This guide will provide the Land and Water Conservation Fund applicant (project sponsor) with the instructions and forms necessary to prepare and submit a complete application. Project sponsors must provide all requested information in the application and guide to be considered for funding. It is important to read all items carefully. A checklist is included to ensure project sponsors have met all requirements.

In fairness to other applicants that have met all requirements, incomplete or late applications will result in withdrawal of the project for funding consideration. We encourage you to call us with any questions that should arise during preparation of your application.

**Application deadline:**

To apply for this fiscal year’s funding, two (2) copies of the application should be sent to the address below with a postmark date of April 15th, 2020.

**Kansas Department of Wildlife, Parks & Tourism**
Kati Westerhaus  
512 SE 25th Ave.  
Pratt, KS 67124  
620-672-0740  
kati.westerhaus@ks.gov

Thank you for your interest in the Land and Water Conservation Fund program.
LAND AND WATER CONSERVATION FUND

THE PROGRAM
The Land and Water Conservation Fund (LWCF) Act was established in 1953 under Public Law 88-578; 78 Stat. 897, to continue for a period of 25 years through 1989. The program was extended through the year 2015 by Public Law 100-203. The Act established a grand fund to assist state and federal agencies in meeting present and future outdoor recreation needs. The act accomplished this purpose by:

1. Providing funds for the acquisition of land for recreation on federal fish and wildlife areas, national parks, national forests, recreation areas, and for the operation and development of national parks.
2. Authorizing federal assistance to states for planning, acquisition, and development of outdoor recreation facilities through a grants programs. In turn, the states may transfer the funds to location political subdivisions to acquire land or develop outdoor recreation facilities.

Through state law, the Kansas Department of Wildlife, Parks and Tourism (KDWPT) has the authority to administer the program in Kansas.

Revenue to finance the LWCF program comes from three sources that include net proceeds from the sale of surplus federal real property, federal tax on motor boat fuels, receipts from oil drilling leases under the Outer Continental Shelf Lands Act.

Since grant funds are made available through an annual appropriation from Congress, the funding amount varies each year. The exact amount Kansas will receive is not known until the allocation is announced, which may be one or two months into the federal fiscal year. The federal fiscal year beings on October 1, so the amount of the allocation is not usually known until late fall or early winter.

KDWPT will determine the state and local shares of Kansas’ annual allocation. The determination is based on the estimated amount of funds the state will receive at the start of the federal fiscal year that begins on October 1.

Generally, the amount Kansas receives is divided between KDWPT projects and local park and recreation projects.

REIMBURSABLE GRANT
The Land and Water Conservation Fund is a reimbursable grant, meaning the project sponsor must pay all project costs as they are incurred. Sponsors then may request reimbursement for 50% of eligible expenses up to the amount approved for the project. All costs must be incurred and paid by the project sponsor during the project period as identified in the approved Sponsor Agreement.

Any project expenses incurred or paid by the sponsor before or after the project period will not be eligible for reimbursement or project match.

Local applicants may submit one application per year for LWCF assistance up to a maximum of 10% of the total state allocation.
TYPES OF PROJECTS

1. Acquisition – There must be public access – See Appendix 8 for criteria
2. Development – Must provide or support public outdoor recreation – See Appendix 9 for criteria
3. Combination - (acquisition and development)

Only acquisition or development done after federal approval of a grant is eligible for funding. The project must provide a site or facilities for public outdoor recreation. Indoor facilities are generally not eligible for LWCF funding.

Renovation projects will be accepted only for facilities that are worn out due to use or age, can no longer meet health or safety standards, or are obsolete because of the changing needs of the community. Repairs associated with routine maintenance, or renovation caused by vandalism or poor maintenance, are not eligible for funding.

All facilities within the 6(f) boundary (either existing or proposed) must conform to current ADA accessibility standards.

All utility lines (either existing or proposed) must be buried or relocated.

CONTROL AND TENURE OF THE PROJECT SITE

For development applications, the project sponsor must show ownership of the project site to be eligible for funding assistance. Lands subject to reversionary or outstanding interests require federal determination on the compatibility of the uses proposed and the reversionary/outstanding rights.

STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

All proposed projects must meet priority outdoor recreation needs as identified in the current Stateside Comprehensive Outdoor Recreation Plan (SCORP). The SCORP can be found at:

PROJECT SPONSOR COMMITMENT AND RESPONSIBILITY

ELIGIBLE APPLICANTS
Project sponsors participating in the LWCF program are required to provide matching funds for the project application, administer the project through completion and operate and maintain the site after completion. Incorporated cities, counties, state agencies, Indian Tribes, public schools and public universities are eligible to apply for the Land and Water Conservation Funds for the acquisition and development of outdoor recreation projects. State Parks and Stateside planning projects may also be funded.

All eligible project sponsors must be able to commit their resources to the perpetual stewardship of the LWCF-assisted public outdoor recreation area.

OWNERSHIP AND CONTROL
If land acquisition is part of a project, the sponsor may not take title to land or begin development until after both federal and state approval of the project. An appraisal of the property will be required.

For all development projects, the project sponsor must possess sufficient title and adequate legal control of the property. This will typically require the sponsor to hold fee simple title to the property. However, ownership of less-than-fee interest may be acceptable if it provides for permanent control of the property to be utilized as an outdoor recreation in perpetuity.

PERMANENT OUTDOOR RECREATION ESTATE
The Land and Water Consecration Fund Act requires the sponsor to operate and maintain the properties or facilities acquired, developed and/or renovated with LWCF assistance for public outdoor recreation use in perpetuity. As required by the Section 6(f)(3) of the LWCF Act, should any portion of LWCF-assisted property be converted for anything other than public outdoor recreation use, the project sponsor must replace, at its own expense, the converted property with property having equal or great appraised value and equal or greater recreational usefulness.

OPERATION AND MAINTENANCE
Property acquired or developed with LWCF assistance must be operated and maintained by the project sponsor according to certain federal and state standards. These responsibilities begin immediately upon completion of a project and will remain as such in perpetuity.

Beginning no later than five years from project completion, staff from the Kansas Department of Wildlife, Parks and Tourism will make periodic compliance inspections (with or without notice). Staff from the National Park Service may also conduct random inspections to ensure long-term stewardship.

Every application must contain a five-year maintenance plan that includes anticipated needs and costs as well as available resources for operation and maintaining the project area. You will find this noted in the Section V Supplemental Attachment section.

Annually, after project completion, the project sponsor will receive an Annual Operation and Maintenance Assurance Statement that is to be signed and returned to our office. It is important to remember the guidelines of the program and returning the form ensures project sponsor cooperation for instances of future funding.
PROJECT EXECUTION
KDWPT encourages project sponsors to begin projects promptly following state and federal approval. It is important sponsors commit the necessary resources toward the project to ensure the facilities are available timely to the public.

Failure of sponsors to initiate a project within a reasonable period of time may result in rescission of funds and termination of the project agreement.

NONDISCRIMINATION
Project sponsors must comply with the nondiscrimination obligations imposed by federal laws upon states, communities, and organizations who acquire and/or develop facilities for general public use. The major acts concerning nondiscriminatory practice, for which compliance guidelines have been issued by the Interior Department, are Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, the Architectural Barriers Act of 1968 as amended, and the Americans with Disabilities Act of 1990 as amended. A summary of these laws can be found in the Appendix.
PROJECT RESEARCH AND PLANNING

PUBLIC PARTICIPATION
The project sponsor is strongly encouraged to establish mechanisms for citizen participation in the selection of the project site(s) and facilities proposed in the application. Such mechanisms include public hearings, neighborhood meetings, citizen advisory panel, public notices inviting public input, etc. The sponsor is required to submit copies of public notices and minutes of the official governing body meetings when the proposed project was discussed.

Submit copies of letters from individuals, civic groups, and other organizations demonstrating support of the proposed project. Most projects will generate some negative comments; these should be mitigated or it should be shown that the negative comments were taken into consideration when planning the project.

PROJECT LOCATION
When determining the location for a project, project sponsors should choose an area suitable for the proposed recreation facilities as well as any support facilities that will serve the project area. The location should be free of adverse environmental factors that could minimize quality recreation or present a health or safety hazard. The area should also be easily accessible for users as well as maintenance and control.

Again, project sponsors should keep in mind that all facilities within the project boundary (either existing or proposed) must conform to current ADA accessibility standards, and all utility lines (either existing or proposed) must be buried or relocated. These requirements may be a factor when choosing a feasible project location.

For Land Acquisition Projects, see Appendix 8 and for Development Projects, see Appendix 9 for more details.

PLANS AND SPECIFICATIONS
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 generally be consistent with the environment. Plans and specifications for the improvements should be in accord with established engineering and architectural practices. Emphasis should be given to the health and safety of the users, accessibility to the general public, and the protection of the recreational and natural values of the area.

SITE RELATED DOCUMENTATION
A geographic location map must be submitted with the proposal. A simple, but descriptive, map with section, range and township is an important document for state and federal project inspections.

Site Plan(s) of the park area site to be acquire, or developed, must be submitted. The site plan must include such considerations as existing structures, items to be developed with LWCF assistance, park boundary, property rights, handicapped accessibility, surrounding streets/roads. The site plan must be drawn in a professional manner, and be of sufficient size.

Floor plans of enclosed structures, such as bathhouse, restroom or maintenance building, are require to illustrate the preliminary architectural concept and the provisions for the physically handicapped with accurate dimensions shown.
FLOOD PLAIN
Proof of flood insurance may be required if the project area falls under the Flood Disaster Protection Act; a copy of which can be found in the LWCF Manual, Chapter 4. This act will have an impact on certain LWCF projects located in special flood hazard areas identified by the Secretary of Housing and Urban Development. Examples of facilities that would require insurance include permanent toilet buildings, bathhouses, buildings for interpretive exhibits, and administration or maintenance buildings.

