

LAND & WATER CONSERVATION FUND



GRANT APPLICATION MANUAL 2007



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

TABLE OF CONTENTS

1. The Land & Water Conservation Fund Program	Pages 3-4
2. Application Submission Information	Pages 4-5
3. Project Eligibility	Page 6
4. Requirements For Acquisition Projects	Pages 7-10
5. Requirements For Development Projects	Page 11
6. LWCF Application	Pages 12-28
a. Project Narrative	
b. Section 6 (f) (3) Boundary Map-Metes and Bounds Map	
c. Public Involvement	
d. Project Information	
e. LWCF Project Description and Environmental Screening Form	
f. Project Budget Information	
• Part I - Facility Description and Cost Breakout	
• Part II - Budget Information - Grantee Share, Others or Non-Federal	
g. Project Schedule	
h. Land & Water Conservation Fund Application Signature Page	
7. Project Selection Criteria	Pages 29-31
8. Project Review Process	Page 32
9. Appendices	Pages 33-45
a. Sample Governing Resolution	Pages 34-35
b. Letter of Commitment	Pages 36-37
c. Section 6 (f) and Deed Wording	Pages 38-40
d. Frequently Asked Questions	Pages 41-44
10. Application Checklist	Pages 45-46

**LAND AND WATER CONSERVATION FUND
(LWCF)**

The Department of Conservation and Recreation administers a grant-in-aid program for the acquisition and development for public outdoor recreation areas and facilities. Grants are for public bodies only. Towns, cities, counties, regional park authorities, and state agencies may apply for 50% matching fund assistance from the Land & Water Conservation Fund. These funds are provided from a federal apportionment from the National Park Service.

The program is a reimbursement program, meaning that the sponsoring agency must be capable of financing the project while requesting periodic reimbursement.

Information herein describes highlights of the program and is designed for minimum application submission. Prospective applicants should note, however, that additional information might be required in order to render a proper decision about individual proposals. Applications for the Land & Water Conservation Fund should be sent to the attention of:

Division Director, Planning and Recreation Resources
Department of Conservation and Recreation
203 Governor Street
Suite 326
Richmond, Virginia 23219-2010

For general information, call (804) 786-4379

LAND AND WATER CONSERVATION FUND

Goal

To facilitate the availability of outdoor recreation areas and facilities for all political jurisdictions and state agencies in the Commonwealth of Virginia

Objectives

- To encourage localities to recognize that public recreation is a valued and needed governmental service.
- To support local jurisdictions in meeting outdoor recreational needs identified in the *Virginia Outdoors Plan (VOP)*.
- To provide assistance through a grant program to local governments for the provision of outdoor recreation.

APPLICATION SUBMISSION INFORMATION

Application Deadline

November 2, 2007

Application Grant Amounts

Application for Grants will be considered in Grant Amounts not to Exceed \$100,000 (\$200,000 total cost). The minimum grant amount is \$50,000 (minimum \$100,000 total cost).

2007 Award Focus

The 2007 LWCF grant round will focus on awarding funds to projects that add **new** acres of outdoor recreation open space into the Virginia Recreational Inventory. This includes acquisition projects and development projects, which add new, protected acres of outdoor recreation open space into the Virginia Recreational Inventory.

Note that the LWCF program requires appraisals on all acquisition projects. The appraisals must be performed to the Uniform Appraisal Standards for Federal Land Acquisition. The cost of the appraisal is incurred solely by the grant recipient and is not an eligible reimbursement expense. Appraisals are not required until applicant receives tentative grant approval from DCR.

In addition, the program also requires DCR to send the appraisals to an independent appraisal reviewer for certification. The cost of the appraisal certification review, however, is an eligible reimbursement expense.

Application Submission Requirements

- Submit Five (5) original applications for each proposal
- Provide a copy of the complete application including photographs and maps on CD or diskette. Documents should be saved in Word or pdf format. All components of the electronic file must be able to be copied and pasted for the purpose of moving your application through the grant review process. All photos and maps become the property of the Department of Conservation and Recreation.
- Maps clearly showing the location of the project site. Maps should 1) clearly show location of project area, 2) show location of project within Town, City or County and 3) show location of project within Virginia.

Application awards will be reviewed and scored according to the published scoring criteria.

PROJECT ELIGIBILITY

Eligible Grant Applicants

All cities, towns, counties, eligible state agencies, and other public authorities responsible for providing public recreation services under the *Code of Virginia* are eligible for funding. Private and non-profit organizations are not eligible.

Eligible Projects

LWCF grants are available to political jurisdictions for:

- Outdoor Recreation Land Acquisition and Development Projects.
- Outdoor Recreation Development Projects.

The 2007 LWCF grant round will focus on awarding funds to projects that add new protected acres of outdoor recreation open space into the Virginia Recreational Inventory .

General Eligibility

All recipients of grant funds for acquisition and/or development projects will be required to maintain and operate the funded area *in perpetuity for public outdoor recreation use as outlined in the Land & Water Conservation Fund Act of 1965.*

All recipients of grant funds will be required to submit two copies of a Section 6 (f)(3) boundary map (see Page 8).

All recipients of grant funds will be required to record in the deed of the property that the area is protected through Section 6 (f)(3) of the Land and Water Conservation Fund Act. Please see appendices.

Other than architectural and engineering fees, costs incurred prior to final approval **are not eligible** for reimbursement. **Title to properties to be acquired must NOT be transferred prior to final project approval.**

Eligible Cost Examples

- Swimming Areas/Facilities
- Boating Facilities
- Picnic Areas
- Trails

Ineligible Cost Examples

- Restoration of Historic Structures
- Amusement facilities, convention facilities and Commemorative exhibits
- Support facilities for primarily public indoor activities
- Condemnation of any kind of interest in property

REQUIREMENTS FOR ACQUISITION PROJECTS

Eligible Projects

Acquisition of lands and waters for public outdoor recreation including new areas or additions to existing parks, forests, wildlife areas, beaches, and other similar areas dedicated to outdoor recreation may be eligible for assistance. Areas acquired may serve a wide variety of outdoor recreation activities including but not limited to walking for pleasure, sightseeing, hiking, fishing, swimming, picnicking, nature study, boating, hunting, camping, bicycling, and other outdoor sports and activities.

Natural areas and preserves may be acquired but must be open to the general public for outdoor recreation use to the extent that the natural attributes will not be seriously impaired or lost.

Means of Acquisition

Acquisition of lands and waters or interest therein may be accomplished through purchase, transfer or by gift. **Lands may not be purchased through condemnation.**

Reservation and Rights

Reservations and rights held by others are permissible only if it is determined that the outdoor recreation purposes and environment would not be significantly affected. The project sponsor shall provide a description of all outstanding rights and interests held by others and identify them on the project boundary map. Further, the environmental information submitted to DCR on the project must explain how these outstanding rights are to be dealt with to assure that the outdoor recreation interests and the environment will not be affected significantly.

