

Parks Director

From: Dunwoody, Ryan <Ryan.Dunwoody@dnr.mo.gov>
Sent: Tuesday, February 10, 2026 11:43 AM
To: Parks Director
Cc: Hubbard, Patti
Subject: LWCF Property questions
Attachments: 29-01476 agreements.pdf; 29-01476 deed-map.pdf; 29-01476 inspection.pdf; LWCF Project Agreement.pdf

*** THIS IS AN EXTERNAL E-MAIL ***

Hi Jason,

Thank you again for reaching out regarding clarification for LWCF encumbered properties within the City of Willard. Below, I have included responses to each question in blue. Additionally, please find pertinent documents attached for Grant #29-01476. Please do not hesitate to reach out with additional questions.

Best regards,

RD

Ryan Dunwoody

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We'd like your feedback on the service you received from the Missouri Department of Natural Resources. Please consider taking a few minutes to complete the department's Customer Satisfaction Survey at <https://www.surveymonkey.com/r/MoDNRsurvey>. Thank you.

From: Parks Director <parkdir@cityofwillard.org>
Sent: Monday, February 9, 2026 10:03 AM
To: Dunwoody, Ryan <Ryan.Dunwoody@dnr.mo.gov>
Subject: LWCF Property questions

Ryan,

Thanks for taking my call this morning.

I am writing to request clarification regarding properties within the City of Willard that may be subject to oversight under the Land and Water Conservation Fund (LWCF).

We are working to ensure that we fully understand the scope of requirements associated with LWCF-funded properties, including:

- Please refer to the LWCF Manual and Admin. Guide below:

- [LWCF Manual](#) LWCF Manual - Land and Water Conservation Fund (U.S. National Park Service)
- [2025 LWCF Project Administration Guide](#) 2025 LWCF Project Administration Guide | Missouri State Parks
- Which specific properties within the City of Willard are currently encumbered under LWCF protections
 - **Grant # 29-01476** Highline Soccer Park (Development of soccer fields, parking, concessions, comfort station, and utilities; trail and signage renovation as further described in the project proposal.)
 - **Grant # 29-01391** Willard North Park (Development of 19.6 acres of land to include lighting for ball fields and nature trail.)
 - **Grant # 29-01379** Willard West Park (Development of 19.7 acres of land to include sports and playfields, multi-use trail, pavilion, and support facilities.)
- How those properties may be used, improved, or modified under current regulations
 - [Page 26](#) (**Significant Change of Use:**) The LWCF Act requires project sponsors maintain the entire area defined in the Financial Assistance Agreement in some form of public outdoor recreation use. NPS approval must be obtained prior to any change from one eligible use to another when the proposed use would significantly contravene the original plans or intent for the area as described in the original project scope. NPS approval is not required for each facility use change unless the change is substantially different, such as a change from a swimming pool with substantial recreational development to a less intense area of limited development such as a passive park, or vice versa. Project sponsors are required to consult with GMS prior to initiating any such change. GMS will in turn notify NPS. NPS will expedite a determination of whether a formal review and approval process will be required. A primary NPS consideration in the review will be the consistency of the proposal with the SCORP. Changes to any use other than public outdoor recreation use constitute a conversion and will require NPS approval and the substitution of replacement land in accordance with the LWCF Act.
 - [Page 27](#) (**Obsolete Facilities:**) Project sponsors are not required to continue operation of a particular recreation area or facility beyond its useful life. However, the LWCF Act requires project sponsors to maintain the entire area within the LWCF boundary in some form of public outdoor recreation use. The LWCF Act obligation cannot be discharged by declaring a facility obsolete. Notwithstanding neglect or inadequate maintenance on the part of the project sponsor, a recreation area or facility may be determined to be obsolete if:
 - Reasonable maintenance and repairs are not sufficient to keep the recreation area or facility operating.
 - Changing recreation needs dictate a change in the type of facilities provided.
 - Park operating practices dictate a change in the type of facilities required.
 - The recreation area or facility is destroyed by fire, natural disaster, or vandalism.
 A facility may be considered obsolete, and its use may be discontinued or changed if the project sponsor provides a sound justification statement for determining obsolescence and GMS concurs with the change. However, NPS approval must be obtained prior to any change from one LWCF allowable use to another when the proposed use would significantly contravene the original plans for the area. LWCF assistance may be provided to renovate outdoor recreation facilities that have previously received LWCF assistance, if GMS determines the renovation is not required as a result of neglect or inadequate maintenance and the project sponsor provides documentation to that effect.