COST ESTIMATE AND SPONSOR’S MATCHING SHARE
A cost estimate should be drafted to determine the estimated costs and to assess the sponsor’s resources to complete the project. In addition to actual construction costs, the cost estimate should take into account expenses for items such as site clearing, preparation, landscaping, administration of the grant project, accessibility, burying utility lines and signage.

Provide documentation that shows the minimum required 50% local match for the project is readily available. Include tables detailing the sources and uses of funding, including line item expenses. An example is provided in the Appendix.

The following is a list of methods by which the local share of a project may be financed. You may use one or a combination of these methods:

**Donated Cash**: Strictly monetary contributions. Project sponsor will be required to provide documentation (invoices, etc.) how the money was used when requesting reimbursement.

**Donated Land**: Strictly the donation of real property by a non-public entity. Land must be appraised according to LWCF guidelines. Do **NOT** take title prior to project approval or the land value will **NOT** be eligible for reimbursement.

**Donated Equipment/Materials**: The actual items are donated for permanent ownership.

**Donated Labor and/or Equipment Use**: Donated Labor is an estimated value of unpaid labor performed by volunteers on the project based on the wage scale of the job performed. Donated Equipment Use is the estimated value of donated equipment to the used on the project, based on FEMA hourly-use rates.

**Land Acquisition**: The purchase of real property. Land must be appraised according to LWCF guidelines. Do **NOT** take title prior to project approval or the land value will **NOT** be eligible for reimbursement.

**Cash Financing**: The purchase of equipment or materials, hiring paid labor, or contacting for work performance by a private business.

**In-kind Labor and/or Equipment Use**: In-kind Labor is the estimated value of wages to be paid to the sponsor’s employees for work on this project. In-kind Equipment Use is the estimated value of sponsor-owned equipment to be used on the project, based on FEMA hourly-use rates.
SIGNAGE

LWCF Acknowledgement: Project sponsors are required to install and maintain permanent signs acknowledging the federal-state-local partnership role in providing the outdoor recreation areas and facilities that were acquired or developed with assistance from the Land and Water Conservation Fund.

Public Availability: Project areas and facilities must be available for public use at reasonable hours and times of the year, according to the type of area or facility. Some areas or facilities may be reserved at certain times for school use (or use by other organizations). At such facilities, the project sponsor is required to install and maintain a sign posting public availability.
APPLICATION AND EVALUATION PROCEDURES

GRANT APPLICATION PROCESS

INSPECTIONS
Following the application deadline, all project applications are reviewed and additional information is requested if necessary. Site inspections by the grant staff along with representatives of the project sponsor may also be conducted during this time period.

PROJECT REVIEW
The grants staff will review each application to confirm that it is in accord with the eligibility requirements specified in the LWCF guidelines. The staff will also verify the proposed project is included in the project sponsor’s five-year plan and meets a need in the current strategic plan: State Comprehensive Outdoor Plan: Kansas 2015 SCORP.

Project sponsors will be reviewed for their operation and maintenance capabilities and previous grant performance. A sponsor’s project will be given low priority for funding if poor maintenance conditions are observed. Site inspections may be conducted before grants are awarded, while projects are under construction and during regular intervals following completion.

KDWPT will then take the projects to be reviewed by a Statewide Local Recreation Advisory Board for the recommendations.

Rating: The scoring system is composed of a series of categories. Projects with the highest scores are recommended by KDWPT for submittal to NPS for approval. Projects not rating high enough for funding are, at the sponsor’s request, carried forward to the next federal fiscal year for a maximum of two years. Unfunded applications may be revised prior to the next funding cycle.

NATIONAL PARK SERVICE
Selection of projects for funding at the state level means that KDWPT will reserve funds for those projects pending final approval by the federal government. The grant coordinator will submit LWCF applications to the Kanas State Historical Society and other appropriate state agencies for review and comment. Issues may surface requiring resolution prior to submission to NPS. The grants staff may request additional documentation from project sponsors in order to complete the applications for federal submittal. Projects are sent to the NPS when all reviews have been completed and additional information has been received.

SPONSOR AGREEMENT
The approval announcement may be made by the U.S. Senators or Representatives for your district. KDWPT will issue a news release on the approval of each grant. The grant coordinator also will notify the project sponsor of the approval. The Local Project Agreement, along with other contract documents will be sent to the project sponsor for execution.
**REIMBURSEMENT**

The project sponsor will not receive a cash grant at the time of project approval. Instead, the sponsor must pay the bills and then request reimbursement for up to half of the expenses incurred, but not more than the total grant award. Reimbursement requests may be periodically submitted during the project period to return funds for work completed. Documentation may be requested from grant staff prior to reimbursement.

**OPEN PROJECT SELECTION PROCESS**


This plan represents outdoor recreation goals and objectives on a statewide level. To be considered for a LWCF grant, a local project must address at least one goal or objective identified in the SCORP plan. Local demand or need for a particular land acquisition or outdoor recreation facility must be determined by the project sponsor based upon their five-year park and recreation plan. The grants staff scores the project against its direct relation to the SCORP plan and the sponsor's park and recreation plan.

Projects meeting other scoring criteria based on the goals of the SCORP plan may rank higher. These criteria include: public participation in the formulation of the project proposal; projects serving the needs of special populations; projects involving protection of greenways, open-space, natural areas, riparian areas, wetlands and river corridors; or projects removing barriers from existing recreation areas and facilities. In addition, projects that address one or more of the following: trails, water access, environmental learning facilities or flexible multi-use/multi-purpose facilities may receive extra points.
# LAND AND WATER CONSERVATION FUND
## PROJECT APPLICATION SUMMARY

<table>
<thead>
<tr>
<th>Project Sponsor Information</th>
<th>Project/Site Information</th>
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<tbody>
<tr>
<td><strong>Project Sponsor:</strong></td>
<td><strong>Project Title:</strong></td>
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<tr>
<td><strong>Federal ID#:</strong></td>
<td><strong>Type of Project:</strong></td>
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<td><strong>Primary Contact:</strong></td>
<td><strong>Development</strong></td>
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<td><strong>Combination</strong></td>
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<td><strong>Mailing Address:</strong></td>
<td><strong>Park Name:</strong></td>
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<td><strong>City/ZIP:</strong></td>
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<td><strong>County:</strong></td>
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<td><strong>Fax:</strong></td>
<td><strong>Previous LWCF funding at this site?:</strong></td>
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<td>__________________________</td>
<td><em><em>Yes</em> _______ No______</em>*</td>
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<tr>
<td><strong>Email:</strong></td>
<td>*<strong>If yes, provide LWCF Project Number(s):</strong></td>
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<td><strong>Additional Contact Info/Instructions:</strong></td>
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</table>

**Brief description of proposed project:**

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<table>
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<tr>
<th><strong>Project Cost</strong></th>
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<tbody>
<tr>
<td><strong>LWCF Federal Funds Requested:</strong></td>
</tr>
<tr>
<td><strong>Sponsor Match:</strong></td>
</tr>
<tr>
<td><strong>Total Estimated Project Cost:</strong></td>
</tr>
<tr>
<td>Does the sponsor currently have the 50% match readily available?</td>
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</tbody>
</table>

**Certification**

I hereby certify that the information contained in this application and all supporting documents are, to the best of my knowledge, both true and accurate. The submission of this application has been duly authorized by the governing body of the applicant (project sponsor), and the applicant/project sponsor will comply with the attached assurances if assistance is awarded.

---

**Print Name of Authorized Representative**

**Title of Authorized Representative**

**Signature of Authorized Representative**

**Date**

*(Signature must be a Mayor or City Manager or other such person with governing authority)*
LWCF PROJECT APPLICATION

Project Sponsors, please read all instructions thoroughly. All items are required as part of your application. Incomplete applications will not be considered for LWCF funding. Organize your application in the order of the sections below and submit as a separate document. Please use Project Application Summary as a cover page and label, index or tab each major section for easy reference.

Answer all questions as completely and clearly as possible. Do not assume those reviewing your application will have any prior knowledge or information. The review panel may include individuals who are not familiar with you or your area.

SECTION I – PROJECT NARRATIVE

A. Project Justification
   1. Why does your community need this project? How are people adversely affected by the current situation? Provide information about economic, social, financial, physical, institutional or other issues related to the need.
   2. Provide information on the project site or facility usage (frequency of use, number of users, age groups affected, current uses of the area, etc.).
   3. Provide information received from the interested affected public about community recreation needs. Include records and minutes from public meetings or public comment periods. At a minimum, the completed application and required support material must be available for comment at the duly advertised public meeting.
   4. Discuss how you chose this project as a priority in the community. Cite the results of citizen surveys or similar local input, including letters of support. You are encouraged to include the items with your application.
   5. Comment on partnerships with local citizens and organizations who will offer support relative to planning, development and/or upkeep of the proposed project.
   6. List any other areas or facilities owned by the sponsor the provide explanation why the new developments are needed.
   7. Provide any additional comments to justify the need for this project.

B. Project Description
   1. The scope of work you intend to complete using the funds requested.
   2. How the project will solve the need identified above.
   3. How the project meets local recreation needs.
   4. The target population the project will serve.
   5. Use seasons (how many months will the proposed project will be open for public use annually) and hours/days of operation.
   6. How the project will meet or exceed the Americans with Disabilities Act (ADA)?
   7. Who will complete the work (sponsor employees, contractors, etc.) and provide a detailed time schedule for completion of the project.
   8. Why the facility is justified should it duplicate existing, like-kind public facilities at other locations within the community.
9. Any like-kind facilities currently being operated by the private sector within or surround the community. Explain the need for this project and describe why it will not compete with the private sector.

