

**U.S. Department of the Interior
National Park Service**

**Financial Assistance
Notice of Funding Opportunity (NOFO)**



NOFO Title	Round 7 Outdoor Recreation Legacy Partnership Program
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Announcement Type:	Discretionary
CFDA Number:	15.916

Issue Date: 11/08/2023
Application Due Date: 04/30/2024 Time: 11:59 PM Eastern Time Zone

Note: Per 2 CFR 1402.204 (f) Bureaus and offices must consider the timeliness of the application submission. Applications that are submitted beyond the announced deadline date must be removed from the review process.

Program Technical Contact:	Administration Contact:
Name <u>Ginger Carter</u>	Name <u>Susan Broeksmit</u>
Phone <u>202-513-7233</u>	Phone <u>202-641-0966</u>
Email <u>Ginger_Carter@nps.gov</u>	Email <u>Susan_Broeksmit@nps.gov</u>

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Section A: Program Description

Legislative Authority:

Land and Water Conservation Fund (LWCF) Act, as amended (P.L. 88-578, codified at [54 U.S.C. 2003](#) et. seq.); Consolidated Appropriations Act, 2014 (P.L. 113-76) and accompanying Explanatory Statement; The Great American Outdoors Act, P.L. 116-152; Consolidated Appropriations Act, 2023, P.L. 117-328.

Assistance Listing (formerly CFDA) Number: 15.916

Federal Regulations: 2 C.F.R. § 200, 2 C.F.R. § 1402, 36 CFR 59

Program Background

The Land and Water Conservation Fund (LWCF) State and Local Assistance program provides grants to States, and through States to local units of government and federally-recognized Indian tribes, for projects that will provide outdoor recreation opportunities to the public through the acquisition of lands and waters for parks and other outdoor recreation areas, as well as through the development of new, or the renovation of existing, outdoor recreation facilities. It is operated by the National Park Service (NPS) in partnership with the designated State Lead LWCF Agency in each of the 50 states as well as American Samoa, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands. Congress allocates money from the LWCF for this program which is then apportioned to the states based on a legislative formula. To be eligible for LWCF funds, the Act requires each state maintain an approved Statewide Comprehensive Outdoor Recreation Plan (SCORP) to assess the supply and demand for outdoor recreation resources in the state and set priorities for the use of LWCF funds.

In 2014, in coordination with Congress, the Secretary of the Interior, State Lead Agencies, and interest groups, the NPS created the Outdoor Recreation Legacy Partnership (ORLP) Program, a competitive grant program administered under the authority of the LWCF Act as a complement to the LWCF formula grant program. ORLP grants do not count against State apportionment funds.

ORLP Objectives and Goals

The purpose of the ORLP Program is to provide new or significantly improved recreation opportunities in urban, disadvantaged communities lacking access to walkable outdoor recreation (a.k.a. park deserts); consistent with the purposes and requirements of the LWCF Act and LWCF Manual. To meet ORLP objectives and goals, projects must be:

- located within an incorporated city (or town) having a **population of 30,000** or more in the 2020 Census, and
- located **within a community (Census tract) that is determined to be disadvantaged** per the *Climate and Environmental Justice Screening Tool* at <https://screeningtool.geoplatform.gov/> (includes tract of project site and community(ies) served),

ORLP Program Competition Priorities

This competition will prioritize the selection of projects that:

- As green and blue spaces, and tree cover help to cool the air, reduce pollution, and have positive effects on mental and physical health, nature-based park projects will earn a 5-point bonus. Nature-based projects are those where nature is a major element of, or strongly supports, the proposed recreational activity.

Additional benefits beyond the above may assist a project in standing apart from other projects, but they cannot be used as a replacement for the stated priority. Additional benefits may include, but are not limited to, projects that: expand public-private partnerships to leverage matching share resources (e.g. money or donated lands, supplies or services); provide economic benefits to the local community (e.g. short or long-term jobs or stimulation to local business near the park); use sustainable design/materials; include site features that consider the needs of all demographics, and/or; involve the redevelopment of a blighted or distressed property.

Multiple-Step Application Process

The application process for ORLP is multi-step:

- 1) Each State solicits proposals from eligible project sponsors and selects and submits abbreviated applications, as described in this funding opportunity, to NPS for projects they find to be eligible and meet the goals of the ORLP program.
- 2) Each proposal is reviewed and scored by an independent merit panel and technical reviewers.
- 3) Based on the reviews of an independent merit panel, the Director of the NPS determines which projects are selected and invited to submit a full application for NPS review.
- 4) States work with the project sponsors of the NPS selected projects to prepare a full application for NPS's final review and funding determination.

Final applications (listed as Step 4 above) must be submitted to NPS within one year of the NPS public announcement of the project's selection to remain eligible for funding.

Funding is not guaranteed until a grant agreement is signed by NPS.

