructure projects unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. Per the Office of Management and Budget (OMB) memorandum M-22-11, federal agencies must meet this requirement by May 14, 2022.

- “Buy America” Preference
- *A domestic procurement preference applies to these categories of products and materials used in infrastructure projects:*
  - **All iron and steel.** All manufacturing processes, from the initial melting stage through the application of coatings, must occur in the United States.
  - **All manufactured products.** Must be manufactured in the United States and the cost of its domestically mined, produced, or manufactured components must be greater than 55 percent of the total cost of all its components unless another standard applies under law or regulation.
  - **All construction materials.** All manufacturing processes for the construction material must occur in the United States.
- Classify an article, material, or supply into only one category. Apply the iron and steel test to items made mostly of iron or steel unless another standard applies under law or regulation.



# Control and tenure

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- The application must include proof that the applicant has sufficient control and tenure of the property that will be subject to LWCF requirements. Adequate documentation could include a copy of a deed, assessor's report, or statement by counsel, and may be waived when the property has been the subject of previous LWCF grants. The application must also describe any easements, rights-of-way, leases, subsurface rights (e.g. mineral), reversionary interests, and any other agreements that convey rights entities that are not signatories on the LWCF grant. If the property includes reversionary interests held by a party that is not a signatory on the LWCF grant, the application should also include an opinion from appropriate counsel stating the applicant has the authority to enter into a grant contract that requires a conversion in the event those reversionary rights are exercised. If an applicant has no such authority, and the state does not agree to replace the property at its expense, then the project is not eligible for LWCF assistance.



# Maps

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- *Location map*

- The location map is intended be a simple graphic that depicts the location of the site within its larger geographic context. It should clearly depict the location of the outdoor recreation area, its entrance, and the closest cross streets. It should include a north area and location name (i.e. city, county).

- *Site plan*

- A site plan is a detailed graphic that shows how a site will be developed. It should identify the location of the planned LWCF development in relation to the property boundary and any existing structures, landscape features, roadways, or other identifying features. For both acquisition and development grants, the site plan should depict the development planned at the location within the foreseeable future (generally three years), whether or not it will be funded with LWCF. However, if LWCF is funding some of the development, the site plan should identify which elements are grant funded, which are pre-existing, and which are planned.