10. A statement of work should be included. Please list the milestones with associated project timeline.

11. Include any other information you think would be helpful in describing the project.

12. For acquisitions/combination projects, in addition to the above items, address:
   a. How the land will be acquired.
   b. The number of acres to be acquired and a description of the property. Describe and quantify types of existing resources and features on the site.
   c. Expected use of the property after acquisition.
   d. Proposed start date for development of property.
   e. Any interim uses of the property prior to the start of development.
   f. Disposition of any buildings or other improvements on the property.
   g. Number of families, farms or business to be relocated, if any.

SECTION II – FINANCIAL PROFILE

A. Cost Estimate
   Development projects must include a cost breakdown sheet, detailing the various cost items.

B. The Local Funding Statement
   Located in the Appendix, should indicate the sponsor’s source of matching funds, the amount and the date of availability. The Statement is to be certified by the Mayor, Commission Chairman, or Board President (as applicable).

C. Budget Information
   Non-construction projects must include the Budget Information Assurance (SF424A). Construction projects must include the Budget Information Assurance (SF424C). These forms can be found online at the National Park Service website: https://www.nps.gov/ncrc/programs/lwcf/pub.htm.

SECTION III – PROPERTY INFORMATION/MAPS

A. Land Ownership
   1. Sponsor control of the land is a prerequisite to receiving project approval, therefore, a Certified Title Opinion containing a legal description of the park land is required. The Opinion shall include a description of all rights, including adverse, held by others to the property.
   2. A necessary support document to the Title Opinion is a copy of the recorded deed to the property illustrating sponsor ownership.
   3. In lieu of a title opinion and deed, copies of a lease agreement (25 year minimum), existing or proposed should be submitted with the application.
   4. For acquisition projects, a Willingness to Sell Form must be included. This can be found in the Appendix.

B. Location Map
   Provide an aerial map of the city or county showing the geographic location of the proposed project. Identify park boundaries and outline the proposed project area within the park.

C. Site Map/Plan
   The site map/plan should show existing facilities, including overhead utility lines and lighting. The map should also show the proposed facilities to be included in this project. Existing and proposed facilities need to be clearly designated as such.
D. Floor Plan
Floor plans for all proposed support buildings (restrooms, shelters, etc.) must be submitted and clearly indicated Americans with Disabilities Act compliance.

E. 6(f)(3) Boundary Map
Considering that the maps will be used in perpetuity, information placed on the map should assist future inspectors and project managers in determining the areas that are protected under Section 6(f)(3) of the Land and Water Conservation Fund Act. Every LWCF project site must be inspected by KDWPT once every 5 years in perpetuity.

In applying for an LWCF grant, the Applicant must submit a signed and dated Project boundary map which clearly delineates the area to be protected under Section 6(f)(3) of the LWCF program. The Project area must be readily accessible through a public corridor (i.e. parking lot, street, permanent public easement). Land identified within the Section 6(f)(3) boundary must be retained in perpetuity for public outdoor recreation use.

Provide the following information on the Section 6(f)(3) boundary map:
- Identify map as Section 6(f)(3) Boundary Map
- Signature and date on map by the individual authorized in the application
- Project Title
- Date of map preparation
- Clearly indicated the boundary of the Project area with measurements, in red, to effectively illustrate the lands afforded Section 6(f)(3) protection. The boundary needs to incorporate access point(s).
- If applicable, identify any pre-existing indoor structures that do not support outdoor recreation and provide the square footage of structure footprint.
- If applicable, indicate any outstanding rights and interest in the area: easements, deed/lease restrictions, reversionary interest, right-of-way, etc.
- North arrow
- If applicable, indicate any area(s) under federal lease(s) with term of at least 25 years remaining on the lease(s)
- Indicate adjoining street names
- Indicated total acreage with in the Section 6(f)(3) Boundary.
- Convert the total square footage to acreage and indicate total acreage within the 6(f)(3) boundary. The acreage identified on the boundary map must be consistent with the acreage identified on the application form.
- Provide the latitude and longitude of the project entrance.
SECTION IV – ENVIRONMENTAL ASSESSMENT

This document serves to supplement the Proposal Description and Environmental Screening Form (PD/ESF) required for all new and amended Land and Water Conservation Fund (LWCF) project applications submitted to the National Park Service (NPS). The PD portion of the form captures administrative and descriptive details enabling the NPS to understand the proposal. The ESF portion is designed for States and/or project sponsors to use while the LWCF proposal is under development. Upon completion, the ESF will indicate the resources that could be impacted by the proposal enabling States and/or project sponsors to more accurately follow an appropriate pathway for NEPA analysis: 1) a recommendation for a Categorical Exclusion (CE), 2) production of an Environmental Assessment (EA), or 3) production of an Environmental Impact Statement (EIS). The ESF should also be used to document any previously conducted yet still viable environmental analysis if used for this federal proposal. The completed PD/ESF must be submitted as part of the State’s LWCF proposal to NPS.

This document is intended for applicants to provide detailed answers in the space provided below each question. Please contact the State LWCF Grant Coordinator at 620-672-5911 if you would like to receive this form in Microsoft Office Word format. Please make all answers discernible from the associated question by using red font or bold letters. Please feel free to imbed figures/images or make reference to supporting documentation where necessary.

Please note that the following pages only encompass portions of the federal PD/ESF pertaining to new applications for development and acquisition project. For PD/ESF documentation regarding amendments to past LWCF projects, please contact the State Parks Division of the Kansas Department of Wildlife, Parks and Tourism at 620-672-5911.

PROJECT IDENTIFICATION:

Project Title: ___________________________ Project Number: ___________________________

Submitted by: ___________________________ Date: ___________________________

Project Location: Quarter: ___________ Section: ___________ Township: ___________ Range: ___________ County: ___________

To facilitate evaluation of the environmental impact of the proposed project, please attach a current 8-1/2” x 11” aerial photograph (may be obtained from county CFSA office) and a map showing the project location details, including construction limits.
### Step 1. Type of LWCF Proposal

<table>
<thead>
<tr>
<th>New Project Application</th>
<th>Development</th>
<th>Combination (Acquisition and Development)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Acquisition</td>
<td>☐ Go to Step 2B</td>
<td>☐ Go to Step 2C</td>
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<tr>
<td>☐ Development</td>
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- **Increase in scope or change in scope from original agreement.** Complete Steps 3A, and 5 through 7.
- **6(f) conversion proposal.** Complete Steps 3B, and 5 through 7.
- **Request for public facility in a Section 6(f) area.** Complete Steps 3C, and 5 through 7.
- **Request for temporary non-conforming use in a Section 6(f) area.** Complete Steps 4A, and 5 through 7.
- **Request for significant change in use/intent of original LWCF application.** Complete Steps 4B, and 5 through 7.
- **Request to shelter existing/new facility within a Section 6(f) area regardless of funding source.** Complete Steps 4C, and 5 through 7.

### Step 2. New Project Application  (See LWCF Manual for guidance)

#### A. For an Acquisition Project

1. Provide a brief narrative about the proposal that provides the reasons for the acquisition, the number of acres to be acquired with LWCF assistance, and a description of the property. 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. How and when will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?
3. Describe development plans for the proposal for the site(s) for public outdoor recreation use within the next three (3) years.
4. SLO must complete the State Appraisal/Waiver Valuation Review form in Step 7 certifying that the appraisal(s) has been reviewed and meets the “Uniform Appraisal Standards for Federal Land Acquisitions” or a waiver valuation was approved per 49 CFR 24.102(c)(2)(ii). State should retain copies of the appraisals and make them available if needed.
5. 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 a site sketch depicting improvements, where and how the public will access the site, parking, etc. Indicate entrances on 6(f) map. Indicate to what extent the project involves new development, rehabilitation, and/or replacement of existing facilities.
2. When will the project be completed and open for public outdoor recreation use?
3. Address each item in “D” below.

#### C. For a Combination Project

1. For the acquisition part of the proposal:
   a. Provide a brief narrative about the proposal that provides the reasons for the acquisition, number of acres to be acquired with LWCF assistance, and describes the property. 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. How and when will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?
   c. Describe development plans for the proposed for the site(s) for public outdoor recreation use within the next three (3) years.
   d. SLO must complete the State Appraisal/Waiver Valuation Review form in Step 7 certifying that the appraisal(s) has been reviewed and meets the “Uniform Appraisal Standards for Federal Land Acquisitions” or a waiver valuation was approved per 49 CFR 24.102(c)(2)(ii). State should retain copies of the appraisals and make them available if needed.
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 a site sketch depicting improvements, where and how the public will access the site, parking, etc. Indicate entrances 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 open for public outdoor recreation use?
3. Address each item in "D" below.

**D. For a Combination Project**

1. Will this proposal 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 #3)  No ☐ (go to #2)

2. a. What is the name of the pre-existing public area that this new 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? Yes ☐  No ☐

3. What will be the name of this new public park/recreation area?

4. a. Who will hold title to the property assisted by LWCF? Who will manage and operate the site(s)?
   b. What is the sponsor’s type of ownership and control of the property?
      — Fee simple ownership
      — Less than fee simple. Explain:
      — Lease. Describe lease terms including renewable clauses, # of years remaining on lease, etc.
      Who will lease area? Submit copy of lease with this PD/ESF. (See LWCF Manual for program restrictions for leases and further guidance)

5. Describe the nature of any rights-of-way, easements, reversionary interests, etc. to the Section 6(f) park area? Indicate the location on 6(f) map. Do parties understand that a Section 6(f) conversion may occur if private or non-recreation activities occur on any pre-existing right-of-way, easement, leased area?

6. Are overhead utility lines present, and if so, explain how they will be treated per LWCF Manual.

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

8. 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.