Grants are awarded by NPS to the State Lead Agency, which is responsible for ensuring that allocated funds are used for the purposes of, and in a manner consistent with, the LWCF Act and Manual. The State Lead Agency, in turn, makes a sub-award to the project sponsor, which must be the public entity that submitted the proposal.

Because States must conduct a process to make the initial determination as to which projects to submit to the NPS for consideration in the national competition, State application deadlines will be earlier than NPS's competition deadline. A list of State Lead Agencies can be found at: <https://www.nps.gov/subjects/lwcf/contact-list.htm>.

Proposal Modifications

Changes to the project proposal after the submission of the application, whether in terms of the scope of work or budget, or amount requested, are generally unallowable as they may materially alter the circumstances under which the project was evaluated and selected. Such changes can lead to the federal share of the grant offer being reduced or the grant offer being withdrawn entirely.

Acquisition and Development Requirements

Projects must involve publicly-owned land, or the transfer of ownership by fee simple acquisition, to a public entity. The project sponsor must possess sufficient legal title and control of the property to ensure that it can be managed and maintained for outdoor recreation in perpetuity and otherwise remain compliant with the conversion provisions of the LWCF Act (see [54 U.S.C. 200305\(f\)\(3\)](#)). Acquisition or use of lesser interests (e.g. a perpetual easement) as a means of legal control is not permitted for the ORLP competition because there is insufficient time to work with project sponsors to develop a legally-sufficient easement (pre-existing easements are unacceptable because the easement language must acknowledge the LWCF grant information and requirements).

Outdoor recreation areas and facilities assisted by the LWCF/ORLP must be open to the general public and not limited to special groups.

Eligible Project Types

Assistance is available for a wide range of outdoor recreation uses and the facilities needed to support the use and enjoyment of these areas. These include, but are not limited to:

- community parks, campgrounds,
- sports fields and courts,
- picnic areas and tracks for walking or biking,
- water-based recreation facilities such as for swimming or boating, etc.
- pools

Ineligible ORLP Project Types and Limits of Awards Per Site

- most indoor recreation and other buildings, such as nature centers or education centers; however, facilities to support the use of the recreating public, such as restrooms, can be eligible,
- parks/sites that are currently receiving an LWCF formula grant, or that received an LWCF formula grant that closed within the last seven years, at the same park, even if the scope of the project is different, and,
- parks/sites that have already received two previous ORLP award, or additional ORLP funds to cover cost increases of a previous ORLP grant project.

In Perpetuity Requirement

The LWCF Act requires that any park or other outdoor recreation area benefitting from assistance from the LWCF, whether for acquisition or development purposes, and regardless of the amount or extent of assistance, not be converted to any use other than public outdoor recreation (*see* [54 U.S.C. 200305\(f\)\(3\)](#)).

Therefore, as a condition of the grant, the NPS requires that language be recorded against the deed of the assisted park/recreation property advising that the property was acquired and/or developed with Federal funds from the LWCF and that the property must be preserved for outdoor recreation uses in perpetuity and cannot be converted to any use other than public outdoor recreation use without the written approval of the Secretary of the Interior. This approval is contingent upon the project sponsor replacing the area to be converted with a *new* recreation area involving land of at least equal fair market value and reasonably equivalent recreational utility, and the conversion and its replacement found consistent with the state's SCORP.

The perpetuity requirement is applied to the assisted park or other recreation area *as a whole*. Exceptions for boundaries that would apply to a lesser unit of a park will be considered only if the unit is a stand-alone recreation area (i.e., its borders do not include other areas of the park) and is self-sustaining (i.e., it does not rely on nor serve adjoining park area for access, utilities, support facilities, etc.). The state and the NPS must agree to any boundary that does not comprise the whole park, and the NPS may eliminate from consideration proposals that are not consistent with this policy.

Section B: Federal Award Information

Estimated Total Funding: \$224,145,000+

This seventh round of the ORLP will make available up to \$224,145,000 appropriated by Congress in fiscal year 2023, plus unused funds from prior years, if available subject to Congressional action.

Expected Award Amount:

Projects will be awarded a minimum award of \$300,000 and maximum award of \$15,000,000.

Anticipated Award Date:

November 1, 2025 – The NPS announcement of selected projects is anticipated to be November 1, 2024. Selected projects must submit a full application for NPS final review within one year of the announcement (Nov. 1, 2025) to remain eligible for funding. Awards will be made upon NPS's final review and approval of the full application.

Anticipated Term of the Agreement: February 1, 2025 – February 28, 2027

Agreement terms for funded projects will run between two and three years depending on the negotiated project statement of work. Agreements are not effective until fully executed with signature from the NPS Financial Assistance Awarding Officer.

Estimated Number of Agreements to be Awarded: 40

Funding Instrument Type:

Grant Agreement - A legal instrument of financial assistance between The National Park Service and a non-Federal entity that, consistent with 31 U.S.C. § 6302, 6304:

(1) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. § 6101(3)); and not to acquire property or services for the Federal awarding agency's direct benefit or use.

