



GOVERNMENT OF PUERTO RICO  
SPORTS AND RECREATIONS DEPARTMENT

# Land & Water Conservation Fund Program Grant Application Guidelines

Revised January 2024



## TABLE OF CONTENTS

I.	Introduction.....	2
II.	Contact Information.....	2
III.	Email Communications.....	2-3
IV.	LWCF Basics.....	3
V.	Pre-Application Requirements.....	3-6
VI.	Land to be used for the project development.....	6
VII.	Development Project Selection.....	7
VIII.	LWCF Boundary Map.....	7-8
IX.	Location Map .....	8
X.	Site Plan .....	8
XI.	Site photos.....	8
XII.	Project Grant Application.....	---
	<b>SECTION 1.0 NEW PROJECT GRANT APPLICATION</b>	<b>9</b>
	A. Attachments checklist.....	9
	B. Project competition.....	10
	C. Risk assessment.....	10
	D. Financial.....	10
	<b>SECTION 2.0 SITE BASED PROJECT GRANTS</b>	<b>--</b>
	A. Sub-recipient (grant sponsor) information.....	11
	B. Public benefit.....	11
	<b>SECTION 2.1 ACQUISITION AND COMBINATION GRANTS</b>	<b>--</b>
	A. Need.....	12
	B. Acquisition schedule & appraisal/waiver valuation certification.....	12
	C. Property information.....	12-13
	D. Acquisition approach.....	13
	<b>SECTION 2.2 DEVELOPMENT AND COMBINATION GRANTS</b>	<b>--</b>
	A. Grant elements.....	14
	B. Design elements.....	14
	<b>SECTION 3.0 SITE INFORMATION</b>	<b>--</b>
	A. Basic information.....	15
	B. Stewardship considerations.....	16
	C. Environmental Resources Survey.....	17-19
	D. Cultural and historic resources review.....	19
XII.	<b>OPEN PROJECT SELECTION PROCESS (OPSP): 2020-2025</b>	<b>--</b>
	Objectives.....	20
	Open Project Selection Process.....	20
	Project Sponsors.....	20-21
	2020 SCORP Priorities.....	21
	Project Selection.....	21
	Ranking system.....	21-24
	OPSP exemptions.....	24
XIV.	Form SF-424-C.....	25
XV.	Form SF-424-D.....	26-27

## I. Introduction

The Land and Water Conservation Fund (LWCF) State Assistance Program was established by the Land and Water Conservation Fund Act of 1965 to assist in preserving, developing and assuring accessibility to all citizens of the United States of present and future generations to such quality and quantity of outdoor recreation resources as may be available and necessary for individual active participation in such recreation; and to strengthen the health and vitality of US Citizens<sup>1</sup>.

The Funds are obligated by the U.S. Department of the Interior and administered by the National Park Service. At the local level, the program is managed by the State Liaison Officer (SLO) appointed by the Governor of Puerto Rico.

LWCF Grants are provided to Puerto Rico, and through the state, to local governmental jurisdictions i.e., municipalities, on a matching basis for up to 50% of the total project related allowable costs. Such fund may be used for the acquisition of land and the development of facilities for public outdoor recreation.

Projects are selected through the Open Project Selection Process (OPSP). This provides the criteria and standards on which project selection will be based on the needs identified in the Statewide Comprehensive Outdoor Recreation Plan (SCORP).

These Guidelines are intended to provide the Grantee with basic information about the process and requirements for LWCF Grants in Puerto Rico, therefore, other requirements not mentioned in this document may apply.

## II. Contact Information

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## III. Email Communications

All applications for this grant must be submitted in digital format in PDF and Word to [mserano@drd.pr.gov](mailto:mserano@drd.pr.gov) and a copy to [memirand@drd.pr.gov](mailto:memirand@drd.pr.gov). The subject line must include the following information **LWCF GRANT PROPOSAL MUNICIPALITY OF \_\_\_\_\_** (include the name of the municipality).

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<sup>1</sup> LWCF Financial Assistance Manual, Vol. 72, Effective October 1, 2023, page 1.

For questions please include the subject line **LWCF GRANT QUESTION MUNICIPALITY OF \_\_\_\_\_** and send to the email addressed mentioned above.

#### **IV. LWCF Basics**

- Matching requirements: 50% LWCF Funds and 50% state or local government
- LWCF is a reimbursement program, therefore the municipality or grantee must do the work and pay for it prior to request the reimbursement to the LWCF.
- Funds need to be committed by the grantee at the time of application.
- Maximum time to complete the project as specified in the contract is 3 years.
- Park areas and facilities must be open and accessible to the general public with no restrictions.
- The property acquired or developed with funds from the LWCF or the land included in the boundary map is to be used for outdoor public recreation on perpetuity.
- Project must be developed within three years, as stated in the agreement of the state with the federal government.
- Restrictions will be registered in the Property Registry.

#### **V. Pre-Application Requirements**

Before beginning or submitting a Land & Water Conservation Fund (LWCF) Program application, all prospective applicants must complete the following steps:

1. Submit a Pre-Application Project Proposal to the LWCF State Liaison Officer (SLO).
  - a. Proposed Park Name:
  - b. Type of Project:
    - Acquisition (fill out sections 1.0, 2.0, 2.1 and 3.0)
    - Development/Renovation (fill out sections 1.0, 2.0, 2.2 and 3.0)
    - Combination Acquisition & Development/Renovation (fill out sections 1.0, 2.0, 2.1, 2.2 and 3.0)
  - c. Brief description of project – where will it be located, estimate cost, users, why is the park needed, public participation.
  - d. Copy of the Deed and Certification of the Property Registry or Title Search of the land where the project will be developed. At this stage simple copies are accepted.

2. Participation on the Seminar Land and Water Conservation Fund Part I: "Guías Generales para la Solicitud de Fondos". Once the Pre-Application Project Proposal is submitted a pre-application meeting with the SLO could be required.
3. Project Narrative
  - a. Type of Park or facility
  - b. Need for this type of facility
  - c. Describe the community where the park/project will be located. Include population demographics, geographic location, etc.
  - d. Is this a new facility or renovation?
  - e. Public need of such facility. Who will benefit from this project/park? Consider information about age groups, handicapped, sports teams, gender and other to describe the users of the proposed area. Describe how will they benefit, directly and indirectly, from the project.
  - f. How will the park be designed to be used by the public?
  - g. How will the park operate?
  - h. Will this area be part of a master plan for a bigger facility?
  - i. Describe the type of outdoor recreation the project will provide. Make sure to identify active and passive recreational uses.
  - j. How does the proposed facility relate to other recreational facilities in the municipality or region?
  - k. How did the citizens of the municipality were involved in the master plan for the park facility? (public meetings, focus groups, surveys) Mention when these opportunities were offered, number of participants, evidence of actions, recommendations or needs that lead to the planning of the area. Note that the activities must be documented. For example, if public meetings were held, evidence may include copy of the advertisement of the meeting, copy of the minutes, assistance records, etc. If it was a survey, who conducted the survey, questionnaire, sample size, period when it was done, how was the sample selected, etc.
  - l. How will maintenance, security and management of the area will be provided? By the municipality or a third party? If a third party, who? Provide the name of the organization.
  - m. How will the area operate and it what schedule of operations?
  - n. Mention any recreational programs to take place in the facility.
  - o. Cost estimate

**Include:**

- I. **Project Budget Narrative** – the Project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Provide a project breakdown that includes the following information:
    - o Detailed breakdown of each cost item included under each of the SF424C and construction budget categories
  - II. If the LWCF project is part of a larger project, please be sure that only the elements related to the LWCF project are included. Note that the LWCF funded elements of the project must still result in a viable recreation area opportunity that is not reliant on the larger project.
- p. Sources of funding - Include evidence
  - q. Are there any cultural, recreational, natural or scenic resources in the area of the proposed park? Mention, describe and qualify those resources in terms of relevance such as significant, excellence or average resources.
  - r. How will people with handicaps or disabilities benefit from the proposed park area?
  - s. How will the project be ADA compliant? To what extent will the park could be used by people with disabilities?
  - t. Describe how the proposed project is in conformance with the State policy for outdoor recreation. (See current State Comprehensive Outdoor Recreation Plan, SCORP)
  - u. How does the project respond to the land use plan? Include evidence from the Puerto Planning Board and/or Municipality.
  - v. If the project includes land acquisition, is it located in wetlands areas? Which area? Has the area been identified as such by the Department of Natural and Environmental Resources?
  - w. Describe how will the project be developed. Will the grantee do the construction or will a construction company be hired? Who will manage the project?
4. **A letter from the top executive of the Agency, government entity or municipality** stating that he/she is aware of the federal and state requirements for the completion of the project, operation and maintenance of the entire facility that the Municipality will be obligated to comply with. It must include the **Resolution of the Municipal Assembly or the Board of Directors**, as the case may be.