9. 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, including any 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 for the public to participate in the planning process and/or to provide comments on the completed proposal.
   b. What information was made available to the public for review and comment? Did the sponsor provide written responses addressing the comments? If so, include responses with this PD/ESF submission.

10. How does this proposal implement statewide outdoor recreation goals as presented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) (include references), and explain why this proposal was selected using the State’s Open Project Selection Process (OPSP).

11. 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. 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 federal resources may be used as a match if specifically authorized by law.

<table>
<thead>
<tr>
<th>Source</th>
<th>Type of Match</th>
<th>Amount</th>
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<tbody>
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</table>

12. Is this LWCF project scope part of a larger effort not reflected on the SF-424 (Application for Federal Assistance) and grant agreement? 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.

13. List all required federal, state, and local permits/approvals needed for the proposal and explain their purpose and status.

---

**Step 5. Summary of Previous Environmental Review** (including E.O. 12372 - Intergovernmental Review)

To avoid duplication of effort and unnecessary delays, describe any prior environmental review undertaken at any time and still viable for this proposal or related efforts that could be useful for understanding potential environmental impacts. Consider previous local, state, federal (e.g. HUD, EPA, USFWS, FHWA, DOT) and any 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.
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. Intergovernmental Review Process (Executive Order 12372):
   Does the State have an Intergovernmental Review Process? Yes ☐ No ☒. If “Yes”, has the LWCF Program been selected for review under the State Intergovernmental Review Process? Yes ☐ No ☒. If “Yes”, was this proposal reviewed by the appropriate State, metropolitan, regional and local agencies, and if so, attach any information and comments received about this proposal. If proposal was not reviewed, explain why not.

7. Public comment periods (how long, when in the process, who was invited to comment) and agency response.

8. Any formal decision and supporting reasons regarding degree of potential impacts to the human environment.

9. Was this proposed LWCF federal action and/or any other federal actions analyzed/reviewed in any of the previous environmental reviews? If so, what was analyzed and what impacts were identified? Provide specific environmental review document references. Use resource impact information generated during previous environmental reviews described above and from recently conducted site inspections to complete the Environmental Screening Form (ESF) portion of this PD/ESF under Step 6. Your ESF responses should indicate your proposal's potential for impacting each resource as determined in the previous environmental review(s), and include a reference to where the analysis can be found in an earlier environmental review document. If the previous environmental review documents contain proposed actions to mitigate impacts, briefly summarize the mitigation for each resource as appropriate. The appropriate references for previous environmental review document(s) must be documented on the ESF, and the actual document(s) along with this PD/ESF must be included in the submission for NPS review.

**Proceed to Steps 6 through 7**

**Step 6. Environmental Screening Form (ESF)**

This portion of the PD/ESF is a working tool used to identify the level of environmental documentation which must accompany the proposal submission to the NPS. By completing the ESF, the project sponsor is providing support for its recommendation in Step 7 that the proposal either:

1. meets criteria to be categorically excluded (CE) from further NEPA review and no additional environmental documentation is necessary; or

2. requires further analysis through an environmental assessment (EA) or an environmental impact statement (EIS).

An ESF alone does not constitute adequate environmental documentation unless a CE is recommended. If an EA is required, the proposal must be included in the proposal submission to the NPS. If an EIS may be required, the State must request NPS guidance on how to proceed.

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. Consult the LWCF Manual for guidance on defining the scope or extent of environmental analysis needed for your LWCF proposal. As early as possible in your planning process, consider how your proposal/project may have direct, indirect and cumulative impacts on the human environment for your type of LWCF action so planners have an opportunity to design alternatives to lessen impacts on resources, if appropriate. When used as a planning tool in this way, the ESF responses may change as the proposal is revised until it is ready for submission for federal review. Initiating or completing environmental analysis after a decision has been made is contrary to both the spirit and letter of the law of the NEPA.

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 be invited to participate in scoping out the proposal (see LWCF Manual Chapter 4). 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.

At the time of proposal submission to NPS for federal review, the completed ESF must justify the NEPA pathway that was followed: CE recommendation, production of an EA, or production of an EIS. The resource topics and issues identified on the ESF for this proposal must be presented and analyzed in an attached EA/EIS. Consult the LWCF Manual for further guidance on LWCF and NEPA.

The ESF contains two parts that must be completed:

**Part A. Environmental Resources**

- For each environmental resource topic, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential negative impact for each listed resource that may occur directly, indirectly and cumulatively as a result of federal approval of your proposal. For each impacted resource provide 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 and is still viable, include the citation including any planned mitigation 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. Add any relevant resources (see A.24 on the ESF) if not included in the list.

  **Use a separate sheet** to briefly clarify how each resource could be adversely impacted; any direct, indirect, and cumulative impacts that may occur; and any additional data that still needs to be determined. Also explain any planned mitigation already addressed in previous environmental reviews.

**Part B. Mandatory Criteria**

- This is a list of mandatory impact criteria that preclude the use of categorical exclusions. If you answer “yes” or “maybe” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in Part A. Explain all “yes” and “maybe” answers on a separate sheet.
### A. ENVIRONMENTAL RESOURCES

Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.

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

If your LWCF proposal is approved, would it…

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<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>To Be Determined</th>
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<tbody>
<tr>
<td>1. Have significant impacts on public health or safety?</td>
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<tr>
<td>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.</td>
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<td>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?</td>
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<td>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</td>
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<td>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</td>
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<td>6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?</td>
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<tr>
<td>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)</td>
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<td>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.</td>
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<tr>
<td>9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?</td>
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<tr>
<td>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</td>
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<tr>
<td>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)?</td>
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</tr>
<tr>
<td>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</td>
<td></td>
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**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. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.

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. 

_Signature of LWCF sub-recipient applicant here:_ ____________________________ _Date:_ ____________________________
SECTION V – SUPPLEMENTAL ATTACHMENTS

Complete and sign each of the forms on the following pages and submit in your bound application.

COMPLIANCE AND ASSURANCES
1. The adoption of an Assurance Resolution is needed to document the sponsor’s commitment to comply with various regulations and requirements of the program. Current versions of Federal Standard forms (SF-424B for Non-Construction Projects; and SF-424D for Construction Projects) expressing assurance to Civil Rights, Flood Hazard, and Handicapped Accessibility are to be executed (original signature) by the appropriate local official. The signing of these documents assures that the sponsor will uphold and enforce the intent of the respective laws as they apply to the local sponsor's project. Site and building floor plans submitted with the proposal must illustrate the adaptations for the physically handicapped. Current versions of these documents are available on the NPS State LWCF Assistance website at the following web address: http://www.nps.gov/ncrc/programs/lwcf/pub.htm

2. A Maintenance Statement, similar to example in the Appendix, is to be prepared and executed to indicate the sponsor's financial and personnel commitment to the future operation and maintenance of the park area and facilities.

ENVIRONMENTAL INFORMATION & ENERGY CONSERVATION MEASURES
An Energy Conservation Statement detailing the theories or elements of energy efficiency that will be incorporated into the project must be submitted. The sponsor is referred to the Energy Conservation material in the Appendix.

Overhead power and telephone lines constitute an environmental and aesthetic intrusion to the park atmosphere and are therefore required to be buried or removed. An Overhead Power and Telephone Line Statement, prepared and certified by the sponsor's engineer, must address the feasibility and cost estimates of removing or burying of the lines. The feasibility statement shall include the size and a description of lines and the justification for requesting the lines to remain. All lines must also be illustrated and identified on the site plan. NOTE: In most cases funds may be available to assist in the cost of removal or burial. A certification statement such as the one in Appendix is needed for projects that do not contain overhead powerlines.

Park sites are often subject to flooding by existing water courses and the existing or proposed facility development may cause or add to existing water polluting problems. For these reasons a Certified Flood Hazard and Water Pollution Statement is required. The Statement shall address the frequency of flooding, a basic description of anticipated damage, flooding duration (time), and the water polluting probabilities caused by the development of facilities. (Examples of facilities potentially causing pollution would be restrooms, trash receptacles, asphaltic materials (roads), camper dumping stations, etc.) The Flood Hazard and Water Pollution Statement can be found in the Appendix.

AFFIRMATIVE ACTION - EQUAL OPPORTUNITY PLAN
Affirmative action is a requirement, and as such the sponsor shall submit a copy of its affirmative action plan and grievances procedures. If the sponsor does not have an adopted plan in place, the necessary documentation for developing an affirmative action plan can be found in the Appendix. The basic purpose of the affirmative action plan is for the sponsor to declare that it is their policy to provide equal opportunity in employment and advancement, and to administer its employment practices without regard to race, color, national origin or ancestry, religion, sex, age, sexual orientation, mental or physical handicap, or political affiliation.
In addition to the provided forms, please include:

AGREEMENTS
Include documentation that identifies and describes any contemplated or current agreements the sponsor may have with other agencies, individuals, or other organizations participating in the application process; and involved in the maintenance of the completed project.

COMPREHENSIVE PLAN
Any City or County Comprehensive Plan containing a park/recreation element is acceptable, provided that the plan reflects the need for the land or facilities in the project application. In lieu of the park element of the Comprehensive Plan, the sponsor should prepare and submit a Park and Recreation Plan (see below).

The requirement for a five year projection of how the Comprehensive Plan is to be implemented, Item V in the outline, is to provoke the thinking of the sponsor to plan for future needs rather than only responding to a perceived current need.

OUTLINE FOR A COMPREHENSIVE RECREATION PLAN

I Background
   A. Evaluation of existing recreation programs.
   B. Evaluation of existing recreation financing.
   C. Evaluation of those agencies or groups responsible for outdoor recreation and their responsibilities.

II Supply
   A. An inventory of presently existing outdoor recreation resources, areas and facilities with an evaluation of each resource area and its facilities. Include a map of the city or county locating all existing recreation areas corresponding with the inventory.

