

Clean Vessel Act Grant Program

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:

Clean Vessel Act Grant Program (CVA)

Announcement Type:

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

Funding Opportunity Number: FWS-CVA-10

Catalog of Federal Domestic Assistance (CFDA) Number: 15.616

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 January 8, 2010, 4:00 p.m. local time. Electronic applications submitted through Grants.gov will be accepted up until January 8, 2010, 4:00 p.m. Eastern Standard Time. However, we recommend that you submit electronic applications through Grants.gov by January 6, 2010 to allow for any unforeseen technical complications. We will not consider applications received after the specified time on January 8, 2010.

We expect to make the announcement of awards in May 2010.

Additional information:

The Clean Vessel Act of 1992, 33 U.S.C. 1322 note, established the Clean Vessel Act Grant Program to provide funding to States, the District of Columbia, Commonwealths, and territories of the United States of America for the construction, renovation, operation, and maintenance of pumpout stations and waste reception facilities for recreational boaters and also for educational programs that inform boaters about the problem of human sewage discharges from vessels and inform them of the location of pumpout stations and waste reception facilities. The Act was signed November 4, 1992 (106 Stat. 5039) and 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 CVA.

Additional information about the CVA is available at:
<http://wsfrprograms.fws.gov/Subpages/GrantPrograms/CVA/CVA.htm>

I. Funding Opportunity Description

Recreational boating is a popular activity in the U.S. There are approximately 13 million registered boats in the U.S., and each year approximately 70 million people enjoy a host of water-based recreational opportunities, such as fishing, cruising, waterskiing, and spending time with family and friends. Many recreational boats are equipped with on-board toilets and wastewater holding tanks. Proper disposal of recreational boat-related sewage is important in preserving and improving water quality in the country's vital aquatic ecosystems. CVA provides States, the District of Columbia, Commonwealths, and territories with federal funding to support their ongoing efforts to improve recreational boating opportunities and provide boaters with the clean, efficient facilities to preclude disposing of waste into public waterways and other ecosystems.

CVA is one of the Service's "user pay, user benefit" grant programs. Excise taxes paid for fuel taxes attributable to recreational boating and sport fishing equipment go into the Sport Fish Restoration and Boating Trust Fund. Approximately two percent of the trust fund is available for CVA grants each fiscal year. This year, we expect CVA to fund approximately \$13 million in grants.

Each year pumpouts and dump stations funded through CVA and matched with State, local, and/or private funds have a large impact on reducing the amount of potential waste in our nation's waters. CVA has had tremendous benefits from improving public drinking water, restoring river ecosystems, keeping coastal waters conveniently serviced, and informing boaters in popular reservoirs how best to dispose of vessel sewage. Since the inception of CVA, over 4000 pumpouts and dump stations have been built and are in use. Through dedication of the States, private marinas, the Sport Fishing and Boating Partnership Council, States Organization for Boating Access, environmental groups, and the boating public, millions of gallons of sewage have been diverted from polluting U.S. waters each year. These groups have also been instrumental in maintaining and operating the facilities in working order and providing information for the boating public regarding the importance of keeping our waters clean and using pumpout and dump stations whenever possible.

II. Award Information:

The Service expects that approximately \$13 million will be available for CVA awards in FY 2010. Awards typically range from \$30,000 up to \$1,500,000. There is no specific minimum, and in FY 2010 the maximum award amount is \$1,500,000. Coastal States may apply for up to \$3,000,000 maximum, \$1,500,000 for a coastal award and \$1,500,000 for an inland award. Inland States

may apply for up to \$1,500,000. In the case that available funds are not sufficient, awards may be partially funded. We expect to announce awards in May 2010.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are the Governor-designated State agencies in the 50 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 designated agency is often a State natural resource or fish and wildlife agency.

Coastal State – A State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. The term also includes Puerto Rico, the Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands. Alaska is eligible as a coastal State for the purposes of CVA in FY 2010.

Inland State - A State which is not a coastal State as defined above. The District of Columbia and American Samoa are included as inland States. American Samoa is defined as an inland State because the ratio of number of recreational vessels to number of shoreline miles is less than one.

B. Cost-Sharing or Matching

The maximum Federal cost share for CVA awards is 75 percent. The Service will waive matching requirements up to \$200,000 for each grant awarded to the following insular areas: American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands.

The applicant is responsible for ensuring the full amount of the non-Federal match as listed on the Application for Federal Assistance, Standard Form 424.

C. Other

Although only Governor-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 CVA grants 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, the District of Columbia, Commonwealths, 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 (Region 1)	U.S. Fish and Wildlife Service WSFR – Federal Assistance Eastside Federal Complex 911 NE 11 th Avenue Portland, OR 97232-4181 503-231-6128 Tony_Faast@fws.gov
Arizona, New Mexico, Oklahoma, and Texas (Region 2)	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program P.O. Box 1306; 500 Gold Avenue, SW Albuquerque, NM 87102 505-248-7476 Susan_MacMullin@fws.gov
Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin (Region 3)	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 (Region 4)	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 (Region 5)	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 (Region 6)	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 134 Union Blvd., P.O. Box 25486 Denver, Colorado 80225 303-236-8155 Judson_Spicer@fws.gov
Alaska (Region 7)	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 (Region 8)	U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration Program 2800 Cottage Way, W-1729 Sacramento, CA 95825 916-978-6152 Bart_Prose@fws.gov

B. Content and Form of Application

Applications submitted for CVA 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. The various activities or components of each project should be broken down by cost, cooperator, and project location/facility. 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 Programs or Standard Form 424B, Statement of Assurances – Non-Construction Programs.
4. A concise project narrative (not to exceed 20 pages in length). The project narrative should include:
 - 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. If feasible, we suggest that you include two maps: a map of the State showing the general location of the project(s) and a map of the project site(s). Other geographic aids may be attached, including aerial photographs;
- g. Estimated costs to attain individual project objectives. The various activities or components of each project should be broken down by cost, cooperator, and project location/facility; and,
- h. How the application specifically addresses each of the ranking criteria found in 50 CFR 85.30 (we suggest listing the ranking criteria and providing a brief explanation for each criterion).

Note – Coastal States submitting applications for both the coastal zone and the inland portion of their State must submit two separate applications for ranking purposes.

Applications should be on 8.5" X 11" paper, with 1" margins. Forms should be arranged starting with the SF 424, followed by the budget information, the assurances (SF 424 D or SF 424 B), the project narrative (not to exceed 20 pages in length), and then any maps or geographical aids (which are not counted as part of the 20-page narrative limit). 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 January 8, 2010. Hard copy applications are due by January 8, 2010, 4:00 p.m. local time at the Regional Office where the application is submitted.

Applications submitted through Grants.gov are due by January 8, 2010, 4:00 p.m. Eastern Standard Time. It is recommended that electronic applications be submitted through Grants.gov by January 6, 2010 to allow for any unforeseen technical complications. We will not consider applications received after the specified time on January 8, 2010.

D. Intergovernmental Review

CVA 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. Eligible activities

Eligible activities for funding from the Clean Vessel Act Grant Program depends upon whether the applicant is considered coastal or inland (see information about coastal and inland designations above in “Section III. Eligibility”).

Eligible activities for **all grantees/States** include:

(a) Programs or projects to educate/inform recreational boaters about the environmental pollution problems resulting from sewage discharges from vessels and to inform them of the location of pumpout and dump stations.

(b) Programs or projects to construct, renovate, operate, and/or maintain pumpout and dump stations, including floating restrooms in the water, not connected to land or structures connected to the land, used solely by boaters. Eligible grant activities also include any activity necessary to hold and transport boaters’ sewage to treatment plants, such as holding tanks, piping, hauling costs, and any activity necessary to get sewage treatment plants to accept sewage, such as installing bleed-in facilities.

Eligible activities for **coastal grantees/States** include:

(a) Programs or projects that identify all operational pumpout and dump stations, and surveys of recreational vessels in coastal waters with holding tanks or portable toilets, and the areas where those vessels congregate in the coastal zone. Also eligible are costs of developing a list, including chart coordinates, of all operational pumpout and dump stations in the coastal zone of the State, for submission to the Fish and Wildlife Service.

(b) Plans for construction and renovation of pumpout and dump stations in the coastal zone of the State necessary to ensure that these stations are adequate and reasonably available to meet the needs of recreational vessels using the coastal waters of the State.

(c) Those eligible activities listed above for all grantees/States.

Additional requirements for all grantees/States:

(a) To be eligible for funding, both public and private facilities must be open to the public, i.e., where the public has full and reasonable access to the pumpout or dump station, including:

- Provision of signage visible from the water to direct boaters to pumpout or dump stations;
- Location of pumpouts to facilitate ease of use by all boats typical to that particular marina;
- Equitable fees (\$5 maximum per pumpout, unless a higher fee is justified by the applicant and approved by the Service); and
- Reasonable open periods (see definition of reasonable open periods in 50 CFR 85.11).

(b) Facilities shall be operated, maintained, and continue to be reasonably accessible to all recreational vessels for the full period of their useful life (see additional information on “useful life” in the Service Manual Chapter 522 FW 18).

2. Ineligible activities

Activities and projects that are ineligible for funding from the Clean Vessel Act Grant program include:

- (1) Activities that do not provide public benefits.
- (2) Law enforcement activities.
- (3) Construction/renovation of land-based restroom facilities.
- (4) Construction, renovation, operation and maintenance of on-site sewage treatment plants, such as package treatment plants and septic systems, and of municipal sewage treatment plants for primary and secondary treatment.

Ranking decisions are made based on criteria in the Clean Vessel Act Program rules (50 CFR Part 85). See “V. Application Review Information, 1. Criteria.”

V. Application Review Information

A. Criteria and Available Point Values

Criteria for reviewing and ranking CVA applications are in the Final Rule for CVA (50 CFR 85.30). **Please see below for frequently asked questions about the CVA ranking criteria.** The following criteria must be addressed to receive points. Applications will be ranked and recommended for funding based on individual scores obtained by adding ranking criteria points. In the project narrative, please list each ranking criterion individually and provide a concise explanation for each one:

Scoring for coastal grantees/States:

- **Survey/Plan (50 points)**
 - If your State doesn't have a survey or a plan, are you proposing to complete one? If yes, 50 points.
- **Construction/Renovation of Pumpouts or Dump Stations (10 or 20 points)**
 - Are you proposing to construct or renovate pumpout or dump stations in accordance with your State's plan approved under section 5603(c) of the Clean Vessel Act? If yes, 20 points.
 - Are you proposing to construct or renovate pumpout or dump station and your State doesn't have a plan or your plans are not in accordance with your State's plan approved under section 5603(c) of the Clean Vessel Act? If yes, 10 points.
- **Partnership (10 points)**
 - Will you have a public/private partnership in developing and/or operating the proposed pumpout or dump stations? If yes, 10 points.
- **Innovative Approach (5 points)**
 - Will you use innovative ways to increase the availability and use of pumpout and dump stations? If yes, 5 points.
- **Education (5 points)**
 - Are you proposing to include an education/information component? Or, does your State have an active, ongoing education program? If yes, 5 points.
- **Sensitive Area (5 points)**
 - Will your project benefit waters that are most likely to be affected by the discharge of sewage from vessels? If yes, 5 points.
- **Low Pumpout Ratio (5 points)**
 - Will the project be completed in areas with many vessels and few pumpouts or dump stations? If yes, 5 points.

Scoring for inland grantees/States:

- **Construction/Renovation of Pumpouts or Dump Stations (10 or 5 points)**
 - Are you proposing to construct or renovate pumpout or dump stations in accordance with your State's plan? If yes, 10 points.
 - Are you proposing to construct or renovate pumpout or dump station and your State doesn't have a plan or your plans are not in accordance with your State's plan? If yes, 5 points.
- **Partnership (5 points)**
 - Will you have a public/private partnership in developing and/or operating the proposed pumpout or dump stations? If yes, 5 points.
- **Innovative Approach (2 points)**
 - Will you use innovative ways to increase the availability and use of pumpout and dump stations? If yes, 2 points.
- **Education (2 points)**
 - Are you proposing to include an education/information component? Or, does your State have an active, ongoing education program? If yes, 2 points.

- **Sensitive Area (2 points)**
 - Will your project benefit waters that are most likely to be affected by the discharge of sewage from vessels? If yes, 2 points.
- **Low Pumpout Ratio (2 points)**
 - Will the project be completed in areas with many vessels and few pumpouts or dump stations? If yes, 2 points.

Summary Scoring Table for CVA Applications:

Criteria	Points	
	Coastal State	Inland State
Survey/Plan	50	0
Construct/renovate with plan	20	10
Construct/renovate without plan	10	5
Partnership	10	5
Innovative approach	5	2
Education	5	2
Sensitive area	5	2
Low pumpout ratio	5	2
Total possible points	110	28

B. Review and Selection Process

Project selection is a three-step process: application acceptance, application ranking, and application selection.

