



NPS LWCF 6(f)

NPS LAND & WATER CONSERVATION FUND RESTRICTION

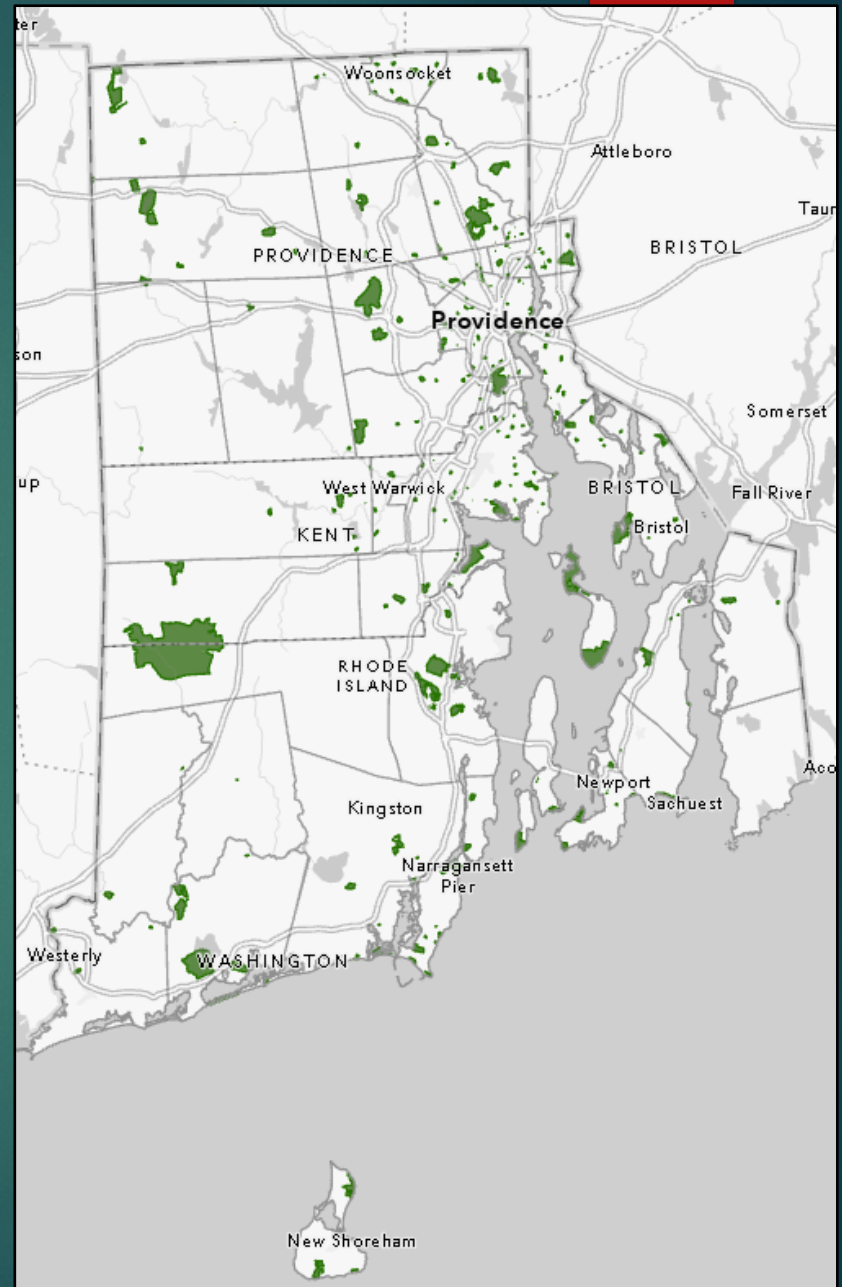
Paul Jordan, Assistant State Liaison Officer

What is it?

- Land & Water Conservation Fund Act Of 1964
- Revenue From Offshore Oil & Gas Royalties
- Administered By National Park Service Via State
- Acquisition, Development, Rehabilitation of Outdoor Recreation Facilities

By the numbers

- 309 State & Local Parks
- 19,716 Acres
- > 400 Grants
- \$50M since 1965
- \$2.8M / year current funding



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Outdoor Recreation
Land and Water Conservation Fund Project Agreement

State Rhode Island	Project Number 44-00207
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Project Title Dunnel Park

Project Period Date of approval to 6/30/80

Project Scope (Description of Project)

The City of Pawtucket proposes to develop nine acres of vacant land, located off Prospect Street, into a community recreation area to be known as Dunnel Park. Development includes 2 parking areas, two lighted ballfields with sprinkler systems, one lighted football/soccer field with sprinkler system, 2 lighted tennis courts, two lighted and fenced basketball courts, tot lot, bleachers, perimeter fencing, site preparation storm sewers, utilities (sewer, water and electric), landscaping, stone dust walkways, and a combination office/main./concession/comfort sta. building. Design, engineering and construction supervision is also part of this project.