Acquisition for Delayed Development

LWCF assistance may be available to acquire property for which the development of outdoor recreation facilities is planned at a future date. In the interim, between the acquisition and development the property should be open for those public recreation purposes which the land is capable of supporting or which can be achieved with minimum public investment. Non recreation uses occurring on the property may continue for a specified period of time as determined by DCR.

If development will be delayed for more than one year from the date of the acquisition, the sponsor shall include the following information in the project application:

- Why immediate acquisition of the property is necessary.
- What facilities will be developed and when such development will occur.
- What type, if any, interim recreational use will be allowed before development occurs?

Uniform Relocation and Acquisition

All acquisitions with LWCF assistance must be made in accordance with the applicable provisions of Public Law 91-646, the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

Ineligible Acquisitions

Acquisitions of historic sites and structures will not receive LWCF assistance. Exceptions may be made only when it is demonstrated clearly that the acquisition is primarily for outdoor recreation purposes and that the historic aspects are secondary to the primary recreation purposes. This exclusion need not prevent the consideration of projects involving the acquisition of property interests contiguous to or near historic sites and structures which meet priority outdoor recreation needs. Compliance with the National Historic Preservation Act of 1966 is required for all acquisitions.

Acquisition of museum and sites to be used for museums or primarily for archeological excavations will not receive LWCF assistance.

Acquisitions of land to help meet a public school minimum size requirement will not receive LWCF assistance.

Acquisitions of areas and facilities designed to be used primarily for semi-professional and professional arts and athletics will not receive LWCF assistance.

Acquisition of areas to be used solely for game refuges or fish production purposes will not receive LWCF assistance. However, such areas and facilities may be eligible if they will be open to the public for general compatible recreation.

Acquisition of areas to be used mainly for the construction of indoor facilities will not receive LWCF assistance. Also prohibited are areas where existing indoor recreation facilities, if left in place, will not leave sufficient area at the site for the development of outdoor recreation facilities to justify the cost of the acquisition.

Acquisition of sites containing luxury lodges, hotels, motels, restaurants and similar elaborate facilities that are to be operated by the project sponsor or a concessionaire to provide food and sleeping quarters will not receive LWCF assistance.

Acquisition of agricultural land primarily for preservation in agricultural purposes will not receive LWCF assistance.

Acquisition of federal surplus property will not receive LWCF assistance unless legislatively authorized by Congress in a specific situation.

Required Acquisition Documentation

After a project application has been approved by DCR but **prior to** submission to the National Park Service for final approval, the following documentation is required on all acquisition projects:

- Appraisal to Uniform Appraisal Standards for Federal Land Acquisition
- A copy of the written offer to purchase the property including a statement of just compensation
- Relocation Plan, advisory services program and appeals procedure where displacement occurred.
- A statement of difference in value if the purchase price is greater than the approved appraisal of fair market value.
- Documentation showing that the owner or his designated representative has been given the opportunity to accompany the appraiser during his inspection of the property.

- Evidence of purchase price and of title of property with LWCF Section 6 (f)(3) restrictive wording
- Two metes and bounds maps showing the Section 6 (f)(3) boundary. The Boundary should be highlighted with a colored marker or line.

Section 6 (f) (3) Metes and Bounds Boundary Map

The purpose of a section 6 (f)(3) boundary map is to define the area being developed and/or acquired with federal LWCF grant assistance. This area will be given the protection of Section 6 (f)(3) of the LWCF Act, which states that the property acquired or developed with LWCF assistance shall not be converted to uses other than public outdoor recreation.

A Section 6 (f)(3) map also ensures that the area defined by the boundary line is a viable recreation unit. Normally, this will be the total area of the facility receiving assistance. In no case will it be less than the area to be developed or acquired under a given LWCF application. All projects must have a Section 6 (f)(3) boundary map.

According to LWCF rules and regulations, the project area within the Section 6 (f)(3) boundary will become encumbered as an outdoor recreation site in perpetuity. This means that it must be managed for outdoor recreation forever.

At a minimum, the 6 (f)(3) map should include:

- Title of Map
- Date Map was prepared
- Scale in feet
- A north compass point
- The words “Section 6 (f)(3) boundary” should be written on the map with an arrow pointing to the line.
- Include measurements (in feet) for at least some straight boundary lines
- The boundary line should be highlighted in colour
- Match lines and where they match should be clearly indicated.
- Whenever possible, maps should include some permanent locator—natural landmarks, etc to aid in determining boundaries in the field during site visits.
- Maps should be as high a quality as possible.
- The number of acres being placed under Section 6 (f)(3) protection should be noted.
- Whenever possible, finished map should be submitted on ledger size paper (11 x 17)
- Two copies of the map are required.

Appraisals

Acquisition and appraisals shall be in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA). These standards may be found online at www.usdoj.gov/enrd/land-ack .

Since professional appraisers are certified based on the Uniform Standards of Professional Appraisal Practice (USPAP), which differ from requirements for federal and federally assisted land acquisition, recipients must ensure that the appraisers appropriately follow both UASFLA and USPAP. All appraisals are to include the required certification statements by appraisers as provided for in the UASFLA and USPAP. Copies of the USPAP are unavailable online, however, they may be purchased from the Appraisal Foundation, 1029 Vermont Avenue, NW, Suite 900, Washington, D. C. Appraisals not meeting these standards will result in delay of formal project approval and could result in the need for completion of a new appraisal.

The LWCF program requires DCR to submit all appraisals to an independent appraisal reviewer for certification. The review of the appraisals is conducted at the expense of the grant recipient. The cost of the appraisal review will qualify as an eligible reimbursement expense if the grant is awarded formal approval and the project is completed as outlined in the project application scope of work.

Acquisition at less than Just Compensation

Nothing in the LWCF regulations is to be construed to prevent or deter a property owner from making a full or partial donation of property. In the case of donations, full compliance is not practicable with regard to making a prompt offer to acquire the property for the full amount so established as just compensation.

In those circumstances involving a partial donation, documentation must include evidence that the owner has been provided with a statement of just compensation. A written statement by the owner that he is making a partial donation is also required. A written offer to purchase and a statement of just compensation are not necessary when acquisition is by full donation—the legal act of donation itself precludes the necessity for these actions. Relocation benefits as provided by these regulations must still be complied with in full under all circumstances.

To determine the amount eligible for matching, an approved appraisal is necessary for all donations, whether partial or in full.

Donations required by law or regulations are ineligible as the project sponsors matching share.

No transfer of property should occur until the project sponsor has a signed LWCF grant agreement with the Department of Conservation & Recreation.

REQUIREMENTS FOR DEVELOPMENT PROJECTS

Financial assistance may be available through the LWCF program to provide most facilities necessary for the use and enjoyment of outdoor recreation areas. The LWCF act specifies that the development projects may consist of basic outdoor recreation facilities to serve the general public provided that the funding of such a project is in the public interest and in accord with the Statewide Comprehensive Outdoor Recreation Plan. In addition development projects are subject to all other conditions, policies, and regulations of the LWCF program and those guidelines that may be developed by the Secretary of Interior.

A development project may consist of one improvement or a group of related improvements designed to provide basic facilities for outdoor recreation, including facilities for access, safety, health and protection of the area, as well as those required for the use of the area, such as a state park or a city playground.

The project must be a logical unit of work to be accomplished within a three year time frame. Ineligible facilities to be funded through sources other than the LWCF program may be included in the development concept plan of the project. The development of such ineligible facilities on lands acquired and/or developed with LWCF assistance will be allowed only if they do not constitute a conversion of use under Section 6 (f)(3) of the LWCF act.

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

Plans for the development of land and/or facilities should be based on the needs of the public, the expected use, and the type and character of the project area. Facilities should be attractive for public use and consistent with the environment. Plans and specifications for the improvements/facilities should utilize sustainable and low impact designs and established engineering and architectural practices. Emphasis should be given to the protection of the natural resources of the area, the health and safety of the users and accessibility to the general public.

All facilities developed with assistance from the program must be designed in conformance with 1) the Architectural Barriers Act of 1968 and the "Uniform Federal Accessibility Standards" or 2) the Department of the Interior regulations on Section 504 of the Rehabilitation Act of 1973 and the "Minimum Guidelines and Requirements for Accessible Design" as issued by the Architectural and Transportation Barriers Compliance Board, 36 CFR Part 1190.

Facilities must be developed on land and water owned in fee simple by the participating agency.

Parks receiving LWCF assistance must be maintained in perpetuity as public outdoor recreation facilities in accordance with Section 6 (f)(3) of the LWCF Act.

Development projects must have a Section 6 (f) (3) Metes and Bounds Boundary Map. Please see details on page 8.

LWCF APPLICATION

Project Narrative

In approximately 3-6 typed pages explain how the proposal meets *the needs identified in the scoring criteria* and the following project selection criteria:

- **Objectives and Need for Assistance**

Provide a brief narrative about the proposal that provides the reasons for the project, number of acres to be acquired/protected with LWCF assistance, and describe the property. Identify any relevant physical, economic, social, financial, institutional, or other problems requiring solutions. Demonstrate the need for assistance and state the principal and subordinate objectives of the project. Supporting documentation and/or letters from concerned parties other than the applicant may be used. In citing studies or plans include the cover page and relevant pages of such. Please do not include entire local comprehensive plans as part of application.

- **Results or Benefits Expected**

Discuss the results and benefits of the proposal. Identify who will benefit from the recreational and park facilities. Describe whom the project will serve. Include demographics, user groups, seasonal usage, etc.

- **Approach**

Outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished. Cite factors that might expedite or slow project development. Describe any unusual features of the project such as design innovations, reduction in cost or time, or community involvement.

- **Geographic Location**

Give a precise location of the project and the area to be served on a U. S. Geological 7.5 Minute Survey Map (reduced as necessary). Other maps showing the location of the project within the Town, City or County and within the Commonwealth also need to be attached. Indicate proximity and direction of project in relation to the nearest urban population center. Provide latitude and longitude of center point of project/park.

- **Relationship**

Describe the Relationship between this project and other current, planned, or anticipated federal/state assistance projects.

- **Partnerships**

Identify each organization, cooperator, consultant, or other key individual (s) who will work on the project along with a short description of the nature of their effort or contribution. Attach commitment letters. Do not confuse supporters with partners.

- **Sustainable Design and Low Impact Development**

DCR has developed the following 7 sustainable and low impact development principles which should be included in park design:

1. Conserve trees and other vegetation at each site by planting additional vegetation and promoting the use of native plants. Wherever practical, manage space, roadways, parking lot islands, and other landscaped areas to promote natural vegetation.

2. Clearing and grading of forests and native vegetation at a site should be limited to the minimum amount needed to build facilities, allow access, and provide fire protection.
3. Promote development that incorporates efforts to minimize total impervious area, conserve natural areas, and promote water quality and watershed protection.
4. Design roadways for the minimum required width needed to support visitors and emergency, maintenance, and service vehicle access. These widths should be based on anticipated traffic volume at peak season.
5. The impervious parking area should be that needed to meet minimum requirement for the proposed facility. Additional parking areas to meet peak demand or special events should use pervious systems.
6. Reduce the overall imperviousness of the project.
7. Provide stormwater treatment using bioretention areas, filter strips, and/or other practices that can be integrated into the project design.

For examples of sustainable/green design and low impact development see the Environmental Protection Agency guidance for the Mid-Atlantic Region on Natural Design Principles & Green Landscaping posted online at www.epa.gov/reg3esd1/garden/natdes.htm.

Describe how the project incorporates the above 7 principles or other sustainable/green design and low impact development techniques.

Section 6 (f) (3) Boundary Map-Metes and Bounds Map

Each project application must include a 6(f)(3) boundary map unless the project is solely for acquisition. (See page 8)

Public Involvement

All funding for the LWCF program is provided through the federal government. As such, all projects must demonstrate compliance with the requirements of the National Environmental Policy Act (NEPA). One of these requirements is the need for public involvement. Describe the total public involvement for this project. Indicate how the public was invited to participate in the planning of the project. Include copies of any legal advertisement, newspaper articles etc that was used to involve the public.

Governing Body Resolution

All grant applications must include a resolution of support from the local governmental body. Key components are (1) the assurance of the amount of the matching share cost of the program and that they will be provided, (2)the assurance that the General Provisions of the Land & Water Conservation Fund act will be complied with in the administration of the project (3) the project will be operated and maintained in perpetuity as an outdoor recreational area in accordance with the Land & Water Conservation Fund Act and (4) the assurance that a permanent acknowledgement sign regarding assistance from DCR and the LWCF program is posted at the park. A sample resolution is provided in the appendices.

