

# DCR PRR Recreation Grants American Battlefield Protection Program Battlefield Land Acquisition Grants



## Pass-through Grant Guidance

The National Park Service (NPS) American Battlefield Protection Program (ABPP) administers Battlefield Land Acquisition Grants (BLAG) to assist state and local governments with the preservation of eligible Revolutionary War, War of 1812, and Civil War battlefield lands through acquisition of fee-simple or less-than-fee (easement) interests.

To support the preservation of battlefield lands in Virginia, the Department of Conservation and Recreation (DCR) serves as a preservation partner and pass-through entity to nonprofit organizations who cannot directly apply for BLAG funding. The Division of Planning and Recreation Resources administers this program within DCR.

This guidance is intended to summarize the process and administrative procedures in partnering with DCR for a BLAG pass-through and outline the roles and responsibilities of DCR and the nonprofit organization. It does not address all grant requirements. Please refer to the NPS ABPP BLAG [website](#) and the latest BLAG [Notice of Funding Opportunity](#) (NOFO) for additional information. This guidance is subject to NPS ABPP BLAG administrative and program changes.



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# I. Summary of Roles and Responsibilities

## **Department of Conservation and Recreation**

The Department of Conservation and Recreation (DCR) serves as the primary applicant, official grant recipient, and pass-through entity for Battlefield Land Acquisition Grant (BLAG) funding and as liaison between the National Park Service (NPS) and the nonprofit project sponsor. The completion of grant requirements, including the acquisition and perpetual stewardship of the property, is delegated to the project sponsor through a grant sub-agreement. Grant proceeds are passed to the project sponsor once certain deliverables have been completed. No DCR funds, other than administrative staff time, are expended on ABPP pass-through grants.

## **Nonprofit Project Sponsor**

The nonprofit project sponsor serves as the sub-recipient of the BLAG award. The project sponsor is responsible for completing the scope of work outlined in the NPS ABPP grant agreement and submitting documentation of all grant activities to DCR. The project sponsor acquires the interest in an eligible battlefield property and ensures its permanent protection by conveying a conservation easement or for state-managed properties, recording a preservation letter of agreement with NPS ABPP, that meets minimum ABPP conditions. The nonprofit project sponsor is responsible for all project expenses, sourcing all matching fund contributions, fulfilling all delegated grant requirements, and working with the easement holder to report on the status of the property every five years post-completion.

## **American Battlefield Protection Program**

The NPS American Battlefield Protection Program (ABPP) administers the program and provides BLAG award funding to state and local governments for the acquisition of interests in eligible battlefield sites. NPS ABPP staff provide technical assistance to states, localities, and nonprofit project sponsors, serve as the grant federal awarding officer and project officer, complete the federal requirements under Section 106 of the National Historic Preservation Act, review grant deliverables for program compliance, and maintain project records.

## **State Historic Preservation Office**

As the State Historic Preservation Office (SHPO), the Review and Compliance Division of the Virginia Department of Historic Resources (DHR) reviews draft easement and preservation letter of agreement documents. The SHPO also provides technical assistance to NPS and project sponsors on the identification, evaluation, and treatment of historic properties in accordance with Section 106 and the *Second Amendment to [Programmatic Agreement](#) among the National Park Service American Battlefield Protection Program, the National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation Regarding the American Battlefield Protection Program's Grants (2022)* (the "Programmatic Agreement").

## **Easement Holder**

The easement holder provides for and enforces the permanent protection of the property in accordance with the LWCF Act. In instances where the project sponsor acquires a property that will be transferred to and managed by a state agency, a preservation letter of agreement can be recorded with the deed of sale in lieu of an easement.

## **II. Grant Deliverables**

The list that follows outlines the primary grant activities and corresponding deliverables necessary to complete the BLAG process, in addition to acquiring the interest in an eligible battlefield property.

### **Appraisal and Appraisal Review**

**Prior to the drawdown of funds, the project sponsor must acquire and submit an acceptable appraisal *and* appraisal review of the Property.**

Real property that will be purchased with funds from ABPP must be appraised in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA or “Yellow Book”) by an independent real property appraiser licensed or certified in Virginia. The appraisal must also be reviewed by a qualified review appraiser that meets qualifications established by the Department of the Interior Appraisal and Valuation Services (AVSO). These documents should be submitted at the time of application or sent directly to NPS ABPP with DCR copied for file retention purposes.

### **SF-429 Real Property Status Report Cover Page and SF-429 Attachment B Request to Acquire**

**Prior to the drawdown of funds, DCR must submit a SF-429 Real Property Status Report Cover Page and an SF-429B Request to Acquire, Improve, or Furnish to NPS ABPP.**

The SF-429B must include the appraised value of the property obtained through the UASFLA appraisal. The project sponsor prepares these documents and submits them to DCR who signs and submits them to NPS ABPP.

