



# NEVADA

Open Project Selection Process

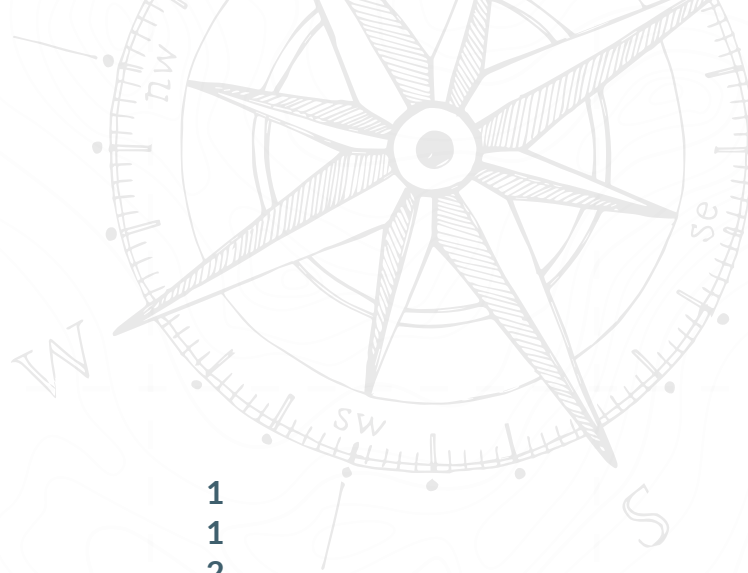
2022-2026

Nevada Department of Conservation &  
Natural Resources

Division of State Parks

Division of Outdoor Recreation

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# INTRODUCTION

The Land and Water Conservation Fund (LWCF) Act was established in 1964 in order to provide recreational opportunities for America's communities. The intent was to provide a consistent source of funding for the development of local parks, playgrounds, and other recreational spaces. The fund does not use any taxpayer dollars; rather, it utilizes earnings from offshore oil and gas leases to fund local recreation projects.

In Nevada, the Division of State Parks (NDSP) is responsible for administering the LWCF. The administration of Nevada's program is the focus of this document. While every state is given some flexibility in the implementation of its LWCF program, the Nevada program does adhere to the requirements outlined in the LWCF Federal Financial Assistance Manual.<sup>1</sup>

# OVERVIEW

In order to remain eligible for LWCF funds, states must maintain several documents: an approved Statewide Comprehensive Outdoor Recreation Plan (SCORP), Statewide Wetlands Plan (SWP), and Open Project Selection Process (OPSP).

The OPSP is meant to perform two essential functions:

1. Establish a public notification process, provide LWCF application assistance, and implement a grant review system that assures equitable opportunities for participation by all eligible applicants;
2. Provide objective criteria and standards for project selection that are explicitly based on each State's priority needs for land acquisition and outdoor recreation development as identified in the SCORP.

The LWCF program is overseen by Nevada's LWCF State Liaison Officer (SLO) and two Assistant State Liaison Officers (ASLO). Per official appointment by the Governor of the State of Nevada, the NDSP Administrator is the designated SLO. The ASLO designees are the NDSP Deputy Administrator of Planning, Development and Grants, and the Parks and Recreation Program Manager.

The SLO, ASLOs, NDSP grants staff, and outside Advisory Committee perform detailed reviews of each

project submitted. The criteria for review, which are explained in detail below, were developed as part of the 2022-2026 SCORP with input from the development Core Team as well as associated partners and advisors. As permitted by LWCF regulations, NDSP may itself apply for LWCF funding, however, these applications (referred to as "State" projects) are processed independently from, and therefore do not compete with, "local" projects (see next page for more details on this particular aspect of the program).

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<sup>1</sup> National Park Service, U.S. Department of the Interior, Land and Water Conservation Fund State Assistance Program, Federal Financial Assistance Manual, Volume 69 (October 1, 2008), [https://www.nps.gov/subjects/lwcf/upload/lwcf\\_manual.pdf](https://www.nps.gov/subjects/lwcf/upload/lwcf_manual.pdf).

<sup>2</sup> Nevada Division of State Parks, Nevada State Comprehensive Outdoor Recreation Plan: 2016-2021 (2016).

<sup>3</sup> Ed Skudlarek, editor, Nevada Wetlands Priority Conservation Plan: Technical Review Draft (Nevada Department of Conservation and Natural Resources, 2006), <http://www.heritage.nv.gov/node/173>.