- Page 27 (Conversion of Use:) Any property acquired and/or developed with LWCF assistance cannot be wholly or partially converted to any purpose other than public outdoor recreation uses without the approval of NPS, per the LWCF Act. Project sponsors must consult early with GMS when a conversion is under consideration or has been discovered. GMS will in turn consult with NPS as early as possible in the conversion process for guidance and to sort out and discuss details of the conversion proposal to avoid mid-course corrections and unnecessary delays. A critical first step is for the sponsor, GMS and NPS to agree on the size of the LWCF boundary park land impacted by any non-recreation, non-public use, especially prior to any appraisal activity. Any previous LWCF Financial Assistance Agreements and actions must be identified and understood to determine the actual LWCF boundary. Situations that may not trigger a conversion if NPS determines that certain criteria are met include:
 - Underground utility easements that do not impact the recreational use of the park and are restored to their original surface condition.
 - Proposals to construct public facilities, such as recreation centers and indoor pool buildings, within the LWCF boundary area where it can be shown there is a gain or increased benefit to the public outdoor recreational opportunity. These proposals must be reviewed by the NPS as a “public facility request.”
 - Proposals for "temporary non-conforming uses," which are temporary non-recreation activities of less than a six-month duration within the LWCF boundary area. These must be reviewed and approved by NPS prior to start, as outlined above.
 - Proposals to build sheltered facilities or to shelter existing facilities within the LWCF boundary area provided they do not change the overall public outdoor recreation characteristics. Prior approval is required by NPS review, as outlined above.
 - Proposals for changing the overall outdoor recreation use of the LWCF boundary area from that intended in the original LWCF Financial Assistance Agreement. These proposals must be reviewed by NPS as outlined above.

Situations that trigger a conversion include:

- Property interests that are conveyed for private use or non-public outdoor recreation uses.
- Non-outdoor recreation uses (public or private) that are made of the project area, or a portion thereof, including those occurring on pre-existing rights-of-way and easements, or by a lessor.
- Unallowable indoor facilities that are developed within the LWCF boundary area without NPS approval, such as unauthorized public facilities and sheltering of an outdoor facility.
- Public outdoor recreation use of property acquired or developed with LWCF assistance that is terminated.

The property to be converted will be required to be replaced with substitute property of at least equal fair market value as established by the appraisal process outlined in Section II. The property proposed for replacement must be of reasonably equivalent usefulness and location as that being converted. Depending on the situation, and at the discretion of NPS, the replacement property need not provide identical recreation experiences or be located

at the same site, provided it is in a reasonably equivalent location. GMS can provide guidance on the evaluation process for determining an equivalent substitute. Consult with GMS immediately when considering a conversion, for assistance with the conversion process.

- Expectations related to maintenance standards or public access requirements
 - [LWCF Manual \(B. Operation and Maintenance\)](#) Property acquired or developed with LWCF assistance shall be operated and maintained as follows:
 1. The property shall be maintained so as to appear attractive and inviting to the public.
 2. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
 3. Any outdoor recreation facilities should comply with all State and Federal legislation (e.g., 42 U.S.C. § 6901 et. seq. and the National Institute for Occupational Safety and Health (NIOSH) as required and compliance will be indicated by signs posted in visible public areas, statements in public information brochures, etc.
 4. Properties shall be kept reasonably open, accessible, and safe for public use. Fire prevention, lifeguard, and similar activities shall be maintained for proper public safety.
 5. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use.
 6. The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.
 7. A posted LWCF acknowledgement sign shall remain displayed at the project site pursuant to Chapter 7.
- Any limitations or required processes related to conversion, sale, lease, or other forms of disposition
 - [LWCF Manual \(Conversions of Use\)](#) 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.
 - Please see **Conversion of Use** section for more in-depth information, and also refer to [2025 LWCF Project Administration Guide | Missouri State Parks](#) page 27.
- Whether there are any annual reporting, certification, inspection, or other compliance obligations required of the property owner to maintain good standing
 - [LWCF Manual \(C. Post-Completion Inspections and Reporting\)](#)
 - 1. Purpose. In accordance with 2 C.F.R. § 200.330 and the FAIR, in order to determine whether properties acquired or developed with LWCF assistance are being retained and used for outdoor recreation purposes in accordance with the project agreement and other applicable program requirements, a State post-completion inspection is to be made within five years after final billing and at least once every five years thereafter. The following

points should be taken into consideration during the inspection of properties that have been developed for public use:

- a. Retention and use. Is the LWCF boundary area intact and the property being used for outdoor recreation purposes including those intended through the projects funded with LWCF assistance?
 - b. Appearance. Is the property attractive and inviting to the public?
 - c. Maintenance. Is upkeep and repair of structures and improvements adequate? Is there evidence of poor workmanship or use of inferior quality materials or construction? Is vandalism a problem? Is the area being maintained?
 - d. Management. Does staffing and servicing of facilities appear adequate?
 - e. Availability. Is there evidence of discrimination (including based on residence, see Section D below)? Is the property readily accessible and open to the public during reasonable hours and times of the year?
 - f. Signing. Is the area properly signed to allow for user information and safety, and proper acknowledgement of the federal Land and Water Conservation Fund?
 - g. Interim use. Where lands have been acquired but not yet developed, the inspection should determine whether the interim uses of the property are in accordance with agreements with the NPS.
- 2. Reporting. The real property reporting requirements enacted in the FAIR (2 C.F.R. § 1400.329(d)) has resulted in different standards for assisted areas that ever benefitted from an LWCF acquisition or combination grant vs. areas that have received development grants only. (It may simplify matters for States to follow the same process for all assisted areas.) For sites that received acquisition or combination grants, States are required to submit a status report to the NPS every 5 years, regardless of whether there are issues with the park. The SF-429 (cover page and Attachment A) are to be used. Within 90 days of completion of the on-site inspection, the State shall submit to NPS the SF-429 and a copy of the post-completion on-site inspection report. The inspection report should include the date of inspection, description of the findings, and if applicable, a summary report of issues found and corrective actions taken or to be taken. Reports should note the condition of assisted facilities, particularly those that are at or near the end of their useful life and may need a declaration of obsolescence if rehabilitation is not possible. The report should include certification by the SLO that such obsolescence is not a result of neglect or inadequate maintenance on the part of the project sponsor (see Section M).
 - Submitting an SF-429 and on-site inspection report for a park site that received development grants only remains optional except the State must forward the reports if a post-completion compliance problem such as park closure or non-recreation or private use occurring within the LWCF boundary area is discovered, for NPS review and action. Copies of all reports must be retained in the State files. The State shall report to the NPS the project numbers of all sites inspected and the dates of inspection on an annual basis.
 - 3. Applicability. The provisions of this section apply to the LWCF-assisted area encompassing the area or facility assisted by the LWCF, regardless of the extent of LWCF assistance in that area or facility. That is, in cases where assistance is provided only for an acquisition, the entire park or recreational area involved, including developments on the lands so acquired, are subject to the provisions of this section. Where development assistance is given, the lands of the park or recreation area identified on the LWCF boundary area map are subject to this section.
 - 4. State responsibility. Responsibility for enforcement of the provisions of this section rests with the State. The NPS will inspect LWCF assisted areas and facilities from time to time,

but it shall conduct such visits in concert or through consultation with the State agency or SLO.

- 5. Costs. The costs of making post-completion inspections by the State are allowable overhead charges for LWCF assistance and are allowable costs covered by the indirect cost rate.
- 6. NPS inspections. Properties acquired or developed with LWCF assistance shall be available for inspection by the NPS Director or other NPS representatives.
- Can the property be dual enrolled in other programs (such as the Conservation Reserve Program)
 - LWCF properties can be enrolled in land management programs, however, each instance is to be reviewed on a case-by-case basis to ensure the proposal compliments guidelines and requirements set forth by the Land and Water Conservation Fund Act.

Our goal is to ensure alignment with the original intent of the grant and all ongoing compliance requirements.

If there are guidance documents, recorded boundary maps, deeds, or other materials specific to Grant #29-01476 that we should reference, we would appreciate direction to those resources.

- [Please see the attached documents.](#)

Thank you for your time and assistance.

Respectfully,
Jason Knight



Jason Knight

Director of Parks

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