



National Park Service

LWCF-PGL - State and Local Assistance Division

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A. Program Description

A1. Authority

The authority for the LWCF State and Local Assistance Program specifically is found at 54 U.S.C. § 200305. The text of the full LWCF Act can be viewed here: <http://uscode.house.gov/view.xhtml?path=/prelim@title54/subtitle2/chapter2003&edition=prelim>

The LWCF Grant Assistance Manual, v. 71 (March 11, 2021) establishes the eligibility, procedural, and programmatic requirements for LWCF grants. A copy of the Manual can be found at https://www.nps.gov/subjects/lwcf/upload/lwcf_manual.pdf. The Manual outlines the criteria and process for eligible states and territories to develop a SCORP, nominate projects to the NPS, and implement grants for selected projects.

Catalog of Federal Domestic Assistance (CFDA) Number
15.916

A2. Background, Purpose and Program Requirements

This notice of funding opportunity (NOFO) is to advise States, local units of government, and Indian Tribes of the potential availability of funds in their State for grants from the Land and Water Conservation Fund (LWCF) to acquire and/or develop lands for public outdoor recreation purposes. The LWCF State and Local Assistance Program was established in 1964 to assist in preserving, developing and assuring accessibility to present and future generations of U.S. citizens and visitors “such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States.” This is accomplished in part by authorizing and providing grants to States, and through States to local units of government and Indian tribes, for projects that acquire lands and waters for parks and other public outdoor recreation purposes, as well as develop new or renovate existing outdoor recreation facilities. Certain State agencies may also apply for and receive grants for the preparation or update of Statewide Comprehensive Outdoor Recreation Plans (SCORP) or supporting elements, which are required by law for overall program eligibility. (See NOFO # P21AP00223.) Recent significant changes in authority include permanent authorization for the LWCF and a minimum set-aside of 40% funds allocated for State Assistance from the LWCF, derived from the 2019 John Dingell Conservation Management and Recreation Act, as well as mandatory funding at the fully authorized level of \$900 million as established in 2020's Great American Outdoors Act.

Land acquisition and development grants may be in support of a wide range of outdoor recreation uses, such as community parks, playgrounds, picnic areas, campgrounds, trails,

swimming pools, and sports fields; as well as for certain indoor infrastructure that supports these activities such as restrooms. Outdoor recreation areas and facilities must be publicly owned as well as open to the general public and not limited to special groups.

The LWCF State and Local Assistance program is operated by the National Park Service (NPS) in partnership with designated lead agencies in each of the 50 States as well as American Samoa, the District of Columbia, Guam, the Northern Marianas Islands, Puerto Rico, and the Virgin Islands. Each fiscal year Congress allocates money from the LWCF for this program, which is in turn allocated to the States based on a legislative formula. To be eligible for the funding, States must have a current SCORP in place that assesses demand and need for outdoor recreation resources and sets priorities for the use of LWCF funds. The NPS must review and approve each State's SCORP, which must be developed new or updated at least once every 5 years.

The process for applying for a grant begins at the State or Territory level; entities interested in applying for an LWCF grant must contact their State's lead agency to find out details about the availability of funds, timing of grant process, State program priorities, funding criteria, etc. A list of agency contacts can be found at: <https://www.nps.gov/subjects/lwcf/contact-list.htm>. The lead agency is responsible for soliciting project proposals from other State agencies, local units of government, and Indian Tribes and conducting competitions to identify the projects that can best advance the goals or meet the needs identified in the State's SCORP. The top ranked projects, within the funds available, are nominated to the NPS for consideration and final decision, as well as the actual award of a grant. Each State will have its own timing and requirements for the development and submission of project proposals. However, prospective applicants should be able to specifically describe how their project would address priority outdoor recreation needs and goals as identified in the State's SCORP.

In addition, all prospective applicants should be aware that the LWCF Act requires that any property (i.e., a park or other type of outdoor recreation area) that has received assistance from the LWCF, whether for acquisition or development, and regardless of the amount or extent of the assistance, may not be converted to a use other than public outdoor recreation forever (see 54 U.S.C. § 200305(f)(3)). The NPS requires that a notice be recorded in the project sponsor's public property records indicating that the property described in the scope of the project agreement, including via a signed and dated project boundary map that documents the area subject to the requirement made part of that agreement, has been acquired or developed with LWCF assistance and cannot be converted to other than public outdoor recreation use without the approval of the Secretary of the Interior. In general, this requirement is applied to the assisted recreation area as a whole, unless the NPS and the State agrees to a more limited area. An assisted park may be released from this requirement only with the approval of the Secretary of the Interior, which is contingent upon the project sponsor replacing the area to be converted with a new recreation area involving land of at least equal fair market value and reasonably equivalent recreational utility and location. Project sponsors must agree to this requirement as a condition of receiving a grant. Prospective applicants should carefully consider their ability and willingness to comply with this provision of the LWCF Act before applying for a grant.

