



Florida Fish  
and Wildlife  
Conservation  
Commission

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# Boating Infrastructure Grant Program

## Guidelines

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Division of Law  
Enforcement

Boating and  
Waterways Section

Boating Infrastructure  
Grant Program

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## SECTION I - INTRODUCTION

### 1.1 General Information and Purpose

The Boating Infrastructure Grant Program (BIGP) was established with the Sportfishing and Boating Safety Act of 1998 to provide funding to States and Territories for the construction, renovation, and maintenance of facilities for transient non-trailerable recreational vessels. The Act amended the Federal Aid in Sport Fish Restoration Act (Wallop-Breaux Act; 16 USC 777) with subsequent reauthorizations of the Act to allow for continuation of funding.

BIGP is administered by the US Fish and Wildlife Service through grants to the State from the US Fish and Wildlife Service (USFWS), Federal Aid Division. The Florida Fish and Wildlife Commission (COMMISSION) is the designated State Administrative Agency for the BIGP in Florida. All applications must be submitted to the COMMISSION and not directly to the US Fish and Wildlife Service.

Complete federal rules and regulations that govern this grant program are in Federal Register 50 CFR Part 86 Boating Infrastructure Grant Program Final Rule (Volume ~~8066~~, number ~~8742~~ May 6, 2015 ~~January 18, 2001~~) that is made a part of these Program Guidelines by reference. A copy of 50 CFR, Part 86 is available online at <http://myfwc.com/boating/grant-programs/bigp/>. ~~http://myfwc.com/boating/grants/bigp.htm~~

### 1.2 Eligible Participants and Uses

#### A. Eligible Program Participants

1. BIGP grant funds are available to counties, municipalities, and other governmental entities in Florida.
2. BIGP grant funds are also available to privately-owned facilities ~~whose~~that the in-water slips are operated on submerged sovereign lands or public waters, with all facilities opened to the public on a first-come, first-~~service~~service basis. Such facilities may not have~~with no~~ qualifying requirements such as club membership, stock ownership, or equity interest, must have~~with~~ no longer than one-year rental terms, and must have~~with~~ no automatic renewal rights or conditions.
3. All participants must further agree to abide by all of the COMMISSION's rules, policies and procedures, as well as any and all state and federal rules that may apply.

#### B. Eligible Uses of Program Funds

A project is eligible for funding if it proposes to:

1. Construct, renovate, ~~or~~ maintain either publicly or privately owned **boating infrastructure** tie-up facilities. To be eligible a ~~project~~you must:
  - a. Build these tie-up facilities on navigable waters, available to the public and design the new construction and renovations to last for the period of the approved useful life~~at least 20 years~~;
  - b. Design these tie-up facilities for temporary use for transient non-trailerable recreational vessels;
  - c. Build these tie-up facilities in water deep enough for non-trailerable recreational vessels to navigate (a minimum of 6 feet of depth at the lowest tide or other measure of lowest fluctuation);
  - d. Provide security, safety, and service for these boats; and,
  - e. Install a pump-out station, if constructing a facility for overnight stays.
    - 1) If there is already a pump-out station within a reasonable distance (generally 2 miles) of the facility, one may not be needed.~~;~~
    - 2) For facilities intended as day stops, installation is encouraged.~~;~~~~and;~~
    - 3) Funds from BIGP, or the Clean Vessel Act pump-out grant program also administered by U.S. Fish and Wildlife Service (USFWS), may be used to pay for a pump-out station.
    - 4) While pumpouts are eligible under BIGP, it is strongly recommended funding be requested from the Clean Vessel Act through the Florida Department of Environmental Protection.
2. Dredging on navigable waters to a depth to accommodate eligible vessels for safe access.~~Do one time only dredging, to give transient vessels safe channel depths between the tie-up facility and maintained channels or open water.~~
3. Install navigational aids, limited to giving transient vessels safe passage between the tie-up facility and maintained channels or open water.
4. Apply funds to grant administration.

5. Fund preliminary costs:

- a. Preliminary costs may include any of the following activities completed before signing a grant agreement:
  - 1) Conducting appraisals;
  - 2) Administering environmental reviews and permitting;
  - 3) Conducting technical feasibility studies, for example, studies about environmental, economic, and construction engineering concerns;
  - 4) Carrying out site surveys and engaging in site planning;
  - 5) Preparing cost estimates; ~~orand~~
  - 6) Preparing working drawings, construction plans, and specifications.
- b. **Preliminary costs will only be funded if the project is approved.**
- c. If the project is approved, the appropriate USFWS Regional Director must still approve preliminary costs.