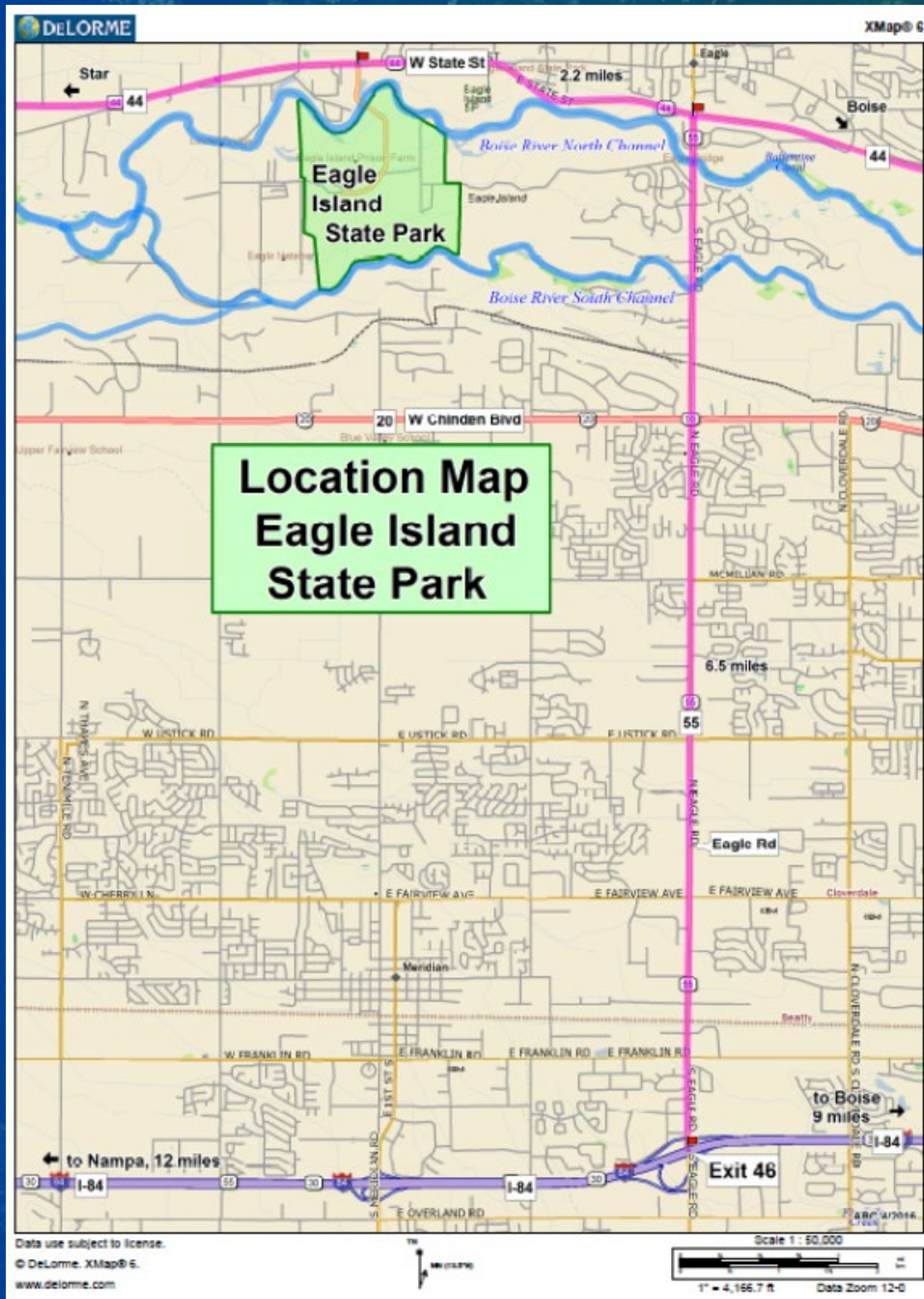
- *Parcel map*

- Acquisition grants must include a parcel map or maps depicting the parcels to be acquired with grant funding. Parcel maps may be provided with development grants to further clarify ownership and boundaries.

