



MONTANA LAND & WATER CONSERVATION FUND GRANT PROGRAM  
2024 Application Guidelines

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## 2024 PROGRAM OVERVIEW

The Land & Water Conservation Fund (LWCF) Program is a federal grant program administered by Montana Fish, Wildlife & Parks (FWP). The LWCF Program provides matching grant funds to state, tribal, and local government entities to develop outdoor recreation. Example projects include park improvements, ball fields, picnic shelters, municipal pools, etc. Montana's LWCF Program has funded over 800 projects throughout Montana since its creation in 1964.

### Anticipated Project Period of Performance

#### **Expected Project Approval and Start Dates**

Successful applications must go through an approval process with the National Park Service. **Depending on when the application is submitted, it may take as long as six to eight months for the LWCF project to be fully approved and cleared to break ground.** The LWCF project period of performance cannot begin until the grant is issued and the grantee signs its LWCF Contract Agreement with Montana Fish, Wildlife & Parks.

### About LWCF Program Awards

#### **Reimbursement Program**

The project sponsor may receive LWCF reimbursement for a maximum of 50% of the expenses incurred for the project only **after** the entity has expended funds on an LWCF-eligible expense and submitted adequate documentation. Project expenses incurred before the LWCF project start date (when the Contract Agreement is signed) are ineligible for reimbursement.

A local sponsor may request a withdrawal of a grant at any time prior to the first payment or expenditure of grant funds. After initial payment, the grant may be rescinded, modified, or amended only upon review by MT FWP and/or NPS.

#### Match Requirement

*Match (minimum 50/50 cost share required)*

At the time of application, the grantee must be able to commit matching funds equaling at least the LWCF grant request amount. This represents the applicant's match requirement .

#### **The Funding Selection Process**

All award decisions will be made at least 30 days after the pre-application process is complete. Application requirements and criteria are in the [Application Review and Scoring](#) section.

### Eligible Applicants

Eligible LWCF Program applicants may include incorporated cities or towns, counties, state agencies, and tribal governments. The organization applying to the LWCF Program must be the organization that will expend the funds and manage the grant. The LWCF Program does not allow third party

agreements.

## Tips for Applying

- Read these Guidelines carefully and follow all instructions on the LWCF Program application. Both the application and Guidelines have changed substantially from previous years.
- Focus on details specific to your LWCF project (especially budget elements) and limit background narratives.
- Ask someone from outside your organization to proofread your final application for completeness and clarity. A reviewer should be able to easily pick out your project goals and budget/match items.
- Engage the LWCF Program Manager early in the application process. The required Pre-Application Review meeting with the Program Manager will greatly assist you with understanding and meeting all program requirements.

## APPLYING FOR A LWCF PROGRAM GRANT

### Pre-Application Requirements

Before beginning or submitting a Land & Water Conservation Fund (LWCF) Program application, all prospective applicants must complete the following steps:

1. Read these LWCF Program Application Guidelines.
2. Submit a Pre-Application Project Proposal to the LWCF Program Manager (form is found on the Montana LWCF Program Website: [mtfwp/aboutfwp/grantprograms/lwcf.](https://mtfwp/aboutfwp/grantprograms/lwcf/))
3. Schedule and undergo a short Pre-Application Meeting with the LWCF Program Manager. This step should be completed at least one month before submitting an LWCF application.

### Application Instructions

After completing the pre-application steps above, your organization is eligible, when notified, to apply for 2024 LWCF Program funding. To apply to the LWCF Program, fully complete the 2024 LWCF Program Application (form is found on the Montana LWCF Program Website: [mtfwp/aboutfwp/grantprograms/lwcf.](https://mtfwp/aboutfwp/grantprograms/lwcf/))

### **Application Packages Submitted by Online File Transfer Service (Preferred)**

Compile all the required Sections into one PDF document. Then, either include the required Appendices in the main PDF document or compile them into an additional PDF document, depending on the file size. Send the completed 2024 LWCF application package to the LWCF Program Manager via the State of Montana's File Transfer Service. Application packages will NOT be accepted by email.

