

FY 2011 NEVADA LAND & WATER CONSERVATION FUND



APPLICATION DEADLINE OCTOBER 1, 2011

Available amount : \$239,874.00

Applications and necessary attachments should be mailed to:

**Nevada Division of State Parks
ATTN: L&WCF Grants Coordinator
901 Stewart St. Suite 5005
Carson City, NV 89701**

Application packages may also be delivered in person to the Division office at 901 Stewart St. Suite 5005, Carson City, Nevada, 89701. **Two copies of the application must be received and stamped by the Division no later than 5:00 PM on October 1, 2011. Late applications will not be considered. Emailed or faxed applications will not be accepted. Please contact the Division of State Parks for assistance as needed.**

Nevada L&WCF Grants Manual
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I. PREFACE

This manual will describe the procedure that has been developed by the Nevada Division of State Parks to assist both State agencies and local political subdivisions in making applications for federal funds. These funds are available through the Land and Water Conservation Fund (L&WCF) program, which provides **50:50 cost sharing** for qualified projects. This document summarizes the L&WCF program as it applies to Nevada, details the rules and regulations governing the distribution of these funds, describes the required elements of an acceptable and potentially successful application, and incorporates all required application forms. [Please feel free to contact the Nevada State Liaisons at State Parks for assistance on any matter in this manual and application process (775) 684 2787.]

The manual is intended to be used by Nevada L&WCF applicants applying for a portion of the federal L&WCF funds allotted to the state's eligible local political subdivisions, including Native American tribal governments, which have the authority and responsibility to provide park and recreation opportunities to their constituents. The procedures described in this document may be amended from time to time as needed; revised manuals will be re-distributed as necessary.

This manual includes information obtained from the *Land and Water Conservation Fund Manual, Manual Release 151* published by the National Park Service in 1991, and both *Nevada's 2010 Statewide Comprehensive Outdoor Recreation Plan (SCORP)* and the *Open Project Selection Process (OPSP)* developed by the State of Nevada and approved by the National Park Service in 2010. Accordingly, it replaces earlier Nevada grants manual editions produced by the Division.

Important Points:

All application packages will be scored, in part, on their completeness and compliance with the details of this manual. A sample project score sheet, used by the Division to evaluate each project, is found in Appendix K. Applicants are encouraged to use this sheet to test the relative competitiveness of their project before submitting it for consideration. Having used the score sheet, you may find areas in which your corresponding narrative may need improvements, thereby allowing you the opportunity to improve your score.

- An application packet with all necessary application forms, is available on the Division of State Parks' website at <http://www.parks.nv.gov/LWCF.htm>.
- L&WCF Federal Grant manual is available on-line at <http://www.nps.gov/lwcf/manual/lwcf.pdf>
- Hard copies of the application packet will only be sent to prospective sponsors who are unable to download the manual and application forms, upon request.

APPLICATION DEADLINE IS OCTOBER 1, 2011.

- **The L&WCF is a reimbursable grant program.** In most instances, the project sponsor/applicant is expected to initially finance 100% of the entire project. For approved projects, 50% of the actual expenditures up to the maximum amount of the grant will be refunded when the project has been completed, although progress reimbursement payments are possible on larger projects upon completion of identifiable project elements.
- The maximum grant request is not limited. The minimum request is \$25,000. However, smaller requests from project sponsors serving less than 10,000 populations will still be considered.
- For all projects exceeding a total estimated cost of \$100,000, a letter of certification (plan check) from an independent professional consultant (i.e., licensed engineer, architect, etc.) of project plans and specifications is required before a final "notice to proceed" is issued. This review must be made by a party independent of the engineer, architect or landscape architect who prepared and stamped

the plans. The cost of such a plan check may be incorporated into the project cost estimate as a separate line item under "Architectural/Engineering Services - Plan Check" to qualify as an eligible portion of the grant award.

The Land and Water Conservation Fund Act assures that once an area has been funded with L&WCF assistance it must, by law, be continually maintained in public recreation use unless the National Park Service approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value.

Therefore, the Nevada Division of State Parks will be requiring that all new projects include deed restrictions to be placed on the lands developed or purchased with L&WCF program funds. This is to ensure that the lands are maintained in a manner consistent with the purpose of the program and secures those lands for outdoor public recreation use into perpetuity. The cost of the deed restriction is an eligible cost.

It is strongly advised that all potential applicants read this manual and the National Park Service manual (online) thoroughly before completing and submitting a L&WCF application.

There are 'into perpetuity" protections that are required to be put into place through deed restrictions on all properties in which L&WCF grants are used.

Questions concerning this manual, the procedures described herein, and any other questions pertaining to the L&WCF program should be directed to:

Nevada Division of State Parks
ATTN: Assistant Liaison Officer to National Park Service, Jenny Scanland
901 Stewart St. Suite 5005
Carson City, NV 89701
(775) 684-2787

II. GENERAL L&WCF PROGRAM SUMMARY

The Land and Water Conservation Fund (L&WCF) Act of 1965 (Public Law 88-578, 78 Stat 897) was enacted "...to assist in preserving, developing and assuring accessibility to all citizens of the United States of America of present and future generations... such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation..." The L&WCF program provides matching grants to States, and through States to local governments, for the acquisition and development of public recreation areas and facilities. Only outdoor recreational facilities and land acquisition are eligible for funding.

The L&WCF Act authorizes the Secretary of the Interior to provide financial assistance to States for outdoor recreation purposes. Except for the apportionment of funds among the States and the approval of Contingency Reserve projects, this authority has been delegated to the Director of the National Park Service (NPS). In turn, the Regional Directors of the NPS are authorized to exercise the program and administrative authority of the Director within their respective jurisdictions.

Under Nevada Revised Statute (NRS) 407.205, the administrator of the Division of State Parks, through the director of the Nevada Department of Conservation and Natural Resources, was assigned the responsibility of accepting and disbursing funds.

L&WCF assistance may be available 1) to acquire lands and waters or interests in lands and waters for public outdoor recreation, 2) to develop basic outdoor recreation facilities to serve the general public, and 3) to provide major renovation work for existing outdoor recreation facilities, including replacement. To be eligible for assistance, projects must be in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP), be sponsored by a governmental agency, and meet other State and Federal requirements as outlined in this manual. The pertinent issues/strategies addressed by the 2010 SCORP http://parks.nv.gov/LWCF/2010_SCORP.pdf and the Open Project Selection Process (OPSP0 http://parks.nv.gov/LWCF/SCORP_OPSP.pdf) have been incorporated into Appendix K, Section E, of this manual. It can be found online at xx The evaluation of all new L&WCF grant applications will be at least partially based on the relevancy of the proposed projects in addressing these issues/strategies.

L&WCF assistance is provided on a 50/50 matching basis for individual projects, which are submitted through the State Liaison Officer to the National Park Service for approval. Project costs shall be determined in accordance with OMB Circular A-102 and A-87, the L&WCF Grants Manual (NPS) and all claims shall be subject to verification by Federal audit.

III. ELIGIBILITY

A. WHO IS ELIGIBLE?

The following political subdivisions of the State of Nevada are eligible under the provisions of the L&WCF Act:

- Cities
- Towns
- Counties
- Other local governments with the authority and responsibility to provide recreational services, such as General Improvement Districts
- Native American tribal governments

B. WHAT TYPES OF PROJECTS ARE ELIGIBLE?

Only project proposals in accordance with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) may be considered, and only while the State sustains its eligibility for participation in the L&WCF program. In order for an outdoor recreation project to comply with the latest SCORP, it is

only necessary that it address one or more of the eight specific issues/strategies described in “Nevada’s 2011 Statewide Comprehensive Outdoor Recreation Plan” (see Appendix K, Section E).

The Nevada Division of State Parks has the initial prerogative and responsibility for determining the scope and effort involved in a project proposal. However, the National Park Service reserves the right to require the segmenting of project proposals into smaller projects or the combining of small related projects into a larger one when, in the judgment of the Service, such proposals do not lend themselves to effective and economical management and costing.

The kinds of projects, which can be considered for funding, are as follows:

1. **Planning:** Individual recreation site plans are fundable provided they are undertaken by qualified professionals and the cost is a part of an approved development project. Otherwise, neither site plans nor master plans are eligible for funding.
2. **Acquisition:** Acquisition of lands and waters for public outdoor recreation, including new areas or additions to existing parks, forests, wildlife areas, beaches and other similar areas dedicated to outdoor recreation may be eligible for assistance. Development must start within three (3) years after acquisition. Acquisition can be by fee simple title or by whatever lesser rights will insure the desired public use. The types of acquisitions that are eligible for assistance include, but are not limited to:
 - a. Areas with frontage on rivers, streams, lakes, reservoirs, etc. that will provide water-based public recreation opportunities, or the acquisition of the water bodies themselves.
 - b. Land for creating water impoundments to provide water-based public outdoor recreation opportunities.
 - c. Areas that provide special recreation opportunities, such as floodplains, wetlands, and areas adjacent to scenic highways.
 - d. Natural areas, preserves and outstanding scenic areas where the objective is to preserve the scenic or natural values, including areas of physical or biological importance and wildlife areas. These areas must be open to the general public for outdoor recreation use to the extent that the natural attributes of the areas will not be seriously impaired or lost.
 - e. Land within urban areas for day-use picnic areas, neighborhood playgrounds, and tot lots; areas adjacent to school playgrounds and competitive nonprofessional sports facilities, as well as more generalized parklands.

Land acquired under this program should serve a wide variety of recreational activities. Such acquisitions place the land in perpetual use as an outdoor recreation area. Areas acquired may provide for a wide variety of outdoor activities including, but not limited to: driving and walking for pleasure, sightseeing, swimming and other water sports, fishing, picnicking, nature study, boating, hunting and shooting, camping, horseback riding, bicycling, snowmobiling, skiing and other outdoor sports and activities.

Acquisition of lands and waters, or interests therein may be accomplished through purchase, eminent domain, transfer, or by gift (donation).

Every reasonable effort should be made to acquire real property by negotiated purchase. Real property must be appraised before the initiation of negotiations, and the property owner given a "Statement of Just Compensation" for the property.

The donation of land is encouraged and the value of that donation may be used as all or part of the applicant's share of the project cost, provided there are additional acquisition and/or development costs to be met. Donations must have an appraisal and an "Offer To Purchase" on file as part of the project application.

An appraisal, by a qualified appraiser (MAI or equivalent), must be submitted with the grant application. The appraisal must be prepared in accordance with the *Uniform Appraisal Standards for Federal Land Acquisitions* (Interagency Land Acquisitions Conference, 1992). Appraisals and preliminary title documents must be approved by the State before negotiations are begun. A letter of certification (appraisal review) from an independent qualified appraiser is required for each acquisition project. Project sponsors will be provided with a list of qualified appraisers in the area; sponsors will be required to contract directly with an appraiser from the list for the appraisal review.

Only in unusual circumstances can real property be acquired at less than the fair market value as determined by an approved appraisal. However, if this occurs, there must be evidence that the owner was first provided with a written "Offer To Purchase" for the full amount established as just compensation. This amount will not be less than the approved appraisal of fair market value.

Such evidence will include a signed statement by the property owner waiving his right to just compensation and indicating that he/she (1) has been informed of all of his rights and benefits under the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, (2) has been provided with a Statement of Just Compensation and a Written Offer to Purchase for this amount, and (3) is satisfied with the price paid even though it is less than the approved appraisal of fair market value and the reasons why he has elected to accept this lesser amount. This statement along with evidence that the owner was first provided with a written offer to purchase for the full amount of the approved appraisal must accompany the request to the Division of State Parks for reimbursement.

A copy of the "Offer of Just Compensation" and the deed showing purchase of the property by the applicant must be sent to the Division of State Parks within 9 months of the first letter sent to the applicant following the awarding of the grant (acquisition projects only).

Displaced persons and business or farm interests must be notified of their rights under federal and state relocation laws.

Acquisitions, which will not be assisted, include the following:

- a. Acquisition of historic sites and structures will not receive L&WCF assistance, except if demonstrated clearly that the acquisition is primarily for outdoor recreation purposes and that the historic aspects are a corollary to the primary recreation purposes.
- b. Acquisitions of museums and sites to be used for museums or primarily for archeological excavations will not receive L&WCF assistance.
- c. Acquisition of land to help meet a public school's minimum site size requirement will not receive L&WCF assistance.
- d. Acquisition of areas and facilities designed to be used primarily for semi-professional and professional arts and athletics will not receive assistance.
- e. Acquisition of areas and facilities to be used solely for game refuges or fish production purposes will not receive assistance. However, such areas and facilities may be eligible if they will be open to the public for general compatible recreation, or if they directly serve priority public outdoor recreation needs.
- f. Acquisition of areas to be used mainly for the construction of indoor facilities will not receive L&WCF assistance.
- g. Acquisition of Federal surplus property will not receive L&WCF assistance unless legislatively authorized in a specific situation.

3. Development: Financial assistance may be available through the L&WCF program to provide most facilities necessary for the use and enjoyment of outdoor recreation areas. The L&WCF Act specifies that development projects may consist of basic outdoor recreation facilities to serve the general public provided that the funding of such a project is in the public interest and in accord with the SCORP. In order for a project to comply with the latest

SCORP, it is only necessary that the project address one or more of the eight specific issues/strategies described in “*Nevada’s 2010 Statewide Comprehensive Outdoor Recreation Plan*” (see Appendix K, Section E).

Development projects need not be complete but can proceed in stages. Each stage must be a complete and usable facility. Facilities may be built on 1) land owned by the political subdivisions, 2) land acquired under this program, and/or 3) federal lands under lease for 25 years minimum or nonfederal lands under a non-revocable minimum 25-year lease.

Funding of development project proposals may cover construction, renovation, site planning, demolition, site preparation, architectural services, and similar activities essential for the proper conduct of the project.

Plans for the development of land and/or facilities should be based on the needs of the public, the expected use, and the type and character of the project area. Emphasis should be given to the health and safety of users, accessibility to the general public and persons with disabilities (per standards of the Americans with Disabilities Act), and the protection of the recreation and natural values of the area.

Examples of OUTDOOR development projects may include, but are not limited to:

- a. Sports and Playfields. L&WCF assistance may be available for fields, courts and other outdoor spaces used in competitive and individual sports. This includes fields for baseball, softball, soccer and football, tennis courts, playgrounds and tot lots, golf courses, rifle/pistol ranges, trap/skeet fields, archery ranges, rodeo arenas, running tracks, and other similar facilities.
- b. Picnic Facilities. L&WCF assistance may be available for tables, fireplaces, shelters and other facilities related to family or group picnic sites.
- c. Trails. L&WCF assistance may be available for the development and marking of overlooks, turnouts and trails for nature walks, hiking, bicycling, horseback riding, exercising, motorized vehicles and other trail activities.
- d. Swimming Facilities. L&WCF assistance may be available for swimming beaches, *outdoor* pools, wading pools, lifeguard towers, bathhouses and other similar facilities.
- e. Boating Facilities. L&WCF assistance may be available for most facilities related to motorboating, sailing, canoeing, kayaking, sculling and other boating activities. These facilities include, but are not limited to, docks, berths, floating berths secured by buoys or similar services, launching ramps, breakwaters, mechanical launching devices, boat lifts, boat storage, sewage pump out facilities, fuel depots, water and sewer hookups, restrooms, showers, electricity and parking areas.
- f. Fishing/Hunting Facilities. L&WCF assistance may be available for trails, fishing piers and access points, initial clearing and planting of food and cover, stream improvements, wildlife management areas, fish hatcheries and other facilities necessary for public fishing or hunting.
- g. Winter Sports Facilities. L&WCF assistance may be available for facilities such as ski trails, jumps, lifts, slopes and snowmaking equipment used in downhill skiing, cross country skiing, tobogganing, sledding, snowmobiling, and other winter sports. *Outdoor* ice-skating and ice hockey rinks are also eligible.
- h. Camping Facilities. L&WCF assistance may be available for tables, fireplaces, restrooms, information stations, snack bars, utility outlets and other facilities needed for camping by tent, trailer or camper. In addition, cabins or group camps of simple, austere design and accessible to the general public in an equitable manner are eligible.
- i. Exhibit Facilities. L&WCF assistance may be available for outdoor exhibit or interpretive facilities that provide opportunities for the observation or interpretation of natural resources located on the recreation site or in its immediate surrounding areas. This includes small demonstration farms, arboretums, outdoor aquariums, outdoor nature exhibits, nature interpretive centers and other similar facilities.