Secretary of the Interior Priorities: This program supports priorities of the Secretary of the

Interior, including Executive Order (EO) 14008: Tackling the Climate Crisis at Home and Abroad, and EO 14005: Ensuring the Future is Made in All of America by All of America's Workers.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

\$ 75,000,000

B2. Expected Award Amount

Maximum Award

\$ 3,500,000

Minimum Award

\$ 15,000

We anticipate that approximately \$75,000,000 will be obligated in this grant round, but participation will vary by state. On an annual basis, funds are allocated from the LWCF for State Assistance grants. The LWCF allocation for State Assistance is also supplemented with funds generated by leasing activity in the Gulf of Mexico pursuant to the Gulf of Mexico Energy Security Act of 2005 (GOMESA). Once available, these amounts are apportioned to each State or Territory in accordance with a formula set out in the LWCF Act. The Act provides States and Territories with up to three fiscal years to obligate their apportionments, so in addition to FY 2021 funds States could still have apportioned LWCF and GOMESA funds from FY 2020 and 2019 available. Funding from different fiscal years can be combined. Consequently, the amount available for grants and the status of any competitions for grants from those amounts, will vary by State. You should consult with your State's lead agency to determine the specific availability of any funds and the timing of their competition rounds.

On a national basis, LWCF grants can range in size from \$15,000 up to \$3,500,000, but typically average \$300,000 (note that some states have lower grant ceilings). Minimum and maximum grant funding levels are established by each State in accordance with their project selection process, and typically are commensurate with the State's apportionment amounts. (Copies of apportionment certificates can be found here:

<https://www.nps.gov/subjects/lwcf/statefundingstatus.htm>.)

Generally speaking, supplementation of awards to cover increased scope or costs is allowed as a matter of program policy, however, individual states may or may not provide for this option. If allowed, the process for seeking these funds will be specific to the State, including whether the sponsor would have to compete a second time to obtain them.

B3. Anticipated Award Funding and Dates

Anticipated Award Date

June 01, 2021

Assuming that a submitted application is, in fact, actionable, a grant will be awarded approximately 30-45 days after receipt. So, start date will vary depending on when it is received, but in this cycle most should be awarded by June 1. However, project sponsors that sought and received a Waiver of Retroactivity from their lead agency and the NPS per LWCF Manual Chapter 5.A.3 may have an earlier start date.

B4. Number of Awards

Expected Number of Awards

150

The NPS estimates that up to 150 grants will be awarded in this cycle for projects around the United States. Each grant project will be treated individually, with detail provided through project statements, project plans, and budgets developed between the NPS and the State lead agency for LWCF.

B5. Type of Award

Funding Instrument Type

G - Grant

LWCF Awards are given as grants. A Grant is a legal instrument of financial assistance between The National Park Service and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304:

- (1) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency's direct benefit or use;
- (2) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

No substantial involvement on the part of the NPS is anticipated for LWCF grants.

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

00 – State governments

Additional Information on Eligibility

In accordance with 54 U.S.C. § 200305(a), only the State lead agency for LWCF is eligible to submit applications in response to this announcement, whether on behalf of itself or another entity. In this context “States” include the 50 U.S. States, as well as American Samoa, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico and the Virgin Islands. The grants may be sub-awarded to other state or territory agencies, local political subdivisions of that state, and Indian tribes. Local political subdivisions include: county, municipality, city, town, township, parish, local public authority, school district, special district (such as a park district), intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government. Individuals, nonprofit organizations, and private organizations are generally not eligible for LWCF grants, although exceptions may be made for certain types of nonprofit organizations that are publicly-chartered under state or local law to serve a public purpose, such as managing a park or park district. In addition, a state must have a current SCORP approved by the NPS to be eligible to apply for LWCF grants.

