Draft for the February 3, 2020 Application Cycle

APPLICATION GUIDE

for Local Agencies

LAND AND WATER CONSERVATION FUND (LWCF)

State of California
Natural Resources Agency
Department of Parks and Recreation
Office of Grants and Local Services
"Creating Community through People, Parks, and Programs"

Send Applications and Correspondence to:

Street Address for Overnight Mail:
Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
1416 Ninth Street, Room 918
Sacramento, CA 95814

Mailing Address:
Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
P.O. Box 942896
Sacramento, CA 94296-0001

Phone: (916) 653-7423
Website: **www.parks.ca.gov/grants**

Department Mission

The mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

The Office of Grants and Local Services (OGALS) Mission Statement

The mission of the Office of Grants and Local Services is to address California's diverse recreational, cultural and historical resource needs by developing GRANT programs, administering funds, offering technical assistance, building partnerships and providing leadership through quality customer service.

OGALS Vision Goals

- Proactive in meeting California's park and recreation needs through innovative GRANT programs and customer service.
- Committed to providing quality customer service in every interaction and transaction as honest, knowledgeable, and experienced GRANT administrators.
- Sensitive to local concerns while mindful of prevailing laws, rules and regulations.
- Responsive to the needs of APPLICANTS, GRANTEES, nonprofit organizations, local governments, and legislative members, who are our partners working to improve the quality of life for all Californians by creating new parks and recreation opportunities.

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OGALS WELCOMES YOU

to the Local Agency Land and Water Conservation Fund (LWCF) Competitive Program

Use this guide for the APPLICATION process. The APPLICATION process for LOCAL AGENCIES is COMPETITIVE.

OGALS recommends that you review the GRANT ADMINISTRATION GUIDE and the POST COMPLETION PARK STEWARDSHIP GUIDE before sending your APPLICATION to OGALS.

- The GRANT ADMINISTRATION GUIDE contains important information about administrative requirements for APPLICATIONS that receive GRANT awards (GRANTEE requirements).

- The LWCF PARK STEWARDSHIP GUIDE contains important information about the operation and maintenance requirements in PERPETUITY for land within a 6(f)(3) BOUNDARY MAP approved by the National Park Service (NPS).

See page 66 for the definitions of words and terms shown in SMALL CAPS that appear throughout this guide.

- Please call or email OGALS with any questions or comments. OGALS contact information is listed on the front cover of this guide.

- You can find more information about OGALS grant programs at www.parks.ca.gov/grants. The website features a link to OGALS LWCF page, which provides technical assistance materials and updates, staff contacts, the GRANT ADMINISTRATION GUIDE and the LWCF PARK STEWARDSHIP GUIDE.

- Visit OGALS on Facebook to learn about successful projects.

Why Parks Matter

PARKS are unique places where children play, people exercise, families bond, seniors socialize, youth are mentored, cultures share and celebrate their differences, and everyone connects with nature. For these reasons, vibrant PARKS funded by this program will be a cost-effective means of creating humane, livable communities.

LWCF Overview

Pages 3 through 14 of this section provide the following overview information:

1. LWCF Legacy
2. Eligible LOCAL AGENCY APPLICANTS
3. GRANT Amount and GRANT REQUEST RANGE
4. MATCH and RATE OF REIMBURSEMENT
5. ELIGIBLE PROJECTS
6. APPLICATION Process and GRANT PERFORMANCE PERIOD
7. APPLICATION Eligibility Card

LWCF Legacy

On February 14, 1963, President Kennedy's Administration proposed legislation to establish a "Land and Water Conservation Fund" to assist States in planning, ACQUISITION, and DEVELOPMENT of recreation lands. With bipartisan support, President Johnson signed it into law on September 3, 1964, as Public Law 88- 578, 16 U.S.C.460/-4.

The National Park Service (NPS) administers the LWCF program at the federal level. Previously, the federal BUREAU OF OUTDOOR RECREATION administered the LWCF program from 1964 to 1978 and the HERITAGE CONSERVATION & RECREATION SERVICE administered it from 1978 to 1981. Funds allocated to California are administered by the DEPARTMENT under the provisions of the California Outdoor Recreation Resources Plan Act of 1967, (Public Resources Code §5099 et seq.). Outer Continental Shelf mineral receipts, sales of federal surplus real property, federal recreation fees, and federal motorboat fuel taxes all serve as funding sources for the LWCF.

When an LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public's outdoor recreational use of the site in PERPETUITY for the benefit of our nation's future generations.

This PARK protection legacy is based on the provision of Section 6(f)(3) of the LWCF Act. Thousands of parks throughout California will remain as perpetual monuments to the foresight of President Kennedy's Administration and the American people.

Eligible Local Agency Applicants

- Cities and Counties
- Federally recognized Native American tribes
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies. A JPA can include a State agency if at least one member is a local (non-State) public agency or district formed for the purpose of providing PARK and recreation areas.
- Non-State agency recreation and PARK districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas.

Maximum Grant Amount per Application

- $6,000,000 is the maximum GRANT request amount. However, the APPLICANT may establish a GRANT REQUEST RANGE as explained at www.parks.ca.gov/grants_LWCF.
- The maximum GRANT request amount cannot exceed 50% of the TOTAL PROJECT COST.

Match Requirement

- MATCH is no less than 50% of the TOTAL PROJECT COST. In other words, MATCH can range from 50% to 99% of the TOTAL PROJECT COST.
- The LWCF GRANT amount can fund no more than 50% of the TOTAL PROJECT COST. In other words, the LWCF GRANT amount can range from 1% to 50% of the TOTAL PROJECT COST.
- The full GRANT amount is reimbursed when the GRANTEE has shown ELIGIBLE COSTS paid for by both the LWCF GRANT amount and the MATCH (TOTAL PROJECT COST).
- Eligible MATCH sources are explained on page 45.

Rate of Reimbursement and Match Calculation

The RATE OF REIMBURSEMENT is calculated as the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established by the APPLICANT at the time of APPLICATION.

For each payment request, OGALS can only reimburse the RATE OF REIMBURSEMENT percentage out of 100% of the ELIGIBLE COSTS listed on a Grant Expenditure Form by the GRANTEE.

For guidance about the RATE OF REIMBURSEMENT and MATCH, please go to www.parks.ca.gov/grants_LWCF.

Amount of Funds Available to Eligible Local Applicants

There are three potential LWCF funding sources:

1. Annual APPORTIONMENT TO CALIFORNIA.
2. UNOBLIGATED FUNDS from previous APPORTIONMENTS TO CALIFORNIA.
3. STATE REAPPORTIONMENT ACCOUNT funds from previous APPORTIONMENTS TO CALIFORNIA.

OGALS cannot predict the future amounts of each annual APPORTIONMENT TO CALIFORNIA or possible UNOBLIGATED FUNDS or STATE REAPPORTIONMENT ACCOUNT funds that may or may not become available each federal fiscal year.

- The official APPORTIONMENT TO CALIFORNIA is known when Congress appropriates the funds and NPS notifies OGALS. The federal fiscal year starts on October 1.
- Approximately 60% of the annual APPORTIONMENT TO CALIFORNIA is made available for LOCAL AGENCY COMPETITIVE GRANTS.
- The remaining approximately 40% of the APPORTIONMENT TO CALIFORNIA is available to eligible STATE AGENCIES on a PRO-RATA COMPETITIVE basis (see the Application Guide for State Agencies).
- The above percentages are referenced in Public Resource Code §5099.

Eligible Projects

- ACQUISITION PROJECT
- DEVELOPMENT PROJECT
- The APPLICATION must only be for ACQUISITION or DEVELOPMENT.
- Combination PROJECTS are not eligible. These ACQUISITION or DEVELOPMENT PROJECTS may include but are not limited to the following examples.
- All projects must meet at least one SCORP priority. See page 22 for more information.

The next two pages provide examples of eligible projects.

Acquisition Examples:

- ACQUISITION to create a new PARK
- ACQUISITION to EXPAND or provide a buffer for an existing PARK
- ACQUISITION to provide a wildlife corridor
- ACQUISITION to provide a recreational/active transportation trail corridor that connects neighborhoods to workplaces, schools, homes, and other recreational opportunities

ACQUISITION must result in a NEW RECREATION OPPORTUNITY for the public within three years after the completion of the ACQUISITION. Only a phase that creates a fully-useable recreational opportunity must be completed and open to the public within three years after the completion of the ACQUISITION.

In some cases, the ACQUISITION property may not require DEVELOPMENT at all within three years after the ACQUISITION. Examples include:

- An existing fire or safety road in the ACQUISITION property is in proper condition to be readily useable as a trail or walking pathway.

- EXPANSIONS: The ACQUISITION property is adjacent to an existing PARK, and the purpose of the ACQUISITION is to serve:

    - as a buffer to protect the VIEWSHED of the PARK for current and future generations of PARK visitors. In this case, enjoying the VIEWSHED is a recreation opportunity for the PARK visitors.

    - as a buffer to protect a wildlife corridor for current and future generations, where visitors of the existing PARK come to enjoy watching wildlife.

Development Examples:

- DEVELOPMENT of RECREATION FEATURES must be for outdoor recreation, not indoor recreation.

- LWCF funds are intended to increase outdoor recreational opportunities for the health and wellness of Californians.

These examples are not intended to show a preference from OGALS.

RECREATION FEATURE	MAJOR SUPPORT AMENITY
• athletic fields (soccer regulation or "futbol rapido", baseball, softball, football, etc.) • athletic courts (basketball, tennis, "futsal" etc.) • community gardens • dog parks • OPEN SPACE and natural areas • outdoor gyms (aerobic or strength building equipment) • outdoor performing arts venues • picnic areas • play grounds and tot lots • recreational trails • skate parks and BMX or pump tracks • tracks, jogging loops, and par courses • outdoor swimming pools and aquatic features	• Restroom buildings and parking lots • Additions that enhance the use and appearance of the PARK including landscaping, public art, and safe public use features such as lighting.

Eligible Projects: Statewide Comprehensive Outdoor Recreation Plan (SCORP) Priorities

- The Statewide Comprehensive Outdoor Recreation Plan (SCORP) is updated every five years to evaluate demand, supply, and priorities to protect existing and create new public outdoor recreation resources. Priorities identified in the SCORP drive the Project Selection Criteria through the OPEN PROJECT SELECTION PROCESS.

- This Application Guide's OPEN PROJECT SELECTION PROCESS includes the SCORP action priorities listed below linked with the COMPETITIVE PROJECT Selection Criteria starting on page 24.

- At least one of the SCORP priorities (listed in the PROJECT Selection Criteria starting on page 24) must be met for NPS to approve a PROJECT. PROJECTS that address more than one SCORP priority will be more COMPETITIVE compared to other state wide APPLICATIONS.

- The APPLICANT'S response to the Proposal Description/ Environmental Screening Form (PD/ESF) Step 2.D Question # 10, will also inform NPS how the PROJECT will meet a SCORP priority(s). The PD/ESF is explained on page 54.

Application Deadline

OGALS will announce the application deadline approximately six months prior to the due date posted at www.parks.ca.gov/grants_LWCF.

- OGALS may combine multiple federal fiscal year apportionments into one competitive application cycle. A competitive application cycle may not occur annually.

Application Process and Timeline

1. Review this guide to understand the COMPETITIVE APPLICATION requirements.

   - Use the Eligibility Card beginning on page 13 as a guide for PROJECT selection to meet basic federal requirements.

   - Use the SCORP Priorities and Project Selection Criteria on pages 22-24 to help conceptualize a competitive APPLICATION.

   - Use the APPLICATION Checklist on page 16 to submit a complete
     a. APPLICATION by the APPLICATION deadline.

2. Review the GRANT ADMINISTRATION GUIDE to understand DPR'S GRANT administration requirements (see 8 below). Review the LWCF PARK STEWARDSHIP GUIDE to understand the Federal requirements in PERPETUITY.

3. Send the APPLICATION PACKET to OGALS postmarked or hand delivered by the APPLICATION deadline.

   - The APPLICATION PACKET section, beginning on page 15, provides directions and forms.

   - APPLICATIONS will not be accepted after the APPLICATION deadline explained above.

4. OGALS will review the APPLICATIONS for approximately four months.

5. Applicants will be notified when recommended APPLICATIONS are forwarded to NPS.

6. Applicants will be notified to begin the Section 106 process. See www.parks.ca.gov/grants_lwcf for instructions.

7. OGALS will request the Applicant to submit a detailed cost estimate with associated timeline for project milestones.

8. OGALS issue GRANT CONTRACTS when NPS approves (OBLIGATES) the project for funding. The GRANT ADMINISTRATION GUIDE will then be used by GRANTEES. APPLICANTS become GRANTEES when its CONTRACTS are signed by its AUTHORIZED REPRESENTATIVE and DPR.

