



2020 Land & Water Conservation Fund Application

Applicants should read the 2020 Land & Water Conservation Fund Application Manual before completing this application

A. Applicant Information

Applicant Name:

Project Name:

Contact:

Title:

Address:

Phone:

Email address:

Name and Email Address of person to receive notification of application status **if** different from contact:

B. Legislative Information

U. S. Congressional District: Legislator Name(s):

Virginia Senate District: Legislator Name(s):

Virginia House District: Legislator Name(s):

C. Basic Project Information

1. Select Project Type: **Acquisition** - the 2020 LWCF Grant Round is only for acquisition projects

a) Award Request Amount:

Total Project Cost:

2. List the elements to be financially assisted by the LWCF program:

3. What is the current or future name of the park?

4. What are the total numbers of acres in the park?

5. Indicate the number of acres that will be placed in perpetuity for public outdoor recreation as required by section 6(f) of the Land and Water Conservation Act.

**Acreage must include the entirety of the park property. No property may be left out of the 6(f) boundary.*

6. Will this project provide access to waters of the state for use for recreation?

- a) If yes what type of access (boating, swimming, fishing) and when will access facilities be developed?
- b) What is the name of the body of water?

7. Does this proposal represent the creation of the first public park within the locality?

- a) If yes, what will be the name of the new park?
- b) If no, is the park already protected by LWCF?
 - 1) If the park is already protected by LWCF will this proposal increase the protected acreage at the park?
 - a) If yes, how many additional acres?
 - 2) If the park is already protected by LWCF and no new acreage is being added, how many acres will be enhanced by this proposal?

8. Who will hold title to the property assisted by LWCF?

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

10. What will be the applicant's type of ownership and control of the property?

Fee simple ownership *or* Less than fee simple:

Explain:

11. Describe the nature of any rights-of-way, easements, reversionary interests, etc. existing or proposed associated with the proposed Section 6(f) area of the park.

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

13. Does the applicant understand that Section 6(f) of the Land and Water Conservation Act requires that the property assisted by the LWCF funding and depicted on the required meets and bounds map must be maintained and operated in perpetuity for public outdoor recreation?

14. Does the applicant understand that if private or non-recreation activities occur on any pre-existing right-of-way, easement, leased area, etc. included in the 6(f)(3) area it may trigger a conversion of use process to be completed by the applicant ?

<https://www.dcr.virginia.gov/recreational-planning/document/lwcf-conversion.pdf>

15. Has the applicant read the Land and Water Conservation Fund requirements posted on the DCR website at <http://www.dcr.virginia.gov/recreational-planning/lwcf> ?

a) Does the applicant agree to abide to these requirements in perpetuity?

D. Project Location Information

1. Provide GPS coordinate information for the entrance to the park:

Latitude:

Longitude:

2. What is the zip code for the location of the project?

3. What is the street address or 911 emergency address of the park/property? If there is no street or 911 address, then provide driving directions to the park from 600 East Main Street, Richmond, Virginia 23219

E.

Purpose and Need

1. Provide an explanation of the purpose and need of the proposed project. Indicate (1) how it was determined the proposed recreation project is needed, (2) the number of anticipated users, (3) the type of recreation experience the applicant is intending to create, and (4) the anticipated short and long term benefits resulting from the project. Be sure to describe **new** types of outdoor recreation opportunities and capacities that are created as a result of this project or how the proposal will enhance or expand the user experience if no new opportunities are created.

2. Does the property fall within an area with demonstrated recreation need, based on either the terrestrial or aquatic layers of the Recreation Access Model (<https://www.dcr.virginia.gov/natural-heritage/vaconvisrec>)? Is the property included in ConserveVirginia (<https://www.dcr.virginia.gov/conservevirginia/>) ? You can use the Virginia Natural Heritage Data Explorer to access this data (<http://vanhde.org/content/map>).

