



LAND AND WATER CONSERVATION FUND (LWCF)

Training and Workshop



Presented by:

Elyse Jolly

Park and Recreation Program Manager
Nevada Division of State Parks

Janice Keillor

Deputy Administrator
Nevada Division of State Parks



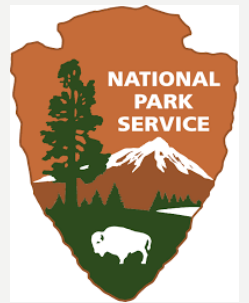
PRESENTATION OVERVIEW

- What is the Land and Water Conservation Fund?
- What does LWCF pay for?
- Eligibility requirements, Allowable Costs & Ineligible Costs
- Policies and Requirements
- Environmental and NEPA/Section 106 clearances
- SCORP
- LWCF boundary maps
- Conversions
- Project examples
- Application process and grant management
 - [SAM.gov](https://sam.gov) & State Vendor Registration
- WebGrants - <https://nvparks.webgrantscloud.com>
 - Award Agreements
 - BABAA
 - Reimbursements
 - Match Documentation
 - Award Amendments & Project Change Requests
 - Project and Fiscal Performance Monitoring
- Post completion administration and inspections

WHAT IS THE LAND AND WATER CONSERVATION FUND (LWCF)?



LWCF FACTS:



- LWCF Act established in 1964 to plan, acquire and develop outdoor recreational lands and waters in the U.S.
- A federal program administered by the National Park Service (NPS)
- Administered in Nevada by the Division of State Parks
- “State Side” funds go to states, “Federal Side” funds are used for Federal land acquisition

GOALS OF THE LWCF PROGRAM

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

MORE LWCF...

- Funds the acquisition of lands and waters and the development of local parks, playgrounds, and other recreational spaces



- Uses earnings from offshore oil and gas leases;

**NO TAXPAYER
DOLLARS**

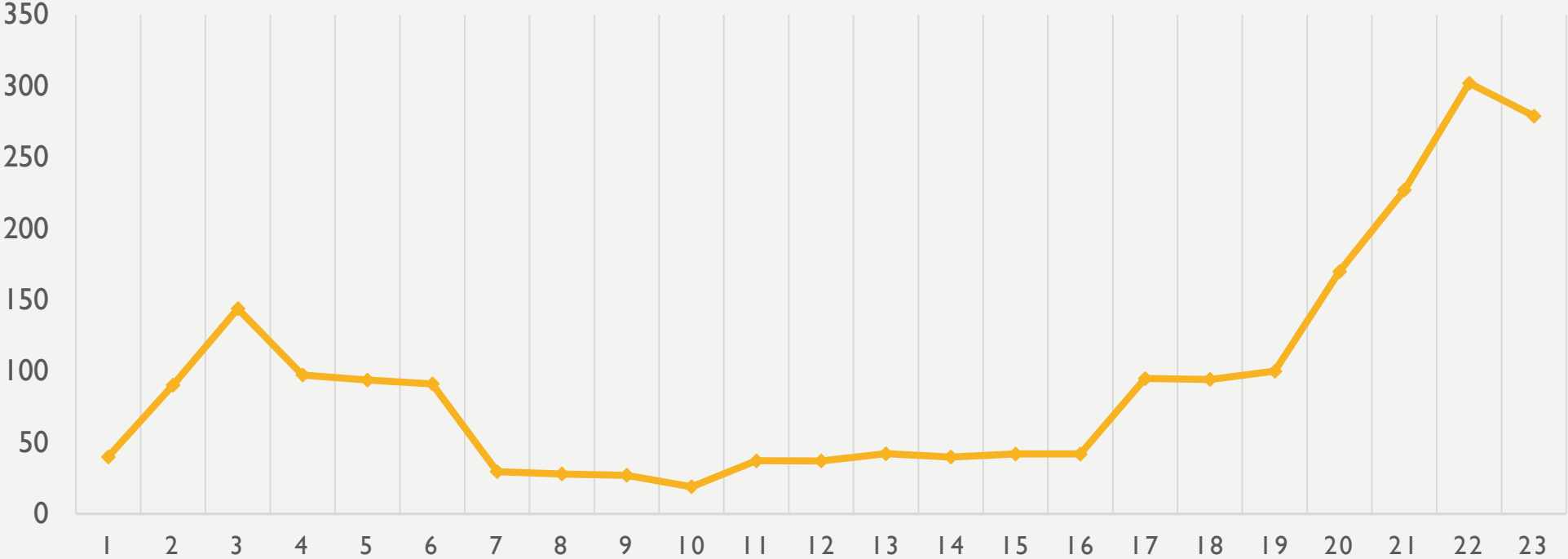


Nevada LWCF Funding History

- 2002 \$1,680,009
- 2003 \$1,119,661
- 2004 \$1,129,278
- 2005 \$1,109,172
- 2006 \$344,916
- 2007 \$344,916
- 2008 \$284,737
- 2009 \$334,522
- 2010 \$469,778
- 2011 \$479,748
- 2012 \$541,960
- 2013 \$515,671
- 2014 \$582,097
- 2015 \$574,091
- 2016 \$1,274,887
- 2017 \$1,266,598
- 2018 \$2,170,961
- 2019 \$2,292,912
- 2020 \$2,896,311
- 2021 \$3,855,639
- 2022 \$3,620,386



LWCF FUNDING IN NEVADA (IN MILLIONS) 2000-2023

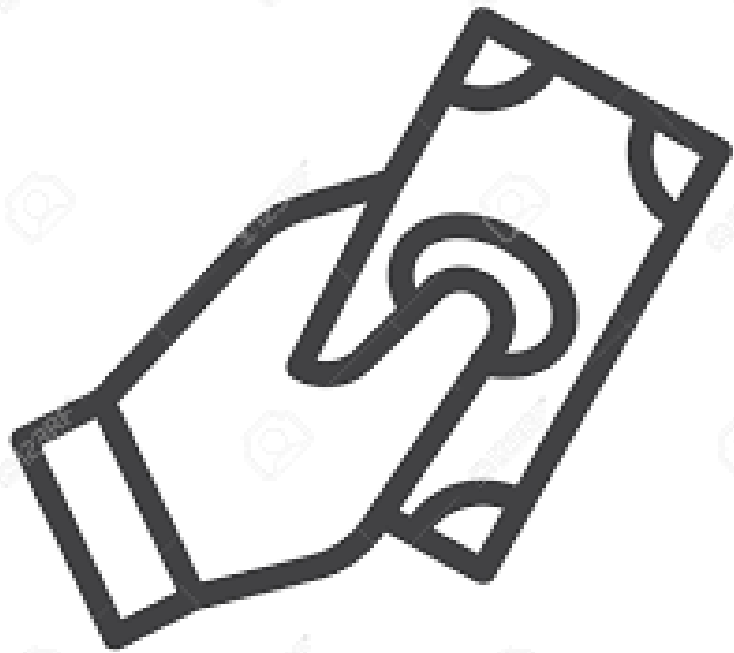


PROGRAM RULES



Where are they?

- [LWCF Federal Financial Assistance Manual](#)
- [NV LWCF Grant Manual 2023](#)
- [National Park Service website](#)
- [State Parks website](#)
- [2 CFR 200](#) - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS



**WHAT CAN
LWCF PAY
FOR?**

LAND ACQUISITIONS

What is eligible?

- Areas with frontage on water bodies for water-based recreation
- Acquisition of the water body itself
- Areas with special recreation opportunities such as wetlands and areas adjacent to scenic highways
- Natural areas, preserves, scenic areas
- Land within urban areas for use as playgrounds, picnic areas, sports facilities, etc.

LAND ACQUISITIONS – CONT.

- Acquisition of lands and waters (or interests therein) may be accomplished through purchase, eminent domain, transfer, or by gift
- Acquisitions of temporary interests, such as leases, are not eligible for grant funding.
- Acquisition of properties with reversionary interests are also not allowed.
- 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.

DEVELOPMENT

What is Eligible?

