California State Parks – Division of Boating and Waterways

INSTRUCTIONS FOR THE TIER II BOATING INFRASTRUCTURE GRANT (BIG) APPLICATIONS FY 2016

Attached is the USFWS BIG Grant announcement for State Agencies responsible for implementing the Federal grant program.

This announcement instructs State Agencies on how to submit the grant applications from public and private applicants within its State. It also contains important information on how applicants can maximize their grant applications. Please read this document carefully concerning the eligible grant activities and requirements.

Please submit applications only to CA State Parks - Division of Boating and Waterways.

Do not submit applications to the Grants.gov website. Do not submit any of the federal forms referenced in the USFWS document. All of the required Federal forms will be completed and submitted by the Division of Boating and Waterways.

IMPORTANT NOTES:

DEADLINE: All Grant applications must be received by CA State Parks - Division of Boating and Waterways no later than August 18, 2015.

Submit 1 hard copy and 1 electronic copy (CD or DVD) in MS Word format. (Pictures, exhibits, and maps may be submitted in PDF format.)

Applications must be mailed to:

Ron Kent
CA State Parks –Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814

DO NOT SUBMIT applications to any address or website found within the attached USFWS document. These addresses are for use by the CA State Parks - Division of Boating and Waterways only.

Failure to submit applications directly to the CA State Parks – Division of Boating and Waterways will cause the applications to be rejected.

If you have any questions or would like to discuss applications, contact Ron Kent at (916) 327-1819.

U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program

Boating Infrastructure Grant Program
Tier 2 – National

Catalog of Federal Domestic Assistance (CFDA) Number: 15.622

Notice of Funding Opportunity
(Funding Opportunity Number: F15AS00278)

I. Description of Funding Opportunity

Recreational boating is a popular activity; there are approximately 12 million registered boats in the United States. Of this total, an estimated 560,000 are at least 26 feet long. The Sportfishing and Boating Safety Act of 1998 (Public Law 105-178) established the Boating Infrastructure Grants (BIG) Program (16 U.S.C. 777g-1) to provide funding to the 50 States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories of Guam, American Samoa, and the U.S. Virgin Islands (States) for the construction, renovation and maintenance of boating infrastructure facilities for transient recreational vessels at least 26 feet long that are operated, leased, rented, or chartered primarily for pleasure. The Act amended the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777). Subsequent reauthorizations of the Act allow expenditures from the Sport Fish Restoration and Boating Trust Fund and the continuation of the BIG Program.

Boating infrastructure means the structures, equipment, accessories, and services that are necessary or desirable for a facility to accommodate eligible vessels. Transient vessels are those passing through or by a place, staying up to 15 days. Projects completed using BIG funds must provide public access, but may be publicly or privately owned. Some examples of potentially eligible activities include but are not limited to the following. See Section IV, Funding Restrictions for additional information.

(a) Boat slips, piers, mooring buoys, dinghy or courtesy docks, day docks, and gangways;
(b) Fuel stations, restrooms, showers, utilities, laundry facilities and similar amenities;
(c) Lighting, communications, buoys, beacons, signals, markers, signs; security features;
(d) Floating or fixed breakwaters, wave attenuators, sea walls and other improvements that provide a harbor of safe refuge;
(e) Planning, permitting, engineering, cultural, historic and environmental studies or assessments necessary to construct boating infrastructure;
(f) Equipment and structures for collecting, disposing of, or recycling liquid or solid waste from eligible vessels or for eligible users;
(g) Retaining walls, bulkheads, pilings, living shorelines;
(h) Debris deflection structures, water hazard removal;
(i) Dredging necessary to fulfill the purpose and objectives of the project;
(j) Maintenance of facilities during the project period;

(k) Repair or restoration of roads, parking lots, walkways, or other surface areas damaged as a direct result of BIG-funded construction;
(l) Information and education materials specific to BIG or a BIG-funded project that credits BIG as a source of funding;
(m) Recording the Federal interest in BIG-funded real property; and
(n) Administration, coordination, and monitoring of the proposed BIG award during the period of performance.

Additional information on BIG, including application requirements, eligible activities, and grants is in the BIG regulation published on May 6, 2015 (50 CFR 86), throughout this document, and in the Question and Answer attachment at the end of this document. You may also find information about the Boating Infrastructure Grant program on the internet at http://wsfrprograms.fws.gov/Subpages/GrantPrograms/BIG/BIG.htm.