To use the File Transfer Service:

1. Go to [transfer.mt.gov](https://transfer.mt.gov).

2. Create an ePass account and/or login with an existing ePass account.
3. Click "Send a New File" towards the top of the page.
4. Upload the application package document(s) and click "Continue".
5. On the "Recipient Options" page, click "State Employee or ePass Montana Customer" near the top, right of the page.
6. On the "Recipients" page:
  - a. Enter the Program Manager's email address ([sacrawford@mt.gov](mailto:sacrawford@mt.gov)) or search for and add the email address using the name "Sandy Crawford".
  - b. Ensure the correct file name(s) appears under "File(s)" on the right side of the page.
  - c. Enter a message for the Program Manager on the right side of the page under "Message". Keep the message short; include the Applicant Organization Name and reference "2024 LWCF Application Submission".
7. Click "Send" to submit the application package.
8. Email the LWCF Program Manager to confirm receipt of the LWCF application package. If you submitted multiple files, provide a list of the files that should have been included with the application package.

### **Application Packages Submitted by Mail**

Compile all the required Sections and Appendices into one document and send the completed 2024 LWCF application package to the address below. The applicant should retain a full copy of the application package for its records. **Do not bind application as each document must be scannable. No hard copies will be retained.**

Sandy Crawford  
Montana State Parks  
PO Box 200701  
Helena, MT 59620-0701

2024 Application Opportunities

**LWCF program application opportunities will be available based on available funding. Open funding cycles will be posted on the website: [mtfwp/aboutfwp/grantprograms/lwcf](https://mtfwp/aboutfwp/grantprograms/lwcf).**

Additional Contact Information

If you have questions or need further information, please contact the LWCF Program Manager.

### **Land & Water Conservation Fund Program Manager**

Sandy Crawford  
LWCF Program Manager  
(406) 444-3791  
[sacrawford@mt.gov](mailto:sacrawford@mt.gov)

**Keep your organization's contact information updated.** The LWCF Manager will use the main contact information to send most email correspondence. It is your responsibility notify the LWCF Manager when contact information changes.

## GENERAL REQUIREMENTS

### System for Award Management (SAM) Registration

All LWCF award recipients must obtain a Unique Entity Identifier (UEI) number and register in the System for Award Management (SAM) by the time of award. Grantees must renew their SAM registration annually to continue to receive reimbursement from LWCF Program.

Entities already registered in the SAM:

- ▶ **On the LWCF Application, you must include your organization's SAM registration information.**

Entities not yet registered in the SAM:

- ▶ **On the LWCF application, you may leave blank the fields requesting SAM registration information. However, note your organization must complete its SAM registration by the time of award. The process may take several months to complete.**

The details and processes for registration are available at [sam.gov](https://sam.gov).

### Continuous Protection of Outdoor Recreation at LWCF Site

If funded, it will be the applicant organization's (subrecipient's) responsibility to ensure the following LWCF requirements are met in **perpetuity**:

1. The area depicted in the Boundary Map (submitted with your LWCF application) is adequately operated and maintained for outdoor recreation.
2. The area depicted in the Boundary Map (submitted with your LWCF application) is not/will not be encroached upon by any use not compatible with outdoor recreation. Such incompatible uses may include a public road/road Right-of-Way or any enclosed structure within the project site aside from a structure serving outdoor recreators (e.g. a restroom facility or park maintenance building).

**The applicant will prepare and submit a Boundary Map depicting the boundary of the property on which the LWCF project will take place. The project's Boundary Map, when approved by FWP and the NPS, will define the area to be subject to these requirements.** LWCF Program staff or their designees will perform site visits on a five-year basis to confirm these LWCF requirements are being met.

### Posting of LWCF Credit Sign(s)

If awarded LWCF funds, the applicant (subrecipient) must agree to post LWCF credit signs at all LWCF project sites. These signs will be provided by Montana Fish, Wildlife & Parks and/or, with approval from the LWCF Program Manager, may be incorporated into a sign designed by the subrecipient organization. The applicant organization (subrecipient) should verify the signs' presence on an annual basis. LWCF Program staff or their designees will perform site visits on a five-year basis to confirm this LWCF requirement is being met.

