

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

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



NOFO Title	LWCF State Assistance Formula Grants - Acquisition & Construction - FY24
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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.

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Section A: Program Description

Legislative Authority:

This grant program is authorized by the Land and Water Conservation Fund (LWCF) Act of 1965, as amended, which is codified at 54 U.S.C. 2003. The State and Local Assistance Program section is found at 54 U.S.C. § 200305. The text of the full LWCF Act can be viewed here: [54 USC Ch. 2003: LAND AND WATER CONSERVATION FUND \(house.gov\)](#)

The LWCF Grant Assistance Manual, v. 72 (October 1, 2023) establishes the eligibility, procedural, and programmatic requirements for LWCF grants. A copy of the current volume of the LWCF Financial Assistance Manual (Volume 72, October 1, 2023) can be view here: [FEDERAL FINANCIAL ASSISTANCE MANUAL \(nps.gov\)](#)

Assistance Listing (formerly CFDA) Number: 15.916

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

Program Background, Objectives, and Goals:

This notice of funding opportunity (NOFO) is to advise States, local units of government, and Indian Tribes of the potential availability of funds in their State for grants from the Land and Water Conservation Fund (LWCF) to acquire and/or develop lands for public outdoor recreation purposes. The State and Local Assistance Program was created when the LWCF Act was enacted September 3, 1964. It helps fulfill the LWCF Act's purpose to assist in preserving, developing, and assuring accessibility to present and future generations of U.S. citizens and visitors “such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States.” This is accomplished in part by authorizing and providing grants to States, and through States to local units of government and Indian tribes, for projects that acquire lands and waters for parks and other outdoor recreation spaces, as well as develop new or renovate existing outdoor recreation facilities.

Recent significant changes in authority include permanent authorization for the LWCF and a minimum set-aside of 40% funds allocated for State Assistance from the LWCF, derived from the 2019 John Dingell Conservation, Management and Recreation Act, as well as mandatory funding of the LWCF at the fully authorized level of \$900 million as established in the Great American Outdoors Act of 2020. Outdoor recreation areas and facilities must be publicly owned as well as open to the general public and not limited to special groups.

The LWCF State and Local Assistance program is operated by the National Park Service (NPS) in partnership with designated lead agencies in each of the 50 States plus American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. Each fiscal year Congress allocates money from the LWCF for this program, which is in turn allocated to the States based on a legislative formula. To be eligible for the funding, States must have a current State Comprehensive Outdoor Recreation Plan (SCORP) in place that

assesses demand and need for outdoor recreation resources and sets priorities for the use of LWCF funds.

The process for applying for a grant begins at the State or Territory level. Entities interested in applying for an LWCF grant must contact their State lead agency to find out details about the availability of funds, timing of grant process, State program priorities, funding criteria, etc. The lead agency is responsible for soliciting project proposals from other State agencies, local units of government, and Indian Tribes and for conducting competitions to identify the projects that can best advance the goals or meet the needs identified in the State's SCORP. The top ranked projects, within the funds available, are nominated to the NPS for consideration and final decision, as well as the actual award of a grant. Prospective applicants should be able to specifically describe how their project would address priority outdoor recreation needs and goals as identified in the State's SCORP.

All prospective applicants should be aware that the LWCF Act requires that any property that has received assistance from the LWCF, whether for acquisition or development, and regardless of the amount or extent of the assistance, may not be converted to a use other than public outdoor recreation forever (see 54 U.S.C. § 200305(f)(3)) assisted recreation area as a whole, unless the NPS and the State agrees to a more limited area. Project sponsors must agree to this requirement as a condition of receiving a grant. Prospective applicants should carefully consider their ability and willingness to comply with this provision of the LWCF Act before applying for a grant.

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

Section B: Federal Award Information

Estimated Total Funding: \$450,000,000

We anticipate that approximately \$450,000,000 will be obligated in this grant round, but participation will vary by state. On an annual basis, funds are allocated from the LWCF for State Assistance grants. The LWCF allocation for State Assistance is also supplemented with funds generated by leasing activity in the Gulf of Mexico pursuant to the Gulf of Mexico Energy Security Act of 2006 (GOMESA). Once available, these amounts are apportioned to each State or Territory in accord with a formula set out in the LWCF Act. The Act provides States and

Territories with up to three fiscal years to obligate their apportionments. Most States have apportioned LWCF and GOMESA funds from FY 2022 and/or 2023 available. FY 2024 funds have not been apportioned yet but likely will be before this NOFO closes. Funding from different fiscal years can be combined. Consequently, the amount available for grants and the status of any competitions for grants from those amounts, will vary by State. You should consult with your State's lead agency to determine the specific availability of any funds and the timing of their competition rounds.