(2) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

Substantial Involvement for Cooperative Agreement:

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

Other Information: Applications for renewal or supplementation of existing projects are not eligible to compete with applications for new Federal awards.

Section C: Eligibility Information**1. Eligible Applicants****00 – State governments**

In accordance with 54 U.S.C. 200305(a), each state has a lead agency designated by the State's Governor or by state legislation for the purposes of implementing LWCF in that state, and only the State Lead Agency can be an applicant for an LWCF grant. Therefore, only the State Lead Agencies are eligible to submit applications for ORLP grants. The State Lead Agency may submit on behalf of themselves or another eligible subrecipient.

Applications submitted directly by entities other than the State Lead Agency for LWCF, will be eliminated without consideration.

Eligible sub-recipients (aka project sponsors) includes state agencies, local units of governments and special purpose districts (must be an entity created by a legislative authority with a stated mission that includes acquiring, developing, owning and managing recreation areas and be able to demonstrate it can meet the perpetual protection requirement of the LWCF program), and federally-recognized Indian Tribes.

For a project to be eligible the sub-recipient must either be an incorporated city or town of at least 30,000 people as of the 2020 Census, or, if the subrecipient is a county or special purpose district, the project must be serving an incorporated city or town of at least 30,000 or more people. The park or recreation area and the disadvantaged community(ies) must all be within the city or town.

Parks/sites that are currently receiving an LWCF formula grant, or that received an LWCF formula grant that closed within the last seven years (even if the scope of the project is different) and, parks/sites that received more than one previous ORLP award *are not eligible*.

2. Cost Sharing or Matching

In accordance with the LWCF Act ([54 U.S.C. 200305\(c\)](#)), non-Federal cost match in the amount of a 1:1 is required to be eligible for an award under this NOFO. Eligible non-Federal sources of contributions must be in accordance with 2 C.F.R. § 200.306 and may include: cash, in-kind contributions of land, materials, and/or volunteer services. Non-Federal entity cost share or cost match contributions must be annotated within the application SF-424A, SF-424C and Detailed Budget Narrative.

Matching funds may be derived from state, local, non-governmental, or private sources in the form of cash, or donations/in-kind contributions of land, services, materials, etc.

Matching share must be secure or *firmly committed* at the time of application and be confirmed in a signed letter from the donor describing the type (cash, in-kind, etc.) and amount/value of the contribution. If the project match exceeds the 1:1 requirement, the budget must indicate how the additional funds/in-kind contributions will be used.

Per the LWCF General Provisions, applicants may not use LWCF funds to replace funds that were already allocated or appropriated for the same activity.

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

- Any project costs incurred before the grant start date, unless they are an eligible pre-award cost as defined in the LWCF Manual or unless the sponsor gets prior written approval from the State Lead Agency and the NPS (i.e., waiver of retroactivity).
- Any funds or in-kind contributions such as land or services that have been used previously or will be used in the future to satisfy the matching requirements of another LWCF grant or other Federal grant.
- Any funds or in-kind contributions such as lands or services that were or will be acquired with other Federal funds. However, there is an exception for funds authorized by their enabling legislation to be treated as non-Federal match. The most common options are HUD's Community Development Block Grants or DOT-FHWA's Recreation Trails Program (it is the project sponsors responsibility to include supporting documentation of this authority in the application if seeking to use Federal funds from other sources as match). *Budgets that include unallowable Federal share as match will be eliminated without further consideration.*

3. Other

Excluded Parties: NPS conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The NPS cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible,

prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

Foreign Entities or Projects:

This program does not provide funding to foreign entities or for projects conducted outside the United States.

Section D: Application and Submission Information

1. Address to Request Application Package

A complete application package is described in this Section. The application package contains both mandatory standard forms (SF) and various optional templates that may be used to satisfy other stated application requirements for this competition. The application package can be accessed and downloaded from the Related Documents tab on the Synopsis page of this announcement in Grants.gov.

2. Contents and Form of Application Submission

You must complete the mandatory standard forms and any applicable optional forms, in accordance with the instructions below, as required by this NOFO. Do not include any proprietary or personally identifiable information.

To assist applicants in ensuring that the required information is included, suggested templates for the Project and Budget Narratives, a photo form, an application checklist, and other tip sheets and templates, are included under the “Related Documents” tab of the Grants.gov opportunity.

ORLP Project sponsors should check with their state’s lead agency to determine if the state has any other requirements for submitting proposals at the state level.