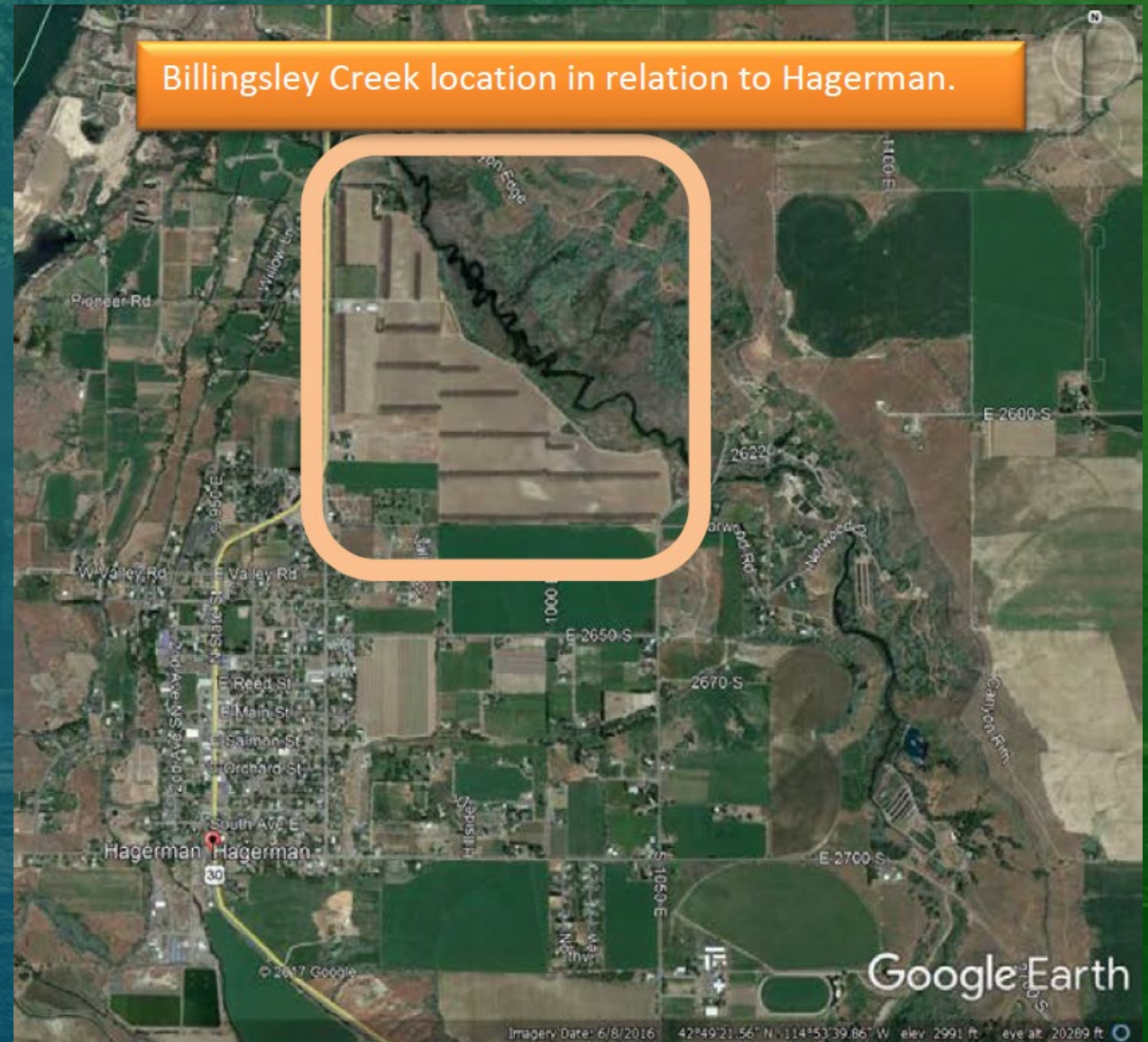
- *LWCF boundary map*

- The intent of the LWCF Act is to expand and protect a public recreation estate. Generally speaking, the LWCF Act aims to include the largest possible area in boundary to add to the national recreation estate. **Thus, the default assumption should be that the entire recreation area being developed or expanded will become subject to LWCF requirements.** The LWCF boundary area should generally be the same as that which is owned by the project applicant(s) at the time of grant close out. It is the expectation of NPS that acquisitions justified by their proximity to a pre-existing recreation area will include in the LWCF boundary that pre-existing area in its entirety.





Location Maps should give enough information that someone who has not been to the location could find it to visit.

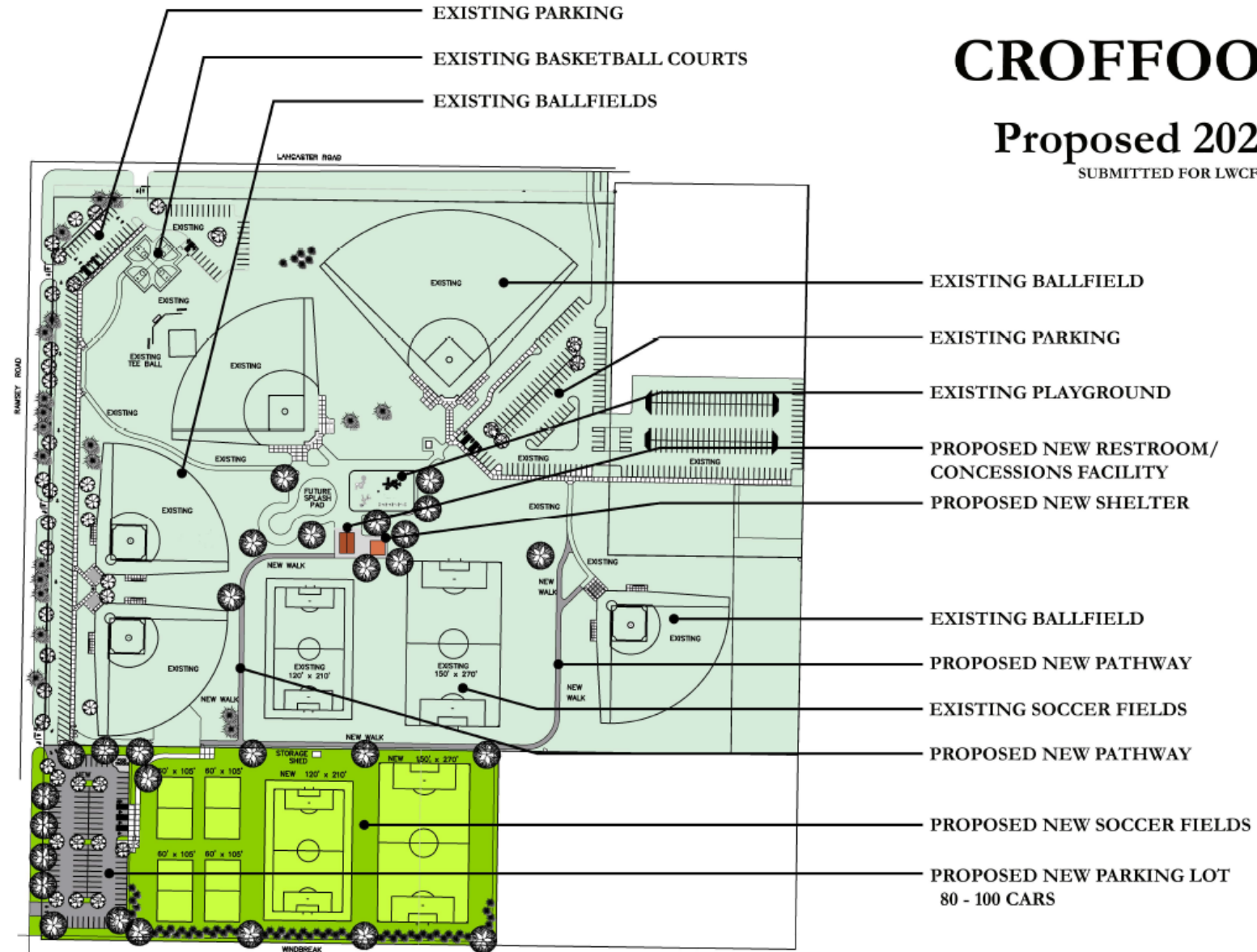




## Site Plan/Concept Design

A site plan is a detailed graphic that shows how a site will be developed. It should identify the location of the planned LWCF development in relation to the property boundary and any existing structures, landscape features, roadways, or other identifying features.

The site plan should identify which elements are grant funded, which are pre-existing, and which are planned.



# CROFFOOT PARK

HAYDEN, IDAHO

## Proposed 2022 Additions

SUBMITTED FOR LWCF FUNDING CONSIDERATION

JANUARY 2021

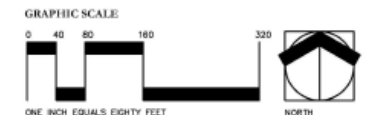
PREPARED FOR:



PREPARED BY:

O J M

THE OFFICE OF  
JONATHAN MUELLER, FASLA  
Coeur d'Alene, Idaho





## LWCF Boundary Maps (formerly known as 6(f) Maps)

The LWCF boundary map should clearly delineate the area to be subject to the provisions of the LWCF Act. A draft LWCF boundary map is required for all projects prior to NPS approval. NPS will contact the state about any needed changes to the map.

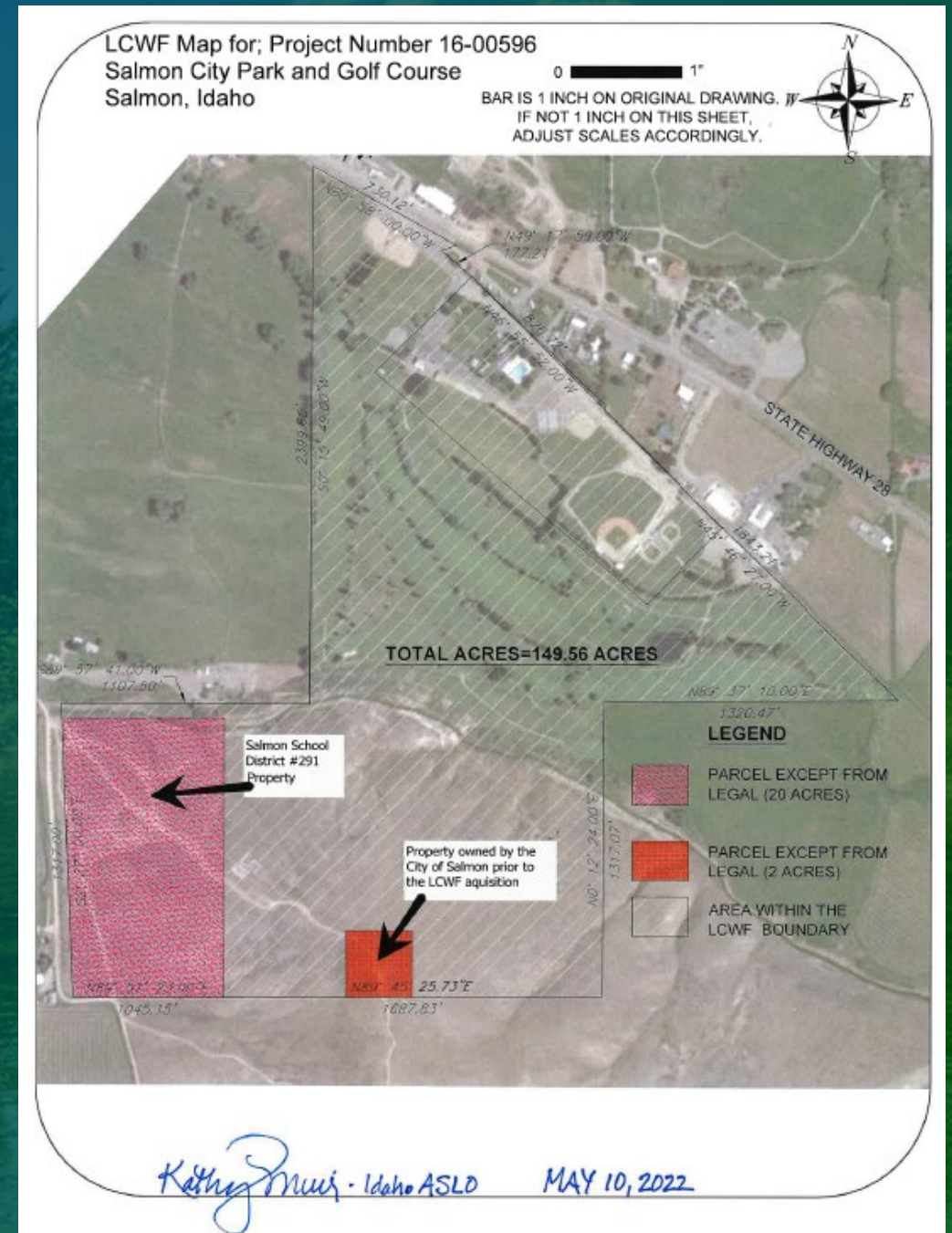
For some parks and recreation areas, the boundary area is well defined and identified easily. For other sites, defining the boundary is a more complex task. Examples of challenging boundaries can include linear parks, trails, greenways, sites with complex ownership or jurisdictional issues, boundary points that have the potential to shift over time (i.e. a boundary defined based on a water body or other natural landmark), and expanding conservation areas with multiple management partners. In those instances the project applicant should plan for additional time to collaborate with NPS on defining the LWCF boundary area that meets LWCF program requirement and **represents a viable recreation area.**





An acceptable LWCF boundary area map is required for all development and combination projects prior to NPS approval, and for acquisition projects, prior to reimbursement.

1. Official park/site name, location, and LWCF project number.
2. Sufficient detail so as to legally identify the lands to be subject to the provisions of the LWCF Act.
3. All known outstanding rights, interests in the area held by others.
4. Total acreage of the area within the LWCF boundary and subject to the provisions of the LWCF Act.
5. North Arrow.
6. Signature of the SLO or ASLO (dated).
7. Maps of up to 11x17-inch format are preferred. Avoid use of color as the only means to delineate areas.