6. Produce information and education materials such as charts, cruising guides, and brochures.

C. Ineligible Uses of Program Funds

A project is ineligible for funding if it proposes to:

1. Complete a project that does not provide public benefits, for instance, a project that is not open to the public for use;
2. Involve law enforcement activities;
3. Significantly degrade or destroy valuable natural resources or alter the cultural or historic nature of the area;
4. Construct or renovate principal structures not expected to last at least 20 years;
5. Do maintenance dredging;
6. Fund operations or routine custodial and janitorial maintenance of the facility;
7. Construct, renovate, or maintain boating infrastructure tie-up facilities for non-trailerable vessels, for example the following:
  - a. Tie-up slips available for occupancy for more than 1510 consecutive days by a single party;
  - b. Dryland storage;
  - c. Haul-out features; ~~and~~

- d. Boating features for trailerable or "car-top" boats (boats less than 26 feet in length), such as launch ramps and carry-down walkways; and-
- e. Roads, parking lots, and other landward facilities that are not necessary for transient users.

### 1.3 Funding - Tiers

There are two tiers of funding. An applicant may apply for one or both tiers.

- 1. Tier I (State) - \$200,000 or less~~Tier I - \$100,000 or less~~
  - a. The COMMISSION is awarded funding for one or more projects for up to \$200,000~~\$100,000~~.
  - b. The COMMISSION scores and ranks applications submitted in this Tier, and can submit one or more applications that equal \$200,000~~\$100,000~~, or less, to the US Fish and Wildlife Service, Federal Aid Division.
  - c. The COMMISSION must receive notice of award approval from the US Fish and Wildlife Service, Wildlife and Sport Fish~~Federal Aid~~ Division prior to award of funding by the COMMISSION.
- 2. Tier II (National) – over \$200,000 up to \$1,500,000~~Tier II – no dollar limit~~
  - a. The COMMISSION scores and ranks applications submitted in this Tier, and may submit more than one project to the US Fish and Wildlife Service, Wildlife and Sport Fish~~Federal Aid~~ Division for review and approval prior to those applications being submitted~~submitting~~ to compete nationally with every other project submitted in this Tier.
  - b. The COMMISSION must receive notice of award from the US Fish and Wildlife Service, Federal Aid Division prior to award of funding by the COMMISSION.

### 1.4 Reimbursement of Project Expenses

- A. This is a reimbursable grant program. Requests for reimbursement are based on State of Florida Comptroller Requirements and requirements of 43 CFR 12.61.
- B. Grant funds will be disbursed to the Recipient only after pre-approved phase or final completion of the project occurs and work is verified by the COMMISSION staff. Payment will only be made for documented and verified costs. The

**COMMISSION will in no case, pre-approve or disburse any advance in Program Funds.**

- C. The Recipient must have the financial capability to make timely payments to the contractor or others (upon billing/invoice) pending requested receipt of reimbursable grant funds.
- D. Failure to complete the project and make final payment request to the COMMISSION within the stipulated period will result in project termination.

**1.5 Matching Funds, Operation and Fee Policy**

A. Matching Funds Requirement

- 1. The Applicant must provide a 25% match ~~toing portion of~~ provided from the USFWS.
- 2. Applicants are encouraged to seek other sources of hard (**cash**) matching funds to help leverage the maximum amount of grant funds available.
- 3. Applicants must identify and agree to furnish some form of in-kind (**soft**) matching funds to the project. This includes costs for administration, costs of all administrative, contract management, and inspection of the project. Typical in-kind (**soft**) match amounts (based on total construction value) should be no more than 10% for project administration and 5% for project inspection.

B. Operation and Maintenance Participation and Fee Policy

- 1. The Recipient must agree to provide, ~~for the 20-year term of Agreement,~~ any and all costs for ordinary and routine operations and maintenance of the facility for the period of useful life. This includes any and all personnel, equipment or service and supplies costs.
- 2. Reasonable prevailing rates in the locality may be charged to boaters for transient mooring facilities constructed under BIGP.
- 3. Operation of the facility must meet guidelines in final rule published in Federal Register on May 6, 2015 ~~January 18, 2001~~, volume 8066, number 8742.