Project Information

Applicant _____

(only one applicant per application, no co applicants, partners involved should be listed below)

Address _____

Contact Person _____

Title _____

Telephone Number _____

E-mail Address _____

Name of Project _____

Name of Park _____

Location of Project _____

Type of Project: Acquisition _____ Development _____ Combination _____

Number of Acres to be Acquired _____

Amount of Grant Requested \$ _____

Project Element(s) on which grant assistance will be used _____

Locate the project site accordingly:

- a. House of Delegate District. # _____
- b. State Senate District. # _____
- c. U.S. Congressional District. # _____
- d. GPS Coordinates: Latitude _____ Longitude _____
- e. Park Zip Code _____

Please answer all of the following questions

1. Is the park an existing facility? ___ Yes ___ No
2. Is the proposed project covered by an approved comprehensive plan? ___ Yes ___ No
If yes, give name of plan and cite page number _____
Include copy of cover sheet from plan, approval date and copy of pages cited.
3. Will the proposed project be on state or federal land or installation?
___ Yes ___ No
If yes, please specify: _____
4. Will the proposed project cause the displacement of individuals, families, businesses, or farms? ___ Yes ___ No
If yes, please specify: _____

5. Is there other federal or state assistance on this project, either previous, pending, or anticipated? ___ Yes ___ No

If yes, please specify: _____

6. Is the project in a designated flood hazard area? ___ Yes ___ No
Include FEMA map with project area designated on map.

7. Applicant intends to acquire the site through:

___ Negotiated Purchases.

___ Other Means, Please Specify: _____

8. Title or other interest in the site is or will be vested in:

___ Applicant ___ Agency or Institution Operating the Facility ___ Other.

Please Specify: _____

9. Attach plat as part of application. The plat must include a Section 6 (f) (3) metes and bounds map of the project area (2 paper copies).

Acquisition projects do not require boundary maps at the time of application, but are required if the grant is approved. If the project is solely for acquisition, maps adequately depicting the location of the property must be included.

10. Description of Facility:

Drawings – Attach any drawings that will assist in describing the project.

Specifications – Attach copies of completed outline specifications.

(If drawings and specifications have not been fully completed, please attach copies of working drawings that have been completed).

11. If the park has been previously protected by Section 6(f)(3) of the Virginia Outdoors/Land & Water Conservation Fund and the proposal involves acquisition give the number of ___ Acres previously protected ___ New acres being protected. ___ Total acres protected

12. Describe what provisions will exist for the project's continued existence? Include how the facility will be maintained and who will be responsible.

13. Provide a list of current or previous recreational grant awards that applicant has received from the Department of Conservation & Recreation. Provide the Grant number, name of project at time of funding and current name if different.

14. Complete and sign the following federal assurance forms and Taxpayer Identification (W-9) Form:

- Standard Form (SF)-424,
- Assurances - Construction Programs; OR
- Assurances - Non-Construction Programs,
- Certification - Drug Free Work Place,
- Certification - Regarding Lobbying,
- Certification - Regarding Debarment, Suspension, etc.
- Taxpayer Identification (W-9) Form

Please visit the DCR website at www.dcr.virginia.gov/recreational_planning/vof.shtml to access Word document versions of these forms.

15. Complete the LWCF Proposal Description and Environmental Screening Form

16. Complete Project Budget Information and Project Schedule

17. Complete Application Signature Page

LWCF Proposal Description and Environmental Screening Form

The Proposal Description and Environmental Screening Form is a required application component. Failure to complete will render application ineligible for funding.

The purpose of this Proposal Description and Environmental Screening Form (PD/ESF) is to provide descriptive and environmental information about Land and Water Conservation Fund (LWCF) proposals submitted for review and decision. The completed PD/ESF becomes part of the federal record in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations. The PD portion of the form captures administrative and descriptive details regarding the proposal. The ESF portion is designed for sponsors to use as early as possible in state/local project planning to identify the potential environmental impacts and related issues associated with a LWCF proposal. Upon completion, the ESF will indicate the potential degree of environmental impact by the proposal to enable States/project sponsors to more accurately select an appropriate pathway for NEPA analysis whether in the form of a Categorical Exclusion (CE), an Environmental Assessment (EA), or an Environmental Impact Statement (EIS). The ESF should also be used to document previously conducted yet still viable environmental analysis. The completed PD/ESF must be submitted as part of the LWCF application.

The completed PD/ESF **must** be completed by the sponsor and accompany each application for LWCF assistance.



Using a separate sheet for narrative descriptions and explanations, address each item and question in the order it is presented, keying it to the associated item, such as Step 2-A1, A2; Step 3-B1; Step 6-A1, A29; etc.

Step 1. Type of LWCF Proposal

Acquisition Development Combination (Acquisition & development)
Go to Step 2A Go to Step 2B Go to Step 2C

Step 2. New Project Application

A. For an Acquisition Project

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

6. Describe future development plans proposed for the site(s) within the next two (2) years.
7. After submission of the appraisal by the grant recipient, DCR must complete the State Appraisal Review certifying that the appraisals submitted by the sponsor meet the "Uniform Appraisal Standards for Federal Land Acquisitions." This step requires review by an independent appraisal reviewer, the cost of which is incurred by the project sponsor.
8. Address each item in "D" below.

B. For a Development Project

1. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including where and how the public will access the site, including parking, if any. Indicate entrances on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/ contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.)
2. Will this proposed development create a **new** park for the first time on land that has not been previously designated as park and recreation land, such as public vacant or undeveloped land?
Yes _____ No _____
3. When will the project be completed and the public allowed onto the improved site?
4. Address each item in "D" below.

C. For a Combination Project

1. For the acquisition part of the proposal:
 - a.. Describe and quantify the types of existing resources and features on the site (for example, 50 acres wetland, 2,000 feet beachfront, 200 acres forest, scenic views, 100 acres riparian, vacant lot, special habitat, any unique or special features, recreation amenities, historic/cultural resources, hazardous materials/ contamination history, restrictions, institutional controls, easements, rights-of-way, above ground/underground utilities, including wires, towers, etc.)
 - b. Will this acquisition create a new public park/outdoor recreation area where non previously existed and is not an addition to an existing public park/recreation area? Yes ____ (go to "e" below) No ____ (go to "c")
 - c. What is the name of the pre-existing public park/recreation area to which this newly acquired site will be added?
 - d. Is the pre-existing public park/recreation area already protected under Section 6(f)? Yes ____ No ____.
If no, will it now be included in the 6(f) boundary? Yes ____ No ____.
 - e. What will be the name of this new public park/recreation area?

f. How will the site be made immediately open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?

g. After submission of the appraisal by the grant recipient, DCR must complete the State Appraisal Review certifying that the appraisals submitted by the sponsor meet the “Uniform Appraisal Standards for Federal Land Acquisitions.” This step requires review by an independent appraisal reviewer, **the cost of which is incurred by the project sponsor**

2. For the development part of the proposal:

a. Describe the physical improvements and/or facilities that will be developed with federal LWCF assistance, including where and how the public will access the site, including parking, if any. Indicate access points on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities.

b. When will the project be completed and the public allowed onto the improved site?

c. Describe development plans proposed for the site.