Application Page Limits - Page limits for specific elements are noted. The overall application may not exceed 40 pages, excluding letters of support. *Information beyond the page limit, and linked information within the application, will not be reviewed or considered.*

Complete Application (40-page limit excluding letters of support):

1. Standard Form SF424, Application for Federal Assistance
2. Standard Form SF424C, Budget Information for Construction Programs
3. Standard Form SF429 and SF424B, Real Property Status Report (acquisition only)
4. Standard Form SF424D, Assurances for Construction Programs
5. Standard Form SF-LLL, Disclosure of Lobbying Activities
6. Standard Form - Project Abstract Summary
7. Project Narrative (**max 10 pages**) Following instructions in this section.
8. Budget Narrative (**max 5 pages**) Following instructions in this section.
9. Project Timeline (**max 1 page**) Following instructions in this section.

10. Photos of current site conditions, the surrounding environment, etc.
11. Maps (2 minimum):
 - a. Map (or Aerial Photo) Delineating Project Area and Proposed Boundary - must clearly indicate area to be acquired and/or developed, as well as the proposed boundary of the larger park/recreation area that would be subject to the perpetual protection provisions of the LWCF Act (54 U.S.C. 200305(f)(3)), all known outstanding rights and interests in the area held by others, total acres within the boundary(ies), and a north arrow.
 - b. Plan or Sketch of Planned Site Features identifying location of planned recreational improvements and other features such as where the public will access the site, parking, etc.
12. Letters of Commitment of Secured Contributions/Matching Share clearly stating the amount and type of contribution. Contributions from project sponsor must also be confirmed.
13. General Letters of Support (Optional) Letters of support from Congress must be included with the application in Grants.gov to be considered.
14. Feasibility Report (if available)
15. SHPO Determination of Effect Letter (if available)
16. Confirmation of IPaC Report Submission to USFWS

The Standard Forms 424 series and Project Abstract Summary must be completed by the State using the on-line forms within the application submission on Grants.gov. All other documents should be attached as individual documents. However, applicants may group all general letters of support, and all matching share letters of commitment into single attachments.

Required Proposal Elements Instructions

Standard Form SF424 – The SF-424, Application for Federal Assistance must be completed, signed and dated. Do not include any proprietary or personally identifiable information. Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal source(s) and funding amount(s) in the required Budget Narrative (see the Budget Narrative Section below).

Standard Form SF424C - Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For construction programs or projects, applicants must complete and submit the SF-424C, “Budget Information for Construction Programs”. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200. The estimated budget must align with the projected scope of work presented in the application.

Standard Form SF429 and SF424B – Real Property Status Report

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

Standard Form SF424D – Applicants must submit the appropriate signed and dated Assurances form.

Standard Form SF-LLL – Disclosure of Lobbying Activities

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

Standard Form – Project Abstract Summary

Applicants must complete and submit a Project Abstract Summary form with the application. Information on this form will be transmitted to USA Spending and be viewable by the public.

Project Abstract Summary – The project abstract form must be completed to meet Federal award reporting requirements. Ensure the project abstract succinctly describes the project in plain language that the public can understand and use without the full proposal. If the application is funded, this information will be made available for public access including on USAspending.gov.

Project Narrative Contents – (10-page limit, 12-point font)

The Project Narrative consists of the following three sections, each detailed below:

- Project Data Page
- Project Overview
- Responses to the Project Criteria

A. Project Data Page (**1-page**) - Provide the following information:

1. State and Project Sponsor Name and contact info:
2. Name of Park/Property
3. Project Title
4. Name of Property Title Holder
5. Project Property Address/Location
6. 2020 Census City/Town Population (must be over 30,000)
7. Census tract numbers of project site and community(ies) served – all tracts must located within a Census tract that is determined to be disadvantaged per the *Climate and Environmental Justice Screening Tool (CEJST)* at <https://screeningtool.geoplatform.gov/>. (NPS recommends applicants maintain a screen shot of each tract’s “disadvantaged” determination as Census data within the CEJST may change prior to NPS review of application and proof of previous data may be needed).
8. Statement of Project Type: Acquisition, New Development, or Renovation, or combination acquisition/development
9. Statement that project Creates a New Park, Expands an Existing Park or Neither
10. Brief statement (aka Project Summary) providing a “publicity blurb” about the project. (**250-words or less.**)

B. Project Overview (**2-page limit**): Provide the following information:

All Projects:

- Describe and quantify the types of resources and features of or on the property (e.g., 50 acres of forested area, 2,000 feet of waterfront, scenic views, unique or special features, recreation amenities, historic/cultural resources)
- Describe the current uses (if any) or disposition of the property to be acquired or developed, if uses will need to be discontinued, or the site rehabilitated. If there are any existing non-outdoor recreation or other non-public uses that are intended to continue on the property on an interim or permanent basis and/or proposed in the future, these should be explained.
- Describe constraints of the property (e.g., existing development; hazardous materials/contamination history; and restrictions such as institutional controls, easements, rights-of-way, reversionary interests, above ground/underground utilities; etc.).

Development Only:

- Describe the planned physical improvements and/or facilities, and the reason(s) such development is needed. Explain whether the work involves new development or rehabilitation or replacement of existing recreation facilities.