*SF-429 Cover Page and SF-429-B templates are available at <https://grants.gov/forms/forms-repository/post-award-reporting-forms>.*

### **Section 106 Initiation**

**The project sponsor must initiate the Section 106 process and complete consultation with the VA SHPO under the National Historic Preservation Act (54 U.S.C. 306108, or Section 106) and its implementing regulations, 36 CFR Part 800.**

After NPS ABPP completes its merit review of the proposal, the project sponsor (sub-recipient) should initiate the Section 106 process with the SHPO and other by-right consulting parties by completing the requirements of 36 CFR 800.3 and 800.4 on behalf of the NPS in accordance

with the Programmatic Agreement, as amended (linked under “Reference Documents” below). Required steps are outlined in that document, including that the project sponsor must first submit drafts to NPS for review and then carry out the requirements of 36 CFR 800.4 through 800.6 with the SHPO and consulting parties. The project sponsor must provide NPS ABPP with copies of all information submitted to or received from the SHPO and send to DCR copied for file retention purposes.

NPS ABPP, as soon as it is in receipt of sufficient preliminary information from the project sponsor, as outlined in the Programmatic Agreement, will initiate consultation with federally recognized Tribes that might attach religious or cultural significance to historic properties in the area of potential effects and invite them to be consulting parties.

### **Section 106 Determination**

**Once all Section 106 coordination has been completed, NPS ABPP will make a determination on whether the undertaking will have an adverse effect on historic properties.**

No activity with the potential to affect historic properties, other than the acquisition of battlefield land, may occur on the Property before the Section 106 process is complete and this determination is issued. This determination will be sent to the SHPO, participating Tribes, DCR, and other consulting parties as outlined in the Programmatic Agreement.

### **Draft Easement or Preservation Letter of Agreement**

**Project sponsor must submit a draft of the easement or preservation letter of agreement to NPS and the Virginia Historic Preservation Office (VA SHPO) for review and approval.**

If the SHPO is the easement holder, the project sponsor will work directly with DHR’s Easement Program to draft, negotiate, and record the required easement. If the SHPO is not the easement holder, DHR’s Division of Review and Compliance will work with the project sponsor to review the draft easement or preservation letter of agreement per the Section 106 Review process.

The easement must identify the easement holder and include the provisions listed in the grant agreement. This step comes after initiating Section 106 but before NPS can proceed with making a Section 106 determination. The project sponsor works with the easement holder to prepare the draft and sends it directly to NPS with DCR copied for file retention purposes.

*See the NPS ABPP BLAG Standard Easement Requirements, Nonprofit Easement Holder Qualifications, and Required Language for Easements with Nonprofit Grantees & Nonprofit or Private Grantors documents linked under “Reference Documents” below and posted with the Notice of Funding Opportunity.*

### **Recorded Easement or Preservation Letter of Agreement**

**The project sponsor must record an easement in the applicable land records office for the locality to ensure the recordation of Federal interest in the property. If a State government agency will acquire and manage the property, the State may enter into a preservation letter of agreement with ABPP instead of recording an easement.**

Project sponsors must record with or in the deed of acquisition and record in the easement (as applicable) the following:

- That the property was acquired with assistance from Federal Land and Water Conservation Act funds pursuant to the American Battlefield Protection Act (16 USC 469.k.);
- That the property is subject to provisions of Section 200305(f)(3) of the Land and Water Conservation Act;
- That the property, therefore, may never be converted to other than preservation uses without the written approval of the Secretary of the Interior;
- That in the event of a breach of the requirements of Section 200305(f)(3) (unauthorized conversion), the only remedy is immediate compliance with Section 6(f)(3); and
- That grant funds cannot be repaid to the NPS to nullify the requirements of Section 200305(f)(3).

The project sponsor must submit a copies of the recorded deed of acquisition (if applicable) and recorded easement for the property 90 days prior to the grant end date. The project sponsor should send these documents directly to NPS ABPP with DCR copied for file retention purposes.

### **Project Sign**

**The project sponsor must install an ABPP project sign readable from each public right-of-way on the property.**

The sign must briefly identify the historical significance of the property and that the property is being preserved with federal funds from the American Battlefield Protection Program administered by the National Park Service. The sign must be erected 90 days prior to the grant end date and must remain in place for at least 24 months. The project sponsor should submit a photograph of the erected sign to DCR for submission to NPS ABPP with the final reports.

### **Final Budget**

**Prior to closeout, an updated budget narrative must be submitted showing final actual costs and amount of grant funds utilized.**

As actual project expenses and grant distributions can vary from the application estimates, a final budget clearly showing total actual project costs with descriptions of cost items, identification of all funding sources, and amount of each cost item attributed to the federal BLAG share and to each matching contribution must be submitted for NPS ABPP review prior to closeout. The project sponsor should submit the final budget to DCR for submission to NPS with the final reports.

