



DNR Division of Parks and Trails Land and Water Conservation Fund (LWCF)



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Land and Water Conservation Fund (LWCF)

Background

The Land and Water Conservation Fund (LWCF) was created by Congress in 1965 to safeguard our natural areas, water resources and cultural heritage, and to provide recreation opportunities to all Americans. It is a program of National Park Service (NPS).

There are two main programs under LWCF:

- National Program: Funds acquisition of land for National Outdoor Recreation System
- “State Side” Program: Provides matching grants to States and local governments for acquisition and development, redevelopment of public outdoor recreation areas and facilities.

Revenue for program comes primary from offshore oil and gas lease receipts. \$900 million is deposited into LWCF account each year. The amount available for LWCF for the State Side Program is determined by mandatory Congressional appropriations and distributed based on a formula to the states and territories.



Land and Water Conservation Fund (LWCF)

Legislation

National:

- LWCF Act of 1965 (Section 6, LWCF Act of 1965, as amended). Includes Section 6(f)(3).
- Gulf of Mexico Energy Security Act (GOMESA) (2006) directs a portion of the gulf revenue to LWCF. Approximately \$1.5- 2 million annually for Minnesota.
- John D. Dingell, Jr. Conservation, Management, and Recreation Act (S.47) (2019). Permanently authorizes LWCF and provides a 40% share of total LWCF appropriations for state-side programs.
- Great American Outdoor Act (GAOA) (2020). Permanent dedicated and mandatory funding for LWCF at authorized amount of \$900 million annually.

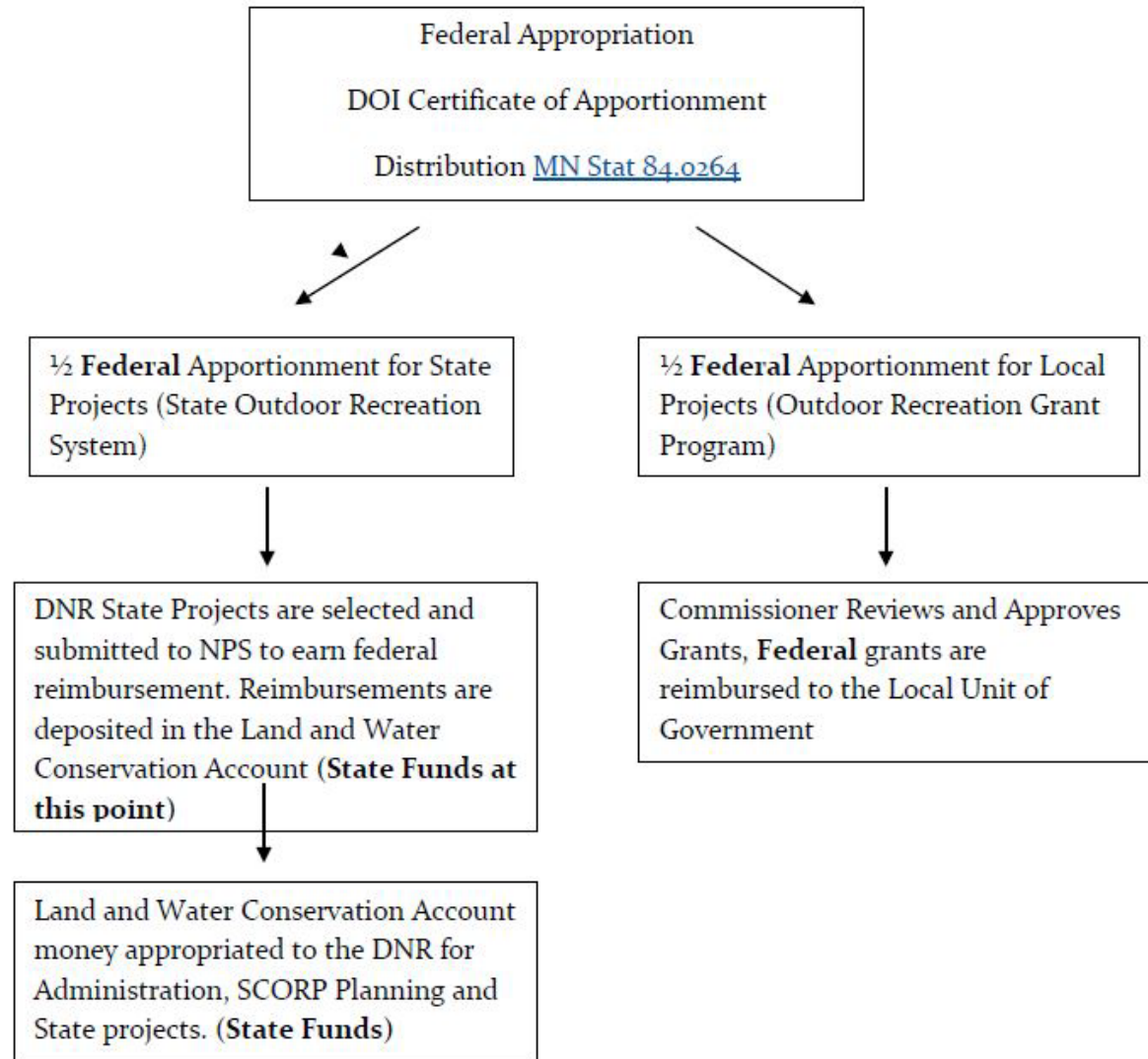
State:

- Minnesota Statutes 84.0264 Federal LWCF. Designates DNR as State LWCF agency, establishes Land and Water Conservation Account (NR account) and splits federal appropriation evenly between state and local projects.



Land and Water Conservation Fund (LWCF)

How LWCF Works in Minnesota





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LWCF Impact

LWCF has had a significant impact on outdoor recreation infrastructure of Minnesota with federal investments of more than \$97 million in state's outdoor recreation system, matched equally by state and local investments. State LWCF investments include:

- 69 State parks, recreation areas and waysides, 6 state trails
- 29 State forest campgrounds and recreation areas, 5 state forests
- 20 State scientific and natural areas
- 16 State public water access sites
- 12 State wildlife management areas
- 4 State wild and scenic rivers
- 3 Minnesota Historical Society recreation sites
- 3 University of Minnesota sites
- Over 900 Local park and trail projects

This investment has created a permanent legacy of parks and trail throughout Minnesota.



Land and Water Conservation Fund (LWCF)

State Comprehensive Outdoor Recreation Plan (SCORP)

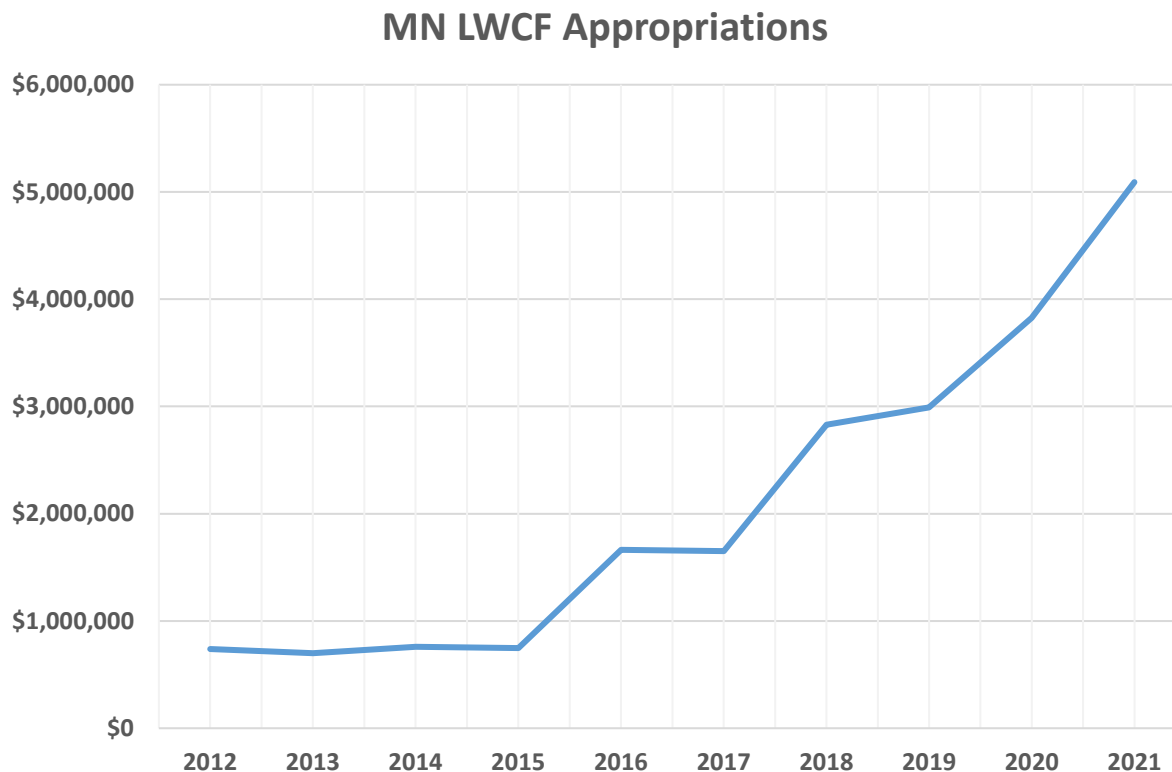