The state lead agency is responsible for: reviewing proposals for completeness and eligibility requirements; ensuring that proposals meet and are consistent with outdoor recreation priorities outlined in the state or territory’s SCORP; prioritizing proposals according to their Open Project Selection Process, and submitting final applications to the NPS for review and award of funds. For selected projects, the NPS makes financial assistance awards to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program, including any funds awarded to eligible sub-applicants. As the primary grantee for any sub-awarded grants, the State and Territory lead agencies are responsible for overseeing the day-to-day implementation of the grant and the supported activities to assure the project’s compliance with the LWCF Act and Manual, other applicable Federal requirements, and that performance goals are being achieved. The NPS cannot make grants to entities other than the state lead agency; applications submitted to this funding opportunity announcement by an entity other than the state lead agency will automatically be rejected without consideration.

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

Yes

In accordance with 54 U.S.C. 200305(c), LWCF grants must be matched with non-Federal funds at a minimum ratio of 1:1, with the following exception: for DOI grants, 48 U.S.C. § 1469a(d) waives the 1:1 matching requirement for the jurisdictions of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands.

Matching funds must be in hand or committed at the time of application. The funds may be derived from state, local, non-governmental, or private sources in the form of cash or the value of in-kind contributions of real property, supplies, equipment, and services. Further information about eligible sources of match and other cost-sharing requirements can be found in Chapter 5 of the LWCF Manual as well as at 2 C.F.R. 200.306. Cost share contribution amounts and their source(s) should be described in the budget narrative (reference section D, Application and Submission Information) and in the relevant section of the Application & Revision Form.

The following costs may not be counted toward the non-Federal matching share (not inclusive):

- Unless an eligible pre-award cost as defined in the LWCF Manual, any project costs that were incurred before the grant start date, without the prior approval of the State lead agency and the NPS (i.e., waiver of retroactivity).
- Any funds or in-kind contributions such as land or services that have been previously used to satisfy the matching requirements of this program or that have been or will be used to satisfy another Federal grant.
- Any funds originating from Federal sources or the value of in-kind contributions such as lands or services that were or will be acquired with other Federal funds, unless the authorizing legislation for those funds provides that they may be counted as the non-Federal contribution for another Federal grant program.

Further, excepting situations where federal funds are being contributed as the non-federal share as per the above, in accordance with 54 U.S.C. 200305(f)(1) LWCF grant projects may not include funds from other Federal sources in their budgets, even if all programs' match requirements are met. Exceptions can be made for Federal funds with authorizing legislation that includes language that waives the 50% ceiling on the Federal share of the total project cost.

C3. Other

Applications submitted directly by entities other than the State lead agency, regardless of whether eligible as a subrecipient, will be eliminated without consideration.

Excluded Parties: NPS conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The NPS cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

D. Application and Submission Information

D1. Address to Request Application Package

The Application Package can be accessed and downloaded from the Synopsis page of this announcement in Grants.gov. The Standard Forms are embedded in the application package. LWCF-specific forms can also be found at <https://www.nps.gov/subjects/lwcf/lwcf-forms.htm>. You may also contact the Agency lead for assistance (see Section G of this NOFO).

D2. Content and Form of Application Submission

Project Narrative

Applications must include a narrative description of the project that outlines the scope of work, including a timeline with anticipated benchmarks, and planned results/outcomes of the project. There should be sufficient detail to help support the review of the budget information and the described work should align with the budget detail (i.e., funded work must have corresponding budget detail and vice versa).

The narrative can be a stand-alone document or, with sufficient detail, can be addressed within the relevant section of the LWCF Application & Revision Form (A&R Form), a required application document that also is used to gather information about technical aspects of the project implementation, including potential for impacts to environmental and cultural resources.

Besides the A&R Form, other application documents that supplement the narrative component include:

- Description and Notification Form
- LWCF Boundary Map
- Project Location Map
- Pre-award Onsite Inspection Report
- Copy of an approved waiver of retroactivity (if applicable)

1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the SF-424, Application for Federal Assistance-Individual form. All other applicants must complete the standard SF-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Complete this form as much as possible with all applicable information. Keep in mind the State lead agency is always the primary applicant and the SF-424 should be filled out accordingly. Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For construction programs or projects, applicants must complete and submit the SF-424C, “Budget Information for Construction Programs”. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

The SF-424C will be used for acquisition, development, or combination projects. However, if the State is requesting indirect expenses, this must be reflected in the detailed budget narrative. Alternately, the State can separately attach a PDF of an SF-424A, reflecting the direct and indirect project expenses.