## Proof of Funding, Resource, or Maintenance Commitments

A complete application must include proof of any financial or resource commitments identified in Section III, Question 4 (Committed Funding Sources). Proof of commitment should also be provided for any entities identified as responsible for future project maintenance in Section II, Question 6 (Project and Site Maintenance). The proof of commitment should be from the organization committing funds, resources, or maintenance.

The proof of commitment should include:

- a. The name of organization/individual providing project funding, resources, or maintenance.
- b. The amount of funds or type of resource/maintenance being committed.
- c. Any restrictions on the funds/resources being committed (e.g. a deadline or timeframe for when funds/resources will be available).

If the subrecipient organization is committing itself to providing project funding, resources, or maintenance, the organization's leadership (e.g., the mayor, the county, city, or town commission) should provide a statement acknowledging its specific commitment.

## Letters of Support

The LWCF application should include Letters of Support further justifying the project need and/or demonstrating user benefits. Applicants should include only a limited number of Letters of Support, focusing on quality over quantity. There is no minimum requirement regarding the number of Letters of Support; however, the applicant should try to include no more than ten.

Requirements for Letters of Support:

- Letters are typed.
- Letters are from an organization, not an individual (unless an individual is an adjacent landowner and/or expressing a commitment of some kind).
- Letters signed and dated.
- Letters are current and reference the specific project for which you are applying.
- Letters are unique. Form letters are not acceptable.

## Resolution Authorizing Application

Each application must include a signed Resolution Authorization Application form. The form is available on the website: [mtfwp/aboutfwp/grantprograms/lwcf](https://mtfwp/aboutfwp/grantprograms/lwcf). It must be signed by individuals with the authority to commit funds and attached to the LWCF application as a supplemental documentation.

## Landowner Permissions, Easements, and Public Access

The public must be assured legal access to trails and trail-related facilities developed or maintained with LWCF Program funds. Applications without adequate landowner permissions will be considered incomplete and will not be considered for funding. The program places a higher value on longer-term agreements that have the potential of allowing for public access in perpetuity.

## Right-of-Way, Railroad Certifications, and Public Utility Certifications

Each LWCF Program application must include all necessary public right-of-way, railroad, and/or public utility certifications or confirm that no such certifications are required for the LWCF project. All certifications must be guaranteed at the time of application for your project to be considered for funding.

If your project includes construction or improvements in any other entity's right-of-way, you must demonstrate you have received adequate permissions from that entity for the proposed work.

## APPLICATION REVIEW AND SCORING

To allocate Land & Water Conservation Fund (LWCF) funds equitably, Montana Fish, Wildlife and Parks has developed the following funding selection process. Applications will be scored by Montana Fish, Wildlife and Parks staff using the criteria below. The funding selection process will also consider how each application meets the goals of the 2020-2024 Montana Statewide Comprehensive Outdoor Recreation Plan (SCORP). Located on website: [mtfwp/aboutfwp/grantprograms/lwcf](https://mtfwp/aboutfwp/grantprograms/lwcf).

### Preliminary Requirements

The applicant must thoroughly address the following criteria in their LWCF application and supporting materials. If the criteria are not met, the application will not be considered for funding.

#### 1. **Applicant Eligibility.**

- To be eligible to apply for LWCF funding, the applicant must have effective land control of the property on which the LWCF project will take place in the form of title, a long-term lease (minimum 25 years from award date) from the federal government, or a lease between one public agency and another provided that safeguards are included to adequately ensure the perpetual use requirement contained in the LWCF Act. *Contact the LWCF Program Manager for additional details for leased properties.*
- An eligible applicant is defined as any political subdivision of the State of Montana or sovereign Indian Nation, which includes incorporated cities or towns, counties, state agencies, and tribal governments.
- Successful applicant organizations (subrecipients) may hold only two active LWCF awards at one time. Any applicant organization with two active LWCF awards must demonstrate at least one will be closed by the time of award.