## III. Reporting Requirements

### Annual and Final Reports

**A SF-425 Federal Financial Report, SF-429 Cover Page, SF-429A General Reporting, and Performance Progress Report must be submitted to NPS for each federal fiscal year during the grant period of performance. Prior to closeout, final versions of each of these reports must be submitted for the period from the last complete federal fiscal year to the grant end date.**

DCR must submit an annual SF-425 Federal Financial Report and certify to NPS any changes to information about the grant property by annually submitting an updated SF-429 Cover Page Real Property Status Report and an SF-429A General Reporting throughout the period of performance in accordance with 2 CFR 200.330. ABPP grants typically have a three year period of performance from NPS authorization to the grant end date. Performance Progress Reports (PPR) 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. The PPR should discuss the status and progress towards each of the grant deliverables. The project sponsor prepares these documents and submits them to DCR who signs and submits them to NPS ABPP. These reports should be submitted to DCR as soon as possible after the period end date – September 30<sup>th</sup> for federal fiscal year annual reports – and no later than 30 days prior to their due date to NPS.

*SF-425, SF-429 Cover Page, and SF-429-A templates available at <https://grants.gov/forms/forms-repository/post-award-reporting-forms>. There is no longer an official SF-PPR template, but previously used templates are available online or from DCR and are accepted by NPS.*

### Post Completion Reporting – Every Five Years from Grant End Date

**A Real Property Report SF-429 Cover Page and SF-429A must be submitted to NPS once every five years for the duration of the Federal interest in accordance with 2 CFR 1402.329(d)(2).**

The program requires regular reporting on the status of the Federal interest in the property. The project sponsor is responsible for ensuring DCR receives this information from the easement holder for submission to NPS ABPP. Typically, DCR will contact the easement holder to obtain the information needed. If the easement holder cannot provide the requested information or does not respond in a timely manner, the project sponsor must acquire this information and submit to DCR at least 30 days prior to every five year anniversary of the grant end date.

## IV. Grant Administrative Procedures

### Pre-application

1. Project sponsors discuss their proposed acquisition with NPS ABPP staff.



2. Project sponsors submit easement holder request to [DHR's easement program](#). DHR Easement Acceptance Committee's acceptance or declination to hold the easement must be provided to NPS ABPP at the time of application. If DHR declines to hold the easement, project sponsor must obtain an alternative easement holder as outlined in the nonprofit easement holder reference documents linked below.
3. Optional: Project sponsors obtain an acceptable appraisal and appraisal review as outlined in Notice of Funding Opportunity. This may occur before or after application and award.
4. Optional: Project sponsors begin the sub-recipient Section 106 initiation processes as outlined in the Programmatic Agreement. This may occur before or after application and award but NPS ABPP preference is to receive the required draft documents with the application.

## **Application**

1. Project sponsors submit request for DCR to serve as applicant and recipient of BLAG award on their behalf. The request package should be sent to [recreationgrants@dcr.virginia.gov](mailto:recreationgrants@dcr.virginia.gov) and include:
  - a. Letter from project sponsor to DCR Director requesting DCR to serve as applicant and recipient of BLAG award;
  - b. Maps of the battlefield and parcel/tract to be acquired;
  - c. Draft of applicant cover letter, from DCR Director to NPS ABPP (as outlined in BLAG NOFO);
  - d. Draft of statement of overlap, from DCR Director to NPS ABPP (as outlined in BLAG NOFO);
  - e. Draft SF424; and
  - f. Draft SF424B.
2. DCR will transfer these documents to letterhead and send to the DCR Director's Office for approval. Once approved, signed documents will be returned to the project sponsor.
3. Project sponsor submits full application package to [recreationgrants@dcr.virginia.gov](mailto:recreationgrants@dcr.virginia.gov). The package should include all required items listed in the Notice of Funding Opportunity.
4. DCR submits application to NPS ABPP via Grants.gov and sends submission confirmation and non-refundable DCR administrative fee invoice to project sponsor.
5. Project sponsor sends NPS ABPP BLAG staff the required GIS shapefiles.

## **Application Review and Selection**

1. NPS ABPP staff conduct an initial review and then a comprehensive merit review of the application as outlined in the NOFO.
2. For projects selected for funding, NPS ABPP staff invite DCR, project sponsor, and easement holder staff to attend a kick-off meeting to discuss grant requirements prior to issuing a notice of award and grant agreement.



3. Once any issues identified in the kick-off meeting are resolved, NPS ABPP issues a notice of award to DCR for the project.
4. DCR issues a grant subagreement to the project sponsor that transfers many of the grant recipient obligations as outlined in the notice of award from DCR to the project sponsor.