- j. Spectator Facilities. L&WCF assistance may be available for amphitheaters, bandstands and modest seating areas related to playfields and other eligible facilities, provided the facility is ***not** designed primarily for professional or semiprofessional arts or athletics, nor inter-collegiate or interscholastic sports.*
- k. Community Gardens. L&WCF assistance may be available for land preparation, perimeter fencing, storage bins and sheds, irrigation systems, benches, walkways, parking areas and restrooms related to a community garden if it can be demonstrated that the garden.
- l. Renovated Facilities. L&WCF assistance may be available for extensive renovation or redevelopment to bring a facility up to standards of quality and attractiveness suitable for public use, if the facility or area has deteriorated to the point where its usefulness is impaired or outmoded, or where it needs to be upgraded to meet public health and safety laws and requirements. However, such renovation is not eligible if the facility's deterioration is due to inadequate maintenance during the reasonable life of the facility.
- m. Facilities Accessible and Designed for the Disabled. L&WCF assistance may be available for the adaptation of new or existing outdoor recreation facilities and support facilities for use by persons with disabilities. However, outdoor recreation facilities to be used exclusively by the disabled are not eligible unless such facilities are available to the general public or are part of an outdoor recreation area which serves the general public.
- n. Zoo Facilities. Outdoor display facilities at zoological parks are eligible to receive L&WCF assistance provided they portray a natural environmental setting that serves the animal's physical, social, psychological and environmental needs, and that is compatible with the activities of the recreationist.
- o. Support Facilities. L&WCF assistance may be available for a variety of facilities, which support eligible recreation facilities. Examples include, but are not limited to:
 - (1) Support facilities needed by the public for outdoor recreation use of an area such as roads, parking areas, utilities, restrooms, sanitation systems, simple cabins or trail hostels, warming huts, shelters, visitor information centers, kiosks, interpretive centers, bathhouses, permanent spectator seating, walkways, pavilions, snack bar stands, and equipment rental spaces.
 - (2) Operation and maintenance facilities that support a recreation resource, including maintenance buildings, storage areas, administrative offices, dams, erosion control projects, fences, sprinkler systems and directional signs.
 - (3) Beautification projects such as landscaping to provide a more attractive environment; the clearing or restoration of areas which have been damaged by natural disasters; the screening, removal, relocation or burial of overhead power lines; the dredging and restoration of publicly owned recreation lakes or boat basins and measures necessary to mitigate negative environmental impacts.
 - (4) Roads within or which provide access to a park or recreation area, and which have as their principle objective to serve the park and visitors, are eligible. However, they must be owned or adequately controlled by the agency sponsoring or administering the park or recreation area and cannot be part of an existing state, county or local road system.
 - (5) Equipment required to make a recreation facility initially operational.
 - (6) Energy conservation elements of an eligible outdoor recreation facility and its support facilities, including: solar energy systems, earth berms, window shading devices, energy lock doors, sodium vapor lights, insulation, windmills, on-site water power systems, bioconversion systems, and facilities required for the conversion of existing power systems to coal, wood, or other energy efficient fuels.

Development projects, which will not be funded, include the following:

- a. Professional facilities designed primarily for semi-professional or professional arts or athletics, such as professional type outdoor theaters, professional rodeo arenas and other similar facilities are not eligible.
 - b. *Mobile* recreation units including play mobiles, skate mobiles, swim mobiles, show wagons, puppet wagons and porta-bleachers are not eligible.
 - c. Support facilities which contribute primarily to public indoor activities such as meeting rooms, auditoriums, libraries, study areas, restaurants, lodges, motels, luxury cabins, food preparation equipment, kitchens and equipment sales areas.
4. **Combined:** Funds are available for a project, which combines acquisition and development. However, applications for acquisition funds and applications for development funds must be submitted separately, and should clearly indicate their relationship to one another.

C. WHAT ARE THE GENERAL REQUIREMENTS FOR PROJECT ELIGIBILITY?

1. The needs must be consistent with one or more of the eight major recreational issues/strategies defined in “*Nevada’s 2010 Statewide Comprehensive Outdoor Recreation Plan,*” and applications must indicate specifically how a project addresses each applicable issue. This information, and the specific issues/strategies the project will address, must be clearly identified in the program narrative. *(NOTE: the pertinent SCORP issues/strategies information is available for L&WCF grant applicants’ reference in Appendix K, Section E.*
2. Written assurance from the applicant regarding the ability and intention to finance their share of the project cost.
3. The project sponsor must show its ability to properly operate and maintain the project upon completion.
4. The project must provide appropriate facilities that are accessible to persons with disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act (ADA) of 1990, and subsequent amendments.
5. The project must be evaluated according to Section 106 of the National Historic Preservation Act (NHPA) of 1966. Each application must contain the appropriate documentation necessary for Section 106 review (see Appendix H). **This documentation will be submitted on behalf of the applicant to the State Historic Preservation Office (SHPO) by the Division of State Parks; applicants should not submit this documentation directly to the SHPO. However, the grant application must contain this documentation at the time it is submitted, including a draft cover letter to the SHPO. If NEPA has already been completed on the project, please submit the EA/EIS and letter of decision with the application. Any pre-application cultural work or professional clearances can also be submitted through this application to SHPO.**
6. The use and development policy must be consistent with the federal Civil Rights Act, which prohibits discrimination under any program receiving federal financial assistance.
7. Assurance that no non-financial assistance has been given or promised under any other federal program with regard to the proposed project. The only federal money that may be used, as the local share of the project cost, are revenue sharing funds. Some HUD funding is eligible to be used at match.
8. The project must comply with local and state health and safety codes.
9. **The project application must be complete. Incomplete applications will be sent back to the applicant. Incomplete applications may be found ineligible.** A checklist for completing an application is found on pages 14.
10. The scope of the project must be in accordance with the provisions of the Land & Water Conservation Fund (L&WCF) Act.
11. The political subdivisions must have title or a permanent easement and a restriction on the deed protecting the proposed project site, or have a minimum 25-year non-revokable lease if on R&PP Federal lease lands.

IV. PROJECT COMPLIANCE

A. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE.

The environmental impacts of all Land and Water Conservation Fund project proposals must be considered by the National Park Service (NPS), to carry out the requirements of the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-190). Project applicants are responsible for preparing the PD-ESF in Appendix C, for the NPS to make this determination. NEPA provides for three levels of environmental analysis, based on the nature of the proposed action. *To do a NEPA analysis of your project, follow the steps below:*

Using a Categorical Exclusion (CatEx)

This is the simplest level of environmental analysis. In most cases, Land and Water Conservation Fund projects will qualify for a *CatEx*.

Steps to follow:

1. Complete the Project Description - Environmental Screening Form (**PD-ESF**), which can be found in Appendix C.
 - a. Determine if any government agencies or Indian Tribes will likely be affected in any way by the proposed action. If so, it is **mandatory** that they be consulted and the contacts documented in the PD-ESF.
 - b. Likewise, any public involvement in the planning of the proposed project or the evaluation of environmental impacts should be documented on the PD-ESF. **Failure to provide such documentation may jeopardize approval of the corresponding application.**
 - c. Determine if your project fits into the list of categorical exclusions as listed below.
2. Ensure that the PD-ESF is completed and signed. Be sure to reference the most appropriate *categorical exclusion* citation from the National Park Service Director's Order 12 Handbook, Section 3.4, on the line provided (see "Listing of Categorical Exclusions below for citations).

The completed PD-ESF should be included with your grant application package when it is submitted. If the Nevada Division of State Parks and the National Park Service agree with your finding, no further *NEPA* analysis will be necessary. If it is found that you need further NEPA, you will have to reapply and have that NEPA complete when reapplying, or reapply with NEPA as a part of the project. **Please try to have NEPA determined prior to submittal of the application as failure to do so may jeopardize approval of the corresponding application.**

If an EIS is determined to be required, the applicant is advised to reconsider submitting a project. Given the relatively modest amount of federal funding available, it may be cost prohibitive to undertake the EIS process.

Listing of Categorical Exclusions (per National Park Service Director's Order 12):

Projects related to Development (Cite as DO 12 Handbook Section 3.4 (C) (# from list below)):

- (1) Land acquisition within established park boundaries, if future anticipated uses would have no potential for environmental impact.
- (2) Land exchanges that will not lead to anticipated changes in the use of land and that have no potential for environmental impact.
- (3) Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds, and trails.

- (4) Routine maintenance and repairs to cultural resource sites, structures, utilities, and grounds if the action falls under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide or if the action would not adversely affect the cultural resource.
- (5) Installation of signs, displays, and kiosks.
- (6) Installation of navigation aids.
- (7) *(Omitted - Not Applicable)*
- (8) Replacement in kind of minor structures and facilities with little or no change in location, capacity, or appearance, for example, comfort stations, pit toilets, fences, kiosks, signs, and campfire circles.
- (9) Repair, resurfacing, striping, installation of traffic control devices, and repair/replacement of guardrails, culverts, signs, and other minor existing features on existing roads when no potential for environmental impact exists.
- (10) Changes in sanitary facilities operation resulting in no new environmental effects.
- (11) Installation of wells, comfort stations, and pit or vault toilets in areas of existing use and in developed areas.
- (12) Minor trail relocation or development of compatible trail networks on logging roads or other established routes.
- (13) Upgrading or adding new overhead utility facilities on existing poles, or on replacement poles that do not change existing pole line configurations.
- (14) Issuance of rights-of-way for overhead utility lines to an individual building or well from an existing line where installation will not result in visual intrusion and will involve no clearance of vegetation other than for placement of poles.
- (15) Issuance of rights-of-way for minor overhead utility lines not involving placement of poles or towers and not involving vegetation management or visual intrusion in an area administered by NPS.
- (16) Installation of underground utilities in areas showing clear evidence of recent human disturbance or areas within an existing road prism or within an existing overhead utility right-of-way.
- (17) Minor landscaping in areas showing clear evidence of recent human disturbance.
- (18) Installation of fencing enclosures, exclosures, or boundary fencing posing no effect on wildlife migrations.

Actions Related to Grant Programs (Cite as D.O. 12 Handbook Section 3.4 (F) (# from list below) :

- (1) Proposed actions essentially the same as those listed above.
- (2) Grants for acquisition of areas that will continue in the same use or lower density use with no additional disturbance to the natural setting or type of use.
- (3) Grants for replacement or renovation of facilities at their same location without altering the kind and amount of recreational, historical, or cultural resources of the area or the integrity of the existing setting.
- (4) Grants for construction of facilities on lands acquired under a previous NPS or other federal grant, provided that the development is in accord with plans submitted with the acquisition grant, and that environmental documents have been completed on the impacts of the proposal funded by the original grant.
- (5) Grants for the construction of new facilities within an existing park or recreation area, provided that the facilities will not:
 - (a) Conflict with adjacent ownerships or land use, or cause a nuisance to adjacent owners or occupants, such as would happen if use were extended beyond daylight hours.
 - (b) Introduce motorized recreation vehicles, including off-road vehicles, personal watercraft, and snowmobiles.
 - (c) Introduce active recreation pursuits into a passive recreation area.
 - (d) Increase public use or introduce non-compatible uses to the extent of compromising the nature and character of the property or causing physical damage to it.
 - (e) Add or alter access to the park from the surrounding area.

- (6) Grants for the restoration, rehabilitation, stabilization, preservation, and reconstruction (or the authorization thereof) of properties listed on or eligible for listing on the National Register of Historic Places, at their same location, and provided that such actions:
 - (a) Will not alter the integrity of the property or its setting.
 - (b) Will not increase public use of the area to the extent of compromising the nature and character of the property.
 - (c) Will not cause a nuisance to adjacent property owners or occupants.

Exceptions to Categorical Exclusions:

If the reviewer or the NPS decision-maker determines that any of the following exceptions apply to a proposed action, it may not be categorically excluded, and you must prepare either an EA or an EIS. The following items are adapted from the list of Departmental exceptions (516 DM, 2, appendix 2). The exceptions apply if any proposed actions:

- (1) Have material adverse effects on public health or safety.
- (2) Have adverse effects on such unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; or ecologically significant or critical areas.
- (3) Have highly controversial environmental effects.
- (4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- (5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- (6) Are directly related to other actions with individually insignificant, but cumulatively significant, environmental effects.
- (7) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
- (8) Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.
- (9) Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.
- (10) Threaten to violate a federal, state, local, or tribal law or requirement imposed for the protection of the environment.
- (11) Involve unresolved conflicts concerning alternative uses of available resources (NEPA sec. 102 (2) (E)).
- (12) Have a disproportionate, significant adverse effect on low-income or minority populations (EO 12898).

B. *RELOCATION AND ACQUISITION POLICY.* (P.L. 91-646) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 provides for the uniform and equitable treatment of persons displaced from their homes, businesses or farms and establishes uniform and equitable land acquisition policies for federally assisted programs.

C. *CULTURAL, ARCHEOLOGICAL AND HISTORIC PRESERVATION.* Under Section 1 of Executive Order 11593, the National Park Service has responsibility, in consultation with the Advisory Council on Historic Preservation, to institute procedures to assure that L&WCF assisted projects are carried out in a manner consistent with national goals relative to the preservation and enhancement of non-federally owned sites, structures, and objects of historical, architectural or archeological significance.

Section 106 of the National Historic Preservation Act of 1966 requires all federal agencies to "take into account" potential effects of their undertakings on historic properties. In Nevada, the State

Historic Preservation Office (SHPO) provides evaluation of project compliance with Section 106. The National Park Service requires Section 106 evaluation prior to project approval. The Division of State Parks will submit all recommended projects to the State Historic Preservation Office for Section 106 review as soon as the list of recommended projects is compiled.

However, it will be the project sponsor's responsibility to provide the Division with documentation necessary for evaluation by the State Historic Preservation Office. **This documentation must be included in the application package. Applicants should not submit Section 106 directly to the SHPO.** Appendix H outlines the information required.

- D. *EEO CONTRACT COMPLIANCE.*** The State has the ultimate responsibility to insure that project sponsors are in compliance with the regulations that have been established by Executive Order 11246, as amended, and by the Office of Federal Contract Compliance Programs (OFCCP) of the Department of Labor (41 CFR 60-4).
- E. *NATIONAL FLOOD INSURANCE PROGRAM.*** The Flood Disaster Protection Act of 1973 (P.L. 93-234) requires the purchase of flood insurance as a condition of receiving any Federal financial assistance for acquisition or construction purposes in special flood hazard areas located in any community currently participating in the National Flood Insurance Program.
- F. *FLOODPLAINS AND WETLANDS.*** Project sponsors must comply with the provisions of 44 CFR 6342 Section 2 on all proposals involving floodplains and wetlands. All projects must comply with the intent of Executive Orders 11988, "Floodplain Management," and 11990, "Protection of Wetlands," and with the U.S. Water Resources Council's "Floodplain Management Guidelines for Implementing E.O. 11988."
- G. *INTERGOVERNMENTAL REVIEW SYSTEM.*** (E.O. 12372) The Division of State Parks will take responsibility for seeing that all L&WCF grant applications recommended for NPS approval are forwarded to the State Clearinghouse for review and comment. Similarly, recommended projects will be forwarded to the State Historic Preservation Office for evaluation through Section 106 of the National Historic Preservation Act of 1966.
- H. *CIVIL RIGHTS ASSURANCE.*** These guidelines provide detailed information on the compliance requirements of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination with respect to federally assisted programs administered by the Department of the Interior.

Similarly, projects must be designed in conformance with Section 504 of the Rehabilitation Act of 1973, which requires that no qualified person shall on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance. The Americans with Disabilities Act of 1990 (P.L. 100-336) simply references and reinforces these requirements for federally assisted programs. Finally, all projects must comply with national policy regarding accessibility for the disabled and discrimination on the basis of age or residency.

- I. *MINORITY BUSINESS ENTERPRISE (MBE) DEVELOPMENT.*** The applicant shall comply with Executive Order 12432, Minority Business Enterprise Development by: a) placing minority business firms on bidder's mailing lists; b) soliciting these firms whenever they are potential sources of supplies, equipment, construction or services; c) where feasible, dividing total requirements into smaller needs and setting delivery schedules that will encourage participation by these firms; d) use the assistance of appropriate federal, state and local minority and small business administrations.

V. APPLICATION AND EVALUATION PROCEDURES

A. APPROXIMATE APPLICATION SCHEDULE

Schedule dates are estimates, and are dependent upon the availability of staff time, the number of grant applications submitted, and other unforeseen situations. Consultation with State Historic Preservation Officer and National Park Service must occur to ensure all Federal Environmental and Cultural laws are satisfied. Due to the economic crisis, Federal funds for FY11 were not obligated until mid July, 2011.

- **August 8, 2011** - Distribute a public notice to political subdivisions and local public recreation providers, including Native American tribal governments throughout the state. The notice will inform the prospective project sponsors that application packages, including the 2010 Nevada L&WCF Grants Manual, and/or separate application forms are available online.
- **October 1, 2011** - Deadline for current fiscal year applications. All applications must be physically received at State Parks' office at 901 Stewart Street, Suite 5005, Carson City, NV, 89701, no later than 5 pm.
- **October 15, 2011** - The Division will review, evaluate and rate applications. All applicants are notified of the status of their respective project application.
- **December 31, 2011** - NDSP submits applications for NEPA and SHPO determinations and then on to the National Park Service for funding approval.
- **January 31, 2012** - Applicants to be notified by State Parks concerning final approval of grant applications by NPS; funding agreements are initiated.

This schedule gives local applicants 2 months from the initial notice of availability of funds in which to prepare and submit completed applications.

Federal approval normally takes between one and four months, depending on the degree of environmental issues/strategies that must be addressed. During this time of review, the political subdivisions may prepare final plans and specifications on the project. This expenditure is matchable for approved projects only. However, should the project not receive final approval and funding at the federal level, these expenses will not be reimbursed by the State or the National Park Service.

Eligibility and selection by the Division of State Parks does not assure project approval at the federal level. Furthermore, the applicant may not take title to project lands (acquisition) or begin construction (development) until federal approval is granted and a local agreement has been executed with a formal notice to proceed.

Plans and specifications for construction projects must be approved by the State before construction or advertisement for bids. These plans must be received by the Division of State Parks within 120 calendar days from the date of notice to proceed, and will be reviewed by Division staff primarily for consistency with the approved project scope of work and ADA requirements. The applicant should allow four to eight weeks for review of development project plans.

Prior to submission to the Division of State Parks, the construction plans and specifications must have the stamp of an engineer, landscape architect, or architect (as appropriate) licensed to practice in the State of Nevada. In addition, for all projects exceeding a total estimated cost of \$100,000, a letter of certification (plan check) from an independent professional consultant (i.e., licensed engineer, architect, etc.) of project plans and specifications is required before a final "notice to proceed" is issued. This review must be made by a party independent of the engineer, architect or landscape architect who prepared and stamped the plans. The cost of such a plan check may be incorporated into the project cost estimate as a separate line item under "Architectural/Engineering Services - Plan Check" to qualify as an eligible portion of the grant award.

If there is no physical development on the project site within 12 months after the project plans are approved, the project's funds may be de-obligated. Due to the large number of projects in competition for these limited federal funds, failure to meet any one of the construction or acquisition deadlines may

mean forfeiture of the project money, which will then automatically be reassigned to another project in order of the priority established in the review and selection process.

For acquisition projects, a copy of the "Offer of Just Compensation" and the deed showing purchase of the property by the applicant must be sent to the Division of State parks within 9 months of the first letter sent to the applicant awarding the grant.

Upon project approval, successful applicants will be notified of the deadlines, which pertain to their project (receipt of plans, proof of physical development, etc.). **Each successful applicant will be required to meet all appropriate deadlines.**

B. APPLICATION PROCEDURES CHECKLIST

The success of each project will depend in large part on the information presented in the application, the completeness of the application, and how well the project addresses the evaluation criteria. The following instructions, which describe the contents of a complete application package, should be read carefully. Particular attention should be paid to all documents required. **The application must be assembled and presented to the Division of State Parks in the same order as outlined in the Application Procedures Checklist below.** This will allow Division staff to work through the review process more effectively and efficiently, and see that the application timetable and approval notification procedures are met as quickly as possible. **Two originals of the complete application are required** for submittal, and each applicant is requested to keep one complete photocopy for their own files.

1. What to submit.

Documentation to be submitted to the State for all projects includes the following (an abbreviated checklist can also be found on the first page in Appendix K):

- a. Standard Form 424 (all project applications), along with SF-424A and SF-424B (acquisition or other non-construction projects) OR SF-424C and SF-424-D (construction projects). *Note: These forms were revised in 1997; previous editions are not usable* (see Appendix A);
- b. Program Narrative and Environmental Screening Form PD-ESF in Appendix C.
- c. Additional Environmental documentation if necessary (see page 9 for primary requirements and Appendix C for PD-ESF).
- d. Signed and dated project 6(f)3 boundary map (see Appendix D); and site location or vicinity map showing location in county, nearby towns, major highways, access roads, etc; (please pay special attention to the map requirements, failure to submit a correct map with all requirements can jeopardize the application. If the project is already within a current L&WCF 6(f)3 project boundary, make sure the boundaries are the same as the last map submitted).
- e. Any current site development maps/plan/specifications for the project that are available.
- f. One copy of a resolution from the applicant's governing body authorizing the application for L&WCF assistance (see Appendix E);
- g. EEO Contract Compliance and Form DI-1954 (see Appendix F);
- h. Civil Rights Assurance, Form DI-1350 (see Appendix G);
- i. Documentation necessary for review of the project in accordance with Section 106 of the National Historic Preservation Act by the State Historic Preservation Office (see Appendix H); (SHPO Letter).
- j. Photos of the project area.
- k. Any other information, which has a significant bearing on the project.
- l. Proof of deed restriction on property or description of process that will be followed to ensure deed restriction.

Development projects must also include:

- a. Cost Estimate (see Appendix J); and
- b. Conceptual or preliminary) site development plan(s). Note: complete construction drawings and specifications suitable for bidding are not required until after the grant is formally awarded.

Acquisition projects must also include:

- a. Acquisition Schedule (see Appendix I);
- b. Preliminary Title Report;
- c. Appraisal written by a qualified (MAI or equivalent) appraiser in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and
- d. Parcel maps (also include a development map if available).

2. Where to Submit.

Applications and necessary attachments should be mailed to:

**Nevada Division of State Parks
ATTN: L&WCF Grants Coordinator
901 Stewart St. Suite 5005
Carson City, NV 89701**

Application packages may also be delivered in person to the Division office at 901 Stewart St. Suite 5005, Carson City, Nevada, 89701. **All applications must be received and stamped by the Division no later than 5:00 PM on October 1, 2011. Late applications will not be considered. Emailed or faxed applications will not be accepted. Please contact the Division of State Parks for assistance as needed.**

C. PROJECT EVALUATION & SELECTION

The main purpose of the L&WCF program is to assist in providing funds for the acquisition and development of public outdoor recreation areas and facilities. Competition for the limited funds available is traditionally very intense. It is, therefore, very important for applicants to submit a complete, comprehensive, and articulate application that displays both forethought and commitment to the proposed project.

Proposals for acquisition and/or development will be evaluated on the basis of how they help accomplish the purposes and meet the requirements of the L&WCF Act and the L&WCF Manual requirements, as described and defined by the National Park Service in its 1991 L&WCF Grants Manual, 2010 SCORP and 2010 Open Project Selection Process summarized in this document.

Local Project Application Rating and Selection Process

All projects will be evaluated and selected with recommendations for funding as follows:

1. Division of State Parks staff will determine the eligibility of each project submitted and will then score and rank all eligible project applications according to the rating and selection criteria described below (and outlined in Appendix K). Based on the accumulated points which result from the scoring or rating process, those projects which fall within the available L&WCF moneys will be recommended for funding.
2. If funds are available for only a portion of the last project on the list of projects recommended for funding, the SLO will be consulted and the Division will contact the local sponsor(s) to attempt to reduce the project scope to fit within the available funds.

3. If this is not possible, then this project will be removed from the list of ranked projects for the year, and will be given preference for funding during the succeeding L&WCF grant round the following year.
4. The same process will take place for each successive project on the priority list until a project is found which can make use of the funds available.
5. Once staff have established a list of recommended projects for funding, these recommendations can be submitted to the Nevada Advisory Board on Natural Resources (NABNR) for review if feasible in a public meeting format complying with Nevadas Open Meeting Law. Included with the staff recommendations is a scoring matrix that lists each project submitted, project sponsor, dollar amounts requested, and the specific score assigned for each scoring criterion by project. Each grant applicant will be advised about the NABNR meeting and given an opportunity to address the Board concerning their project submittal(s), along with any public comments.
6. After hearing staff recommendations and considering any applicant and public comments, the NABNR can establish their own recommendations, to be submitted to the State Liaison Officer (SLO).
7. The SLO will then consider the NABNR's recommendations before making a decision on project applications to be submitted to the National Park Service (NPS) for final approval.
8. The NPS will evaluate each recommended project in accordance with their own criteria (described below, following State of Nevadas Scoring & Ranking Criteria). The state will then be notified of all approved projects and a funding agreement will be drafted for signatures.
9. All federal application will be routed through the State of Nevada Clearinghouse for comment prior to NPS agreement.

Local Project Rating and Selection Criteria Explanations

In order to address the nationally adopted standards, the Division of State Parks has adopted criteria upon which points will be awarded to project applicants (see **Appendix K** for actual Ratings Worksheet). The scoring criteria utilized with the rating worksheet covers criteria in five general subject areas. These criteria are described in detail below. The criteria are presented in the same order that they appear on the rating worksheet. Comments about higher or lower scores relate only to that criterion, not the overall score a project may receive. It is virtually impossible for any project to be awarded the total maximum number of points found in the scoring criteria. Until all the project applications are evaluated, scored, and ranked, it is not possible to predict which projects will be recommended for funding.

VI. PROJECT ADMINISTRATION

A. PLANS AND SPECIFICATIONS

A complete set of plans, specifications and bidding documents must be compiled by the applicant and approved prior to the initiation of any construction. This are eligible expenses, if incorporated into a project's approved scope, and can even be reimbursed retroactive to approval of a grant under certain circumstances. Even if the applicant plans to use force account labor or donated labor, the plans and specifications must be in sufficient detail to be bid if necessary and for review by the State's designated representative for health and safety factors. Plans must have the stamp of a professional engineer, architect or landscape architect (as applicable) licensed in Nevada, prior to acceptance for review by the Division of State Parks.

Two sets of plans and specifications must be submitted within 120 days of the issuance of a "notice of intent to award grant." In addition, for all projects with a total estimated cost exceeding \$100,000, a letter of certification (plan check) from an independent professional consultant (i.e., licensed engineer, architect, etc.) of project plans and specifications is required before a final "notice to proceed" is issued. This review must be made by a party independent of the engineer, architect or landscape architect who

prepared and stamped the plans. The cost of such a plan check may be incorporated into the project cost estimate as a separate line item under "Architectural/Engineering Services - Plan Check" to qualify as an eligible portion of the grant award.

Irrigation calculations must be provided for the largest (GPM) and farthest (from point of connection) valve on the system. Plans must also show working pressure.

Engineering calculations must be provided if applicable. (Retaining walls, light poles, footings, structural connections, electrical, etc.)

The grantee will be expected to take all reasonable steps to bury, screen or relocate existing overhead lines at development or acquisition projects and to put all electrical wires less than 15kv and telephone wires underground. If you have this situation on your project site, please contact the State Park Liaison prior to beginning application and request a field visit.

All plans, specifications, and bidding documents must be given final approval by the Division of State Parks prior to the applicant going to bid. Bids cannot be awarded prior to final project approval and execution of a Project Agreement between the State and the applicant. Any cost incurred (other than preplanning costs and those costs necessary to draw and check the plans and specifications) by the grantee prior to the execution of this local agreement will not be reimbursed by the State and will not be considered as part of the project cost.

1. Procurement Standards

Projects or portions thereof may be undertaken through contracts in accord with the procurement standards and guidelines set forth in the A-102 "Uniform Rule" (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 43 CFR Part 12.1 - .52). This includes the procurement of supplies, equipment, construction and services.

a. Procedures

The grantee shall establish procurement procedures that provide that proposed procurement actions shall be reviewed by subgrantee officials to avoid the purchase of unnecessary or duplicative items. Consideration should be given to consolidation or separation of items, where appropriate, to obtain a more economical purchase. Where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine which approach would be the most economical. To foster greater economy and efficiency, governmental subgrantees are encouraged to enter into intergovernmental agreements between the State and the local subdivision for procurement or use of common goods and services.

b. Contracting with Small and Minority Firms, Women's Business Enterprises and Labor Surplus Area Firms

It is National policy to award a fair share of contracts to small and minority business firms. Accordingly, affirmative steps must be taken to assure that small and minority businesses and women's business enterprises are utilized when possible. Affirmative steps involve the following:

- (1) Including qualified small and minority businesses on solicitation lists.
- (2) Assuring that small and minority businesses are solicited whenever they are potential sources.
- (3) When economically feasible dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation.
- (4) Where the requirement permits, establishing delivery schedules which will encourage participation by small and minority business.

- (5) Using the services of the Small Business Administration, the Office of Minority Business Enterprise of the Dept. of Commerce and the Community Services Administration as required.
- (6) If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps in paragraphs (1) through (5) above.

Project sponsors are further encouraged to procure goods and services from labor surplus areas.

For the purposes of this manual, a Minority Business Enterprise (MBE) is a business which is 1) certified as socially disadvantaged by the Small Business Administration, 2) certified as a minority business enterprise by a State or Federal agency, and 3) an independent business concern which is at least 51% owned and controlled by minority group members.

Further, a "minority group member" is a citizen of the United States and one of the following:

- Black American
- Hispanic American
- Native American
- Asian-Pacific American

A women's business enterprise concern is a business that is certified as such by a State or Federal agency and is an independent business concern which is at least 51% owned by a woman or women who also control and operate it.

c. **Contract Provisions**

Contract provisions contained within the Uniform Rule apply, except that the provisions of 43 CFR Part 12.36(I) (5), concerning the Davis-Bacon Act does not apply to the L&WCF program. In effect, this exempts L&WCF projects from the \$2,000 minimum threshold for prevailing wage rates. Rather, the \$100,000 threshold specified by Nevada law applies, i.e. any project with a construction contract (or contracts) totaling less than \$100,000 is not subject to prevailing wage rates.

2. Selection Procedures

All procurement transactions, regardless of whether by sealed bids or by negotiation and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with this section. Procurement procedures shall not restrict or eliminate competition. Examples of what is considered to be restrictive of competition include, but are not limited to:

- a. Placing unreasonable requirements on firms in order for them to qualify to do business;
- b. Noncompetitive pricing practices between firms;
- c. Organizational conflicts of interest;
- d. Unnecessary experience or excessive bonding requirements.

The subgrantee offerors, whether by competitive sealed bids or competitive negotiation, shall:

- a. Incorporate a clear and accurate description of the technical requirements of the material, product or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and

accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand that must be met by offerors shall be clearly stated.

- b. Clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids or proposals, such as a deadline for completion of project work. Awards shall be made only to responsible contractors that possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

3. Method of Procurement

Procurement under grants shall be made by one of the following methods:

- a. Small purchase procedures;
- b. Competitive sealed bids (formal advertising);
- c. Competitive negotiation; or
- d. Noncompetitive negotiation.

Of these the Small Purchase Procedures are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$10,000. Governmental subgrantees shall comply with State or local small purchase dollar limits under \$10,000. If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained.

Contracts for construction in excess of \$10,000 shall be awarded through one of the other methods, as described under "Bidding," below.

B. BIDDING

Contracts for construction in excess of \$10,000 shall be awarded through a process of competitive bidding involving formal advertising, sealed bids, and public openings.

Acceptance of a no-bid contract or awarding of contracts to other than the lowest bidder shall be subject to the approval of the Division of State Parks, as follows:

1. The political subdivision shall inform all bidders on contracts for construction that federal funds are being used. For solicitations by newspapers, the following notice may be used:
"NOTICE - This contract will be funded in part with federal funds. The successful bidder will be required to comply with 41 Code of Federal Regulations 60-4, Construction Contractors - Affirmative Action Requirements."
2. Contracts for Construction shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented by Department of Labor regulations (29 CFR, Part 3).
3. The political subdivision will comply with other procurement standards of OMB Circular A102, Attachment O, except for provisions related to compliance with Davis Bacon Act requirements (unless required by a program providing supplemental funding).
4. In all areas covered by Hometown Plans, participants shall require from all contractors full and prompt adherence to and discharge of the obligations created by bid conditions in Hometown Plan areas. Participants should inform their contractors and subcontractors that prompt and full compliance with the Federal EEO bid conditions is essential.
5. The political subdivisions shall incorporate or cause to be incorporated in all construction contracts exceeding \$10,000 the following provisions:

"During the performance of this contract the contractor agrees as follows:

- a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment, or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment notices to be provided by the contracting office setting forth the provisions of this non-discrimination clause.
- b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, or national origin.
- c. The contractor will send to each labor union or representative or workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers representative the contractor's commitments under Section 202 of the Executive Order No. 11246 as amended (3 CFR 169, 1974), and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The contractor will comply with all provisions of Executive Order No. 11246, as amended, and of the rules, regulations and relevant orders of the Secretary of Labor.
- e. The contractor will furnish all information and reports required by Executive Order No. 11246, as amended, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to "ascertain compliance with such rules, regulations and orders." See Appendix F for details.
- f. In the event of the contractor's noncompliance with the non discrimination clauses of this contract or with any of such rules, regulations, or orders, the contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further governmental contracts in accordance with procedures authorized in Executive Order No. 11246, as amended, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order No. 11246, as amended, or by rule regulation, or order of the Secretary of Labor or as otherwise provided by law.
- g. The contractor will include the provisions of paragraphs (1) through (6) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

C. CONSTRUCTION CONTRACTS

Under contract construction, all applicable Federal and State laws must be followed.

1. **Change Orders.** Written change orders shall be issued for all necessary changes in the facility being contracted. Such change orders shall be made a part of the project file and must be available for audit.
2. **The Political Subdivision shall:**
 - a. comply with the bidding provisions in construction work carried out by itself;
 - b. assist and cooperate actively with the Secretary of Interior and Secretary of Labor in obtaining the compliance of contractors and subcontractors with the preceding provisions and with the rules, regulations, and relevant orders of the Secretary of Labor; obtain and furnish to the Secretary of Interior and to the Secretary of Labor such information as may be required for the supervision of such compliance;
 - c. enforce the obligation of contractors and subcontractors under such provisions, rules, regulations, and orders;
 - d. carry out sanctions and penalties for violations of such obligations imposed upon contractors and subcontractors by the Secretary of Labor or the Secretary of Interior pursuant to Executive Order No. 11246, as amended;
 - e. refrain from entering into any contract with a contractor debarred from Federal contracts or federally assisted construction contracts by the Secretary of Labor.

In addition, the political subdivision agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions: cancel, terminate or suspend in whole or in part this grant; refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

3. **Conflict of Interests:**
 - a. No official or employee of the political subdivision who is authorized in his official capacity to negotiate, make, accept, approve, or take part in such decisions regarding a contract or subcontract in connection with this project shall have any financial or other personal interest in any such contract or subcontract.
 - b. No person performing services for the political subdivision in connection with this project shall have a financial or other interest other than his employment or retention by the political subdivision in any contract or subcontract in connection with this project. Furthermore, No officer or employee of such person retained by the political subdivision shall have any financial or other personal interest in any real property acquired for this project unless such interest is openly disclosed upon the public records of the political subdivision and such officer, employee, or person has not participated in the acquisition for or on behalf of the political subdivision.
 - c. No member of or delegate to Congress shall be admitted to any share or part of this agreement, or to any benefit to arise hereupon, unless such benefit shall be in the form of an agreement made with a corporation for its general benefit.
 - d. The political subdivision, State and the National Park Service shall be responsible for enforcing the above conflict of interest provisions.
4. **Flood Insurance.** The Flood Disaster Protection Act of 1973 (Public Law 93-234) requires the purchase of flood insurance as a condition of receiving any Federal financial assistance (including L&WCF assistance) for acquisition or construction purposes in special flood hazard areas located in any community currently participating in the National Flood Insurance Program authorized by the National Flood Insurance Act of 1968. These special flood hazard areas are identified by the Flood Insurance Administration of the Federal Emergency Management Agency.

- a. Examples of insurable improvements for which insurance is required include, but are not limited to the following:
 - Restroom facilities.
 - Administrative buildings.
 - Bathhouses.
 - Interpretive buildings.
 - Maintenance buildings and sheds for landscaping or other equipment.
 - Sheltered facilities consisting of two or more walled sides and a roof.

- b. Examples of improvements for which insurance is not required include, but are not limited to, the following:
 - Open picnic shelters.
 - Permanently affixed outdoor play equipment such as swings and slides.
 - Sun shades covering outdoor ice skating rinks.
 - Outdoor swimming pools

- c. Flood Insurance Requirements
 - 1) Flood insurance will be required for insurable facilities located within special flood hazard areas for which the Federal Insurance Administration has issued a flood hazard boundary map or a flood insurance rate map.
 - 2) Communities identified as having special flood hazard areas must qualify within one year of notification by the Flood Insurance Administration. If an identified community has not qualified for the program by the prescribed date, no financial assistance can be provided for acquisition or development of insurable improvements.
 - 3) Flood insurance required by P.L. 93-234 must be carried on insurable improvements throughout their useful life.
 - 4) The amount of insurance required is the lesser of 1) the development cost of the insurable improvement or 2) the maximum limit of coverage made available with respect to the particular type of facility under the National Flood Insurance Act of 1968. The amount is based upon the total cost of the improvement, not just the Federally-assisted portion.
 - 5) Whenever flood insurance is available to cover a facility during construction, the project sponsor will obtain coverage as soon as the facility becomes insurable.

5. **Hatch Act.** The political subdivision will comply with the provisions of the Hatch Act which provides that no officer or employee of the political subdivision, whose principle employment is in connection with any activity which is financed in whole or in part pursuant to this agreement, shall take part in any of the political activity prescribed in the Hatch Political Activity Act, 5 U.S.C. Section 118k (1964).

VII. COST ACCOUNTING

A. FINANCIAL RESPONSIBILITY

The grantee shall be responsible for the financial management of accepted projects. Appropriate internal controls must, therefore, be adopted and installed so that the project is accomplished in the most efficient and economical manner. A financial manager or supervisor must be appointed to the project and will be responsible for all financial management of the project.

B. ACCOUNTING

Adequate daily records must be kept on the particular project. All billings must be totally supported by complete documentation. Copies of all documentation must be forwarded to the Division of State Parks with each billing cycle for inclusion in the project's permanent file. **All records will be thoroughly audited by the appropriate State and Federal agencies.** The grantee shall provide such fund

accounting procedures as may be necessary to assure proper disbursement and accounting for fund monies paid. The accounting procedures should be based on generally accepted accounting standards and meet the following minimum requirements unless the Division of State Parks agrees to specific exceptions:

1. Establishment of separate accounts and supporting documentation. Each project account should be identified by the number assigned to the project by the Division of State Parks.
2. Identification of all receipts in sufficient detail to show the dates and sources of such receipts.
3. Itemization of all supporting records of project expenditures in sufficient detail to show the exact nature of expenditures.
4. Cross referencing of each expenditure with the supporting purchase order, contract, contract change order, voucher, bill, etc. These supporting documents should contain the signature of the official authorized to approve such expenditures.
5. Maintenance of adequate records, such as employee time sheets, approved by the appropriate official, to show that all salaries and wages charged against projects were authorized.
6. Maintenance of payroll vouchers for salaries and wages. If payroll voucher forms are not used, a statement should be prepared at the end of each pay period showing the names of employees, the number of hours worked on the project, the gross amount of salary earned by each, and on which part of this project each worked during that pay period. This statement should be verified by the official responsible for the project and approved by the appropriate authority.
7. Identification of the invoices or vouchers charged with project number, account number, date, and expense classification.
8. When payment is by check, the canceled check should be properly identified and filed. When cash disbursements are made, they must be supported by receipts.
9. Establishment of adequate systems of financial control following generally accepted accounting and auditing principles. These include adequate serial numbering of vouchers where prudent, distribution of duties among employees in such a way as to decrease opportunities for fraudulent activities, procedural safeguards, property inventory controls, and other reasonable checks and balances.
10. At any time during the project, the State may ask to see the project records to see that they are currently and adequately kept. The applicant shall promptly submit such reports and documentation as the State may request.
11. All records (including construction plans, specifications, contracts, change orders, billing claims, vouchers, warrants, etc.) must be retained until federal audit is complete, a minimum of three years. The State will inform the applicant when it is no longer necessary to keep these records.
12. A copy of the billing form is found in Appendix L. This "Progress Report" form must be utilized for all progress billings or requests for reimbursement of approved project expenditures.

C. PROJECT COSTS

1. Determining Amounts of Costs

- a. Project costs eligible for assistance shall be determined upon the basis of the criteria set forth in this Manual and in OMB Circular A-87 (formerly Federal Management Circular 74-4). The rates, practices, rules and policies of the project sponsor, as consistently applied, shall generally determine the amount of costs of each item charged to a project. In instances where the sponsor has no such bias, that of the State shall apply.
- b. The amount of each item of cost that may be matched from the L&WCF shall not exceed the sponsor's actual cash outlay for that item, or the fair market value of the item, whichever is less. An exception could be land acquired at a price in excess of appraised value and supported by an adequate statement on difference of value.

2. Ceiling on Total Matching Share from the Fund

The total matching amount made available for an approved project shall not exceed the approved support ceiling. The support ceiling is defined as the approved federal share, based on the applicant's original estimate of the project costs. The original grant agreement determines the %

match and % federal amount. The Federal % can not change once the grant agreement is in place. The grant amount can increase, if funds are available, and the increase will be based on the total amount of the project with the federal share % unchanged.

3. Determining Allowable Costs

The basic statement regarding the principles and standards for determining costs applicable to this grants program is found in OMB Circular A-87.

Examples of matchable costs include, but are not limited to the following:

- a. Personal Service. Assistance may be provided for the personal services of those employees and supervisors directly engaged in the execution of a project. Assistance will be provided according to the proportion of time spent on a project.
- b. Fringe Benefits. Fringe benefits, which are regularly provided to employees by the project sponsor, are legitimate personal service costs and are eligible for L&WCF assistance.
- c. Consultant Services. In those cases where the special assistance of a specially qualified consultant is required for a project, a share of the cost may be borne by L&WCF moneys. No consultant fee may be paid to any Federal, State or project sponsor's employee unless such a payment is specifically agreed to by the National Park Service.
- d. Equipment Usage. Subject to determination on a case-by-case basis, L&WCF assistance may be made available for equipment used in the conduct of a project and/or the purchase price of equipment required to make a facility initially operational.
- e. Supplies and Material. Supplies and materials may be purchased for a specific project or may be drawn from a central stock.
- f. Travel. The cost of transportation, lodging, subsistence, and related items are allowable when incurred by employees who are in travel status on official business incident to a project.
- g. Information and Interpretation Costs. L&WCF assistance may share the cost of information related to a project. These costs may include information and direction signs at the entrances of recreation areas and other necessary places throughout the area, display boards, dioramas, or other interpretive facilities for the explanation of items of interest.
- h. Construction. Allowable construction costs include all necessary construction activities from site preparation to the completion of a structure.
- i. Administrative and Supporting Expenses. L&WCF assistance will be available for a wide range of administrative and supporting expenses incurred directly or indirectly on behalf of a project, consistent with the standards stated in OMB Circular A-87. Allowable items include, but are not limited to:

Accounting
Auditing
Bonding
Budgeting
Central stores
Communication expenses
Disbursing services
Motor pools
Payroll preparation
Personnel administration
Procurement services
Taxes

- j. Costs of Purchase of Real Property and of Interest in Real Property. Federal assistance may be used to pay a share of the fair market value of real properties and of interests in real property purchased by the project sponsor. Incidental costs of acquisition may not be matched.

- k. Cost of Real Property Purchased from Other Public Agencies. The actual cost to the project sponsor of land purchased from another public agency may be eligible for matching assistance.
- l. Costs of Real Property Acquired through Exchanges. Land owned and administered by the project sponsor may be exchanged for more valuable land administered by another public agency or for land owned by a private party.
- m. Real Property Acquired by Donation. The value of real property donated to the project sponsor by private organizations or individuals will be eligible for matching as determined by an appraisal. The land acquired cannot be subject to any restrictions that might limit its intended public recreation use.
- n. Master Planning. Master planning of a recreation area in whole or in part will be matchable only as part of a development project.
- o. Miscellaneous Allowable Costs.
 - Payment of premiums on hazard and liability insurance.
 - Costs to the project sponsor for work performed by another agency is allowable.
 - The costs of space in privately owned buildings used for the benefit of the project may be allowable.

Examples of **non-allowable** expenditures may include, but are not limited to the following:

- a. Ceremonial or entertainment expenses.
- b. Expenses for publicity.
- c. Bonus payments of any kind.
- d. Charges for contingency reserves or other similar reserves.
- e. Charges in excess of the lowest acceptable competitive bid, unless specifically agreed to by the National Park Service.
- f. Charges for deficits or overdrafts.
- g. Taxes for which the organization involved would not have been liable to pay.
- h. Interest expenses, except those awarded by the court as just compensation.
- i. Charges incurred contrary to the policies and practices of the organization involved.
- j. Consequential damages to adjoining property owned by other persons, which are caused by noise, lights, etc.
- k. Incidental costs relating to acquisition of real property unless otherwise allowable under the Uniform Relocation Assistance and Real Property Acquisition Policies Act.
- l. Operation and maintenance costs of outdoor recreation areas and facilities.
- m. The value of, or expenditures for, lands acquired from the United States at less than fair market value.
- n. Cost of discounts not taken.
- o. Equipment to be used for maintenance.
- p. Employee facilities.
- q. Donations or contributions made by the sponsor.
- r. Salaries and expenses of the Office of the Governor, or of the chief executive of a political subdivision, or of the State legislature, or other local governmental bodies.
- s. Fines and penalties.
- t. Any excess of cost over the Federal contribution under one grant agreement is unallowable under other grant agreements.
- u. Any losses arising from un-collectible accounts and other claims, and related costs.
- v. Legal and professional fees paid in connection with raising funds.
- w. Payments for lobbying in connection with L&WCF grants.

4. **Retention of Records**

Financial records, supporting documents, statistical records, and all other records pertinent to this grant shall be retained until federal audit is complete or notification by the State that records are no longer needed. Copies of all records must be forwarded to the Division with each bill submitted, for inclusion in the project's permanent file.

- a. The retention period starts from the date of the submission of the final expenditure report.

- b. Political subdivisions may substitute microfilm copies in lieu of original records.
- c. The State, the Secretary of Interior, the Comptroller General of the United States, or any of their fully authorized representatives shall have access to any books, documents, papers, and records of the State and local governments and their subgrantees which are pertinent to a specific project for the purpose of making audits, examination or taking excerpts of transcripts.
- d. The subgrantee must keep intact and accessible all financial records including supporting documents and all other records pertaining to the project. Records must be maintained for 3 years following the completion of all project work, or until an audit is conducted and the records have been resolved.

5. Records for Donations

The method of valuation and charges for volunteer services, material, and equipment must be documented and approved by the State prior to donations being applied to reimbursement requests in order for such contributions to be considered as part of the sponsor's matching share.

- a. Valuation of Volunteer Services. Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved project. Records of in-kind contributions of personnel shall include complete time sheets.
 - (1) Rates for Volunteer Service. Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the grantee. Unskilled labor rate is \$20.00 per hour. In cases where the kinds of skills required for the federally-assisted activities are not found in the other activities of the grantee, rates used should be consistent with those paid for similar work in the labor market.
 - (2) Volunteers Employed by Other Organizations. When an employer other than the grantee furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay provided these services are in the same skill for which the employee is normally paid.
- b. Valuation of Materials. Prices assessed to donated materials included in the matching share should be reasonable and should not exceed current market prices at the time they are charged to the project. Records shall indicate the fair market value by listing the comparable prices and vendors.
- c. Valuation of Donated Real Property. The value of donated real property shall be established by an independent appraiser in accord with commonly accepted appraisal practices. Upon completion of the appraisal, at the project sponsor's expense, it will be submitted to the Service, through the State, for final review and approval.
- d. Valuation of Donated Equipment. The hourly rate for donated equipment used on a project shall not exceed its fair-rental value. Hourly rates in the annual edition of "Rental Compilation" or "Rental Rate Guide" or similar publication that provide the national or regional average rates may be used. Records of in-kind contributions of equipment shall include schedules showing the hours and dates of use and the signature of the operator of the equipment.
- e. Valuation of Other Charges. Other necessary charges such as equipment use charges incurred specifically for an indirect benefit to the project on behalf of the sponsor may be accepted as matching share provided that they are adequately supported and permissible under the law.
- f. Documentation. The basis for determining the charges for donated personal services, material, equipment and land must be documented and must be approved by the State prior to the billing or letter of credit draw down which includes the value of the donation.

- g. Limits of the Valuation. In-kind contributions are eligible in a project only to the extent that there are additional acquisition and/or development costs to be met by the Federal assistance requested for that project, which must be fully described and explained in the proposal. The amount of donation that is matchable is the value of the donation or the amount of cash spent by the sponsor for additional acquisition or development, whichever is less.
- h. Multi-Site Land Donations. To be eligible for matching assistance, in-kind contributions shall be applicable to a single project site. However, a multi-site project involving land donations may be considered to the extent that such is logical, reasonable, and more advantageous than the application of the donation to a single site.

6. Project Termination, Suspension, and Close-out

- a. Termination. The termination of a project means the cancellation of Federal assistance, in whole or in part, under a project at any time prior to the date of completion.
 - (1) The State may unilaterally terminate the project or consolidated project element at any time prior to the first payment on the project or consolidated project element. After the initial payment has been made, the project may be terminated, modified or amended by the State only by mutual agreement of the State and the Service.
 - (2) The Director of the National Park Service, or his authorized representative, may terminate any project in whole, or in part, at any time before the date of completion, whenever it is determined that the grantee has failed to comply with the conditions of the grant.
 - (3) The Service or the State may terminate grants in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds.
- b. Suspension. The suspension of a grant is an action by the National Park Service which temporarily suspends the Federal assistance under the project pending corrective action by the project sponsor or pending a decision to terminate the grant by the Service.
- c. Grant Closeout. The closeout of a grant is the process by which the Division of State Parks and the National Park Service determine that all applicable administrative actions and all required work of the project have been completed. The date of completion is the date when all work under a project is completed or the date in the grant award document, or any amendment thereto, on which Federal assistance ends, whichever comes first.

D. COST OVERRUNS AND AMENDMENTS OF SCOPE

During the execution of a project there may be unforeseen delays, changes in specifications, or rising costs of labor and supplies. As work progresses, it may be necessary or desirable to alter the scope of the project by adding, deleting or modifying some of its parts.

Where such changes are necessary, the project sponsor must notify the Division of State Parks as soon as possible in writing, clearly indicating the changes needed and the revised scope of work. The State will then notify the National Park Service and submit an amendment for approval. It is recognized, however, that it will not always be possible for the National Park Service to act in advance of the change, and any costs thus incurred prior to their approval are done so at the project sponsor's risk.

VIII. POST COMPLETION PROJECT ADMINISTRATION

A. OPERATIONS AND MAINTENANCE

The political subdivision will be required to execute a legal local agreement with the State of Nevada covering the terms of the L&WCF program (see Appendix N for sample agreement form). Breach of this agreement may result in the de-obligation of funds, and a return of the project's funds with the termination of future financial assistance available under this program.

The political subdivisions must administer the project according to the General Provisions for State and Federal Administration. These provisions are included with the local project agreement.

Once L&WCF money is used on a project site, approval from the Department of Interior, through the Division of State Parks, must be obtained before any portion of that site is converted to other than outdoor recreation use. This is a very tedious and expensive venture. The State of NV, Division of State Parks now requires a deed restriction as well on all L&WCF project properties prior to first payment/reimbursement (refer to VIII.D below, conversion).

Property acquired or developed with assistance from the L&WCF 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 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.

B. AVAILABILITY TO USERS

Property acquired or developed with L&WCF assistance shall be open to entry and use by all persons regardless of race, color or national origin. Discrimination, in any form, on the basis of residence, age or disability is strictly prohibited. Project sponsors may impose reasonable limits on the type and extent of use of areas and facilities acquired or developed with L&WCF assistance when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the numbers of persons using an area or facility, or the type of users, such as "hunters only" or "hikers only." All limitations shall be in accord with the applicable grant agreement and amendments.

C. L&WCF ACKNOWLEDGMENT

Suitable permanent public acknowledgment of L&WCF assistance at all project sites is **required** by the National Park Service, including use of the L&WCF symbol. Project signs are encouraged at entrances to outdoor recreation sites, at other appropriate on-site locations, and in folders and park literature, where appropriate. The acknowledgment of L&WCF assistance will be checked during compliance inspections. A sample acknowledgment sign is found in Appendix M.

When significant acquisition or development projects over \$500,000 are initiated, appropriate standardized temporary signing shall be located on site. Contact the Division of State Parks for a sample temporary sign.

D. CONVERSION

Property acquired or developed with L&WCF assistance shall be retained and used for public outdoor recreation. Any property so acquired or developed shall not be wholly or partly converted to other than public outdoor recreation uses without the approval of the NPS Regional Director pursuant to Section 6(f)(3) of the L&WCF Act and 36 CFR Part 59. The Director has the authority to disapprove conversion requests and/or to reject proposed property substitutions. The Land and Water Conservation Fund Act assures that once an area has been funded with L&WCF assistance it must, by law, be continually maintained in public recreation use unless the National Park Service approves substitution property of reasonably equivalent usefulness and location and of at least equal

fair market value.

Therefore, the Nevada Division of State Parks will be requiring that all new projects include a non-revocable deed restriction to ensure that the lands are maintained in a manner consistent with the purpose of the program and secures those lands for outdoor public recreation use. The cost of the deed restriction is an eligible cost.

E. OBSOLETE FACILITIES, CHANGES OF USE

Project sponsors are not required to continue operation of a particular recreation area or facility beyond its useful life. However, Section 6(f)(3) of the L&WCF Act requires that project sponsors maintain the entire area defined in the project agreement in some form of public outdoor recreation use. NPS approval must be obtained prior to any change from one eligible use to another when the proposed use would significantly contravene the original plans for the area.

F. POST-COMPLETION INSPECTIONS

In order to determine whether properties acquired or developed with L&WCF assistance are being retained and used for outdoor recreation purposes in accordance with the project agreement and other applicable program requirements, a State compliance inspection will be made within 5 years after final billing. Subsequent inspections and reports will be completed at least once every five years thereafter by the project sponsor and submitted to the Division, with periodic spots checks conducted by the Division.

G. POST-COMPLETION INSPECTION REPORTS

Within 90 days of completion of an on-site inspection, the Division of State Parks will submit to the Regional Office in Oakland, California a post-completion inspection report for all projects which have compliance problems.

H. APPLICABILITY

The rules given in this chapter apply to each area or facility for which L&WCF assistance is obtained, regardless of the extent of L&WCF assistance in that area or facility.

I. STATE RESPONSIBILITY

Responsibility for enforcement of the provisions of this chapter rests with the Division of State Parks.

J. COSTS

The costs of making post-completion inspections by the State are not allowable overhead costs for L&WCF assistance.

K. PENALTIES

Failure to comply with the provisions of this chapter shall be considered cause for the Division to:

- (1) Withhold future payments being made to the State on current projects of the project sponsor who is responsible for the infraction in question; or
- (2) Withhold future payments to the State on any or all current projects until the situation involved is corrected; or
- (3) Withhold action on all pending projects of the State and/or project sponsor who is responsible for the infraction in question; or
- (4) Withhold current or future reimbursements due to the State in the amount of assistance previously paid out for the project or projects involved.

L. SERVICE INSPECTION

Properties acquired or developed with L&WCF assistance shall be available for inspection by the Division or other NPS representative.

APPENDICES

INSTRUCTIONS FOR COMPLETING STANDARD FORM 424

1. Indicate type of action (normally "Application-Construction" or "Acquisition).
2. Date application submitted to the State. Applicant's "Identifier" control number will be assigned by the Division.
3. State use only.
4. If this application is to continue or revise an existing award, enter present Federal identification number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity (if same as applicant, indicated with "SAME"), complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN).
7. Enter the appropriate letter in the space provided. (Choose only 1 letter).
8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:
 - @ New: new assistance award.
 - @ Continuation: an extension for an additional funding/budget period for a project with a projected completion date.
 - @ Revision: any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9. Name of Federal Agency from which assistance is being requested (e.g., Dept. of Interior, National Park Service, Western Regional Office).
10. Number and title of program under which assistance is requested (e.g., 15-916, Outdoor Recreation Acquisition, Development and Planning).
11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description.
12. List only the largest political entities affected (e.g., State, counties, cities).
13. Self-explanatory.
14. List the applicant's Congressional District and any District(s) affected by the program or project.
15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals & show breakdown using same categories as in item 15.
16. To be filled in by the State (i.e. leave blank).
17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
18. To be signed by the authorized representatives of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. Totals		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
a. Personnel	(1)	(2)	(3)	(4)	
b. Fringe Benefits	\$	\$	\$	\$	\$
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

Previous Edition Usable

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTAL (sum of lines 9-11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

INSTRUCTIONS FOR THE SF-424A

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, DC 20503

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

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines that prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some program, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary Lines 1-4 Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the Catalog program title and the Catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the Catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the Catalog program title on each line in *Column* (a) and the respective Catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all the breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g)

For *new applications*, leave Column (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds that will remain unobligated at the end of the grant-funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 - Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Line 6a-I - Show the totals of Lines 6a to 6h in each column.

Line 6j - Show the amount of indirect cost.

Line 6k - Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11 Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503. **PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

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

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

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards of agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit system of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which any apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following; (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 of seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) Related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) Pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of projects 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	\$.00	\$.00	\$.00
2. Land, structures, rights-of-way, appraisals, etc.	\$.00	\$.00	\$.00
3. Relocation expenses and payments	\$.00	\$.00	\$.00
4. Architectural and engineering fees	\$.00	\$.00	\$.00
5. Other architectural and engineering fees	\$.00	\$.00	\$.00
6. Project inspection fees	\$.00	\$.00	\$.00
7. Site work	\$.00	\$.00	\$.00
8. Demolition and removal	\$.00	\$.00	\$.00
9. Construction	\$.00	\$.00	\$.00
10. Equipment	\$.00	\$.00	\$.00
11. Miscellaneous (none)	\$.00	\$.00	\$.00
12. SUBTOTAL (sum of lines 1-11)	\$.00	\$.00	\$.00
13. Contingencies (none)	\$.00	\$.00	\$.00
14. SUBTOTAL	\$.00	\$.00	\$.00
15. Project (program) income (none)	\$.00	\$.00	\$.00
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$.00	\$.00	\$.00
FEDERAL FUNDING			
17. Federal assistance requested, calculated as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal Share.	Enter eligible costs from line 16c Multiply X _____%		\$.00

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Standard Form 424C (Rev. 7-97)
Prescribed by OMB Circular A-1

INSTRUCTIONS FOR THE SF-424C

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0041), Washington, DC 20503.

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

This sheet is to be used for the following types of applications: (1) “New” (means a new [previously unfunded] assistance award); (2) “Continuation” (means funding in a succeeding budget period which stemmed from a prior agreement to fund); and (3) “Revised” (means any changes in the Federal Government’s financial obligations or contingent liability from an existing obligation). If there is no change in the award amount, there is no need to complete this form. Certain Federal agencies may require only an explanatory letter to effect minor (no cost) changes. If you have questions, please contact the Federal agency.

Column a. - If this is an application for a “New” project, enter the total estimated cost of each of the items listed on lines 1 through 16 (as applicable) under “COST CLASSIFICATION.”

If this application entails a change to an existing award, enter the eligible amounts *approved under the previous award* for the items under “COST CLASSIFICATION.”

Column b. - If this is an application for a “New” project, enter that portion of the cost of each item in Column a, which is *not* allowable for Federal assistance. Contact the Federal agency for assistance in determining the allowability of specific costs.

If this application entails a change to an existing award, enter the adjustment [+ or (-)] to the previously approved costs (from column a) reflected in this application.

Column c. - This is the net of lines 1 through 16 in columns “a” and “b”.

Line 1 - Enter estimated amounts needed to cover administrative expenses. Do not include costs that are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchases of land that is allowable for Federal participation and certain services in support of construction of the project.

Line 2 - Enter estimated site and right(s)-of-way acquisition costs (this includes purchase, lease, and/or easements).

Line 3 - Enter estimated costs related to relocation advisory assistance, replacement housing, relocation payments to displaced persons and businesses, etc.

Line 4 - Enter estimated basic engineering fees related to construction (this includes start-up services and preparation of project performance work plan).

Line 5 - Enter estimated engineering costs, such as surveys, tests,

soil borings, etc.

Line 6 - Enter estimated engineering inspection costs.

Line 7 - Enter estimated costs of site preparation and restoration which are not included in the basic construction contract.

Line 8 - Enter the estimated cost for any demolition or removal work.

Line 9 - Enter estimated cost of the construction contract.

Line 10 - Enter estimated cost of office, shop, laboratory, safety equipment, etc. to be used at the facility, if such costs are not included in the construction contract.

Line 11 - Enter estimated miscellaneous costs.

Line 12 - Total of items 1 through 11.

Line 13 - Enter estimated contingency costs (consult the Federal agency for the percentage of the estimated construction cost to use).

Line 14 - Enter the total of lines 12 and 13.

Line 15 - Enter estimated program income to be earned during the grant period, e.g., salvaged materials, etc.

Line 16 - Subtract line 15 from line 14.

Line 17 - This block is for the computation of the Federal share. Multiply the total allowable project costs from line 16, column “c” by the Federal percentage share (this may be up to 100%; consult Federal agency for Federal percentage share) and enter the product on line 17.

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

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Approval No. 0348-0042

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

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

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

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

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

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Standard Form 424D (Rev. 7-97)
Prescribed by OMB Circular A-102

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

APPENDIX B: INSTRUCTIONS FOR WRITING PROGRAM NARRATIVE

1. Project Name:

2. Contact Information

List the name, mailing address, telephone number and office location of the following:

- a. Agency submitting application.
- b. Person having day-to-day responsibility for the project.
- c. Agency's representative in legal matters.
- d. Agency's representative in fiscal matters.

3. Geographic Location

Give the precise location of the proposed project and describe the area to be served by the project. Maps or other graphic aids are encouraged, so long as they are in addition to a narrative description and are not duplicates of the maps submitted under Part II, Section B, item 11. USGS quadrangles, aerial photos, snapshots of the project area and snapshots of the facilities similar to those being proposed are encouraged.

4. Project Description

Describe the project briefly. You will be bound by this description on the contract if the grant is approved.

Acquisition Projects Sample: "This project proposes to purchase four parcels of land, comprising 20 acres, for a regional park located 5 miles north of Parkville. The park, when developed, will provide opportunities for camping, picnicking, and equestrian activities and a large playfield suitable for a variety of family and group activities."

Development Projects Sample "This program involves the first phase of a 3-phase, long-range program to bring the 15-acre Sandy Beach Park into maximum utility in accord with a master plan. The project includes site preparation, demolition of an outmoded bathhouse, and development of roads and parking area, security lighting, picnic facilities, walkways and bikeways, interpretive facilities, a specially designed model boat lagoon, and utilities. The project is located adjacent to State Highway 100, 10 miles east of the City of Quaking Palms, Beaver County. Retroactive costs totaling \$9,500 will be claimed for engineering and architectural services."

Describe any unusual features of the project, such as design or technological innovations, energy saving devices, reductions in cost or time, or extraordinary social and community involvements. If the project is to be completed in stages, describe the work to be accomplished during each stage.

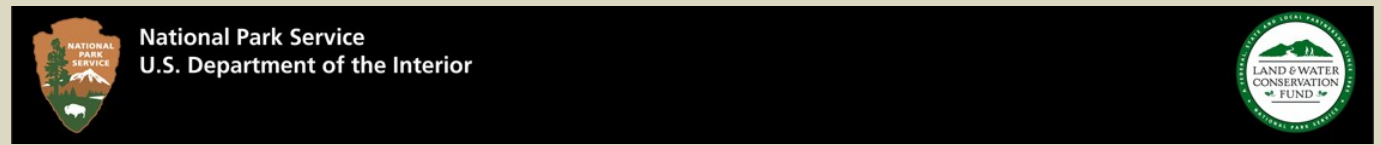
Describe how and when the deed restriction on the property will be completed if not already in place and proof submitted with application.

Explain the location and nature of any overhead electrical or telephone lines, which occur on the project area, and indicate what measures will be taken to mitigate the lines. If the applicant feels that the overhead lines cannot be removed, rerouted or buried, then he/she should explain the reasoning.

5. Scoring Criteria Narrative

This is probably the most important section: This narrative should address each of the applicable scoring criteria outlined in Appendix K. Especially important is the need to address individual priority outdoor recreation issues/strategies identified in Appendix K. Generally, a paragraph or two per criterion will be sufficient, although some criteria may require some elaboration for specific projects. Non-applicable criteria should be so designated.

APPENDIX C PD-ESF - Project Description and Environmental Screening Form



LWCF Proposal Description and Environmental Screening Form

The purpose of this Proposal Description and Environmental Screening Form (PD/ESF) is to provide descriptive and environmental information about Land and Water Conservation Fund (LWCF) proposals for National Park Service (NPS) review and decision. The PD/ESF becomes part of the federal administrative record in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations. The PD portion of the form captures administrative and descriptive details to enable NPS understanding of the proposal. The ESF portion is designed for use as a tool by States/project sponsors to draft out as early as possible in project planning to assist in the identification of potential environmental impacts and related issues/strategies. Upon completion, the ESF will indicate the potential degree of environmental impact so that the State/project sponsor will more accurately be able to select an appropriate pathway for NEPA analysis: a categorical exclusion (CE), an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The ESF should also be used to document previously conducted and still viable environmental analysis. The completed PD/ESF must be submitted as part of the State’s LWCF application or proposal to NPS.

Except for the proposals listed below, the completed PD/ESF **must** be completed and signed by the State and accompany each new federal application for LWCF assistance (Standard Form 424), and amendments for scope changes that alter or add facilities and/or acres, including proposals for conversions, public facility exceptions, sheltering outdoor facilities, and changing the original intended use of an area from that which was approved in an earlier LWCF agreement. Consult the LWCF Grants Manual (www.nps.gov/lwcf) for detailed guidance on additional information required for your type of proposal and for further guidance on how to comply with NEPA.

For the following types of proposals, only this cover page is required because these proposals are categorically excluded from further NEPA environmental analysis. NPS will complete the NEPA Categorical Exclusion Form for you. Simply check the applicable box below, and complete and submit this Cover Page to NPS along with the other items required for your type of proposal as explained in the LWCF Grants Manual.

- SCORP planning proposal
- Time extension with no change in project scope or with a reduction in project scope
- To delete work **and** no other work is added back into the project scope
- To change project cost with no change in project scope or with a reduction in project scope

Name of LWCF Proposal:

Date Submitted to NPS:

Prior LWCF Project Number(s) *List all prior LWCF project numbers and other park names associated with site(s):*

Local or State Sponsoring Agency:

Local or State Sponsor Contact:
Name/Title:

Office/Address:

Phone/Fax:

Email:

Cover Page

Using a separate sheet for narrative descriptions and explanations, address each item and question in the order it is presented, keying it to the associated item, such as Step 1-A1, A2; Step 3-

Step 1. Type of LWCF Proposal

B1; Step 6-A1, A29; etc.

___ New Project Application

- Acquisition** *Go to Step 2A* **Development** *Go to Step 2B* **Combination Acq. & Development)** *Go to Step 2C*

___ Project Amendment

- Increase in scope or change in scope from original agreement.** *Complete Steps 3A, and 5 through 7.*
- 6(f) conversion proposal.** *Complete Steps 3B, and 5 through 7.*
- Request for public facility in a Section 6(f) area.** *Complete Steps 3C, and 5 - 7.*

___ **Request for temporary non-conforming use in a Section 6(f) area.** *Complete Steps 4A, and 5 through 7.*

___ **Request for significant change in use/intent of original LWCF application.** *Complete Steps 4B, and 5 through 7.*

___ **Request to shelter existing/new facility within a Section 6(f) area regardless of who funds the work.** *Complete Steps 4C, and 5 through 7.*

Step 2. New Project Application (See LWCF Manual for guidance.)

A. For an Acquisition Project

1. Provide a brief narrative about the proposal that provides the reasons for the acquisition, number of acres to be acquired with LWCF assistance, and describes the property. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.)
2. Will this acquisition create a **new** public park/recreation area where none previously existed and is not an addition to an existing public park/recreation area? Yes ___ (go to #4) No ___ (go to #3)
3. a. What is the name of the pre-existing public area that this newly acquired site will be added to?
- b. Is the pre-existing public park/recreation area already protected under Section 6(f)? Yes ___ No ___
- ___ If no, will it now be included in the 6(f) boundary? Yes ___ No ___
4. What will be the name of this **new** public park/recreation area?
5. How will the site be made immediately open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?

6. Describe future development plans, if any, proposed for the site(s) within the next three (3) years.
7. SLO must complete the State Appraisal Review certification in Step 7 certifying that the appraisals meet the "Uniform Appraisal Standards for Federal Land Acquisitions." State should retain copies of the appraisals and make them available if needed.
8. Address each item in "D" below.

B. For a Development Project

1. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including where and how the public will access the site, including parking, if any. Indicate entrances on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities.
2. Will this proposed development create a **new** park for the first time on land that has not been previously designated as park and recreation land, such as public vacant or undeveloped land? (Do not count development on land previously dedicated for public park and recreation use.) Yes _____
No _____
3. When will the project be completed and the public allowed onto the improved site?
4. Address each item in "D" below.

C. For a Combination Project

1. For the acquisition part of the proposal:
 - a. Provide a brief narrative about the proposal that provides the reasons for the acquisition, number of acres to be acquired with LWCF assistance, and describes the property. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.)
 - b. Will this acquisition create a **new** public park/outdoor recreation area where non previously existed **and** is not an addition to an existing public park/recreation area? Yes _____ (go to "e" below) No _____ (go to "c")
 - c. What is the name of the pre-existing public park/recreation area to which this newly acquired site will be added?
 - d. Is the pre-existing public park/recreation area already protected under Section 6(f)? Yes ___ No _____.
If no, will it now be included in the 6(f) boundary? Yes ___ No ____.
 - e. What will be the name of this **new** public park/recreation area?
 - f. How will the site be made immediately open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?
 - g. Describe future development plans, if any, proposed for the site(s) within the next three (3) years.
 - h. SLO must complete the State Appraisal Review certification found in the box at Step 7 certifying that the appraisals meet the "Uniform Appraisal Standards for Federal Land Acquisitions." State should retain copies of the appraisals and make them available if needed.

-
2. For the development part of the proposal:
 - a. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including where and how the public will access the site, including parking, if any. Indicate access points on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities.
 - b. When will the project be completed and the public allowed onto the improved site?
 3. Address each item in "D" below.

D. Additional items to address for a new application and amendments

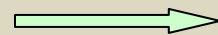
1. a. Who will hold title to the property benefiting from LWCF assistance?
 - b. What is the type of control/tenure? Check one:
 Fee simple ownership
 Less than fee simple. Explain:
 Lease. Describe terms of lease including renewable clauses and number of years remaining on lease. Submit copy of lease with this PD/ESF. (See LWCF Manual for detailed guidance on leases.)
2. Explain who, other than public agency owner, will retain any right-of-ways/easements to or will be leasing the area to be placed under Section 6(f)? Indicate the location on 6(f) map. Do the parties understand that a Section 6(f) park land conversion may occur if private or non-recreation activities take place on the right-of-way/easement/leased areas?
3. Who will manage and operate the site(s)?
4. As a result of this project, describe **new** types of outdoor recreation opportunities and capacities, and short and long term public benefits.
5. Explain any existing non-recreation and non-public uses that will continue on the site(s) and/or proposed for the future within the 6(f) boundary.
6. Describe the planning process that led to the development of this proposal. Your narrative should address:
 - a. How was the interested and affected public notified and provided opportunity to be involved in planning for and developing your LWCF proposal? Who was involved and how were they able to review the **completed** proposal? Include state, local, federal agency professionals, subject matter experts, members of the public and Indian Tribes. Describe any public meetings held and/or formal public comment periods, including dates and length of time provided the public to participate in the planning process and/or to provide comments.
 - b. What information was made available to the public for review and comment? Did the sponsor provide written responses addressing the comments?
7. How does this proposal implement statewide outdoor recreation goals as presented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) (include references), and explain why this proposal was selected using the State's Open Project Selection Process (OPSP).

8. List the source(s) and amounts of financial match to the LWCF federal share of the project. The value of the match can consist of cash, donation, and in-kind contributions:

Source	Type of Match	Value
		\$
		\$
		\$

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

Proceed to Steps 5 through 7



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

A. Increase/Change in Project Scope

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

B. Section 6(f) Conversion Proposal

Prior to developing your Section 6(f) conversion proposal, you must consult the LWCF Manual and 36 CFR 59 for complete guidance on conversions. Local sponsors are encouraged to consult early with the State LWCF manager when a conversion is under consideration or has been discovered. States are also encouraged to consult with their NPS-LWCF manager as early as possible in the conversion process for guidance and to sort out and discuss details of the conversion proposal to avoid mid-course corrections and unnecessary delays. An important first step is for the State and NPS to agree on the size of the Section 6(f) parkland impacted by any non-recreation, non-public use, especially prior to any appraisal activity.

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

- A letter of transmittal from the SLO recommending the proposal.
- Describe in detail the sponsor's need to convert the Section 6(f) parkland including all efforts to

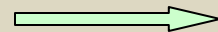
consider other practical alternatives to this conversion, how they were evaluated, and the reasons they were not pursued.

3. Provide a statement on how the conversion is in accord with the State Comprehensive Outdoor Recreation Plan (SCORP).
4. Complete the State Appraisal Review certification in Step 7 for both the converted and replacement parcels certifying that the appraisals meet the "Uniform Appraisal Standards for Federal Land Acquisitions." States should retain copies of the appraisals and make them available if needed.
5. For the parkland proposed for conversion:
 - a. Identify the specific location, 9-digit zip code, and name of park or recreation area proposed for conversion.
 - b. Describe the area proposed for the conversion including the acreage to be converted and any acreage remaining. For determining the size of the conversion, consider not only the physical footprint of the non-recreation development/activities but how the development/activities will impact the entire 6(f) park area. In many cases the size of the converted area is larger than the physical footprint. Describe the recreation resources, facilities, and recreation opportunities that will be impacted, displaced or lost by the proposed conversion. For proposals to partially convert a Section 6(f) park area, the remaining 6(f) parkland must remain recreationally viable and not be impacted by the non-recreation activities that are triggering the conversion. If it is anticipated that the non-recreation activities overlap and impact the remaining Section 6(f) area, the proposed area for the conversion should be expanded to encompass all impacted parkland.
 - c. Describe the community and population served by the park, including who uses the park and how?
 - d. For partial conversions, where only a portion of the Section 6(f) area is proposed for conversion, produce a revised 6(f) map clearly indicating both the portion that is being converted and the portion remaining intact under Section 6(f).
6. For the proposed replacement site(s):
 - a. Produce a location map indicating specific location of site(s) and associated 9-digit zip code(s), clearly indicating major roadways and waterways. If site(s) will be added to an existing public park/outdoor recreation area, indicate on map. Show geographical relationship between replacement site(s) and Section 6(f) converted parkland.
 - b. Describe the site's physical characteristics and resource attributes and quantify the types of resources and features on the site (for example, 15 acres wetland, 2,000 feet beachfront, 50 acres forest, scenic views, 75 acres riparian, vacant lot, special habitat, any unique or special features, structures, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, overhead/underground utilities including overhead wires, towers, etc.
 - c. Identify the replacement site (s) owner(s) and its recent history of use/function up to the present.
 - d. Explain in detail how the proposed replacement site(s) is of reasonably equivalent usefulness and location as the property being converted. Describe the recreation needs that will be met by the new replacement parks, populations to be served, and new outdoor recreation resources, facilities, and opportunities to be provided.
 - e. Who will own and manage the new replacement park(s)?

- f. What will be the name(s) of the new replacement park(s)? If replacement park(s) will be added to an existing public park area, will the existing area be included within the 6(f) boundary? What is the name of the existing public park area?
- g. Provide a timeframe for completing the new park area(s) and making it available for public outdoor recreation use.
- h. Produce new Section 6(f) map(s) for the new replacement park(s).

Environmental analysis must be conducted for converted and replacement sites.

Proceed to Steps 5 through 7

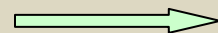


C. Proposal for a Public Facility in a Section 6(f) Area

Prior to developing this proposal, you must consult the LWCF Manual for complete guidance. In summary, NPS must review and decide on requests to construct a public facility within a Section 6(f) area. In certain cases NPS approval may be given to construct public facilities within a Section 6(f) area where it can be shown that there is a gain or increased benefit to public recreational opportunity. In most cases, development of non-recreation public facilities within a Section 6(f) area constitutes a conversion. Describe in detail the public facility proposed and include the following information, if appropriate:

- 1. A letter of transmittal from the SLO recommending the proposal.
- 2. Indicate the location of the proposed public facility on a Section 6(f) map.
- 3. Describe the design of the proposed public facility and explain how it will be compatible with outdoor recreation, how it supports the outdoor recreation resources of the site whether existing or planned, how it will increase outdoor recreation use, and how outdoor recreation use remains the primary function of the site. (The public's outdoor recreation use must continue to be greater than that expected for any indoor use, unless the site is a single facility, such as a swimming pool, which virtually occupies the entire site.)
- 4. Explain the location alternatives considered for the public facility and why they were not pursued.
- 5. When will the facility be open to the public and what will they be able to do there? Describe all functions of the facility including any offices, residential uses or lodging.
- 6. Explain any memberships or user fees that will be instituted, including the fee structure.
- 7. Consult the LWCF Manual for any additional requirements and guidelines prior to developing the proposal.

Proceed to Steps 5 through 7



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

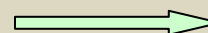
A. Proposal for Temporary Non-Conforming Use

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

non-conforming use (activities other than public outdoor recreation) in detail including the following information:

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

Proceed to Steps 5 through 7

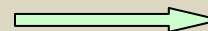


B. Proposal for Significant Change in Use

Prior to developing the proposal, you must consult the LWCF Manual for complete guidance. NPS approval must be obtained prior to any change from one eligible use to another when the proposed use would significantly contravene the original plans or intent for the area outlined in the original LWCF application for federal assistance. NPS approval is not required for each and every facility use change. For proposals that will **significantly** change the use of a LWCF-assisted site (e.g., from passive to active recreation), address the following points:

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

Proceed to Steps 5 through 7

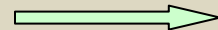


C. Proposal for Sheltering Facilities

Prior to developing this proposal, you must consult the LWCF Manual for complete guidance. NPS must review and decide on all proposals to shelter an existing outdoor recreation facility or construct a new sheltered recreation facility within a Section 6(f) area with or without LWCF assistance. The proposal must demonstrate that there is a gain or increased benefit to public recreation opportunity. Describe the sheltering proposal in detail, including the following information:

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

Proceed to Steps 5 through 7



Step 5. Summary of Previous Environmental Review

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

1. Date of review.
2. Purpose for the review and for whom.
3. Project scope and proposed actions and alternatives.
4. Who was involved in identifying resource impact issues/strategies and developing the proposal including the interested and affected public, government agencies, and Indian tribes.
5. Environmental resources analyzed and determination of impacts.
6. Any mitigation measures stipulated in the plan to be part of the proposed action.
7. Public comment periods (how long, when in the process, who was invited to comment) and agency response to public comments.
8. Any formal decision regarding degree of potential impacts to the human environment.
9. Was the LWCF federal action and/or any other federal actions analyzed/reviewed in previous

environmental reviews? If so, how and what impacts were identified? Provide specific references.

Use resource impact information generated during previous environmental reviews and from recently conducted site inspections to complete the Environmental Screening Form (ESF) portion of this PD/ESF under Step 6. Your responses should indicate your proposal's potential for impacting each resource as identified in the previous environmental review, including a reference to where the analysis can be found in the document. If the previous environmental review proposed actions to mitigate impacts, summarize the mitigation for each resource as appropriate. The environmental review document(s) must be included with this PD/ESF in the proposal package submitted to NPS for federal review.

Proceed to Steps 6 through 7



Step 6. Environmental Screening Form (ESF)

This ESF portion of this PD/ESF is a working tool for planners and decision-makers to use to identify the degree of potential impacts to resources that may occur as a result of federal approval of the proposal. It also serves as the administrative record documenting the project sponsor's efforts to identify and consider impacts during proposal development. Your ESF responses may change as the planning process refines the proposal that will ultimately be submitted along with the final completed ESF for federal review and decision.

The scope of the required environmental analysis will vary according to the type of LWCF proposal. For example, the scope for a new LWCF project will differ from the scope for a conversion. Consult the LWCF Manual for guidance on defining the scope or extent of environmental analysis needed for your LWCF proposal. As early as possible in your planning process, consider how your proposal/project may have direct, indirect and cumulative impacts on the human environment. By early identification of possible environmental resource impacts, the information will be useful during proposal development, including ways to lessen impacts. Initiating or completing environmental analysis after a decision has been made is contrary to both the spirit and letter of the law of the National Environmental Policy Act. .

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

At the time of proposal submission to NPS for federal review, the completed ESF should reflect the project sponsor's final determination of the extent to which the proposal will impact the list of resources on the form. The results of the completed ESF will inform the State's choice of which NEPA pathway to follow, i.e., categorical exclusion (CE), environmental assessment (EA), environmental impact statement (EIS). Also, the completed ESF will identify the resource topics and issues/strategies that should be presented and analyzed in an EA or an EIS, if required. Consult the LWCF Manual for further guidance on LWCF and NEPA.

The ESF contains two parts that must be completed:

A. Impacts to Environmental Resources

B. Mandatory Criteria

Part A: For each environmental resource topic, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential negative impact that may occur directly, indirectly and cumulatively as a result of federal approval of your proposal. These impact levels should be used to estimate specific impact levels on each separate resource and must be accompanied with a brief explanation of how the resource might be affected, how the impact level was determined, and why the chosen impact level is appropriate. If an environmental review has already been conducted on your proposal and it includes planned mitigation, explain this for each applicable resource and choose an impact level as mitigated. If the resource does not apply to your proposal, mark NA in the first column. Add any relevant resources (see A23)

if not included in the list.

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

Use a separate sheet to explain all potential negative impacts (negligible, minor and those exceeding minor) as well as to indicate the type of data that still needs to be determined for each of the applicable resources listed below. Describe direct, indirect and cumulative impacts as well as explain any planned mitigation already addressed in previous environmental reviews. For the Mandatory Criteria, explain all “yes” and “maybe” answers.

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

23. Other important environmental resources that should be addressed					
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B. MANDATORY CRITERIA If your LWCF proposal is approved, would it...	Yes	No	To be determined
1. Have significant impacts on public health or safety?			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O 11988); and other ecologically significant or critical areas.			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?			
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?			
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?			
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office.(Attach SHPO Comments)			
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.			
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			
11. Limit access to access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?			

Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. *List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit.*

- 1.
- 2.
- 3.

The following individuals conducted a site inspection to verify field conditions. *List name of inspector(s), title, agency, and date(s) of inspection.*

- 1.
- 2.
- 3.

Step 7. NEPA Pathway Recommendation and Certifications

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

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

If you do not find your action in the CE list, regardless of your answers in Step 6, you must prepare an EA or EIS. Complete the following "State Environmental Recommendations" box indicating the need for an EA or EIS.

State LWCF Environmental Recommendations and Appraisal Certification

I certify that a site inspection was conducted for each site involved in this proposal and to the best of my knowledge, the information provided in this LWCF Proposal Description and Environmental Screening Form (PD/ESF) is accurate based on available resource data. All resulting notes, reports and inspector signatures are stored in the state's NEPA file for this proposal and available upon request.

On the basis of the environmental impact information for this LWCF proposal as presented in this LWCF PD/ESF with which I am familiar, I recommend the following NEPA pathway:

- This proposal qualifies for a Categorical Exclusion (CE).
 - CE Item #:
 - Explanation:
- This proposal requires an Environmental Assessment (EA) which is attached and has been produced in accordance with the LWCF Grants Manual.
- This proposal may require an Environmental Impact Statement (EIS). NPS guidance is requested per the LWCF Grants Manual.

State Appraisal Review-If applicable, complete this certification for each appraisal.

I certify that the State has reviewed the appraisal and has determined that it was prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions.

Property Address:

Date of appraisal transmittal letter:

Fair market value: \$

Effective Date of Value:

SLO/ASLO Original Signature: _____ **Date:** _____

Typed Name, Title, Agency:

APPENDIX D: INSTRUCTIONS FOR PROJECT BOUNDARY MAP

The following elements must be included in each project boundary map:

1. Project Area. At a minimum, this area must be a viable public outdoor recreation area that is capable of being self-sustaining without reliance upon adjoining or additional areas not identified in the scope of the project. Except in unusual cases where it can be shown that a lesser unit is clearly a self-sustaining outdoor recreation resource, this area will be the park, open space or recreation area being developed or added to. Exceptions will be made only in the case of larger parks, where logical management units exist therein. In no case will the areas covered in Section 6(f)(3) of the Act be less than that acquired with L&WCF assistance.
2. Requirements. The project boundary map and/or attachments thereto will identify the following:
 - a. The title and number of the project or project element.
 - b. The date of map preparation and signature of person preparing or authorizing the map.
 - c. The area(s) under lease and term remaining on the lease(s).
 - d. All known outstanding rights and interests in the area held by others. Known easements, deed/lease restrictions, reversionary interests, etc. are to be included. Those outstanding rights and interests which, in the opinion of the applicant, would not adversely impact the utility and viability of the recreation area if exercised and not intended to be included under the conversion provisions of Section 6(f)(3) of the Act should be specifically identified (see Sections 640.3.4 and 660.5.2C of the NPS L&WCF Manual, Release 151).
 - e. The project area in sufficient detail so as to be legally sufficient to identify the lands to be afforded protection under Section 6(f)(3) of the Act. Maps should not exceed 11" x 17" so as to be reproducible, if necessary to make additional copies. The following methods of identification are acceptable:
 - @ Deed references.
 - @ Adjoining ownership.
 - @ Adjoining easements of record.
 - @ Adjoining water bodies or other prominent natural landmarks.
 - @ Government survey with section corners or quarter section corners indicated on map OR metes and bounds survey with boundary dimensions and directional bearings.
 - @ Where one or more of the above methods are not readily suited for area identification, measurements from permanent locators may be used. A formal survey is not required.
3. Review. Prior to final approval of a project, the Service will review and accept the dated project boundary map's identification of the area to be protected by Section 6(f)(3) of the Act as well as any land or rights in land excluded from that protection.
4. Alteration to Project Area. Prior to the date of final billing for the project or project element, the State and the Director of NPS may mutually agree to alter the project area to provide for the most satisfactory unit intended to be administered under the provisions of Section 6(f)(3), except that acquired parcels are afforded Section 6(f)(3) protection as L&WCF reimbursement is provided.

APPENDIX E: SAMPLE RESOLUTION

RESOLUTION AUTHORIZING FILING OR APPLICATION

Project Title: _____

WHEREAS, the Federal Land and Water Conservation Fund Act (P.L. 88-578) provides financial assistance to the State of Nevada for outdoor recreation purposes, and

WHEREAS, the (Legal Name of Applicant) desires financial assistance under the land and Water Conservation Fund Program.

NOW, THEREFORE, BE IT RESOLVED by the (Legal Name of Governing Body) as follows:

1. That the (Legal Name of Governing Body) hereby approved filing an application of Land and Water Conservation Fund financial assistance.

2. That (Name and Title) is hereby authorized and directed to execute and file an application with the Nevada Division of State Parks.

3. That the (Legal Name of Governing Body) hereby does agree to finance 100 percent of the project cost, one-half of which will be reimbursed.

_____ + _____ + _____ + _____
(Budget Funds & Other Cash) (Force Account) (Donations) (Total Project Cost)

4. BE IT FURTHER RESOLVED that the (Legal Name of Governing Body) does hereby appoint (Name and Title of Person Delegated) as agent of the (Name of Governing Body) to conduct all negotiations, execute and submit documents including applications, agreements, billing statements, and so on which may be necessary for the completion of the above project.

Introduced, passed and approved this _____ day of _____, 20____.

Name

Title

Attest:

Name

Title

APPENDIX F: EEO CONTRACT COMPLIANCE & FORM DI-1954

1. General. The regulations set out in this appendix implement certain contract compliance procedures required by Executive Order 11246, as amended, and by the Office of Federal Contract Compliance Program (OFCCP) of the Department of Labor (41 CFR 60-4). These regulations shall apply to all L&WCF grants involving federally assisted construction contracts and subcontracts in excess of \$10,000. In determining whether Fund-assisted construction contracts exceed this dollar limit, the total amount of the contract awarded rather than the amount of Federal assistance shall apply.
2. Coordination. It is the responsibility of the State to insure that State and local project sponsors are in compliance with these regulations. The State will cooperate with the National Park Service and the Secretary of the Interior in obtaining the compliance of project sponsors, construction contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders. The State will furnish such information as may be required for the supervision of such compliance, and it will otherwise assist the NPS in the discharge of their duties under Executive Order 11246, as amended (3 CFR 169), its implementing regulations (41 CFR 60) and the relevant Orders of the Secretary of Labor.
3. Women and Minority Construction Hiring Goals. The Dept. of Labor has developed regulations regarding goals and timetables for female and minority participation in the construction industry (41 CFR 60-4). Certain geographic areas have been established by the Office of Federal Contract Compliance Programs for the purpose of establishing goals for minority participation in the construction industry. A list of geographic areas is found in Appendices A and B of Women and Minorities in Construction (published by the OFCCP in the 5/5/78 Federal Register).
 - A. Goals and timetables established for women are national in scope and apply uniformly throughout the nation. As such there is one set of goals, found in Appendix A of Women and Minorities in Construction, as referenced above.
 - B. Goals and timetables established for minorities apply only in the specific geographic areas listed in Appendix B of Women and Minorities in Construction, as referenced above.
4. State Responsibilities. The following are responsibilities of the State under Executive Order 11246, as amended:
 - A. Include the following in solicitation for offers and bids on federally assisted construction contracts over \$10,000 (not required for newspaper or advertisements):
 1. "Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity," including goals which are to be inserted by contracting officer or applicant (see Attachment 650.5A). Goals may be obtained from the OFCCP.
 2. "Standard Federal Equal Employment Opportunity Construction Contract Specification." (See Attachment 650.5B).
 - B. For construction contracts over \$10,000, the following must be included in the contract:
 1. "Equal Opportunity Clause." (See Attachment 650.5C)
 2. "Standard Federal Equal Employment Opportunity Construction Contract Specification." (See Attachment 650.5B)
 3. "Certification Non-Segregated Facilities" signed by the prime contractor and subcontractor (see Attachment 650.5D).

- C. Provide notice of contract awards subject to these provisions to Director of OFCCP within 10 days after the award. Notice should be sent to OFCCP's Regional Office or Area office.
 - D. Cooperate with the Director of NPS and the Director of the OFCCP in the implementation of the program.
 - E. Insure that EEO posters are displayed on Federally assisted construction sites.
 - F. Insure that contractors engaged in Federally assisted construction contracts are providing data and reports to the appropriate OFCCP regional office as required.
 - G. Insure that the provisions of the "Equal Opportunity Clause" are followed for construction contracts involving force account labor.
 - H. Carry out sanctions and penalties imposed upon the federally assisted construction contractor or subcontractor by the Secretary of Labor pursuant to E.O. 11246, and refrain from entering into any contract subject to this Order, or extension or other modification of such a contract with a contractor debarred from Government contracts under E.O. 11246, as amended.
5. Contractor Responsibilities The following are the responsibilities of federally assisted construction contractors under Executive Order 11246 if the contract is for \$10,000 or more:
- a. Abide by the provisions of the "Equal Opportunity Clause" whether it applies to government construction contracts or to federally assisted construction contracts. (See Attachment 650.5C)
 - b. Abide by the provisions of the "Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity" and the "Standard Federal Equal Employment Opportunity Construction Contract Specification." (See Attachments 650.5A and 650.5B, respectively).
 - c. Insure that personnel decisions are also in accordance with a) Uniform Guidelines on Employee Selection Procedures, b) Sex Discrimination Guidelines, and c) Guidelines on Discrimination Because of Religion or National Origin.
 - d. Incorporate into all subcontracts a) the Equal Opportunity Clause, b) the Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity, and c) the Standard Federal Equal Employment Opportunity Construction Contract Specification.
 - e. Provide data and report to the OFCCP as required or requested.
 - f. Maintain non-segregated facilities.
 - g. Include a signed "Certification of Non-Segregated Facilities" in contracts and require subcontractors to include the same. (See Attachment 650.5D)
 - h. Expressly state in all employment solicitation or advertising that the contractor is an Equal Opportunity Employer.
 - i. Display an Equal Opportunity poster.

- j. Allow OFCCP personnel access to the site, records and employees.
 - k. Refrain from entering into contracts with contractors debarred from Federal contracts or federally assisted construction contracts by the Secretary of Labor.
6. Sanctions. In the event of noncompliance, sanctions outlined in Section 303(b) of Executive Order 11246 and 41 CFR 60-1.4(b) may include one or all of the following actions:
- a. Cancellation, termination, or suspension, in whole or in part of the grant.
 - b. Refraining from extending any further assistance to the project sponsor until satisfactory assurance of future compliance has been received.
 - c. Referring of the case to the Dept. of Justice for appropriate action.
7. Approval of Additional Requirements. The NPS will not require or propose to require the performance of duties in addition to those set forth in E.O. 11246, as amended, its implementing regulations, and the requirements of this chapter unless written approval is obtained from the Dept. of Labor.
8. Complaints. States and local sponsors receiving complaints alleging violation of E.O. 11246, as amended, by contractors or by any of their subcontractors shall promptly transmit such complaints to the appropriate Dept. of Labor Regional Office.

U.S. Department of the Interior

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 43 CFR Part 12, Section 12.510, Participant's responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations are included in the proposal package. For further assistance in obtaining a copy of the regulations, contact the U.S. Department of the Interior, Acquisitions and Assistance Division, Office of Acquisition and Property Management, 18th and C Streets, N.W., Washington, D.C. 20240

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the perspective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

DI-1954
(9/88)

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntary excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to check the Nonprocurement List (Tel.#).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instruction, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

APPENDIX G: CIVIL RIGHTS ASSURANCE

The States, as primary recipients of assistance, are responsible to give reasonable assurance that the applicant and all sub recipients will comply with the requirements imposed by Title VI of the Civil Rights Act of 1964, including methods of administration which give reasonable assurance that any non-compliance will be corrected. This shall be accomplished through:

1. Establishing an Open Project Selection Process according to the standards of NPS;
2. Providing the State Civil Rights Agency or Authority the opportunity to comment upon applications submitted;
3. Notifying the Office for Equal Opportunity (OEO) of any inconsistencies with Title VI having arisen from onsite facility reviews conducted by State personnel (where the inconsistency cannot be corrected at the State level);
4. Cooperating with OEO toward seeking a satisfactory resolution of any inconsistencies found, including efforts toward seeking voluntary compliance, enforcement procedures and follow-up reviews; and
5. Assuring that each sub recipient/applicant is provided a copy of these guidelines.

The OEO will periodically conduct compliance reviews of the State's administration of the L&WCF program, including the compliance of sub recipients with the ACT. OEO and NPS will provide the State, sub recipients and applicants for assistance with such technical assistance as necessary to reasonably assure compliance with the Act. Federal, State and local officials are expected to cooperate fully toward securing voluntary compliance where deficiencies in program or facilities may be found.

Similarly, projects must be designed in conformance with Section 504 of the Rehabilitation Act of 1973, which requires that no qualified person shall on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance. The Americans with Disabilities Act of 1990 (P.L. 100-336) simply references and reinforces these requirements for federally assisted programs. Finally, all projects must comply with national policy regarding accessibility for the disabled and discrimination on the basis of age or residency.

**U.S. DEPARTMENT OF THE INTERIOR
CIVIL RIGHTS ASSURANCE**

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

THIS ASSURANCE shall apply to all aspects of the Applicant’s operations including those parts that have not received or benefited from Federal financial assistance.

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

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

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

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

DI-1350
(REV. 6/91)

APPENDIX H: DOCUMENTATION NECESSARY FOR SECTION 106 EVALUATION

Section 106 of the National Historic Preservation Act of 1966 requires all federal agencies to "take into account" potential effects of their undertakings on historic properties. One of the principal functions of the State Historic Preservation Office (SHPO) is review and comment on federal agency compliance with Section 106. This law was enacted to prevent federal agencies from being party to unintentional destruction of historic properties.

The State assists the National Park Service in its compliance with Section 106 of the NHPA, Executive Order 11593 and the Archeological and Historic Preservation Act by consulting with the SHPO and by complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties. The State further agrees to require this assurance from local project sponsors.

Projects recommended by the Division of State Parks for L&WCF assistance will be forwarded to the SHPO for Section 106 evaluation. Thus, project applicants **must** provide the documentation necessary for this evaluation. **All projects must be evaluated in accordance with Section 106, whether or not historic properties are known to be present.**

Applicants must include the following information for each project in the grant application package; omissions may result in the return of the application as incomplete. DO NOT MAIL THE LETTER TO THE PRESERVATION OFFICE.

- ¥ Include a cover letter to State Parks that you are requesting review of a proposed project in accordance with Section 106 of the National Historic Preservation Act. Summarize in one or two sentences the name of the project and the type of work to be done (i.e., development of day use picnic sites and trails, acquisition for future park development, etc.). Describe the amount of new ground disturbance. State the federal agency (Department of the Interior, National Park Service, Western Region) and program (Land & Water Conservation Fund) to which you are applying, and indicated that your application is being made through the Nevada Division of State Parks. **Ask that SHPO comments be sent to the Division of State Parks, Attn: LWCF; Jenny Scanland. 901 S. Stewart St., Carson City, NV 89701.**
- ¥ Briefly describe the proposed project and the existing condition of the site. Indicate if there are any known historic properties on the site. Describe how the project will impact the site and any existing buildings. Also describe how much disturbance has already occurred. If the project involves a historic building, provide the building's name, date of construction and proposed construction plans. **Include at least two photographs of the site as it now exists. If a historic structure is present, include at least two additional photographs of the structure.**
- ¥ **Enclose at least two maps clearly depicting the project area.** One map should be a road map showing the general area within the state. If the area is undeveloped, the other map should be a USGS 7.5 minute map clearly defining the project area; if the project is within a town or city, a street map is acceptable. Project boundaries and impact areas should be accurately and clearly marked. Development plan maps are acceptable *if township, range and section are clearly marked*, or if cross streets are identified.

Although some of these items may duplicate other maps or project descriptions required elsewhere in the L&WCF application, it is necessary that Section 106 documentation be provided as a packet, which can be forwarded to the SHPO. This documentation should be clearly identified and assembled under the title "Section 106 Documentation." The Division of State Parks will not copy and compile this information; it must be assembled by the applicant.

PROJECT NAME: _____

ACQUISITION SCHEDULE							
for OMB 80-RO184 Part II, Section B, item 11 and 18 (Acquisition Projects Only)							
Method Acquired ¹ (1), (2), or (3)	Parcel No. ²	Acres	Estimated Date of Acquisition	Estimated Acquisition Cost:			Estimate Relocation Payments ³
				Land	Improvements	Total	
Totals							

¹Method Acquired: (1) Negotiated Purchase, (2) Condemnation, or (3) Donation.

²Parcel numbers correspond to map as identified in Part II, Section B, Item 18.

³Include in Part IV a narrative explanation of payments and services pursuant to Public Law 91-646 and state law.

APPENDIX J: SAMPLE COST ESTIMATE

(Note: Sample cost estimates do not necessarily reflect current construction costs.)

Part II, Section B, Item 11
"SAMPLE"

Cost Estimate

Project Name _____ Development of Sandy Beach Park _____

CONSTRUCTION COSTS:

Clearing, grubbing, filling and topsoil	\$ 7,000
Demolition and removal of obsolete bathhouse (condemned by County Health Department)	1,000
Construction of a 50-car parking lot and a 20' x 200' park entrance road, including curbing, paving, signs and marking.	20,000
Installation of a lighting system for the parking and restroom areas; power lines to be underground.	8,000
Installation of an automatic irrigation system for 10 acres and delivery of water to model boat lagoon.	25,000
Construction and installation of 15 concrete picnic tables and benches.	10,000
Installation of 10 cast-iron barbecue stoves.	500
Installation of 5 underground trash receptacles with pop-up lids and asphalt tile and cement conduit liners.	1,000
500' of 5' wide cement walkway from parking lot to vista.	11,000
Construction of a surfaced 8' wide, 1,300' long bicycle trail that meanders from park entrance to the park's southern extremity.	2,000
Construction of an interpretive 20' x 50' ramada that will explain the natural history and mythology of the "Wounded Pig Blowhole." (Blowhole dioramas and displays are not covered in this request.)	30,000
Installation of a 20' long bicycle rack.	500
Construction of 2 outdoor shower pads with decorative lath screening.	2,000
500' of sewer connection to new restroom facilities.	5,000
500' of 4" domestic water main.	5,000
900' of 1" domestic water line to showers, draining fountains and restrooms.	6,000

100' of water main from the old irrigation well to the irrigation system.	600
Electrical lead-in line (underground) and transformer (does not include any of the work in "installation of lights").	2,000
Storm drain from parking area to Haw Creek (200' long).	1,000
Model boat lagoon specially designed for enjoyment of radio-controlled model power boat enthusiasts.	1,000

Architectural, Engineering and Inspection Costs

Master planning ("A Plan for Sandy Beach Park" prepared by Apex Environmental Planning, Inc.)	4,500
Engineering and preparation of plans, specifications and contracts done by city forces.	5,000
Engineering supervision of contractual construction.	2,000

Relocation Costs

Cost of administering relocation (Part III, Section B, Item 8).	50
Relocation of tenant (Part III, Section B, Item 9).	<u>250</u>

Subtotal	\$157,600
State Surcharge (Leave Blank)	
Total (Leave Blank)	

Note: Show donations on the cost estimate. Donations need approval prior to project approval.