This document is the Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2016 BIG Tier 2 – National grants. You can locate it by doing an advanced search for Funding Opportunity Number F15AS00278 at Grants.gov. The NOFO for FY 2016 BIG Tier 1 – State grants is a separate announcement at Grants.gov. The FY2016 BIG Tier 1 – State NOFO may be published at a later date.

References to "you" in this announcement refer to the State agency completing the application and any potential subgrantee, if applicable. References to "we" or "us" in this announcement refer to the U. S. Fish and Wildlife Service (Service).

II. Award Information

The Service's Division of Wildlife and Sport Fish Restoration (WSFR) annually administers competitive grants through the Tier 2 – National BIG Program. The maximum Federal share for FY 2016 Tier 2 – National grants is $1.5 million per application. You may propose to construct new boating infrastructure and supporting facilities where none existed before, or propose a major renovation to existing infrastructure. Applications for major renovation or projects that supplement previously-funded BIG projects are eligible to compete with applications for new awards. Applications for BIG Tier 2 – National grants are reviewed and scored based on the ranking criteria given in Section VII.

We awarded more than $12 million in BIG Tier 2 – National grants in FY 2015 to 10 States for 18 boating infrastructure projects across the United States. We anticipate awarding an estimated $12 million in BIG Tier 2 – National funding in FY 2016.

~~You must submit applications through Grants.gov by **September 18, 2015, 11:59 p.m. EDT**.~~
Due to the highly competitive nature of the BIG Program, you are encouraged to submit applications at least four weeks prior to the deadline to receive Service comments and/or suggestions on applications. You are not allowed to make changes or additions to applications after the application deadline of Sept. 18, 2015, except as requested by a Service official for purposes of clarifying useful life estimates, negotiating proposed cost allocation methods, or

correcting limited errors in your proposal. Contact the Service for more information (see Section IX, Agency Contacts).

Although only State agencies can apply for and receive grants from this program, we encourage partnering with Tribes, Federal agencies, other State agencies, local governments, non-governmental organizations, private marinas, and others as subgrantees and cooperators. If you would like to be a subgrantee, check with your State agency for their deadlines and requirements to apply.

We expect to announce the awards by March 2016.

III. Basic Eligibility Requirements

Eligible Applicants: Eligible applicants are the Governor-designated State agencies in the United States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories of Guam, American Samoa, and the U.S. Virgin Islands. If you are uncertain of your eligibility, please contact the Service (see Section IX, Agency Contacts), as we maintain a list of eligible agencies.

Many States provide BIG subgrants to private marinas, local municipalities, other State agencies, or other non-State entities. There may be a separate application process for potential subgrantees managed by your State agency responsible for administering BIG Tier 2 – National grants. Parties interested in being a subgrantee must contact the appropriate State agency representative for detailed information on possible eligibility and application instructions. If you are not directly eligible for BIG funds but are interested in receiving a subgrant from your eligible State agency, please contact the Service (see Section IX, Agency Contacts) for your State agency contact, who may be able to provide information about your State-level application procedure and applicable deadline. Subgrantees that are commercial enterprises are subject to 2 CFR part 200, subparts A through D, for grant administrative requirements.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information.

A. **DUNS Registration:** Request a DUNS number online at http://fedgov.dnb.com/webform. U.S.-based entities may also request a DUNS number by telephone by calling the Dun & Bradstreet Government Customer Response Center, Monday – Friday, 7 AM to 8 PM CST at the following numbers:

    U.S. and U.S Virgin Islands: 1-866-705-5711
    Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)
    For Hearing Impaired Customers Only call: 1-877-807-1679 (TTY Line)

    Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

B. Entity Registration in SAM: Register in SAM online at http://www.sam.gov/. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that their information is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid directly to a United States bank account must enter and maintain valid and current banking information in SAM.

C. Excluded Entities: Applicant entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program.

D. Cost Sharing or Matching: The maximum Federal award under BIG Tier 2 – National is 75 percent of the total allowable project cost up to $1.5 million. American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands are exempt from match requirements up to $200,000 per application. The overall Federal cost share is a factor used in ranking applications. Therefore, applicants are encouraged to provide more than the minimum cost share required. In-kind services, materials, and other contributions may be used to satisfy the required minimum match of 25 percent of project costs. However, in scoring your proposal we will only consider cash contributions beyond the required minimum match (see 50 CFR 86.56).