   - NPS approves (OBLIGATES) the PROJECT for funding when the official

APPORTIONMENT TO CALIFORNIA is approved at the federal level. This approval typically occurs after October.

- The WAIVER OF RETROACTIVITY is an option for urgent ACQUISITION PROJECTS since it can take up to one year or more after the application deadline before OGALS can issue the GRANT CONTRACTS. See page 41 for more information.

9. If the GRANT PROJECT is withdrawn after NPS approved (OBLIGATED) the PROJECT, the unspent funds will be reallocated into the STATE REAPPORTIONMENT ACCOUNT following the Reallocation Process below.

10. Unspent GRANT Balances: If the actual final TOTAL PROJECT COST is less than the TOTAL PROJECT COST identified in the APPLICATION, the GRANT reimbursement will also be less than the original GRANT amount. The GRANT reimbursement will be for the "RATE OF REIMBURSEMENT" multiplied by the actual, final, TOTAL PROJECT COST. See "RATE OF REIMBURSEMENT" rules explained at www.parks.ca.gov/grants_lwcf. The final, unpaid GRANT balance will be reallocated into the STATE REAPPORTIONMENT ACCOUNT following the Reallocation Process described below.

Reallocation Process

Due to the need to OBLIGATE Federal LWCF funds, the following process occurs if a "reason for reallocation" is applicable as explained in the APPLICATION Process above.

1. If a GRANTEE is unable to utilize the funds as explained in 9 or 10 above, the funds will be reallocated by the DPR to a complete and ready APPLICATION.

2. Complete and ready APPLICATIONS are those that the DPR approves to be immediately forwarded to NPS by OGALS for NPS funding consideration when a reason to reallocate as explained above becomes applicable. These "pipeline" APPLICATIONS are recommended by OGALS through a previous or current Local Agency COMPETITIVE APPLICATION cycle, or selected by the DPR Director.

GRANT PERFORMANCE PERIOD

The chart below summarizes the GRANT PERFORMANCE PERIOD and when ELIGIBLE COSTS may be incurred. Also see the ELIGIBLE COSTS Chart on page 68.

When ELIGIBLE COSTS may be Incurred	Type of Cost and Situation
1. Up to three years before the APPLICATION is submitted to NPS.	PRE-AWARD PROJECT PLANNING COSTS only. See page 39 for guidance.
2. After the APPLICATION is submitted and before NPS OBLIGATES funds to the APPLICATION.	ACQUISITION if a WAIVER OF RETROACTIVITY is requested at the time of APPLICATION and the WAIVER OF RETROACTIVITY is approved by NPS. See page 41.
3. After NPS OBLIGATES funds to the PROJECT for a three year GRANT PERFORMANCE PERIOD (NPS approval date).	All ELIGIBLE COSTS. See the ELIGIBLE COSTS Chart on page 61-63
4. After the GRANT PERFORMANCE PERIOD.	No costs can be paid.

- Boxes 1-2 above are the only circumstances when costs can be incurred before NPS OBLIGATES the funds (before NPS approves the APPLICATION).
- Costs incurred before NPS OBLIGATES the funds can be eligible for reimbursement if they qualify as PRE-AWARD PROJECT PLANNING COSTS or if a WAIVER OF RETROACTIVITY has been approved.
- Costs incurred <u>before</u> a CONTRACT is signed by the AUTHORIZED REPRESENTATIVE and DPR, are at the APPLICANT'S own risk. **Submitting an APPLICATION does not guarantee funding in this COMPETITIVE program.**
- Approval of a WAIVER OF RETROACTIVITY does not guarantee funding in this COMPETITIVE GRANT program.

Application Eligibility Card

This technical assistance card is not an APPLICATION requirement.

This Card covers significant issues that APPLICANTS and GRANTEES must be aware of to succeed in this federal program.

Use the Eligibility Card on the following page to select a COMPETITIVE PROJECT that will meet the APPLICATION, GRANT administration, and POST COMPLETION PARK STEWARDSHIP requirements.

Select a different PROJECT if one or more answers are "no."

A "no" means the APPLICATION/PROJECT would be ineligible.

LWCF Application Eligibility Card

	APPLICATION Requirement	Yes	No
1	**SCORP:** Does the PROJECT meet at least one of the ACQUISITION or DEVELOPMENT SCORP action priorities listed beginning on page 22, and did the APPLICANT consider the PROJECT Selection Criteria beginning on page 24?	□ eligible	□ ineligible
2	**ACQUISITION PROJECT:** Will the APPLICANT become the land owner through the ACQUISITION? Or **DEVELOPMENT PROJECT:** Is the APPLICANT the land owner at the time of APPLICATION?	□ eligible	□ ineligible
3	**6(f)(3) Map and PERPETUITY** Will the entire PARK shown on the 6(f)(3) BOUNDARY MAP, using the map checklist on page 47, be protected, operated, and maintained according to the POST COMPLETION PARK STEWARDSHIP GUIDE?	□ eligible	□ ineligible
4	Will the PROJECT Selection Criteria beginning on page 24 (including Step 2D questions 9a & 9b of the PD/ESF) be submitted by the APPLICATION deadline? And, will the rest of the APPLICATION Checklist items listed on page 16, including CEQA, and the NPS Proposal Description/Environmental Screening Form (PD/ESF), be completed by the APPLICATION deadline or *within 60 days after the APPLICATION deadline*?	□ eligible	□ ineligible
5	The APPLICANT understands the MATCH and RATE OF REIMBURSEMENT explained beginning on page 4, and has funds to "cash-flow" 100% of the PROJECT costs before reimbursement.	□ eligible	□ ineligible
6	PROJECT COMPLETION Date: Will be completed no later than 3 years from the start date of the GRANT PERFORMANCE PERIOD?	□ eligible	□ ineligible

Application Packet

Instructions for submittal of the APPLICATION PACKET

- Send two unbound APPLICATION PACKETS: one with original signatures, and one copy.
- Items 1 through 15 below are required for all APPLICATIONS, no matter the PROJECT type.
  - Items 16 through 18 are required for ACQUISITION PROJECTS only.
  - Items 19 through 20 are required for DEVELOPMENT PROJECTS only.
- Provide APPLICATION PACKET items in the order shown in the Checklist below.
- If a Checklist item is pending, provide a placeholder stating when it will be complete. Exceptions: Item #4 Project Selection Criteria must be complete and Item #12 must have Step 2.D. Questions 9a and 9b complete by the APPLICATION deadline.
- If a Checklist item does not apply, note "N/A" and provide a brief explanation.
- Send only the items shown in the Checklist. Do not send supplementary materials, such as power point presentations, videos, or letters of support.
- Directions and forms for each Checklist item can be found on the following pages.

APPLICATION PACKET Checklist

All APPLICATIONS (1 through 15 below)

1. ☐ APPLICATION Form ..... Page 17
2. ☐ Authorizing Resolution ..... Page 19
3. ☐ PROJECT Summary ..... Page 21
4. ☐ PROJECT Selection Criteria ..... Page 24
5. ☐ GRANT SCOPE/Cost Estimate Form ..... Page 35
6. ☐ PRE-AWARD PROJECT PLANNING COSTS Form (if applicable) ..... Page 39
7. ☐ WAIVER OF RETROACTIVITY Proposal Criteria (if applicable) ..... Page 41
8. ☐ Funding Sources Form ..... Page 43
9. ☐ 6(f)(3) BOUNDARY MAP ..... Page 47
10. ☐ Section 106 (not required at time of application) ..... Page 50
11. ☐ CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Compliance ..... Page 52
12. ☐ Proposal Description/Environmental Screening Form (PD/ESF) ..... Page 53
13. ☐ PROJECT Location Map ..... Page 54
14. ☐ Photos of the PROJECT SITE ..... Page 54
15. ☐ Community Fact Finder or Park Access Tool Report ..... Page 54

ACQUISITION PROJECTS only (items 16 through 18 below)

16. ☐ Public Use Plan ..... Page 56
17. ☐ UASFLA "Yellow Book" Appraisal with independent review or Waiver Page 58
18. ☐ Purchase Agreement or Other Document Showing Agreed Price ....Page 59

DEVELOPMENT PROJECTS only (items 19 through 20 below)

19. ☐ Evidence of Land Ownership ..... Page 60
20. ☐ Concept Level Site Plan ..... Page 60

Application Checklist Item # 1

LWCF Program Application Form

Complete all the information requested on the LWCF APPLICATION Form shown on the next page. Use the fillable LWCF APPLICATION Form in either PDF or Word format at: http://www.parks.ca.gov/grants_lwcf.

State of California
The Natural Resources Agency
Department of Parks and Recreation
Land and Water Conservation Fund
Application Form

PROJECT NAME	TOTAL PROJECT COST $_____ Maximum GRANT Request $_____ Minimum GRANT Request $_____ (Match will be the difference between the approved grant amount and the above total project cost)	
PROJECT PHYSICAL ADDRESS (current or future park entrance including zip code)	Nearest Cross Street	County of Project
GRANT APPLICANT (entity applying for the GRANT)	GRANT APPLICANT'S Mailing Address	
Project Address Latitude and Longitude	Degrees: Minutes: Seconds:	
AUTHORIZED REPRESENTATIVE AS SHOWN IN RESOLUTION Name (*typed or printed)* Title Email address Phone		
DAY-TO-DAY CONTACT for ADMINISTRATION of the GRANT (*if different from AUTHORIZED REPRESENTATIVE)* Name (*typed or printed)* Title Email address Phone		
For ACQUISITION: Total land acquired will be _____ acres Total acreage to be placed under 6(f)(3) Protection shown on the BOUNDARY MAP will be _____ acres	For DEVELOPMENT: Total acreage to be placed under 6(f)(3) Protection shown on the BOUNDARY MAP will be _____	

GRANT SCOPE: I represent and warrant that this APPLICATION PACKET describes the intended use of the requested GRANT to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the attached GRANT SCOPE/Cost Estimate Form. I agree with the APPLICATION and procedural requirements described in the Application Guide. I declare under penalty of perjury, under the laws of the State of California, that the information contained in this APPLICATION PACKET, including required attachments, is accurate.

_____
Signature of AUTHORIZED REPRESENTATIVE as shown in Resolution Date

Print Name: _____ Title: _____

Application Checklist Item # 2

Authorizing Resolution

1. Fill in the blanks on the Resolution as appropriate. Ensure it is approved by your governing body. Use the same PROJECT name that appears on the APPLICATION Form**.**

2. The Resolution template may be reformatted. However, modifying the language may delay APPLICATION approval if the changes require DPR's legal office review or subsequent revisions.

3. Provision #4: Identify a position and/or designated positions instead of a person's name.

   - The "designated position" is responsible for signing all APPLICATION documents. The APPLICATION Form, GRANT SCOPE/Cost Estimate Form, Funding Sources Form, and CEQA Compliance Certification Form "AUTHORIZED REPRESENTATIVE" signature lines must be signed by the same "designated position" identified on the Authorizing Resolution – Provision #4.

   - If the AUTHORIZED REPRESENTATIVE will have another person (designee) sign a form on their behalf, include a letter or memo from the AUTHORIZED REPRESENTATIVE that identifies the designee's position and the documents they can sign. For example, indicate whether the designee is authorized to sign all documents or list the specific documents *they can sign.*

4. *Note: All signatures required in this applicatio*n guide are the signature of the AUTHORIZED REPRESENTATIVE or designee.

Resolution No. _____

RESOLUTION OF THE (APPLICANT's Governing Body)
APPROVING THE APPLICATION FOR
LAND AND WATER CONSERVATION FUND
(Project Name) PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing Matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing APPLICATIONS by local agencies under the program; and

WHEREAS, the APPLICANT certifies by resolution the approval of the APPLICATION and the availability of eligible MATCHING funds prior to submission of the APPLICATION to the State; and

NOW, THEREFORE, BE IT RESOLVED that the ____(Governing Body)_____ hereby:

1. Approves the filing of an APPLICATION for Land and Water Conservation Fund assistance for the proposed; _____(Project Name)_____
2. Agrees to abide by SECTION 6(f)(3) of Public Law 88-578 which states "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."
3. Certifies that said agency has MATCHING funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and
4. Appoints the _(AUTHORIZED REPRESENTATIVE Designated Position Title)_ as agent of the APPLICANT to conduct all negotiations and execute and submit all documents, including, but not limited to, APPLICATIONS, CONTRACTS, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned PROJECT.