#### 2. **Site Operation and Maintenance.** The applicant must demonstrate it is willing to and capable of operating and maintaining the site for outdoor recreation in **perpetuity**.

#### 3. **Federal Requirements.** The applicant must demonstrate that the project will meet all applicable federal non-discriminatory laws and regulations, and that disabled-access requirements will be met.



## Primary Review Criteria

### 1. Project Type and Expanded Recreational Opportunity

The LWCF project type must be appropriate given the characteristics of the property and surrounding area. The project should create a new or renovated public recreational area or facility (pool, ball fields, etc.). Additional consideration will be given to applications from communities/areas where developed outdoor recreation opportunities are limited.

### 2. Expected Project Use

The applicant must provide full details regarding the type of project and expected hours of operation and monthly use. The following will be considered:

- a. **Hours/Months of Use.** The project is appropriately open to the public. The value of a facility to its surrounding community is most often directly proportional to the amount of use it receives.
- b. **Opportunity for Active and Passive Recreation.** The project incorporates both active and passive recreation. Projects providing facilities or areas for both active and passive recreation will be given preference.
- c. **Opportunity for Multiple Recreational Uses.** The project is designed for multiple recreational uses. Projects that provide for a variety of uses will be given preference. Applicants must clearly show how each individual activity will be supported by the project.

### 3. Need for Project

The application must show a clear need/demand for each aspect of the proposed LWCF project and address goals of the 2020-2024 Montana Statewide Comprehensive Outdoor Recreation Plan (SCORP). Need/demand may be demonstrated with planning documents, formal agreements, survey research/data, photos, letters of support, etc.

Additional consideration will be given if the applicant demonstrates the project will serve a unique need in the community (e.g., providing safe recreational access to persons with disabilities, senior citizens, etc.).

### 4. Application Quality and Completeness

The application must provide a clear and complete overview of the LWCF project, budget, and timeline, and include necessary supplemental documentation (including maps). Responses must be complete and specific to the LWCF project. The project budget, including both LWCF expenses and match, must be detailed and justified.

## Additional Considerations

Other considerations that may affect Montana Fish, Wildlife and Parks final funding decision:

- The amount of LWCF funding available.
- The applicant's recent performance as an FWP grantee (if applicable).
- The amount of LWCF funding the applicant organization has received in previous grant years and any LWCF funds it has left to expend (if applicable).

## ENVIRONMENTAL REVIEW REQUIREMENTS

The LWCF Program is administered by the National Park Service (NPS) at the federal level and by the Montana Department of Fish, Wildlife and Parks (FWP) at the state level. LWCF Program projects must therefore satisfy both National Environmental Policy Act (NEPA) and Montana Environmental Policy Act (MEPA) requirements to be eligible for funding.

### SHPO

Each application must include a State Historic Preservation Office (SHPO) Letter of No Adverse Effect to demonstrate the project will have no adverse effect on any historical or cultural resources. Contact the Montana State Historic Preservation Office (406-444-7715) and request a cultural resource file search to determine whether your project has a previously recorded historic site within its boundaries. Also, include any other SHPO correspondence you may have.

### Environmental Analysis

In addition to the survey in the application, please attach a copy of any environmental surveys or assessments that have been conducted for the project area within the past 5 years.

### Evidence of Title

Provide a legal document demonstrating who owns the property on which the LWCF project is located. LWCF funds cannot be awarded unless the subrecipient organization can prove it has control and tenure over the property in perpetuity or an eligible lease agreement.

**An encumbrance must be filed on this title/deed at the end of the project stating** in accordance with the LWCF grant award and 2 CFR 200.316, describing that the Property has been improved with grant funds and must be held in trust as trustees for the beneficiaries of the program funds used to develop the Property by limiting use of the Property to outdoor recreational use and maintaining and operating the Property consistent with 43 CFR Part 17 (civil rights laws), in perpetuity.

### Compliance with Existing Laws, Regulations, Policies, and Ordinances

All projects seeking funding from the LWCF Program must comply with existing federal, state, and jurisdictional laws, regulations, and ordinances.