Acquisition Only:

- Provide a description of the property (including the current ownership) and an explanation of the need for its acquisition.
- State whether the acquisition would create a new public park/recreation area or if it will expand an existing site, and if so, by how much.
- Describe the plans for developing the property for recreation purposes after acquisition and the timeframe for the start and completion of development and when it will be open for public use.
- Describe the status of the acquisition, including negotiations with the landowner and development of due diligence materials such as title work and appraisal.
- Land acquisition costs must be based on the Uniform Appraisal Standards for Federal Land Acquisition (aka yellow book) estimate of fair market value. Be sure to explain the basis for the value estimate if an appraisal has not yet been performed.

Combination Projects:

- Provide information requested under “All Projects”, “Development Only” and “Acquisition Only”.

C. Project Criteria Information (**remaining pages**):

Provide information required by the Criteria as detailed in Section E-Application Review Criteria. Criteria information regarding the budget may be included in the Budget Narrative.

Detailed Budget Narrative (5-page limit)

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories should be organized under, and roll up to, the major budget object classes included on the SF424A or SF424C.

Budget information should reflect only costs related to work/acquisition that will be completed under an ORLP grant if selected. A total budget for the entire project (including work beyond what would be funded under a grant) may be provided separately. Note that the ORLP funded portion of the project must result in a viable recreation opportunity that is not reliant on other funding even in the context of a larger planned project.

The detailed budget must:

- Include a *detailed* breakdown of proposed project costs.
- Indicate the amount of each cost that will be covered by the federal share versus matching share.
- List all agencies, organizations or other entities providing matching share and describe the type of contributions (e.g., cash or in-kind donations). *A letter from each secured matching-share contributor must be included in a letter confirming the commitment of match (includes match from project sponsor).*
- State the value and type (cash, donation of equipment etc.) of each matching share contribution.
- State that the matching share contribution is secure or firmly committed at the time of application.
- Include direct costs for compliance activities, including tribal monitoring, if anticipated. No additional federal fund will be provided if requested after application submission.
- Provide a description of the methodology used to determine the amount of any contingency costs included.
- Identify who developed the estimated budget and on the basis for the estimates.

ORLP projects are limited to using a maximum of 25% of the total budget for costs not directly attributable to physical development/rehabilitation activities, supplies, equipment, or cost of land. Additionally, the LWCF Act specifically excludes acquisition support costs (such as title research and appraisals). (*See “Program Funding Restrictions” under Section D6 for detailed explanation and additional restricted costs.*)

Per 2 CFR 200 Section C.2.b, “Both the direct costs and the indirect costs must exclude capital expenditures and unallowable costs. However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.” Therefore, as the ORLP program funds capital projects, indirect costs are not allowed.

Timeline (1 page limit)

The detailed timeline must be included showing all project milestones, and measures that will provide quantifiable progress towards reaching the project's milestones. Each planned contract must be listed with an expected date for bidding.

Additional Final Application Documents (If Project is Selected by NPS)

The following additional information will be required with a full application if the project is selected in this pre-application round.

Conflict of Interest Disclosure

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

Applicability.

- This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
- In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict of interest provisions in 2 CFR §200.318 apply.

Notification.

- Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112.
- Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by sub recipients.

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

Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR §200.339, Remedies for noncompliance, including suspension or debarment (see also 2 CFR §180).

Uniform Audit Reporting Statement

U.S. states, local governments, federally recognized Indian tribes, institutions of higher education, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System, in accordance with 2 CFR 200 subpart F. U.S. state, local government, federally recognized Indian tribes, institutions of higher education, and non-profit applicants must state if your organization was or was not required to

submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

Disclosure of Lobbying Activities

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the SF-LLL, “Disclosure of Lobbying Activities” form if the Federal share of the proposal or award is more than \$100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

Overlap or Duplication of Effort Statement

If the project proposed in this application is funded through another Federal financial assistance award, in part or in whole, the applicant must provide a statement detailing the potential funding overlap in regard to activities, costs, or time commitment of key personnel. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted or copy of Federal financial assistance award covering activities covered under this proposal. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount. If no such overlap or duplication exists, state, “There are no overlaps or duplication between this application and any of our other Federal applications or funded projects”.

If selected for award, NPS reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- (a) Other budget information
- (b) Financial capability
- (c) Evaluation of risk
- (d) Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 43 C.F.R. § 17)

3. Identifier and System for Award Management (SAM.gov) Registration

This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI) which replaces the Data Universal Numbering System (DUNS) number from

Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s).

- **Register with the System for Award Management (SAM)**

Applicants can register on the [SAM.gov](https://sam.gov) website. The “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov “[Register with SAM](#)” page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity’s IRS information. There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; please be aware you can register and request help for free. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

4. Submission Dates and Times

Applicants are held responsible for their proposals being submitted to the National Park Service. Applications must be received by Tuesday, April 30, 2024. Applicants are encouraged to submit the application well before the deadline. Note: Per 2 CFR 1402.204 (f) Bureaus and offices must consider the timeliness of the application submission. Applications that are submitted beyond the announced deadline date must be removed from the review process. Application preparation time may take several weeks, so please start the application process as soon as possible. If it is determined that a proposal was not considered due to lateness, the applicant will be notified during the selection process.