**1.6 Project – Design, Environmental Review, Engineering, Management, and Inspection**

Design and Environmental Review

1. All capital construction public works projects are to be designed and engineered in accordance with local, state and federal laws, including public safety codes and standards. The project must use the best materials and labor at the best cost. As each individual project site is unique, it requires site-specific design that ~~is to meet~~ best Value Engineering.
2. Projects funded through this ~~federally funded~~ program must meet the requirements of the National Environmental Protection Act (NEPA). The USFWS provides a guidance for these requirements in the “NEPA Reference Handbook, and “NEPA Guidance to States Participating in the Federal Aid Program” available from the “Federal Assistance Toolkit” that can be accessed from the website at <http://myfwc.com/boating/grant-programs/bigp/>. ~~http://myfwc.com/boating/grants/bigp.htm~~. This process will require review according to these requirements prior to approval of the application and award of the grant by the USFWS.

Completing Project Engineering and Master Planning

1. Applicants may provide (at their cost or as an approved match) their own staff or consulting engineers to survey, design, and inspect a project. All work must meet or exceed minimum design standards and guidelines established by all applicable local, state, and federal laws.
2. Applicants may request Program Funds to assist or pay for the cost of a consulting engineer to survey, design, and engineer a project. All work must meet or exceed minimum design standards and guidelines established by all applicable local, state, and federal laws.
3. After preliminary design or engineering is completed, the Applicant may then request construction grant funds during the Application Submission Period of the next fiscal year of Program Funding. Each request requires a separate Application to be submitted for consideration.
4. Applicants may request Program Funds to assist or pay for Master Plans or Feasibility Studies. Projects that are large in scale, complex, or which may result in significant impacts should have a Master Plan or Feasibility Study completed prior to initiation of engineering work. Master Plans ensure both the Applicant and the COMMISSION that the scope, cost, impacts, feasibility, and benefits are reasonable and achievable.
5. Projects with detailed engineering estimates, bids, and permits will be given priority for funding.

6. All engineering must be completed by a professional engineer or architect registered in the State of Florida.

#### Project Management and Inspection

1. It is the Recipient's responsibility to contract, manage, and inspect all aspects of grant projects including: the construction contract, materials purchase, engineering, master plan or force account labor performed at any project site.
2. The COMMISSION staff will, within budgetary constraints, inspect all Grant Project site work prior, during, and upon completion to ensure compliance with the Agreement between the COMMISSION and the Recipient. The Recipient will maintain regular contact with the COMMISSION staff during the Agreement period to provide an update on the progress of work and any problems that may arise.
3. Project deficiencies shall be corrected by the Recipient prior to final project acceptance and payment by the COMMISSION. **The Recipient shall inform the COMMISSION staff of any changes or time delays incurred with the project.** The COMMISSION may restrict any or all payment of grant funds pending correction of such deficiencies.

#### 1.7 **Priority Needs**

- A. COMMISSION evaluates all projects based on the greatest need and benefits to recreational boaters meeting requirements of the program. The COMMISSION will select and fund only projects with the highest priority needs as determined by the COMMISSION in a standard evaluation methodology set forth in the Evaluation Criteria.
- B. The COMMISSION gives highest priority to new access for transient non-trailerable vessels, followed by expansion of existing facilities, then the repair or renovation of existing facilities.

**1.8 General Funding Requirements:**

- A. Grants funds shall only be used to pay costs that are necessary and reasonable to accomplish the approved grant objectives.
- B. The COMMISSION at its discretion may adjust the amount of funds available, application and consideration dates to meet existing needs or opportunities that may occur. Large projects may be phased over several years to maximize funding and distribution of funds.
- C. If a project is not selected for funding in a given fiscal year, the Applicant must resubmit a new Application (and revised costs) for reconsideration in a new fiscal year. Previously submitted Applications will not be carried forward.
- D. Projects that were previously approved, but the Recipient failed to expend the funds during the Agreement period, will not be eligible for reconsideration, unless the failure was for reasons beyond the control of the Recipient and the COMMISSION has granted an explicit approval.