You may meet your minimum required cost share or match through contributions from a third party. A third party is any individual or organization other than the State applicant, such as a partner or subgrantee. Match provided by a third party must be necessary and reasonable for accomplishing the proposed project objective(s). As the primary State grantee, you are responsible for the full amount of the non-Federal match including any amount provided by one or more third parties as listed on the Standard Form 424, Application for Federal Assistance.

Letters of commitment from third parties are not required nor disallowed; however, you must adequately describe the nature of all proposed partnerships in the project narrative to allow reviewers to evaluate the proposed project against the criteria given in 50 CFR 86.51.

You may attribute some or all of your allowable indirect costs as match; however, you may only attribute those indirect costs calculated against the allowable proposed direct costs that you intend to charge to the BIG Program. Recipients may not charge indirect costs to the Federal award calculated against the recipient's or any other partner's direct costs that are proposed as match.

IV. Funding Restrictions

Unless the following features are already part of a facility, or are funded through another source, at project completion a Tier 2 – National BIG-funded facility must:

a. Limit use of overnight docks and moorings to eligible boats that are 26 feet or more in length staying no more than 15 consecutive days;
b. Serve its intended purpose for its useful life as originally proposed or as extended pursuant to § 86.14(b)(2), except in the case of a catastrophic event (for guidance on determining useful life, see § 86.74);
c. Clearly designate eligible uses and inform the public of restrictions;
d. Offer security, safety, and service for eligible users and vessels;
e. Be open and accessible to eligible vessels on navigable waters that are at least 6 feet deep at the lowest tide or fluctuation, unless you can show that the facility will still serve its intended purpose for typical eligible users that visit that location;
f. Allow public access as described at § 86.92;
g. If you allow overnight stays or as required by State or local laws, provide pumpout service where such service is not located within 2 nautical miles (this restriction may be waived as described in § 86.13 (b); if we deny your request to waive this requirement, you may appeal to the Assistant Director, Wildlife and Sport Fish Restoration);

Applicants for Tier 2 – National BIG funds are subject to the following administrative conditions or restrictions:

a. You may request BIG funds for facility maintenance only if you will complete the maintenance action during the period of performance and only if it directly benefits eligible users and is directly related to the proposed BIG project;
b. You are responsible for all maintenance costs after the period of performance, although you may apply user fees collected at the BIG-funded facility after the period of performance to the maintenance of the facility;
c. If you use BIG funds for maintenance at a facility that has received a BIG grant in the past, you must extend the useful life of each affected capital improvement accordingly;
d. You may limit or exclude BIG funding for maintenance that you make available to subgrantees;
e. Dredging that is needed to fulfill the purpose and objectives of the proposed project can qualify as an eligible action only if all dredging-related actions do not exceed $200,000 in Federal funds and you have allocated the dredging costs between the expected use by eligible and ineligible vessels (if applicable; for guidance on allocating or prorating costs, see § 86.19);
f. You must maintain the dredged area at the approved width and depth for the useful life of the BIG-funded facility, unless you are awarded BIG funds in the future that provide for maintenance dredging;

g. You or another entity approved by us must own or have legal right to operate the BIG-funded facility, or you must demonstrate in your proposal that the owner of the facility will use the BIG-funded facility for its authorized purpose for its useful life;
h. Pre-award costs are not guaranteed and may only be eligible if they are necessary and reasonable for completion of project objectives and are approved in writing by the WSFR Regional Office;
i. You may be required to record the Federal interest in real property that includes a BIG-funded capital improvement and/or you may be required to direct your subgrantee(s) to record such interest (see § 86.18);
j. If boats other than transient recreational boats at least 26 feet in length will use or benefit from an eligible BIG project, you must prorate the costs according to § 86.19;
k. You must give clear information using signs or other methods that direct eligible users to BIG-funded facilities and inform users of restrictions and operating periods (see § 86.94).