FWP encourages public involvement in all LWCF projects. Since LWCF projects are community-focused, the LWCF applicant should involve the public as much as possible (e.g., by posting a legal notice for a 30-

day public comment period, conducting public meetings during project planning, etc.). The organization should have involved the public, adjacent landowners, and other interested parties in the LWCF project from its inception. Public participation may be promoted through newspaper articles and any other means available (e.g. public meetings, federal quarterly newsletters, TV programs, radio announcements, etc.).

## PROJECT SITE PLAN AND MAPS

A complete application must include adequate information about the LWCF project site itself. At a minimum, the application must include the following regarding site plans and maps:

### Boundary Map

Please refer to Chapter 6, Page 80 of the LWCF Manual posted on the LWCF Webpage for boundary map requirements.

**The project's Boundary Map, when approved by FWP and the NPS, will define the area to be protected for outdoor recreation in perpetuity.** It will be the applicant organization's (subrecipient's) responsibility to ensure the area is adequately operated and maintained for outdoor recreation in perpetuity. The subrecipient must also ensure the area's boundary (as shown on the Boundary Map) is not/will not be encroached upon by any use not compatible with outdoor recreation. Such incompatible uses may include a public road/road Right-of-Way or any enclosed structure within the project site aside from a structure serving outdoor recreators (e.g. a restroom facility or park maintenance building). Map must be at least 8 ½" X 11" and no bigger than 8 ½" x 14".

### Site Plan

Applicants must provide a site plan of the proposed project area, depicting the elements listed below. The site plan document(s) must be detailed enough to see each element. If submitting a physical site plan, it must be at least 8½" x 11" and no bigger than 8 ½" x 14". Applicants should make every attempt to make the site plan to scale.

- a. Existing facilities.
- b. Proposed facilities.
- c. Streets, roads, and avenues.
- d. Overhead utility lines.
- e. Basic map elements (legend, compass orientation, etc.).
- f. If a building is part of the project, include its floorplan in an additional document.

### Locator Map

Applicants must provide a Locator Map showing the general location of the LWCF project. This map should show the location of the LWCF project property relative to known landmarks such as cities, towns, etc. A person unfamiliar with the project area should be able to use this map to understand the project location.

## Site Photos (Optional)

You may provide photos depicting the project site's current state to orient the reviewer to site attributes and demonstrate the need for development/improvement.

## BUDGET AND MATCHING FUNDS

### Eligible LWCF Program Activities (Costs)

Expenses and match shown on the LWCF Program application must be direct costs necessary for conducting a project directly benefiting outdoor recreation (e.g., purchasing play equipment/materials, hiring a contractor to haul and deliver materials, paying for construction labor, etc.). Overhead or administrative costs are ineligible.

Projects that have been approved and funded in the past include such facilities/amenities as ball fields, , golf courses, public parks, swimming pools, skating rinks, picnic facilities, playground equipment, snowmobile facilities, and walking trails. Facilities directly supporting outdoor recreation areas, such as restrooms and maintenance sheds, also are eligible.

### Creating a Budget

When applying for LWCF Program funding, you will be instructed to detail your project budget and provide justification for the budget numbers you provide.

- ▶ **On the LWCF Program application, be sure the budget information you provide is clear, detailed, and justified. Budget line items for project expenses and match should be detailed to the extent possible. Additional information (e.g. contractor quotes) may be attached.**

Those reviewing your application should understand precisely what your organization is proposing to do with the requested LWCF Program funds and how your organization will match the requested LWCF Program funds. It should be clear how you came up with your numbers and how you calculated your request and match numbers.

### Match Requirements

Entities must ensure matching funds meet LWCF Program requirements. Applications not including the minimum amount of match may not move forward for further consideration.

To meet LWCF Program requirements, matching funds must:

- Be an eligible LWCF Program activity
- Be clearly tied to the LWCF project scope
- Be incurred after the project start date
- Be guaranteed at the time of application
- Have a total value equaling at least the LWCF grant request amount plus 5% of the LWCF request amount (to match required state indirect costs)

- ▶ **On the LWCF Program application, you must clearly identify your match. Like LWCF Program**

**expenses, your match should be detailed and justified.**

*Match on Project Costs (must equal at least the LWCF grant request)*

At the time of application, the grantee must be able to commit matching funds equaling at least the LWCF grant request amount. This represents the applicant's match requirement on direct project costs.