## SECTION II - APPLICATION SUBMISSION REQUIREMENTS

### 2.1 Grant Deadlines and Submission Requirements

- A. The US Fish and Wildlife Service (USFWS) announces the application period each year. The application submission period is then announced through a notice in the “Florida Administrative Register Weekly,” emails sent to interested parties and eligible participants, and on the wWebsite at <http://myfwc.com/boating/grant-programs/bigp>/<http://myfwc.com/boating/grants/bigp.htm>. Applications must be delivered to the COMMISSION prior to the submission deadline published in the “Florida Administrative Register Weekly” that will be prior to the deadline established by the U.S. Fish and Wildlife Service, generally 15-30 days, in order for the COMMISSION to prepare the application package to submit to the USFWS.
- B. The COMMISSION will only accept the Boating Infrastructure Grant Program Application form that is included in these Guidelines by reference. This Application form will be available on line at <http://myfwc.com/boating/grant-programs/bigp>/<http://myfwc.com/boating/grants/bigp.htm> to download each funding cycle. The COMMISSION will not accept any other form. The COMMISSION will not accept late or incomplete Applications, nor will staff process any Applications received after the specified deadline. Applications received after the deadline will be returned to the Applicant.
- C. Applicants will be notified of the status of their Applications.
- D. In addition to the completed Application, the Applicant must provide written documentation regarding the following:
1. The Applicant is authorized to submit a grant Application for consideration by the COMMISSION. **This shall be in the form of an adopted resolution, by the Governing Body, authorizing the Project Manager to apply for and administer the grant on behalf of the Applicant.**
  2. Project activities are on public lands, owned by the Applicant and the submerged facilities are being operated on public waters of the state, or the Applicant has a legal ability (by lease agreement or otherwise) to make improvements on the site.
  3. A willingness to enter into an Agreement with the COMMISSION for the period of useful life as established in the application and finalized prior to the award ~~a 20-year Agreement with the COMMISSION.~~
  4. A commitment to provide resources to operate and maintain the facility for thea period of useful life~~20 years.~~

5. Capability of completing this project within the construction period allowed by the U.S. Fish and Wildlife Service.
6. Any possible environmental effects and mitigation actions proposed for construction and land use consistency of the facility.
7. Submit all information as required by the Notice of Financial Opportunity (NOFO) issued by the US Fish and Wildlife Service and published on Grants.gov and included on the Florida Fish and Wildlife Conservation Commission website at <http://myfwc.com/boating/grant-programs/bigp/>. This includes cost allocation if the proposed project cost includes facilities that will be used by non-transient vessels.
8. The accuracy of the proposed project budget by providing a detailed cost estimate in the form of an engineer's cost estimate, a formal bid's schedule of values or a bona fide vendor's quote. All hard and soft matching funds shall be clearly identified with respect to the amount and authorized availability (especially other matching fund grants).

## **2.2 Application Preparation – General**

The Applicant must submit a total of four (4) completed Grant Applications and required Attachments (one original plus three copies) on or before the specified deadline.

Completed Applications must include a cover letter with the original, addressed to the Program Administrator, requesting consideration of the project(s), **identifying the priority of multiple projects** and any other pertinent information.

**Please note the Attachments are required to be submitted with the completed Grant Application.**

**SECTION III- PROJECT CONSIDERATION AND APPROVAL**

**3.1 COMMISSION Evaluation**

- A. Upon receipt and initial review of the Application for completeness, ~~the~~ COMMISSION staff will assign a Grant Application Number and outline the review process in an acceptance letter back to each Applicant. **Please use this Grant Number for all future correspondence regarding this Application and/or project.**
- B. The Evaluation Committee, comprised of three (3) COMMISSION staff members appointed by the Boating and Waterways Section Leader, shall evaluate each eligible Application based upon the information provided in the Application, in accordance with the BIGP Policy Guidelines, and 50 CFR, Part 86. ~~The~~This meeting of the Evaluation Committee will be noticed in the “Florida Administrative Weekly” and advertised on the website at <http://myfwc.com/boating/grant-programs/bigp>/<http://myfwc.com/boating/grants/bigp.htm>.
- C. Using the established Application Scoring and Evaluation Form, the Evaluation Committee will review and assign a rank score to each Application based upon the extent to which it is determined to meet the criteria set forth in Subsection 3.2 - Application Evaluation Criteria. This is the primary tool used by the Evaluation Committee to rank and evaluate all ~~applications~~requests. Applications shall be ranked based on an average of the three (3) scores from each evaluator, and then compiled in a list in descending order. The list shall rank all eligible Applications and include recommendations for distribution of available Program Funds.

