

Land and Water Conservation Fund Grant Program – Quick Facts

Program Title: Land and Water Conservation Fund Grant Program (LWCF)

Program Website: <https://www.oregon.gov/oprd/GRA/Pages/GRA-lwcf.aspx>

Program Purpose: The Land and Water Conservation Fund (LWCF) is intended to create and maintain a nationwide legacy of high-quality recreation areas and facilities and to stimulate non-federal investments in the protection and maintenance of recreation resources across the United States.

In Perpetuity Requirement:

LWCF Act requires that the **any park or other outdoor recreation area or facility that has benefitted from assistance from the LWCF, whether for acquisition or development purposes, and regardless of the amount or extent of assistance, may not be converted to other than public outdoor recreation uses** (Section 6(f)(3) of the LWCF Act, now codified at [54 U.S.C. 200305\(f\)\(3\)](#)). The property must be preserved for outdoor recreation uses in perpetuity and cannot be converted to other than public outdoor recreation use without the written approval of the Secretary of the Interior.

Administration The LWCF is a federal program administered in the state by the Oregon Parks and Recreation Department. The [administrative rules](#) are OAR 736-008-0005 – OAR 736-008-0055.

Eligible Projects: Property Acquisition, Development, Major Rehabilitation and/or Renovation, Acquisition & Development (combination)

Eligible Applicants: Cities, Counties, Metropolitan Service Districts, Park and Recreation Districts, Port Districts, federally recognized Indian Tribes in Oregon, and Oregon State Agencies: Parks and Recreation Department, Department of Forestry, Department of Fish and Wildlife, and Department of State Lands

Funding Source: The income for the LWCF is provided largely from Outer Continental Shelf mineral receipts. Amounts are supplemented by other qualified off-shore revenues pursuant to the Gulf of Mexico Security Act of 2006 (Public Law 109-432)

Funding Type: Reimbursement Grants

Grant Amounts: Minimum grant: **\$50,000 (\$100,000 total project costs)**, unless otherwise authorized by Oregon Parks and Recreation Director. No maximum grant amounts.

Match Requirements: 50% match required

Build America, Buy America Requirements

On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build America, Buy America Act, Pub. L. No. 117-58, §§ 70901-52. The Build America, Buy America Act requires that no later than May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The following Buy America Preference must be included in all subawards, including all contracts and purchase orders for work or products under this program:

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. All manufactured products used in the project are produced in the United States —this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
3. All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Construction materials includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

Construction Materials does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/

Approved and Active Department of the Interior (DOI):

1. DOI Small Grants Waiver: This general applicability waiver provides approval to waive the Buy America Preference for DOI financial assistance agreements when the total award amount of an

agreement does not exceed the Simplified Acquisition Threshold, currently \$250,000. The small grants waiver was approved on February 21, 2023 and expires February 20, 2028.

2. DOI De Minimus Waiver: This general applicability waiver provides approval to waive the Buy America Preference for otherwise covered infrastructure project purchases totaling up to 5% of the total applicable project costs, up to a maximum of \$1,000,000. The de minimus waiver was approved on February 21, 2023 and expires February 20, 2028.

Refer to the Approved DOI General Applicability Waiver website for more information:

<https://www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers>