

**Florida Department of Environmental Protection**  
**Land and Water Conservation Fund Program**  
**FACTS ABOUT LWCF**

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**WHAT IS THE LAND AND WATER CONSERVATION FUND PROGRAM?**

The Land and Water Conservation Fund Program (LWCF) is a competitive program that provides grants for acquiring or developing land for public outdoor recreational use. LWCF is a reimbursement grant program.

**HOW IS LWCF ADMINISTERED?**

The program is administered by the Florida Department of Environmental Protection (DEP) on behalf of the U.S. Department of the Interior, National Park Service (NPS). The Program is governed according to Florida Statutes (F.S.), Florida Administrative Code (F.A.C.) and the LWCF Grants Manual. **In accordance with the LWCF Act, available program funds are contingent upon an annual appropriation to each state by Congress.**

**WHO MAY APPLY FOR LWCF FUNDS?**

All local governmental entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

**HOW DO I APPLY?**

Applicants must submit a completed LWCF grant application, contain both the required State and Federal documentation, during an announced submission period. Applicants may submit only one application during the submission period and the application may contain no more than one project site except for sandy beach access sites.

**WHAT IS THE MAXIMUM GRANT AMOUNT?**

The maximum grant amount ACQUISITION PROJECTS not to exceed \$1.5 million.  
The maximum grant amount DEVELOPMENT PROJECTS not to exceed \$1.5 million

**WHAT IS THE LWCF MATCHING RATIO?**

The matching ratio is one applicant dollar to one federal dollar for all LWCF grant awards (50% / 50%).

**WHAT CAN I USE TO MATCH A LWCF GRANT?**

Cash; In-kind services; Value of donated real property in the ratio required to be added to the LWCF funds by the grantee for the project cost which must be pre-approved by DEP.

**WHAT MAY LWCF FUNDS BE USED FOR?**

Development: Outdoor recreation areas and facilities such as beaches, picnic areas, trails, ball fields, tennis and basketball courts and playgrounds, along with associated support facilities such as lighting, parking, restrooms and landscaping. Enclosed buildings and structures (except restrooms, restroom/concession buildings and bathhouses) are ineligible.

Acquisition: Land for outdoor recreation purposes. No pre-acquired site.

**MUST AN APPLICANT OWN THE PROJECT SITE?**

For development projects, the applicant must own the project site or lease it from a public agency by the closing date of the application submission period. Land owned or leased by the applicant must be dedicated in perpetuity as a public outdoor recreation area.

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**SITE CONTROL:**

- 1) **For land owned by the applicant**, submit a copy of the recorded warranty deed that conveyed title to the property, including any attachments. If the property was dedicated via plat, submit a copy of the recorded plat. If there are multiple parcels, submit the deed for each parcel, a map of the parcels, and connect the deeds and the map with reference numbers linking the deed to the relevant parcel. If the property or a portion of it was conveyed by quit claim deed, you will also need to submit an attorney's opinion of title with a title search covering a minimum of 30 years.
  
- 2) **For land leased by the applicant**, submit a copy of the lease or management agreement. The lease must have a minimum of 30 years remaining on the lease, allow the applicant to dedicate the property, and not be revocable at will. Include all documents. (e.g., deed, lease, etc.)

**HOW ARE LWCF GRANTS AWARDED?**

Each application is reviewed to determine eligibility. DEP evaluates each eligible application according to the Florida Administrative Code and the LWCF Manual and assigns a final score. Based on the scores, DEP prepares and submits a recommended priority list to the Secretary of the DEP for approval. State approved projects are then submitted to the U.S. Department of the Interior, National Park Service for final review and award.

**IF AN APPLICANT IS AWARDED LWCF FUNDS, WHAT ARE THE MAJOR REQUIREMENTS?**

Project Agreement: DEP and the grantee will enter into an agreement setting forth conditions consistent with DEP policy, Florida Statutes, Florida Administrative Code, Code of Federal Regulations and the LWCF Manual.

Completion Time: The National Park Service provides the period of performance for each project.  
Payment Schedule: Grantees will receive LWCF funds on a reimbursement basis.

Project Plans: Development projects shall have final plans prepared and certified by an engineer or architect registered in the State of Florida.

Project Accessibility: A recipient of federal funding may not, directly or through contractual or other arrangements, on the grounds of age, race, color, sex, national origin, physical or mental disability, deny an individual any service or benefit which could otherwise be reasonably provided.