**3.2 Application Evaluation Criteria**

- A. An eligible Application will be evaluated according to criteria set forth in these Guidelines and 50 CFR Part 86. A maximum score will be indicated in () for each category. A total point score shall be assigned to each eligible Application according to the category criteria as ~~evaluated~~assigned by the Evaluation Committee.
- B. Proposals will be ranked according to the criteria outlined in the chart below:

Ranking Criteria	Points
Need, Access, and Cost Efficiency	20 total possible points
(1) Will the proposed boating infrastructure meet a need for more or improved facilities?	0-10
(2) Will eligible users receive benefits from the proposed boating infrastructure that justify the cost of the project?	0-7
(3) Will the proposed boating infrastructure accommodate boater access to significant destinations and services that support boater travel?	0-3

<p>Match and Partnerships</p> <p>(1) Will the proposed project include private, local or State funds greater than the required minimum match? Percent and match as follows:</p> <p>26-30 percent = 1 point          31-35 percent = 2 points          36-40 percent = 3 points          41-45 percent = 4 points          46-50 percent = 5 points          51-80 percent = 6 points          81-100 percent = 7 points</p> <p>(2) Will the proposed project include contributions by private or public partners that contribute to the project objectives?</p>	<p>10 total possible points</p> <p>0-7</p> <p>0-3 points</p>
<p>Innovation</p> <p>(1) Will the proposed project include physical components, technology, or techniques that improve eligible-user access?</p> <p>(2) Will the proposed project include innovative physical components, technology, or techniques that improve the BIG-funded project?</p> <p>(3) Has the facility where the project is located demonstrated a commitment to environmental compliance, sustainability, and stewardship; and has an agency or organization officially recognized the facility for its commitment?</p>	<p>6 total possible points</p> <p>0-3</p> <p>0-2</p> <p>0-1</p>
<p>TOTAL POSSIBLE POINTS</p>	<p>36</p>

	Criteria	Points
1	Project for construction, renovation and maintenance of tie-up facilities that will serve the needs of recreational, transient boaters and boating related activities in the State. (15)	0-15
2	Provide for public-public and public-private partnerships, involving entities other than USFWS and the lead state agency (15) 2-partners 3-or more partners	5 10 15
3	Use innovative techniques to increase the availability of tie-ups; creative, different approaches that improve the overall project (15)	0-15
4	Include private, local, or other State funds in addition to the non-Federal match (15) 26-35% 36-49% 50% and up	5 10 15
5	Cost-efficient, with features that add a high value compared with the funds required from the proposal. For example, constructing a small feature to an existing facility which adds value and boating opportunities versus installing a complete facility. (10)	0-10
6	Provide a significant link to prominent destinations such as those near major metropolitan areas, cultural or natural attractions, or safe harbors from storms. (10)	10
7	Provide access to recreational, historic, cultural, natural, or scenic attractions. 5 points/attraction (15)	5-15
8	Provide significant positive economic impacts to a community. (5)	1-5
9	Multi-state coordination in locating tie-up facilities (Tier 2 Projects only) (5)	5

### 3.3 Reviews for Approval of Proposed Projects

- A. The COMMISSION will submit applications meeting the minimum criteria and highest scoring to the USFWS for review and approval. Tier II applications are submitted to the USFWS for review and submission to the Boating Partnership Council for review and ranking on a national level.
- B. Upon approval of a project for funding by the COMMISSION and the US Fish and Wildlife Service, the COMMISSION will request a review in accordance with the NEPA requirements. Time for this review may take between 30-120 days. Approval of the grant award and subsequent agreement is contingent upon completion of this review. The “NEPA Reference Handbook” and “NEPA Guidance to States Participating in the Federal Aid Program” are made a part of these policies and guidelines by reference. No work on any grant projects proposed for funding ~~shall~~ should start until this process is complete and award of the grant agreement has been confirmed by the USFWS.
- C. In addition to the review by the USFWS for compliance to NEPA, the application and proposed project must be submitted to the State Clearinghouse that serves as a single point of review for federal assistance applications. Time for this review may take between 10-90 days. No work on any grant projects proposed for funding shall start until this process is complete and award of the grant agreement has been confirmed by the USFWS.
- D. Upon review and approval of all entities, the COMMISSION will initiate the Agreement. **Award of the grant does not constitute an Agreement.** The Applicant must not begin the Project until the Agreement is fully executed.
- E. The Agreement, unless modified by mutual consent of both parties, shall bind the parties for ~~the~~ a period of useful life ~~20 years~~ or as stipulated in the Agreement. This Agreement must be duly executed by all parties **within 90 days of formal COMMISSION approval and prior to any expenditure of grant funds or commencement of any work.** Failure to execute the Agreement within the 90-day period will render the grant null and void.