3. Will users be drawn from the local population, regional, state and/or out of state? How was this determined?

4. Please explain how the project fulfills an unmet recreational need in the community, region or state.

5. Indicate if the project involves a priority in-holding or an addition that is critical to the recreational use of an existing site including a site's ecological integrity. Be sure to describe how the in-holding or addition is critical to the recreational use and/or the site's ecological integrity.

1. How many acres will be acquired with assistance from the Land and Water Conservation Fund?

2. Describe and quantify the types of existing resources and features on the site (for example, 50 acres of wetland, 2,000 linear feet of usable beachfront, 200 acres forested, 100 acre riparian buffer, vacant lot, special habitat, percentage of property that is impervious, unique or special features, karst, historic/cultural resources, hazardous materials, underground storage tanks, overhead utility lines, underground utility lines, etc.)

3. Describe contamination history of the property, if any. Indicate what the response is based upon (Include date(s) of any ASTM Standard E1527-05 Environmental Site Assessment Phase I/II).

4. What is the estimated purchase price of the property and what is the price based upon?

5. Has an appraisal to Uniform Appraisal Standards for Federal Land Acquisition (“Yellow Book”) standards been conducted on the property? A current appraisal is one that is not older than 6 months ago.
 - a) If yes, what is the date of the appraisal? **Please attach** the Appraisal to the application.
 - b) If underway, when will the appraisal be complete?

6. How and when will the site be made open for recreation and accessible for public outdoor recreation use? Provide a date estimate for how soon the public will be able to access recreational facilities at the park and indicate what those facilities are expected to be.

7. If development will be delayed for more than three years from the date of the acquisition, explain why acquisition of the property is necessary at this time. Indicate what facilities will be developed and when such development will occur and what type of interim recreational use will be allowed before development occurs?

8. **Attach a copy** of the purchase agreement for the property to the application. If a purchase agreement does not exist, then attach a letter from the current property owner indicating the intent to sell the property to the applicant. Provide a narrative describing any limiting conditions below.

G. Environmental Review and Project Readiness

Environmental Review and Project Readiness

1. Describe the site analysis and environmental scoping that has been conducted to date for the proposed project. Indicate which environmental resources were analyzed and who was involved in conducting the analysis. **Please attach** any correspondence or supporting documents.
2. Has it been determined there will be impacts to any of the resources? If yes, describe the impacts. Describe any mitigation that is being anticipated or already known to be required.
3. List all the required federal, state and local permits/approvals needed for the proposal and explain their purpose and status.

4. What alternative(s) to the proposed project were considered? Note: This question is asking what alternatives to the proposed land disturbing/acquisition activity were considered not what other funding sources were investigated.

5. Compare and contrast the anticipated environmental impacts of the proposed project with the alternatives to the proposed action that were considered. Indicate why the proposed project is the best course of action.

6. Are construction plans, for future development (as required by LWCF), completed and approved for the project?

If yes, **include evidence** of the approved plans with the application.

If underway, describe the percent complete and indicate when construction plans will be completed.

7. For each environmental resource topic in Table A which follows, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential impact for each listed resource that may occur directly, indirectly and/or cumulatively as a result of undertaking your proposal. If additional information is needed to explain the impact level selected, please **provide an attachment** which clearly identifies the topical area being discussed and the explanation.

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

9. Table B below contains a list of mandatory criteria that preclude the use of categorical exclusions for the purpose of the National Environmental Policy Act. Please provide an answer and explanation for each answer. If you answer “yes” or “maybe” for any of the mandatory criteria, more detailed information on your project would be needed in order for it to continue to be considered for funding. If the project scores high enough for funding, DCR will contact the applicant to discuss details.

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

H. Virginia Outdoors Plan, Local Plans & Park Master Plans

1. Using **no more than three citations** from the *2018 Virginia Outdoors Plan (VOP)*, (<https://www.dcr.virginia.gov/recreational-planning/vop>), explain how this proposal implements identified needs and goals as presented in the VOP. Be sure to **include page numbers for each of the three citations**.
2. Is this project included in a local or regional recreation plan, comprehensive plan or in an existing park's master plan? If yes, provide the name(s) of the plan and approval date(s) of plan. Please do not include a copy of the actual plan(s).