- Application acceptance - The Regional WSFR Offices determine that applications are complete, substantial in character and design, and eligible. If possible and if time allows, we will return ineligible applications to the State agency. Revision and resubmission of returned applications is allowed until the identified application deadline.
- Application ranking - Once an application is accepted, the Regional WSFR Office sends the application to the National WSFR Office, which coordinates the review and ranking of the applications. Representatives from the National WSFR Office, National Oceanic and Atmospheric Administration, Environmental Protection Agency and Coast Guard review and rank the applications and make funding recommendations to the Service Director.
- Application selection - The awards are approved by the Service Director.

C. Anticipated Announcement and Award Dates

We expect to announce the awards by May 2010 by press release and letters to successful applicants. Successful applicants will be notified by Regional WSFR Offices of the remaining 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 a grant award.

3. Reporting

Reporting requirements, including retention and access requirements, are specified in 43 CFR 12.82. Recent updates (as of May 15, 2009) and additional details regarding requirements, guidance, consequences, etc. are available in the document Interim Guidance for Financial and Performance Reporting, located at <http://wsfrprograms.fws.gov/subpages/toolkitfiles/intgdrpt.pdf>.

VII. Agency Contacts

The Service administers the Clean Vessel Act Grant Program. 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 and details to apply, contact your Regional WSFR Office:

Region 1: Tony Faast, Tony_Faast@fws.gov, 503-231-6128

Region 2: Susan MacMullin, Susan_MacMullin@fws.gov, 505-248-7476

Region 3: Julie Morin, Julie_Morin@fws.gov, 612-713-5156

Region 4: Scott White, Scott_White@fws.gov, 404-679-7113

Region 5: Alberto Ortiz, Alberto_Ortiz@fws.gov, 413-253-8406

Region 6: Judson Spicer, Judson_Spicer@fws.gov, 303-236-8155

Region 7: Alan Havens, Alan_Havens@fws.gov, 907-786-3698

Region 8: Bart Prose, Bart_Prose@fws.gov, 916-978-6152

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.

OMB Control Number 1018-0109

PAPERWORK REDUCTION ACT STATEMENT: The Paperwork Reduction Act requires us to tell you why we are collecting this information, how we will use it, and whether or not you have to respond. We will use the information that we collect to evaluate applications submitted to acquire funding for Clean Vessel Act Grant Program funds. Your response is required to receive funding. A Federal agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB Control Number. We estimate that it will take an average of 50 hours to complete the application. The average estimated annual burden associated with writing and submitting required performance reports is 6 hours. You may send comments concerning the burden estimates or any aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS 222 ARLSQ, 4401 N. Fairfax Drive, Arlington, VA 22203.

Frequently Asked Questions about CVA Applications:

Q1: Is an inspection program or a monitoring program to ensure pumpouts installed with CVA funds are in working order an eligible activity?

A: Yes. An inspection program or a monitoring program to ensure pumpouts installed with CVA funds are in working order that doesn't involve law enforcement is an eligible activity.

Q2: Is creating and/or revising a coastal State's plan an eligible activity?

A: Yes. A coastal State may apply for and receive funding to create and/or revise their State plan in accordance with the Technical Guidance. Please note, that inland States may not receive funding to create and/or revise their State plan (as dictated by the Clean Vessel Act of 1992).

Q3: Which financial categories should I include in my application budget?

A: There are a number of categories that you should include when completing your budget. You should include the following categories by cooperator and project location/facility: Administration costs, including personnel (whether contractual or employee), fringe benefits, and travel; equipment, supplies, and construction costs; education program costs; operation and/or maintenance costs; and Indirect costs, if applicable. If you have other categories of eligible costs that you would like to include, please feel free to do so. Ineligible costs may disqualify your application. Note that contingencies are unallowable.

Q4: How long must I maintain a pumpout or dump station that I build with CVA funds?

You are responsible for maintaining the pumpout or dump station for its useful life, assuring that it is serving the intended purpose of the project. You should propose and identify a useful life of the pumpout or dump station in your application. For information about useful life and methodologies to determine the useful life, see Fish and Wildlife Service Manual Chapter 522 FW 18 and contact your Regional WSFR Office.

Q5: Are operation and maintenance funds eligible costs?

Yes. Fees collected as part of the operations of pumpouts and dump stations are often used for operation and maintenance purposes.

Q6: May I charge more than \$5 as a usage fee for each pumpout or dump station?

Yes. However, if you charge more than \$5, you must justify the fee, and it must be approved by the Service. Such proceeds must be retained, accounted for, and used by the operator to defray operation and maintenance costs as long as the facility is needed and it serves its intended purpose.

Q7: Where can I get more information about CVA and applying for funds?

You can contact your Regional WSFR Office. Contact information is listed above.