

Boating Infrastructure Grant Program Tier I

FY 2010

Notice of Availability of Grants and Request for Applications

Program Overview Information

Federal Agency Name:

U.S. Department of the Interior
Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program

Funding Opportunity Title:

Boating Infrastructure Grant Program (BIG) Tier I

Announcement Type:

Announcement of availability of grants for fiscal year (FY) 2010 and request for applications.

Funding Opportunity Number: FWS-BIG-10-t1

Catalog of Federal Domestic Assistance (CFDA) Number: 15.622

Dates: Hard copy applications are due to the U.S Fish and Wildlife Service (Service) Regional Wildlife and Sport Fish Restoration Program (WSFR) Office by September 25, 2009, 4:00 p.m. local time. Electronic applications submitted through Grants.gov will be accepted up until September 25, 2009, 11:59 p.m. Eastern Daylight Time. However, it is recommended that electronic applications be submitted through Grants.gov by September 23, 2009 to allow for any unforeseen technical complications. We will not consider applications received after the specified time on September 25, 2009.

The Regional WSFR Offices will announce awards by February 2010.

Additional information:

The Sportfishing and Boating Safety Act of 1998 (Public Law 105-178) established BIG to provide funding to States, the District of Columbia, Commonwealths, and territories for the development and maintenance of facilities for transient nontrailerable recreational vessels. Nontrailerable recreational vessels are defined in the law as recreational vessels 26 feet in length or longer operated primarily for pleasure; or leased, rented, or chartered to another for the latter's pleasure. The Act amended the Dingell-Johnson Sport Fish Restoration Act (Wallop-

Breaux Act; 16 U.S.C. 777). Subsequent reauthorizations of the Act have allowed for the continuation of BIG.

BIG Tier I ensures a broad geographic distribution of funds by annually making up to \$100,000 available to each State which submits an eligible proposal. In FY 2009, approximately \$2.9 million was awarded for Tier I grants to 40 States, Commonwealths, and territories that participated in the program for boating infrastructure projects. We anticipate awarding approximately \$3 million in BIG Tier I funding for FY 2010.

The final rule establishing the requirements for participation in BIG was published in the Federal Register on January 18, 2001 (66 FR 5282). Additional information about the Boating Infrastructure Grant program is on the web at <http://wsfrprograms.fws.gov/Subpages/GrantPrograms/BIG/BIG.htm>.

There is a separate Notice of Availability of Grants and Request for Applications for BIG Tier II (Funding Opportunity Number: FWS-BIG-10). Applicants may choose to apply for one or both tiers. If applicants choose to apply for both tiers, separate applications are required for each tier.

I. Funding Opportunity Description

Recreational boating is a popular activity; presently there are approximately 13 million registered boats in the U.S. Of this total, an estimated 600,000 are 26 feet in length or longer and are considered “nontrailerable.” The overall average boat size is increasing as manufacturers respond to the demands of the boating public. This has created challenges for transient recreational boaters in need of marinas and other facilities with sufficient infrastructure for larger vessels. BIG provides Federal grant funds to States, the District of Columbia, Commonwealths, and territories to assist in developing and maintaining facilities for use by these boaters.

Specifically, BIG provides funding to construct, renovate, and maintain either publicly or privately owned boating infrastructure facilities for transient, nontrailerable recreational vessels 26 feet in length or longer. Facilities must provide public access to the federally funded facilities. Some examples of potentially eligible activities include:

- (a) Mooring buoys (permanently anchored floats designed to tie up eligible recreational vessels);
- (b) Day-docks (tie-up facilities that do not allow overnight use);
- (c) Navigational aids (*e.g.*, channel markers, buoys, and directional information);
- (d) Transient slips (slips that boaters with eligible recreational vessels occupy for no more than 10 consecutive days);
- (e) Safe harbors (facilities protected from waves, wind, tides, ice, currents, etc., that provide a temporary safe anchorage point or harbor of refuge during storms);
- (f) Floating docks and fixed piers;

- (g) Floating and fixed breakwaters;
- (h) Dinghy docks (floating or fixed platforms that boaters with nontrailerable recreational vessels use for a temporary tie-up of their small boats to reach the shore);
- (i) Restrooms;
- (j) Retaining walls;
- (k) Bulkheads;
- (l) Dockside utilities;
- (m) Pumpout stations;
- (n) Recycling and trash receptacles;
- (o) Dockside electric service;
- (p) Dockside water supplies;
- (q) Dockside pay telephones;
- (r) Debris deflection booms;
- (s) Marine fueling stations; and
- (t) One time dredging (see Section IV. Application and Submission Instructions, E. Funding Restrictions and Attachment A for addition information on eligible dredging activities).

Additional information about BIG, including application requirements, eligible activities, and awards, is in the BIG regulations (50 CFR 86).

II. Award Information:

The maximum award amount for Tier I awards is \$100,000. An applicant may submit an application with an unlimited number of projects, however the maximum award amount for each State, territory, or Commonwealth is \$100,000. Awards will be announced by February 2010.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are the Governor-appointed State agencies in the 50 States in the United States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. The appointed agency is often a State natural resource or fish and wildlife agency.

B. Cost-Sharing or Matching

The maximum Federal cost share for BIG Tier I awards is 75 percent. The following insular areas: American Samoa, Guam, the Commonwealth of the Northern Mariana Islands and the U.S. Virgin Islands are exempt from match requirements.

C. Other

Although only designated State agencies can apply for and receive grants through this program, the program encourages partnering with Tribes, Federal agencies, other State agencies, local governments, non-governmental organizations, private marinas and others as subgrantees and cooperators. Please note that any contributions from Federal sources cannot be used or counted as non-Federal match.

IV. Application and Submission Instructions

A. Address to Request and/or Submit Application Package

Potential applicants can receive application forms and other material necessary to apply for BIG by contacting one of the Service's Regional WSFR Offices. Application forms are also available through the Grants.gov website and the WSFR toolkit

(<http://wsfrprograms.fws.gov/Subpages/ToolkitFiles/toolkit.pdf>). Below is a list of Regional WSFR Office contact information:

States, Commonwealths, the District of Columbia, and territories by U.S Fish and Wildlife Service Region	Regional Contact Information
American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Hawaii, Idaho, Oregon, and Washington	U.S. Fish and Wildlife Service WSFR – Federal Assistance Eastside Federal Complex 911 NE 11 th Avenue Portland, OR 97232-4181 503-231-6273 Jerry_Novotny@fws.gov
Arizona, New Mexico, Oklahoma, and Texas	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program P.O. Box 1306; 500 Gold Avenue, SW Albuquerque, NM 87103 505-248-7459 Bob_Anderson@fws.gov
Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program Bishop Henry Whipple Federal Building 1 Federal Drive Fort Snelling, MN 55111 612-713-5156 Julie_Morin@fws.gov

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, the Commonwealth of Puerto Rico, South Carolina, Tennessee, and the U.S. Virgin Islands	U.S. Fish and Wildlife Service Division of Federal Assistance 1875 Century Boulevard, Suite 324 Atlanta, GA 30345 404-679-7113 Scott_White@fws.gov
Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 300 Westgate Center Drive Hadley, MA 01035 413-253-8406 Alberto_Ortiz@fws.gov
Colorado, Kansas, Nebraska, Montana, North Dakota, South Dakota, Utah, and Wyoming	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 134 Union Blvd., P.O. Box 25486 Denver, Colorado 80225 303-236-8165 Eddie_Bennett@fws.gov
Alaska	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 1011 East Tudor Road Anchorage, AK 99503 907-786-3698 Alan_Havens@fws.gov
California and Nevada	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 2800 Cottage Way, W-1729 Sacramento, CA 95825 916-414-6558 Bart_Prose@fws.gov

B. Content and Form of Application

Applications submitted for BIG Tier I funding must include:

1. A full and complete application for Federal Assistance (Standard Form 424), signed by an authorized representative of the eligible agency.
2. Budget Information, i.e., estimated costs to attain the project objectives. Applicants should use Standard Form 424C, Budget Information – Construction Projects. The various activities or components of each project should be broken down by cost and prorated, as appropriate. Note, contingencies are unallowable costs.

3. Statement of Assurances of compliance with applicable Federal laws, regulations, and policies. Applicants should use Standard Form 424D, Statement of Assurances – Construction Projects.
4. A concise project narrative. The project narrative should describe:
 - a. The need for the proposed project;
 - b. Discrete, quantifiable, and verifiable objectives to be accomplished during a specific time period;
 - c. Expected results or benefits from accomplishing the objectives;
 - d. The approach to be used in meeting the objectives, including specific procedures, schedules, key personnel, and cooperators;
 - e. Description of the activity, so the U.S. Fish and Wildlife Service staff can make a preliminary determination of compliance needs for the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA);
 - f. A project location and map. It is suggested that you include two maps: a map of the State showing the general location of the application and a map of the project site. Other geographic aids may be attached, including aerial photographs; and
 - g. Estimated costs to attain the project objectives. The various activities or components of each project should be broken down by cost and by cooperator. Prorate costs as appropriate.

Applications should be on 8.5" X 11" paper, with 1" margins. Forms should be arranged starting with the SF 424, followed by the SF 424 C, the SF 424 D, the project statement, and then letters of financial or programmatic commitment by partners and cooperators. Pages should be numbered sequentially. In accepting Federal funds, applicants must comply with all applicable Federal laws, regulations, and policies. Evidence of compliance with the National Environmental Policy Act, the National Historic Preservation Act, and other Federal laws will need to be provided if the application is selected for award.

C. Submission Dates and Times:

Applications are due in the Service's Regional Offices (see address above in *IV. Application and Submission Information, A. Address to Request and/or Submit Application Package*) or on Grants.gov by September 25, 2009. Hard copy applications are due by September 25, 2009, 4:00 p.m. local time at the Regional Office where the application is submitted.

Applications submitted through Grants.gov are due on Grants.gov by September 25, 2009, 11:59 p.m. Eastern Daylight Time. It is recommended that electronic applications be submitted through Grants.gov by September 23, 2009 to allow for any unforeseen technical complications. We will not consider applications received after the specified time on September 25, 2009.

D. Intergovernmental Review

The Boating Infrastructure Grant program is subject to EO 12372 “Intergovernmental Review of Federal Programs.” States, the District of Columbia, Commonwealths, and territories that choose to participate in the Executive Order process should establish Single Points of Contact (SPOCs). State applicants that are subject to E.O. 12372 should alert their SPOCs early in the application process. If you as an applicant are required to submit materials to a SPOC, indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424.

E. Funding Restrictions

1. Applicants may include the following eligible activities in the application:
 - a. Construct, renovate, and maintain either publicly or privately owned boating infrastructure tie-up facilities. To be eligible, applicants must:
 - i. Build these tie-up facilities on navigable waters, available to the public. Applicants must design new construction and renovations to last at least 20 years.
 - ii. Design these tie-up facilities for temporary use for transient nontrailerable recreational vessels;
 - iii. Build these tie-up facilities in water deep enough for nontrailerable recreational vessels to navigate (a minimum of 6 feet of depth at the lowest tide or other measure of lowest fluctuation);
 - iv. Provide security, safety, and service for these boats; and
 - v. Install a pumpout station, if you construct a facility for overnight stays:
 1. If there is already a pumpout within a reasonable distance (generally within 2 miles) of the facility, you may not need one;
 2. For facilities intended as day stops, we encourage you to install a pumpout; and,
 3. You may use funds from the BIG program or the Clean Vessel Act pumpout grant program, also administered by the Service, to pay for a pumpout station.
 - b. Do one-time only dredging to provide transient vessels safe channel depths between the BIG funded tie-up facility and maintained navigation channels or open water. Eligible dredging costs are limited to those associated with dredging the most direct route from the tie-up facility to the maintained channel or open water. Maintenance dredging is ineligible.
 - c. Install navigational aids, limited to giving transient vessels safe passage between the tie-up facility and maintained channels or open water.
 - d. Apply funds to grant administration.
 - e. Fund preliminary costs:

- i. Preliminary costs may include any of the following activities completed before signing an award:
 - 1. conducting appraisals;
 - 2. administering environmental reviews and permitting;
 - 3. conducting technical feasibility studies, for example, studies about environmental, economic, and construction engineering concerns;
 - f. Produce information and education materials such as charts, cruising guides, and brochures.
- 2. An application is ineligible for funding if the applicant proposes to:
 - a. Complete a project that does not provide public benefits, for instance, a project that is not open to the public for use;
 - b. Involve law enforcement activities;
 - c. Significantly degrade or destroy valuable natural resources or alter the cultural or historic nature of the area;
 - d. Construct or renovate principal structures not expected to last at least 20 years;
 - e. Do maintenance dredging;
 - f. Fund operations or routine, custodial, and janitorial maintenance of the facility;
 - g. Construct, renovate, or maintain boating infrastructure tie-up facilities for the following:
 - 1. Tie-up slips available for occupancy for more than 10 consecutive days by a single party;
 - 2. Dryland storage;
 - 3. Haul-out features; and
 - 4. Boating features for trailerable or “car-top” boats (boats less than 26 feet in length), such as launch ramps and carry-down walkways.
 - h. Develop a State program plan to construct, renovate, and maintain boating infrastructure tie-up facilities; and
 - i. Conduct surveys to determine boating access needs.
 - j. Purchase land or interests in land, including riparian rights.
- 3. If an eligible BIG project will receive use by those who do not operate transient, nontrailerable, recreational boats 26 feet in length or longer, the applicant must prorate the costs equitably according to Federal cost principles or the application will be considered ineligible for funding.

For example, if an applicant proposes to construct a tie-up facility that will be used by transient and nontransient recreational vessels, with 70 percent of the vessels being transient, nontrailerable, recreational vessels 26 feet in length or longer, the applicant may only charge 70 percent of the construction costs to the project.

Please contact your Regional WSFR Office for more information on prorating. Also, see 50 CFR 86.44 for additional information. As noted above, applications will be considered ineligible if the applicant does not provide cost proration and supporting documentation in the application package.

V. Application Review Information

A. Criteria

Eligible applicants submitting applications with eligible activities and costs will be considered for funding up to \$100,000 per State per fiscal year for an unlimited number of projects. See information above regarding eligible applicants and funding restrictions.

B. Review and Selection Process

Application review and selection - The Regional WSFR Offices reviews applications and determines that they are complete, substantial, and eligible. Applications that are not eligible are returned to the State agency. Revision and resubmission of returned applications is allowed until the identified application deadline.

C. Anticipated Announcement and Award Dates

The awards are expected to be announced by February 2010. Applicants will be notified by Regional WSFR Offices of the process needed to complete the grant award.

VI. Award Administration Information

1. Award Notices

Successful applicants will be notified individually. The Service will also publish a press release announcing the awards.

2. Administrative and National Policy Requirements

Compliance with all applicable Federal laws, policies, and regulations, including environmental laws such as the National Environmental Policy Act must be addressed before the U.S. Fish and Wildlife Service can approve an award.

3. Reporting

Reporting requirements, including retention and access requirements, are specified in 43 CFR. 12.82.

VII. Agency Contacts

The Boating Infrastructure Grant Program is administered by the Service. National level program information can be obtained by contacting:

Christy Vigfusson
U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program
Mailstop WSFR-4020
4401 North Fairfax Drive
Arlington, VA 22203
703-358-1748
Christy_Vigfusson@fws.gov

For project specific information, contact your Regional WSFR Office (see the list under “IV. Application and Submission Information; A. Address to Request Application Package”.)

VIII. Other Information

The Federal government is not bound to financially support any project until the U.S. Fish and Wildlife Service authorized representative has approved the award.

Attachment A

Boating Infrastructure Grant Program Questions and Answers

1. Is there a time limit on in-kind match contributions?

The current program regulations do not identify a time limit or restriction for accepting in-kind or other contributions for a project. In order for match to be considered for a project, the costs must be reasonable and necessary for achieving the overall project objectives. Additional guidance on determining if the value is reasonable can be found in 2 CFR 220, 225, 230 and 43 CFR 12.64 and 12.923.

2. Is maintenance dredging eligible for funding?

No. Maintenance dredging is ineligible and may disqualify an application from consideration.

As stated in the program rules (50 CFR 86.20), you may “Do one-time dredging only, to give transient vessels safe channel depths between the tie-up facility and maintained channels or open water.” Eligible dredging costs are limited to those associated with dredging the most direct route from the tie-up facility to the maintained channel or open water. Maintenance dredging is ineligible.

3. Are applications that propose to fund only engineering studies and other planning efforts eligible for BIG funds?

Yes, BIG funds may be used for projects that involve only engineering and feasibility studies, as well as other activities necessary for the planned construction of facilities for transient boaters. These are listed as eligible activities for the program (50 CFR 86.20). The Service will accept applications that include only these activities in anticipation of the development of transient boating opportunities.

4. Can an interest in land be purchased with BIG funds?

No, land acquisition (fee simple or easement) is not an eligible cost for BIG. The purpose of BIG is to provide infrastructure for nontrailerable, transient recreational boats 26 feet in length or longer.

5. Can an applicant use existing real property as non-Federal match? If yes, then how will the value of these be determined?

With the exception of land and interest in the land, existing real property may be used as non-Federal match. The State is responsible for determining the fair market value of accepted real property, e.g., docks and buildings, in accordance with applicable Federal regulations and cost principles. If the proposed value of the match is not adequately justified, the application may be ineligible.

6. Can real property and in-kind services serve as the entire State match?

With the exception of land and interest in the land, existing real property and eligible in-kind services can serve as the entire non-Federal match or any portion thereof. The property and services must be necessary and reasonable and must continue to serve the purpose for the useful life of the BIG project.

7. Can riparian rights serve as the State match?

No, riparian rights constitute an interest in the land. Existing riparian rights are not eligible as in-kind match nor is the acquisition of riparian rights an eligible project cost for the BIG program.

8. What is considered real property?

Real property as defined at 43 CFR 12 is “land, including land improvements, structures and appurtenances thereto, excluding movable machinery and equipment.” Land and interest in land cannot be used as non-Federal match for BIG, but other existing real property may be used as non-Federal match.

9. Who should I contact if I have additional questions?

Additional information is available from the Regional WSFR Offices contact listed in “IV. Application and Submission Information, A. Address to Request/Submit Application Package.”