- Picnic facilities
- Trails
- Hunting/fishing facilities
- Boating facilities
- Camping facilities
- Outdoor exhibit facilities
- Community Gardens
- Beautification projects
- Support Facilities (roads, parking utilities, restrooms, cabins, visitor centers, kiosks, spectator seating, walkways, pavilions, etc.)
- Operations and Maintenance facilities
- Equipment to make new recreation facility operational
- Energy Conservation infrastructure

COMBINED PROJECTS AND PLANNING PROJECTS

- **Combined:**

Both acquisition and development in one

- **Planning:**

Only as PART of an approved development project

WHO IS ELIGIBLE?

- States
 - Cities
 - Towns
 - Counties
 - General Improvement Districts
 - Federally recognized Indian Tribes
-
- Non profits and private entities are NOT eligible to apply but can partner with an eligible entity

ALLOWABLE COSTS

- For Development projects, items necessary for project preparation may be eligible to use as match or be reimbursed.

Examples:

- costs of site investigation and selection
 - site planning, feasibility studies
 - preliminary design
 - environmental review
 - preparation of cost estimates
 - construction drawings and specifications
- For Acquisition projects, costs relating to appraisals and surveys may be eligible
 - All pre-award planning costs incurred within three years prior to project submission to the NPS are allowable

INELIGIBLE COSTS

- Food and Beverages
- Development of local or regional plans
- Administrative or overhead costs
- Construction costs incurred prior to project approval
- Costs associated with design & engineering are not eligible for reimbursement without prior approval from NPS.
- Indoor facilities
- Acquisition costs above appraised value
- Ceremonial or entertainment expenses
- Interest expenses
- Employee facilities
- Lobbying fees

IMPORTANT POLICIES & REQUIREMENTS

Control and Tenure

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

Land Manager Approval Letter

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

IMPORTANT POLICIES & REQUIREMENTS CONTINUED...

- Property acquired, improved or developed with LWCF assistance must be open, maintained and operated in perpetuity for public outdoor recreation.
- Maintain property so it is attractive and inviting to the public.
- Maintain sanitation facilities in accordance with applicable health standards.
- Properties must be kept reasonably safe for public use.
- Buildings, roads, trails, and other elements must be kept in repair throughout their reasonable lifetime.
- The facility must be kept open for public use during reasonable hours and seasons, as determined by the nature of the facility and its environment.

APPRAISALS

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

Environmental and Cultural Clearances (aka NEPA and NHPA/Section 106)

- Why can't I just go out and build my project?
- Can't we just NOT do NEPA and Section 106 and say we did?
- These rules are making my life SO miserable!!



NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

- Required for:
 - Projects with Federal funding
 - Projects on Federal lands
- Must assess environmental, social and economic effects of proposed actions prior to making decisions
- Must allow public opportunities to review and comment on reports

NHPA/SECTION 106

- A section of the [National Historic Preservation Act](#) (NHPA) of 1966 concerned with Federal undertakings
- Required for:
 - Projects with Federal funding
 - Projects on Federal lands
- Requires Federal agencies to determine the effects of their undertakings on historic properties
- NEPA requires that you follow NHPA's Section 106 process

WHAT ARE HISTORIC PROPERTIES?

- Prehistoric or historic districts
- Historic sites, buildings, structures or objects
- Artifacts, records and remains
- Properties of traditional religious and cultural importance to tribes



STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP)

- To be eligible for LWCF grants, every State must prepare a [SCORP](#) every 5 years
- The plan identifies the state's priorities which will develop the scoring process for LWCF grants.
- Identifies outdoor recreation themes
- All grants awarded must address themes listed

NEVADA THEMES AND GOALS

Theme 1: Sustainable Outdoor Recreation

- Create and expand upon a sustainable outdoor recreation system
 - Optimize & leverage funding to plan, develop, maintain, & staff outdoor recreation needs while balancing conservation & resource protection.
 - Plan & develop projects that support a sustainable outdoor recreation system which protects natural & cultural resources.
 - Foster sustainable outdoor recreation through conservation and stewardship

NEVADA THEMES AND GOALS CONTINUED

Theme 2: Community and Economic Vitality

- Leverage the strength of outdoor recreation as a driver of community and economic vitality
 - Cultivate community vibrancy & economic vitality through healthy lands and waters that support sustainable outdoor recreation.
 - Promote and increase awareness of diverse outdoor recreation opportunities while protecting Nevada's natural and cultural resources.
 - Expand opportunities for people with diverse backgrounds to interact with natural and cultural resources and to equitably share benefits of outdoor recreation.