### 3.4 Prior Work

Reimbursement **will not** be made for any portion of a project initiated or completed prior to ~~the~~ COMMISSION approval unless ~~it is~~ it is specifically ~~is~~ pre-approved by the COMMISSION. Recognizing that emergencies may arise which necessitate quick action, the Applicant/Recipient must contact the Program Administrator for direction before initiating any actions with fiscal impacts.

### **3.5 Review of Bid Documents Approval**

- A. Recipient shall forward one copy of the **bid package** to the Program Administrator for review, **prior** to soliciting for quotations or commencing any work. Please allow twenty-one (21) working days for review. This review will ensure that minimum guidelines are being met. Approval is for the limited purpose of checking for conformance with the scope of work expressed in the Agreement. **APPROVAL DOES NOT AUTHORIZE CHANGES TO THE AGREEMENT.**
- B. Upon completion of review, the Program Administrator will notify Recipient of approval, at which time Recipient may commence bid solicitation of the Project.

### **3.6 Project Bidding and Contracting Requirements**

Depending on the type and cost of the project, bidding and contracting requirements may be different. The Recipient's bidding and contracting transactions must comply with all State contracting requirements in addition to any local requirements.

### **3.7 Beginning Work**

Recipients are to begin work within four (4) months of execution of a project agreement or the Agreement shall be cancelled, unless the Agreement stated otherwise.

## **SECTION IV - PROJECT CLOSEOUT**

### **4.1 Contract Closeout**

Upon project completion, the Recipient shall notify the Program Administrator and arrange an on-site project inspection. Upon approval and/or correction of any identified defects, the Recipient may submit the Project Completion Certification along with the itemized payment request.

1. Project Completion Certification: The Recipient shall submit to the COMMISSION a Project Completion Certificate, upon final completion of the project, certifying that the project is completed and operational.
2. Payment: The Recipient shall submit the Payment Request Form with the Project Completion Certification. Upon a Desk Audit review of the payment request, acceptance of the project and receipt of project closeout documents, the COMMISSION will process the final payment.

#### 4.2 Cost Overruns

The Recipient shall make every effort to avoid cost overruns on a project. If the total cost of the project exceeds the grant amount and match, the Recipient shall assume liability for any additional cost.

#### 4.3 Signs

~~Boating facilities developed with financial assistance from the COMMISSION must maintain a permanent approved sign posted at the roadway entrance to the facility to let the public know this is a public Transient Boating Site.~~

The Recipient must ~~also~~ maintain at the facility at least one credit acknowledgement sign identifying the US Fish and Wildlife Service, Sport Fish Restoration, COMMISSION, Recipient (and others) as primary funding partners. The sign shall not be less than 3' by 4' in size, displaying each primary funding partners' logos. The acknowledgement ~~all~~ credit signs will be provided by the Recipient as part of the project at the Recipient's expense.

#### 4.4 Reports and Maintenance

It is the responsibility of the Recipient to provide any and all ongoing maintenance and operation activities necessary to protect, preserve and provide quality boating facilities for the use and enjoyment of the public. Any significant events (vandalism, flood, fire, or closures) that require corrective actions must be promptly reported to the COMMISSION.

**4.5 Site Dedication, Conversion and Disputes**

- A. Land owned by the Recipient, which is developed with Program Funds, shall be dedicated for ~~its a minimum period of~~ useful life, as determined in the Agreement, twenty (20) years as a site for the use and benefit of the public. The dedication must be recorded in the public property records by the Recipient. Land under control other than by ownership of the Recipient (e.g., lease, management agreement or other similar instrument, etc.) and developed with Program Funds shall be managed for ~~its a minimum~~ useful life, as determined in the Agreement ~~period of twenty (20) years from the completion date set forth in the Project Completion Certificate.~~ Title to all improvements is retained by the Recipient upon final payment by the COMMISSION.
  
- B. Should a Recipient, within the periods set forth in Subsection (A) above, convert all or part of a project to other than COMMISSION approved uses, the Recipient shall replace the area, facilities, resource, or site at its own expense with a project of comparable scope and quality which is acceptable to the COMMISSION ~~of comparable scope and quality.~~

Disputes shall be handled in accordance with Chapter 120, F.S. (Administrative Procedure Act).

