

## Land & Water Conservation Fund (LWCF) Local Community Grants

### Fact Sheet For Potential Grant Applicants

The goal of LWCF in Montana is to distribute as much money as possible to as many eligible sponsors as possible in an effort to increase local public access to outdoor recreation. However, LWCF may not be for everyone. That is why we have listed some of the more important technical and regulatory aspects of the program for your review and consideration. Please be sure you understand LWCF rules and regulations **before** you begin the application process; it could save you considerable time and money.

1. The Land & Water Conservation Fund (LWCF) is a federal grants program. The program has two sides-the state side and the federal side. The state side of LWCF allows states to assist their political subdivisions by providing grants for acquisition and development of public outdoor recreation areas and facilities.
2. LWCF funding for any year is always contingent upon an appropriation from the U.S. Congress. In the past 20 years, the funding distributed to the state side of the program dropped to zero in 1995, 1996, 1997, 1998, and 1999. Funding was resumed in 2000.
3. Any political subdivision of the state, or sovereign Indian Nation, may sponsor a project. This includes incorporated cities or towns, counties, school districts, state agencies, and tribal governments. Only an eligible sponsor may submit a project application. The sponsor must own the project site, or have effective land control in the form of a long-term lease from the federal government.
4. A grant sponsor may have only one "active" LWCF grant project at any time. A sponsor may not submit a new grant application if its current LWCF project has not been completed, and inspected, before the grant deadline.
5. Access to the project site must be on publicly owned roads, and must meet all applicable engineering and safety standards, and fire-safety parameters. The access must be legal, safe and non-controversial.
6. The kinds of projects that have been approved and funded in the past include such facilities as ball fields, open space acquisitions, golf courses, public parks, swimming pools, skating rinks, picnic facilities, playground equipment, snowmobile facilities, and walking trails. Facilities directly supporting outdoor recreation areas, such as restrooms and maintenance sheds, also are eligible.
7. Grant requests for planning, feasibility, design, or engineering studies are not eligible for LWCF assistance. However, an eligible project may include moderate costs for planning, not to exceed 10 percent of total project costs. Please contact the LWCF office for details.
8. The maximum grant per project is negotiable not to exceed \$150,000 and the grant may provide up to 50 percent of a local project's total costs. A project sponsor must have total project costs committed at the time of application, as the sponsor must make full payment on all project expenses before being reimbursed for up to 50 percent of allowable costs.

9. A sponsor must have adequate resources to operate and maintain the area after the project is complete. No funds are available for routine operation and maintenance.
10. The National Park Service provides LWCF oversight on the federal level and assists Montana State Parks, which administers the stateside of the program.
11. The National Park Service must give its official approval to the sponsor before work on a project may begin. Violations can result in costs being ineligible for reimbursement.
12. There are strict federal regulations regarding project expenditures and billing procedures. Sponsors should fully understand all LWCF financial principles before proceeding with work.
13. Once LWCF funds are used in development or acquisition, the entire recreational site must be managed for outdoor recreation in perpetuity. No part of the site (no matter how small) can be converted to any other use. For example, the property may not be used to site a cell tower, a helipad, a new access road, an office building, etc.
14. The sponsor will be required to submit an official "Section 6(f) Boundary Map" of the project site. The map (submitted on 11" x 17" paper) must include arrows pointing to clearly defined recreational area boundaries and be of high quality.
15. With rare exception, overhead utility lines are not permitted to cross LWCF sites. These lines must be moved away from the site or placed underground, which can be costly. If utility lines exist at your site, contact our office for consultation prior to submitting an application.
16. A sponsor must raise funds to cover the entire project costs through taxes, bond issues, or force account (agency work force). Volunteer services or the donation of materials and equipment, although encouraged, may not be used as matching funds. Only a few federal grants are eligible for use as matching funds. Private donations of cash or land are allowable; however, sponsors should coordinate the timing of land donations with the Montana LWCF Program. Donations made before National Park Service grant approval will be disallowed. Lands purchased and improvements made before grant approval has been given are not allowed as match under any circumstances.
17. LWCF boundary signs, provided by Montana State Parks, must be posted at borders on all project sites. In addition, a sign explaining LWCF assistance must be posted at the main entrance. These LWCF credit signs may be worked into the design of a sponsor's entry. Sponsors should work with FWP to comply with LWCF sign requirements.
18. The sponsor must follow state law on purchases and contracts and must publicly advertise for competitive bidding when necessary. Contractors may be required to submit bid bonds and performance-payment bonds with their bids.

19. Before final reimbursement can be made to the sponsor, Montana State Parks must make a final site inspection. An "as-built" site plan will be required from the sponsor at the time of the final inspection.
20. The sponsor must follow all applicable state and federal laws.
21. All projects must comply with existing federal, state and jurisdictional laws, regulations, and ordinances. All projects must satisfy the Montana Environmental Policy Act (MEPA) and the National Environmental Policy Act (NEPA). Every applicant must complete the Environmental analysis (EA) found on the official FWP website. Start work on this part of the application right away and pay special attention to the public comment requirements (30-day notice, etc.) at the end of the EA.
22. As part of the Environmental Analysis, the sponsor will be required to post details about the project in a legal ad in the nearest daily newspaper, and institute a public comment period of at least 30 days.
23. Each grant applicant must contact the Montana State Historic Preservation Office (SHPO) and request a cultural resource file search to determine whether the proposed project has a previously recorded historic site within its boundaries. A SHPO *Letter of Effect* is required documentation. If there is potential for the project to impact cultural properties, the SHPO may recommend that a certified professional conduct a cultural resources inventory at the site. This expense will be borne by the sponsor.
24. As part of its application, a sponsor should provide a synopsis of the results of a community recreation survey completed within the last four years that addresses criteria in the Open Project Selection Process.
25. On the Application Summary Page the sponsor will be asked to provide a "project contact." Ideally, that person should be the one and only contact between Montana State Parks and the grant applicant. When a number of different people have partial information during the grant process it increases misunderstandings and leads to a waste of resources for both the sponsor and the grant program.
26. When the project is completed, and the grant sponsor submits a billing packet to FWP for reimbursement, FWP will schedule a site inspection. No reimbursements can be made prior to an official inspection. The project and all scope of work must be 100% complete. Unfinished projects will not be reimbursed.
27. The grant sponsor must submit a short, one-page description of project accomplishments, and an "as-built" drawing (as applicable) before any reimbursements can be made. See Sample Project Closeout for guidance.