**Restrictions: LWCF assisted sites must be dedicated in perpetuity and cannot be converted for any purpose to other than outdoor recreational use. No exceptions (see the conversion clause of the LWCF Manual for details).**

**SITE DEDICATION**: LWCF assisted park land must be dedicated as a public outdoor recreation area **in perpetuity**. Grantees must commit to operate and maintain LWCF assisted public recreation facilities in reasonable repair for a minimum of 25 years after completion of construction to prevent undue deterioration.

**LAND ACQUISITION**: Unless approved by DEP in advance, formal negotiations for acquisition of a LWCF assisted site may not begin until the grant is awarded by the National Park Service. Grantees may have up to three years to develop the property after purchase.

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**Duplicate Projects:** Pursuant to subsection 62D-5.071(4), F.A.C., an applicant may not submit an application for a project site, including phased projects, if the applicant has an active grant agreement on that project site funded under Land and Water Conservation Fund, Recreational Trails Program or Florida Recreation Development Assistance Program. An applicant shall not submit the same application, in whole or in part, under LWCF, RTP, or FRDAP in concurrent or overlapping funding cycles.

**APPLICATION PROCESS**

- Applications are reviewed by DEP for eligibility and completeness in accordance with the program Rule and the LWCF Manual.
- Upon notification, applicants are allowed a 15-working day deficiency period submittal for corrections.
- Applications are scored and ranked in priority pursuant to LWCF Rule.
- Recommended application list is reviewed and approved by the DEP Secretary.
- DEP submits the projects to State Clearinghouse for approval.
- DEP submits the project applications along with the required Federal Forms and documentation to NPS for review and approval.
- NPS must approve ALL projects prior to the issuance of a Federal Award and execution of the State/Local grant agreements.
- Upon NPS approval, State/Local agreements are developed in accordance with the state and federal application information.

**EVALUATION PROCESS**

Grant applications are evaluated according to policies and procedures described in Chapter 62D-5, F.A.C. All applicants should be familiar with these policies and procedures. This packet is designed to assist all applicants in presenting the necessary information needed for DEP to evaluate proposed grant applications. Applicants must submit proposals for LWCF grants on application form DRP-121. Failure by an applicant to present all required application information and documentation may result in the application not receiving points or being declared ineligible for funding consideration. Following DEP staff review of the applications, DEP will notify applicants of any deficiencies. Missing or incomplete documentation will usually constitute a deficiency. Applicants must submit requested deficiency information within **fifteen (15) working days from the date of the deficiency notification.** After the deficiency period, DEP ranks all eligible applications in accordance with the evaluation criteria set forth in the LWCF Rule.

**ACQUISITION PROJECTS**

A request for financial assistance must be for acquisition or development of land for public outdoor recreational purposes. An acquisition application proposal cannot be for land that's been pre-acquired or is in the process of being acquired.

If an applicant is interested in submitting an acquisition project for consideration and the property being sought after is in jeopardy of being sold prior to application review and/or an award being issued by the National Park Service (NPS), then a Waiver of Retro Activity must be completed, requested and approved by NPS before the closing of the application submission cycle and/or the submission of an application. Waivers of Retro Activity are good for just 1-year, which is the date by which NPS approves the request.

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An acquisition project approved for funding must be acquired within one (1) year of the effective date of the project agreement and must be developed for public use within three (3) years of completion of the acquisition. **An appraisal prepared to UASFLA/ Yellow Book standards must be submitted with the application. Additionally, the appraiser must be on the approved State of Florida official listing and must meet the uniform appraisal standards for federal land acquisitions.** All appraisals submitted must be reviewed and approved by State of Florida Division of State Lands. The appraisal **must** conform to the *Uniform Appraisal Standards for Federal Land Acquisition* (UASFLA). The standards may be found at: <http://www.usdoj.gov/enrd/land-ack>. Payment of appraisal review fees will be the responsibility of the grantee. These expenses are not eligible for reimbursement under the LWCF program.

**DEVELOPMENT PROJECTS**

A development proposal should consist of the complete or partial development of the project site. The National Park Service provides the begin and end date by which a project must be completed. A development project, when completed, must be a useable recreation area. A development application may consist of one improvement or a group of related improvements designed to provide primary facilities for outdoor recreation. Secondary or support facilities and improvements for access, safety and protection of the project visitors are viable project components but should not dominate the proposed project. Primary facility costs must be equal to or greater than fifty percent of the total project cost. Support facilities alone do not constitute an eligible project, except projects which provide or improve beach access. Eligible facilities are described in the LWCF Rule and the LWCF Grant Manual.