Project Stage Covered by this Agreement

Entire scope

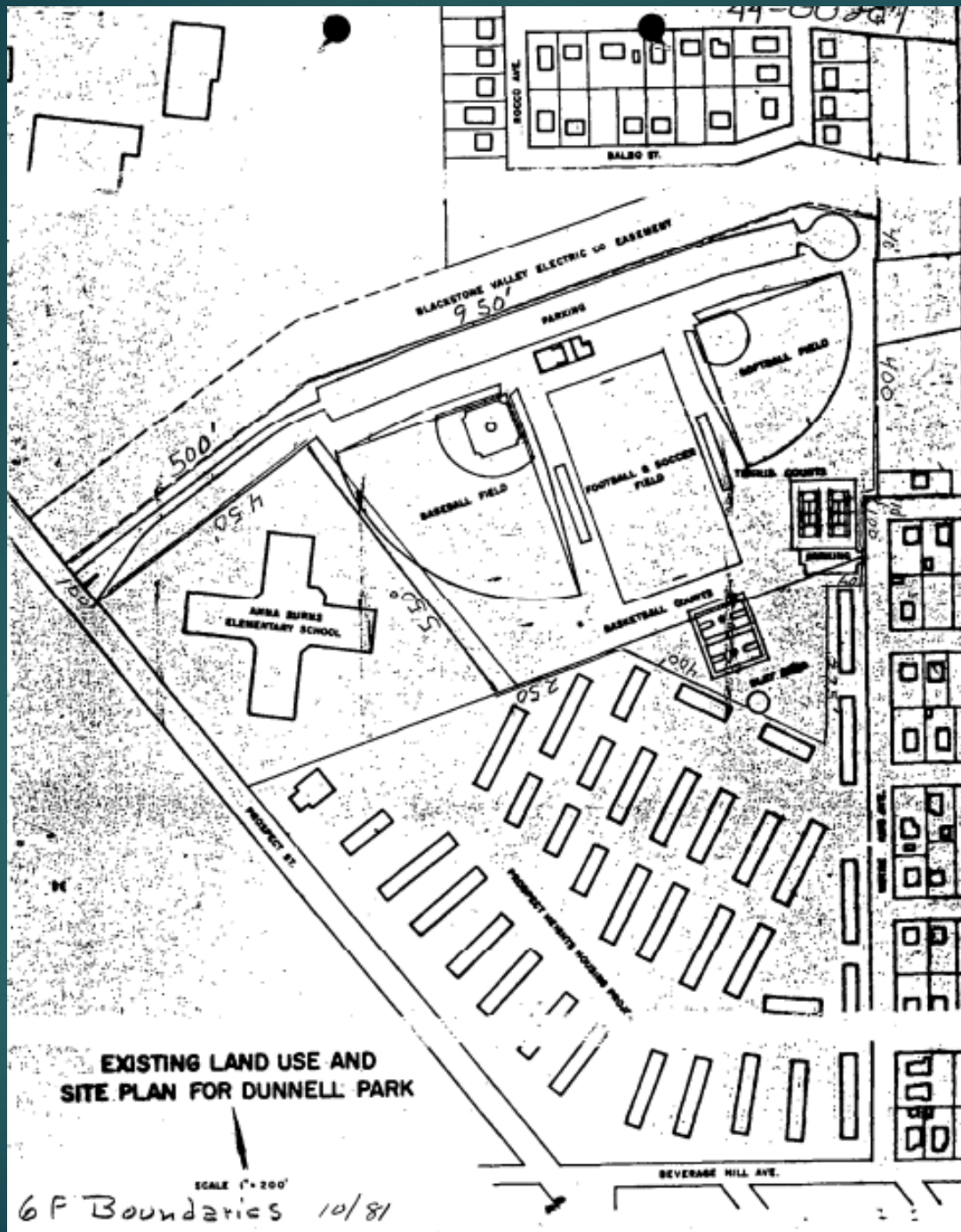
Project Cost	
Total Cost	\$ 635,071.00
Fund Support	50 %
Fund Amount	\$ 317,535.50
Cost of this Stage	\$ 635,071.00
Assistance this Stage	\$ 317,535.50

The following attachments are hereby incorporated into this agreement:

1. General Provisions Dec. 1965
2. Project Proposal
3. _____
4. _____

POSTED	
Date	<u>1/17/78</u>
By	<u>MSH</u>

Grant
Agreement



6f Map

6f Boundaries 10/81



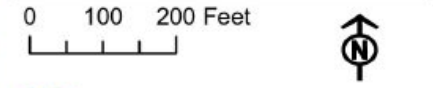
Title	Dunnell Park 44-00207
County	Providence
Municipality	Pawtucket, RI
Lon, Lat	-71.371312, 41.86363
Street Address	Prospect Street
Page #	1



Notes:
 Conversion of 2.3 acres to affordable housing

 Mayor Don Grebien, Date

 Paul Jordan, ASLO, Date



- Conversion
- No Change
- Substitution

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What it means for you

Property acquired or developed with LWCF assistance shall be retained and used for public outdoor recreation. **Any property so acquired and/or developed shall not be wholly or partly converted to other than public outdoor recreation uses without the approval of NPS** pursuant to the LWCF Act (54 U.S.C. § 200305(f)(3)) and conversion requirements outlined in regulations (36 C.F.R. § 59.3). The conversion provisions of the LWCF Act, regulations, and these guidelines apply to each area or facility for which LWCF assistance is obtained, regardless of the extent of participation of the program in the assisted area or facility and consistent with the contractual agreement between NPS and the State.

*LWCF State Assistance Manual
Volume 72, October 2023
Chapter 8*



Conversion of Use:

- No Practical Alternative
- Replacement Property Of Equal Value
- Equivalent Utility For Outdoor Recreation
- Replacement Cannot Be An Existing Recreational Facility
- Yellow Book Appraisals*, NEPA & NHPA Section 106 Review

* Uniform Appraisal Standards for Federal Land Acquisition



Unapproved Conversions:

- Most RI Projects Are Decades Old
- No Land Record of 6(f) Restriction
- Lost Paperwork
- Fading Institutional Memory

Summary:

- Forever Restricted To Public Outdoor Recreation
- Or Structures That Directly Support
- Put Something In Municipal Land Evidence Records
- Inspect For Compliance
- Work With US To Resolve Issues / Conversions
- LWCF Manual Chapter 8

Post-Completion & Stewardship

<https://www.nps.gov/subjects/lwcf/lwcf-manual.htm>



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Narragansett Bay NERR ²

Parks and Recreation ²

Planning & Development -

Capital Projects

Land Conservation

Land & Water Conservation Fund

Grant Opportunities

Statewide Comprehensive Outdoor Recreation Plan +

Planning & Development



We:

- Design and build award winning State Park & Management Area Facilities including boat ramps, beach pavilions, bike paths, fish ladders and more;
- Oversee Grant Programs distributing State & Federal dollars to Municipalities and NGO's for local park development & land conservation work; and
- Acquire land or easements to expand our park system, conserve wildlife habitat and protect farmland for the benefit of future generations;
- Manage the DEM's Geographic Information System. Our work includes processing and analysis of spatial environmental data, and the production of conventional and digital [cartographic products](#)



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Statewide Comprehensive Outdoor Recreation Plan



Land & Water Conservation Fund

The Land and Water Conservation Fund (LWCF) is a federal grant program established by the LWCF Act of 1965, administered by the United States Department of the Interior (USDOI) / National Park Service (NPS) and managed in this State by the Rhode Island Department of Environmental Management / Division of Planning & Development. The program provides matching grants to state and local government entities for the acquisition, development, and rehabilitation of public outdoor recreation lands and facilities.

Under the provisions of section 6(f) of the Act, any property that benefits from the funds cannot be partially or entirely converted to any use other than for public outdoor recreation without the permission of the Secretary of the USDOI. Federal law requires a project sponsor to provide approved substitute property in the case of a use conversion, whether pre-authorized or retroactively. Examples of non-compliant uses include, but are not limited to, sale or surplus of land, development of unapproved indoor facilities, abutter encroachments, staging for unrelated and/or off-site construction projects, or exclusive use by a specific group or population.

Information on the federal provisions and encumbrances to such properties can be found in the [Land & Water Conservation Fund Manual](#).

RESOURCES

- [Code of Federal Regulations](#) (36 CFR 39)
- [NPS LWCF Stewardship Booklet](#)
- [NPS Land & Water Conservation Fund Manual](#)
- [RIDEM LWCF RI Project Map](#)
- [RIDEM Recorded Webinar 2/10/2022](#) (Passcode: @ikf1A60)
- [RIDEM PowerPoint 2/10/2022](#)
- [RIDEM Notice of Grant Record Template](#)



Questions:

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