# PROGRAM ELEMENTS

## Authority

The LWCF Grant Manual states that: “To be eligible for assistance under the LWCF Act, the Governor of each State shall designate in writing an official who has the authority to represent and act for the State as the State Liaison Officer (SLO)...” This position “...shall have authority and responsibility to accept and to administer funds paid for approved projects.”<sup>4</sup>

To achieve this, Nevada Revised Statute (NRS) 407.205 permits the Administrator of NDSP to accept, administer, and disburse Federal grant monies for the planning, acquisition, or development of outdoor recreation projects. NRS 407.207 allows NDSP to apply for Federal funds for any outdoor recreation programs.

## Public Input

OPSP review criteria were developed based on the prominent Themes, Goals, and Recommendations of the 2022-2026 Nevada SCORP. Public input for the SCORP included extensive public surveys and analyses, targeted small group feedback, and input from an Advisory Committee selected to represent the many outdoor recreation interests of various public sectors across the state. Refer to the main SCORP document for a detailed discussion of public outreach efforts and how public input guided SCORP development.

## Funding Cycles

Nevada’s LWCF grant cycles vary annually and are dependent upon both the Secretary of the Interior’s notice of apportionment, which identifies the amount of funds that are available to Nevada for each fiscal year, as well as open funding opportunities that are determined by the National Park Service (NPS). As the federal agency responsible for LWCF oversight at the national level, NPS announces open funding windows. NDSP then creates funding cycles that complement the national timeline. Details for each LWCF grant cycle will be announced through official NDSP press releases, NDSP website updates and e-mails to NDSP grantee distribution lists.

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<sup>4</sup> NPS, *Federal Financial Assistance Manual*.

## Local and State Project Funding

In Nevada, LWCF monies are divided into two distinct funding pools. For each federal apportionment, funds are assigned to both “local” projects and “state” projects. Local funds are those for which political entities and subdivisions apply. State projects are undertaken by NDSP. The distribution of funds is established by the SLO and is generally a 50-50 split (i.e., 50% of LWCF funds are utilized by NDSP and 50% are opened for local project competition). While this distribution will remain as the standard in Nevada, there are exceptions permitted by the LWCF Act:

- The SLO retains the right to assign 100% of an LWCF apportionment to the NDSP (i.e., no local applications will be accepted for a cycle). If this were to occur, the decision would be based upon particular state recreation priorities and NDSP would inform potential applicants through its standard public notification channels (see next section);
- Occasionally, a cycle will see a limited number of local applicants. In these instances, there may not be enough eligible applications to utilize all of the funding designated for local projects. When this occurs, NDSP reserves the right to direct any remaining local funds toward state projects.

When projects are cancelled, closed, or completed, any remaining funds are assigned to a Special Reapportionment Account (SRA). These funds may be used by NDSP or put towards local projects after meeting specific reporting requirements, as defined by the Department of the Interior. For example: NDSP may utilize SRA funds only if all of its entire regular apportionment of LWCF funds have been obligated for that year.

SRAs are available to NDSP year- round for additional projects and amendments, but not to political subdivisions unless NDSP has no projects scheduled. At the discretion of the SLO, funds may be made available to political subdivisions as described in the Amendments section below. If SRA or other allocation funds are available, project funding could be increased without change to the original Federal percentage of the project as long as equivalent match is provided. Guidance on the reapportionment of SRA can be found in the NPS, Federal Financial Assistance Manual.

State projects (those LWCF funds set aside for NDSP projects) must demonstrate their alignment with the recreational goals identified in the SCORP, just as local applicants do. For these projects, the Deputy Administrator will collaborate with Planning, Development and Grants staff to prioritize and identify projects that align with the SCORP and develop a project description, scope, and budget in accordance with the NDSP Park Improvement Process.

## Public Notification

NDSP endeavors to notify all eligible entities of LWCF and other grant funding opportunities through a variety of channels. NDSP staff maintains a comprehensive e-mail distribution list of past applicants, potential applicants, and other state and local organizations and individuals who have expressed interest in NDSP grant programs. NDSP also posts funding announcements on the State Parks website, issues press releases and encourages partner organizations to share information on funding opportunities.

Each LWCF funding opportunity announcement includes:

- eligibility requirements;
- the amount of funds available and the due date;
- a statement of objectives for the program;
- links to/attachments of the current SCORP and OPSP;
- application instructions (including the application itself, guidance documents, and federal compliance requirements).