3. Address each item in “D” below.

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

1. Who will manage and operate the site(s)?

2. As a result of this project, describe new types of outdoor recreation opportunities and capacities, and short and long term public benefits.

3. Explain any existing non-recreation and non-public uses that will continue on the site(s) and/or proposed for the future within the 6(f) boundary.

4. Describe the planning process that led to the development of this proposal. Your narrative should address:

a. How was the interested and affected public notified and provided opportunity to be involved in planning for and developing your LWCF proposal? Who was involved and how were they able to review the completed proposal? Include state, local, federal agency professionals, subject matter experts, members of the public and Indian Tribes. Describe any public meetings held and/or formal public comment periods, including dates and length of time provided the public to participate in the planning process and/or to provide comments.

b. What information was made available to the public for review and comment? Did the sponsor provide written responses addressing the comments?

5. How does this proposal implement statewide outdoor recreation goals as presented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) (include references).

6. List all source(s) and amounts of financial match to the LWCF federal share of the project. The value of the match can consist of cash, donation, and in-kind contributions. ***Please remember that the actual reimbursement through the program will never exceed the actual cash outlay on the project or the approved grant amount***. The federal LWCF share and financial matches must result in a viable outdoor recreation area and not rely on other funding not mentioned here. Other than CBDG funds, LWCF funds may not be matched with other federal resources.

Source	Type of Match	Value
		\$
		\$
		\$

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

Step 3. Summary of Previous Environmental Review (including E.O. 12372-Intergovernmental Review)

Describe any environmental review undertaken at any time and still viable (three months for natural heritage resources, rare, threatened and endangered species; one year for all other) for this proposal or related efforts that could be useful to understanding potential environmental impacts. Consider previous local, state, federal (e.g. HUD, EPA, USFWS, FHWA, DOT) and other environmental reviews. At a minimum, address the following:

1. Date of environmental review(s), purpose for the environmental review(s) and for whom they were conducted.
2. Description of the proposed action and alternatives. The description of alternatives considered is mandatory.
3. Who was involved in identifying resource impact issues and developing the proposal including the interested and affected public, government agencies, and Indian tribes.
4. Environmental resources analyzed and determination of impacts for proposed actions and alternatives.
5. Any mitigation measures to be part of the proposed action.
6. Any formal decision and supporting reasons regarding degree of potential impacts to the human environment.

7. Was the LWCF federal action and/or any other federal actions analyzed/reviewed in previous environmental reviews? If so, how and what impacts were identified? Provide specific references.

Step 4. Environmental Screening Form (ESF)

This ESF portion of this PD/ESF is a working tool for planners and decision-makers to use to identify the degree of potential impacts to resources that may occur as a result of approval of the proposal. It also serves as part of the record documenting the project sponsor’s efforts to identify and consider impacts during proposal development.

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

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

The completed ESF should reflect the project sponsor’s determination of the extent to which the proposal will impact the list of resources on the form. The results of the completed ESF will serve as guidance for which NEPA pathway should be followed, i.e., categorical exclusion (CE), environmental assessment (EA), environmental impact statement (EIS). Also, the completed ESF will identify the resource topics and issues that should be presented and analyzed in an EA or an EIS, if required.

The ESF contains two parts that must be completed:

Part A. Impacts to Environmental Resources and Part B. Mandatory Criteria



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

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

Indicate Potential For Adverse Impacts

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

Part B: This is a list of mandatory impact criteria. A “yes” or “maybe” for any of the mandatory criteria, may require the development an Environmental Assessment (EA) or Environmental Impact Statement (EIS) for compliance with the National Environmental Policy Act (NEPA) regardless of your answers in Part A. Explain all answers on a separate sheet.

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

Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. Information may be documented as part of the LWCF pre-award site inspection if not too late to inform the environmental review.

- 1.
- 2.
- 3.

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

- 1.
- 2.
- 3.

PROJECT BUDGET INFORMATION

PART I - Facility Description and Cost Breakout

All Land and Water Conservation Fund grant applications should include a Facility Description and Cost Breakout. This cost breakout should be an **itemized listing** of cost items such as acquisition of lands, construction of recreation facilities, support facilities (comfort stations, maintenance facilities that support the current proposal and not future planned facilities) etc. Planning Costs directly related to the current project proposal and not future proposals or designs may also be included. ***However, planning cost, as a high percentage of total project cost, will cause rejection of the proposal***

Project review is based on the following information. No changes may be made after project approval.

PART II - Budget Information

1. Grantee Share

- a. Cash (in hand) \$ _____
 - b. Non-Cash (*Explain Under Remarks*)* \$ _____
 - c. Land Donation** \$ _____
 - d. Bargain \$ _____
 - e. Other (*Explain Under Remarks*)* \$ _____
- TOTAL – Grantee Share** \$ _____

2. Complete Project Cost Information

- a. Grant Request (Must be 50% or less of total cost) \$ _____
- b. Applicant’s Share (Must be 50% or more of total cost) \$ _____
- c. Total Project Cost (Must Sum A & B) \$ _____

****Failure to explain Non-Cash and Other categories in the remarks section below will render application ineligible.***

*****All donations involved in budget must have a supporting Letter of Commitment from the donor included in the grant application. See Sample Commitment Letter in Appendices.***

Please remember that the actual reimbursement through the program will never exceed the actual cash outlay on the project or the approved grant amount.

REMARKS

PROJECT SCHEDULE

Include a project schedule indicating an anticipated target time frame for each element of work on the project. Typically, this would be a schedule listing time frames on completion of each major work element once final grant approval and final clearance are approved.

**LAND & WATER CONSERVATION FUND
APPLICATION SIGNATURE PAGE**

"On behalf of the Project Sponsor, I hereby certify the information contained in the attached application is true and correct. I understand this application will be rated on the basis of the information submitted and the submission of incorrect data or an incomplete application can result in this application being withdrawn from consideration for funding."

"I hereby certify the applicant will comply with all applicable local, state and Federal laws and regulations."

"I hereby certify the availability of the 50% required share of the total project costs as represented in this application."

" I hereby certify that the property will be placed under Section 6 (f) (3) protection of the Land & Water Conservation Act and will have wording to such effect placed in the deed of the property."

