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PERMANENT ADMINISTRATIVE ORDER

PRD 9-2026

CHAPTER 736

PARKS AND RECREATION DEPARTMENT

FILED: 10/01/2026 1:23 PM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Land and Water Conservation fund program changes

EFFECTIVE DATE: 10/01/2026

AGENCY APPROVED DATE: 09/23/2026

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RULES:
736-008-0015, 736-008-0025, 736-008-0045

AMEND: 736-008-0015

RULE TITLE: Federal Requirements

NOTICE FILED DATE: 05/28/2026

RULE SUMMARY: Describes requirements for grant.

RULE TEXT:
The Land and Water Conservation Fund Act of 1965, as amended, provides matching grants to states and local units of government for acquisition and development of public outdoor recreation areas and facilities. All applicants for federal funding assistance must also satisfy the requirements delineated in the “Land and Water Conservation Fund State Assistance Program Manual” v2026, updated May 1, 2026.
[Publications: Publications referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 390.180

STATUTES/OTHER IMPLEMENTED: ORS 390.180

AMEND: 736-008-0025

RULE TITLE: Apportionment of Monies Between State and Local Agencies

NOTICE FILED DATE: 05/28/2026

RULE SUMMARY: Describes apportionment of grant funding.

RULE TEXT:
(1) Monies apportioned annually by the Department of Interior to the state from the federal Land and Water Conservation Fund shall be distributed, after covering administrative costs of the office of the State Liaison Officer to operate the program:
(a) At least once per biennium, the department shall solicit applications from eligible applicants to compete for LWCF funding assistance.
(b) Once per biennium, the department may utilize the LWCF apportionment for non-competitive LWCF funding assistance for eligible department projects.
(2) The director shall have the discretion to redistribute to state or local projects, subject to the funds being available to the department by the Secretary of the Interior:
(a) Monies derived from project underruns, project cancellations, reduction in project scope, and
(b) Funds that are not obligated after soliciting applications pursuant to section (1).

STATUTORY/OTHER AUTHORITY: ORS 390.180

STATUTES/OTHER IMPLEMENTED: ORS 390.180

AMEND: 736-008-0045

RULE TITLE: Application Procedure

NOTICE FILED DATE: 05/28/2026

RULE SUMMARY: Requirements for applicants to submit an application.

RULE TEXT:
The purpose of this rule is to set forth requirements that applicants must meet in submitting an application for LWCF or ORLP funding assistance.
(1) Applicant Eligibility. Public agencies eligible for LWCF funding assistance are:
(a) Local Governments and federally recognized Indian tribes:
(A) City Park and Recreation Departments;
(B) County Park and Recreation Departments;
(C) Park and Recreation Districts;
(D) Port Districts;
(E) Federally recognized Indian Tribes in Oregon;
(F) Metropolitan Service Districts.
(b) State Agencies:
(A) Oregon Parks and Recreation Department;
(B) Oregon Department of Fish and Wildlife;
(C) Oregon Department of Forestry;
(D) Oregon Department of State Lands.
(c) ORLP: In addition to the requirements in (a) and (b), an applicant must also meet the National Park Service population requirements and be located within an Urbanized Area.
(2) Matching Requirements. Minimum match requirements are 50 percent of total eligible project costs. Match requirements may be reduced upon the discretion of the National Park Service. The eligible match may include local budgeted funds, local agency labor or equipment, other grants, donated funds, and value of private donated property, equipment, materials, labor, pre-development costs within the past three-year period, or any combination thereof. Engineering and administrative costs incurred prior to and after the State/Local Agreement cannot exceed 15 percent of the total project costs.
(a) The LWCF Act prohibits the use of other federal financial assistance in a project assisted with LWCF, except in those instances where the statutory provisions of a subsequent federal grant-in-aid program explicitly allows recipients to use such assistance to match another federal grant.
(b) For LWCF: The minimum federal share shall be no less than $75,000 ($150,000 total project costs), unless otherwise authorized by the director.
(c) For ORLP: The minimum and maximum federal share are established by the National Park Service
(3) Projects Eligible for Funding:
(a) Projects eligible are acquisition, development and major rehabilitation projects that are consistent with the outdoor recreation goals and objectives contained in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and the Implementation Program, and recreation elements of local comprehensive plans, and which satisfy the requirements of the federal LWCF Program.
(b) Marine facility and related support facility development requests are eligible for funding. Projects which use funds from the federal Dingell-Johnson Act may not be used as match.
(4) Local Agency Requirements. Local agencies participating in the LWCF funding assistance program must show that:
(a) There is a current park master plan in effect and that the project is consistent with the local comprehensive land use plan and SCORP; or
(b) There is not a current park master plan in effect, but the project is consistent with the local comprehensive land use

