



Utah's Open Project and Selection Process for the Land and Water Conservation Fund State Assistance Program



Photo: Upper Snow Canyon State Park, by Susan Zarekarizi

Prepared by: Utah Division of Outdoor Recreation in conjunction with Utah's 2019 Utah Outdoor Recreation Plan

INTRODUCTION

The State of Utah offers Land and Water Conservation Funding (LWCF) for the development of outdoor recreation facilities through an open and competitive grant process. Information on Utah's Open Project Selection Process (OPSP) is provided for the benefit of the general public and potential grant applicants. The Utah Department of Natural Resources, Division of Outdoor Recreation (DOR) manages the LWCF grant program for the State of Utah.

The LWCF State Side Assistance Program was established by the LWCF act of 1965 (Section 6, Land and Water Conservation Fund Act of 1965, as amended; Public Law 88-578; 16 U.S.C. 4601-4 et seq.) to stimulate a nationwide action program to assist in preserving, developing, and assuring all citizens of the United States, present and future generations, such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation.

A requirement for states to maintain their eligibility to receive LWCF monies is the completion of an approved Utah's Outdoor Recreation Plan (UORP/SCORP) and the OPSP. This OPSP was developed in accordance with the National Park Service (NPS) requirements cited in the OPSP section of the LWCF Grants-in-Aid Manual. Utah's OPSP aims to ensure awareness to state and local applicants and provide an equitable submission process; provide a measurable link to the UORP/SCORP priorities and the selection criteria; and assure LWCF assistance is accomplished in a non-discriminatory manner.

It is the policy of the DOR to fully comply with the intent of Title VI of the Civil Rights Act of 1964. Title VI provides that persons in the United States shall, on grounds of race, color, or national origin, be excluded from participating in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.

OVERVIEW

LWCF State Liaison Officer

The Governor of each state is required to designate in writing, official(s) who have the authority to represent and act for the state as the State Liaison Office (SLO) and Alternate State Liaison Officer (ASLO) in dealing with the Director of the National Park Service for the purposes of the LWCF program. The current SLO is the Director of the Division of Outdoor Recreation, and the ASLO is DOR's LWCF Grants Coordinator. With the election of a new Governor, the SLO and ASLO must be re-designated, in writing, by the new Governor or the Governor must appoint new individuals to represent the state. Utah's SLO and/or ASLO perform a detailed review and recommendation of each local project submitted in response to the application solicitation/notification. The criterion for the review process is detailed in the Local Projects section and the attached Ranking and Rating System. DOR projects are processed independently from and do not compete with local projects but must meet the basic requirements of the UORP/SCORP and OPSP.

The SLO and ASLO submit review proposed projects from the local and state grant sponsors.

Recurring Funding Cycles

Utah's LWCF Grants Program is administered on an annual cycle. The cycle begins each year when the Secretary of the Interior issues the notice of apportionment to the governor. If the DOR is confident that the Secretary of the Interior will apportion funds, then the grant cycle can begin before the apportionment letter is received by the state. This is usually the case, but with the uncertainty of funding that has occurred in the last couple of years, there may be years DOR will suspend the funding cycle until such a time as funding is assured. This may cause multi-year funding cycles in Utah. The decision to suspend a grant cycle is made by the SLO and advertised on a website managed by DOR.

Local Projects

Upon notification by the NPS of annual stateside LWCF allocations, DOR solicits applications for proposed projects from political subdivisions through notification on our [website](#). The application and other required documents as well as general program information can be accessed and downloaded from [DOR's website](#). A hard copy can be requested as well.

The following funding schedule dates are approximate for Local Programs. The schedule was developed based on the assumption that the state will be notified of its annual apportionment by February of each year. If notification is received later, the schedule may be delayed accordingly. Workload and unforeseen issues can interfere with these approximate timeframes.

December 1 – Public notice of the grant cycle is advertised on DOR's website. Press releases may be made at this time as well. Grant applications and other documents are made available on the DOR website. Sponsors may begin submitting their applications to DOR.

March 1 – Deadline for submission of current fiscal year applications to DOR.

March 1 through April 30th – Applications are reviewed, analyzed, evaluated, and rated per the Priority System for Rating LWCF Projects. The ASLO and/or SLO conduct pre-inspections of the top recommended project sites.

May through June– DOR notifies successful project sponsors and assists the sponsors with the required federal paperwork and environmental clearances/reports.

June through Completion - ASLO works with the local sponsors to finish all required paperwork for submission to the NPS for project approval. DOR funding agreements are initiated after NPS approval is attained. The NPS approval usually occurs in June of the following year.

State Projects

DOR uses its share of federal funds on state projects that directly benefit the visitors to the State of Utah. The criterion used to recommend DOR projects for funding also focus on major recreation issues identified in the 2019 UORP/SCORP.

DOR may allocate all Gulf of Mexico Energy Security Act (GOMESA) funds or the equivalent funding amount, for state projects and/or LWCF planning emergencies. If there are unspent funds from prior grant rounds, DOR may use these funds for state projects.

Public Notification

DOR provides public notice on our [website](#). If funding allows we may also issue press releases. DOR staff annually attends the local recreation association conference in the spring where information on the LWCF grant program, application dates, application documents, and general information about DOR grants programs is presented to the local recreation community and governmental entities.

Program Technical Assistance

DOR provides technical assistance to all LWCF applicants through our website and contact with the ASLO/SLO. The ASLO and SLO make every effort possible to answer questions regarding the application procedures/requirements, ranking criteria, and general program requirements.

The Open Public Selection Process (OPSP)

Public Process

Federal guidelines require that the state's UORP/SCORP and OPSP include opportunities for public participation before implementation of the new program criteria. All documents and announcements/press releases are posted on [DOR's website](#). The UORP/SCORP and OPSP are also made available through an intergovernmental/public review website. Two separate surveys were used to ensure public participation and input into the development of the UORP/SCORP's recreation priorities.

Authority

Title 79-2-202, Utah Code Annotated (UCA) authorizes the executive director of the Utah Department of Natural Resources (DNR) to prepare and keep current a comprehensive outdoor recreation plan and submit the same to the governor for review and approval. The development of the UORP/SCORP is delegated to the Utah Division of Outdoor Recreation.

The executive director of the DNR may also apply for federal assistance and receive federal aid for outdoor recreation land acquisition and facility development under Title 79-2-402. Section 79-2-402 further delineates the powers and responsibilities under the federal outdoor recreation funding program.

Special Reapportionment Account

Projects that have been approved by the NPS may be completed, closed, or withdrawn with excess funds left in the account. The NPS places these funds into the Special Re-Appportionment Account. In order to be eligible to use these reapportioned funds, the state must have all federal reports and a reapportionment request (SRA) submitted to the NPS. Once these requirements are met the NPS may authorize the reallocation of the funds to the state. The distribution of the SRA will be available to the DOR year-round for additional projects and amendments, but not to political subdivisions unless DOR has no projects in the queue. At the discretion of the SLO, funds may be made available to political subdivisions.