VaULT Presentation

Great American Outdoors Act & Land & Water Conservation Funds

Webinar Presentation – March 14th, 2023

DCR Division of Planning & Recreation Resources (PRR)

Kristal McKelvey – Chief Recreation Grants Manager
Presentation Agenda

• What is the Great American Outdoors Act (GAOA)?
• What is the Land & Water Conservation Act (LWCF)?
• How do Federal recreation grants work?
  • Process for Grant Round Planning
  • Eligible Applicants & Projects
  • Long-Term Compliance
• What does DCR-PRR Recreation Grants do?
  • Land & Water Conservation Fund – State & Local Formula (LWCF)
  • Outdoor Recreation Legacy Program (ORLP)
  • Recreational Trails Program (RTP)
    • Grant Round Open Now!
  • American Battlefield Protection Program (ABPP) –
    • Battlefield Land Acquisition Grants (BLAG) NPS Coordination
  • Virginia Land Conservation Fund (VLCF) : Open Spaces & Parks
    • Environmental Impact Review (DCR Divisions coordination)
• Statewide Comprehensive Outdoor Recreation Plan (SCORP)
  • Virginia Outdoors Plan (VOP) 2023
Great American Outdoors Act

Amended the authorization for LWCF to provide full and permanent funding for the program

- Law provides for a deposit of $900 million into LWCF each fiscal year
- GoMESA (Gulf of Mexico Energy Security Act of 2006) also funds the LWCF program
- Federal budget allocates those funds to the programs.

This was instrumental legislation for the continued funding of public recreation resource support; Permanently authorized funding for the Land & Water Conservation Fund

https://doi.gov/great-american-outdoors-act-resources
LWCF Overview

• A Federal, State and Local Partnership since 1965 = State Assistance Program

• Purpose: to provide matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities.

• Funding: U.S. Department of Interior – National Park Service – LWCF Act
LWCF Overview

- Grants provided to the States, and through the States to Subrecipients
- Matching Reimbursement up to 50%
- Property must be protected *in perpetuity* for the purpose of *outdoor recreation*.
- 462 sites in VA
- VOP (SCORP)
Applicant Eligibility

• Local Governments
• State Agencies
• Tribal Governments
• Public Recreation Government Entities (Park Authorities, etc)

*Final landowner must be able to keep land protected and managed in perpetuity.*

• **All scored together equally.**
• **On application, please provide contact of specific entity lead (not contractor)**
Funding - Acquisitions

- NO PURCHASES can be made prior to grant agreement release*
- Only cost of acquisition purchase eligible (surveys and appraisals not reimbursable)
- Based on appraised and reviewed value

- Appraisals
  - UASFLA (Yellow Book) level and Reviewed
  - Within one year of when NPS will receive it
Items of Note:

- **ENTIRE park** (including existing property) must be 6(f) protected upon funding.
- **Public Recreation** will be available w/in 3 years of acquisition or at completion of construction.
- **Be clear** about park boundary, acreage, and all existing conditions.
The LWCF Apportionment Process

**Dept. of Interior/National Park Service (Federal)**
- Apportions LWCF money and approves or denies the Statewide Comprehensive Outdoor Recreation Plan (SCORP; i.e. the Virginia Outdoors Plan - VOP)
- Sets SCORP content priorities for national recreation planning efforts

**DCR (State)**
- Administers the Program after the Virginia Outdoors Plan is approved by NPS
- Manages the State’s apportioned budget
- Sponsors locality/State submitted projects that meet LWCF criteria

**Government entities (local, state, political subdivisions)**
- Applies for *matching* LWCF money for outdoor recreation projects
- References VOP content to support their need for LWCF funding assistance

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LWCF Apportionments:
History and Current Status

The Commonwealth of Virginia’s apportionment for FY 2022 is $6.1 million and is available for obligation for State-established priority outdoor recreation projects benefiting your communities.

The apportionment is determined through a formula pursuant to the LWCF Act of 1965 (LWCF Act), as amended (54 U.S.C. § 200301 et seq.). This year’s total is derived from two sources. First, $196.1 million was allocated from the available $900 million from the LWCF. Second, $83.6 million in revenues was authorized by the Gulf of Mexico Energy Security Act. Both amounts reflect a reduction of 5.7 percent as mandated by the Budget Control Act of 2011.
LWCF Stateside & Local Formula – Grant Process

- DCR also holds the responsibility of ensuring all LWCF funded parks are protected in perpetuity for the sole purpose of public outdoor recreation.

DCR = Sponsor/Recipient

NPS = Grantor

Approved project = Sub-Recipient

DCR Staff review/score Applications

Site Visits, Consultation with Localities

DCR submit project authorization requests to NPS

NPS Apportionment Notice Letter

DCR Plan/Open Grant Round

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We don’t know how to get past concept phase for our park idea…

We want to know the possible impacts

NEPA is part of all of this

- Public Input & Need Analysis
- Public Comment
- Agency Coordination
- Recreation Planning & Assessment
- Site Environment & Preliminary Engineering
NEPA Terminology

What does all that work look like?
What is the final Federal review result?

- No Significant comments
- Categorical Exclusion or FONSI
  - Projects with any significant impacts to the natural and/or human environment need an Environmental Assessment document.
  - Projects with major impacts may need an Environmental Impact Statement.
- Any significant impacts
- Environmental Assessment
- Major impacts
- Environmental Impact Statement

Categorical Exclusion forms and guidance
Proper planning and design implementation takes coordination.

**Environmental Analysis**
- Coordinating Agencies
- Permitting procedures
- Federal Consistency
- Wetland Delineation
- Possible Alternatives

**State Environmental Impact Review**
- Department of Environmental Quality
- Department of Conservation & Recreation
- Floodplains and Public Waterways
- Wetlands and ecologically sensitive areas
- Erosion & Sediment control

**Human Environment**
- Environmental Justice
- Meets the needs of all
- Economic Impacts
- Appraisal and Deed Research (easements)

**Coordinating Agencies & Entities**
- Department of Historic Resources
- US Fish Service
- Department of Wildlife Resources
- US Army Corps of Engineers

**Cultural & Historical Review**
- Historic Resources – National Historic Registry
- Tribal Consultation
- May need to do surveys

**Local Boards/Councils & Public Comment**
- Public Input and planning for all the community
- Alignment with local comprehensive plans
- Board of Supervisors or Town/City Council
- Public Comment period
Grant Timelines

April - May: Apportionment Letter (3 years to obligate funds)

Grant Round: planning, materials, committees

NPS Pre-App Review and coordination

Grants.gov Windows (2-4 a year; DCR access only)

Authorization & Implementation (3 year project period)

Federal Fiscal Year = October 1 – September 30

State Fiscal Year = July 1 – June 30
Grant Application Workflow

**LWCF Partner Hub**
- Submit pre-application materials
- File sharing between POs and state officers
- Allows for quick updates of documents before official application is submitted
- Eliminates need to email various files

**Grants.Gov**
- Submit final application materials
- Federal grants are required to submit in grants.gov
- Use only after PO has approved pre-application and all required files are in partner hub

**Grant Solutions**
- Pulls files from Grants.gov to process them
- Post-award compliance
Thank you!

For further information please contact:
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