## Project Evaluation System

Once local LWCF applications are submitted, they are reviewed by NDSP staff and the Advisory Committee using a project evaluation system. The system is points-based and provides for the fair review of proposals in terms of project need, project quality, alignment with SCORP Themes, applicant grant history and previous management of LWCF awards.

The project evaluation system is weighted, with SCORP alignment considered the most important criteria. Ultimately, funding recommendations to the SLO are based on project evaluation scores. For full details, please refer to “Selection Criteria” on page 5.

## Technical Assistance

NDSP grant staff are available to provide assistance to potential applicants regarding project formulation, proposal preparation, understanding of project evaluation criteria, and general grant management. Grant staff also host periodic webinars and in-person trainings for potential applicants. Additionally, project site visits and consultation meetings are encouraged and should be scheduled with NDSP staff far in advance of application due dates.

## Amendments

While successful projects are planned properly from the start, LWCF undertakings are nevertheless complex and sometimes require amendment in order to complete a project as envisioned. The process of amending an LWCF project requires close coordination between the applicant, NDSP, and NPS, with NPS approval required for all LWCF amendments.

# OPEN PROJECT SELECTION PROCESS

**The process of selecting local grantees includes three phases: Screening, Evaluation, and Recommendation.**

## Phase 1: Screening

This initial phase serves to assess a project's eligibility and application completeness. It is conducted solely by NDSP grant staff. Applications that fail the initial screening will not be forwarded to the SLO, ASLOs, or LWCF Advisory Committee for further review. Eligible project applications must include the following:

- Both the applicant and project must meet the eligibility requirements of the most current National Park Service LWCF Manual.<sup>5</sup>
- Applications must be complete and submitted prior to the application deadline.
- Adequate control and tenure of lands must be established, including the project site as well as lands within the LWCF project boundary area. Control and tenure may be demonstrated by:
  - fee simple ownership of all project lands without encumbrances;
  - a lease from the Federal government with a remaining term of 25 years or more;
  - applicants may also have partial ownership (e.g., conservation easement) provided the ownership arrangement mandates and maintains appropriate outdoor recreation use in perpetuity.
  - deed restrictions stipulating the terms and legal requirements of the LWCF program are required of all LWCF projects.

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<sup>5</sup> NPS, *Federal Financial Assistance Manual*.

## Phase 2: Evaluation

Project applications that include all required elements will move to phase two for evaluation by the LWCF Advisory Committee. Members will be invited to join the Advisory Committee by NDSP grant staff. Members will be selected to represent a wide array of user groups and recreational interests. The Committee may include staff from other land management agencies, representatives from the outdoor recreation and tourism sector, representatives of outdoor recreation or open space user groups, or private citizens with a demonstrated interest and/or experience in outdoor recreation and/or open space acquisitions. As noted above, project reviews and evaluations are defined by the criteria described in the next section. The final score awarded to each project will determine the overall rankings.

The amount of LWCF funds available will play a role in the number of projects that get funded. As funds are committed to the highest-ranking projects, the available LWCF funds decrease. At some point, available funds will drop below the requested amount on a given application. At that point, NDSP and the applicant will work to adapt the project to available funds.

Also note: each project must meet Federal legal requirements as they pertain to the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), Endangered Species Act (ESA), and other relevant laws (for a complete list, please refer to the LWCF Manual<sup>6</sup>). All legal requirements must be met by the applicant prior to submission of the application. NDSP grants staff will provide technical assistance to applicants regarding all clearance and compliance issues. However, NDSP does not guarantee project clearance or compliance in any way: final responsibility ultimately rests with the applicant.

Once NEPA and NHPA clearances are obtained for projects selected for funding, they are then forwarded to the NPS for review prior to formal submission in Grants.gov.

## Phase 3: Recommendations to the State Liaison Officer (SLO)

After completing Phases 1 and 2, NDSP grants staff will provide a transmittal letter to the SLO for review and signature to include with the application materials, which are then submitted to the NPS via Grants.gov. NPS may at that point either issue final approval and award LWCF funding or request additional information about the project to confirm eligibility status. Once funding is awarded to NDSP by NPS, binding agreement documents are then issued to each sub grantee for signature. Finally, NDSP will send a formal Notice to Proceed to each sub grantee once project agreements have been signed and executed.