III Demand
   A. An evaluation of the present demand on the existing recreation resources and facilities and a projection of the demand for future outdoor recreation areas and facilities. This can be accomplished by:
      1. Visitor counts.
      2. Use of area and facility standards.
      3. Estimated use if counts are not available.
      4. Providing a relationship of 1, 2 and 3 to the projected population of the area served.

IV Need
   A. An analysis and evaluation of the above Section II. Supply; and Section III. Demand; to establish the need to upgrade existing facilities or to establish additional areas or facilities.
   B. From the evaluation of existing programs under Section I. Background, provide if established, a need for upgrading existing programs or establishing new recreation programs.

V. Implementation of the Plan
   A. Provide a five-year projection of implementation to complete the plan by including:
      1. The estimated acreage and general location of lands or waters to be acquired. This should correspond with the inventory, map and Section IV.
      2. An estimate of needed facilities, such as picnic or camping areas, etc.
      3. An estimated listing, by year, of financial requirements and a recommended or anticipated source of financing.
      4. How the local unit expects to carry out its implementation.
LAND AND WATER CONSERVATION FUND PROMOTION

To help increase awareness of the Land and Water Conservation Fund and the associated community benefits, the sponsor is asked to develop a plan to promote the program in the event the project is selected for funding assistance. Possible ways to promote LWCF beyond the required acknowledgment signage include press releases, grand openings or park tours. Briefly describe your promotional plan. This information is not required and will not affect project scoring and selection.
APPENDIX

Appendix 1: Sample Cost Breakdown
Appendix 2: Local Funding Statement Outline
Appendix 3: Willingness to Sell Outline – Acquisition Only
Appendix 4: Maintenance Statement Outline
Appendix 5: Energy Conservation Statement Outline
Appendix 6: Overhead Powerline Statement Outline
Appendix 7: Affirmative Action Plan Outline
Appendix 8: Criteria for Acquisition Projects
Appendix 9: Criteria for Development Projects
Appendix 10: Application Checklist
## SAMPLE COST BREAKDOWN

(This is a sample cost analysis required in support of Part III, Section 3 of the Project Application form)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td><strong>Develop Site Plans and Specifications</strong></td>
<td></td>
</tr>
<tr>
<td>Topographic Survey of Area</td>
<td>$1,500</td>
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<tr>
<td>Site Development Plans</td>
<td>$850.00</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>$2,350</td>
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<tr>
<td><strong>Develop Construction Plans and Specifications</strong></td>
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<tr>
<td>Engineering Design</td>
<td>$3,250</td>
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<tr>
<td>Specifications</td>
<td>$2,100</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>$5,350</td>
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<tr>
<td><strong>Prepare Site (or Improvement)</strong></td>
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<tr>
<td>Site Grading &amp; Excavation</td>
<td>$1,000</td>
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<tr>
<td>Remove Old Buildings</td>
<td>$1,850</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$2,850</td>
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<tr>
<td><strong>Construction Costs</strong></td>
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<tr>
<td>Picnic Sites (20) Tables, Grills and Receptacles</td>
<td>$2,000</td>
</tr>
<tr>
<td>Group Shelter</td>
<td>$5,500</td>
</tr>
<tr>
<td>Softball Diamond</td>
<td>$1,000</td>
</tr>
<tr>
<td>Tot Lot (Playground Equipment)</td>
<td>$2,000</td>
</tr>
<tr>
<td>Tennis Court</td>
<td>$4,000</td>
</tr>
<tr>
<td>Comfort Station</td>
<td>$5,000</td>
</tr>
<tr>
<td>Landscaping (including tree planting and seeding)</td>
<td>$1,500</td>
</tr>
<tr>
<td>Fencing for ballfield and courts</td>
<td>$4,600</td>
</tr>
<tr>
<td>Sewer system for Comfort Station</td>
<td>$4,400</td>
</tr>
<tr>
<td>Electrical Systems</td>
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<tr>
<td>Water Systems</td>
<td>$2,200</td>
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<tr>
<td>Signs (Regulatory and Directional)</td>
<td>$100.00</td>
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<tr>
<td>Roads</td>
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<tr>
<td>Parking</td>
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<td><strong>Other</strong></td>
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<tr>
<td>Construction Supervision</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>$6,500</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
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</tbody>
</table>

|
LOCAL FUNDING STATEMENT

***To be typed on the letterhead of the project sponsor***

I, ______________________________ as ______________________________
of ______________________________ hereby certify that the local funding share under the Land and Water conservation fund (L&WCF) for the ______________________________ will be available ________________ in the amount of $ ______________________________

Funds will be provided through:

- G.O. Bonds (bond issue pending --date) $ ________________
- Revenue bonds $ ________________
- Community Development Funds $ ________________
- Federal Revenue Sharing $ ________________
- Local Budgeted Funds (Annual Capital Imp. Fund) $ ________________
- Donations from Private Sources (list) $ ________________
- Donations of Land $ ________________
- Liquor Tax Revenues $ ________________
- Mill Levy (identified) $ ________________
- Other $ ________________

I agree to notify the Kansas Department of Wildlife, Parks and Tourism within 48 hours of the results of the bond election, or within 5 days of any change in the funding source, amount, or date of availability.

Signed: ______________________________
______________________________ (Name, Title)
______________________________ (Date)

Attested: ______________________________
______________________________ (Name, Title)
______________________________ (Date)
STATEMENT OF WILLINGNESS TO SELL PROPERTY

I, ____________________________, owner of certain land (and improvements), am willing to sell said land to ____________________________ (project sponsor) for park and recreational purposes.

________________________________
(Signature of Owner)

_______________________________
(Street Address)

_______________________________
(City and State)
OUTLINE FOR A MAINTENANCE STATEMENT

Proper, preventative maintenance of projects funded with assistance from the Land and Water Conservation Fund program is expected of the project sponsor by both the National Park Service and the Department of Wildlife, Parks and Tourism. To aid in the assessment of the sponsor’s maintenance capabilities and how effective these capabilities are for existing and proposed facilities, the following topics are required to be comprehensively and accurately addressed:

1. Annual budget for maintenance of recreation facilities within the sponsor’s jurisdiction.

2. Source of maintenance funds.
   a. Budgeted Funds
   b. Mill Levy
   c. Donations
   d. Etc.

3. Maintenance personnel.
   a. Full-time or part-time
   b. Number of employees in summer vs. winter
   c. Additional personnel required to operate or maintain the proposed recreation facilities

4. Maintenance Program and Schedule
   a. Describe maintenance program and the seasonal schedule for program implementation.
   b. What local agency or department is responsible for maintenance of recreation facilities?

5. Other comments that would aid the agencies in evaluating your project maintenance? (for example, are there problems beyond the control of the sponsor?)

______________________________
Signed

______________________________
(Printed Name)

______________________________
(Title)

______________________________
Date
NPS, in concert with the state, promotes energy conservation as part of the administration of the LWCF program. Energy conservation measures must be incorporated into the early stages of site selection, development, design and management at all L&WCF project areas. The following criteria will be applied to L&WCF projects in the selection process and should be addressed by the project sponsor:

1. Priority will be given to facilities located in populated areas accessible by foot, bicycle, or public transportation routines. Facilities should be designed to reduce the dependence of vehicular park traffic and encourage public carriers, walking or bicycles for transportation within the park.

2. Practical consideration should be given to heating and cooling systems that utilize high efficiency methods or renewable resource energy. In addition, the conversion from oil to gas, or to coal, as well as the use of windmills and onsite water power for generating electricity, should be considered as logical methods for conserving energy resources currently in short supply.

3. Indoor support facilities that use mechanical heating or cooling systems will comply with the thermal insulation standards of the American Society of Heating, Refrigerating, and Air Conditioning Engineers or equivalent.

4. Where practical and cost effective, incorporate retrofitting of existing facilities to utilize modern energy efficient systems, insulations, etc. Retrofitting will be considered eligible for fund assistance when eligible facilities are involved.

5. Schedule the use of ball fields, tennis courts, and other similar recreation activities so they operate close to maximum efficiency during daylight hours to reduce dependency on electrical energy.

6. Incorporate the use of low maintenance groundcover whenever feasible.

7. The size and length of road surfaces should not exceed the size needed to serve the intended recreation use. Park road surfaces should be developed with locally-obtained materials rather than oil-based materials such as asphalt.

8. Facility designs will be developed so that they minimize the use of mechanical, lighting and electrical equipment. Consider sites which will best utilize breezes and the sun to reduce the need for artificial cooling or heating.

9. Project sponsors are encouraged to develop other innovative approaches designed to reduce the use of scarce energy supplies.
Certified Overhead and Power Line Statement

I certify that all telephone and power lines within the 6(f) boundary of ____ (Project Name) ______ are buried, and that no feasibility or a cost estimate is needed for the burial of such items.

Date: ____________________________

Signed: __________________________

(Project Sponsor Authorized Personnel)
Flood Hazard and Water Pollution Statement

Local Project Sponsor Agency agrees to obey and comply with all relevant flood hazard and water pollution regulations.

Signed,

__________________________
(Sponsor Agency Authorized Personnel)

__________________________
Date
AFFIRMATIVE ACTION POLICY

I. SCOPE AND PURPOSE

These guidelines are designed to provide direction in the development of an affirmative action plan to provide equal employment opportunities for all regardless of race, color, religion, sex, age, physical handicaps, or national origin. With that goal in mind, the (project sponsor) embraces the following Civil Rights Acts:

The Kansas Act Against Discrimination 44-1030 and all amendments thereto.

Kansas Civil Rights Act as amended in 1974 to include the physically handicapped.

Title VI. Civil Rights Act of 1964. and all amendments thereto - provides that no person in the United States shall be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance, including Federal Code of Regulations, Title 43, Part 17, Public Law 88342, Section 601 and 602.

Section 109. Housing and Community Development Act of 1974. and all amendments thereto - provides that no person in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

Title VIII. Civil Rights Act of 1968. and all amendments thereto - provides for fair housing throughout the United States. Kinds of discrimination prohibited: refusal to sell, rent or negotiate, or otherwise to make available; discrimination in terms, conditions and privileges; discriminatory advertising; false representation; block-busting; discrimination in financing and discrimination in membership in multiple-listing services and real estate brokers' organizations.

Executive Order 11063 - required equal opportunity in housing and related facilities provided by Federal financial assistance.

Executive Order 11246 as Amended by Executive Order 11375 - required nondiscrimination in employment under federally-assisted contracts.


II. THE EQUAL EMPLOYMENT OPPORTUNITY OFFICER

Responsibilities and duties of the Equal Employment Opportunity Officer are to coordinate efforts to advise and assist staff in implementing the aforementioned Civil Rights Acts and to serve as ombudsman for any complaints; specifically, this official is charged with monitoring the following:
1. Reviewing all policies relating to Equal Opportunity in order to guarantee effective implementation of the program.

2. Designing and implementing record systems for minority employment information.


4. Cooperation with unions in the development of programs to assure equal opportunity for qualified minority persons in the contract grades.

5. To encourage minority employees to increase their skills and job potential through participating in training and educational programs.

III. ADVERTISING

Advertising in newspapers that ___(project sponsor)___ is an Equal Opportunity Employer, and advertise vacancies of ___(project sponsor)’s_____ employee positions in the news media. All applicants will be screened on a competitive basis extending to all applicants consideration for employment without regard to race, creed, color, sex, age, or national origin.

The ___(project sponsor)___ will post, in conspicuous places, notices and other information identifying that the ___(project sponsor)___ is an Equal Opportunity Employer.

IV. CONTRACTS LET BY PROJECT SPONSOR

Contracts let by the ___(project sponsor)___ shall contain the following requirements.

1. The contractor will not discriminate against any employee or applicant for employment because of age, race, creed, sex, color, or national origin. The contractor will have an Affirmative Action Plan relating to employment, upgrading, layoff, remitment, compensation, and training or apprenticeship to ensure fair and nondiscriminatory treatment. Notices of such policies and other appropriate posters shall be posted in conspicuous places available to employees and applicants for employment.

2. The contractor will comply with all provisions of Executive Orders 11246 and 11063, and of the rules, regulations, and relevant orders of the Department of Labor, and the ___(project sponsor)___, with respect to equal opportunity employment.

3. The contractor will furnish all information and reports required by the abovementioned agencies and will permit access of all books, records, and accounts by them to ascertain compliance with such rules and regulations.
4. Such provisions are applicable to all sub-contractors, and the contractor will take action with respect to any sub-contractor as the above agencies direct to enforce such provisions.

5. Non-compliance with the equal employment opportunity and non-discriminatory clauses of the contract is cause for termination or suspension of the contractor or any sub-contractor in which there is non-compliance.

These requirements shall be covered in a pre-contraction conference, which shall include representatives of the (project sponsor), the contractor, and the sub-contractors. The Affirmative Action Plan shall be reviewed as it relates to the work force involved in the contract.

V. GRIEVANCES

This Affirmative Action Plan does not prohibit the rights of any (project sponsor), employee to carry his (her) grievance(s) to either or both, the Kansas Human Rights Commission, Landon State Office Building Rm. 85 1-S, 900 Jackson Avenue, Topeka, Kansas 66612 or the Equal Employment Opportunity Commission (Federal), 911 Walnut, Kansas City, Missouri.

The Equal Employment Officer of the (project sponsor) is:

______________________________

VI. PERSONNEL GRIEVANCE PROCEDURE

If there is a complaint against the (project sponsor), the following steps should be taken:

1. The grievance shall be submitted to the (project sponsor) for review and follow-up action.

2. If the complaint does not receive satisfactory solution, the complainant may file an additional grievance complaint with the Kansas Human Rights Commission, Landon State Office Building Rm. 851-S, 900 Jackson Avenue, Topeka, Kansas 66612.

3. Review of files by claimant provides that a complainant may review local files bearing on this case, except for confidential material and where prohibited by law.

4. The claimant has only six (6) months to file his (her) grievance from the date of the alleged violation. The sponsor will review and take action within thirty (30) working days of receipt of the complaint.

VII. PUBLIC FACILITIES GRIEVANCE PROCEDURE

It is further declared to be the policy of the (project sponsor), that all public facilities shall be accessible to the handicapped with provisions for use by the handicapped. In the case of existing facilities, modifications to bring said facilities into compliance with the provisions of
Public Law 90-480, Architectural Barriers Act of 1968, shall be undertaken as soon as funds are available for such purpose.

It is the right of each and every individual who feels aggrieved through discrimination on the basis of race, color, religion, sex, age, physical handicap, or national origin to file a grievance complaint with the (project sponsor) and file a copy of the complaint with the Equal Opportunity Office, Department of Interior, Washington, D.C., and with the State Liaison Officer, Kansas Department of Wildlife, Parks and Tourism, 900 Jackson Street, Suite 502, Topeka, Kansas 66612.

If the complaint is not resolved to the satisfaction of the complainant, he or she may file an additional grievance complaint with the Kansas Human Rights Commission, Landon State Office Building, Rm. 851-S, 900 Jackson Avenue, Topeka, Kansas 66612. The complainant may, at any time within six (6) months from the date of alleged act of discrimination, file a grievance complaint with the Equal Opportunity Office, Department of Interior, Washington, D.C. Further the complainant shall have full recourse to all remedies of law in seeking satisfactory disposition of any alleged act of discrimination. The complainant may at any time during the course of settlement of the grievance, withdraw his or her complaint by notification of all parties involved. Such withdrawal shall not jeopardize the right of any person complained against from seeking legal relief for slander, libel, or false accusation, if such action is believed warranted.

Any act of discrimination by an employee or agent of the (project sponsor), established and proven, shall be grounds for disciplinary action, including dismissal, in addition to any penalties imposed through due process of law.

VIII. JOB GOALS

The availability of jobs will be filled in accordance with this Affirmative Action Plan in relation to turnover rates established for any (project sponsor) jobs.

Passed and signed this ________ day of ________, ______.

__________________________________________
Mayor, Commission Chairman or Board President

Attest: _____________________________________

City Clerk, County Clerk or Board Clerk
ADDENDUM

To

EQUAL EMPLOYMENT OPPORTUNITY POLICY

1. To insure compliance with Section 44-1032 of the Contract Compliance provisions of the Kansas Act against Discrimination (1978), the (project sponsor) will expand its recruitment sources to include for example: Employment Service Agency, CETA, women’s organizations, NAACP, American G.I. Forum, Human Relations Commission, Community Action Agency, etc., but are not limited to the aforementioned examples.

2. An analysis of the present workforce is required that indicates the percentage of minorities within the (project sponsor) departments, as well as the non-minority, female, and handicapped to establish a comparison of the required percentage to the existing percentage of minority, female, and handicapped actually employed within the governmental unit.

3. The (project sponsor) is required to prepare and submit its goals and timetables for correcting deficiencies in the employment of female, minority, and handicapped workers that exists in workforce analysis.
GRIEVANCE FORM

Date of Filing ____________________________

Grievant:
_________________________________________________________________________________

Position:
_________________________________________________________________________________

Alleged Violation:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

Grievance Against:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

Address:
_________________________________________________________________________________

Time, Date, Place of Occurrence:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

Redress Sought:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

__________________________________________________________

Signature of Grievant

_______________________

Received (Date)
GRIEVANCE RESPONSE

Date Issued: ________________________________________

Name of Grievant: ________________________________________

Response:

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

______________________________________________________________________________________________________________

Equal Employment Opportunity Officer

Initial Applicable Statement:

________ I hereby accept the above determination

________ I hereby decline the above determination

________ I intend to process the grievance to the next stage.

_________________________________________
Signature of Grievant

_________________________________________
Date
Criteria for Land Acquisition Projects

Site Selection for a Grant Application

An acquisition project would include the purchase of a specified parcel of land for outdoor recreation purposes. Once acquired, this land must remain in public outdoor recreation use forever. A project may involve the acquisition of land to create a new park or expand an existing park.

In determining the boundaries of a project, the sponsor should take into account human considerations, including the socioeconomic effects of the acquisition and subsequent development on owners and tenants in the adjacent area, in addition to other factors. If a partial taking would leave an owner with an uneconomic remnant, the sponsor must offer to acquire the entire property.

State and Federal Acquisition Policies

All acquisitions must conform to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prescribes policies and procedures to insure fair, equitable, and uniform treatment of persons whose land is acquired by federal and federally assisted programs. The provisions of the Act apply to the acquisition of all real property for, and the relocation of all persons displaced by projects which received L&WCF assistance. The Act applies regardless of whether L&WCF assistance is used for acquisition or development. For example, a project sponsor cannot knowingly circumvent the federal law by acquiring the land with local funds and not follow the regulations of the Act and then apply for development funds in a later project.

There are two major sections to the law: policies regarding the acquisition of land, and relocation benefits to landowners. Each section will be discussed separately in this chapter. The acquisition procedures explained in this chapter, should be read with extreme care. If the procedures are not followed, the sponsor could encounter severe problems in being reimbursed regardless of the method of acquisition. A copy of this law can be found in Appendix 2 at the end of this manual. Contact your grant coordinator for supplemental guidelines and forms.

Eligible Types of Acquisition

The types of acquisition that are eligible for assistance include, but are not limited to:

1. Water-Oriented Recreation Sites- These sites can be frontage on rivers, streams, lakes, estuaries, water bodies themselves, and land for creating water impoundments.
2. Natural and Scenic Areas - Natural areas, preserves and outstanding scenic areas, areas of physical or biological importance, and wildlife areas. Areas must be open to the general public for outdoor recreation use to the extent that the natural attributes of the areas will not be seriously impaired or lost.