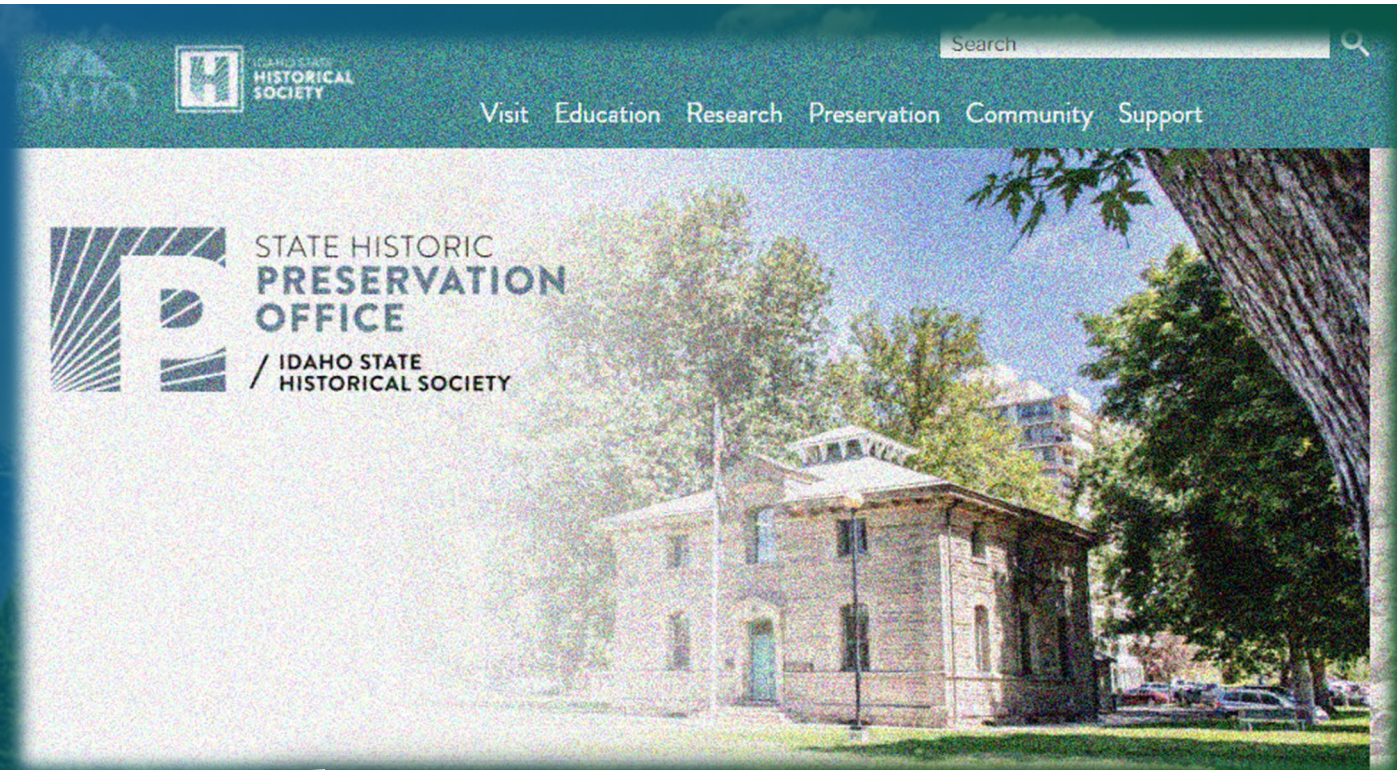




# National Historic Preservation Act

Since the passage of the National Historic Preservation Act (NHPA) in 1966, federal agencies have been required to promote the preservation of historic properties. The purpose of NHPA is to help federal agencies make informed decisions about their activities, and to provide an opportunity for interested and affected parties to provide comments and recommendations that will help agencies avoid, minimize, and mitigate adverse effects on historic properties. Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on historic properties and to provide the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertakings. The section 106 implementing regulations are found at 36 C.F.R. Part 800.

For the purposes of Section 106 compliance, an undertaking includes any project carried out, funded, or approved by a federal agency and therefore includes all new LWCF grants (except for planning grant). Additional review may also be required for amendments that change the scope of what had previously been considered when a grant was first submitted. Failure to comply with the requirements of NHPA prior to initiating the scope of an LWCF grant may be grounds for termination for cause.



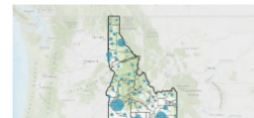
## Maps

Welcome to the featured maps of the State Historic Preservation Office. To view a complete list of available map resources, please visit our [ArcGIS Online](#) page.



### Idaho Certified Local Governments

This map displays the Idaho Cities and Counties that are recognized as Certified Local Governments. For more information visit [Idaho CLGs](#) or [email](#).