5. The **opinion of legal counsel, in letterhead paper, dated and signed**, must be included to indicate that the grantee has the authority to enter into a contract requiring the substitution of the land in the event that a conversion occurs; and that has the authority to establish restrictive conditions on the use in the Property Registry through the granting of the corresponding public deed. Grant recipients will be required to sign a contract with the Sports and Recreation Department; in addition, a Deed will be required in order to establish the restrictions of use in the Property Registry. The area where the project is to be developed must be and remain under the ownership and control of the grantee. It must guarantee that no conversion will occur. The project sponsor must be able to commit its resources to the perpetual stewardship of the Fund-assisted public outdoor recreation area pursuant to the LWCF Act 54 U.S.C. §200305(f)(3).
6. Only project proposals in accordance with the SCORP, reviewed through the OPSP, and recommended by the SLO may be considered.
7. According to 54 U.S.C. §200305(f)(1) no other federal financial assistance can be included in a project to be funded by the LWCF. However, the State or local matching share of an LWCF Project may consist of other federal financial assistance if the statutory provision of the subsequent federal grants program explicitly allows recipients to use such assistance to match LWCF funds (For example, Recreational Trails Program and Community Development Block Grants).
8. The municipality or entity must be registered and active on the **System for Award Management (SAM)**. Evidence of registration should be submitted with the application.

#### **VI. Land to be used for the project development**

The project sponsor must possess the title and legal control of the property. The sponsor must describe all easements, rights of way, leases, sub surface rights, reversionary interests and any other agreements that convey rights to non-public and non-recreation interests to access or use the area proposed within the LWCF boundary area.

Copies of the property deeds, leases, easements and other appropriate documents must be submitted along with the application.

Provide the total area in square meters of the property on which the LWCF project will be located. Also, include the specific area of the project. For example, the swimming pool project will be developed on 1000 square meters area of the property which has a total area of 5,250 square meters.

## VII. Development Project Selection

When submitting a development project, the sponsor must be aware that the project will be carefully reviewed and evaluated to filter out ineligible proposals and make a special effort to eliminate questionable, elaborate, or borderline projects that raise serious questions concerning the project cost, use, priority, competition with the private sector, or inclusion of ineligible facility types. It must be kept in mind that the funds must be used in the public interest and in accordance with the SCORP for the development of basic outdoor recreation facilities to serve the general public.

## VIII. LWCF Boundary Map

If the area of the proposed project has received LWCF funds previously, consult with the State Liaison Officer to verify and confirm the current boundary map.

Three copies of the boundary map, one of which should be dated and signed by the applicant.

The LWCF boundary area map shall clearly delineate the area to be subject to the provisions of the LWCF Act (54 U.S.C. § 2003). An acceptable LWCF boundary area map is required for all development and combination projects prior to NPS approval, and for acquisition projects, prior to reimbursement.

The LWCF boundary area subject to the provisions of the LWCF Act must encompass a viable public outdoor recreation area that is capable of being self-supporting without reliance upon adjoining or additional areas not identified in the scope of the project (such as for access, utilities, park support facilities, etc.). Consistent with the intent of the LWCF Act, the Program expectation is the entirety of the park or recreation area being acquired, developed, or expanded will be included within the LWCF boundary area. **Exceptions for boundaries that would apply to a lesser area may be considered only when it can be shown the area is self-supporting (as described above). These requests will be reviewed on a case-by-case basis by the NPS LWCF Washington Office prior to award of a grant. Early coordination is strongly recommended.**

No changes may be made to the LWCF boundary after final reimbursement unless the project is amended as a result of an NPS approved conversion.

The LWCF boundary area map and/or attachments as appropriate shall depict the following:

- a. Official park/site name, location, and LWCF project number.
- b. Sufficient detail so as to legally identify the lands to be subject to the provisions of the LWCF Act. The following methods of identification are acceptable: deed references; adjoining ownerships; adjoining easements and rights-of-way; public streets; adjoining water bodies or other natural landmarks; metes and bounds; and surveys. Where one or more of the above methods are not readily suited for identifying the area, measurements from permanent locators may be used. A formal survey is not required.



- c. All known outstanding rights and interests in the area held by others. Known easements, deed/lease restrictions, reversionary interests, etc. are to be documented, including any area(s) under lease, name(s) of lessor and lessee, and term remaining on the lease(s).
- d. Total acreage of the area within the LWCF boundary and subject to the provisions of the LWCF Act.
- e. North arrow.
- f. Signature of the applicant or authorized representative. A delegation of signature authority for LWCF boundary maps must be filed.
- g. Maps of up to 11-inch x 17-inch format are highly preferred for future administrative use such as copying and scanning. Avoid use of color as the only means to delineate areas.