Signed this _____ day of _____

By _____

Title _____

Attested by _____

PROJECT SELECTION CRITERIA
Priority Rating System Criteria
For Information Purposes Only - Not Required for Application Submission

Project Sponsor:

Name of Project:

Part A:

1. To what extent does the proposal meet recreational needs identified in the *State of Virginia Outdoors Plan (VOP)* or local plan? **(Maximum Score 10 points)**

- If the project is identified as a need in the VOP and local plan
Score 10 points if project is a specifically identified need in VOP and page number was given.
Score 6 points if project is a general need identified in VOP
- If the project is identified as a need only in a local park plan,
Score 4-5 points
- If the project is not an identifiable need in the VOP or a local plan, but is part of an existing or new outdoor facility, determine the value of need and score 1-3 points.

2. If the project proposal meets the following criteria score accordingly **(Maximum Score 10 points)**

- The property is not currently protected by LWCF, not in the Virginia Recreational Inventory and provides access to state waters, score 10 points
- The property is not currently protected by the L&WCF Act and is not included in the Virginia Recreational Inventory, score 8 points
- The project proposal will provide public access to state waters, score 6 points

3. Can the Sponsor manage the operation and maintenance requirements of the proposed project? Does the sponsor have the resources and a plan to maintain the facility to Land & Water Conservation Fund standards? Score within the range of 0-10

(Maximum Score 10 points)

- Dedicated Resources (P&R Department) and Maintenance Schedule (9-10 points).
- Committed Local Maintenance Crew to provide upkeep (6-8 points).
- Volunteer Crews - Fair (1-5 points).
- Plans for Maintenance and Upkeep of Facility unclear or inadequate (0)

4. In terms of ADA accessibility, determine the level of user accessibility among population groups that are physically challenged. Score 0-10 points (Maximum 10 points)

- Application identifies a project where all facilities will be ADA accessible, score 6-10 points
- Application identifies a project where a portion of the facilities will be ADA accessible, score 1-5 points
- Application does not give information about ADA accessibility, score 0 points

5. In accordance with the VOP, determine the recreational needs the project will support i.e., public access to state waters, trails (hiking, walking, bicycle,) sports fields and courts. (Maximum 10 points)

- Score 7 points for new public access to state waters.
- Score 10 points for new public access to state waters and 1 other item.
- For 4 or more (non-water) items, score 7 points, for 2 to 3 items, score 5 points, and for 1 to 2 items score 3 points.

6. Rating the application preparation: (Maximum 10 points)

- The application is well prepared, answers all questions, gives Virginia Outdoors Plan page numbers, provides a concise description of what is to be accomplished with the grant, score 6-10 points
- The application has good preparation and provides a reasonable understanding of what is to be accomplished, score 4-5 points.
- The application has fair preparation but the proposal needs additional explanation and information, score 3 points.

7. Does the project utilize sustainable design and or green development in the design? (Maximum Score 15 points)

- If the project minimizes land disturbance to the maximum extent possible, preserves vegetation and minimizes impervious cover, score 10-15 points.
- If the project uses some sustainable design/low impact development, score 1-9 points
- If no sustainable design/low impact development techniques are involved, score 0 points

Subtotal

Additional Scoring Criteria

PROJECT REVIEW PROCESS

- Applications are reviewed for compliance with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) known in Virginia as the *Virginia Outdoors Plan*.
- The Department of Conservation and Recreation staff reviews all applications and eliminates those applications that are clearly ineligible.
- Projects are then reviewed in accordance with the funding philosophy, state and federal program requirements, need, geographic distribution and the scoring criteria.
- The Director of the Division of Planning and Recreation briefs the DCR director on the status of all available applications eligible for grant awards and offers recommendations on applications that should be presented to the Board of Conservation and Recreation. The DCR director then decides those project applications that will be presented to and reviewed by the Board of Conservation and Recreation.
- Applications are presented to the Board of Conservation & Recreation for their recommendation to the Director of the Department of Conservation and Recreation on grant awards. The Director then makes the final decision at the state level on grant awards.
- The DCR director announces *tentative* grant approval and initiates the environmental review process to assess potential environmental impact as a result of the project.
- The DCR director's recommendations are forwarded to the National Park Service for final approval.
- Upon final approval, sponsors will be required to sign a project agreement before acquisition and/or construction can begin.

Appendices

Sample Governing Resolution

GOVERNING RESOLUTION

All LWCF grant applications must include a resolution of project support from the local governmental body. A sample resolution is included herein.

Sample Resolution

At the last meeting of the (Project Sponsor) held in the Meeting Room of the (Project Location) on (Date) the following resolution was adopted.

WHEREAS, the Department of Conservation and Recreation (DCR), provides funds to assist political subdivisions of the Commonwealth of Virginia in acquiring and developing open space and park lands; and

WHEREAS, there are urgent needs within the (Political Subdivision) to develop park land; and

WHEREAS, this area is deemed of high acquisition and development priority by said (Project Sponsor) and shall be referred to as (Project Title).

WHEREAS, in order to attain funding assistance from DCR, it is necessary that the (Project Sponsor) guarantee that a proportionate share of the cost thereof is available; and

WHEREAS, the proportionate project share (Specify Dollars) is funded by the (Project Sponsor)

NOW, THEREFORE, BE IT RESOLVED BY THE (Project Sponsor that (Executive Officer's Title) is hereby authorized to cause such information or materials as may be necessary to be provided to the Department of Conservation and Recreation (DCR) and to enter into such agreements as may be necessary to permit the formulation, approval and funding of the (Project Title) Project.

AND BE IT FURTHER RESOLVED, the (Project Sponsor) gives its assurance that the funds needed as the proportionate share of the cost of the approved program will be provided, up to \$ (Sponsor Share).

AND BE IT FURTHER RESOLVED, that the (project Sponsor) gives its assurance that the General Provisions of the Land and Water Conservation Fund Act (L&WCF) and the fiscal procedures will be complied with in the administration of this project.

AND BE IT FURTHER RESOLVED, that the (Project Sponsor) will operate and maintain the public recreation facility in good condition and **will provide permanent project acknowledgement signs of the participating funding agencies and that this signage will clearly state that the said facility is a "public" recreational facility.**

AND BE IT FURTHER RESOLVED, that **the (Project Sponsor) shall dedicate the metes and bounds of the (Project Name) properties, in perpetuity, for public outdoors recreational purposes in accordance with the Land and Water Conservation Fund (L&WCF) Act.**

AND BE IT FURTHER RESOLVED, that the (Project Sponsor) gives its assurance that all other applicable federal and state regulations governing such expenditure of funds will be complied with in the administration, development, and subsequent operation of this (Project Name).

AND BE IT FURTHER RESOLVED, that the Department of Conservation and Recreation is respectfully requested to assist in approval and funding of the (Project Title) Project in order to enhance the standard of public recreational enjoyment for all our citizenry.