### **Procurement of Services**

Project sponsors must hire qualified consultants and submit documentation to DCR showing competitive selection or justification for single source procurement for contracted amounts greater than \$10,000, in accordance with [2 CFR 200.318-327](#).

### **Funding Pass-through**

Upon receipt of the documents and information listed below, DCR will draw funds from the grant and pass-through to the project sponsor. Project sponsors may request pass-through of grant proceeds up to 30 days before closing or easement recordation as long as NPS ABPP has received and approved the required appraisal, appraisal review, and SF-429B form. Any proceeds drawn before all grant requirements are met are subject to repayment if the grant agreement is not fulfilled.

To request pass-through of grant proceeds, project sponsors should submit the following to DCR: a letter or email formally requesting the pass-through that includes the grant number and pass-through amount, a budget breakdown showing all eligible acquisition expenses for which grant proceeds are requested and corresponding sources of matching funds, bank wiring information as listed below, and copies of the approved appraisal, appraisal review, SF-429 Cover Page and SF-429B.

Required wiring information:

- Bank name, address, and phone number
- Name on account
- Routing number
- Account number
- Grant recipient name, address, and phone number
- Grant recipient Federal Tax ID/ Employer Identification Number (EIN)
- Grant recipient contact name, title, phone number, and email

DCR will make every effort to process pass-through requests as expeditiously as possible but cannot guarantee payment within a specific timeframe. Project sponsors should discuss any time-sensitive pass-through requests with DCR as early as possible relative to when funds are needed.

### **Section 106 Compliance and Easement Recordation**

While Section 106 compliance and easement recordation are completed without DCR involvement, [recreationgrants@dcr.virginia.gov](mailto:recreationgrants@dcr.virginia.gov) should be copied on all related correspondence. Final determinations and recorded documents should be sent to DCR for project filing records.

## **Closeout**

Once all deliverables have been received by NPS ABPP and all grant requirements have been met, DCR will submit a request for closeout to NPS ABPP. NPS ABPP will process the closeout after verifying their records for all necessary project documents which include: the appraisal and appraisal review, SF-429B, recorded easement or preservation letter of agreement, final PPR, final SF-425, SF-429A, final budget, photo of project sign, and Section 106 determination letter.

## **Extensions and Amendments**

Extensions to grant agreements are at the discretion of NPS ABPP. To request an extension project sponsors should draft a revised timeline and letter to NPS ABPP from DCR requesting the extension and explaining why the extension is needed. These documents must be submitted to DCR at least 60 days prior to the period of performance end date. Amendment requests to increase funding or amend other details of the grant agreement should be discussed with NPS ABPP before submitting to DCR and may require additional levels of review and approval within DCR. DCR will sign and submit these documents to NPS ABPP.

## **V. Reference Documents and Resources**

1. NPS ABPP BLAG [Notice of Funding Opportunity - P24AS00517](#) (December 29, 2023)
2. *Second Amendment to [Programmatic Agreement among the National Park Service American Battlefield Protection Program, the National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation Regarding the American Battlefield Protection Program's Grants](#)* (October 12, 2022)
3. NPS ABPP BLAG [Easement Resources](#):
  - a. *Easement Template* (September 29, 2023)
  - b. *Easement Checklist* (July 11, 2023)
  - c. *Required Language for Easements with Nonprofit Grantees & Nonprofit or Private Grantors* (September 6, 2023)
  - d. *Required Nonprofit Easement Holder Qualifications* (September 6, 2023)
  - e. *Preservation Plan Requirements* (July 11, 2023)
4. Civil War Sites Advisory Commission's [Report on the Nation's Civil War Battlefields](#) (1993)
5. NPS ABPP's [Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States](#) (2007)
6. [NPS ABPP Battlefield Boundaries Map and Geospatial Data](#)
7. [NPS ABPP Battlefield Land Acquisition Grants Application Webinar](#) (May 4, 2021)\*  
*\*please note some of deliverables and milestones have changed between the 2021 and 2024 Notices of Funding Opportunity*
8. [NPS ABPP Programmatic Agreement Amendment #2 Overview Webinar](#) (February 23, 2023)

## VI. Standard Forms and Templates

*The most recent versions of standard forms (SF) are available at [grants.gov/forms/forms-repository](https://grants.gov/forms/forms-repository). Recreation Grants staff can provide templates with DCR's recipient information already entered as indicated below.*

1. SF-424 with DCR info
2. SF-424A
3. SF-424B with DCR info
4. SF-425 with DCR info
5. SF-429 Cover Page with DCR info
6. SF-429A
7. SF-429B
8. SF-LLL with DCR info
9. PRR with DCR info