**IX. Location Map**

One copy. This map shall clearly depict the location of and entrance to the site/outdoor recreation/park area in such a way that someone unfamiliar with the area should use the map to understand the project location. Include the following information on the map:

- Title of the project
- Closest major road, and name of the road that leads to the park entrance.
- Street names
- North arrow
- Physical address
- Latitude/longitude coordinates (at the center of the site).
- Include any landmarks nearby

**X. Site Plan – to scale and with legend**

Depicting existing facilities, proposed facilities, streets, roads, avenues, overhead utility lines. In case of sites that include or will include a building, the floor plan must be provided in a different page.

**XI. Site photos – Showing how the area is now.**



## XII. Project Grant Application

### SECTION 1.0 NEW PROJECT GRANT APPLICATION

Project contact name:  
 Project contact number:  
 Project contact email:

A. **Attachments checklist** – The State Liaison Officer will provide further information on applicable requirements

All projects	As applicable
<input type="checkbox"/> Location map	<input type="checkbox"/> intergovernmental review comments
<input type="checkbox"/> LWCF boundary map (proposed)	<input type="checkbox"/> relevant NEPA/SEPA documents
<input type="checkbox"/> NHPA documentation	<input type="checkbox"/> applicable federal law compliance
<input type="checkbox"/> SF 424	<input type="checkbox"/> proof of flood insurance
<input type="checkbox"/> SF 424C	<input type="checkbox"/> proof of cold climate criteria qualification
<input type="checkbox"/> SF 424D	<input type="checkbox"/> leases, MOA's, MUA's, etc.
<input type="checkbox"/> project budget	<input type="checkbox"/> use schedule (school parks)
<input type="checkbox"/> proof of ownership	<input type="checkbox"/> Dingell-Johnson certification
<input type="checkbox"/> pre-award site inspection report	<input type="checkbox"/> waiver of retroactivity
<b>Acquisition &amp; Combination Projects</b>	<input type="checkbox"/> acquisition donation acknowledgement
<input type="checkbox"/> parcel map for acquisition parcel(s)	
<input type="checkbox"/> conceptual design plan	
<b>Development &amp; Combination Projects</b>	<b>Grants with Indirect Costs</b>
<input type="checkbox"/> site development plan	<input type="checkbox"/> SF 424 A
<input type="checkbox"/> building floor plan(s) if grant-funded	<input type="checkbox"/> Indirect cost rate agreement

**B. Project competition**

1. Explain how this proposal was ranked using the state’s Open Project Selection Process (OPSP).

**TO BE COMPLETED BY THE COMMITTEE OR SLO.**

2. Explain how this project meets SCORP priorities.

**C. Risk assessment –Must provide evidence of its financial capacity and ability to complete this project**

1. How did you assess the sub-recipient’s financial risk and capacity to deliver this project?

**COMMITTEE OR SLO**

2. How did you assess the applicant’s ability to complete the project as scoped and within the proposed time frame?

**PROVIDE EVIDENCE AS TO ABILITY TO COMPLETE THE PROJECT DURING SPECIFIED TIME FRAME.**

3. What is the applicant’s recent experience completing similar projects with federal grant funding (LWCF or other)? List LWCF projects, or other federal projects including name of the project, grant number, and date of completion.

**D. Financial -**

1. How was the cost estimate derived?
2. What assurances are there that the costs listed are reasonable?
3. Describe any project elements or costs that will improve site resiliency and facility longevity, if any.
4. Are any eligible pre-award costs being included as part of the grant request?
  - a.  No
  - b.  Yes – Indicate the date from when those costs started being incurred, the funding category/categories, the total amount of pre-award costs anticipated to be incurred before the grant start date, and whether they are included for match purposes or for reimbursement. (Note: these should also be presented in the budget narrative.)

## SECTION 2.0 SITE BASED PROJECT GRANTS

### A. Sub-recipient (grant sponsor) information (repeat if needed for co-sponsors)

Sub-Recipient Agency Name:

Sub-Recipient Contact Name:

Address:

Phone:

Email:

### B. Public benefit

1. Describe both short- and long-term outdoor recreation benefits that will be achieved as a result of this project.
2. Explain how this project fits as part of any other projects planned for this same site in the next three years.
3. Describe the process that led to the development of this proposal and how the public was involved.