Approved and Adopted on the _____day of_____, 20__.
I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by _____following a roll call vote: (APPLICANT's Governing Body)

Ayes
Noes
Absent

_____
(Clerk)

Application Checklist Item # 3

Project Summary (The summary is not scored)

1. Identify and explain what type of PARK this requested GRANT will help create, EXPAND, or improve, using the "Type of PARK " chart below as a guide.

Use the following headings to format the PROJECT summary (one page maximum):

Type of PARK: _____(identify one of the three PARK types below)

Type of PARK Explanation: (use the "Type of PARK" chart below as a general guide to explain which of the PARK categories below best fits this proposed PROJECT SITE).

Type of PARK
County-wide/Regional PARK or wildlife area: A large PARK that is generally 100 acres or more, and generally operated by a county agency or a regional PARK district with the primary goal of serving a county-wide population. *The County where the project is located will be selected for Project Selection Criteria #4 and the Park Access Tool Report (APPLICATION Checklist item # 15)*
City-wide PARK: A PARK that is generally 5 acres or more, and generally operated by a city agency or a local PARK district with the primary goal of serving a city-wide population. *The City where the project is located will be selected for Project Selection Criteria #4 and the Park Access Tool Report (APPLICATION Checklist item # 15)*
Neighborhood/pocket PARK: A PARK that is generally 5 acres or less, and generally operated by a city agency or a local PARK district with the primary goal of serving residents living within walking distance. *The Community Fact Finder will be used for Project Selection Criteria #4 and APPLICATION Checklist item # 15*

2. Use the following chart format to cite and explain (up to approximately 200 words per citation) which SCORP and LWCF priorities listed on the next page will be met by this ACQUISITION or DEVELOPMENT PROJECT.

SCORP/LWCF priority citation	**Explanation about how the ACQUISITION or DEVELOPMENT meets this cited priority**

SCORP Priorities: Land and Water Conservation Fund Actions

The following six actions are established in California's 2015 SCORP and are the basis of the Project Selection Criteria.

1. **Create new parks within a half mile of underserved communities.***

2. **Expand existing parks to increase the ratio of park acreage per resident in underserved areas.**

   * Use the Community Fact Finder or Park Access Tool at www.parksforcalifornia.org to locate areas that have one of the following conditions:

   - Neighborhood areas that have no park within a half mile of a potential site (use the Community Fact Finder).

   Or

   - Cities or Counties that have more than the state average of 24% of its residents living farther than a half mile from a park. (use the Park Access Tool)

   Or

   - Cities or Counties with at least 62% of its residents living in areas that have less than three acres of parkland per 1,000 people (use the "Park Access Tool").

   Or

   - Areas with an annual median household income that is less than $49,119 (use the "Community Fact Finder").

3. **Renovate existing or create new outdoor facilities within existing parks not currently under federal 6(f)(3) protection.***

   * Use the Grant Allocations Tool available at www.parksforcalifornia.org or contact OGALS if needed to determine if an existing park has been funded by LWCF in the past and is already under federal 6(f)(3) protection.

4. **Provide community space for healthy lifestyles, children's play areas, environmental justice, cultural activities, historic preservation.**

   ***See pages 7-13 of the 2015 SCORP document *Meeting the Park Needs of All Californians available at www.parksforcalifornia.org/scorp*

5. **Engage community residents during the project concept and design process.***

   ***For ideas, see pages 22-23 of the 2015 SCORP document *Meeting the Park Needs of All Californians available at www.parksforcalifornia.org/scorp*

SCORP Priorities: Land and Water Conservation Fund Actions (continued)

6. **Increase the inventory of California Wetlands under federal 6(f)(3) protection that also meets public outdoor recreation needs through the efforts of multiple agencies.**
   a. Create new wetlands where they previously existed and have been destroyed.
   b. Acquire existing but unprotected wetlands to hold in public trust.
   c. Restore, where needed, the quality of existing wetlands owned by public agencies.
   d. LWCF grants for wetlands will include public access for recreation and educational opportunities.

Application Checklist Item # 4

Project Selection Criteria
Structure the responses to follow the same numbered and lettered order of the PROJECT Selection Criteria below:

Project Selection Criteria

Point Value	Project Selection Criteria Title
20	1. Unmet Need
10	2. Type of PROJECT
15	3. New Acreage placed under 6(f)(3) protection
15	4. Park Deficient or Economically Disadvantaged Area
15	5. Population Served
10	6. Public Input
15	7. PROJECT Readiness
Eligibility Requirement	8. APPLICANT Capacity
Total Points: 100*	

**All applications start with zero points and can gain up to 100 points. Rather than starting with 100 points and losing points, applications start with 0 points and gain points through the Project Selection Criteria.*

1. Unmet Need

Describe the need for the ACQUISITION or DEVELOPMENT by answering either A through B for ACQUISITION or C through D for DEVELOPMENT: A-B below is for ACQUISITION only and C-D is for DEVELOPMENT only.

A high priority PROJECT will address more than one of the SCORP priorities starting on page 22 and will address an urgent unmet need compared to other statewide applications.

ACQUISITION: Respond to A and B below only if ACQUISITION (three pages or less)

A. Was this land on the open-market before the purchase agreement was entered into, or was/is there any evidence or threat that it could be available for non-PARK DEVELOPMENT within the next two years?

See WAIVER OF RETROACTIVITY on page 41 if the ACQUISITION is urgent.

B. Why is this ACQUISITION a high priority PROJECT to serve the current and future generations of the region, city-wide public, or neighborhood residents (based on the type of PARK and the SCORP/LWCF priorities described in the PROJECT summary)?

The scale below shows that 20 points will be given to high priority ACQUISITIONS.

20-15	This ACQUISITION is a high priority compared to other statewide
14-10	This ACQUISITION is an above average priority compared to other statewide APPLICATIONS.
9-1	There was/is no threat that the land could be acquired for non-PARK DEVELOPMENT within the next two years. Or, this is not a high or above average priority opportunity compared to other statewide ACQUISITIONS.
0	No response

DEVELOPMENT: Respond to C and D below only if DEVELOPMENT (three pages or less)

C. Why is this DEVELOPMENT a high priority PROJECT to serve the region, city-wide public, or neighborhood residents (based on the type of PARK and the SCORP/LWCF priorities described in the PROJECT summary)?

D. If this proposed DEVELOPMENT is not completed in the next five years, what effect will the continued lack of this proposed recreational opportunity(s) have on the region, city-wide public, or neighborhood residents?

The scale below shows that 20 points will be given to high priority DEVELOPMENT.

20-15	This DEVELOPMENT is a high priority compared to other statewide
14-10	This DEVELOPMENT is an above average priority compared to other statewide APPLICATIONS.
9-1	There is no significant effect on the region, city-wide public, or neighborhood residents if this opportunity(s) will be unavailable over the next five years compared to other proposed statewide DEVELOPMENTS. The PROJECT SITE is an existing functional PARK with adequate RECREATION FEATURES.
0	No response

2. Type of Project

Use the following format to identify the type of PROJECT by checking the appropriate field below based on what will be accomplished with the GRANT and MATCH.

Type of PROJECT	Check appropriate field	Points
ACQUISITION to create a NEW PARK	☐	10
DEVELOPMENT to create a NEW PARK	☐	8
ACQUISITION to EXPAND an existing PARK	☐	6
DEVELOPMENT to improve an existing PARK	☐	4

A maximum of 10 points will be given to ACQUISITION projects for the creation of a NEW PARK.

3. **New acreage placed under 6(f)(3) protection**

Technical assistance is available on page 47.

Provide information about PARK acreage to be placed under 6(f)(3) protection that is not currently under 6(f) (3) protection, if the GRANT is awarded by using the chart below:

- For an ACQUISITION that will EXPAND an existing PARK, the APPLICANT can include the PARK acreage of the existing PARK, in addition to the proposed ACQUISITION of that parcel(s), only if the existing PARK is not under 6(f)(3) protection.

PARK acreage already under federal 6(f)(3) protection will not be considered in this criterion (meaning do not report or count the number of protected acres as part of the response).

Type of PROJECT	Parcel Number(s) shown on 6(f)(3) BOUNDARY MAP	Number of acres to be placed under new 6(f)(3) protection shown on the 6(f)(3) BOUNDARY MAP
ACQUISITION to create a new PARK		
ACQUISITION to EXPAND an existing PARK (can include existing PARK'S acreage only if it is not already under 6(f)(3) protection.)		
DEVELOPMENT to create a new PARK		
DEVELOPMENT to improve an existing PARK (can include existing PARK'S acreage only if it is not already under 6(f)(3) protection.)		

The scale below shows that 10 points will be given to APPLICATIONS proposing to place new acreage under 6(f)(3) protection that is not currently already under 6(f)(3) protection.

Points	
10	*The APPLICATION proposes to place new acreage under 6(f)(3) protection. All or a portion of the site is not currently under 6(f)(3) protection*
0	The entire PARK is already under 6(f)(3) protection, or no information provided

The scale below shows that up to 5 points will be given to all statewide APPLICATIONS, regardless of the type-of-PARK, proposing to place the most number of PARK acres under 6(f)(3) protection that are not currently already under 6(f)(3) protection.

Points

5	Highest 30% on the ranked statewide list of all combined park categories/all statewide applications.
3	From 31% to 70% on the ranked list of all combined park categories.
1	From 71% to 100% on the ranked list of all combined park categories.
0	The entire PARK is already under 6(f)(3) protection, or no information provided.

4. Park Deficient or Economically Disadvantaged Area

Use the Park Access Tool Report or Community Fact Finder Report to show why the project location is in an area that meets a following priority. Both reports may be provided if more than one of these priorities are met. Technical assistance is available on page 55.

Park Deficient or Economically Disadvantaged Area	Check appropriate field
A. Project creates a new park in a neighborhood area that has no park within a half mile of the project site (use the Community Fact Finder).	☐
B. Project is in a City or County that has more than the state average of 24% of its residents living further than a half mile from a park. (use the Park Access Tool)	☐
C. Project is in a City or County with a higher percentage than the state average of 62% of its residents living in areas with a ratio of less than three acres of parkland per 1,000 people (use the "Park Access Tool").	☐
D. Project is in or adjacent to an area with an annual median household income that is less than $49,119 (use the "Community Fact Finder").	☐

The scale below shows that a maximum of 15 points will be given to projects that meet two or more of the above priorities.

Points

15	Two or more of the priorities listed above will be met.
10	One of the priorities listed above will be met.
0	None of the priorities listed above will be met, or no information provided.

5. Population Served (benefits for seniors, at risk youth, or people with disabilities)

Explain how the PROJECT will benefit the health and wellness of seniors, at risk youth, or people with disabilities. The response does not need to include demographic data. Rather, the response must describe how the PROJECT design specifically includes the recreational needs of seniors, at risk youth, or people with disabilities. Use the following chart to structure the response.

If the PROJECT is ACQUISITION, and the specific facility DEVELOPMENT plans are pending, explain how members of the UNDERSERVED POPULATION will be involved in the DEVELOPMENT plans.

UNDERSERVED POPULATION	**PROJECT Benefit(s) for this group** (up to approximately 100 words per group)
Seniors	
At Risk Youth	
Persons with Disability	

The scale below shows that 15 points will be given to PROJECTS that benefit all three groups.

Points

15	Seniors, at risk youth, and persons with disabilities will benefit
10	Two of the three groups will benefit
5	One of the three groups will benefit
0	No information provided

6. Public Input (within five years prior to the Application deadline)

The response to Step 2D questions # 9a #9b of the PD/ESF explained on page 54 describes the public input process for this PROJECT. OGALS will review the PD/ESF response to step 2D Questions # 9a and # 9b explained on page 53 to determine if the public input process included all steps required by NPS.

Additionally, in case the PD/ESF is incomplete or revised after the APPLICATION deadline, provide the response to step 2D Questions # 9a and # 9b explained on page 53 here under "6. Public Input" as a placeholder.

A response to Step 2D questions # 9a #9b of the PD/ESF must be provided in the APPLICATION PACKET received by the APPLICATION deadline.

The scale below shows that a maximum of 10 points will be given to APPLICANTS that incorporated a public input process that included all steps required by NPS in the PD/ESF.

Points

10	The public input process described in the PD/ESF addresses all steps required by NPS.
0	The public input process described in the PD/ESF does not address all steps required by NPS. The APPLICATION will not be considered ready for NPS approval if the public input process occurred more than five years ago, or otherwise does not meet the steps required by NPS through the PD/ESF. The public input cannot be older than 5 years from the Application Deadline.