States can monitor the application’s status by using “Track My Application” on Grants.gov. Be sure to record the Grants.gov tracking number which will be displayed on the confirmation page in Grants.gov immediately after you successfully submit to Grants.gov as you will need it for tracking.

5. Intergovernmental Review

Applicants subject to EO 12372 must contact their State’s Single Point of Contact (SPOC) to find out about and comply with the State’s process. The names and addresses of the SPOC’s are listed in the OMB’s home page at: http://www.whitehouse.gov/omb/grants_spoc/

6. Funding Restrictions

Costs incurred by the applicant prior to the start date of the period of performance of a signed Federal award are only allowable with written approval by a Financial Assistance Awarding Officer.

Additional LWCF Program Funding Restrictions:

LWCF ORLP grants may only be used for costs needed to support the acquisition or development of lands and facilities that will provide outdoor recreation opportunities to the public. LWCF/ORLP funds may not be used for:

- Grant administration expenses for state lead offices,
- Acquisition support costs such as appraisals or title work,
- Operation and maintenance activities,
- Facilities that support semi-professional or professional athletics such as baseball stadiums or soccer arenas,
- Indoor facilities such as recreation centers or facilities that support primarily non-outdoor purposes like dining facilities or overnight accommodation (such as a lodge or hotel), or
- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community).
- Indirect costs

The ORLP Grant Program places a total budget (federal plus matching share) limitation of 25% on project costs not directly attributable to physical development/rehabilitation, supplies, equipment, or cost of land. The 25% cap includes, but is not limited to:

- the overall management of activities directly related to finance (accounting, auditing, budgeting, contracting), and general grant administration costs (wages for grant administration, personnel, property management, equal opportunity).

In accordance with [54 U.S.C. 200305\(f\)\(1\)](#) projects seeking LWCF ORLP grants may not include funds from other Federal sources in the project's budget, including LWCF formula funds, even if all programs' match requirements are met. *Projects including other federal funds within the proposed budget, unless they are serving as authorized match, will be eliminated from the competition without consideration.*

Project sponsors are not permitted to also seek LWCF formula funding to support the proposed project except as an alternate grant source if not selected for an ORLP grant.

7. Other Submission Requirements

Applications must be submitted through Grants.gov to the National Park Service by the deadline identified in item 4 above. Applications submitted by other means or not received by the deadline will not be considered.

Application size limitations and file naming: The electronic application system (Grants.gov) has an overall application size limit, above which the application will not be forwarded to the DOI's grant management system. Check to make sure the application package as a whole does not exceed the limit. Additionally, Grants.gov has requirements for naming application documents. Attachments that do not follow these rules may cause the entire application to be rejected or cause issues during processing. Please refer to the Grants.gov site for current requirements at [Applicant https://www.grants.gov/applicants/applic-faqs.html](https://www.grants.gov/applicants/applic-faqs.html).

Section E: Application Review Information

1. Criteria

NPS will evaluate and consider only those applications that separately address each of the merit review criteria in the Project Narrative application requirement. Each applicant is required to provide a detailed project narrative, in accordance with section D.2., of the following criteria elements. It is HIGHLY recommended that the project narrative has sections labeled by criterion and bulleted topic.

Criterion 1 – Project Merit

Maximum Points: 50

This criterion assesses the quality of the proposed project in addressing the lack of outdoor recreation in, and wants and needs of, the target urban, disadvantaged community(ies). A five-point bonus will be awarded to nature-based projects (projects where nature is a major element of, or strongly supports, the proposed recreational activity). Otherwise, projects will be scored based on their ability to meet or surpass all of the following priorities: (1) demonstrating a high degree of effort or initiative to engage residents of the disadvantaged neighborhood(s) in the project's development, (2) demonstrating significant collaboration among the public and private sectors, including multiple levels of government, private/non-profit organizations, and community groups, and (3) having strong initiatives, policies, incentives, etc., to protect the area from gentrification (for more insight, see the National Recreation and Parks Associations' paper *Greening Without Gentrification* at <https://www.nrpa.org/parks-recreation-magazine/2019/december/greening-without-gentrification/>). Please provide the following information:

- State if the project is, or is not, a nature-based park, and if so, provide a description of the natural elements and how these elements support the proposed recreation.
- Describe any additional relevant benefits to the disadvantaged community, beyond being nature-based, that the project will provide, such as transforming a previous brownfield, involving of new or non-traditional partners, reaching new user groups, etc.
- Describe the process that led to the development of this proposal. Focus on the efforts made to engage the disadvantaged community(ies) served, and their participation in the project's design as well as that of other interested/affected entities. Include details such as number of meetings held and number of attendees, number of community members contacted, number of responses received.
- Describe the partnerships or other collaborative efforts that have helped, or will help to, facilitate the project.
- Describe initiatives and/or strategies that are in place to substantially limit gentrification of the project area.