NEVADA THEMES AND GOALS CONTINUED

Theme 3: Pathways to Health and Wellness

- Expand pathways to health and wellness through outdoor recreation
 - Leverage investment in outdoor recreation projects that advance the health and wellness benefits of outdoor recreation.
 - Enhance the awareness of health and wellness benefits of outdoor recreation through education and outreach.
 - Create a safe and welcoming environment that will enhance participation in and enjoyment of the health and wellness benefits of outdoor recreation.
 - Improve access to outdoor recreation for its health and wellness benefits.

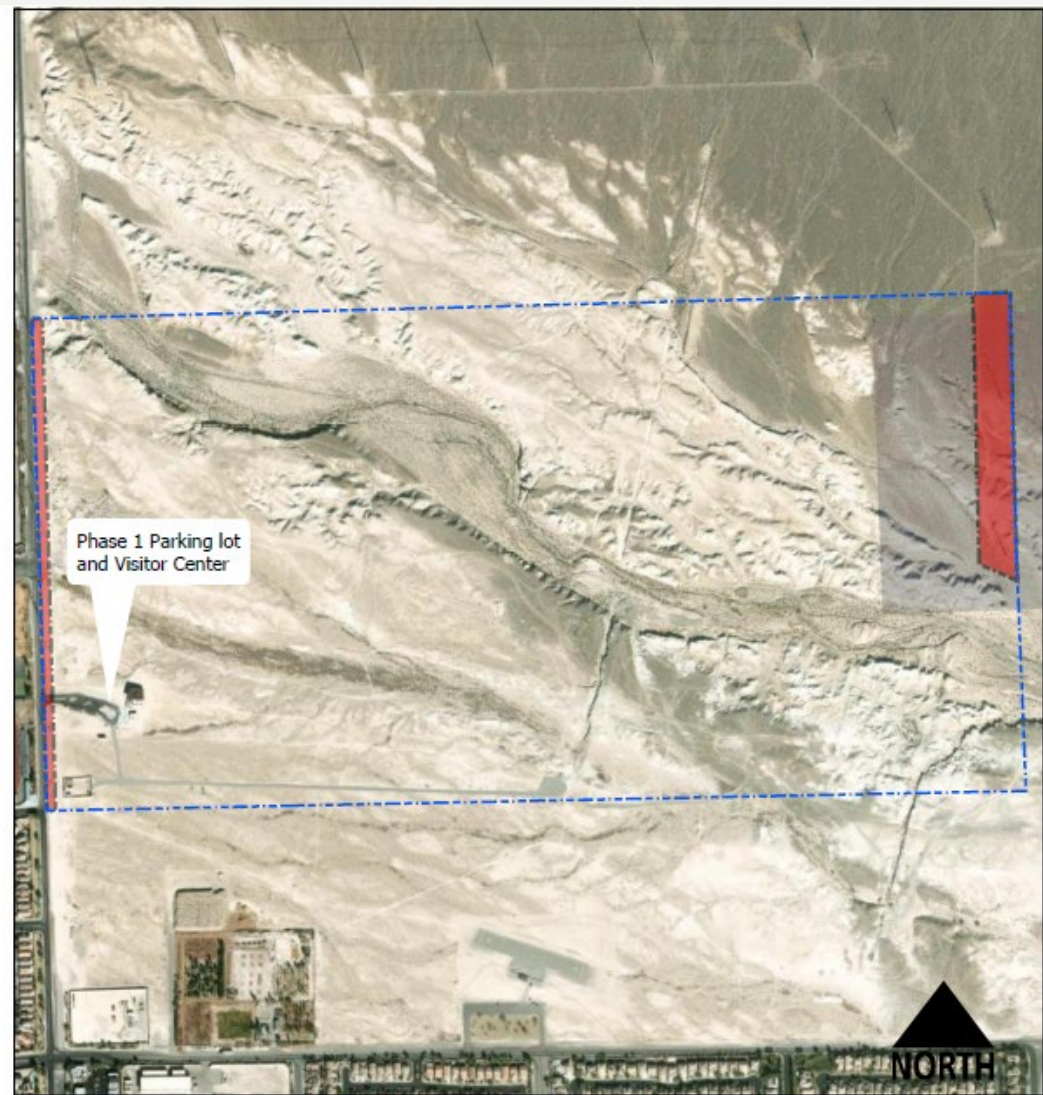
LWCF BOUNDARY MAP

- Official park/site name, location & LWCF project number
- Sufficient detail to legally identify the lands subject to LWCF provisions (e.g. GPS coordinates)
- All known outstanding rights and interests in the area held by others
- Total acreage of the area within the LWCF boundary
- North Arrow
- Signature of the State Liaison Officer (SLO) or the Assistant State Liaison Officer (ASLO)

DEED RESTRICTIONS

- All property encumbered with LWCF must have a deed restriction executed before project close-out.

ICE AGE FOSSILS STATE PARK LWCF BOUNDARY MAP



LWCF BOUNDARY 316 ac.

T19S R61E

APN: 12407101001

0 1,000

Heather Giger
Heather Giger, ASLS

07/01/2022
Date

Feet



This map has been prepared for the use of the Nevada Division of State Lands for illustrative purposes only. It does not represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated herein.