**4.6 Financial and Accounting Requirements**

- A. ~~All~~ Recipients must retain all grant project accounting records, supporting documents and any other documents for a period of up to three (3) years following project completion and acceptance by the COMMISSION.
  
- B. The Recipient shall ensure that upon reasonable notice, inspection of the financial records specific to the project will be available for auditing.

**4.7 Public Access**

- A. Eligible participants must allow reasonable access to all recreational vessels. Accessible to the public means located where the public can reasonably reach the facility and where all boats typical to that facility can easily use it.
  
- B. The Recipient shall agree to allow unencumbered access to the COMMISSION, its employees or agent for the duration of the Agreement for the purpose of site visit or inspection to verify the facility is being maintained, in operation, and is open and available to the public. As part of the inspection, the COMMISSION may request maintenance and use information from the Recipient to validate condition of the facility.

- C. The Recipient shall ensure, to the maximum extent possible, that no person, on the grounds of race, creed, color, national origin, age, sex, or disability, shall be excluded from participation in, be denied the proceeds or benefits of, or be otherwise subjected to discrimination.

## SECTION V- DEFINITIONS

As used in these Boating Infrastructure Grant Program Guidelines, For the purpose of this Program Grant Procedures Guide the following definitions shall have the meanings indicated which are applicable to both the singular and plural thereof:

**AGREEMENT:** The written document under which the Recipient and the COMMISSION mutually agree to carry out respective responsibilities for a fixed period unless amended by mutual consent.

**PROJECT COMPLETION AGREEMENT PERIOD:** The number of days or the dates stated in the Agreement to complete the Grant Project so that it is ready for final payment as evidenced by the Project Completion Certification.

**APPLICANT:** A city or county of the State of Florida that submits an Application for Boating Infrastructure Grant Program funds to the COMMISSION during an announced Application Submission Period.

**APPLICATION:** A formal request for Boating Infrastructure Grant Program funds by an applicant on the COMMISSION approved form and with required documentation.

**APPLICATION SCORING AND EVALUATION FORM:** A form used by the Evaluation Committee to review and assign a rank score to each Application based upon the extent to which it is determined to meet the criteria set forth in Subsection 3.23.3 - Application Evaluation Criteria.

**APPLICATION SUBMISSION PERIOD:** The formally announced period of time provided by the U.S. Fish and Wildlife Service for the submission of Boating Infrastructure Grant Program applications by Applicants in a single funding cycle.

**BOATING INFRASTRUCTURE:** Features providing stopover places for transient non-trailerable recreational vessels to tie up, including (but not limited to):

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

- Floating and fixed breakwaters;
- Dinghy docks – floating or fixed platforms that boaters with non-trailerable recreational vessels use for a temporary tie-up of their small boats to reach the shore;
- Restrooms;
- Retaining walls;
- Bulkheads;
- Dockside utilities;
- Pumpout stations;
- Recycling and trash receptacles;
- Dockside electric service;
- Dockside water supplies;
- Dockside pay telephones;
- Debris deflection booms; and
- Marine fueling stations.

**BOATING INFRASTRUCTURE GRANT PROGRAM (BIGP):** The program authorized and described in the Federal Register, May 6, 2015~~January 18, 2001~~, Volume 8066, Number 8712.

**COMMISSION:** Florida Fish and Wildlife Conservation Commission.

**CONSTRUCT:** Engage in activities that produce new capital improvements and increase the value or usefulness of existing property. These activities include building new tie-up facilities or replacing or expanding existing tie-up facilities.

**CONVERSION:** The use of the Grant Project for any other purpose not specified in the Agreement.

**COST ALLOCATON:** Allocated costs for facilities that will benefit non-transient vessels vs. transient vessels. Examples: (1) The project includes 20 slips with a cost of \$400,000 but only 5 slips are designated for transient vessels, the total eligible cost is 25 percent of the cost or \$100,000, (2) A wave attenuator is requested with a total cost of \$400,000 at a marina with 100 slips with only 40 transient slips, the total eligible cost is 40 percent of the cost or \$160,000.

**DESK AUDIT:** An audit of the Recipient project records made by the COMMISSION.

**EVALUATION COMMITTEE:** A committee comprised of three (3) COMMISSION staff members appointed by the Boating and Waterways Section Leader to evaluate each eligible Application.

**EXPAND:** Significant increase to an existing transient docking in size and number.

**FEASIBILITY STUDY:** A controlled process for identifying problems, opportunities or mandates, determining objectives, describing current situations and successful outcomes, and assessing the range of costs and benefits associated with several alternatives for solving a problem. The study will be used to support the Applicant's justification for a Grant Project.

**GRANT:** Financial assistance the Federal Government awards an eligible Applicant.

**GRANT AGREEMENT:** A contractual Agreement used to obligate Federal Aid funds for carrying out work covered by an approved grant proposal.

**GRANT PROJECT:** A project to fund installation or upgrade of tie-up facilities for transient recreational vessels 26 feet or more in length.

**MAINTAIN:** Engage in activities that allow the facility to continue to function, such as repairing docks, excluding routine janitorial activities.

**MASTER PLAN:** An integrated series of documents presenting in graphic, narrative, and tabular form the present composition of the installation and the plan for its orderly and comprehensive development to perform its various missions in the most efficient and economical manner.

**NAVIGABLE WATERS:** Waters connected to or part of the jurisdictional waters of the United States that transient non-trailerable recreational vessels currently use or can use.

**NEW COMPONENT:** A project element that never existed previously or a substantial upgrade to an existing facility (i.e. add new boarding docks and piles to site where none existed previously).

**NONTRAILERABLE RECREATIONAL VESSELS:** Motorized boats 26 feet or more in length manufactured for and operated primarily for pleasure, including vessels leased, rented, or chartered to another person for pleasure purposes.

**PROGRAM ADMINISTRATOR:** The COMMISSION's staff member designated by the Boating and Waterways Section Leader to manage the Boating Infrastructure Grant Program.

**PROGRAM FUNDS:** The primary purpose is to fund the direct costs of projects for installation or upgrade of tie-up facilities for transient recreational boats 26 feet or more in length.

**PROJECT:** A specific plan or design.

**PROJECT COMPLETION CERTIFICATION:** Certification by the Recipient when the Grant Project or a specified part thereof is sufficiently completed, in accordance with the Agreement, so that the Grant Project or the specified part can be utilized for the purposes for which it was intended.

**PROPOSAL:** A description of one or more Projects for which a State requests grant funds.

**RECREATIONAL WATERS:** Navigable waters that vessels use for recreational purposes.

**RECIPIENT:** The party receiving grant funding and responsible for completing the project and the operation and maintenance of the site.

**RENOVATE:** To rehabilitate or repair a tie-up facility to restore it to its original intended purpose, or to expand its purpose to allow transient non-trailerable recreational vessels.

**REPLACE:** Existing facility needs to be replaced in a similar manner.

**STATES:** Individual States within the United States, the District of Columbia, Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

**SURVEY INSTRUMENT:** A tool developed by the U.S. Fish and Wildlife Service and approved by OMB to assess the need for boating facilities.

**TIE-UP FACILITIES:** Facilities that transient non-trailerable recreational vessels occupy temporarily, not to exceed 1510 consecutive days; for example, temporary shelter from a storm; a way station en route to a destination; a mooring feature for fishing; or a dock to visit a recreational, historic, cultural, natural or scenic site.

**TRANSIENT:** Passing through or by a place, staying 1510 days or less.

**TRANSIENT TIE-UP:** Short-term tie-up float, without individual slips, used by non-trailerled cruising boats on a first-come, first-served basis for a maximum time period of 1510 days.

**USEFUL LIFE:** The period during which a BIG-funded facility is capable of fulfilling its intended purpose with adequate care and maintenance. The Grantee is responsible for the costs of the operation and maintenance of the BIG-funded facility for its useful life. Useful life is established in the grant application as an informed estimate with justification on how the useful life was determined.

**VESSEL WASTE FACILITY:** All types of stationary or portable systems that pump or remove human waste from a recreational boat's holding tank or portable toilet. This includes pumpouts, dump stations, related forward sewage lift stations and necessary docks, piles, gangways, and related facilities.

**VALUE ENGINEERING:** A systematic effort directed at analyzing the functional requirement of systems, equipment, facilities, and supplies for the purpose of achieving essential functions at the lowest total cost, consistent with the needed performance, reliability, quality, and maintainability.

**WATER BODY:** A lake, section of river, or specific area of the coast, such as a harbor or cove, where tie-up facilities or boat access sites are located.