- Required under LWCF Act
- Must be updated every 5 years. Possible upcoming change to 10 years.
- Identifies State's strategies, priorities, and actions for obligation of LWCF apportionment including State's Open Space Selection Process (OPSP).
- OPSP: Criteria and standards for prioritizing and selecting LWCF projects.
- Current SCORP: [2020-2024](#)



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Recent Funding Levels for LWCF Projects

Permanent reauthorization of LWCF and support for program has helped increase federal apportionments in recent years.





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How State LWCF Work in Minnesota

State projects are selected to earned federal LWCF reimbursements.

- **Whitewater State Park:** Development of a new campground loop, group camping cabins, picnic shelters and restroom/shower facilities. LWCF assistance \$1,585,528. Completed 2017.
- **Lake Vermillion-Soudan Underground Mine State Park** - Develop North campground with 8 camper cabins, paved road, restroom shower building, walkways, sign and parking. LWCF assistance \$2,237,686. Completed 2020.

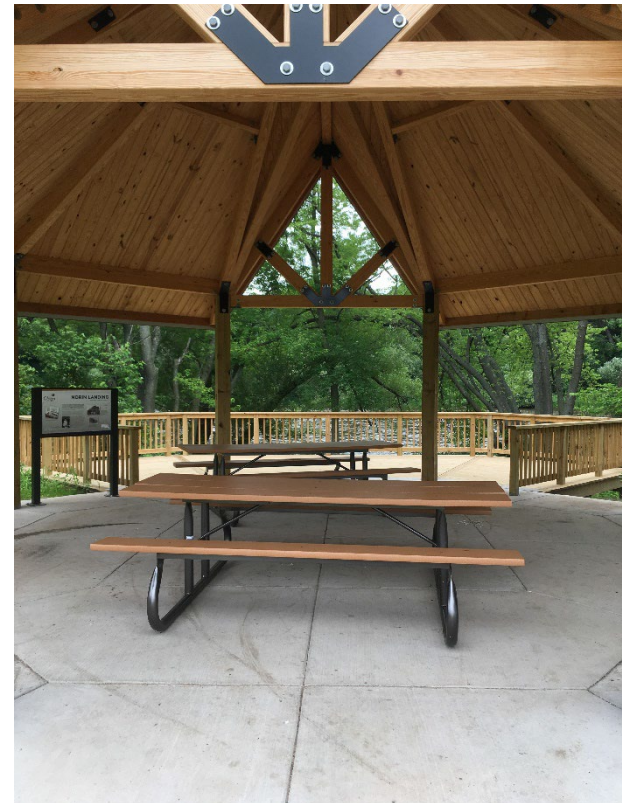




Land and Water Conservation Fund (LWCF)