## SECTION 2.1 ACQUISITION AND COMBINATION GRANTS

### A. Need

1. Why is this acquisition (whether attained via purchase or donation) needed?
2. Describe the existing resources and features of the site that make it desirable for public outdoor recreation.
3. Explain how you envision this acquisition contributing to outdoor recreation in the long term.

### B. Acquisition schedule & appraisal/waiver valuation certification

Reproduce table as needed for multiple parcels

Parcel Name
Parcel Size
Parcel Value
Anticipated Acquisition Date
<input type="checkbox"/> A State-certified Review Appraiser has reviewed the appraisal and has determined that it was prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions
OR
<input type="checkbox"/> The State has prepared a waiver valuation for this property in conformity with 49 CFR 24.102(c)(2)(ii)

SLO/ASLO Signature

Date

Name, Title, and Agency

### C. Property information

1. From whom is this property being purchased?
2. Are any buildings or structures being purchased along with the property?
  - a.  No
  - b.  Yes – Describe what is planned for those structures and whether the grant funded project includes the value of those structures.
3. How will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?
4. When will access to the site for public outdoor recreation become available?
5. Describe development planned for the site(s) for the three (3) years following acquisition. As this will impact NHPA and NEPA compliance, focus on what you reasonably expect to accomplish.

6. If development will be delayed by more than three years from grant close, explain why this acquisition is still a priority for grant funding at this time and what ability the public will have to use the site in the interim.
7. Is this acquisition an addition to an existing park or other recreation area?
  - a.  No
  - b.  Yes – How will it support and enhance that existing park?

#### **D. Acquisition approach**

1. Is this property being acquired under threat of condemnation?
  - a.  No
  - b.  Yes – Explain:
2. Was the property listed for public sale?
  - a.  No
  - b.  Yes – Explain how the property owner was made aware of the grant sponsor interest in the property.
3. Does this project involve donated property?
  - a.  No
  - b.  Yes – Include evidence that the seller was offered the fair market value of the property as just compensation and willingly chose to donate the property instead. (If the donation is subject to a waiver of retroactivity the evidence must pre-date the donation.)

## SECTION 2.2 DEVELOPMENT AND COMBINATION GRANTS

### A. Grant elements

1. What new facilities will be constructed as part of this project?
2. What existing facilities will be renovated or replaced (specify which) as part of this project?
3. What general site improvements (e.g. demolition, site preparation, landscaping, habitat improvements, etc.) will be completed as part of this project?
4. What is the anticipated life span of the facilities that will be funded as part of this project?
5. Does the project scope include facilities that also eligible for Dingell-Johnson or Wallop-Breaux Act funding (i.e., boat/fish access)?
  - a.  No
  - b.  Yes – Ensure necessary SLO certification is included (see manual)
6. Does this project involve the new development of a sheltered/enclosed swimming pool or ice skating rink or the sheltering/enclosure of an existing outdoor pool or rink? **This does not apply in Puerto Rico.**
  - a.  No
  - b.  Yes
    - i. Explain how it was determined that the site meets the cold climatic criteria described in the LWCF manual. Provide a copy of the cold climatic data used to make the eligibility determination with the application (see manual).
    - ii. Explain the nature of the project – is this a new sheltered facility, or construction of the shelter only? If the pool or ice rink already exists, was it LWCF-funded? If yes, what year was it built and how much LWCF assistance was provided?
    - iii. What is the total cost of the sheltered facility and what amount of grant funding will be spent on the actual shelter/enclosure structure itself (if any)?
    - iv. Explain the significantly increased public use that will be made possible by the shelter/enclosure to justify the construction of such a facility.

### B. Design elements

1. How are access requirements under the Americans with Disabilities Act (ADA) and Architectural Barriers Act (ABA) being addressed in this project?
2. What design elements are included that contribute to preserving environmental resources as part of ensuring a quality outdoor recreation experience for present and future generations?

## SECTION 3.0 SITE INFORMATION

### A. Basic information

1. Will this proposal create a new public park/recreation area where none previously existed?
  - a.  No
  - b.  Yes – Explain:
  
2. If this is an existing LWCF site, has the park name changed since the last grant?
  - a.  No
  - b.  Yes – Explain:
  
3. Is this project located in a floodplain?
  - a.  No
  - b.  Yes – Explain and confirm that you have met applicable federal insurance requirements.
  