### National Register of Historic Places in Idaho

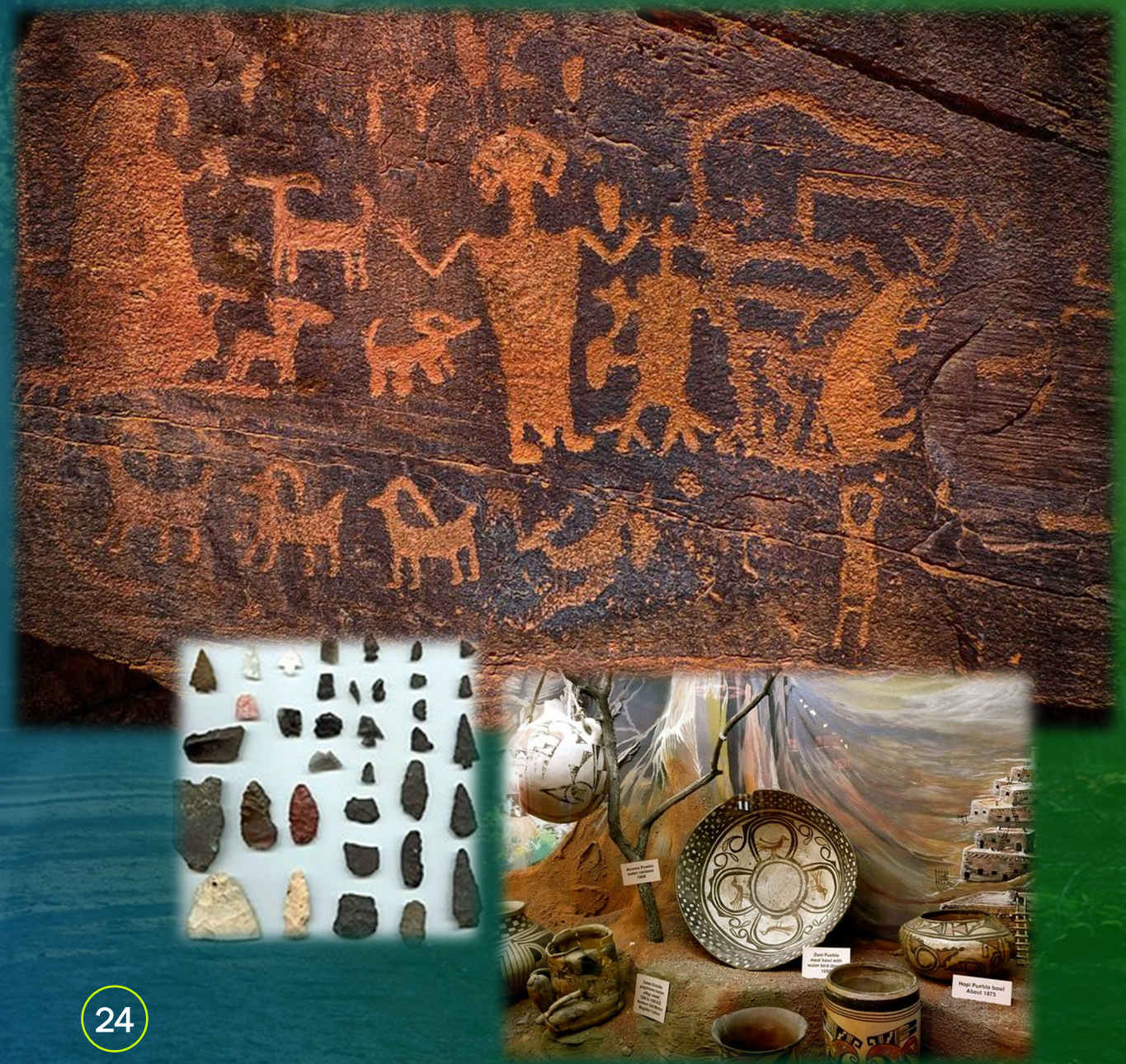
This map features the National Register of Historic Places in Idaho. For more information visit [Idaho National Register](#) or [email](#).

[Map Link](#)



# Tribal Consultation

NPS will carry out its government-to-government consultation responsibilities with Indian tribes and NHOs. States must coordinate with the NPS early in the planning process, prior to application submission, so that NPS can begin consultation with Indian Tribes and NHOs as early as possible in the planning process (36 C.F.R. § 800.2(c)(2)(ii)(C)).





# National Environmental Policy Act (NEPA)

The NEPA process coordinates compliance with applicable related federal, State, and local environmental requirements.

- The National Environmental Policy Act of 1969, as amended (43 U.S.C. §4321 et seq.), was enacted to provide a consistent process across federal agencies for making better, more informed decisions that carefully consider potential environmental impacts of any proposed federal action.
- The NPS federal action for new grants is the approval to provide funding for planning, acquisition, and/or development. Thus all of NPS LWCF decisions are subject to NEPA, but there are varying degrees of analysis required. The NPS has four NEPA pathways, or levels of analysis and documentation, to comply with NEPA as outlined in the NPS NEPA Handbook.





