

Conversion of LAWCON-funded Lands

Any lands acquired or developed with assistance from the Land & Water Conservation Fund grant program (LAWCON) must be retained solely for outdoor recreation. No other use can be made of these lands without prior written approval of the National Park Service. The Service will consider requests only if all practical alternatives have been evaluated and rejected on a sound basis and replacement lands of equal or greater fair market value and reasonably equivalent usefulness are acquired and dedicated to outdoor recreation. This retention requirement and the process for converting funded lands are published in [36 CFR Part 59](#).

For a list of the funded sites, see the [Parks and Natural Areas Funded by the Land & Water Conservation Fund \(LAWCON\) and MN Local Grant Programs](#).

All requests for such approval are submitted to the National Park Service by Minnesota's State Liaison Officer or Alternate State Liaison Officer.

Conversions occur when:

- a) Property interests are conveyed for private use or non-public outdoor recreation uses.
- b) Non-outdoor recreation uses are made of the project area,
- c) Unallowable indoor facilities are developed within the project area without NPS approval, such as unauthorized public facilities and sheltering of an outdoor facility.
- d) Public outdoor recreation use of property acquired or developed with LWCF assistance is terminated.

To Request Approval for a Conversion

1. Contact the [Grants Manager](#) for your area. The manager will verify that the proposal would be a conversion and then, if so, advise you on the rest of the process.
2. Submit a narrative description of the proposal that identifies all practical alternatives have been evaluated and rejected on a sound basis. The "do nothing" alternative must be considered. Minnesota typically processes only a couple of conversions each year, usually for road improvements undertaken to improve safety. Proposals to construct non-recreation facilities such as cell phone towers or to convey an interest in the property to a private party generally do not qualify, as there are usually practical alternatives available. Do not continue with the conversion process until this step has been approved by the State.
3. The next step is to identify the extent of the land to be converted and the proposed replacement land to be acquired. The replacement land must be an addition to an existing facility or, if a new facility, constitute a viable, self-supporting unit of outdoor recreation. The grants manager must approve the extent of the conversion and the suitability of the replacement lands before continuing with the conversion process.

4. Information to be submitted with a conversion request:
 - a. Boundary maps of both the converted site and the proposed replacement land. These maps must include references to known landmarks, a north arrow, acreages, a graphic scale, the date of preparation, and the signature of the grant recipient. The map of the replacement land should also indicate planned recreation development and a proposed timeline for that development.
 - b. Appraisals and Appraisal Reviews - Fair market valuation of both the converted and replacement lands. Appraisals must be prepared in conformance with the [Uniform Appraisal Standards for Federal Land Acquisitions](#) and be reviewed by a qualified review appraiser. The grants manager will be able to give you guidance on making the appraisal assignments.
 - c. Environmental documentation - An environmental assessment must be prepared in accordance with the National Environmental Policy Act (NEPA). For instructions on preparing the assessment, see the LWCF Proposal Description and Environmental Screening Form ([PD_ESF](#)).
 - d. Historical / Archeological Review and Coordination - The [State Historic Preservation Office \(SHPO\)](#) must be afforded a chance to comment on the conversion proposal pursuant to Section 106 of the National Historic Preservation Act of 1966 and Minnesota statutes. The SHPO must be contacted and provided information about the proposal. If the SHPO recommends a survey of the land be completed, the proposer must contract with a qualified firm to complete it and coordinate with the SHPO on any actions that must be taken to protect archeological / historical resources on the property.

If the conversion request is approved, the original grant agreement between the State and the grant recipient will be amended to transfer the post completion responsibilities from the converted to the replacement lands. When LAWCON funds were used, both the State and the National Park Service must approve. If only State funds are used, only State approval is necessary.