4. Is your site contiguous with or connected to any federally owned recreation area?
  - a.  No
  - b.  Yes – Explain:
  
5. Is your site part of a larger management area, such as a greenway or regional recreation area?
  - a.  No
  - b.  Yes – Explain:
  
6. Describe the existing site conditions.
  
7. Explain why the site is suitable for the type of outdoor recreation proposal being submitted.
  
8. Does the site include any elements that visually detract from the outdoor recreation experience or that represent a potential public safety hazard?
  - a.  No
  - b.  Yes – Explain and describe whether this project will help to address those concerns.
  
9. What is/will be the applicant's type of ownership and control of the property? Include evidence such as Title Research, copy of deeds. Also provide, if available, survey and acquisition plans.
  - a.  Fee simple ownership.
  - b.  Less than fee simple. Explain what rights the applicant has and what agency holds the underlying fee simple ownership.
  - c.  Lease. Include a copy of the lease with the application.



## B. Stewardship considerations

1. Is this a multi-use site (i.e. school, reservoir, state forest, etc.)?
  - a.  No
  - b.  Yes – Explain:
    - i. How often will the public have recreation access to the site?
    - ii. What kinds of restrictions to public outdoor recreation will occur?
2. Who will manage and operate the site(s)?
3. Describe the nature of any rights-of-way, easements, reversionary interests, etc. within the proposed LWCF boundary area:
4. Are there any pre-existing or planned indoor facilities on site that would not themselves be eligible for LWCF grant funding? Note that all structures in the area must be included and identified in the Site Plan.
  - a.  No
  - b.  Yes – Describe and explain how/if the structure(s) support public outdoor recreation.
5. Is the proposed LWCF boundary the same as the boundary of the park/recreation area as it exists in its totality?
  - a.  Yes
  - b.  No – Explain any area proposed for exclusion and why, and ensure it is clearly depicted on the proposed LWCF boundary map
6. Are there any pre-existing or planned resource management practices (i.e. timber management, grazing, etc.)?
  - a.  No
  - b.  Yes – Describe the nature of the practice, the anticipated duration, and how the practice supports outdoor recreation.
7. Are there any pre-existing or planned uses on site that are incompatible with LWCF requirements that should be excluded from the LWCF boundary?
  - a.  No
  - b.  Yes – Describe the nature of the use and ensure it is clearly depicted on the proposed LWCF boundary map. Clarify whether the future intent is for the area to become subject to LWCF once the use is terminated, or if the intent is for the use to continue within the park in perpetuity.

### C. Environmental Resources Survey

Consultation with NPS regarding the NEPA pathway for a proposal should occur prior to the completion of this section. If you have already determined that the proposal will require an EA or EIS, you may go directly to the questions following Tables 1 and 2.

The tables below serve as a record of the environmental resources present at the site, whether the proposed action is likely to have a significantly negative impact those resources, and whether further information is needed to determine the potential impact. Review the listed resources and identify any resources that may be significantly impacted by the action. The Environmental Resources Survey should be completed with professional input from resource experts and in consultation with relevant local, state, tribal, and federal governments, as appropriate.

Table 1 – For each resource indicate if positive impacts or negative impacts are anticipated to result from the action or if further information is needed to determine the potential impact.

- + indicates positive impacts are anticipated to result from the action
- indicates negative impacts are anticipated to result from the action
- ? indicates further information is needed to determine the potential impact

Site Name:

	How will the project affect the following resources?	+	-	?
1	Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Circulation and transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Climate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Contamination or hazardous materials even if remediated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Endangered species: (listed or proposed threatened or endangered) including associated habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Environmental justice: minority and low-income populations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Historic or cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Invasive species	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Land use plans or policies from other agencies including tribes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Lightscares, especially night sky	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Migratory birds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Recreation resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Socioeconomics: changes to tax base or competition with private sector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Sound (noise impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Water quality and/or quantity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	Water: coastal barrier resources or coastal zones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	Water: marine and/or estuarine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Water: stream flow characteristics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	Water: wetlands and floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22	Other important resources Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Table 2 – This is a list of mandatory impact criteria that preclude the use of a categorical exclusion. If you answer “yes” or “?” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in table 1.

Site Name:

	Will your proposal:	Y	N	?
1	Have significant negative impacts on public health or safety?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Have significant negative impacts on unique natural resource or geographic characteristics such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Have significant adverse effects on properties listed or eligible for listing in the National Register of Historic Places as determined by NPS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Have significant negative impacts to species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated critical habitat for these species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Have there been any previous NEPA/SEPA documents that are relevant to this project or this specific site?
  - a.  No

- b.  Yes – Attach and summarize findings and include page number references below
2. Explain any negative or unknown impacts identified in Table 1 of the Environmental Resources Survey, or any boxes marked “yes” in Table 2 (mandatory criteria).
  3. How was the information identified in the tables derived and what sources of data were used to justify the impact selection?
  4. Who contributed to filling out the Environmental Resources Survey (include name, title, agency) and what qualifications do they have that provide the necessary resource expertise to determine impact significance?
  5. List all required federal, state, and local permits/approvals needed for the proposal and explain their purpose and status.