7. Project Readiness

Complete the following ACQUISITION or DEVELOPMENT chart to identify PROJECT readiness based on the GRANT request.
The scales below show that a maximum of 10 points will be given to ACQUISITION and DEVELOPMENT PROJECTS that are ready to proceed.

ACQUISITION

Milestone	If completed, provide Month/Year	Points for completion	If not yet completed, provide future Month/Year
"Yellow Book" UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA)		**5**	
Purchase Agreement between land owner and APPLICANT		**5**	

DEVELOPMENT

Milestone	If completed, provide Month/Year	Points for completion	If not yet completed, provide future Month/Year
Schematic/concept level		**2**	
Engineer Cost Estimate for further design DEVELOPMENT.		**2**	
Construction documents		**2**	
Construction permits		**2**	
Bid package prepared or employee services for construction has been determined		**2**	

The scale below shows that a maximum of 5 points will be given to ACQUISITION PROJECTS of land that can be readily used by the public for PARK and recreation purposes <u>without the need for construction</u>.

Points	
5	The ACQUISITION is ready as described above <u>and</u> the Public Use Plan (as requested on page 57) explains that the land will be "readily available" for PARK and recreation purposes <u>without the need for construction</u>.

8. Applicant's Eligibility

Describe the APPLICANT'S eligibility by answering the following questions.

Answer A below for local agencies that have administered a GRANT with OGALS since the 2000 Bond Act (Prop. 12), 2002 Bond Act (Prop. 40), 2006 Bond Act (Prop. 84), Recreational Trails Program, Habitat Conservation Fund or Land and Water Conservation Fund.

A. Are any of the ineligibility criteria listed below applicable? (If there is a reason to believe the ineligibility criteria listed below are applicable, contact your OGALS PROJECT OFFICER for confirmation before applying.)

Answer B below for APPLICANTS that have not administered a GRANT with OGALS.

B. What are the APPLICANT'S most recent successes from any funding source? List recent federal, state, and/or local ACQUISITION or DEVELOPMENT GRANTS successfully administered by the APPLICANT for ACQUISITION or DEVELOPMENT. Provide up to five examples that include the date of completion, funding amount, scope, and funding source.

No points will be given to A or B above. However, if any of the ineligibility criteria described below are applicable, the APPLICATION cannot be recommended to NPS.

Ineligibility Criteria:

An LWCF GRANT cannot be recommended to NPS under the following circumstances.

- APPLICANT is involved with an unresolved "conversion" as described in the LWCF PARK STEWARDSHIP GUIDE.
- APPLICANT has a recent track record of failing to complete or otherwise comply with GRANT and PROJECT operation/maintenance requirements of GRANT-funded sites administered by OGALS.
- APPLICANT has no track record of administering an OGALS GRANT, and, also has no track record of successfully administering an ACQUISITION or DEVELOPMENT GRANT PROJECT with other funding sources.

Application Checklist Item #5

Grant Scope/Cost Estimate Form

The GRANT SCOPE/Cost Estimate Form on page 38 has two uses:

I. Establishing the GRANT SCOPE.

II. Providing a Cost Estimate.

Use the fillable GRANT SCOPE/Cost Estimate Form found at www.parks.ca.gov/grants_lwcf

1. Establishing the Grant Scope:

This form will be used to establish the expected GRANT deliverables for PROJECT COMPLETION. To be eligible for GRANT payment, the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be paid for by the GRANT must be included on the GRANT SCOPE/Cost Estimate Form.

Use the form to list only the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be completed before the end of the GRANT PERFORMANCE PERIOD. All of the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on the form must be completed before a final GRANT payment can be approved.

See page 8 for examples of RECREATION FEATURES and MAJOR SUPPORT AMENITIES.

Directions for establishing the Grant Scope:

Use one of the following phrases to list the type of work for each RECREATION FEATURE and MAJOR SUPPORT AMENITY that will be funded by the GRANT:

- "Acquire approximately…" (provide the number of acres that will be acquired as the RECREATION FEATURE and list the Assessor Parcel Numbers). See the definition of ACQUISITION on page 65.
- "Construct a new…" (RECREATION FEATURE or MAJOR SUPPORT AMENITY)
- Definition: to build a new RECREATION FEATURE or MAJOR SUPPORT AMENITY that did not previously exist.
- "Renovate or improve an existing …" (RECREATION FEATURE) See the definition of RENOVATION on page 69.

List the RECREATION FEATURES in the GRANT SCOPE/Cost Estimate Form:

a) List the ACQUISITION, construction, or RENOVATION or improvement of a RECREATION FEATURE in the GRANT SCOPE/Cost Estimate Form regardless of its estimated cost at the time of APPLICATION.

Do NOT include MINOR SUPPORT AMENITIES in the GRANT SCOPE/Cost Estimate Form.

Fold the cost of a MINOR SUPPORT AMENITY into the cost of its related RECREATION FEATURE.

Example:
GRANT SCOPE is the "construction of a new playground." The GRANTEE will have the flexibility to construct or not construct a MINOR SUPPORT AMENITY for the playground such as a bench, a sign, and a drinking fountain. The costs of a MINOR SUPPORT AMENITY will be accepted as part of the construction of the new playground. The construction of the new playground is the expected GRANT SCOPE deliverable for PROJECT COMPLETION.

List the MAJOR SUPPORT AMENITIES (a or b below) in the GRANT SCOPE/Cost Estimate Form:

a) List the construction of a new parking lot, restroom building, or other non-recreational facility on the GRANT SCOPE/Cost Estimate Form.

b) Include a stand-alone item of work to improve the appearance or use of the general PROJECT SITE on the GRANT SCOPE/Cost Estimate Form only if its estimated cost, by itself, at the time of APPLICATION is $50,000 or greater.

Include all MAJOR SUPPORT AMENITIES as stand-alone items of work, such as the construction of a new or RENOVATION of a parking lot, restroom building, or other non- recreational facility.

Examples of how (b) would be included in the GRANT SCOPE/Cost Estimate Form:

- "Landscaping for the general PROJECT SITE" (would be an expected GRANT deliverable only if the landscaping as a stand-alone item of work is estimated at $50,000 or more).
- "A light fixture for the general PROJECT SITE" (would be an expected GRANT deliverable only if the light fixture is estimated at $50,000 or more).
- If an estimated cost of an example above is less than $50,000, it is a MINOR SUPPORT AMENITY, and would be excluded on the GRANT SCOPE/Cost Estimate Form as an expected GRANT deliverable. Instead, the cost would be folded into its related RECREATION FEATURE. The $50,000 level is based on the estimated cost for each stand-alone MINOR SUPPORT AMENITY and is not based on a cumulative cost of multiple MINOR SUPPORT AMENITIES.

As a reminder, see the reason for not including MINOR SUPPORT AMENITIES explained in the box above.

2. **<u>Providing a concept level cost estimate on the Grant Scope/Cost Estimate Form</u>**

- Provide the concept level estimated cost for each RECREATION FEATURE and MAJOR SUPPORT AMENITY described in the GRANT SCOPE/Cost Estimate Form.
- As a reminder, do not list MINOR SUPPORT AMENITIES. The cost of MINOR SUPPORT AMENITIES can be included in the construction cost of their related RECREATION FEATURE.
- Do not list costs for contingency separately. Include any contingency costs with the concept level estimated cost for each RECREATION FEATURE and MAJOR SUPPORT AMENITY.
- The estimated TOTAL PROJECT COST on the GRANT SCOPE/Cost Estimate Form must equal the estimated TOTAL PROJECT COST listed on the Application Form.

If the estimated costs change after the APPLICATION is approved by NPS during the course of the PROJECT, a revised GRANT SCOPE/Cost Estimate Form is not required.

CONSTRUCTION COSTS should include allowance for Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et.seq.)

Each RECREATION FEATURE and MAJOR SUPPORT AMENITY listed in the GRANT SCOPE, and their related paths of travel from parking lots and roadsides, must be designed to accommodate persons with disabilities.

Grant Scope/Cost Estimate Form

Follow the directions starting on page 35. Use the form at www.parks.ca.gov/grants_lwcf.

GRANT SCOPE Items: ACQUISITIONS: List each parcel number, acreage, estimated date of purchase, cost. If multiple parcels are to be acquired, list this information for each separate parcel. DEVELOPMENT: List each RECREATION FEATURE and MAJOR SUPPORT AMENITY	**Estimated Cost**
	$
	$
	$
	$
	$
	$
	$
	$
	$
Total Estimated Cost for the RECREATION FEATURES and MAJOR SUPPORT AMENITIES	$
Total PRE-AWARD PROJECT PLANNING COSTS (from the attached Pre-Award Project Planning Costs Form)	$
TOTAL PROJECT COST	$
Maximum GRANT Request	$
Minimum GRANT Request	$

The APPLICANT understands that this form will be used to establish the expected GRANT deliverables that must be completed before final GRANT payment is processed as specified in the "GRANT Process - End of GRANT PERFORMANCE PERIOD" section found in the GRANT ADMINISTRATION GUIDE. See the ELIGIBLE COSTS charts starting on page 61 before creating a cost estimate. The APPLICANT also understands that the remaining portion of the estimated TOTAL PROJECT COST not funded by an LWCF grant is the required MATCH.

APPLICANT'S AUTHORIZED REPRESENTATIVE Signature

Date

Application Checklist Item # 6

Pre-Award Project Planning Costs Form

NPS recognizes the need for and allows PRE-AWARD PROJECT PLANNING COSTS incurred up to three years before the APPLICATION is submitted to NPS.

Use the fillable PRE-AWARD PROJECT PLANNING COSTS Form found at www.parks.ca.gov/grants_lwcf

If the APPLICATION is approved by NPS, the PRE-AWARD PROJECT PLANNING COSTS incurred within three years before the APPLICATION was submitted become ELIGIBLE COSTS. To be paid if the GRANT is awarded, PRE-AWARD PROJECT PLANNING COSTS must be submitted on the PRE-AWARD PROJECT PLANNING COSTS Form with the APPLICATION PACKET and approved by NPS.

> PRE-AWARD PROJECT PLANNING COSTS for DEVELOPMENT projects per the NPS LWCF State Assistance Manual:
>
> > "Therefore, for DEVELOPMENT PROJECTS the costs of site investigation and selection, site planning, feasibility studies, preliminary design, environmental review, preparation of cost estimates, construction drawings and specifications, and similar items necessary for PROJECT preparation may be eligible for assistance, although incurred prior to PROJECT approval."
>
> PRE-AWARD PROJECT PLANNING COSTS for ACQUISITION PROJECTS per the NPS LWCF State Assistance Manual:
>
> > "Similar costs may be allowable for ACQUISITION PROJECTS except those relating to appraisals, surveys, and other incidental costs to the purchaser that are precluded by the LWCF Act."

Unlike State grant programs administered by OGALS, this federally funded program does not have a 25% cap of the GRANT amount on PRE-AWARD PROJECT PLANNING COSTS.

Pre-Award Project Planning Costs Form
Note: a-e below are required information OGALS needs to report to NPS.

PRE-AWARD PROJECT PLANNING COSTS	Span of Months and Year Costs Were or Will Be incurred	Estimated Cost
ACQUISITIONS: List the costs of the site investigation and selection, site planning, feasibility studies, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form		
DEVELOPMENT: List the costs of site investigation and selection, site planning, feasibility studies, preliminary design, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form, preparation of cost estimates, construction drawings and specifications, and similar items necessary for PROJECT preparation		
a. Administrative and legal expenses		$
b. Relocation expenses and payments (for ACQUISITION)		$
c. Architectural and engineering fees (for DEVELOPMENT)		$
d. CEQA/NEPA environmental review costs		$
e. Section 106 preparation costs		$
Total Estimated Cost for **PRE-AWARD**		$
PROJECT PLANNING COSTS:		$

The APPLICANT understands that this form will be used to establish eligible PROJECT planning costs that were incurred within the past three years or will be incurred before the National Park Service approves the PROJECT. The APPLICANT understands that no other costs except for eligible PRE-AWARD PROJECT PLANNING COSTS can be incurred prior to National Park Service approval of the PROJECT, unless NPS approved a WAIVER OF RETROACTIVITY. See the ELIGIBLE COSTS charts starting on page 61 before creating a cost estimate.

_____ _____
APPLICANT'S AUTHORIZED REPRESENTATIVE Signature Date

Application Checklist Item # 7

WAIVER OF RETROACTIVITY is defined on page 70.

Requesting a Waiver of Retroactivity:

NPS will consider a request for a WAIVER OF RETROACTIVITY only when:

1. Immediate action is necessary, and:
2. The time required for OGALS and NPS to process an APPLICATION, OBLIGATE the funds, and issue a CONTRACT, would result in a loss of a significant opportunity.
3. Section 106 is complete (see LWCF website for process).