plan or a current local planning document and SCORP.
(5) State Agency Requirements. State agencies participating in the fund assistance program must identify that the project:
(a) Is in their legislatively approved biennial budget;
(b) Is mandated by legislation; or
(c) Has support from agency leadership.
(d) The project must be consistent with the SCORP.
(6) Application
(a) All applications for funding assistance for outdoor recreation projects must be submitted in a format prescribed by the Department. All applications must be consistent with the Oregon Application Procedures Manual and at a minimum, each application must contain the following information:
(A) Project narrative;
(B) Environmental resources survey;
(C) Maps:
(i) LWCF boundary map;
(ii) Site Plan;
(iii) Urban growth boundary map; and
(iv) Vicinity Map.
(D) State agency review;
(E) Property deed or lease agreement. The Department will not approve development of facilities on leased land except for property either:
(i) Leased from the Federal Government with no less than 25 years remaining on the lease and is not revocable at will; or
(ii) Leased from one public agency to another for 25 years or more, provided that safeguards are included to adequately ensure the perpetual use requirement of the LWCF Act. Such safeguards may include joint sponsorship of the proposed project or other agreement whereby the lessor land-owning agency would provide assurances that it would assume compliance responsibility for the LWCF boundary area in the event of default by the lessee or expiration of the lease, and these assurances are explicitly reflected in the project agreement.
(F) Estimate of project costs and schedule;
(G) Documented Americans with Disabilities Act Compliance Plan specific to projects;
(H) Certification by applicant of availability of local match;
(I) All required permits and certifications as identified in the Oregon Applications Procedures Manual;
(J) Land Use Compatibility Statement completed by the appropriate planning department;
(K) Other documentation that may be required by the department.
(b) Additional requirements for acquisition projects:
(A) Appraisal. Appraisals must conform to the Uniform Appraisal Standards for Federal Land Acquisitions;
(B) Appraisal Review;
(C) Preliminary title report; and
(D) Proof of willing seller or donor.
(7) Application Process:
(a) The department shall announce through a variety of media the availability of, procedures for, deadlines, and other information for applying for LWCF or ORLP funding assistance. The department shall not consider incomplete applications or applications submitted after the deadline set by the department. The department grants program staff shall perform a technical review of all applications and forward eligible applications for LWCF funding assistance to the OORC. The OORC will meet to evaluate the applications and make recommendations to the director for Oregon Parks and Recreation Commission approval for all eligible projects submitted.
(b) ORLP: Applications submitted for ORLP funding assistance will be submitted to the Oregon Parks and Recreation Commission for approval to apply to National Park Service.

(8) Project administration:
(a) A signed state/local agreement shall constitute project authorization. No project may begin without a signed state/local agreement from the department;
(b) The project sponsor shall have one year from the date of authorization to begin substantial work (i.e.., the award of contracts or to complete at least 25 percent of the work, if done by force account). Force account work is work on a development project with the forces and resources of the project sponsor. Projects not conforming to this schedule will be canceled, unless substantial justification warrants an extension.
(c) The department may grant an extension for a six month period. Further extensions may be granted with substantial justification and contingent upon the department having received sufficient funding, appropriations, limitations, allotments, or other authority.
(d) All projects shall be completed and billed within two years from the authorization date. Projects will be inspected and audited by the department, or its designee prior to final grant payment. Partial payments up to 75 percent of the grant amount may be billed during the project for work completed.
(e) Project amendments that increase the federal share will generally not be allowed. Project amendment requests based on extraordinary circumstances will, however, be reviewed on a case-by-case basis. Requests for time extensions must be approved by the department prior to expiration of the approved project period as set forth in the state/local agreement.

STATUTORY/OTHER AUTHORITY: ORS 390.180

STATUTES/OTHER IMPLEMENTED: ORS 390.180