#### **NEPA Pathway Recommendation**

Attach documentation of NPS concurrence with the recommended NEPA Pathway

- This proposal qualifies for a Categorical Exclusion (CE). List: \_\_\_\_\_
- This proposal requires an Environmental Assessment (EA), which is attached and has been produced in accordance with the LWCF Manual.
- This proposal may require an Environmental Impact Statement (EIS).

#### **D. Cultural and historic resources review**

Have there been any previous cultural and/or historic resource surveys completed that included this site within the area of potential effect that was assessed?

- No – Describe any construction planned as a result of this project that will extend beyond the pre-existing disturbance area (including surface area and depth).
- Yes – Attach survey and summarize findings and include page number references below.

### **XIII. OPEN PROJECT SELECTION PROCESS (OPSP): 2020-2025**

The Open Project Selection Process is included in **Chapter 9** of the **Puerto Rico State Comprehensive Outdoor Recreation Plan 2020-2025**.

#### **9.1 Objectives**

The purpose of establishing an open project selection is to guarantee all eligible project Sponsors to have the opportunity to participate in the benefits of the Land and Water Conservation Fund Program (LWCF) and to enable the Commonwealth of Puerto Rico to affirmatively address the recreation issues and meet priority needs.

#### **9.2 Open Project Selection Process**

As in previous project selection criteria, the 2020 Open Project Selection Process (OPSP) continues to fulfill two major goals. First, to give emphasis on the project selection that conforms directly to the needs and priorities as identified in the 2020 State Comprehensive Outdoor Recreation Plan (SCORP) for the Commonwealth of Puerto Rico. Secondly, to implement a program that will work to the greatest extent, include all segments of the public including minority populations, the elderly, people with disabilities and underserved populations.

The project selection will be subject to a ranking process with weighted values that will consider the sponsor's capabilities to administer grants, certification of matching funds, project feasibility and experience in administering and maintaining outdoor recreation facilities.

Also, part of the LWCF grant evaluation process, of the Sports and Recreation Department (DRD, by its Spanish acronym) staff conduct a technical review of all grant applications. To ensure equal opportunity for all eligible project sponsors, each submitted grant application packet will need to include all the materials requested in the LWCF Assistance Manual. Ineligible or incomplete applications will be returned to the project sponsor with an explanation of why their application was returned. Project applicants are encouraged to contact DRD staff with questions regarding the LWCF grant applications process.

##### **9.2.1 Project Sponsors**

Puerto Rico has a population of approximately 3.4 habitants. Beside the state agencies of the central government, there are 78 municipalities that may become potential sponsors to participate in the LWCF program. From all the grants that have been approved for Puerto Rico since 1966, approximately 50% have been used for state government projects, 24% for projects sponsored by different municipalities and the remaining 26% for projects of public corporations or other government entities.

Projects sponsors are:

1. State Agencies
2. Municipalities
3. Non-profit organizations under the jurisdiction of the central government. This category refers to public corporations or other government entities.

### **9.2.2 2020 SCORP Priorities**

The Puerto Rico Statewide Comprehensive Outdoor Recreation Plan was prepared following the guidelines as required in the LWCF Assistance Manual. During the process, the following state priorities were established:

1. Restore, enhance, and maintain outdoor recreation facilities and places considering the social, environmental, and economic context.
2. Expand outdoor recreation opportunities for all Puerto Rico residents and visitors.
3. Increase participation and inclusion in outdoor recreation.
4. Increase intergovernmental and intersectoral collaboration to transform outdoor recreation into an important component of Puerto Rico's social and economic development.

In general, the 2020 SCORP priorities will guide future project development. Although, this does not necessarily set aside other outdoor recreation needs, the OPSP will have to respond to these priorities. This process will ensure that LWCF funds are directed to projects that have a significant impact to a community, a region, or the territory of Puerto Rico.

### **9.2.3 Project Selection**

As part of the LWCF program's requirements, the 2020 State Comprehensive Outdoor Recreation Plan for the Commonwealth of Puerto Rico, must develop and implement the Open Project Selection Process (OPSP). The OPSP will use a ranking system to evaluate the sponsor's proposals. Project presented to DRD for grant funding will be scored according to the criteria established in the OPSP and the points received in the rating system.