Criterion 2 – Technical Excellence

Maximum Points: 50

This criterion measures the project's conformance with LWCF requirements and its likelihood to be successful. Projects will be scored based on their ability to meet or surpass all of the following priorities: (1) directly aligning with at least one goal or need that is clearly identified in the State Comprehensive Outdoor Recreation Plan (SCORP), *particularly any that are specific to urban or disadvantaged areas within the state or the area in which the project is located*, (2)

breaking ground within one year after award of a grant and be complete and open to the public within 2 to 3 years, (3) having a justified, reasonable, allowable and allocable detailed budget estimate that includes all information requested in Section D under “Detailed Budget Narrative”, and (4) being managed by a qualified, experienced teams with federal grant awards and construction project experience, as well as having qualified entities to maintain the site long-term, both physically and financially. Please provide the following information:

- SCORP and any other relevant city, regional or stated plan goals or initiatives the project directly supports. State specifically, how the project supports each plan’s priority or initiative (provide the plan title and date).
- Describe any other park or outdoor recreation plan (provide date of plan) that the project advances or supports, and state precisely how the proposed project aligns with it/each.
- Describe the status of planning referencing the milestones and measures in the timeline.
- Describe the non-recreational features within the project boundary such as leases or easements.
- Describe the basis/justification for the proposed budget estimates and identify who developed the budget estimates.
- Describe the qualifications of the parties responsible for managing the project, the grant, and long-term management and maintenance of the site (physically and financially).

2. Review and Selection Process

NPS personnel, and in some cases independent reviewers, will review all proposals. All proposals for funding will be considered using the criteria outlined above. A summary of the review panel comments may be provided to the applicant if requested.

a. Initial Review

Prior to conducting the comprehensive merit review, an initial review will be performed by NPS to determine whether: (1) the applicant is eligible for an award; (2) the information required by the NOFO has been submitted; (3) all mandatory requirements of the NOFO are satisfied; and (4) the proposed project is responsive to the program objectives of the NOFO (program determination). If an applicant fails to meet the requirements or objectives of the NOFO, or does not provide sufficient information for review, the applicant will be considered non-responsive and eliminated from further review.

b. Comprehensive Merit Review

All applications that satisfactorily pass the initial review will be eligible for the Comprehensive Merit Review, by a panel made up of professionals in fields related to the program criteria. The scores and reviewer evaluations will be used by the competition managers to produce a ranked list of proposals that will be recommended to the competition’s selecting official for final selection.

Each criteria element will be scored on the **0 -50-point** scale below.

Superior (40-50 points): The project strongly meets all priorities as well as providing several additional benefits for that criterion and/or has no technical weaknesses.

Good (30-40 points): The project strongly meets all priorities and/or contains only one or two minor technical issues.

Satisfactory (20-30 points): The project comes close to meeting all priorities and/or has a few minor technical issue(s).

Marginal (10-20 points): Project is weak in meeting more than one of the priorities and/or contains several minor issues or a moderate technical issue.

Poor (1-10 points): Application is far from meeting all priorities and/or contains one significant, or more than one moderate, technical issue(s).

Not Acceptable (0 point): Application does not address one or more priorities and is weak in meeting other priorities, and/or contains one significant, or numerous minor and moderate technical issue(s).

Applicants of selected projects must submit a full application within one year of the date of the NPS announcement of selected projects. The full application will be reviewed by the NPS for compliance with federal laws, most notably compliance with the National Environmental Policy Act and with the National Historic Preservation Act. If these reviews reveal features of the project that affect its eligibility or viability, the NPS may remove the project from the competition.

During the full application review, budgets will be evaluated by program staff. Deficiencies identified, and adjustments suggested by the merit panel reviews, as well as corrections for unallowable or unreasonable costs, will be addressed with the State and may result in a reduced award.

c. Selection

The Selection Official may consider the merit review recommendations and program policy factors to make a final determination about selections including:

- Availability of funding,
- Geographic distribution of projects and/or funds,
- Program objective and priorities (see Section A of this NOFO),
- The applicant's prior performance in managing LWCF grants and/or assisted sites,
- Issues uncovered during the NPS compliance review that cannot be resolved prior to the date of selection of projects,
- the amount of funds available to select applications for funding, and
- Benefits of acquisition and new development projects over rehabilitation projects.

d. Discussions and Award

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) only a portion of the application is selected for award; (2) the Government needs additional information to determine that the applicant is capable of complying with the requirements of DOI Financial Assistance Regulations, and/or (3) additional specific terms and conditions are required. Failure to satisfactorily resolve the issues identified by the Government may preclude award to the applicant.