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<sup>6</sup> NPS, *Federal Financial Assistance Manual*.



# LWCF PROJECT EVALUATION CRITERIA

This section describes the review criteria for evaluating LWCF project applications. Four general areas are represented: project need, project quality, alignment with SCORP Themes, and applicant history.

## I. Project Need (2 criteria, maximum possible score of 7 points)

Applicants must clearly explain how their project would fulfill an outdoor recreation need in Nevada. Applicants are expected to describe the specific need, explain how their project provides a solution, and demonstrate how conditions would be improved, upon completion of the project.

The specific criteria are:

### 1. Inclusion in Current Planning Documents

Is the proposed project identified in a finalized, active planning document? Such documents may include (but are not limited to): state, regional or municipal master plans, strategic planning documents, open space plans, or park specific development plans. Natural resource studies, economic reports, public health reports, or other studies commissioned by public entities may be included as supporting documentation.

#### Applicant will provide:

Narrative description of the project's role in current, accepted planning documents. Applicant may include supporting documents as deemed appropriate. Applicants should also demonstrate how their planning documents complement the current SCORP.

#### Scoring Rubric

- 4 Project is specifically identified as a priority within an existing plan
- 3 General project type is identified as a priority
- 2 Project not mentioned in a plan, but compelling justification is provided
- 1 Project not mentioned, nor is project fully justified, given other outdoor recreation priorities

### 2. Impact on Outdoor Recreational Opportunities

How will the proposed project expand upon or otherwise improve the outdoor recreation opportunities available to a community? Projects must demonstrate an ability to either bring new outdoor recreation options to an area or underserved population or improve upon existing facilities such that more users can access them. This includes American with Disabilities Act (ADA) retrofits, as well as any other elements that improve accessibility and reduce barriers to outdoor recreation.

**Applicant will provide:**

Narrative description of a project’s ability to enhance recreation options for an underserved area or population. Applicant may include supporting documents as deemed appropriate.

**Scoring Rubric**

- 3 Project introduces an entirely new outdoor recreation opportunity to an area or population
- 2 Project improves an existing opportunity so that accessibility is increased
- 1 Project improves an existing opportunity, but does not expand its impact

**II. Project Quality (5 criteria, maximum possible score of 16 points)**

While it is important to establish the need for a project, it is also necessary to determine the ability of any specific proposal to fulfill that need. This section assesses an applicant’s project implementation strategy and ability to accomplish their stated goals.

The specific criteria are:

**1. Project Readiness/Preparedness**

Is the project “shovel-ready”? Every piece of a project need not be in place at the time of application, but a clear schedule must be established, logistics must be addressed, and contingencies planned for. Note: this criterion also considers environmental (NEPA) and cultural (NHPA/Section 106) compliance. Although not required, it is highly recommended that all clearances are completed prior to application submittal to avoid project delays.

**Applicant will provide:**

- Documentation which confirms project schedules, implementation strategies, and contingencies.
- For NEPA compliance, applicant must provide one of the following documents: Record of Decision, Finding of No Significant Impact, or Categorical Exclusion.
- For NHPA compliance, applicant must provide evidence of concurrence with the Finding of Effect, provided by the Nevada State Historic Preservation Office (SHPO).

**Scoring Rubric**

- 3 Project implementation can begin within three months of a finalized award agreement
- 2 Project implementation can begin within six months of a finalized award agreement
- 1 Project implementation will take a year or longer following finalization of award agreement

## 2. Partnerships

Does the applicant have commitments from other agencies/organizations that will assist in project implementation and timely completion? This criterion assesses the level of coordination between the applicant and those who have committed to functional roles in the project. Partnerships can be established for various aspects of planning, management, funding assistance/leverage, volunteered labor, sponsorships, in-kind donations, underserved community engagement, and post-completion facilities/site maintenance.

### **Applicant will provide:**

Narrative description of how partnerships will contribute to shared project goals, and evidence that the relationship(s) are formalized or otherwise confirmed (e.g., contract, memorandum of understanding/agreement, letter of commitment, or other signed documentation).

### **Scoring Rubric**

- 3 Applicant will complete project with two or more partners
- 2 Applicant will complete project with one partner
- 1 Applicant will complete project without partners

## 3. Public Involvement

Was the public engaged in project selection and development? Successful LWCF projects provide the public with opportunities to discuss the project, ask questions and convey concerns. Public involvement may include (but is not limited to): workshops, surveys, and in-person or virtual public meetings.

