



## **LOCAL PARK GRANT PROGRAM** **CONVERSION GUIDELINES**

These guidelines are designed to assist with the process of properly converting grant assisted properties through the Local Park Grant Program to non-recreation use. The "General Provisions of the Project Agreement" for which fund assistance is provided states:

"The Participant agrees that the property described in the project agreement and the dated project boundary map, made part of that agreement, is being acquired or developed with grant assistance, and that it shall not be converted to other than public recreation use and shall be maintained for public recreation in perpetuity."

It is acknowledged, however, that circumstances may arise which might require the conversion of parkland. As a result, the Department has developed guidelines for converting fund assisted properties. Conversion is strongly discouraged, and there is no guarantee that a request for conversion will be approved.

### **THE PROCESS**

Correctly converting fund assisted parkland is a lengthy and costly process. The Department will not provide financial assistance to the local sponsor initiating the conversion.

Conversion generally occurs in the following situations:

- A. Property interests are conveyed for non-public recreation uses.
- B. Non-recreation uses (public or private) are made of the project area, or a portion of the project area.
- C. Non-recreation facilities are developed within the project area (library, city hall, fire station, etc.).
- D. Public recreation uses of property acquired or developed with grant assistance is terminated.
- E. Exceptions:
  1. Proposals to construct public facilities where it can be shown that there is a gain or increased benefit to public recreational opportunity will not constitute a conversion. Final review and approval of such cases shall be made on a case-by-case basis.
  2. Leased lands which are converted to other than public recreation use after the lease expires.

The Department will only consider conversion requests if the following prerequisites have been met and documentation of such has been submitted to the Department:

- A. All practical alternatives to the conversion have been evaluated and rejected on a sound basis.

- B. The fair market value of the property to be converted and the property proposed for substitution have been established by one independent appraisal prepared in accordance with the provided “Local Park Grant Program Appraisal Guidelines”.
1. The property proposed for substitution must be at least equal fair market value as the property to be converted.
  2. Property improvements will be excluded from value consideration for the properties to be substituted. Exceptions may be allowable when the substitute property contains improvements directly related to public recreation.
- C. The property proposed for replacement is of reasonable usefulness and location as that being converted. Depending on the situation, the replacement property need not provide identical recreation experiences or be located at the same site, provided it is in a reasonably equivalent location. It must, however, be administered by the same political subdivision as the converted property.
- D. The property proposed for substitution meets the eligibility requirements for grant-assisted acquisition. Replacement property must constitute or be part of a viable recreation area.
1. Public land may not be used for substitution on acquisition projects unless it meets certain acquisition criteria. However, in the case of development projects for which the match was not derived from the cost of the purchase/value of donation of the land to be converted, public land which has never been dedicated, platted, managed, or acquired for recreation/conservation use may be used as replacement land even if this land is transferred from one public agency to another without cost.
- E. All necessary coordination with other governmental agencies has been satisfactorily accomplished. Completion of a description of the environment for both the converted and the substitute site is required.
- F. Staff consideration reveals no reason for disapproval and the project files are so documented.

**TO REQUEST A CONVERSION, THE FOLLOWING MUST BE SUBMITTED FOR INITIAL REVIEW BY LOCAL PARK GRANTS STAFF:**

1. Cover letter addressing the scope and need of the conversion. All practical alternatives to the conversion must have been evaluated and rejected on a sound basis.
2. Description of the Environment for both **the converted and the replacement properties** to include:
  - Acres to be converted/replaced
  - Description of the public outdoor recreation uses existing or proposed for the site
  - Surrounding land uses N, S, E, W (residential, commercial, agricultural)

- Vegetation – species, dominant plants, vegetation
- Topography
- Natural water features on site
- Soils
- Wildlife habitat
- Existing site development (extent of impervious cover, structures, etc.)
- Utilities available on site
- Overhead utility lines on site
- Any history of contamination
- Any rights-of-way or easements
- Located in a flood plain or wetland
- Map delineating the floodplain/wetland area
- Current property ownership
- Identification of valuable or vulnerable natural resources, ecological processes, or rare, threatened, or endangered species of vegetation or wildlife

3. Location and Boundary Maps for both the converted and the replacement properties. (See Samples)

In addition to the above requirements, TPWD will conduct a resource review and a site visit of both properties. TPWD will also send the information for review to the Texas Historical Commission.

**DOCUMENTATION REQUIRED UPON APPROVAL**

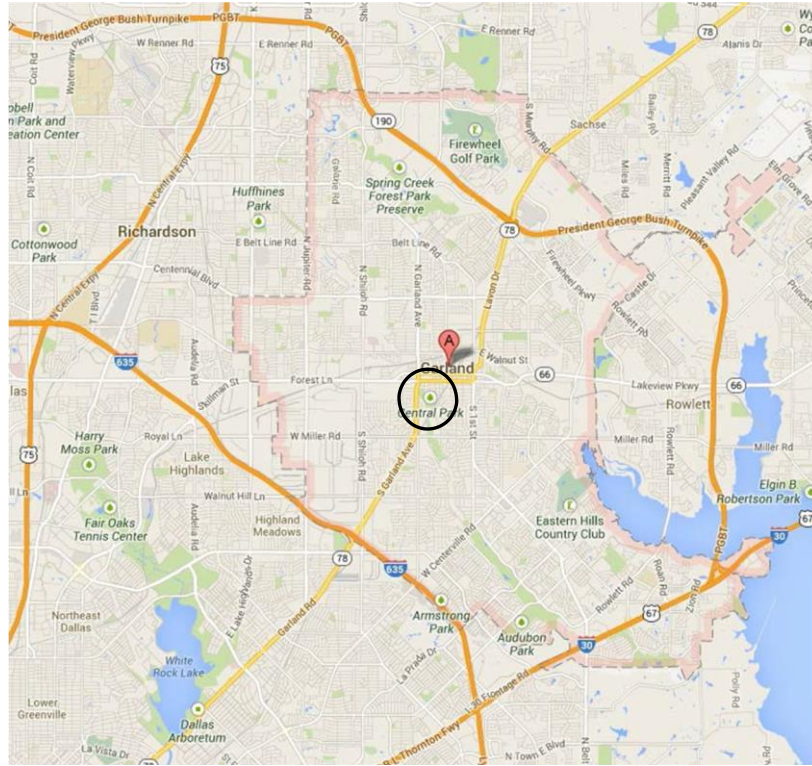
If approved, the following documentation will be required to complete the conversion process:

1. Appropriate appraisals for both the converted and the replacement properties. The type of appraisal required will depend on whether it was funded with state or federal grant funds.
  - a. Projects supported with state funds will follow the appraisal method detailed in the Instructions for Approved Projects manual. State funded projects are those where the grant project number begins with 20, 50, 51, 53, 54, 55, or 56.
  - b. Federal Land and Water Conservation Fund (LWCF) projects require the Uniform Appraisal Standards-Federal Land Acquisition (“yellow book”) guidelines and to use the land exchange method of appraisal as described in the current LWCF Manual. LWCF funded projects are those where the grant project number begins with 48.
2. Signed Amendment (Provided by TPWD)
3. Completed Certificate of Land Dedication (Provided by TPWD)
4. Copy of the Recorded Deed
5. Boundary Survey of Replacement Property
6. Installation of permanent project sign (See Samples)

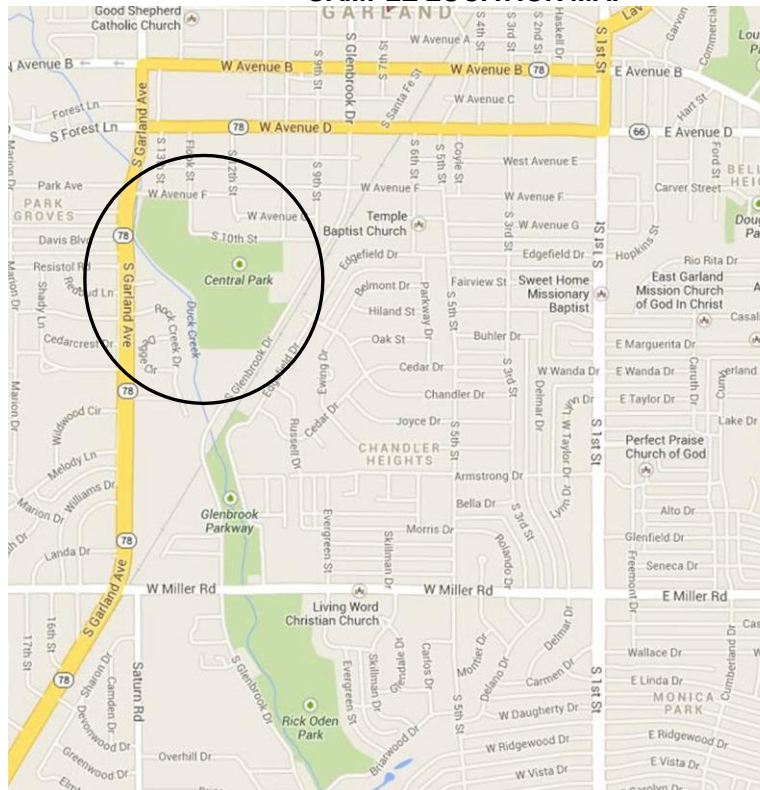
## LOCATION MAPS

The Location Maps should be at least 8½" X 11" city map and/or county map with legible street names and identification of the proposed site. A vicinity map may be needed to locate the general area where site is located.

### SAMPLE GENERAL VICINITY MAP



### SAMPLE LOCATION MAP





# SAMPLE OF REQUIRED PERMANENT PROGRAM ACKNOWLEDGEMENT SIGN

## PERMANENT SIGN OR PLAQUE (Minimum Size – 18” x 24”)

This is the minimum information required on the permanent sign or plaque for all programs. If desired, names of local officials, staff, consultants, donors, etc. may be added.

<p>JOHN DOE PARK</p> <p>A TEXAS RECREATION &amp; PARKS ACCOUNT PROGRAM PROJECT</p> <p>Sponsored by the (City/County/District)</p> <p>with Funding Assistance through the Texas Parks &amp; Wildlife Department</p>	<p>For project numbers starting with “50” “54” “55” or “56”</p>
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<p>JOHN DOE RECREATION CENTER</p> <p>A TEXAS RECREATION &amp; PARKS ACCOUNT PROGRAM PROJECT</p> <p>Sponsored by the (City/County/District)</p> <p>with Funding Assistance through the Texas Parks &amp; Wildlife Department</p>	<p>For project numbers starting with “51”</p>
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<p>JOHN DOE PARK</p> <p>A TEXAS LOCAL PARKS, RECREATION AND OPEN SPACE FUND PROJECT</p> <p>Sponsored by the (City/County/District)</p> <p>with Funding Assistance through the Texas Parks &amp; Wildlife Department</p>	<p>For project numbers starting with “20”</p>
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ANYWHERE CITY PARK



(LWCF Logo, sample below)

LAND AND WATER CONSERVATION FUND  
A Cooperative Project for Outdoor Recreation

Sponsored by the  
CITY/COUNTY OF ANYWHERE

With Funding Assistance from the  
TEXAS PARKS AND WILDLIFE DEPARTMENT

NATIONAL PARK SERVICE – DEPARTMENT OF THE INTERIOR

Dedicated April 1, 2005

For project  
numbers  
starting  
with "48"