I. Operation and Maintenance

Describe the management, operation and maintenance of the park and its facilities. Outline the support staffing dedicated to the management and operation of the park. For new parks indicate the number of support staffing that will be provided to operate and maintain the park. Indicate whether staff for maintaining a new park is already available or if additional staffing will need to be hired. In both scenarios, clearly indicate who is responsible for each action and how frequently the action occurs.

LWCF funding assistance requires the recreational facilities to be designed to comply with the Architectural Barriers Act of 1968 (Public Law 90-480; <https://www.access-board.gov/the-board/laws/architectural-barriers-act-aba>) and Department of Interior Section 504 Regulations (43 CFR Part 17; <http://www.ecfr.gov/cgi-bin/retrieveECFR?n=pt43.1.17>).

Describe how this proposal will meet this requirement.

1. Describe the planning process that went into the development of this proposal.
 - a) How was the interested and affected public engaged and given an opportunity to be involved in the planning for this proposal?
 - b) Who was involved in the concept and planning process and how were they able to review the proposal. Indicate any state, local, federal agency professionals involved, advisory committees, neighborhood groups, subject matter experts, local Indian Tribes, etc. that were involved.
 - c) Describe and provide the dates of public meetings held, design charrettes, formal public comment periods which invited and allowed for public input and comment into the planning process for the development of this proposal.

d) What information was made available to the public for review and comment? Did the applicant provide written responses addressing received comments? If yes, include the comments and responses as an **attachment** to this application.

e) If the proposal has not been made available to the affected public during the planning process for the project, explain why?

L.

Budget

The minimum award request amount is \$250,000.00 (total project cost = \$500,000.00).

Provide a detailed, itemized budget estimate for the Land and Water Conservation Fund (LWCF) proposal. A narrative explaining how the requested LWCF assistance will be used and how the match requirement will be met, should be provided. Break down, describe, and justify the proposed project costs that correspond to the details of the work activities. Budget information should be presented in both narrative and tabular forms to ensure sufficient detail to demonstrate the applicant has the financial capability of moving the project forward while seeking periodic reimbursement.

If the LWCF assisted elements are a component of a much larger proposal, your estimate must consider **only the elements that will receive federal assistance.**

Include with your budget a clear description of the required local match. If the match is not a 100% hard cash match provide details describing the soft match. Indicate the dollar value and how the value for the soft match was derived. Be sure to identify all funding sources for the project, not just the match.

Notes:

1. The Land & Water Conservation Fund is a 50-50, matching, reimbursement program. All costs are incurred by the grantee prior to receiving reimbursement (whether partial or in full). The program requires that 20% of the award be retained until all LWCF elements are 100% complete and the project has been administratively closed out with the National Park Service.
2. The only federal funding that can match LWCF funds are Community Development Block Grants (CDBG) and Recreational Trails Program (RTP) funding. Non-federal grants may be used as part of a match. However, eligible federal grants or non-federal grants being used as a match for the LWCF proposal subject to this application must be in hand in order to be eligible to be used as a match for the LWCF. A copy of the authorized project agreement from the funding entity, the name of the entity, the name of the grant and program contact must be included with this application for verification. Failure to include this required documentation will remove the proposal for consideration for funding.
3. In submitting a grant application and signing the signature page of the application, the applicant is certifying that funds are available and committed to the project for its completion while seeking periodic reimbursements throughout the life of the LWCF grant. The typical term for completion and close-out is 3 years.

M.

Project Timeline

Attach a timeline for completion of the proposed LWCF project. The timeline submitted will be used to create the milestones for the project and its progress over the life of the grant should it be selected for funding and approved. If insufficient space is available below for your timeline, please attach the timeline to the application.

The purpose of a Section 6(f)(3) map is to define and depict the area that will be legally protected by Section 6(f)(3) of the LWCF Act, which states that property acquired or developed with LWCF shall not be converted to uses other than public outdoor recreation.