Revised 7/1/2022

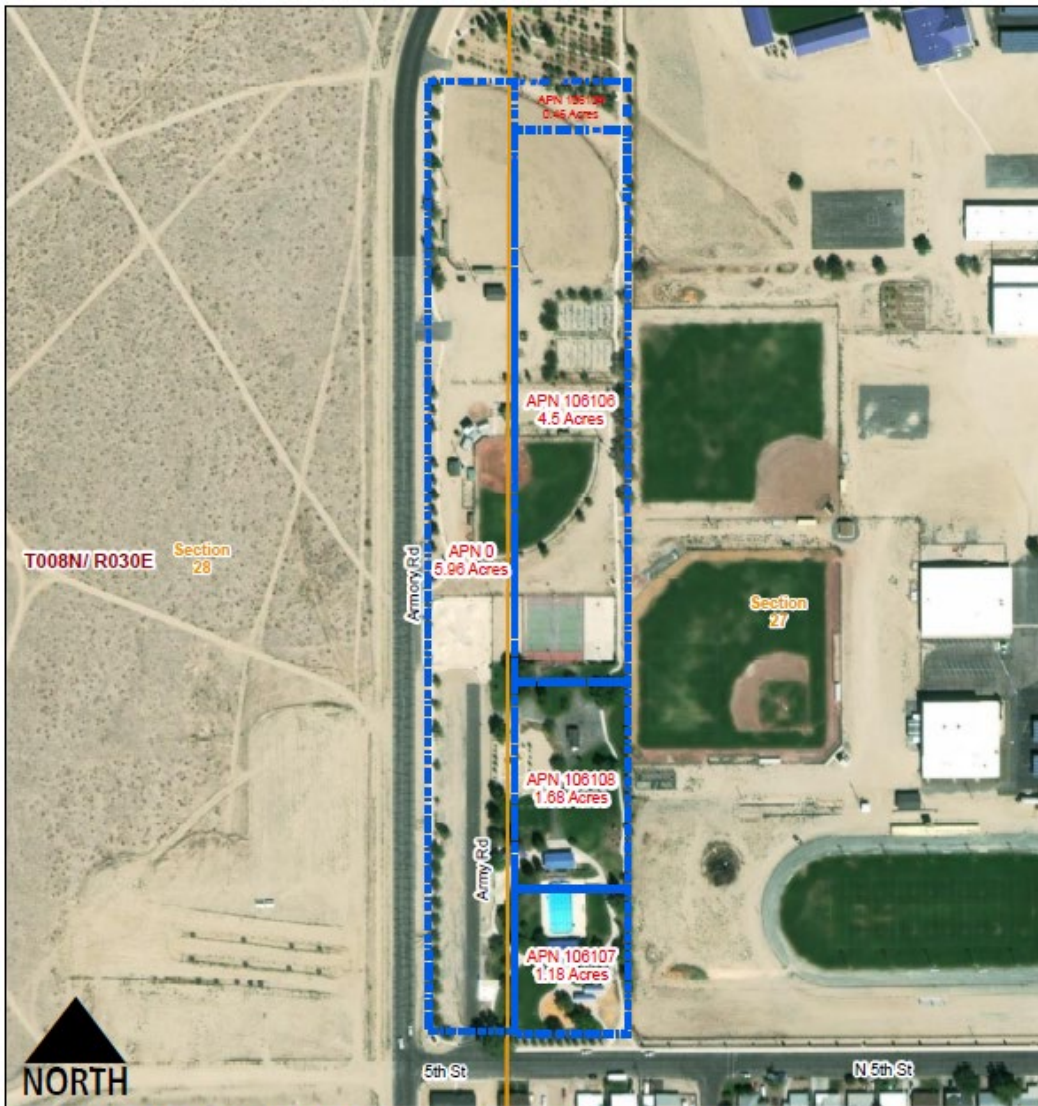


PARKS-11-0

LWCF#32-00358
ICE AGE FOSSILS STATE PARK
LAND & WATER CONSERVATION FUND
LWCF BOUNDARY MAP
CLARK COUNTY, NEVADA

-  LWCF BOUNDARY
-  NV ENERGY EASEMENT 7.83 ac

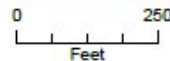




LIONS PARK POOL LWCF BOUNDARY MAP

LWCF BOUNDARY - 13.79 Total Acres

T08N R30E Sections 27 NW, SW



Heather Giger
Heather Giger, ASLO

06/06/2022
Date

This map has been prepared for the use of the Nevada Division of State Lands for illustrative purposes only. It does not represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.



**LIONS PARK POOL
LWCF #32-00365
LAND & WATER CONSERVATION FUND
BOUNDARY AREA MAP**

LWCF BOUNDARY



CONVERSIONS

- No property acquired or developed with LWCF shall be converted to anything other than public outdoor recreation use
- Changes or “conversions from recreation use” will bear a cost

AVOID IF AT ALL POSSIBLE

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

NO

WHAT TRIGGERS A CONVERSION?

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

EXAMPLES:

- Overhead powerlines
- Cell towers
- Utility boxes

A scenic view of a large, clear blue lake with rocky shores and pine trees. The text "CONVERSION EXAMPLES" is overlaid in the center.