The WAIVER OF RETROACTIVITY is not limited to PRE-AWARD PROJECT PLANNING COSTS, because the waiver, if approved, can cover all ELIGIBLE COSTS including the actual ACQUISITION. **The request for a WAIVER OF RETROACTIVITY must be received by OGALS and approved by NPS before the costs are incurred.** If the costs are incurred before the WAIVER OF RETROACTIVITY is approved by NPS, the WAIVER OF RETROACTIVITY request will be rejected by NPS and the costs will never become eligible.

To request a Waiver of Retroactivity:

1. Include a letter in the APPLICATION PACKET following the directions on the next page.
2. OGALS may forward the requested WAIVER OF RETROACTIVITY (letter) to the NPS after the APPLICATION deadline.
   - If APPLICATION PACKETS contain significant technical issues showing a lack of readiness such as incomplete Section 106, CEQA, etc., OGALS may not forward the requested WAIVER OF RETROACTIVITY letter to NPS, until the technical issues are completed.
3. NPS will provide a decision to OGALS as soon as possible. OGALS will immediately inform the APPLICANT of NPS' decision.
4. **Do not incur costs before the WAIVER OF RETROACTIVITY is approved by NPS.**
5. If NPS approves the WAIVER OF RETROACTIVITY, the APPLICANT may proceed with the ACQUISITION and the costs will become eligible for reimbursement and MATCH if the APPLICATION is later approved by NPS and the APPLICANT becomes a GRANTEE.

   Granting a WAIVER OF RETROACTIVITY is only NPS' acknowledgement of the need for immediate action; and it does not imply nor assure NPS approval of the PROJECT. The retroactive costs are incurred at the APPLICANT's risk.

Waiver of Retroactivity Letter

The letter addressing the five bulleted items below must be included in the APPLICATION Packet as APPLICATION Checklist Item #7.

- Use the APPLICANT'S letterhead.
- Address the letter to the Chief, Office of Grants and Local Services.
- Must be signed by the AUTHORIZED REPRESENTATIVE.
- Provide the following information for an ACQUISITION PROJECT:

  Describe the resources to be acquired, the public outdoor recreation uses proposed for the site, and the necessity to immediately acquire land prior to NPS approval of the APPLICATION as justification for the WAIVER OF RETROACTIVITY.

  Justification may include but is not limited to the land being sold on the open market that could be purchased by private developers for non-park purposes, an option purchase agreement with limited time, appraisal value fluctuations which could lead to changing costs, or expiring MATCHING funds.

  Conclude the letter with the following statement: "The ___ (name of APPLICANT) understands that if NPS approves this WAIVER OF RETROACTIVITY request, it is only NPS' acknowledgement of the need for immediate action; and it does not imply nor assure that NPS approves the PROJECT and will award the GRANT. The ___ (name of APPLICANT) understands that the retroactive costs are incurred at our risk."

Application Checklist Item # 8

Funding Sources Form

- Use the fillable Funding Sources Form found at www.parks.ca.gov/grants_lwcf
- Use the Funding Source Form to identify each funding source.
- Note if the source is state, local city or county, federal, or private.
- Provide a date for each funding source showing when it was committed to the PROJECT. A date shown as "To Be Determined (TBD)" will be considered incomplete. See the definition for COMMITTED FUNDS for additional information.
- Identify if the source will be used as MATCH or will be reimbursed by the LWCF GRANT.
- **When identifying what source(s) will be reimbursed by the LWCF GRANT, use the highest amount of the GRANT REQUEST RANGE.**
- See page 45 for Eligible MATCH Sources and Calculation.
- If the funding sources change (including MATCH) during the course of the PROJECT, a revised form is not required. However, the funding sources must still be eligible as explained on page 45.
- The TOTAL PROJECT COST listed at the bottom of this form must equal the estimated TOTAL PROJECT COST listed on the APPLICATION Form and at the bottom of the GRANT SCOPE/Cost Estimate form.

Funding Sources Form

The Applicant must be able to "cash-flow" 100% of the project without LWCF. Check the boxes below to identify funding source(s) to be used as Match and which source will be reimbursed by the LWCF GRANT Request.

Funding Source (Identify all "cash-flow" sources and which will be reimbursed by LWCF)	**Date Committed**	**Amount**
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
☐ LWCF ☐ Match		
Grand Total All Funding Sources (Estimated Total Project Cost)		

The Applicant understands that the Project cannot be funded unless the total amount of Committed Funds equals the estimated Total Project Cost. **The Applicant understands the definition of Committed Funds and** the Applicant certifies that they have eligible Match sources and can "cash-flow" 100 percent of the Project, which will be partially reimbursed at the Rate of Reimbursement.

_____ _____

Applicant's Authorized Representative Signature Date

Eligible Match Sources and Calculation

MATCH is subject to the same ELIGIBLE COST requirements as the GRANT.

Other Federal Funds

- Federal funds are **not eligible** to be used for LWCF MATCH except:
- A federal GRANT program must have statutory language included that specifically allows it to be used as MATCH for LWCF.
- Examples of the MATCH allowed for LWCF from federal funds include Community Development Block Grants (CDBG) and Fixing America's Surface Transportation (FAST) Act Recreational Trail Program funds.

State or local government funds and private source funds:

State, local, and private sources are eligible for LWCF MATCH. Examples are the State Habitat Conservation Fund, local government general funds, and donations from private businesses, organizations or individuals.

MATCH sources may include, but are not limited to the following:

- Funds from state local assistance programs
- GRANTEE'S employee labor
- Local or private funds
- Gifts of real property, equipment, and consumable supplies
- Volunteer services directly related to PROJECT completion furnished by professional and technical personnel, consultants, and other skilled and unskilled labor
- Free or reduced-cost use of land, facilities, or equipment
- Bequests and income from wills, estates, and trusts.

For ACQUISITION PROJECTS, donated real property used as all or part of the MATCHING share must meet UASFLA requirements and must be acquired during the GRANT PERFORMANCE PERIOD.

Donations required by law or regulation are not eligible for MATCH. The donated land cannot have any restrictions that might limit its intended public recreation use.

Find how to value and account for IN-KIND funds and/or donations used as MATCH in the NPS LWCF MANUAL in Chapter 5.B.2.a-h starting on page 5-5. The in-kind funds and/or donations used as MATCH cannot have any restrictions that might limit the intended public recreation use.

Calculating the value of donations used as Match:

Specific procedures for placing the value of contributions from private organizations and individuals are in the Office of Management and Budget (OMB) Circular A-102, 43 CFR12:

- Volunteer Services
  - Rates for volunteers, which can be professional and technical personnel, consultants, and other skilled and unskilled labor, should be consistent with the regular rates paid for similar work in the labor market in which the APPLICANT competes for the kind of services involved.
  - Records for volunteer services from personnel shall include timesheets containing the signatures of the person whose time is donated and of the supervisor verifying the record is accurate. The pay rate has to be what the employee is normally paid and must exclude fringe benefits and overhead cost.

- Materials
  - Prices assessed to donated materials should be reasonable and should not exceed current market prices at the time they are charged to the PROJECT.
  - A record needs to be kept showing the fair market value by listing comparable prices and vendors.

- Real Property (Acquisition Only)
  - If an ACQUISITION involves multiple parcels, and one or more parcels are donated, the donated parcel's value can be used as MATCH. Value of donated real property shall be established by an independent appraiser in accord with the UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA). See page 59 for information on appraisals and UASFLA.

- Equipment
  - The hourly rate for donated equipment used on a PROJECT shall not exceed its fair rental rate.
  - Records of equipment use shall include the schedules showing the hours and dates of use and the signature of the operator of the equipment.

Application Checklist Item # 9

6(f)(3) Boundary Map Checklist

Provide a 6(f)(3) BOUNDARY MAP no larger than 11x17." Provide the following required information on the 6(f)(3) BOUNDARY MAP:

1. ☐ **Title of Map:** Use the following title formula at the top of the 6(f)(3) BOUNDARY MAP:
   "LWCF Section 6(f)(3) Boundary Map for _____(name of PARK), _____ (name of APPLICANT), LWCF project number _____(number provided by OGALS if APPLICATION is successful), in the County of _ _____(county of project location)

2. ☐ **6(f)(3) Boundary:** Show the boundary of land placed under 6(f)(3) protection. **Use red as the color indicator to show this boundary**. Choose a scale to use and show it on the 6(f)(3) BOUNDARY MAP as one inch = (scale length chosen) for maps for areas of larger size. Or, provide the linear feet measure alongside each boundary line. The entire PARK must be placed under 6(f)(3) protection.

3. ☐ **Assessor Parcel Numbers:** Show the Assessor Parcel Number(s) and the acreage for each parcel within the red 6(f)(3) BOUNDARY MAP**. Use a black dash (-) to show/divide the separate parcels**, if applicable. The Assessor Parcel Number(s) and the acreage for each parcel can be listed on a separate page with a number key when there are so many that it is difficult to show them on the 6(f)(3) BOUNDARY MAP. In this case, simply show the number key on the 6(f)(3) BOUNDARY MAP for the approximate location of the parcels. When no Assessor Parcel Number(s) exist for the property, use whatever identifier there is (if any) with the acreage and explain on a separate page.

4. ☐ **Other rights and interest:** Show the boundary of each right and interest in the land such as easements, right of way, lease agreements, deed/lease restrictions, reversionary interest, etc. - **using purple font**. Provide a list on a separate page if so detailed that the rights and interests cannot be adequately shown on the 6(f)(3) BOUNDARY MAP. Attach an explanation about the purpose of each right and interest.

5. ☐ **Current existing indoor structures**: Show location and boundary (footprint) of existing indoor structures. Provide the square footage of the structure. Attach an explanation of what the building is used for, and if applicable, future plans for its use, such as expansions.

7. ☐ **Streets:** Show and label (provide the street names on the map) the adjoining streets surrounding the PARK. Use black font.

8. ☐ **Entry Points into the PARK**: If the PARK is gated, fenced, or is a wilderness PARK, show the specific entry points for pedestrians and vehicles. Use black font and label the "entry point." If the entire PARK boundary is considered an entry point for pedestrians, provide this statement on the map.

9. ☐ **North arrow**: Provide a North arrow pointing to the North relative to the map layout. Use black font.

Bottom of Map

10. ☐ **Identify the total acreage within the proposed 6(f)(3) BOUNDARY MAP** (within the red boundary) per item 2 above). This acreage will be placed under Federal protection and subject to the POST COMPLETION PARK STEWARDSHIP requirements. The acreage total must be consistent with the total PARK acreage identified on the APPLICATION Form.

11. ☐ **Date of map preparation**: Provide the date the map was developed.

12. ☐ **Signature Blocks: Provide the following signature blocks on the map:** The position identified in the APPLICANT'S Authorizing Resolution must sign and date the map at the time of APPLICATION.