3. Community Parks - Land within cities and towns for day-use picnic areas, neighborhood playgrounds, and competitive nonprofessional sports facilities, as well as more generalized parklands.

4. County Parks - Areas serving county and regional recreational uses.

5. Linear Parks - Land which forms a greenbelt corridor for recreational use, such as an abandoned railroad line for a multipurpose trail.

6. Existing Recreational Facilities - Privately owned facilities, such as swimming pools, golf courses and youth camps. Project sponsors considering the acquisition of land and/or facilities which are in recreation use should determine the nature and intent of that use. The acquisition of an area or facility which is operated for public recreation is only eligible for L&WCF assistance if it can be documented that the facility will be lost to recreation use if it is not acquired by the sponsor.

7. Structures - The acquisition of structures on property for outdoor recreation, support of outdoor recreation activities or the structures have no value and are demolished to enable recreational development to take place. L&WCF assistance may be used to acquire modest structures to be used as park ranger's or manager's residences provided the cost of the structure is incidental to the total acquisition cost. Project proposals must list all improvements and their proposed use or disposition.

Ineligible Types of Acquisition

Generally, L&WCF assistance will not be made available for:

1. Museums - Sites to be used for museums or primarily for archaeological excavations.

2. School Sites - Land to help meet a public school's minimum site size requirement, as established by State or local regulations.

3. Historic Sites and Structures - Exceptions may be made only when it is demonstrated clearly that the acquisition is primarily outdoor recreation purposes and that the historic aspects are secondary to the primary recreation uses.

4. Indoor Facilities - Areas to be used mainly for the construction of indoor facilities and areas where existing indoor recreation facilities, if left in place, will leave insufficient area at the site for the development of outdoor recreation facilities to justify the cost of the acquisition.

5. Professional Facilities - Areas and facilities to be used primarily for semiprofessional and professional arts and athletics.

6. Fish and Wildlife Sites - Areas and facilities to be used solely for game refuges or fish production purposes will not receive L&WCF assistance.

7. Railroads - Railroad hardware, trestles, stations, yards, and the like if they are to be used for the commercial operation of railroad trains. Some railroad hardware is reimbursable when it is necessary for a recreation; for instance, a trestle may be used as a bridge for the trail.
8. Lodging Structures - Sites containing luxury lodges, motels, cabins, and similar elaborate facilities which are to be operated by the park board or a concessionaire to serve retreators with food and sleeping quarters.

9. Farmland - Agricultural land primarily for preservation in agricultural purposes. Limited agricultural land use is eligible, if it supports outdoor recreation such as demonstration farms, wildlife management or hunting.
Criteria for Development Projects

SELECTING DEVELOPMENT PROJECTS FOR A GRANT APPLICATION

A development project may consist of new construction or the renovation of a facility or group of related facilities designed to provide facilities for public outdoor recreation on lands or waters owned by or leased to the sponsor. A project may include the complete or partial development of one area such as a neighborhood park, or it may include a series of identical developments on several separate areas such as development of picnic facilities in several parks.

L&WCF assistance may be used to develop outdoor recreation or support facilities as follows:

Once developed, a project must remain in public outdoor recreation use for the life of the facility. In addition, the land on which the facilities were constructed falls under the jurisdiction of the Land and Water Conservation Fund Act which specifies that the land must remain an outdoor recreation site in perpetuity. Any proposed changes in the use of the site or facility must receive prior approval from the KDWP and in some cases, NPS.

SITE LOCATION, CONTROL, AND TENURE

Facilities may be built on park sites under the control and tenure of the sponsor. Project sites may be leased to the sponsor for a minimum of 25 years and may be renewable. After the lease is terminated, the sponsor must assure that the land will remain in public outdoor recreational use, forever, as required by the L&WCF Act. If the development will have a longer period of service, the lease must extend for a time equal to or greater than the expected useful life of the facilities.

1. Public School Grounds - Facilities for coordinated use by the general public and by public schools are eligible for L&WCF assistance, provided such facilities are not part of the normal and usual program and responsibility of the educational institution. Facilities needed to meet the physical education and athletic program requirements of a school will not receive L&WCF assistance. This policy does not preclude exclusive school use of certain facilities such as athletic fields, tennis courts, or swimming pools at certain times for instruction or competition, provided there is adequate public use at other times. The grant application must include a schedule of the times when the facility will be available to the public, which must be not less than 50% of the usable time. Additionally, signs must be installed at the site, prior to final payment on the project, indicating when the outdoor recreation facilities are available to the public.
2. Tourist Areas - Facilities may be located in primary or potential tourist market areas, provided their primary purpose is for public outdoor recreation as opposed to entertainment or economic development.

3. Historic Sites - Outdoor recreation and support facilities may be located on historic sites or in conjunction with historic structures. Recreational use of the site must be compatible, rather than detrimental to the historical aspects.

ELIGIBLE TYPES OF DEVELOPMENT

Development projects that are eligible for assistance include, but are not limited to, the following:

1. Boating - Facilities for motorboating, sailing, canoeing, kayaking, rowing, and other boating activities. These facilities may include docks, berths, launching ramps, breakwaters, mechanical launching devices, boat lifts, storage spaces, sewage pumpout facilities, fuel depots, and excavated boat basins and channels.

2. Camping - Tent and trailer sites, tables, fireplaces, restrooms, information stations, snackbars, and utility outlets.

3. Energy Conservation - Solar energy systems, earth berms, window shading devices, energy lock doors, metal halide lights, insulation, and other energy efficient design methods and materials. Additionally, power systems which maximize a facility's use of renewable or non-polluting energy resources such as windmills and water power systems may also be eligible as support facilities.

4. Exhibit Facilities - Arboretums, outdoor nature exhibits, nature interpretive centers, community gardens, certain types of zoo facilities, and other similar developments. Exhibit facilities will not be funded if the primary function is for academic, historic, economic, entertainment or other nonrecreation purposes. This restriction includes fairgrounds, archaeological research sites and others.

5. Fishing and Hunting - Trails, fishing piers and access points, initial clearing, planting of forage and cover, and stream improvements.

6. Access for Handicapped Users - Adaptation of new or existing outdoor recreation facilities and support facilities for users of all abilities. **Outdoor recreation facilities to be used exclusively by handicapped people are not eligible unless the facilities are available to the general public or are part of an outdoor recreation area which serves the general public.** The emphasis for any facility should be to provide recreational access for users of all abilities.

7. Picnicking - Family and group picnic shelters, tables, fireplaces, grills, and trash receptacles.

8. Renovated Facilities - Extensive renovation or redevelopment to bring a facility up to standards of safety, quality, and attractiveness suitable for public use. Renovations are most often made to meet public health and safety requirements. Renovation projects are not eligible if the facility's deterioration is due to inadequate maintenance during the reasonable life of the facility.
9. **Spectator Facilities** - Amphitheaters, bandstands and modest seating areas related to playfields and other eligible facilities. Spectator facilities may not be primarily for professional, semi-professional or interscholastic events. Bleachers or modest seating areas are encouraged (near recreation facilities) for handicapped people, elderly citizens, and general public.

10. **Sports and Playfields** - This includes a wide variety of sport facilities, including fields for baseball, softball, soccer, football, basketball, tennis courts, outdoor racquetball courts, golf courses, equestrian arenas, running tracks, playgrounds, and tot lots.

11. **Sport Shooting** - Examples include rifle/ pistol ranges, trap/skeet fields and archery ranges.

12. **Swimming** - Swimming beaches, outdoor pools, wading pools, spray pools, wave-making pools, lifeguard towers, bathhouses, and other similar facilities.

13. **Trails** - Funds are available for development and marking of overlooks, turnouts and trails for nature walks, hiking, bicycling, horseback riding, exercising, skiing, snowmobiling, and other trail activities.

14. **Winter Sport Facilities** - Such as cross country ski trails, downhill ski runs, jumps, lifts, slopes, and snowmaking equipment. Also included are facilities for ice skating, tobogganing, iceboating, sled runs, ice hockey rinks, and warming shelters.

15. **Support Facilities for Outdoor Recreation** - Includes entrance and circulation roads, fences, utilities, sanitation systems, dams, erosion control works, maintenance structures, parking areas, restroom buildings, concession stands, walkways, operation and maintenance facilities and others. Some landscaping costs and equipment to make a recreation facility operational are eligible. Roads outside the boundaries of the park which provide access to the recreation site and are not part of a state, county, or local road system are eligible. The access corridors must be owned or adequately controlled by the project sponsor. The principle objective must be to serve the park and visitors. Relocation of power lines, dredging, and restoration of publicly owned lakes are also eligible. Support facilities must serve eligible recreation facilities. **Projects which consist only of support facilities are eligible for funding but carry a low priority.**

**INELIGIBLE TYPES OF DEVELOPMENT**

The types of development that are ineligible for assistance include, but are not limited to:

1. **Amusement Facilities** - Such as carousels, Ferris wheels, children's railroads, pioneer towns, livestock and produce exhibits, commemorative exhibits, and convention facilities.

2. **Facilities for Handicapped Individuals** - Development of outdoor recreation facilities and/ or support facilities to be used exclusively by handicapped persons.

3. **Housing** - Construction of, and/or furnishings for, employee residences. Other ineligible activities include construction or renovation of lodges, motels, luxury cabins, or non-austere cabins.

4. **Historic Preservation** - Restoration or preservation of historic structures.

5. **Interpretive Facilities** - Development of facilities which go beyond interpreting the project site and its immediate surrounding area.
6. Mobile Recreation - Such as playmobiles, swimmobiles, showwagons, puppet wagons, and portable bleachers.

