

Old Manual	Updated Manual
LWCF Act of 1965	LWCF Act at 54 U.S.C. § 200305
Chapter 1: Basis for assistance. Project costs shall be determined in accord with OMB Circulars A-102 and A-87	Chapter 1: Basis for assistance. Project costs shall be determined in accord with C.F.R. Part 200 and this Manual
A program review must be conducted every three years at the state office.	A program review must be conducted every five years at the State office in the form of a Program Review Report as described in Section C(4) below.
Chapter 2: SCORP must meet requirements of the LWCF Act	SCORP Chapter 2, Entire new section (See f below) providing DOI Secretary priorities that spans all sections of the manual (all projects must comply with the Secretary's priorities)
Chapter 2: SCORP expires after 5 years	Effective with this Manual, the planning cycle is extended from five to seven years. Plans active as of January 15, 2020 will maintain their current five-year horizon and expiration date until a new or amended SCORP is submitted reflecting the Secretary priorities as outlined in section A.4.f above, at which point the plan will be approved for seven years.
Chapter 2: OPSP 2 essential functions	OPSP 3 essential functions – new function below which came from the Goals section in the old manual: Assure the distribution of LWCF assistance is accomplished in a non-discriminatory manner, especially with regard to minority, elderly, disabled, and other underserved populations and ensure a fair and equitable evaluation of all applications for LWCF assistance.
Chapter 2: Requirements for OPSP. Must comply with SCORP	[NEW] Requirements for OPSP. Each State shall develop a priority rating system for selecting projects that is consistent with the priorities identified in Secretarial Order 3388 and listed in section A(4)(f) of this chapter Subsections removed: 3.d. Recurring funding cycle; 3.g. Underserved populations; 3.h. Advisory boards; 4. Public participation; 5. NPS approval;
Chapter 3	Project Application - NEW Forms: Application and Revision (A&R) Form . A&R Form is also used for amendments. There is a new form for post-grant compliance (C&S Form) . Both forms replace the traditional PDEF.
Chapter 3 Acquisition Projects Expressly didn't allow for the acquisition of Federal Surplus Property	[NEW] Addition to the eligible types of Acquisitions; wetlands; critical habitat for Endangered Species Act (ESA)-listed threatened and endangered species, proposed or candidate species for ESA listing, and species identified of Greatest Conservation Need; Federal Surplus Property
Chapter 3 Acquisition Projects	New Requirement under Land Acquisition [NEW] Local Support Required. Acquisitions of land, water, or an interest in land or water will not receive assistance without a written expression of support by both the affected governor and the local county or county government-equivalent (e.g., parish, borough).
Chapter 3 Acquisition Projects Eminent domain was allowable under the old manual.	[CHANGE] Eminent domain, or condemnation are not appropriate means of acquisition.

<p>Chapter 3 Development Projects</p>	<p>Removed Zoo facilities as being eligible for development funding.</p>
<p>Chapter 3 Development Projects</p>	<p>Guidelines for eligible support facilities: [NEW] Erosion Control/Shoreline Stabilization; Wetland Creation; Winter range and migration corridor habitat (for big game); Projects that increase safety in parks, particularly urban parks – gates, fencing, etc;</p>
<p>Chapter 4 Environmental Assessments in the old manual included several pages of formatting requirements.</p>	<p>[CHANGE] Environmental Assessments and Environmental Impact Statements must comply with Council of Environmental Quality regulations at 40 C.F.R. Parts 1500 – 1508. The format and analysis of all EAs or EISs shall be in compliance with those regulations. (No longer includes a separate EA format)</p>
<p>Chapter 4 Referenced Section 6(f) for the boundary, i.e. “6(f) Boundary”</p>	<p>[CHANGE] Section number in the Act changed for the boundary map; now simply refers to the map as the “LWCF Boundary” the new Section number is 200305(f)(3)</p>
<p>Chapter 5</p>	<p>Nothing major to call out as being changed or added.</p>
<p>Chapter 6 Award approval process: Upon NPS approval of the project, an NPS-signed copy of the approved project agreement will be sent to the State Liaison Officer as notification of project approval.</p>	<p>Award approval process: [NEW] Once a grant application package is considered actionable, the NPS will direct the State to submit the final version via Grants.gov, which will forward the application to DOI’s electronic grant management system of record (currently, GrantSolutions). This will log in the application and allow processing of it to an award. As of January 2020, upon NPS approval of the project, a notice of grant agreement and associated terms and conditions is electronically generated and SLO or alternate (depending on who has the Authorized Official role in GrantSolutions) will receive an email from the system alerting them the award has been released. The award notice and terms establish the framework for the State and subrecipient (if applicable) to accomplish the project. Award agreements are no longer signed. Acceptance of the award instead demonstrated by actions such as beginning the work of the project or drawing funds.</p> <p>Also, lists some details on page 75 regarding the “notice and grant terms” but nothing jumps out as cause for concern.</p>
<p>Chapter 6: Withdrawal or Changes in Project Application: A new project agreement may be required if the change is significant.</p>	<p>Withdrawal or Changes in Project Application- changes to language include: [CHANGE] New application documents may be required if the change is significant. [NEW] If the project is withdrawn due to performance issues (or non-performance) by the project sponsor the State may be required to report the circumstances to the Federal Government’s system of record for such issues (e.g. FAPIIS)</p>
<p>Chapter 6: Project number was just the 7 digit number 42-00000</p>	<p>[NEW] The electronic grant management system will also generate a federal award identification number. NPS shall permanently affix these numbers to the case file to serve as a</p>