Any applicant organization that has not completed the financial assistance certifications and representations within their SAM.gov registration must submit the appropriate signed and dated

Assurances form. All required application forms are available with this announcement on Grants.gov.

Applicants seeking approval to acquire real property under an award must complete and submit the SF-429, “Real Property Status Report (Cover Page)” and the SF-429-B, “Real Property Status Report Attachment B (Request to Acquire, Improve, or Furnish)”. These forms are required if the real property is acquired with Federal funds, with recipient cost share or matching funds, or as an in-kind contribution under the award.

The SF-429 should be included for applications for acquisition or combination (acquisition + development) grants.

Detailed Budget Narrative

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C.

Provide a narrative description of the items included in the project budget. The budget narrative should clearly identify all project costs, and should align with the scope of work identified in the project narrative (i.e., funded work must have corresponding budget detail and vice versa). Provide detailed information on all cost categories, including the value of in-kind contributions of goods and services provided to complete the project to be counted for matching purposes. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. Cost categories can include, but are not limited to, the budget object classes listed on the SF-424C.

Conflict of Interest Disclosure

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

(a) Applicability.

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

(b) Notification.

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for

notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) *Restrictions on lobbying.* Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) *Review procedures.* The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(e) *Enforcement.* Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR part 180).

Single Audit Reporting Statement

All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

Disclosure of Lobbying Activities

Note that this form applies to lobbying by the recipient OR the subrecipient.

Overlap or Duplication of Effort Statement

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regards to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regards to activities, costs, or time commitment of key personnel". If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regards to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being

notified of their funding decision. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. If at any time a proposal is awarded funds that would be overlapping or duplicative of the funding requested from NPS, the applicant must immediately notify the NPS point of contact. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount.

D3. Unique Entity Identifier and System for Award Management (SAM)

Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as individual (i.e., unrelated to any business or nonprofit organization you may own or operate) or any entity with an exception approved by the funding bureau or office in accordance with bureau or office policy. All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and then register in SAM.gov prior to submitting a Federal award application. Federal award recipients must continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the “Submission Requirements” section of this document below for more information on SAM.gov registration. We may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant. **There is no cost to register with Dun & Bradstreet or SAM.gov.** There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free.**

Obtain a DUNS Number

Request a DUNS Number through the Dun & Bradstreet website. For technical difficulties, send an email to the D&B SAM Help Desk. Please ensure that you are able to receive emails from SAMHelp@dnb.com. The Grants.gov “Obtain a DUNS Number” webpage also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the “Organizational DUNS” field on the SF-424, Application for Federal Assistance form.

Register with the System for Award Management (SAM)

Register on the SAM.gov website. “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov Register with SAM page also provides detailed instructions. You can also contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been to the entity’s DUNS or IRS information.

D4. Submission Dates and Times

Due Date for Applications

04/30/2021

Application Due Date Explanation

Applicants are responsible for their proposals being submitted to the National Park Service. To be processed in this funding cycle, complete applications must be received by Friday, April 30, 2021, 11:59 PM ET. Applications must be submitted electronically through Grants.gov. Applications sent by facsimile, email, or mail delivery will not be accepted. Applications submitted to Grants.gov after the deadline will not be accepted. The receipt date and time stamp given by Grants.gov will establish whether the application met the deadline. An applicant's failure to meet an eligibility criterion by the time of the application deadline may result in the application being excluded from consideration during this cycle. This includes but is not limited to late and incomplete application packages.

You are encouraged to submit the application well before the deadline and not wait until the last minute. The uploading and transfer process can take a while, especially when Grants.gov is getting heavy use. In addition, after the application is submitted it gets validated before it is forwarded to the NPS. Normally this happens within a few minutes to a couple of hours, but it can take Grants.gov up to a day or two to validate or reject an application. You can monitor your application's status by email. You will receive four (4) emails from Grants.gov in the submittal process: the first confirms successful receipt and contains a Grants.gov tracking number; the second confirms that the application has been validated; the third confirms the application was "received" by the agency, and the fourth assigns an NPS tracking number. If you do not get the first email, you should assume the application did not successfully submit to Grants.gov. If you do not receive all four emails, you should assume the application was not actually forwarded to NPS, notwithstanding the email about receipt, in which case you should let your NPS program officer know. Sometimes there are glitches that prevent actual transmission, for example, applications that exceed 25mg in size do not get forwarded to the DOI system. Most problems occur at the validation step so you should always check the second email; if there was a problem it should be described in this email. Technical difficulties with application submittal should be directed to the Grants.gov help desk. NPS staff can confirm receipt of submission, but cannot resolve issues with Grants.gov or extend the application deadline due to difficulties with submission via Grants.gov.