3. CFR – Regulatory Information

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

Evaluation of Applicant Risk

In accordance with 2 C.F.R. § 200.205, applications selected for funding will be subject to a pre-award risk assessment which may include a review of information contained within the applicant’s proposal, past audits, Federal Awardee Performance and Integrity Information System (FAPIIS), and/or past performance on previous Federal financial assistance awards. Negative information that leads to an applicant being designated as “Medium Risk” or “High Risk” may result in specific conditions, as identified in 2 C.F.R. § 200.207, being incorporated into the final award.

Section F: Federal Award Administration Information

1. Federal Award Notices

Upon being selected for the award, successful applicants will receive a notification of the selection of their application for funding. NPS estimates it will notify the applicants selected for award by November 1, 2024. A notice of selection is not an authorization to begin performance on an agreement. This notice will detail the next steps in the awarding process. Once all clearances and reviews have been conducted, a grant will be sent for signature.

Work cannot begin before the non-Federal entity receives a fully executed copy of the grant which contains the signature of the Financial Assistance Awarding Officer. Any pre-award costs incurred prior to the receipt of a signed agreement or written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant’s own risk. A signed grant signed by a Financial Assistance Awarding Officer is the only authorizing document to begin performance.

Organizations whose applications have not been selected will be advised as promptly as possible.

2. Administrative and National Policy Requirements

See the “DOI Standard Terms and Conditions” for the administrative and national policy requirements applicable to DOI awards.

Data Availability

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

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

(b) The Federal Government has the right to:

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

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

The LWCF Grant Assistance Manual, v. 71 (March 11, 2021) establishes the specific eligibility, procedural, and programmatic requirements for LWCF grants. A copy of the Manual can be found at <https://www.nps.gov/subjects/lwcf/upload/LWCF-FA-Manual-Vol-71-3-11-2021-final.pdf>. The Manual outlines the criteria and process for eligible states and territories to develop a SCORP, develop projects for nomination to the NPS, submit applications, and implement grants for selected projects. All applications submitted pursuant to this announcement must be consistent with the Manual and are subject to the requirements described therein. Recipients and sub-recipients of LWCF grants are also subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards. The LWCF-specific terms and conditions are integrated into the standard conditions document and are additional conditions that recipients must also agree to in accepting the grant, such as the requirement to record language and a copy of the LWCF boundary map with the land records for the property to acknowledge the LWCF assistance. If there are outstanding issues still requiring resolution at the time the grant is issued, the NPS may include special award conditions on the grant constraining when work on the project may begin or restricting access to the funds until the conditions are satisfied.

3. Reporting

- a. **Financial Reports:** All recipients must use the SF-425, Federal Financial Report form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance

longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award.

- b. **Performance Reports:** Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.
- c. **Real Property Reports:** Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.
- d. **Conflict of Interest Disclosures:** Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. The Service will examine each conflict-of-interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in [2 CFR 200.339 Remedies for Noncompliance](#), including termination of the award.
- e. **Other Mandatory Disclosures:** The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix

XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.339 Remedies for Noncompliance, including suspension or debarment.

4. Reporting Matters Related to Recipient Integrity and Performance:

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

5. Significant Developments Reports:

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

Geospatial Data: All geospatial data collected for or produced through the use of the Department of the Interior financial assistance funds are required to meet all relevant standards established by the Federal Geospatial Data Committee (FGDC) as authorized by Geospatial Data Act of 2018, Pub. L. 115-254, Subtitle F – Geospatial Data, §§ 751-759C, codified at 43 U.S.C. §§ 2801–2811. Interior requires fully compliant metadata on all Geographic Information Systems files developed for financial assistance projects. If a funded financial assistance project involves acquiring or collecting geospatial data, the recipient is required to search GeoPlatform.gov to determine that no existing Federal, State, local or private data meet the Government’s needs and are available at no cost before acquiring or collecting additional geospatial data.

Section G: Federal Awarding Agency Contacts

Program Technical Contact:

First and Last Name: Ginger Carter
Address: 1849 C Street NW, Washington, DC 20240
Telephone: 202-513-7233
Email: Ginger_Carter@nps.gov

Program Administration Contact:

First and Last Name: Susan Broeksmit
Address: 1849 C Street NW, Washington, DC 20240
Telephone: 202-641-0966
Email: Susan_Broeksmit@nps.gov

Application System Technical Support: For Grants.gov technical registration and submission, downloading forms and application packages, contact Grants.gov Customer Support at 1-800-518-4726 or Support@grants.gov.

Section H: Other Information:

Payments:

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

Project sponsors are reminded that this competition represents just a portion of the funding allocated for grants through LWCF State and Local Assistance Program. Grants may be available from your state for the regularly apportioned funds as well. Contact your state's lead agency for more information.

Neither the NPS nor the Department of the Interior will be responsible for proposal preparation costs or project costs if the proposal fails to receive funding. Publication of this announcement does not oblige the NPS to make an award to any specific project or to obligate any available funds.