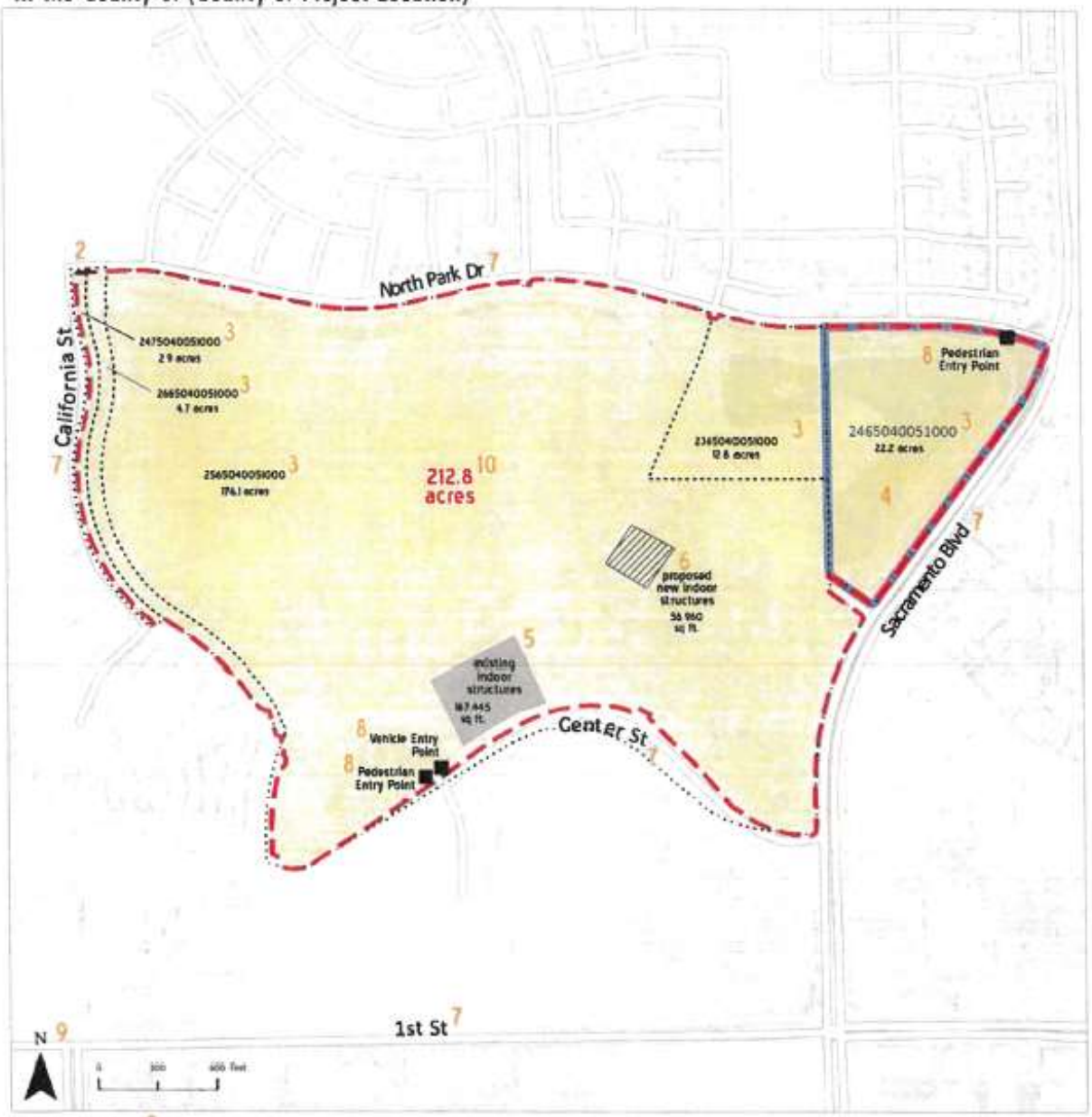
(Name of APPLICANT Agency) AUTHORIZED REPRESENTATIVE	Date
CA Dept. of Parks and Recreation	Date
National Park Service	Date

13. ☐ **Certification Language:** The following language must be included under the signature blocks: This map is not binding until it is signed by NPS when the final GRANT payment is approved by NPS. If there was a previous LWCF PROJECT(S) completed at the same PARK SITE, then the GRANTEE, OGALS, and NPS will review the Section 6(f)(3) BOUNDARY MAPS associated with the previous PROJECT(S) for consistency with the Section 6(f)(3) BOUNDARY MAP for the new LWCF PROJECT.

Note: Authority cited: Section 5099.10 Public Resources Code. Reference: Sections 5099-5099.12, Public Resources Code, Public Law 88-578, 16 U.S.C. 460l – 6(f)(3)

A PDF map version is available on the next page and at www.parks.ca.gov/OGALS_LWCF

LWCF Section 6(f)(3) Boundary Map for (Name of Park), (Name of Applicant), (LWCF Project Number), [1]
in the County of (County of Project Location)



1 inch = 666.7 feet [2]

Map prepared on September 25, 2013 [11]

[12]

- Boundary of land to be protected 212.8 acres
- Other right /interest boundary
- Parcel boundary
- Entry point
- Existing indoor structure
- Proposed new indoor structure

This map is not binding until it is signed by NPS when the final GRANT payment is approved by NPS. [13]
If there was a previous LWCF project(s) completed at the same park site, then the GRANTEE, OGALS, and NPS will review the Section 6(f)(3) BOUNDARY MAPS associated with the previous project(s) for consistency with the Section 6(f)(3) BOUNDARY MAP for the new LWCF project.

(name of Applicant Agency) Authorized Representative	Date
CA Dept of Parks and Recreation	Date
National Park Service	Date

Application Checklist Item # 10

Section 106
National Historic Preservation Act of 1966

Section 106 can be a six-month to one year or longer process especially for DEVELOPMENT projects involving ground disturbances. Given that the LWCF program has been highly competitive in recent years with significantly more in grant requests than available funding, Section 106 is not required at the time of APPLICATION.

- Section 106 is not required at the time of APPLICATION.
- Section 106 is required after OGALS recommends an APPLICATION to the National Park Service. The National Park Service may consider obligating the funds, pending Section 106, to allow for time for completion of Section 106.
- Section 106 is required before the GRANTEE may proceed with the ACQUISITION of land or the DEVELOPMENT of land using LWCF funds and match.

Exception: Urgent ACQUISITIONS When a Waiver of Retroactivity is Requested.

For ACQUISITION Projects, if the APPLICANT is requesting a Waiver of Retroactivity for an urgent ACQUISITION, Section 106 approval is required before OGALS can submit the Waiver of Retroactivity to NPS for consideration.

The Section 106 Instructions are found at www.parks.ca.gov/grants_lwcf.

Application Checklist Item # 11

CEQA Compliance

Use the fillable CEQA Compliance Certification Form at www.parks.ca.gov/grants_lwcf

Plan accordingly to complete CEQA by the APPLICATION deadline or no later than 60 days after the APPLICATION deadline. CEQA must include the GRANT SCOPE and must be no older than 5 years preceding the APPLICATION deadline.

For ACQUISITION PROJECTS: The scope of the environmental review shall include the lands to be acquired. Including a future construction PROJECT is not required because the LWCF PROJECT is ACQUISITION - only.

For DEVELOPMENT PROJECTS: The scope of the environmental review shall include the construction as described in the APPLICATION. File the applicable CEQA documents (1, 2, or 3 below) with the State Clearinghouse (Governor's Office of Planning and Research) See www.opr.ca.gov and follow links for CEQA.

Provide the CEQA Compliance Certification Form and two copies of the appropriate document(s) listed below in the APPLICATION PACKET. You can send the appropriate document(s) on two CDs in Word or pdf format if too large to send paper copies:

1. A Notice of Exemption filed with, and stamped by, the county clerk and with the response from the State Clearinghouse (Governor's Office of Planning and Research), ***or***

2. An Initial Study with a Negative Declaration, with the response from the State Clearinghouse (Governor's Office of Planning and Research), and a copy of the Notice of Determination filed with, and stamped by the county clerk, ***or***

3. An Initial Study and an Environmental Impact Report, with the response from the State Clearinghouse (Governor's Office of Planning and Research), and a copy of the Notice of Determination filed with, and stamped by the county clerk.

See Steps 5, 6 and 7 of the Proposal Description/Environmental Screening Form (PD/ESF) explained at www.parks.ca.gov/grants_lwcf. Steps 5, 6 and 7 may be completed at the same time as the CEQA analysis.

"CEQA" is the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of an entity's proposed PROJECT. For more information see http://ceres.ca.gov/ceqa.

CEQA Compliance Certification Form

APPLICANT/GRANTEE: _____ PROJECT Name: _____

PROJECT Address: _____

When was CEQA analysis completed for this PROJECT? Date:

What documents were filed for this PROJECT'S CEQA analysis: (check all that apply)

☐ Initial Study ☐ Notice of Exemption ☐ Negative Declaration

☐ Mitigated Negative Declaration ☐ Environmental Impact Report

☐ Other _____

Please attach all checked documents.
If these forms were not completed please attach a letter from the Lead Agency explaining why, certifying the PROJECT has complied with CEQA and noting the date that the PROJECT was approved by the Lead Agency.

Lead Agency Contact Information:

Agency Name: _____ Contact Person: _____

Mailing Address: _____

Phone: (___)_____ Email: _____

Certification:
I hereby certify that the Lead Agency listed above has determined that it has complied with the California Environmental Quality Act (CEQA) for the PROJECT identified above and that the PROJECT is described in adequate and sufficient detail to allow the PROJECT'S construction or ACQUISITION.
I certify that the CEQA analysis for this PROJECT encompasses all aspects of the work to be completed with GRANT funds.

_____ _____
AUTHORIZED REPRESENTATIVE Date AUTHORIZED REPRESENTATIVE
(Signature) (Printed Name and Title)

Application Checklist Item # 12

Proposal Description/ Environmental Screening Form (PD/ESF)

Plan accordingly to complete the PD/ESF by the APPLICATION deadline or no later than 60 days after the APPLICATION deadline.

The PD/ESF is a federal form designed by NPS for use as a tool during PROJECT scoping, planning, and proposal DEVELOPMENT, especially to document environmental information and consider the LWCF proposal's possible environmental impacts. The ESF portion serves as part of the federal administrative record required by NEPA.

The PD/ESF in Word format and guidance is found at:

www.parks.ca.gov/grants_lwcf

Follow the "Tips" at www.parks.ca.gov/grants_lwcf to complete the following PD/ESF Steps. The "Steps" below correlate with the "Step" sections of the PD/ESF.

Steps to complete the PD/ESF:
These steps in the form are required by NPS for APPLICATIONS only.

Cover Page

Step 1 Type of LWCF Proposal

Step 2.A For an ACQUISITION PROJECT

Step 2.B For a DEVELOPMENT PROJECT

Step 2.D All PROJECTS

Step 5 Summary of Previous Environmental Review

Step 6 Environmental Screening Form (ESF)

Part A Environmental Resources
Part B Mandatory Criteria

Step 7 Recommended National Environmental Policy Act (NEPA) Pathway and State Appraisal/Waiver Valuation

Application Checklist Item # 13

Project Location Map(s)

- Provide a map showing highway and street access to the PROJECT SITE.

  Provide directions from the nearest major highway to the PROJECT SITE so that a person not familiar with the area can locate it.

Application Checklist Item # 14

Photos of the Project Site

- Provide up to four 8 ½" x 11" sheets filled with photos of the PROJECT SITE and its surrounding area.
- Provide a very brief description of what is in each of the photos. Adding the direction of the view noted with each photo as "looking north, south, east, or west" is helpful to orientate someone not familiar with the site. Use a point of reference for the direction of the view, such as "from the center of the PROJECT site or "from the corner of X and Y Streets."

Application Checklist Item # 15

Community Fact Finder Report or Park Access Tool Report

The APPLICATION may include both a Community Fact Finder Report and a Park Access Tool Report for Project Selection Criteria #4.

<u>For neighborhood and community parks, as described in the Project Selection Criteria response:</u>

Provide a Community Fact Finder Report following these directions:

1. Go to www.parksforcalifornia.org Use the Community Fact Finder found in the Tools tab.

2. Enter the PROJECT address.

3. Locate the push-pin with the needle point in the PARK or on the PARK'S boundary.

4. Select "Create Report" after you chose a starting point of the radius with the push- pin needle point in the PARK or on the PARK'S boundary.

5. Print the Report for this APPLICATION Checklist item. The statistics shown on the Report must be the same for PROJECT Selection Criteria #4. Only one Community Fact Finder Report will be accepted per APPLICATION for Project Selection Criteria #4.

For city and countywide regional parks, as described in the Project Selection Criteria response:

Provide a Park Access Tool Report following these directions:

1. Go to www.parksforcalifornia.org. Use the Park Access Tool.

2. Select the city or county where the project will be located. Select the city for city parks, or the county if it will be a countywide regional park.

3. Select "Create Report."

4. Print the report for this APPLICATION checklist item.

Acquisition Projects Only

Application Checklist Item # 16

Public Use Plan

Provide the following information after considering the information below.

1. Describe each existing building on the ACQUISITION parcel(s) and the planned use for the buildings. If the buildings will not be demolished to create a PARK/OPEN SPACE, the structures and the proposed use for them have to be described in the PD/ESF Step 2.A Question # 1 and Question # 3. For the PD/ESF, see APPLICATION Checklist Item # 12 or go to the NPS website at: http://www.nps.gov/ncrc/programs/lwcf/pub.htm.
   - The intent of this LWCF program is to provide outdoor public recreation.
   - NPS will not approve an ACQUISITION if the majority of the land includes a building(s) that will not be demolished to create a PARK or OPEN SPACE.
   - Consultation with OGALS regarding the eligibility of the structure for ACQUISITION assistance is encouraged prior to APPLICATION submission.

2. Explain if the ACQUISITION parcel(s) will require DEVELOPMENT to make the parcel(s) useable by the public. If DEVELOPMENT is not necessary given the reasons below, or other reasons, provide an explanation.

3. If DEVELOPMENT is necessary, provide the following:
   a. Description (up to one page) of the DEVELOPMENT necessary to make the parcels useable.
   b. Estimated cost of the DEVELOPMENT.
   c. Funding source(s) to cover the estimated cost of the DEVELOPMENT.
   d. DEVELOPMENT timeline starting with the ACQUISITION completion date, and ending with the date the parcels will become useable by the public.