Voting on the motion was as follows:

AYES:

NAYES:

ATTESTED BY AND NOTARIZED:

Sample Letter of Commitment

Template – Letter of Commitment for Match Funds

LETTERHEAD

(of Company, individual, etc. giving donation)

DATE: (Insert Date)

TO: Department of Conservation and Recreation

FROM: (Insert name of person authorized to commit time and effort.)

RE: Commitment of matching fund

(Insert name of contributing organization / company) is pleased to support (insert name of project sponsor) in their efforts to implement the grant project, (insert title of project).

As a partner in this endeavor we commit to providing the following resources and services toward the project as match for a grant from the Department of Conservation and Recreation:

(Insert bulleted list describing the donation and the value associated with the match commitment.)

(Attach documentation that supports the dollar valuation of the donation.)

Sincerely,

(Insert name)

(Insert title)

Section 6 (F) and Deed Wording

Section 6 (f) & Restrictive Deed Wording and 6 (f) (3) Metes & Bounds Map

Section 6 (f) (3)

Section 6 (f) (3) of the Land & Water Conservation states that: “ No property acquired or developed with assistance under this section shall without approval of the Secretary [of the Interior] be converted to other than public outdoor recreation uses”. The LWCF program realizes that in certain instances there is not alternative to converting a portion of a LWCF property. In those extreme cases where there is no alternative, the Project Sponsor must begin a conversion of use process with DCR. In short, the conversion of use process requires that a suitable piece of replacement property be found before a conversion occurs at a LWCF site. “Suitable” means equivalent in fair market value and can serve as a viable public outdoor recreation area without reliance upon adjoining or additional areas.

Restrictive Deed Wording

In order for the section 6 (f) (3) regulation to be enforced, the following language is to be incorporated into the deed and recorded in the city, town or county court house of the project area:

The property identified below has been acquired or developed with federal assistance provided by the National Park Service of the Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5 et seq. (170 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Virginia Department of Conservation & Recreation and the secretary of the Department of the Interior. By law, the secretary shall approve such conversion only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP) and only upon such condition as the substitution of other recreation properties are of at least equal fair market value and of reasonably equivalent usefulness and location.

Section 6 (f)(3) Metes and Bounds Map

The purpose of a Section 6(f)(3) boundary map is to define the area being developed or acquired with federal LWCF grant money. This area will be given the protection of Section 6(f)(3) of the LWCF Act, which states that property acquired or developed with LWCF money shall not be converted to uses other than public outdoor recreation.

A Section 6(f)(3) boundary map also ensures that the area defined by the boundary line is a viable recreation unit. Normally, this will be the total area of the facility receiving assistance. In no case will it be less than the area to be developed or acquired under a given LWCF application. All projects must have a Section 6(f)(3) boundary map.

According to LWCF rules and regulations, the project area within the Section 6(f)(3) boundary will become encumbered as an outdoor recreational site in perpetuity. This means that it must be managed for outdoor recreation forever.

Each project application must include a 6(f)(3) boundary map unless the project is for an acquisition project.

In addition, all land parcels involved in the grant application should be submitted to DCR in GIS format (geodatabase, shapefile, or coverage). If you are unable to provide GIS data please contact David Boyd (804-371-4801) prior to submitting the grant application to arrange the transfer of a suitable mapping source

(DCR-PRR-003) (09/07)
(DCR199-110) (09/07)

- At a minimum, the 6(f)(3) map should include
- Title of Map
- Date Map was prepared
- Scale in feet
- A North Compass point
- The words “Section 6 (f) (3) boundary” should be written on the map with an arrow pointing to the boundary line
- Include measurements (in feet) for at least some straight boundary lines
- Boundary lines should be shown by dotted or bold lines—not colors.
- Whenever possible, maps should include some permanent locator, natural landmarks, etc. to aid in determining boundaries in the field.
- Map should be as high a quality as possible.
- Finished map should be submitted for the application on ledger-size paper 11 x 17.
- The total acreage of the site within the 6 (f) (3) boundary should be noted.

Frequently Asked Questions

What are examples of eligible LWCF projects?

Eligible projects include land acquisition for new parks and facility construction, facility construction or renovation of public parks for outdoor recreation.:

- Outdoor Recreation Land Acquisition
- Outdoor Recreation Land Acquisition and Facility Development
- Facility Development

Who may apply?

Eligible grant recipients include cities, towns, counties, Native American Tribes and state agencies. Private individuals and organizations, including non-profit and charitable organizations are not eligible for funding assistance. All eligible applicants compete equally for LWCF funds.

What is the total funding available for 2007?

Available funds for the 2007 grant round are approximately \$300,000.

What is the maximum and minimum grant award?

The maximum grant award will be \$100,000 (Total project cost \$200,000). The minimum grant award will be \$50,000 (Total project cost \$100,000).

Are matching funds required?

Yes, the LWCF program is a 50-50 matching reimbursement program. Project sponsors do not receive grant funds at the time of funding approval. The sponsor must, in essence, incur 100 percent of the total project cost; submit evidence of eligible expenditures and request reimbursement from DCR.

What is a Letter of Commitment?

The Letter of Commitment is a letter from a willing donor of property/materials that shows the intent to make the donation is real.

What is the application deadline?

The application deadline is November 2,2007 Postmarks will be accepted.

Are there any long-term commitments associated with this program?

Yes. Properties acquired, improved or developed with LWCF assistance must be retained **in perpetuity for public outdoor recreation**. Other commitments include proper maintenance and operation, providing for nondiscrimination, facilitating audits and ensuring the integrity of the 6(f) boundary and posting of a Land & Water Conservation Fund acknowledgment sign at the park.

What does “in perpetuity” mean?

The phrase “in perpetuity” means forever. Parkland and facilities developed with LWCF assistance must remain as public outdoor recreation facilities forever. Grant recipients must place in the deed of the park that the property is protected in perpetuity in accordance with the Land & Water Conservation Act.

What is the 6(f) boundary?

The 6(f) boundary is the area defined as being protected by Section 6 (f) (3) of the Land and Water Conservation Fund Act of 1965. Section 6(f) (3) states that the property acquired, developed or improved with LWCF assistance shall not be converted to uses other than public outdoor recreation. The 6(f) (3) boundary ensures that the area defined by the boundary is a viable recreation unit.

How do I know if I am ready to submit an application for competing for LWCF funds?

If the project is in the design phase and is ready to begin within 90- 180 days (six months) of the formal grant award date and you have the matching funds, you are probably ready to apply. However, DCR has observed that during past grant cycles, the planning of your project is of high importance. If citizen involvement has been minimal (including a lack of board meetings, public hearings, public comment periods, surveys, media support, strategic planning, etc.), a recreation plan that includes goals and objectives is non-existent, and inventory and assessment of existing facilities is not complete, then, chances are, you would not be able to complete the project by the deadline if chosen for funding.