### **Applicant will provide:**

Documentary evidence of both the scope and substance of public involvement (e.g., meeting notes, survey results, letters of endorsement from community groups and other citizens). Applicant must specifically describe how they addressed:

- the engagement of underserved populations and populations facing barriers to outdoor recreation access
- concerns raised by the public that are specific to the project.

### **Scoring Rubric**

- 3 Clear evidence of public involvement and comprehensive attention to public concerns
- 2 Public involvement was solicited, but concerns either inadequately addressed or not addressed at all
- 1 Public involvement not solicited or otherwise lacking in scope and thoroughness

## 4. Innovation and Best Practices

Will the project implement new innovations and/or adhere to broadly accepted best management practices? Innovations need not be completely new to an industry or sector, but might be new to Nevada, a particular community, or the applicant's organization. Creative solutions can be applied to any aspect of the project: planning, design, construction, funding, partnerships, underserved community engagement, etc. Best practices should be utilized in all aspects of the project.

**Applicant will provide:**

Narrative description of innovative solutions and/or the degree to which current best practices will be implemented across all aspects of the project. Applicant may include supporting documents as deemed appropriate.

**Scoring Rubric**

- 3 Project utilizes innovative solutions and best practices in **all** phases
- 2 Project utilizes innovative solutions and best practices in **some** phases
- 1 Project does not utilize innovative solutions or best practices

**5. Budget**

Are project cost estimates thorough, detailed, reasonable and well supported by recent estimates? In addition, is the source of the required match amount clear and committed to the project? Applicants often assume that lean budgets are preferred. However, budgets must be realistic and designed to absorb cost contingencies, avoid future delays and adapt to unforeseen changes. Matching funds must be secured by the time applications are submitted, so that they are a settled/confirmed element of the budget.

**Applicant will provide:**

Documentation of cost estimates and a narrative rationale for budgetary line items. The status of matching funds must be documented with evidence that the arrangement is confirmed (e.g., contract, memorandum of understanding/agreement, letter of commitment, or other signed documentation).

**Scoring Rubric**

- 4 Cost estimates are realistic, and match is secured
- 3 Match is secured, but cost estimates are not realistic
- 2 Cost estimates are realistic, but match is not secured
- 1 Match is not secured, nor are cost estimates realistic

**III. Alignment with SCORP Themes & Goals (3 criteria, maximum possible score of 45 points)**

Determining the degree to which a project aligns with Nevada’s SCORP is crucial to the project evaluation process. The current SCORP identifies three prominent Outdoor Recreation Themes and stated Goals for project selection and development. Each theme is further expanded upon through a series of Strategic Objectives and Recommendations. The current SCORP provides extensive detail on each of these elements. The matrix found within the SCORP Implementation Plan is particularly useful for evaluating how closely project applications align with Nevada’s Outdoor Recreation needs. Both applicants and reviewers are encouraged to review the Implementation Matrix and to use it as a guide for project applications and reviews.

**Applicant will provide:**

Narrative explanation of how the project aligns with each SCORP Theme. Applicants must describe how their project addresses SCORP themes/goals and which strategic objectives and recommendations will be utilized during project planning and implementation.

**Theme: Sustainable Outdoor Recreation**

*Goal: Create and expand upon a sustainable outdoor recreation system.*

**Theme: Community and Economic Vitality**

*Goal: Leverage the strength of outdoor recreation as a driver of community and economic vitality.*

**Theme: Pathways to Health and Wellness**

*Goal: Expand pathways to health and wellness through outdoor recreation.*

**Scoring Rubric:**

Each narrative response will be rated along a scale based on the number of Strategic Objectives and Recommendations utilized, with zero representing “no alignment” with a particular theme, 1-5 representing “Low alignment”, 6-10 representing “Moderate alignment”, and 11-15 representing “Significant alignment”. LWCF Advisory Committee reviewers may rate a response anywhere within its weighted range to reflect completeness of narrative answers, degree of theme alignment, and the ability of the project to reflect strategic objectives and recommendations.

Theme	Significant Alignment	Moderate Alignment	Low Alignment	No Alignment
Sustainable Outdoor Recreation	11-15	6-10	1-5	0
Community and Economic Vitality	11-15	6-10	1-5	0
Pathways to Health and Wellness	11-15	6-10	1-5	0

**IV. Project Management & Applicant History (4 criteria, maximum possible score of 12 points)**

In addition to explaining the fundamental need for a project, justifying the plan for meeting that need, and detailing a project’s alignment with Nevada’s SCORP, applicants must be able to demonstrate a successful project and grant management record. The specific criteria are:

**1. Grant Management History**

What are the applicant’s experiences with grant management? A general record of successful grant oversight is necessary. Previous experience with LWCF grants is preferred, but not required.

**Applicant will provide:**

Narrative description of grant management experience, in order to establish an adequate sense of the applicant’s capability. The description need not include every grant project managed by an entity. It should emphasize the grant management experiences of current personnel who will be involved with the project under consideration. Please note: this description must include not only successful instances of grant management, but also the challenges faced by the applicant, and their response to project adversity.

### Scoring Rubric

- 3 Applicant demonstrates consistent success in management of LWCF grants
- 2 Applicant has not managed LWCF grants, but demonstrates consistent success in management of other grant projects
- 1 Applicant demonstrates no management or inconsistent management of grants (LWCF or otherwise)

## 2. Financial Management History

How was the applicant's performance (beyond grant management) as assessed by auditors or other institutional reviewers? Per CFR 200.205, applicants may be assessed upon their financial stability, quality of management systems, history of performance, reports and findings from audits, and their overall ability to implement any necessary requirements of an LWCF project.<sup>7</sup>

### Applicant will provide:

Summaries of audits, institutional reviews, or other independent assessments related to organizational management and the overall institutional ability to consistently complete stated objectives. Applicant should include their record of engaging with underserved populations as well. A narrative explanation may be included with any documents, as the applicant deems appropriate.

### Scoring Rubric

- 3 Consistently positive audit findings for the last seven (7) years
- 2 Inconsistent audit findings for the last seven (7) years
- 1 Consistently problematic audit findings or no audit completed for the last seven (7) years

## 3. Maintenance Capacity

Does the applicant have the capability to perpetually maintain the facility once the project is complete? All property acquired or developed with LWCF assistance must be maintained perpetually in public outdoor recreation use (per the NPS). Past results may not be a reliable indicator of future performance. Applicants must emphasize the planning strategies that will ensure perpetual use going forward.

### Applicant will provide:

Evidence of their institutional ability to maintain projects over the long term, from project completion forward. Documentation may include but is not limited to: operations & maintenance plans, programmatic agreements, memoranda of understanding/agreement, or charters.

### Scoring Rubric

- 3 Perpetual maintenance is very likely
- 2 Perpetual maintenance is somewhat likely
- 1 Perpetual maintenance is not likely

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<sup>7</sup> U.S. Government Publishing Office, Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200, Subpart C, 200.205: Federal awarding agency review of risk posed by applicants.

#### 4. Grant Compliance

Is the applicant in compliance on all previous LWCF sub grant agreements? When scoring this question, staff will consider the applicant's record on LWCF conversions and associated efforts to prevent and resolve these issues. Conversions occur when any property acquired and/or developed using LWCF funds is wholly or partly converted to uses other than public outdoor recreation uses without the approval of NPS pursuant to the LWCF Act (54 U.S.C. § 200305(f)(3)) and conversion requirements outlined in regulations (36 C.F.R. § 59.3).

##### **Applicant will provide:**

Statement detailing the number, location, and acreage of pending LWCF conversions. Documentation may include, but is not limited to: correspondence between NDSP, NPS & the applicant regarding conversions; relevant maps, appraisals, planning documents, etc.

##### **Scoring Rubric**

- 3 Applicant has NO unapproved conversions.
- 2 Applicant has at least one unapproved conversion but IS actively working on resolving the conversion.
- 1 Applicant has at least one unapproved conversion but IS NOT actively working on resolving the conversion.

# SUMMARY

Applicants are encouraged to do each of the following, prior to starting an LWCF grant application:

- Review both the [NPS LWCF Grant Manual](#) and [NDSP LWCF Grant Manual](#). These documents will provide detailed information about the entire LWCF grant program, from the initial planning of new projects to the long-term maintenance of past projects.
- Review the current Nevada Comprehensive Outdoor Recreation Plan (SCORP).
- Review the current LWCF funding opportunity announcement and all associated application materials.

Most importantly, potential applicants are urged to contact NDSP grants staff during the earliest stages of planning. Staff can help assess whether LWCF funding is a good option for a project and, if a grant is pursued, help to develop application strategies.