Expected Award Amount:

LWCF grants can range in size from \$10,000 up to \$15,000,000, but the overall average for the program is approximately \$350,000. Minimum and maximum grant funding levels are established by each State in accordance with their project selection process, and often are commensurate with the State's apportionment amounts. In general, supplementation of awards to cover increased scope or costs is allowed.

Anticipated Award Date: September 25, 2024

Assuming that a submitted application is actionable a grant will be awarded approximately 60 days after receipt. As such, award date will vary depending on when it is received, but the final possible date this fiscal year is on or about September 25, 2024.

Agreement terms for grants funded in this round will range between three and five years depending on the negotiated project statement of work. Grant submission date and proposed periods of performance are outlined below:

- Final grant applications submitted to Grant Solutions no later than February 1, 2024 should reflect a period of performance of April 1, 2024 – March 31, 2027.
- Final grant applications submitted to Grant Solutions no later than May 1, 2024 should reflect a period of performance of July 1, 2024 – June 30, 2027.
- Final grant applications submitted to Grant Solutions no later than July 12, 2024 should reflect a period of performance of October 1, 2024 – September 30, 2027.

However, project sponsors that sought and received a Waiver of Retroactivity from their lead agency and the NPS per LWCF Manual Chapter 5.A.3 may have an earlier start date. Agreements are not effective until issued by the NPS Financial Assistance Awarding Officer.

Anticipated Term of the Agreement: October 1, 2024 – September 30, 2027

Agreement terms for grants funded in this round will range between three and five years depending on the negotiated project statement of work, and most will have an initial term of October 1, 2024 – September 30, 2027. However, project sponsors that sought and received a Waiver of Retroactivity from their lead agency and the NPS per LWCF Manual Chapter 5.A.3 may have an earlier start date. Agreements are not effective until issued by the NPS Financial Assistance Awarding Officer.

Estimated Number of Agreements to be Awarded: 350

The NPS estimates that up to 350 grants will be awarded in this cycle for projects around the United States. Each grant project will be treated individually, with detail provided through project statements, project plans, and budgets developed between the NPS and the State lead agency for LWCF.

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.

No substantial involvement on the part of the NPS is anticipated for LWCF 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: State Governments

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

The state lead agency is responsible for: reviewing proposals for completeness and eligibility requirements; ensuring that proposals meet and are consistent with outdoor recreation priorities outlined in the state or territory's SCORP; prioritizing proposals according to their Open Project Selection Process and submitting final applications to the NPS for review and award of funds.

For selected projects, the NPS makes financial assistance awards to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program, including any funds awarded to eligible sub-applicants. As the primary grantee for any sub-awarded grants, the lead agency is responsible for overseeing the day-to-day implementation of the grant and the supported activities to assure the project's compliance with the LWCF Act and Manual, other applicable Federal requirements, and that performance goals are being achieved. The NPS cannot make grants to entities other than the state lead agency; applications submitted to this funding opportunity announcement by an entity other than the state lead agency will be automatically eliminated.

2. Cost Sharing or Matching

In accordance with 54 U.S.C. 200305(c), a non-Federal cost-share at a minimum ratio of 1:1 is required to be eligible for an award under this NOFO, with the following exception: for DOI grants, 48 U.S.C. § 1469a(d) waives the 1:1 cost-share requirement for the jurisdictions of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands. The non-Federal entity must be willing to contribute at least 50% of the total project cost from non-Federal sources as evidenced in the documentation from the applicant. Eligible non-Federal sources (state, local, non-governmental, or private) of funds must be in accordance with 2 C.F.R. 200 and the LWCF Manual, and may include: cash, the value of in-kind contributions of real property, supplies, equipment, and/or volunteer services. Non-Federal cost share contribution amounts, and their source(s) shall be annotated within the SF-424C (reference section D, Application and Submission Information), the budget narrative, and the relevant section of the LWCF Application & Revision Form (A&R Form). Cost-sharing funds must be in hand or committed at the time of application. The following costs may not be counted toward the non-Federal matching share (not inclusive):

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

authorizing legislation for those funds provides that they may be counted as the non-Federal contribution for another Federal grant program.

3. Other

Applications submitted directly by entities other than the State lead agency, regardless of whether eligible as a subrecipient, will automatically be eliminated.

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. The application package can be accessed and downloaded via Directed Announcement through GrantSolutions.

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. A complete application should include:

Mandatory Requirements:

- **Standard Form 424 (SF 424)** - Application for Federal Assistance. Complete this form as much as possible with all applicable information. The required application forms are available with this announcement and on [Grants.gov](https://www.grants.gov). The SF-424, Application for Federal Assistance must be complete, signed, and dated.

Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s)

and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Keep in mind the State lead agency is always the primary applicant and the SF-424 should be filled out accordingly.

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For construction programs or projects, applicants must complete and submit the SF-424C, “Budget Information for Construction Programs”.

- Standard Form 424A or C (SF 424A/C) - Budget Information. Applicants must provide an estimated cumulative budget for the total project in the proposal. The required application forms are available with this announcement and on [Grants.gov](https://www.grants.gov). The estimated budget must align with the projected scope of work presented in the application.
- 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](https://www.usaspending.gov).

Please complete and submit with your application package the Project Abstract Summary form with the following information:

- Funding Opportunity Number;
 - Goals and Objectives of your proposed project;
 - Summary of Project Activities;
 - Performance Goals including milestones and expected outcomes;
 - Who will benefit from your project.
- Detailed Budget – The project budget shall include detailed information on all cost categories and must clearly identify all project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A and SF424C.

The project costs should align with the scope of work as presented in the project narrative. There should be sufficient detail to help support the review and determination that the costs are reasonable, allocable, and allowable.

- Standard Form 424B or D (SF 424B/D) – Assurances
This form must be signed and submitted with your application. The required application

forms are available with this announcement and on [Grants.gov](https://www.grants.gov).

- **Project Narrative** - Applications must include a narrative description of the project that outlines the scope of work, including a timeline with anticipated benchmarks, and planned results/outcomes of the project.

There should be sufficient detail to help support the review of the budget information and the described work should align with the budget detail (i.e., funded work must have corresponding budget detail and vice versa). The narrative can be a stand-alone document or, with sufficient detail, can be addressed within the relevant section of the supplemental Application and Revision (A&R) Form, a supplemental application document that also is used to gather information about technical aspects of the project implementation, including potential for impacts to environmental and cultural resources. Besides the A&R Form, other application documents that supplement the narrative component include:

- Description and Notification Form
 - LWCF Boundary Map
 - Project Location Map
 - Pre-award Onsite Inspection Report
 - Copy of an approved waiver of retroactivity (if applicable)
- **Indirect Costs**
If your proposed budget includes indirect costs, the rate as proposed must meet the requirements of 2 CFR Part 200, Section 200.414 and 2 CFR Part 200, Appendix III through Appendix VII, as applicable. If fully negotiated indirect cost rates are applied, the associated rate agreement must be provided with your proposal. Proposals that fail to document their indirect costs may have those costs disallowed.

Optional Requirements:

- **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.

Restrictions on lobbying. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR §18 and 31 USC §1352.

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.

- **Certification Regarding Lobbying**

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

- **Disclosure of Lobbying Activities**

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 Friday, July 12, 2024, 11:59 PM Eastern Time. 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.

5. Intergovernmental Review

This funding opportunity is not subject to Executive Order (EO) 12372 “Intergovernmental Review of Federal Programs.” 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: [Intergovernmental Review \(SPOC List\) \(whitehouse.gov\)](#)

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.

7. Other Submission Requirements

Complete applications must be submitted in electronic form via GrantSolutions.gov directed announcement by the deadline identified above. Applications submitted by other means or not received by the deadline will not be considered.

Please make sure that the UEI number associated with the GrantSolutions.gov account that will be used to submit the application matches the one that has been registered with the NPS for use

with the payment system (ASAP), otherwise funds will not transfer to ASAP when the award is approved.

In the event the applicant experiences technical difficulties with submitting their application, please contact: GrantSolutions Customer Support at 1-866-577-0771 or Help@GrantSolutions.gov.

START THIS PROCESS EARLY DON'T DELAY!

Section E: Application Review Information

1. Criteria

Merit review of proposals is conducted mainly at the State or Territory level, prior to submission of the application to the NPS. Each State or Territory has its own process and criteria for soliciting, reviewing, and selecting applications to be nominated to the NPS (this is known as the “open project selection process” and it is approved for each State by the NPS in conjunction with the SCORP review and approval process). You should contact your State’s lead agency for specific details. However, all nominated projects must conform to the LWCF Act purpose, and ideally will also help further Secretary of the Interior priorities as reflected in EO 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, EO 14005: Ensuring the Future is Made in All of America by All of America’s Workers, and EO 14008: Tackling the Climate Crisis at Home and Abroad.

2. Review and Selection Process

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

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

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the Bureau’s “Financial Assistance Recipient Risk Assessment” form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans,

recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

A draft of each nominated application is reviewed by the NPS program officer for the applicable State to establish concurrence that the project satisfies the State’s SCORP, to ensure the project is consistent with the intent of the LWCF State and Local Assistance Program, and to ensure the project is compliant with the LWCF Manual and other relevant laws, regulations, and policies pertaining to federal financial assistance. The NPS will work with states to revise applications until they have reached an actionable stage and also to complete some federal compliance steps. Once the application is found to be ready and eligible to be processed for award, the state is directed to submit a final version into GrantSolutions.gov. Applications submitted to GrantSolutions.gov without a draft review will automatically be rejected without consideration.