7. Professional Activities - Development of areas and facilities to be used primarily for semiprofessional or professional arts and athletics, such as professional types of outdoor theaters or performance areas.

8. Sheltered Facilities - Enclosures which convert an outdoor facility such as a basketball court or picnic shelter into an indoor facility.

9. School Athletic Facilities - Development of school athletic facilities, such as stadiums or running tracks for interscholastic athletics. Athletic fields with grandstands, grandstands or more bleacher seating than would normally be required for park and recreation department athletic programs. Facilities needed to meet the physical education and athletic program requirement of a school or facility that will be used more than 50% of the time by the schools.

10. Support Facilities - Facilities such as roads and sewer systems developed to exclusively serve ineligible facilities. Roads which are part of local road systems extending beyond or through the boundaries of the project area.

11. Zoo - Facilities at a zoo for indoor displays, or interpretive areas, and permanent housing which are not displayed in an outdoor setting.

In general, the construction of ineligible recreation facilities on land purchased with L&WCF assistance will not be permitted unless all of the following conditions are met:

1. They are financed by other than LWCF monies.

2. They are compatible with the outdoor recreation uses of the area.

3. Prior to construction, approval is obtained from the Kansas Department of Wildlife, Parks and Tourism and the Federal Government.

ELIGIBLE DEVELOPMENT COSTS

Professional Services

Consultants for L&WCF projects may be hired through the competitive bidding process. A scope of services desired by the project sponsor needs to be prepared and normal advertisement procedures followed. The sponsor should request proposals from firms and select several of those submitting proposals for an interview. Firms should be selected based on their professional qualifications, experience, and quality of past performance. Hiring the lowest bidder is not required; however, a written explanation of the process used in hiring a consultant must be submitted to the grants section with the contract. During the negotiation process, all bidders must be treated equally and given the same opportunities to revise their bids.

Federal regulations will not allow payment of consulting fees on a percent of the construction contract basis. The consultant may be paid according to: (1) fixed price, (2) hourly basis, (3) daily basis, or (4) actual expenses incurred. The contract must specify the payment method. Consulting fees may not be paid to federal, state, or project sponsor’s employee unless such a payment is specifically agreed to by KDWPT and NPS.
Typical eligible consultant costs include: feasibility studies, site planning, Environmental Assessment preparation, cost estimates, archaeological work, and construction plans and specifications. Costs incurred for designing facilities not developed in the project are ineligible. Pre-agreement costs necessary to prepare the application are eligible and must be identified in the application. If a consultant is hired after the application is submitted, the project sponsor must notify the grants staff.

**Construction**

Allowable construction costs include all necessary construction activities, from site preparation (including demolition, excavation, grading, etc.) to the completion of a facility. Construction may be carried out through a contract with a private firm, by use of the sponsor’s own personnel and equipment (force account).

**Contract Construction Wages**

Wage rates established for construction project employees must equal the prevailing wage rate for the area. Since those rates change periodically, a new State Wage Rate Scale must be requested and included in the specifications when construction is bid in a L&WCF project. The L&WCF program is not subject to the *Davis Bacon Act*, so contractors are not bound to construction wage rates established by the U.S. Department of Labor, unless other federal funds subject to the *Davis Bacon Act* are used as the local share. To obtain the current prevailing wage rate scale for an area, please contact:

U.S. Department of Labor  
Wage & Hour Office  
Federal Building  
444 SE Quincy  
Topeka KS 66683  
Telephone: (913) 295-2526

**Materials**

Materials may be purchased for a specific project, and should be charged to a project at their actual price, less discounts, taxes, rebates, etc. Prices assessed to donated materials included in the matching share should be reasonable and should not exceed current market prices at the time they are charged to the project. Records of in-kind contributions of material shall indicate the fair market value by listing the comparable prices and vendors.

**Equipment**

The cost of renting equipment to construct a facility is generally eligible for LWCF matching assistance. The cost of purchasing equipment may also be eligible, but sponsors must provide the grant coordinator with information which clearly shows that it is more economical to purchase an item than to lease it. These items might include air compressors, concrete equipment, pumps, tools, etc.

Permanent recreational equipment, installed as part of the site facilities, is eligible for matching assistance. Examples would include life guard stands, bicycle racks, picnic grills, and trash receptacles. Other eligible equipment include bases for a softball field or tennis and soccer nets, which are necessary to make a facility initially operational. Only the first of such items may be claimed for reimbursement.
Information and Interpretation

Fund assistance may share the costs of providing information directly related to a project, as distinguished from publicity. These may include: signs giving information and directions at the entrances of recreation areas and other necessary places throughout the project site; display boards; dioramas; interpretive facilities for the explanation of items of interest; and other facilities required to explain the site and bring it to public attention.

METHODS OF DEVELOPING FACILITIES

Development of a project site may be by contract or force account. The method which will be used must be indicated in the Program Narrative as part of the grant application. The procedures regarding each of these construction methods are explained below:

Contract - The most common and preferred method of developing an area is by contract because the project sponsor is assured that the construction will be completed by a designated date according to predetermined work standards.

The Federal Government requires that competitive, open bidding be undertaken for all federally assisted contracts in excess of $25,000, unless this requirement is waived by the federal agency. All construction associated with a Land and Water Conservation Fund project which exceeds $25,000 must be competitively bid, as required by federal law. Please note that the total contract, rather than the amount of federal assistance, shall be the governing factor in determining whether contracts or subcontracts exceed $25,000.

Project sponsors must inform bidders that Land and Water Conservation Fund monies will be used to assist in the park development, and that all relevant requirements will apply. It is preferable to include this information in the bid invitations or in notices released prior to bid invitations. The federal government requires that certain information be included in the specifications for and as part of all contracts, and that certain documents be filed, on projects for which federal reimbursement will be requested.

There are three sections to the L&WCF Contract Requirements: (1) the first section explains the procedures and responsibilities of the sponsor with regard to these federal requirements; (2) the second section is an explanation for the prime and subcontractors of how they can meet the federal requirements and which documents they must execute and retain on file. This section may either be included as part of the specifications or given to the successful bidder at the preconstruction meeting. (3) the third section must appear verbatim in the specifications for any contract or purchase for over $25,000. If these pages are not included in the specifications given to the bidders prior to bidding, the cost of the resulting construction contract will not be eligible for reimbursement.

If an architectural or engineering firm prepares the specifications, make sure their standard contractual statements do not conflict with federal requirements. Conflicts may include termination terms, breach of contract, and types and amounts of bonds required.

The contracts must be written in such a way that the construction specifications, including the federal contract provisions, are incorporated into the scope of the contract. Failure to follow these procedures will jeopardize reimbursement for the project.
A copy of all plans and construction specifications, including addenda must be submitted to the grants staff for approval prior to advertising for bids. In addition, copies of the bid tabulation summary sheet and all construction contracts must be submitted within fifteen days after award of the contract. Change orders to the contract should first be cleared with the grant coordinator before the change order is negotiated.

The contract award should be made to the individual or firm whose bid is most advantageous to the project sponsor. Contracts must be awarded to responsible contractors or suppliers who have the ability to perform successfully under the terms and conditions of the contract. Consideration should be given to such matters as contractor integrity, record of past performances, financial and technical capability, and accessibility to the necessary resources.

**Force Account** - The second method which may be utilized to develop a project site is through force account. A sponsor may choose to use its own employees, equipment, or materials in the development of facilities, rather than contract with an outside company.

Force account cannot be used to circumvent a competitive bidding process. Federal law requires that all construction over $25,000 be competitively bid. The Federal Government does not limit the amount of work which can be done by force account, so in accordance with State law, all force account work on L&WCF projects must cost no more than $25,000. If information is needed about state bidding regulations or federal procurement procedures, contact the grant coordinator.

If a sponsor plans to claim force account costs, this intent must be stated in the application documentation and in the explanation of any subsequent project amendment requests.

**Adaptation of Facilities for Handicapped Persons**

NPS requires that facilities developed with assistance from the L&WCF must be designed in conformance with the Architectural Barriers Act of 1968 as amended. The Act insures that structures financed with federal funds are designed and built to be accessible to handicapped people. The Uniform Federal Accessibility Standards give acceptable designs for making park and recreation facilities accessible. Some examples include:

1. Curb cuts or ramps which provide easy access to sidewalks.
2. Gradually-sloped, hard surfaced walkways leading to all park facilities visited by park users.
3. Playground equipment designed to accommodate handicapped children.
4. Picnic sites with tables designed for persons in wheel chairs.
5. Water fountains, public telephones, and similar facilities designed to permit use by all users.
6. Hard surfaced, signed parking spaces for handicapped persons.
APPLICATION CHECKLIST

Please ensure all information and documentation is included in your application prior to submission. In fairness to other applicants who have met all requirements, incomplete applications will NOT be considered for funding. If you have any questions or need additional clarification, please contact our office before submitting your application.

- Signed Project Application Summary (Cover Page)
  - Appropriate Authorized Representative
- Section I Project Narrative
  - Project Justification
  - Project Description
- SECTION II – Financial Profile
  - Local Funding Statement
  - Cost Estimates
  - Budget Information
- SECTION III – Property Information/Maps
  - Property Deed, Title Insurance, Title Opinion
  - Project Location Map
  - Project 6(f)(3) Boundary Map
  - Project Site Map
  - Floor Plan (if applicable)
- SECTION IV – Environmental Assessment
  - PDESF
- SECTION V – Supplemental Attachments
  - Assurance Resolution
  - Maintenance Statement
  - Energy Conservation Statement
  - Certified Overhead and Powerline Statement
  - Affirmative Action Plan
  - Comprehensive Plan/5 Year Plan
  - Current or Contemplated Agreements
  - Promotion Plan