Local Projects: Outdoor Recreation Grants

- Program began in 1965 with federal LWCF
- Purpose – Acquisition, development, and/or redevelopment of local outdoor recreation park areas and facilities
- 771 grants awarded Statewide
- Program Leverage – Requires 50% cash and/or in-kind match
- Min grant: \$10K, Max Grant: \$300K
- Park area maintained permanently for outdoor recreation use.



Otsego - Norin Landing: Replace and upgrade Mississippi River boat access, picnic pavilion, trails, fishing platform, parking, and roads.



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Local Projects: Natural and Scenic Areas Grants

- Program began in 1995
- Purpose – Acquisition and protection of natural and scenic areas and to increase habitat protection
- Locally significant natural and scenic areas
- 68 grants awarded Statewide
- Program leverage – Requires 50% cash and/or in-kind match
- Min grant: \$10K, Max grant: \$500K
- Park area maintained permanently



Baxter – Mississippi River Overlook: Acquire approximately 63.0 acres of forested land with a half mile of frontage on the Mississippi River.



Land and Water Conservation Fund (LWCF)

Timeline for Local Project Selection

- RFP posted December 2022
- Application deadline: March 2023
- Review and scoring of application by staff: April – May 2023
- Meet with PAT Division leadership: May 2023
- Director meets with Commissioner: May 2023
- Award of grants: June 2023
- Multi-year grants
- Reimbursement basis



Land and Water Conservation Fund (LWCF)

National Outdoor Recreation Legacy Partnership Program (ORLP)

- National LWCF program administered by National Park Service.
- Purpose - to provide new or significantly improved recreation opportunities in economically-disadvantaged communities located within a city having a population of 30,000 or more. Serve the specific needs of a community that is severely lacking in walkable, publicly accessible, outdoor recreation ("park deserts"), and that has a poverty rate of at least 20% or that is at least 10% higher than that of the project city, county, and state rates).
- Eligible applicants: cities, towns, counties, and park districts through the DNR. Only the DNR can apply to NPS.
- 2022 application round, funding available: \$192 million. The minimum grant request is \$300,000 and the maximum grant request is \$10 million.
- NPS due dates January 31, 2023, and May 31, 2023. DNR application deadlines will be at least 4-6 weeks prior to NPS due dates.
- Anticipated notification of awards by NPS: September 1, 2023, and January 1, 2024.



Land and Water Conservation Fund (LWCF)

Post-Completion Requirements: Section 6(f)

Congress intended this investment of public funds to be permanent. The retention requirement is the cornerstone of the Act. Section 6(f) of the Act requires all funded lands to be retained and used solely for outdoor recreation in perpetuity.

SEC. 6(f)(3) No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses.

Situations that trigger a conversion:

- Property interests are conveyed for private use or non-public outdoor recreation uses.
- Non-outdoor recreation uses (public or private) are made of project area, or a portion thereof, including those occurring on pre-existing rights-of-way and easements, or by a lessor.
- Public outdoor recreation use of property acquired or developed with LWCF assistance is terminated.



Land and Water Conservation Fund (LWCF)

Post-Completion Compliance Requirement

We ensure compliance by:

- On-site visits for all local grants funded with LWCF every five years
- Grants funded with state dollars, we conduct desk reviews every five years. Send email to facility manager with list of grants for site and identify LWCF program requirements:
 - grant-assisted park areas are managed solely for public outdoor recreation into perpetuity
 - open during normal operating hours
 - provide a safe environment
 - available without discrimination including accessible to persons with disabilities
 - required funding acknowledgment sign is displayed in visible location