

### Compliance Responsibilities and Legal Protection

state & federal sides	<b>Post-Completion Compliance &amp; Legal Protection:</b>
exemplary projects	Post-completion compliance responsibilities apply to each area or facility for which Land and Water Conservation Fund assistance is obtained, regardless of the extent of program participation in the assisted area or facility and consistent with the contractual agreement between National Park Service and the State.
grants	
planning projects	The State is responsible for compliance and enforcement of these provisions for both State and locally sponsored projects. Responsibilities cited in <b>Title 36, Part 59</b> in the <b>U.S. Code of Federal Regulations</b> apply to the area described on the 6(f)(3) boundary map and/or as described in other project documentation approved by the Department of the Interior.
compliance responsibilities & legal protection	
history	<b>TITLE 36, CHAPTER 1, PART 59 - Land and Water Conservation Fund Program of Assistance to States; Post-Completion Compliance Responsibilities:</b>
publications & forms	
contact list	 36 CFR 59.1 <b>Applicability</b>
funding status	 36 CFR 59.2 <b>Information Collection</b>
LWCF Manual (1991)	 36 CFR 59.3 <b>Conversion Requirements</b>
find LWCF in your neighborhood	 36 CFR 59.4 <b>Residency Requirements</b>
land & water home	<i>You can also read more about post-completion compliance responsibilities in the LWCF Stewardship booklet</i>



### Legal Protection for Grant-Assisted Recreation Sites

#### Section 6(f)(3) of the LWCF Act

Section 6(f)(3) of the LWCF Act contains strong provisions to protect Federal investments and the quality of assisted resources. The law is firm but flexible. It recognizes the likelihood that changes in land use or development may make some assisted areas obsolete over time, particularly in rapidly changing urban areas. At the same time, the law discourages casual "discards" of park and recreation facilities by ensuring that changes or "conversions from recreation use" will bear a cost - a cost that assures taxpayers that investments in the "national recreation estate" will not be squandered. The LWCF Act contains a clear and common sense provision to protect grant-assisted areas from conversions.

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. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

This "anti-conversion" requirement applies to all parks and other sites that have been the subject of Land and Water grants of any type, whether for acquisition of parkland, development or rehabilitation of facilities. In many cases, even a relatively small LWCF grant (e.g., for development of a picnic shelter) in a park of hundreds or even thousands of acres provides anti-conversion protection to the entire park site.

To ensure the continued effectiveness of Section 6(f)(3) protection, several management tools have been developed to monitor and correct changes in assisted sites from year to year. For example, the NPS requires on-site inspections of all grant-assisted areas and facilities at least once in every five years most of which are conducted by cooperating state agencies.

Another important tool to ensure good communication between grantors and grantees is the "6(f)(3) project boundary map." With each application, the grantee submits a dated project boundary map showing the park area to be covered by Section 6(f)(3) anti-conversion protections. This map need not be a formal survey document, but it contains enough site-specific information to serve several purposes:

- it ensures that both the grantee and the administering agency agree on the proper boundaries of the covered site at the time of project approval;
- it provides location, size indicators and a picture of key facilities and landmarks to help later project inspectors better identify and evaluate the site.