D5. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the "State Point of Contact (SPOC) List" to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental Review of Federal Programs." States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state's prior review requirements for Federal assistance applications.

D6. Funding Restrictions

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your organization's cognizant agency, the Interior Business Center will negotiate your indirect cost rate. Contact the Interior Business Center by phone 916-930-3803 or using the [IBC Email Submission Form](#). See the [IBC Website](#) for more information.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients must have prior written approval from the Service to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement to be submitted with Application

All organizations must include the applicable statement from the following list in their application, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: "Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made." *or* "Attached is a copy of our current negotiated indirect cost rate agreement."]
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of

award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [§2 CFR 200.68](#). We understand that we must notify the Service in writing if we establish an approved rate with our cognizant agency at any point during the award period.

- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in [2 CFR §200.68](#). We understand that we must notify the Service in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by the Service.
- A [insert your organization type] that is submitting this proposal for consideration under the "Cooperative Ecosystem Studies Unit Network", which has a Department of the Interior-approved indirect cost rate cap of 17.5%. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement per [2 CFR §1402.414](#). If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR §200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from the Service to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR §200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.
- A [insert your organization type] that will charge all costs directly.

If the budget proposal includes indirect costs, the rate as proposed must meet the requirements of 2 C.F.R. Part 200, Section 200.414 and Appendix VII. A copy of the negotiated indirect cost rate agreement that covers the initial performance period or if that's not available, the current agreement (expired agreements are not acceptable) must be provided with the application. The costs must also be described/shown in the detailed budget narrative or on an SF-424A. Applications that fail to document indirect costs will not be reimbursed for them.

Funding Restrictions: Use of LWCF grants is limited to acquisition or development (or a combination) of lands and facilities that will provide outdoor recreation opportunities to the public (except for grants to States for state-wide planning). Acquisition of land may be in fee or

a lesser interest as long as some form of public access is provided. On the development side, LWCF assistance is available for most types of facilities needed for the use and enjoyment of outdoor recreation areas but includes things like sport and other playing fields, parks and picnic areas, water-based recreation facilities such as pools and spray parks, trails, campgrounds, boating facilities, etc. Certain kinds of support facilities may also be eligible. For either project type, the project sponsor must possess sufficient legal title and control of the property to be assisted to ensure that it can be managed and maintained for outdoor recreation in perpetuity and otherwise remain compliant with 54 U.S.C. 200305(f)(3) of the LWCF Act. LWCF Manual Chapter 3 describes project eligibility and implementation requirements in detail.

LWCF funds may not be used for (not inclusive):

- Program administration;
- Incidental costs related to land acquisition such as appraisals or title work,
- Operation and maintenance activities;
- Facilities that support semi-professional or professional athletics such as baseball stadiums, soccer arenas, or ice rinks;
- Indoor facilities such as recreation centers or facilities that support primarily non-outdoor purposes like dining facilities or overnight accommodation (such as a lodge or hotel); or
- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community).

Costs incurred by the applicant prior to the start date of the period of performance of a signed Federal award are only allowable with an approved Waiver of Retroactivity signed by a FAAO.

D7. Other Submission Requirements

Complete applications must be submitted in electronic form via Grants.gov to the National Park Service by the deadline identified above. Applications submitted by other means or not received by the deadline will not be considered. Please note that since January 1, 2018, Grants.gov has mandated the use of “Workspace” for application development and submission. For more information, please review: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>. Workspace will be the mechanism for filling out and submit the standard forms (e.g., SF-424). However, for the other required application elements (e.g., the A&R Form) files can be submitted in PDF, typical word processing programs such as MSWord, Excel, etc.

Grants.gov will accept applications only from currently authorized organization representatives (AORs) affiliated with a particular agency. If you are not already an AOR you will need to create an account with Grants.gov and identify your agency’s e-business point of contact to be designated as an AOR for your agency. Agency processes vary: some have only a limited number of AORs who can submit applications while others will designate AORs for each program that needs one. Prior to attempting to submit an application, it is a good practice to check to ensure that your agency’s Grants.gov and SAM accounts are current/active, along with the individual Grants.gov account of the AOR who will submit the application. Last, please make sure that the DUNS number associated with the Grants.gov account that will be used to submit the application matches the one that has been registered with the NPS for use with the payment system (ASAP), otherwise funds will not transfer to ASAP when the award is

approved.

In the event you experience technical difficulties with submitting your application, it is best for you to contact the Grants.gov help desk. However, you should also contact your state's Program Officer to let them know your application may be delayed.

E. Application Review Information

E1. Criteria

Criterion 1

Maximum Points: 0

Merit review of proposals is conducted mainly at the State or Territory level, prior to submission of the application to the NPS. Each State or Territory has its own process and criteria for soliciting, reviewing, and selecting applications to be nominated to the NPS (this is known as the "open project selection process" and it is approved for each State by the NPS in conjunction with the SCORP review and approval process). You should contact your State's lead agency for specific details. However, all nominated projects must conform to the LWCF purpose, ideally will also help further Secretary of the Interior priorities.

E2. Review and Selection Process

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the Bureau may choose not to fund the selected project.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Bureau is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the Bureau's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

A draft of each nominated application is reviewed by the NPS program officer for the applicable State to establish concurrence that the project satisfies the State's SCORP, to ensure the project

is consistent with the intent of the LWCF State and Local Assistance Program, and to ensure the project is compliant with the LWCF Manual and other relevant laws, regulations, and policies pertaining to federal financial assistance. Once the application is found to be ready and eligible to be processed for award, the final version is submitted through Grants.gov.

E3. CFR – Regulatory Information

See the [National Park Service's](#) Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards. The Service will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

E4. Anticipated Announcement and Federal Award Dates

Final applications can be submitted at any time during the open period of this NOFO. Generally, they will be processed in the order received but they should receive action by June 1, 2021.

F. Federal Award Administration Information

F1. Federal Award Notices

Upon approval of the award, the State will receive an email from GrantSolutions that a Notice of Grant Agreement has been issued. Work cannot begin before this notice. Any pre-award costs incurred prior to the receipt of the notice is at the applicant's own risk. The Notice of Grant Agreement is the only authorizing document to begin performance.

F2. Administrative and National Policy Requirements

See the "[DOI Standard Terms and Conditions](#)" for the administrative and national policy requirements applicable to DOI awards.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

(1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

The LWCF Grant Assistance Manual, v. 71 (March 11, 2021) establishes the specific eligibility, procedural, and programmatic requirements for LWCF grants. A copy of the Manual can be found at https://www.nps.gov/subjects/lwcf/upload/lwcf_manual.pdf. The Manual outlines the criteria and process for eligible states and territories to develop a SCORP, develop projects for nomination to the NPS, submit applications, and implement grants for selected projects. All applications submitted pursuant to this announcement must be consistent with the Manual and are subject to the requirements described therein.

Recipients and sub-recipients of LWCF grants are also subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards. These are described in the Manual and in the LWCF terms and conditions. The LWCF-specific terms and conditions are integrated into the standard conditions document and are additional conditions that recipients must also agree to in accepting the grant, such as the requirement to record language and a copy of the LWCF boundary map with the land records for the property to acknowledge the LWCF assistance. If there are outstanding issues still requiring resolution at the time the grant is issued, the NPS may include special award conditions on the grant constraining when work on the project may begin or restricting access to the funds until the conditions are satisfied.

F3. Reporting

Financial Reports

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award.

Performance Reports

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

Onsite technical inspections and certified percentage of completion data may be relied upon to monitor progress of construction work. However, significant deviations between time lapsed and percent work completed, or amount of expenditures relative to work performed, should be explained. Additional information may be requested when considered necessary.

Significant Development Reports

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

Reporting Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement

contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 CFR 200.

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First Name:

Elisabeth

Last Name:

Fondriest

Address:

1849 C Street NW, Washington, DC 20240

Telephone:

202-354-6916

Email:

elisabeth_fondriest@nps.gov

Questions and issues may also be directed to the assigned program officer for each state.

G2. Program Administration Contact

For **program administration assistance**, contact:

First Name:

Elisabeth

Last Name:

Fondriest

Address:

1849 C Street NW, Washington, DC 20240

Telephone:

202-354-6916

Email:

elisabeth_fondriest@nps.gov

G3. Application System Technical Support

For **Grants.gov** technical registration and submission, downloading forms and application packages, contact:

Name:

Grants.gov Customer Support

Telephone:

1-800-518-4726

Email:

Support@grants.gov

H. Other Information

Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the Service program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.