APPENDIX K: SAMPLE PROJECT CHECKLIST AND SCORE SHEET

LAND & WATER CONSERVATION FUND Checklist

Project: _____ Score: _____

Sponsor/Applicant: _____ Rank: _____

Reviewed By: _____ Date: _____

- Acquisition Project
- Development Project
- Combined Project

Federal Share: _____ Local Share: _____ Total: _____

The application should be complete and include the following items:

- Standard Form 424 w/ 424 A&B (Acquisition Projects) OR 424 C&D (Construction Projects (see Appendix A)
- Program Narrative (see Appendix B)
- PD-ESF - Environmental Documentation (see Appendix C)
- Signed and dated project boundary map and location map (see Appendix D)
- Location map w/ name of county, nearby cities or towns, major highways or streets, access road(s), etc. clearly labeled
- Resolution from applicant's governing body (see Appendix E)
- EEO Contract Compliance Form (see Appendix F)
- Civil Rights Assurance (see Appendix G)
- Section 106 National Historic Preservation Act (NHPA) documentation for State Historic Preservation Office (SHPO) evaluation (see Appendix H)

If a development project, must also have:

- Cost estimate (see Appendix J)
- Development plan/site plan

If an acquisition project, must also have:

- Acquisition schedule (see Appendix I)
- Preliminary title report
- Appraisal per Uniform Appraisal Standards for Federal Land Acquisitions
- Parcel maps

Is the application complete? Yes No

(Points may be deducted if not complete; application may be returned.)

Comments: _____

PROJECT SELECTION CRITERIA
Land and Water Conservation Fund
State of Nevada
(Maximum Score of 220 Points)

The scoring criteria utilized with the rating worksheet covers criteria in three general subject areas; the proposed project, administrative, and specific SCORP strategies. These criteria are described in detail below. The criteria are presented in the same order that they appear on the rating worksheet. Comments about higher or lower scores relate only to that criterion, not the overall score a project may receive. Each of these criteria is directly related to one of the SCORP Strategies or Administration of the Program. [http://parks.nv.gov/LWCF/2010_SCORP.pdf and http://parks.nv.gov/LWCF/SCORP_OPSP.pdf]

A. CRITERIA FOR THE PROPOSED PROJECT (Maximum Score of 90 Points)

1. Project Use & Design (0 to 10 points)

This is in response to SCORP Strategy 2, 7, and 8. Degree to which the project will provide features attractive to populations with special recreation requirements (i.e. senior citizens, youth, disabled persons, minorities, etc.).

Maximum Score of 10 Points

- a. High 8 to 10
- b. Medium 4 to 7
- c. Low 0 to 3

2. Ability to Satisfy Basic Outdoor Recreation Needs (1 to 10 points)

This is in response to SCORP Strategy 1, 2, and 5. Project will provide needed facilities where none now exist or where existing facilities are obsolete and in need of redesign/redevelopment.

Maximum Score of 10 Points

- a. Project will provide needed facilities where **No** outdoor recreation facilities currently exist (7 to 10 points). The goal is to get needed facilities in communities that have no outdoor recreation opportunities. Providing opportunities in areas completely void of opportunities is the highest priority.
- b. Project will augment existing facilities where they are insufficient to meet existing needs (4 to 6 points). This can be through new facilities or preferably through redesign or redevelopment of obsolete facilities. SCORP Strategy #1 urges applicants to “Take care of what we already have”. It is undesirable to have closed or publicly unsafe facilities. Communities or areas may have outdoor recreation facilities but the quantity is not sufficient to meet the demand. For example, a community may have one softball field but actually needs two fields to accommodate the softball teams assigned to leagues in the area.
- c. Project will provide needed facilities where the particular type of facility proposed does not exist or/and where existing facilities are obsolete and in need of

redesign/redevelopment (1 to 3 points). Once a community or area has outdoor recreation opportunities, the next priority is to improve the mix of those opportunities or to update/redesign obsolete facilities. For example, a community may have a picnic area but no softball fields.

3. ***Public Participation in Project Planning (0 to 10 points)***

Degree to which the project proposal has involved members of the public in the planning process. This is in response to SCORP Strategy 7 and Administrative Processes. Projects that demonstrate public involvement during the planning phase (through workshops, input during planning commission meetings, opportunities for written comments, letters of endorsement from political subdivisions or civic organizations, etc.) will be ranked higher than projects in which the public was not involved or supportive of the planning process.

Maximum Score of 10 Points

- a. High 8 to 10
- b. Medium 4 to 7
- c. Low 0 to 3

4. ***Demand for Facility (0 to 10 Points)***

Based on evidence supplied with pre-award discussion, project proposal, public preference or participation surveys, supply/demand analyses, current use figures at similar facilities, other locally generated statistics, planning documentation, or other documented justification (choose one). Projects with evidence of demand for specified facilities, such as a public preference survey, recreation participation survey, supply/demand analysis, existing site use statistics, current use figures at similar nearby facilities, public workshops, master plans developed through a public input forum or other documented evidence will be given preference over projects with weak or lack of such evidence.

Maximum Score of 10 Points

- a. High 8 to 10
- b. Medium 4 to 7
- c. Low 0 to 3

5. ***Land Ownership (0 to 10 points)***

Development projects which have fee simple title, permanent easements, or a long-term lease of the project property from the Federal Government, will be ranked above those which have shorter term leases. Lease terms under 25 years with the Federal Government are ineligible. Leases between sub-political agencies or governments must have either both or the title holder as the signature and sponsor on the agreement.

Maximum Score of 10 Points

- a. Fee simple or permanent easement 10
- b. Lease or more than 25 years 5
- c. Lease of 25 years 0

6. ***Creativity and Originality (0 to 5 Points)***

Degree to which project demonstrates creative solutions and/or originality in design (i.e., alternative energy provisions, low maintenance features, multiple-use provisions, etc.), and shows potential for applications to other projects. Of particular interest are projects that propose innovations or creative solutions with potential applications to other projects in the future. Projects with such creativity will receive a higher rating than those that demonstrate little or no

creativity or originality. Also included should be facilities that creatively attract families and youth into the outdoors.

7. Anticipated Use of Facility (1 to 5 Points)

This is in response to SCORP Strategy 2, 5, 7 and 8 and is based on number of visitors anticipated on an annual basis. Projects which serve larger numbers of users or populations will score higher.

Maximum Score of 5 Points

a. High	100,000 or more	5
b. Medium-High	75,000 to 99,999	4
c. Medium	50,000 to 74, 999	3
d. Medium-Low	10,000 to 49,999	2
e. Low	Less than 10,000	1

8. Inter-Jurisdictional Partnerships (0 to 15 Points)

This is in response to SCORP Strategy 3. The relative degree of inter-agency and/or public-private cooperation, support and particularly funding leverage, will be weighed; multiple partnerships will take precedence over single entity sponsors with no partnerships. Partnerships may consist of management/operational agreements, funding relationships, volunteered labor, sponsorships, donated equipment or materials, etc. Projects which can demonstrate strong local or regional coordination and cooperation from various public or private agencies and organizations in terms of volunteerism, donations, etc., will be ranked higher than those which exhibit little or no public coordination and cooperation. Of interest to this criterion is support that contributes directly to the completion of the project as proposed in the application. Letters of support, although of some importance, without the author making any other commitment to the project will not be awarded any points.

a. (Check all that apply. Score 3 points per entity, up to a maximum of 15 Points.)

- b. Federal Improvement District
- c. State Unincorporated Community
- d. County Non-Profit Organization
- e. Town or City Organized User Group
- f. School District Other (Specify _____)

9. Economically Depressed Community Status (0 to 15 Points) *Written justification with data sources must be provided in the application.*

This is in response to SCORP Strategy 1, 2, 3 and 8. Compare the average household income or the average unemployment rate of the project service area with the countywide or statewide economic data, whichever is appropriate. This particular criterion awards economically depressed communities with points for grant awards over communities with stronger economies. Partial credit: An applicant may receive partial credit for the economically depressed community status scoring criterion if a portion of the service area is economically depressed. For example, if the service area is comprised of an entire county, and a portion of the county's average household income is less than the statewide average household income, points will be awarded based on that percentage.

Maximum Score of 15 Points

- a. High 11 to 15

- b. Medium 6 to 10
- c. Low 0 to 5

B. ADMINISTRATIVE CRITERIA (Maximum Score of 50 Points)

1. LWCF Protection Legacy (1 to 10 Points)

Park sites that have never received a LWCF grant will be given preference over previous recipients. This is in reference to national goals to increase the LWCF protection legacy.

Maximum Score of 10 Points

- a. This project site has never received a LWCF grant. 10
- b. This project site has received a LWCF grant within the last 15 years. 5
- c. This project site has received a LWCF grant within the last 5 years. 0

2. Operations and Maintenance (0 to 10 Points)

Record of sponsor's performance during the last 10 years in operating and maintaining existing facilities is an indicator of ability and commitment to adequately operate and maintain (O&M) future LWCF program funded facilities. Or if the sponsor is new, is there an O&M plan? This should be determined during the 5 year self and spot inspections, as well as, pre-inspection of the current site.

Maximum Score of 10 Points

- a. High 8 to 10
- b. Medium 4 to 7
- c. Low 0 to 3

3. Post Completion Inspections and 5 year Self-inspection Compliance (0 to 10 Points)

Prospective sponsors of new projects that are currently in compliance with the 5-year self-inspection program for previously funded LWCF projects will be given preference. Sponsors willing to meet their obligations within 30 days of the application deadline will be given partial credit on the scoring. Sponsors who fail to comply within the 30-day grace period will be declared ineligible for a grant award during the current grant cycle. No further action will be taken on the sponsor's current or future applications until the post completion inspections are completed.

Maximum Score of 10 points

- a. 5-year self-inspections of previously funded LWCF projects (10)
- b. Sponsor was not in compliance prior to submitting application, but sponsor did meet compliance obligations for self-inspections program obligations within 30 days of submitting application (5).
- c. Sponsor failed to comply with self-inspections program obligations within 30 days after submitting applications. **INELIGIBLE 0 points**

4. Project Readiness (0 to 10 Points)

Because it is the intent of the LWCF program to use available LWCF grant funds in a timely manner to develop new or to improve existing public outdoor recreation opportunities, time required for a sponsor to begin the implementation of proposed projects shall be a factor in the

selection process. Projects that have environmental work to NEPA standards complete prior to application will therefore receive higher points. ***Project Construction will begin in:***

Maximum Score of 10 Points

- a. Within one year 10
- b. Within two years 5
- c. Over two years 0

5. Organization & Completeness of Application (0 to 10 Points)

Applications organized and completed in accordance with the instructions will receive a higher score for this criterion than applications less organized or complete. Applications so grossly incomplete that processing is not possible will be declared ineligible and returned to the sponsor without further action.

Maximum Score of 10 Points

- a. High 8 to 10
- b. Medium 4 to 7
- c. Low 0 to 3

**C. PROJECT RELATIONSHIP WITH CURRENT SCORP ISSUES
(Maximum Score of 80 Points)**

The “Nevada’s 2010 Outdoor Recreation Plan” identified eight (8) strategies for improving outdoor recreation in Nevada. Determine which of the 8 strategies are being addressed by the project. The applicant must have provided written description of how the project helps to move these strategies forward in order to be scored. It is important that the proposed project address at least one or more of the 8 major outdoor recreation issues identified in the 2010 SCORP. Please refer to the 2010 SCORP online for details of each strategy.

The following strategies have been developed to guide the selection criteria process. The applicant is required to give written description of **how their project helps in promoting or providing for the advancement of these 8 SCORP strategies.** Well defined, succinct answers can further impact the criteria scoring in Section A, as well as this section.

Each SCORP Strategy is worth 10 points ranging between does not address strategy, to fully addresses strategy. (For details please refer to http://parks.nv.gov/LWCF/2010_SCORP.pdf and http://parks.nv.gov/LWCF/SCORP_OPSP.pdf

1. *Ensure proper maintenance and upkeep of existing outdoor recreation facilities. Manage impacts to outdoor recreation sites from increasing usage.*
2. *Provide an appropriate level of facilities and services at outdoor recreation sites.*
3. *Ensure sufficient ongoing funding for existing and planned outdoor recreation facilities.*

4. *Promote conservation of statewide water resources and wild land areas. Strive to work with partners to gain landscape level conservation: river, riparian and natural water bodies and land conservation for wildlife and their habitats.*
5. *Maintain and improve access to public land.*
6. *Maximize connectivity of existing and planned public trail systems.*
7. *Increase public information resources about outdoor recreation and educational facilities and opportunities at outdoor recreation sites.*
8. *Increase public outreach on outdoor recreation to children, students and currently underserved populations.*

-End-

APPENDIX L: REIMBURSEMENT (PROGRESS REPORT) FORM

**LAND AND WATER CONSERVATION FUND
PROGRESS REPORT**

Project Name: _____

Project Number: _____

Type of Billing: Final Partial

Period: _____ **Billing No.** _____

Approved Project Description: _____

Total Incurred This Billing: \$ _____

Federal Share: \$ _____

Participant Share: \$ _____

Total Cost Incurred All Billings: \$ _____

Federal Share: \$ _____

Participant Share: \$ _____

Percentage of Work Completed _____ %

Percentage of Cost Billed _____ %

PROJECT STATUS (will include status of work required under project scope, whether project will meet established target dates for completion, cost overruns and any other problems encountered and their expected impact on the project):

APPENDIX M: SAMPLE PROJECT ACKNOWLEDGMENT SIGN



APPENDIX N: SAMPLE PROJECT AGREEMENT

STATE OF NEVADA
 Division of State Parks
 Land & Water Conservation Fund Project Agreement

Participant	Project Number
Project title	
Period Covered by this Agreement	
From:	To:
Project Scope (Description of Project)	
<p style="font-size: 2em; color: green; margin: 0;">SAMPLE</p> <p style="font-size: 1.5em; color: green; margin: 0;">TO BE FILLED OUT BY STATE PARKS</p>	
Project Cost	The following attachments are hereby incorporated into this agreement:
Total Cost \$ _____	1. General Provisions
Federal Grant \$ _____	2. Project Proposal
Local Share \$ _____	

The State of Nevada, represented by the State Liaison Officer, and the Participant named above mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964) and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps and assurances attached hereto and hereby a part hereof.

The State of Nevada hereby promises, in consideration of the promises made by the Participant herein, to take the necessary steps and action and to attempt to enter into an agreement to obtain Federal money for that portion of the project referred to as Federal Grant above, to accept such funds from the United States and to tender to the Participant that portion of the obligation which is required to pay the United States' share.

It is understood by the parties hereto that this agreement shall not obligate State funds for the project cost described herein except those costs necessary for administration of the project.

In the event construction has not commenced on this project within ten and one half (10½) months from the date of official notification of funding from the Division of State Parks (Notice to Proceed), this agreement is null and void. In the event an acquisition does not take place within nine (9) months from the date of official notification of funding from the Division of State Parks (Notice to Proceed), this agreement is null and void.

The Participant hereby promises, in consideration of the promises made by the State of Nevada herein, to execute the project described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

In witness whereof, the parties hereto have entered into this agreement as of the date entered below. The date upon which this agreement becomes effective and is executed will be the date signed by the State Liaison Officer.

STATE OF NEVADA

PARTICIPANT

by:

(Signature)

(Name of Political Subdivision)

(Name - State Liaison Officer)

by:

(Signature)

(Title)

(Typed Name)

(Date)

(Date)

REV. 12/25/99

SAMPLE
TO BE FILLED OUT BY STATE PARKS

APPENDIX O: SAMPLE AMENDMENT TO PROJECT AGREEMENT

STATE OF NEVADA
Division of State Parks
Land & Water Conservation Fund

AMENDMENT TO PROJECT AGREEMENT

Participant _____ Project Amendment No. _____

Project Name _____

THIS AMENDMENT TO Project Agreement No. _____ is hereby made and agreed upon by the State of Nevada, acting through the Director of the Department of Conservation & Natural Resources and by the Participant _____, pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the Participant, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above-mentioned agreement is amended as follows:

SAMPLE
TO BE FILLED OUT BY STATE PARKS

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this amendment as of the date entered below.

STATE OF NEVADA

PARTICIPANT

by: _____
(Signature)

(Name of Political Subdivision)

(Title)
Dept. of Conservation & Natural Resources
Nevada Division of State Parks

(Signature)

(Date)

(Typed Name)

(Date)