CONVERSION EXAMPLES

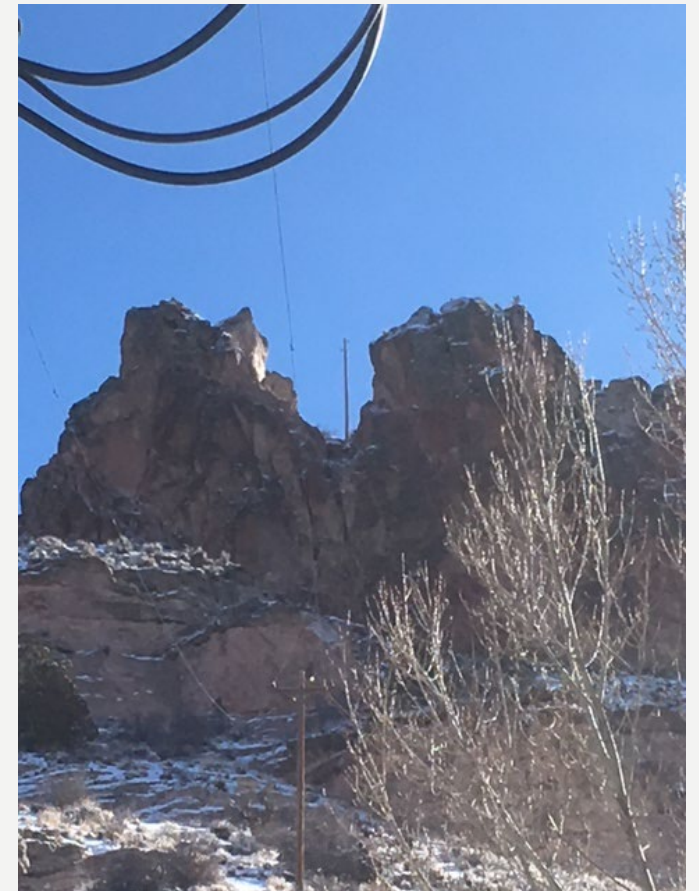
BOB BASKIN PARK LAS VEGAS – CELL TOWER



HARTKE POOL NORTH LAS VEGAS - CLOSURE



KERSHAW-RYAN STATE PARK OVERHEAD POWERLINE



WHAT TO DO ABOUT A CONVERSION

- Must substitute another property not already in park use
- Must equal fair market value of existing property (appraisal or land valuation required)
- Must have reasonably equivalent usefulness and location
- Approval is contingent on the proposal being in accord with the current SCORP
- **AVOID IF POSSIBLE**

PROJECTS FUNDED WITH LWCF



ROSS GOLD PLAYGROUND CARSON CITY



JAYCEE INCLUSIVE PLAYGROUND LAS VEGAS



BEATTY TOWN PARK



NORTH SUNRIDGE RESTROOM INDIAN HILLS GID



MIGUEL RIBERA SKATE PARK RENO



CARSON RIDGE DISC GOLF PARK



BIRD VIEWING PRESERVE HENDERSON




APPLICATION PROCESS


- NDSP holds one grant round annually (pending funding)
- 2023 LWCF grant round open from January 20 – March 27
- All applications must be submitted via [WebGrants](#)
- Projects selected by Advisory Committee
- Information on State Parks website
- [Nevada State Parks Land and Water Conservation Fund | State Parks \(nv.gov\)](#)
- Subrecipients must comply with grant agreement terms and conditions


APPLICATION DOCUMENTS REQUIRED

- Application and Revision Form (A&R) – not as scary as it looks
- State Parks LWCF application form
- Boundary map
- Budget form
- Completion of NEPA and NHPA/Section 106 is required before submission

WEBGRANTS PORTAL



 Login

 Enter your user id and password

User ID


Password

This field is required.

SIGN IN

[Forgot User ID?](#) [Forgot Password?](#)

[Click here to Register](#)

 Announcements

VOLUNTEER RATE INCREASE FOR 2022!

The current estimated national value of each volunteer hour is **\$29.95** – <https://independentsector.org/value-of-volunteer-time-2022/>

Beginning **April 1, 2022**, the new rate may be applied when calculating the value of volunteer labor for the purposes of matching funding.

NEW statewide contract with CTX Incorporated for prefabricated concrete buildings, cabins, toilets, and sheds. Available for use on a voluntary basis to state government, local governments, districts, and other public entities in Nevada.

Contract usage instructions can be found on the Nevada Purchasing Division website at: https://purchasing.nv.gov/Contracts/Documents/Prefabricated_Concrete_Buildings/

RTP 2022 TENTATIVE AWARDS LIST –

The tentative list of projects selected for 2022 RTP funding can be viewed [here](#). The finalized awards list may vary slightly depending on the 2022 budget apportionment from the Federal Highway Administration (FHWA) and will be posted as soon as the apportionment is received by State Parks.

[WebGrants - Nevada State Parks \(webgrantscloud.com\)](https://webgrantscloud.com)

LWCF AWARD AGREEMENT

- Updated in State Fiscal Year [2022](#)
 - Required as part of [Title 2 CFR §200.332](#)
- [Subrecipient Risk Questionnaire](#)
 - Required as part of [Title 2 CFR §200.331](#) & [§200.332\(b\)](#)
- [SAM.GOV Registration](#)/**ANNUAL RENEWAL**
 - DUNS # Replaced by [Unique Entity ID](#) (UEI)
- State Vendor Registration
 - [State Controller's Office Registration](#)
 - [Nevada EPRO Registration](#)
 - Electronic Funds Transfer (EFT) or Direct Deposit per [NRS 227.185](#)

BUILD AMERICA BUY AMERICA ACT (BABAA)