# NEPA

- **Categorical Exclusion (CE) for which No Documentation is Required** – This pathway is applicable to actions that have been found to have no potential for significant environmental impacts under ordinary circumstances and whose potential for environmental impacts of any kind is so minimal the NEPA pathway does not require formal documentation.
- **Categorical Exclusion (CE) for which Documentation is Required** – This pathway is applicable to actions that have been found to have no potential for individual or cumulative significant environmental impacts under ordinary circumstances, but whose potential for environmental impacts warrants some level of analysis and formal documentation.
- **Environmental Assessment (EA)** – This pathway is applicable to a variety of situations, most often when the potential degree of environmental impacts is unknown. An EA should be a brief and concise document at a level of detail limited to that necessary to demonstrate that the proposal would not result in significant environmental impacts.
- **Environmental Impact Statement (EIS)** – This pathway is applicable to proposals that could result in significant adverse environmental impacts. There is regulatory guidance detailing the requirements for an EIS.

Do not assume already disturbed areas constitute a CE!



# Inspections

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- States are encouraged to use the **pre-award on-site inspection** to generate information for use in preparing the LWCF A&R Form. The pre-award site inspection shall be conducted by individuals knowledgeable about the resources of the site.
- **Progress inspection** reports may be combined with the annual performance report or submitted to the Service at the same time as the electronic fund transfer.
- **Final inspection** reports must be submitted to NPS within 90 days after the date of completing a project and prior to final reimbursement and administrative closeout.
- **Post-completion site inspections** must be conducted within five years after the final project reimbursement and **every five years** thereafter. Post-completion reports should be retained in the State file, except for those inspections that discover post-completion compliance problems such as park closures and non-recreation or private uses occurring within the LWCF boundary area. The State shall report to the NPS the project numbers of all sites inspected soon after the inspection is conducted and forward to NPS only the inspection reports for LWCF sites with problems.

Unannounced inspections should be expected.



# POST-COMPLETION AND STEWARDSHIP

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Requirements for maintaining LWCF assisted sites and facilities in public outdoor recreation use following project completion. LWCF-assisted areas shall remain accessible to the general public including non-residents of assisted jurisdictions

## Operation and Maintenance

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

- 1. The property shall be maintained so as to appear attractive and inviting to the public.
- 2. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
- 3. Properties shall be kept reasonably open, accessible, and safe for public use. Fire prevention, lifeguard, and similar activities shall be maintained for proper public safety.
- 4. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use.
- 5. The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.



# Conversion of Use

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Property acquired or developed with LWCF assistance shall be retained and used for public outdoor recreation. Any property so acquired and/or developed shall not be wholly or partly converted to other than public outdoor recreation uses without the approval of NPS pursuant to Section 200305(f)(3) of the LWCF Act and these regulations.

## **Situations that trigger a conversion include:**

- Property interests are conveyed for private use or non-public outdoor recreation uses.
- Non-outdoor recreation uses (public or private) are made of the project area or a portion thereof, including those occurring on pre-existing rights-of-way and easements, or by a lessor, which alters the outdoor recreation use.
- Unallowable indoor facilities are developed within the project area without NPS approval, such as unauthorized public facilities and sheltering of an outdoor facility.
- Public outdoor recreation use of property acquired or developed with LWCF assistance is terminated.

**The sponsor is responsible for perpetual management of the land in accordance with the LWCF Act.**



# SIGNS



## Land and Water Conservation Fund

Helping states and communities provide  
outdoor recreation and open space  
for all Americans

National Park Service  
Idaho Department of Parks & Recreation





# Checklist

A successful application should include the following steps:

- Talk to Kathy about your project
- Set up a site visit to talk about project components
- Learn how to navigate on-line application process
  - Will not be Survey Monkey
- Research any NEPA requirements your site might need
  - Some costs could be eligible if required
- Do adequate public outreach
- Create a reasonable budget with adequate detail
  - Pad your numbers, we don't allow contingency line
- Create a sufficient boundary map per NPS rules
  - NPS will not approve projects without appropriate boundary map

BE Patient – this is a long process





# Established 1965

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The Land and Water Conservation Fund was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard our natural areas, water resources and cultural heritage, and to provide recreation opportunities to all Americans.



# Questions?

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Kathy Muir, Alternate State Liaison Officer

Phone

208-514-2431

Email

[Kathy.Muir@idpr.Idaho.gov](mailto:Kathy.Muir@idpr.Idaho.gov)



# *Protecting Lands and Giving Back to Communities*

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