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.

4. Anticipated Announcement and Federal Award Dates

Assuming that a submitted application is actionable a grant will be awarded approximately 60 days after receipt. As such, award date will vary depending on when it is received, but the final possible date this fiscal year is on or about September 25, 2024.

Agreement terms for grants funded in this round will range between three and five years depending on the negotiated project statement of work. Grant submission date and proposed periods of performance are outlined below:

- Final grant applications submitted to Grant Solutions no later than Feb. 1, 2024 should reflect a period of performance of April 1, 2024 – March 31, 2027.
- Final grant applications submitted to Grant Solutions no later than May 1, 2024 should reflect a period of performance of July 1, 2024 – June 30, 2027.

- Final grant applications submitted to Grant Solutions no later than July 12, 2024 should reflect a period of performance of October 1, 2024 – September 30, 2027.

However, project sponsors that sought and received a Waiver of Retroactivity from their lead agency and the NPS per LWCF Manual Chapter 5.A.3 may have an earlier start date.

Agreements are not effective until issued by the NPS Financial Assistance Awarding Officer

Section F: Federal Award Administration Information

1. Federal Award Notices

Upon approval of an award, applicants will receive an email from Grant Solutions that a Notice of Grant Agreement has been issued by a Financial Assistance Awarding Officer. Work cannot begin before the non-Federal entity receives this notice. Any pre-award costs incurred prior to the receipt of the agreement or other written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant's own risk. The Notice of Grant Agreement is the only authorizing document to begin performance.

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.

(c) The LWCF Grant Assistance Manual, v. 72 (October 1, 2023) establishes the specific eligibility, procedural, and programmatic requirements for LWCF grants. The Manual outlines the criteria and process for eligible states and territories to develop a SCORP, develop projects for nomination to the NPS, submit applications, and implement grants for selected projects. All applications submitted pursuant to this announcement must be consistent with the Manual and are subject to the requirements described therein.

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

Section G: Federal Awarding Agency Contacts

Program Technical Contact:

For Questions and programmatic technical assistance, please contact the NPS LWCF Program Officer for your state. Contact information for LWCF Staff can be found here: [Meet the LWCF Team](#).

Program Administration Contact:

Name:	<u>Missy Morrison</u>
Address:	<u>1849 C Street NW, Washington DC 20240</u>
Phone:	<u>202-641-6557</u>
E-mail:	<u>Mary Morrison@nps.gov</u>

Application System Technical Support:
GrantSolutions Customer Support: 1-866-577-0771
Help@grantsolutions.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.

Buy America Domestic Procurement Preference and Waiver Process

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Applicants under this NOFO are hereby notified that none of the funds provided under an LWCF award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Recipients of an award may seek waivers under certain circumstances. In accordance with Section 70914 (b), agencies may waive the Buy America domestic content procurement preference requirements if the agency finds that:
In accordance with Section 70914 (b), agencies may waive the Buy America domestic content procurement preference requirements if the agency finds that:

1. applying the domestic content procurement preference would be inconsistent with the public interest (Public Interest Waiver);
2. types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (Non-Availability Waiver); or
3. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent (Unreasonable Cost Waiver).

Check the [DOI General Applicability Waivers](#) to determine if your project or materials meet the criteria of one of the already approved DOI-wide waivers. If the criteria are met, a separate waiver is not required. Currently there are two general applicability waivers: a small grants (total cost less than \$250,000) waiver and de minimis waiver.

If your project or materials would not meet the general applicability waiver criteria, you may submit a waiver request directly to the financial assistance awarding officer for your grant. The waiver request justification should include a detailed justification for the use of goods, products, or materials mined, produced, or manufactured outside the United States and a certification that the non-Federal entity made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers. To assist your financial assistance awarding officer with processing your request, note that the below information must be completed (as applicable) on your waiver request form:

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity name and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant [PSC](#) or [NAICS](#) code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a

waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.

13. Anticipated impact if no waiver is issued.

Entities applying for a waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver requests.

If the DOI determines that your waiver request (in whole or in part) appears to meet the legal and policy criteria of Buy America, and in accordance with Section 70914 (c), the DOI will post its proposed waiver justification for public comment for a period of not less than 15 days to the [DOI Waiver Requests Available for Public Comment](#) page. The DOI will post approved waivers on the [DOI Approved Buy America Requests](#) page, and your financial assistance awarding officer will notify you if your waiver request was approved.