	<p>permanent reference numbers.</p> <p>Question for clarification: Do <u>both</u> numbers need to be referenced on agreements, amendments, etc.? The manual states “Agreements, amendments, and all other documentation relating to a given project, including letters and memorandum, shall contain <u>this</u> number.” I’m assuming just the 7-digit number, but it’s unclear since there will now be two reference numbers.</p>
Chapter 7 General Administrative Requirements	[CHANGE] Removed the conditions under Non-destructive mineral extraction
Chapter 7 Procurement Standards LWCF Acknowledgement Signs	[CHANGE] Removed Procurement Standards and LWCF Acknowledgement Signs. Also under Performance/Financial Management and Reporting removed a lot of detail and simply refer folks to the 2 C.F.R. 200 document.
Chapter 8 Old language: A posted LWCF acknowledgement sign shall remain displayed at the project site pursuant to Chapter 7.	Post- Completion and Stewardship Operation and Maintenance [CHANGE] removed requirement for LWCF acknowledgement sign
Chapter 8 Leasing and Concession Operations Within a Section 6(f)(3) Area	Leasing and Concession Operations Within a LWCF Boundary Area [CHANGE] removed The lease/agreement document should require all fees charged by the lessee/concessioner to the public must be competitive with similar private facilities.
Chapter 8 Conversions of Use	<p>Conversions of Use</p> <p>[NEW] The Secretary’s discretion, delegated to the NPS, will be used to make sure State or local governments attain the maximum benefit from previous LWCF grant assistance.</p> <p>[CHANGE] Removed paragraph on local sponsors and early consultation.</p> <p>[NEW] The Region, however, is expected to work closely with the Washington Office on any conversions that may be precedent setting and/or from which litigation is likely.</p> <p>[CHANGE] Situations that may not trigger a conversion: removed Proposals for changing the overall outdoor rec use of a Section 6f area</p> <p>[CHANGE] removed a condition for replacement land (4) Where the project sponsor acquires replacement land from another public agency, the selling agency must be required by law to receive payment for the land so acquired</p> <p>[CHANGE] removed i. The proposed conversion and substitution are in accord with the SCORP.</p> <p>[CHANGE] removed ...state must notify project sponsor to cease immediately until the conversion process... is completed.</p>

	<p>[NEW] The project sponsor shall be put on notice by the State it is ineligible for future grants until satisfactory steps have been taken towards resolution as determined by NPS.</p> <p>[CHANGE] removed Failure by the state to take steps to follow this procedure shall be considered cause for NPS to apply penalty options...</p>
Chapter 8 Commercial Signage in Section 6(f)(3)	[CHANGE] removed section completely
Chapter 8 Proposals to Construct Public Facilities	[CHANGE] removed a lot of details that provided examples and some specific requirements
Chapter 8 TNCU	[CHANGE] no longer a time requirement of 6 months for projects to be completed. The TNCU requirement is silent on timeframe, just requests that any TNCU be submitted.
Chapter 8 Significant Change of Use	[CHANGE] removed section completely
Chapter 8 Post Completion Inspections	[CHANGE] removed NPS inspections
Chapter 8 Penalties	[CHANGE] simplified language and made it part of Post Completion Inspection section

Chapter 2.A.4.f. In accord with 54 U.S.C. § 200305(d)(1)(D), the Secretary may determine other necessary information the plan should contain. Therefore, each plan shall assess and prioritize the following to (1) support the determination of specific goals to improve the development and provision of future outdoor recreation across the State and (2) guide the obligation of annual LWCF apportionment dollars for grant-funded projects:

- (1) Acquisition of land or water, or interests therein, that, in addition to providing public outdoor recreation, also:
 - i. Are identified as a priority recovery action in an approved recovery plan for an Endangered Species Act (ESA)-listed species;
 - ii. Reduce or eliminate a threat related to the present or threatened destruction, modification, or curtailment of habitat for an ESA-listed species or a species proposed for listing under the ESA;
 - iii. Reduce or eliminate a threat identified in a 12-month petition finding or candidate review form as contributing to designation of a species as a candidate for listing under the ESA; or
 - iv. Are identified as a conservation strategy for one or more Species of Greatest Conservation Need in an established State Wildlife Action Plan.
- (2) Creation of wetlands to provide habitat for fish, waterfowl and other wildlife, improve water quality; and reduce the impact of floods and storms to communities while also providing recreational opportunities such as fishing, hunting, photography, and wildlife observation.
- (3) Increased safety in urban parks, to include facility-related security installations within or adjacent to public parks and recreation areas.
- (4) Enhanced physical connectivity between Federal and State-managed lands for recreational opportunities including hunting, hiking, fishing, boating, camping and wildlife observation.
- (5) Development of recreation sites such as sports shooting facilities.

(6) Improved big-game winter range and migration corridor habitat on State lands in concert with planning efforts through SO 3362 (when such lands are accessible to the public and suitable for outdoor recreation use and facility development).

(7) Investment in infrastructure techniques using plants, stone, sand fill, and other structural and organic materials to stabilize shorelines providing benefits such as nutrient pollution remediation, fish and migratory bird habitat, and buffering of shorelines from waves and storms.