A Section 6(f)(3) map also ensures that the area defined by the boundary line is a viable recreation unit. Normally this will be the total area of the facility receiving assistance. In no case will it be less than the area to be developed or acquired under a given LWCF application. Applicants must submit a Section 6(f)(3) map for the application process. Acquisition applications should include a plat or depiction of the area to be acquired if a metes and bounds map of the parcel(s) is not available.

As required by law, the project area within the Section 6(f)(3) boundary will become encumbered as an outdoor recreational site in perpetuity. This means that it must be open and managed for public outdoor recreation forever.

Applicants should consider any existing or potential non-recreational uses of the park property. These areas should be excluded from the 6(f)(3) area. Applicants must consult with the Virginia Department of Transportation to determine if any planned road construction or improvement projects might impact the proposed 6(f)(3) boundary so that adjustments can be made now to avoid creating future conversion of use issues.

See the 2020 LWCF Grant Manual (http://www.dcr.virginia.gov/recreational_planning/lwcf.shtml) for the Section 6(f)(3) metes and bounds map requirements.

Section 6(f)(3) mapping is preferred on 11 x 17 sized paper. If utilizing 11 x 17 paper compromises the legibility of the map, please use larger sized paper.

O.

Application Attachments

The following items must be included with the Application:

Application Signature Page

Location Maps

Site graphic depicting the proposed improvements, where and how the public will access the site, parking, etc,. Clearly indicate existing recreation facilities, proposed recreation facilities and indicate which facilities are to be the subject of the LWCF assistance.

A 6(f)(3) metes and bounds boundary map. Acquisition projects should include a graphic clearly depicting where the 6(f)(3) area is located.

Acquisition projects must include a copy of the purchase agreement for the property between the applicant and current property owner. If this agreement is under review by attorneys, please include the most recent draft under consideration. If a purchase agreement is not available then a Letter of Commitment from the current property owner that shows the intent of the owner to sell to the applicant must be included.

Project Timeline –The timeline submitted will be used to create the milestones for the project and its progress over the life of the grant should it receive formal approval.

For acquisition projects if a current appraisal to UASFLA (“yellow book) standards is available please provide a copy with the application.

Governing Body Resolution (see 2020 Land and Water Conservation Fund Application Manual for instructions)

Budget Estimate

Commonwealth of Virginia Substitute W-9 form: Request for Taxpayer Identification Number and Certification (https://www.doa.virginia.gov/reference/CVG/W9_COVSubstitute.pdf)

"On behalf of,

I hereby certify the information contained in the attached application is true and correct. I understand this application will be rated on the basis of the information submitted and the submission of incorrect data or an incomplete application can result in this application being withdrawn from consideration for funding at any point during the open project selection process and at any point thereafter."

"I hereby certify

will comply with all applicable local, state and Federal laws and regulations."

"I hereby certify the availability of funding and commitment of funding for the total project costs as represented in this application."

"I hereby certify that

understands that the LWCF program reimburses at 50% and that documentation verifying expenditures must be submitted to DCR in order to receive payment, whether partial or in full. Further, it is understood that 20-25% of the grant award must be held back until the project is 100% complete."

"I hereby certify that the property will be placed under Section 6 (f) protection of the Land & Water Conservation Act and that wording to such effect placed in the deed of the property." Further, I certify that necessary coordination with interested parties was involved during the development of the 6(f) area.

Signed this day:

By:

Title

The LWCF Application is due at the Virginia Department of Conservation and Recreation no later than **5:00 pm on 15 December 2020.**

Deliver 7 complete copies of the LWCF application plus 1 complete electronic version on CD or USB to the Virginia Department of Conservation and Recreation, Division of Planning & Recreation Resources, LWCF Program, 600 East Main Street, Richmond, Virginia 23219.

Faxes and email submissions will **not** be accepted.

Applications received after 5:00PM on 15 December 2020 will **not** be accepted.

Applicants are responsible for effecting delivery by the deadline above; late submissions will be rejected without consideration.