### **9.2.4 Ranking system (45points)**

1. Project type (10 Points)
  - a. Renovation (10 points)

- b. Combination renovation/development/acquisition (7 points)
  - c. New construction (5 points)
  - d. Acquisitions (5 points)
2. Project services area (5 points)
- a. Statewide (5 points)
  - b. Region (4 points)
  - c. Municipality (3 points)
  - d. Large segment of municipality (2 points)
  - e. Neighborhood only (1 points)
3. The project meets priority needs as identified the SCORP process (5 points)
- a. Meets the 4 priorities (5 points)
  - b. Meets 3 priorities (4 points)
  - c. Meets 2 priorities (3 points)
  - d. Meets 1 priority (2 points)
  - e. No priority /cannot be measure (0 points)
4. The grant proposal reflects public participation at the Sponsor's level and has documented community support (5 points)
- a. Very strong broad documented support (5 points)
  - b. Strong document supports (4 points)
  - c. Support, some documentation (3 points)
  - d. Weak support, little documentation (2 points)
  - e. Very weak, support, no documentation (1 points)
  - f. No support (0 points)
5. All segment of the public including the elderly and the handicapped were considered in the grant proposal (5 points)

- a. Both sexes and broad range of age groups and types of users (5 points)
  - b. Both sexes/several age group (4 points)
  - c. Organized publicly sponsored (team sports) activities (3 points)
  - d. Limited used or age group (2 points)
  - e. Used not defined (1 points)
6. Access for Disabled (5 points)
- a. All portions of facility are ADA accessible (5 points)
  - b. Plans for ADA access at most portions of the facility (3-4 points)
  - c. Limited ADA access (1-2 points)
  - d. No ADA access, or no plans for ADA access (0 points)
7. The projects are in conformance with the State policy for outdoor recreation and responds to the land use plan (5 points)
- a. To a maximum extend (4-5 points)
  - b. Average (1-3 points)
  - c. No extend/cannot be measured (No points)
8. If an acquisition project, is it located in wetlands area? (5 points)
- a. The project is located within a wetland area identified by the Department of Natural Resources (4-5 points)
  - b. The project is located on a wetland not identified by the Department of Natural Resources. (1-3 points)

The preceding ranking system will be complemented with the DRD internal screening process to determine the projects to be funded under the LWCF. The organizational units from the DRD that will intervene in this process, include, but are not limited to:

1. Office of the Secretary, Sports and Recreation Department
2. Auxiliary Secretariat of Sports and Recreation
3. Auxiliary Secretariat of Infrastructure, Sports and Recreation Department



#### 4. Budget Division, Sports and Recreation Department

##### **9.2.5 OPSP exemptions**

In case that a natural disaster destroys properties dedicated to outdoor recreation, the DRD will be exempt from complying with the process hereby established. The DRD will be authorized to use a percentage of the funds to restore the properties affected by the natural disaster.

Also, the DRD may honor requests to amend existing state or locally sponsored projects to increase its costs, including the federal share, without further OPSP competition.

**XIV. FORM SF-424-C**

OMB Number: 4040-0008  
Expiration Date: 02/28/2025

<b>BUDGET INFORMATION - Construction Programs</b>			
<small>(NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.)</small>	<small>a. Total Cost</small>	<small>b. Costs Not Allowable for Participation</small>	<small>c. Total Allowable Costs (Columns a-b)</small>
<b>COST CLASSIFICATION</b>	\$	\$	\$
1. Administrative and legal expenses	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
2. Land, structures, rights-of-way, appraisals, etc.	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
3. Relocation expenses and payments	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
4. Architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
5. Other architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
6. Project inspection fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
7. Site work	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
8. Demolition and removal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. Construction	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
10. Equipment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
11. Miscellaneous	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
12. SUBTOTAL (sum of lines 1-11)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
13. Contingencies	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. SUBTOTAL	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
15. Project (program) income	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
<b>FEDERAL FUNDING</b>			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c	Multiply X <input type="text"/> %	\$ <input type="text"/>

## XV. FORM SF-424-D

[View Burden Statement](#)

### ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Prescribed by OMB Circular A-102

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
<input type="text"/>	<input type="text"/>
APPLICANT ORGANIZATION	DATE SUBMITTED
<input type="text"/>	<input type="text"/>

SF-424D (Rev. 7-97) Back