- All construction materials must be manufactured in the US
- Part of the Bipartisan Infrastructure Law
- Applies to all iron, steel, manufactured products and construction materials used in the project
- Cost of manufactured components must be greater than 55% of the total cost of all components
- **only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project**
- **Waivers are possible, but not likely**

REIMBURSEMENTS

- Request reimbursements as needed
- Activities within project period of performance are eligible
- Submit via [WebGrants](#) via Claims Section
- Detailed Supporting Documentation ***REQUIRED*** for Reimbursement & MATCH
 - Example: [Timesheets](#) and [Direct Labor](#)
- Grant Related [Travel](#) & [Mileage](#) is Eligible—[GSA Per Diem Rates](#)



Submitting for
Reimbursements

MATCH REQUIREMENTS

- 50/50 match is required on all projects
- Federal funds may not be used as a match unless specifically authorized in that fund's legislation
- RTP, CDBG, and ARPA can match LWCF
- Eligible match includes:
 - Cash, donated funds, value of property, equipment, materials, labor and pre-award costs

MATCH DOCUMENTATION

- Directly related to project & within project period
 - Details identified in executed funding agreement
- Volunteer Labor @ Fair Market Value (Independent Sector)
- Match supporting documentation must be the same as grant funds
- Planning activities up to three years prior
- Travel, Mileage, Vehicle Usage—State Mileage and GSA Rates

SUB-CONTRACTS

- Provide copies of executed contracts, including NV Business licenses, active certificates of insurance, etc.
- Provide copies of invoices and back-up documentation for reimbursement claims
- Use best practices for selecting a sub-contractor (check for debarment)
- **CONTACT US WITH QUESTIONS!!!!**

AMENDMENTS

- Changes to approved SOW/Budget require approval from NDSP.
- Must include:
 - Justification letter explaining the change
 - Updated Description & Notification (DNF) form
 - Updated Budget Narrative
 - Updated A&R form sections
- NDSP staff will review and forward on to NPS for review and approval.

REPORTING

- Quarterly progress reports required
 - January 10
 - April 10
 - July 10
 - October 10
- Submit via WebGrants via the Status Report Section
- Link reports to your deliverables
- Pictures are encouraged



PROJECT MONITORING

- Required Per Title 2 CFR [§200.332\(d\)](#)
- Monitoring includes:
 - Reviewing Financial & Performance Reports
 - On-Site & Desk Reviews
 - Verify Single Audits via [Federal Audit Clearinghouse \(FAC\)](#) Per Title [2 CFR §200.501](#)
 - Audit Must Be Submitted to the FAC 9 Months After Complete
 - Address Deficiencies Stemming from Single Audits/Monitoring
 - Written confirmation From the Subrecipient to Address any Findings Related to Single Audits/Monitoring

LWCF ACKNOWLEDGMENT

- All projects must include permanent public acknowledgment of LWCF assistance.
- Installations must use the LWCF symbol.
- Project signs must be at facility entrances and other appropriate on-site locations.
- LWCF acknowledgement is encouraged on documents and interpretive materials (e.g., flyers, newsletters, folders)
- LWCF signs will be checked during compliance inspections.





National Park Service
U.S. Department of the Interior



This park was supported by the
Land and Water Conservation Fund which helps
states and communities provide outdoor
recreation and open space for all.

PROJECT CLOSEOUT & POST COMPLETION INSPECTION

- Subrecipient Submits Final Progress Report
- NDSP Performs Post Inspection & Completes Report
- Deed restriction must be in place
- Subrecipient Submits Final Claim via WebGrants
- NDSP Verifies Required Match Amount is Claimed
- NDSP Reimburses Subrecipient for Final Claim
- NDSP Works With NPS to Close Subaward
- Properties acquired or developed with LWCF assistance shall be available for inspection by NDSP or NPS representatives.
- A State compliance inspection will be done within 5 years after final billing, & every 5 years thereafter.

QUESTIONS....



ELYSE JOLLY

EMJOLLY@PARKS.NV.GOV

775-684-2775

JANICE KEILLOR

JKEILLOR@PARKS.NV.GOV

775-684-2787