Consider the following guidance *for ACQUISITION:*

ACQUISITION must result in a NEW RECREATIONAL OPPORTUNITY for the public within three years after the completion of the ACQUISITION. Only a phase that creates a fully-useable recreational opportunity must be completed and open to the public within three years after the completion of the ACQUISITION.

In some cases, the ACQUISITION property may not require DEVELOPMENT at all. Examples include:

- An existing fire or safety road in the ACQUISITION property is in proper condition to be readily useable as a trail or walking pathway.

EXPANSIONS: The ACQUISITION property is adjacent to an existing PARK, and the purpose of the ACQUISITION is to serve:

- As a buffer to protect the VIEWSHED of the PARK for future generations of park visitors. In this case, enjoying the VIEWSHED is a NEW RECREATION OPPORTUNITY for the PARK visitors.
- As a buffer to protect a wildlife corridor for future generations where visitors of the existing PARK come to enjoy watching wildlife.

ACQUISITION can be by fee simple title or by lesser rights as long as the APPLICANT will be able to enforce the Section 6(f)(3) BOUNDARY MAP provisions. ACQUISITIONS of interests of less than fee simple, including leasehold interests, are not eligible unless such lesser rights will ensure public access and use for in PERPETUITY per Section 6(f)(3). Examples of lesser rights include permanent recreation use easements or similar devices.

ACQUISITION can be made through purchase, eminent domain, transfer or by gift.

Timber management or grazing land ACQUISITION

ACQUISITION of properties with natural resources management practices, such as timber management or grazing, may be funded with LWCF assistance if they are clearly described in the PROJECT description for PD/ESF Step 2.A Question # 1, are compatible with and secondary to the proposed public outdoor recreation uses, and are approved by NPS.

For profit agriculture or preserves

For profit agriculture business is not permitted on acquired lands assisted with LWCF funding. NPS will not fund ACQUISITIONS of land that will be used for an agricultural preserve.

Rights held by other parties to the property

Reservations and rights held by others are permissible only if the public outdoor recreation use would not be affected. These must be identified on the Section 6(f)(3) BOUNDARY MAP. They must be described in the proposal narrative for PD/ESF Step 2.A Question # 1. They must be addressed in the environmental information in the PD/ESF for any potential impacts to the human environment including outdoor recreation, and if the reservations and rights are exercised.

ACQUISITIONS that will not be approved by NPS are explained below. This list is not inclusive and NPS has the final approval of any ACQUISITION:

- Historic sites and structures, except when it can be demonstrated clearly that the ACQUISITION is primarily for public outdoor recreation purposes and the historic aspects are secondary or complimentary to the primary purpose of providing outdoor recreation.
- Museums and sites to be used for museums or primarily for archeological excavations.
- Areas and facilities designed to be used primarily by a specific group and professional arts and athletics, and *will not be used by the general public*.

- Areas and facilities to be used exclusively for game refuges or fish production purposes, and are not compatible to outdoor recreation.
- Areas to be used mainly for construction of indoor facilities.
- Areas with existing indoor recreational or non-recreational facilities or buildings that if left in place, will not leave enough space for public outdoor recreation.
- Sites containing luxury lodges, hotels, motels, restaurants and similar elaborate facilities that are to be operated by the APPLICANT or a concessionaire to provide food or sleeping quarters.
- Federal surplus property.

Source: NPS LWCF MANUAL in Chapter 3.B on pages 3-4 through 3-7 (see Definitions).

Application Checklist Item # 17

Appraisal and Independent Review/ Waiver Valuation
(For ACQUISITION PROJECTS only)

LWCF ACQUISITIONS must have for each parcel to be acquired either:

- One appraisal by a qualified appraiser with independent appraiser's review certifying that it meets the "Yellow Book" UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA) (A below), or
- Documentation for the value using the waiver valuation method when the estimated property value is less than $10,000 (B below)

  A. Provide a copy of the appraisal for each parcel to be acquired and a copy of the independent appraiser's review certifying that the appraisal complies with the UASFLA also known as the "Yellow Book."

  B. Or, provide a copy of the documentation for the purchase price that is determined for a waiver valuation in the case of property which is less than $10,000.
- See below for requirements for the appraisal, independent appraiser's review or waiver valuation.

ACQUISITION PROJECTS are bound by federal law relating to the valuation of real estate because this is a federal funding source. This is why A, above, is required.

It is critical to select an appraiser familiar with UASFLA ("Yellow Book") to do your appraisal and its independent appraiser's review.

- Uniform Standards of Professional Appraisal Practice (USPAP) compliance alone will not result in UASFLA compliance.

UASFLA federal standards are considered "Supplemental Standards" to the Uniform Standards of Professional Appraisal Practice (USPAP). See the NPS LWCF MANUAL in Chapter 4.D.7.c.(1) on page 4-19 for further information about the difference between appraisals conducted according to UASFLA or USPAP (see Definitions).

For the purpose of the UASFLA compliance, any appraisal report, whether identified by the appraiser as a self-contained report or a summary report, will be considered as meeting UASFLA requirements for a self-contained report if it has been prepared in accordance with the UASFLA.

The UASFLA 2000 edition published by the Appraisal Institute in cooperation with the U.S. Department of Justice is found on-line at:
http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf.
The fair market value (A above) or the waiver value (B above) will be used as the basic measure for LWCF funding assistance for ACQUISITIONS. This applies for fee simple ACQUISITIONS, determining the amount eligible for MATCH, determining the value of ACQUISITIONS by donation for MATCH, and ACQUISITIONS of less-than-fee interests.

For property to be acquired by eminent domain, the price determined by the court will be accepted by NPS.

Application Checklist Item # 18

Purchase Agreement, Option Agreement, or Other Document Showing Agreed Price
(For ACQUISITION PROJECTS only)

Provide a document showing the agreed purchase price between the land owner (seller) and APPLICANT. The document must provide strong assurance that the land owner will sell the property to the APPLICANT with a legally binding agreed purchase price. The letter of intent can say: "Agree to sell to APPLICANT for the price of the appraisal. However, if the APPLICATION is not selected for funding, then this agreement is null and void."

If eminent domain is used, provide the court order showing the price determined by the court.

See the WAIVER OF RETROACTIVITY APPLICATION Checklist Item # 7 on page 41 if the ACQUISITION is urgent.

Development Projects Only

Application Checklist Item # 19

Land Tenure Requirement

For DEVELOPMENT PROJECTS, the PROJECT land must be owned by the APPLICANT at the time of APPLICATION.

Provide the deed or other document showing that the APPLICANT owns the PROJECT land. Other document could be a legal description and a letter stating the APPLICANT owns the PROJECT site and provides the length of time they have owned it.

If the land was owned by a Redevelopment Agency (RDA), and the APPLICANT is the successor agency for the RDA, and the Department of Finance approval process is still pending, a timeline with next steps to complete the successor agency land transfer must be provided.

Application Checklist Item # 20

Concept Level Site Plan

- Provide a drawing (no more than 11”x17”) showing where the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form will be located in the PARK.
- If the GRANT SCOPE includes a building(s), note the function and approximate square footage of each space designated for recreation, and the building’s approximate total square footage.
- Indicate or describe where and how the public will access the PARK and where parking is currently located or will be located.

Eligible Costs Chart

This section provides rules and examples of ELIGIBLE COSTS for ACQUISITION and DEVELOPMENT.

Acquisition Costs

The following provide examples of ELIGIBLE COSTS for ACQUISITION.

ACQUISITION COSTS (Up to 100% of GRANT Amount)	EXAMPLES
Purchase price of the property and relocation costs (Note: LWCF will not reimburse "incidental costs." Per the NPS LWCF State Assistance Manual in Chapter 4.D.7.f. on page 4-23: "The LWCF Act precludes using Fund assistance for incidental costs relating to ACQUISITION." These incidental costs include preliminary title reports, appraisal fees, escrow costs, and title insurance fees – all not eligible.)	• **Cost of the land** (but not incidental costs of preliminary title reports, appraisal fees, escrow costs, and title insurance fees) • **Relocation costs:** costs resulting in displacement of tenants (not willing sellers or GRANTEES) pursuant to Government Code §7260 – 7277. ○ If the GRANT is not paying for relocation costs, the GRANTEE must ensure that the seller is paying displaced tenants in compliance with Government Code §7260 – 7277. • **Employee services:** see accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE. • **PROJECT/GRANT administration and accounting**

Development Costs

The following charts provide examples of ELIGIBLE COSTS for PRE-AWARD PROJECT PLANNING COSTS and CONSTRUCTION COSTS.

PRE-AWARD PROJECT PLANNING COSTS	EXAMPLES
Costs incurred during the planning, design, and permit phase of the project, before construction begins. These cost may be incurred up to three years prior to OGALS sending the APPLICATION to NPS, and still be reimbursed or eligible for MATCH. See page 45.	• **Public meetings/focus groups/design workshop costs** • **Plans, specifications, construction documents, and cost estimates** • **Permits** • **CEQA (see page 52)** • **PD/ESF Form or NEPA analysis (see page 54)** • **Section 106 (see page 50)** • **Premiums on hazard and liability insurance to cover personnel or property** • **Bid packages** • **Employee services:** See accounting rules for employee services explained in the GRANT. ADMINISTRATION GUIDE. • **PROJECT/GRANT administration (excluding GRANT writing) and**

CONSTRUCTION COSTS	EXAMPLES
Costs incurred during the construction phase of the PROJECT when ground-breaking construction activities such as site preparation, grading, or gutting begins.	• **Site preparation, grading, gutting** • **Foundation work** • **Purchase and installation of permanent equipment**: Playground equipment, benches, signs, display boards, sound systems, video equipment etc. • **Construction supplies and materials**: May be drawn from central stock if claimed costs are no

CONSTRUCTION COSTS (continued)	EXAMPLES
	• **Construction equipment owned by GRANTEE**: Equipment owned by the GRANTEE may be charged to the GRANT for each use. Rental rates published by the California Department of Transportation may be used as a guide. For audit purposes, a report or source document must describe the work performed, indicate the hours used, relate the use to the GRANT SCOPE, and must be signed by the operator or supervisor. • **Construction equipment rented or purchased by GRANTEE**: May also be rented or purchased, whichever is the most economical use of GRANT funds. For purchased equipment, the GRANT will pay for the rental price equivalent in proportion to the time the purchased equipment is used on the GRANT SCOPE. (Rental rates published by the California Department of Transportation may be used as a guide.) The GRANT will pay for the total cost of the equipment if the purchase price is less than the rental price equivalent. Any funds earned by the GRANTEE from the sale of equipment purchased with the GRANT must be spent on the PROJECT. • **Construction management**: Including site inspections. • **Employee services:** See accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE. • **PROJECT/GRANT administration and accounting.** • **Miscellaneous costs:** Other costs incurred during the construction phase, such as transporting materials, equipment, personnel, and communications.

INELIGIBLE COSTS	EXAMPLES OF INELIGIBLE COSTS
Cannot be charged to the GRANT	• **Outside the GRANT PERFORMANCE PERIOD** – costs incurred before or after the GRANT PERFORMANCE PERIOD. Exception is only when PRE-AWARD PROJECT PLANNING COSTS are identified on the **PRE-AWARD PROJECT PLANNING COSTS Form and approved by NPS**. • **Overhead business expenses <u>of the GRANTEE's fixed or ordinary operating costs</u>:** (rent, mortgage payments, property taxes, utilities, office supplies). • **Outside PARK/PROJECT SITE boundaries –** Streets, traffic lights, or other infrastructure not located within the PARK/PROJECT SITE. • **Incidental costs relating to ACQUISITION** of real property and of interests in real property, unless allowable under the Uniform Relocation Assistance and Real Property Policies Act, P.L. 91-646." These incidental costs include **preliminary title reports, appraisal fees, escrow costs, and title insurance fees** – all not eligible. • **Fundraising** • **Food** • **GRANT Writing** • **Street improvements or other infrastructure not located within the Section 6(f)(3) BOUNDARY MAP** • **Costs for staffing programs** • **Brochures** • **Operation and maintenance costs of facilities** • **Employee residences and furnishings**

Definitions

Capitalized words and terms used in this procedural guide are defined below.

ACQUISITION – to obtain fee title of real property or a permanent easement, which gives rights for the GRANTEE to use the property to accommodate public PARK and recreation access in PERPETUITY. A lease or rental is not considered ACQUISITION.

APPLICANT – an entity which does not yet have a fully-executed CONTRACT with DPR, and is requesting GRANT funding through a COMPETITIVE process.

APPLICATION PACKET – the APPLICATION Form and its required attachments listed in the APPLICATION Checklist on page 16.

APPORTIONMENT TO CALIFORNIA – the amount of new authority given to NPS to OBLIGATE LWCF GRANT funds to PROJECTS in California after Congress approves the appropriation for the federal fiscal year. The federal fiscal year starts October 1.

AUTHORIZED REPRESENTATIVE – the APPLICANT'S/GRANTEE'S designated position authorized in the Resolution to sign all required GRANT documents. The AUTHORIZED REPRESENTATIVE may designate an alternate by informing OGALS in writing.

BOUNDARY MAP 6(f)(3) – a tool used as communication between NPS, OGALS, and GRANTEES that:

- Shows the agreed boundaries of the protected PARK site at the time of PROJECT approval pursuant to Section 6(f)(3) of the LWCF Act and Title 36, Part 59 in the U.S. Code of Federal Regulations.
- Helps with site inspections for compliance with POST-COMPLETION PARK STEWARDSHIP STANDARDS.

When an LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public's outdoor recreational use of the site in PERPETUITY.

BUREAU OF OUTDOOR RECREATION (BOR) – the federal agency that administered LWCF prior to NPS from 1964 to 1978.

CEQA – the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of the entities' proposed PROJECT. For more information see http://ceres.ca.gov/CEQA/ or http://resources.ca.gov/ceqa/.

COMMITTED FUNDS – at the time when the APPLICATION PACKET is sent to OGALS, the APPLICANT has possession of additional funds that will be spent on the PROJECT, or has a CONTRACT or other binding agreement with another entity(s) OBLIGATING funds that will be spent on the PROJECT. Funds that are not in the APPLICANT'S possession or not OBLIGATED through a binding agreement are not COMMITTED FUNDS.

COMPETITIVE – funds made available to eligible LOCAL AGENCIES pursuant to Public Resource Code §5099.12, through a COMPETITIVE APPLICATION process where all statewide applications are ranked using the PROJECT Selection Criteria.

CONTRACT – an agreement between the DPR and the GRANTEE specifying the performance of the GRANT SCOPE within the GRANT PERFORMANCE PERIOD, and other GRANT obligations between the GRANTEE and DPR.

DEVELOPMENT – to construct a new RECREATION FEATURE or MAJOR SUPPORT AMENITY. RENOVATION of an existing RECREATION FEATURE is also considered DEVELOPMENT.

DPR – the California Department of Parks and Recreation.

ELIGIBLE COSTS – PRE-AWARD PROJECT PLANNING COSTS and expenses incurred during the GRANT PERFORMANCE PERIOD to complete the GRANT SCOPE approved by OGALS through a fully executed CONTRACT. Costs of MINOR SUPPORT AMENITIES are combined with costs associated with RECREATION FEATURES and MAJOR SUPPORT AMENITIES.

ENCUMBERED – when a CONTRACT for an LWCF GRANT is signed by the APPLICANT and DPR. At this point, the APPLICANT becomes a GRANTEE.

EXPAND – the PROJECT will add PARK acreage to an existing adjacent PARK.

GRANT – amount of funds made available to a GRANTEE for completion of the GRANT SCOPE during the GRANT PERFORMANCE PERIOD.

GRANTEE – an entity having a CONTRACT with DPR for a GRANT funded by the Land and Water Conservation Fund.

GRANT ADMINISTRATION GUIDE – the document titled the "LWCF GRANT ADMINISTRATION GRANT" provides requirements and forms for GRANT administration after an APPLICANT becomes a GRANTEE.

GRANT PERFORMANCE PERIOD – the period of time shown on the CONTRACT, starting with the date NPS OBLIGATES the funds for the PROJECT, that ELIGIBLE COSTS may be incurred by the GRANTEE and charged to the GRANT.

- Exception: See PRE-AWARD PROJECT PLANNING COSTS and WAIVER OF RETROACTIVITY costs that can be incurred before NPS OBLIGATES the funds for the PROJECT, and then later reimbursed after the APPLICANT becomes a GRANTEE.

GRANT REQUEST RANGE – the highest and lowest amount requested by an APPLICANT through the same APPLICATION.

- Maximum of Range: 50% of the TOTAL PROJECT COST, up to $6 million per APPLICATION.
- Minimum of Range: The lowest LWCF GRANT amount that the APPLICANT is willing to accept through the same APPLICATION.

GRANT SCOPE – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form that must be completed prior to final GRANT payment.

HERITAGE CONSERVATION AND RECREATION SERVICE (HCRS) – the federal agency that administered LWCF prior to NPS from 1978 to 1981.

JOINT POWERS AUTHORITY – an agreement between a city, county, and/or a district to perform services, cooperate with, or lend powers for the operation and maintenance of PARK land. For a JOINT POWERS AUTHORITY to be an eligible APPLICANT, at least one member of the JOINT POWERS AUTHORITY must be a LOCAL AGENCY and all members must be public agencies.

LWCF – the federal Land and Water Conservation Fund**.**

LWCF MANUAL – the NPS LWCF State Assistance Program Federal Financial Assistance Manual (October 1, 2008). Use the NPS website link from www.parks.ca.gov/grants_lwcf Select Publications under the State and Local Grant Funding tab. Then, select LWCF Manual and Logos.

LOCAL AGENCIES –

- Counties, cities, recreation and park districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas.
- Federally recognized Native American tribes.
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies, and that can include a State Agency, if at least one member is a local (non-State) public agency or district formed for the purpose of providing public PARK and recreation areas.

LOCAL AGENCY COMPETITIVE PROGRAM – the process and PROJECT selection criteria for counties, cities, recreation and PARK districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas, and federally recognized Native American tribes, where the APPLICANTS can compete for a GRANT using this APPLICATION Guide.

LWCF PARK STEWARDSHIP GUIDE – a Guide to Permanent Operation and Maintenance available from OGALS that explains NPS' operation and maintenance requirements in PERPETUITY for land within a 6(f)(3) BOUNDARY MAP approved by the NPS.

MATCH – amount required to make up the difference between the LWCF GRANT amount requested (the federal share) and the TOTAL PROJECT COST. The GRANTEE must submit ELIGIBLE COSTS to cover both the LWCF GRANT amount and MATCH (TOTAL PROJECT COST established at the time of APPLICATION) in order to be reimbursed the full LWCF GRANT amount.

MAJOR SUPPORT AMENITY–

1. Parking lot, restroom building, or other non-recreational facility located within a PROJECT SITE.
2. An improvement to the appearance and safety of the general **PROJECT SITE** such as landscaping, public art additions, lighting, security cameras, and signage, only when the item, by itself, is estimated to cost $50,000 or more at the time of APPLICATION.

MINOR SUPPORT AMENITY – a permanent single purpose stand-alone item that is not a RECREATION FEATURE, including but not limited to a sign, bench, and drinking fountain estimated to cost, by itself, less than $50,000 at the time of APPLICATION.

NEPA – the National Environmental Protection Act (https://www.epa.gov/compliance)

NEW PARK – a PARK that did not exist before the APPLICATION deadline.

NEW RECREATIONALOPPORTUNITY – construction of a new RECREATION FEATURE where none currently exists. Or, for RENOVATION**,** an existing RECREATION FEATURE will be changed beyond its original condition so that it allows for EXPANDED use.

NPS – the National Park Service

OBLIGATE – when NPS approves a PROJECT and enters into a funding agreement with DPR/OGALS to designate the GRANT funds for the PROJECT.

OGALS – the California Department of Parks and Recreation's Office of Grants and Local Services.

OPEN PROJECT SELECTION PROCESS – the use of COMPETITIVE PROJECT Selection Criteria shown in this APPLICATION GUIDE to recommend California's LWCF GRANT PROJECTS to NPS.

OPEN SPACE – a natural or landscaped portion of the PROJECT designed specifically for active or passive outdoor recreation, or to be a wildlife preserve.

PARK – land for the general public's physical and social health that provides RECREATION FEATURES for outdoor or indoor athletic activities, cultural enrichment, nature appreciation, or other active or passive recreational activities, and which includes a portion of OPEN SPACE. Under this definition, a greenway or linear PARK is also a PARK. A school is not a PARK and a community center on land that does not include an adjacent portion of OPEN SPACE is not a PARK.

PERPETUITY – the required STEWARDSHIP of land for eternity within a 6(f)(3) BOUNDARY MAP approved by the NPS.

PRE-AWARD PROJECT PLANNING COSTS – costs incurred prior to NPS' PROJECT approval (up to three years) necessary for PROJECT preparation. Examples include site investigation and selection, site planning, feasibility studies, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form, preliminary design, preparation of cost estimates, construction drawings and specifications.

PROJECT – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form.

PROJECT COMPLETION – when the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE /Cost Estimate Form are complete and the facilities are open and useable by the public. With approval by OGALS, PROJECT COMPLETION may occur before the facilities are open and useable by the public.

PROJECT OFFICER – an OGALS employee who acts as a GRANT administration contact for APPLICANTS and GRANTEES.

PROJECT SITE – the entire PARK property.

RATE OF REIMBURSEMENT – The "**RATE OF REIMBURSEMENT**" is based on the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established at the time of APPLICATION. This percentage will be reimbursed to the GRANTEE out of the TOTAL PROJECT COST when the ELIGIBLE COSTS are incurred and listed on the GRANT Expenditure Form submitted by a GRANTEE to OGALS.

RECREATION FEATURE – a facility that provides active or passive recreational use. The ACQUISITION of land is also considered a RECREATION FEATURE.

RENOVATION – construction to change an existing RECREATION FEATURE beyond its original condition so that it creates a NEW RECREATION OPPORTUNITY and EXPANDED use.

6(f)(3) BOUNDARY MAP – a tool showing the LWCF boundary used as communication between NPS, OGALS, and GRANTEES
that:

- Shows the agreed boundaries of the protected PARK site at the time of PROJECT approval pursuant to Section 6(f)(3) of the LWCF Act and Title 36, Part 59 in the U.S. Code of Federal Regulations.
- Helps with site inspections for compliance with POST-COMPLETION PARK STEWARDSHIP STANDARDS.

When an LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public's outdoor recreational use of the site in PERPETUITY.

SCORP (STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN) – an analysis and report updated every five years as required by LWCF to identify California's public outdoor recreation needs and priorities.

STATE REAPPORTIONMENT ACCOUNT (SRA) – previously OBLIGATED funds that are no longer needed for the PROJECT because the PROJECT was withdrawn or completed under-budget, meaning for less than the TOTAL PROJECT COST estimated cost at the time of APPLICATION. The unspent, previously OBLIGATED funds are moved into this separate SRA account by NPS and will not be made available to California for other PROJECTS until all statewide UNOBLIGATED funds become OBLIGATED.

STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP) – an analysis and report updated every five years as required by LWCF to identify California's public outdoor recreation needs and priorities.

TOTAL PROJECT COST – the estimated cost at the time of APPLICATION to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on the GRANT SCOPE/Cost Estimate Form. The TOTAL PROJECT COST is the LWCF GRANT plus MATCH.

UNDERSERVED POPULATION – seniors, at risk youth, and persons with disabilities with the lack of financial resources to access PARKS outside their neighborhood, city, or region.

UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA) – appraisal standards also known as the "Yellow Book" standards required for federal land ACQUISITION. Compliance with UASFLA differs from, yet is generally compatible with the Uniform Standards of Professional Appraisal Practice (USPAP). However, USPAP compliance alone will not result in UASFLA compliance because UASFLA has higher standards than USPAP. For a complete discussion of the specific UASFLA policies and guidance for LWCF appraisals, see pages 4-20 through 4-24 in the NPS LWCF State Assistance Manual.

UNOBLIGATED FUNDS – money made available through an APPORTIONMENT TO CALIFORNIA that is not yet allocated to any PROJECT approved by NPS. UNOBLIGATED FUNDS are money that is available for a new LWCF GRANT.

VIEWSHED – a particular scenic outdoor natural area deemed worthy of preservation against DEVELOPMENT.

WAIVER OF RETROACTIVITY – approval by NPS for the APPLICANT to incur costs and even complete the PROJECT at the APPLICANT'S own risk before NPS approves the PROJECT and OBLIGATES the GRANT funds (before the APPLICANT becomes a GRANTEE). For the costs to become retroactively eligible, the "WAIVER OF RETROACTIVITY" request must be approved by NPS **before** the costs are incurred. With this NPS approval, the APPLICANT can then incur costs and eventually request a reimbursement if the APPLICANT becomes a GRANTEE. See Requesting a WAIVER OF RETROACTIVITY on page 41.