*Match on Indirect Costs (must equal at least 5% of the LWCF grant request)*

The grantee project must also commit additional funds to match indirect costs incurred by Montana FWP, totaling 5% of the total project costs (LWCF funds plus match). Applicants may exceed the match requirement.

*Using Volunteer Hours as Match*

The LWCF Program allows volunteer hours to be used as match with proper documentation at the rate of \$20/hour. Any volunteer hours shown on your application must be guaranteed/justified based on your experience from previous years and/or with similar projects.

Also, if funded, all volunteer hours used as match must be documented using the most current FWP Volunteer Log (which requires details including volunteer and volunteer manager signatures) found on the LWCF webpage. Volunteer hours will not be accepted as matching funds if documentation is missing from the FWP Volunteer Log.

## PURCHASING GUIDELINES

### State Procurement Policy

Entities planning to purchase services or materials over \$5,000 in value with LWCF funds must follow state and federal procurement procedures before selecting a vendor. The procurement process must be adequately documented on the corresponding reimbursement request(s) or the expense may not be claimed for reimbursement or match. Contact the LWCF Manager if you are unsure how requirements detailed below may pertain to your project.

#### *The Limited Solicitation Process*

- **Purchasing of services or supplies valued between \$10,000 and \$99,999**

Include cost proposals, by phone, fax, or written format, from at least three prospective vendors if possible. If there are fewer than three potential vendors available, that must be documented. Subrecipient must utilize the limited solicitation form available on the [LWCF Webpage](#) include completed form with the payment request. A signed agreement with the chosen contractor must also be included with the payment request.

You should provide additional justification/detail if you did not choose the lowest acceptable quote or any other unusual circumstances arose (e.g. you could not obtain at least three viable quotes).

If a single vendor will do work on multiple components of a project that, taken collectively, total more than \$10,000, the bid process must also be followed.

### *The Competitive Bid Process*

- **The purchase of a service or supplies valued \$100,000 and greater**

This requires a formal invitation for bids. Subrecipient will follow its own solicitation process to secure bids for the project but must include the following:

- a. Description of service and conditions applicable to the procurement;
- b. Description of evaluation criteria to be utilized;
- c. Adequate public notice before date set forth in the invitation for opening of bids;
- d. Record of each bid and relevant information including name of each bidder; information must be available to the public;
- e. Award must be made by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.
- f. Must be advertised in at least 2 newspapers for 3 weeks. One paper must be the seat of government and the other in the county where the work is to be performed

Subrecipient must forward documentation of this solicitation, results, and a copy of the contract/agreement to the LWCF Programs Office at the time of the payment request.

You should provide additional justification/detail if you did not award the contract to the lowest acceptable quote or other unusual circumstances arose (e.g., you did not obtain any bids and had to reach out to vendors).

### *Sole Source Justification*

Sole source procurement is permissible under the circumstances listed below. **Contact the LWCF Manager if your project will include sole source procurement to ensure you are using the correct procedure. Sole Source determination must be approved by the LWCF Manager prior to incurring any expenses.**

- The compatibility of current services, accessories, or replacement parts is the paramount consideration,
- There is no existing equivalent product; or
- Only one source is acceptable or suitable for the supply or service item.

### *Buy America & Build America, Buy America Requirement (BABA)*

Projects totaling \$250,000 or more must comply with BABA requirements. For more information on BABA see: Whitehouse Website

1. **Buy America Build America Act.** As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including

all contracts and purchase orders for work or products under this program. Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- all manufactured products used in the project are produced in the United States —this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

**Definitions:**

- **“Construction materials”** includes an article, material, or supply that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall.
- **“Construction Materials”** does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.
- **“Domestic content procurement preference”** means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.
- **“Infrastructure”** includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.
- **“Project”** means the construction, alteration, maintenance, or repair of infrastructure in the United States.