

# MEMORANDUM



TO: Florida Fish and Wildlife Conservation Commissioners

FROM: Colonel Curtis Brown, Director, Division of Law Enforcement

DATE: April 26, 2016

SUBJECT: Rule, 68-1.003(12), Florida Administrative Code  
Boating Infrastructure Grant Program

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## **Purpose:**

Request approval to amend the Boating Infrastructure Grant Program Rule, Chapter 68-1.003(12) Florida Administrative Code (FAC) which will update the rule to conform to the changes in 50 CFR Part 86, Boating Infrastructure Grant Program.

## **Summary:**

The Boating Infrastructure Grant (BIG) Program 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. BIG Program is administered by the US Fish and Wildlife Service through grants to the State. The Florida Fish and Wildlife Commission is the designated State Administrative Agency for the BIG Program in Florida, and the Division of Law Enforcement, Boating and Waterways Section administers this Program.

The BIG Program funds projects to construct and maintain facilities for transient vessels 26' or larger with transient defined as a 15-day stay or less. This program is available to facilities owned by state, local and other governmental entities; as well as, facilities privately-owned that are opened to the public on a first-come, first-serve basis. The BIG Program provides up to 75% of the eligible costs.

The federal rule changes added clarity and plain language in the following areas:

1. The period required to operate and maintain a facility has been changed from a 20-year period to the period of useful life. The grant application must include an informed estimate of useful life of the proposed project.
2. Dredging costs have changed from 10% of the cost or \$200,000 whichever is less to a maximum of \$200,000.
3. The definition of a transient user was changed from a 10-day stay or less to a 15-day stay or less.
4. Roads, parking lots, and other landward facilities that are not necessary for transient users are now ineligible in the rule.
5. Further defining how the project must be pro-rated when facilities being funded will also benefit other ineligible facilities. Example: A grantee requests funding for facilities that will provide 20 slips with a cost of \$400,000, but are only dedicating 5 slips or 25% of the project. \$100,000 would be the total eligible costs.

6. The BIG Program grants are divided into two tiers. Tier I are grants with a maximum funding of \$100,000 and compete at the state level. Tier I maximum funding level has been increased to \$200,000.
7. Tier II grants funding levels have been changed to requests of more than \$200,000 and up to a maximum of \$1,500,000.
8. The scoring criteria and total points awarded has changed.

The changes to the Boating Infrastructure Grant Program Guidelines will follow the above changes to the federal rule. There will be no other changes to the Guidelines.

**Staff Recommendations:**

Staff recommends approval to advertise the proposed amendments to Chapter 68-1.003(12), FAC, and file the rule for adoption as soon as possible if no additional hearing is requested.

**Staff Contact and /or Presenter:**

Major Richard Moore, Section Leader, Boating and Waterways Section, Division of Law Enforcement