I want to use donated land as match – Can it be property already owned by the city, town or county?

No.

Does the local, or state government have to own the land to receive a development grant?

Yes.

The county is proposing to develop an outdoor recreation site on private property. The county would lease the site from the landowner, who is committed to outdoor recreation. Can the county apply for an LWCF grant under these circumstances?

No. The sponsor must own the project site. In rare cases, grants will be awarded to a sponsor that has effective land control in the form of a long-term lease (100 year) from the federal government.

I am developing a park facility that may only be used during certain seasons and/or months of the year for organized activity. If funded through L&WCF, is it permissible to close and lock the facility during the non-use days or months and/or lock it up after the activity is over?

No. LWCF guidelines state that the park facility must be open during reasonable hours for public use every day of the year. Some exceptions include holidays, portions of Sundays, wet field conditions, etc. Even if it is the “off-season” for programming, the facility must remain open and accessible to the general public.

Contact

Synthia Waymack,
Land & Water Conservation Fund Program
Planning and Recreation Resources
Department of Conservation and Recreation
203 Governor Street, Suite 326
Richmond, Virginia 23219-2010
(804) 786-4379

Application Checklist

APPLICATION DATA CHECKLIST

Please submit a copy of this form showing items being transmitted.

List all items submitted in the application including maps and site plans.

Project Name: _____

Project Sponsor: _____

- _____ Letter of Transmittal
- _____ Project Narrative
- _____ Location maps
- _____ Site Plan & Maps
- _____ Governing Body Resolution
- _____ Project Information
- _____ LWCF Proposal Description and Environmental Screening Form
- _____ Facility Description/Cost Breakout (Part I)
- _____ Budget Information (Part II)
- _____ Project Schedule
- _____ Letter of Commitment (if applicable)
- _____ Support Documents (Community Groups, Planning Districts, Etc...)
- _____ Federal Compliance Forms
- _____ Taxpayer Identification Form (W-9)
- _____ Plat of Site Showing Metes and Bounds (Not required at application submission for acquisition only projects)
- _____ One electronic copy of complete application and graphics saved in Word on CD. Please call 804.786.4379 with any questions regarding this.

FEDERAL COMPLIANCE FORMS

The following forms must be completed for each grant application and must be signed by the designated local representative for the political jurisdiction requesting the grant. Note: These forms are only available in Acrobat PDF format. You may access these forms at www.dcr.virginia.gov/recreational_planning/vof.shtml.

- Standard Form (SF) – 424 - Application for Federal Assistance
- SF 424D - Assurances - Construction Programs; **OR**
SF 424B - Assurances - Non-Construction Programs,
- DI-2010 - Certification Regarding Debarment, Suspension, and Other Responsibility Matters; Drug free Workplace Requirements and Lobbying
- Taxpayer Identification Form (W-9)

**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Organizational DUNS:		Department:	
Address:		Division:	
Street:		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City:		Prefix:	First Name:
County:		Middle Name	
State: Zip Code		Last Name	
Country:		Suffix:	
		Email:	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): -		Phone Number (give area code)	Fax Number (give area code)
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): -		9. NAME OF FEDERAL AGENCY:	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:	
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:	
Start Date:	Ending Date:	a. Applicant	b. Project
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON	
b. Applicant	\$	DATE:	
c. State	\$	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
d. Local	\$	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
e. Other	\$	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
f. Program Income	\$	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input type="checkbox"/> No	
g. TOTAL	\$		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Authorized Representative			
Prefix	First Name	Middle Name	
Last Name		Suffix	
b. Title		c. Telephone Number (give area code)	
d. Signature of Authorized Representative		e. Date Signed	

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

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

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private University</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table>	A. State	I. State Controlled Institution of Higher Learning	B. County	J. Private University	C. Municipal	K. Indian Tribe	D. Township	L. Individual	E. Interstate	M. Profit Organization	F. Intermunicipal	N. Other (Specify)	G. Special District	O. Not for Profit Organization	H. Independent School District		17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled Institution of Higher Learning																		
B. County	J. Private University																		
C. Municipal	K. Indian Tribe																		
D. Township	L. Individual																		
E. Interstate	M. Profit Organization																		
F. Intermunicipal	N. Other (Specify)																		
G. Special District	O. Not for Profit Organization																		
H. Independent School District																			
8.	Select the type from the following list: <ul style="list-style-type: none"> • "New" means a new assistance award. • "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. • "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> 	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

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

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

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

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

ASSURANCES - CONSTRUCTION PROGRAMS

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

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

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

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

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - **The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.** See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters-
Primary Covered Transactions**

CHECK ___ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK ___ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK ___ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ___ if there are workplaces on files that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK ___ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

**PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements**

CHECK ___ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK ___ IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TYPED NAME AND TITLE

DATE

REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION

Substitute Form W-9 Each person/organization doing business with the Commonwealth must provide the following information or be subject to backup withholding.

1 _____ AND/OR _____
Social Security Number Federal Identification Number

2 _____
Dun & Bradstreet Number

3 Is this form being completed for disbursement of grant funds? Y / N If yes, skip item 4

4 Provide a **general** description of goods/services to be sold to the Commonwealth: _____

0*	___ Other	6	___ Corporation	A*	___ Partnership
2	___ Federal Agency	7*	___ Sole Proprietor/Reportable Individual	B*	___ Estate
3	___ State Agency	8*	___ Medical Corporation	C*	___ Trust
4	___ Local Government	9	___ Non-Reportable Individual	D*	___ Limited Liability Company
5	___ Political Subdivision				

* Indicates vendor may be eligible to receive a form 1099

LEGAL NAME _____

TRADE NAME _____

Order Address _____

Contact Person _____ Telephone No. _____

E-mail Address _____ FAX No. _____

Remittance Address _____

Contact Person _____ Telephone No. _____

THIS BUSINESS IS CERTIFIED BY THE VIRGINIA DEPARTMENT OF MINORITY BUSINESS ENTERPRISE AS:

___ Small ___ Woman-Owned ___ Minority-Owned

For information on VDMBE certification, visit their website at www.dmbv.virginia.gov or call them at 804-786-6585

CERTIFICATION

Under penalties of perjury, I certify that:

1. The number(s) shown on this form is/are my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: [a] I am exempt from backup withholding, or [b] I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of a failure to report all interest or dividends, or [c] the IRS has notified me that I am no longer subject to backup withholding.

Certification Instructions - You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because of under reporting interest or dividends on your tax return.

Signature _____ Date _____