An application is ineligible for funding if you propose to:

a. Complete a project that does not provide public benefits, for instance, a project that is not open for use by the public;
b. Implement or support law enforcement activities;
c. Significantly degrade or destroy valuable natural resources or alter the cultural or historic nature of the area;
d. Support operations of a BIG-funded facility including routine custodial activities, service worker salaries, facility administration, utilities, rent, taxes, or insurance;
e. Develop a State program plan to construct, renovate, or maintain boating infrastructure;
f. Acquire land or any interest in land;
g. Construct, renovate, or maintain roads or parking lots, except as described at § 86.11(a)(1);
h. Construct, renovate, or maintain shops, stores, food service or other retail businesses, lodging, facility administration or management;
i. Construct, renovate, or maintain facilities for boat transportation, storage, repair or other services;
j. Purchase or operate service boats to transport boaters to and from mooring areas;
k. Conduct certain marketing activities that do not focus on BIG or the BIG-funded facility (see § 86.16(a)(8);
l. Purchase supplies and other expendable personal property not directly related to achieving the project objectives;
m. Support other activities that are inconsistent with the purposes of BIG or that are inconsistent with Federal Cost Principles (see 2 CFR part 200, subpart F).

V. Application Requirements

To be considered for funding under this funding opportunity, an application must contain the following information. Applications must be formatted to fit on 8.5" X 11" paper, with 1"

margins at the top, bottom, and both sides, and page numbers at the bottom of the page. Fonts must be no less than 12 point Arial, Times New Roman, or other commonly used font.

In accepting Federal funds, you must comply with all applicable Federal laws, regulations, and policies. If we select the application for award, you will need to provide evidence of compliance with the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), and other Federal laws as part of the post-award approval process.

A. **Application for Federal Assistance**: Submit a completed, signed and dated Application for Federal Assistance form (Standard Form 424). The form is available at http://apply07.grants.gov/apply/FormLinks?family=15). Do not include other Federal sources of funding, requested or approved, in the total entered in the "Federal" funding box on the Application for Federal Assistance form. Enter only the amount being requested under this program in the "Federal" funding box. Include any other Federal sources of funding in the total funding entered in the "Other" box.

B. **Project Statement (10 pages maximum):** A concise project statement that addresses the following elements must be included in the application. In general, the project statement must provide sufficient information so reviewers may verify that the proposed activities are eligible for funding and substantial in character and design. Images that show existing structures and facilities, the proposed BIG-funded facility, and relevant details, such as the number of transient slips or the amenities for eligible users should be appended rather than included within the narrative project statement (see item J below).

1. *Need*: Explain why the project is necessary and how it fulfills the purpose of BIG;
    a. Describe existing facilities available for eligible vessels at your location and near the proposed project;
    b. Describe how the proposed project fills a need or offers a benefit not offered by existing facilities;
    c. Give information to support the number of transient boats expected to use the facilities in the proposed project area and demonstrate why existing facilities are insufficient to meet demand;
2. *Purpose*: State the ultimate purpose for the proposed project and link the purpose to the demonstrated need;
3. *Objectives*: Identify specific, measurable, attainable, relevant, and time-bound (SMART) objectives to be accomplished during the project period;
4. *Results or benefits expected*: Describe the expected results or benefits from accomplishing the objectives;
    a. Describe each capital improvement (see § 86.3), service or other product that will result from the project;
    b. Describe how the structures, service, or other products will address the need(s) and benefits for eligible users;
5. *Approach:* Describe the approach to be used in meeting the objectives;
    a. Describe the methods, designs, and/or procedures to be used to achieve the objectives, providing enough information on the status of required permits or

other compliance requirements (National Environmental Policy Act, Section 7 of Endangered Species Act, and Section 106 of the National Historic Preservation Act) for us to make a preliminary assessment;

b. Identify the project officer who has or will have detailed knowledge of the project, state whether she or he is the Federal Aid Coordinator for the State agency, give the contact information, and state whether he or she has signatory authority for committing the grantee to a course of action;
c. Give the name, contact information, qualifications, and role of each known concessioner or subgrantee;
d. Explain how you will exercise control to ensure the BIG-funded facility continues to achieve its authorized purpose during the useful life of the facility;
e. Provide a timeline of activities;

6. *Relationship with other grants:* Describe any relationship between the proposed project and other related work funded by Federal grants that is planned, anticipated, or underway.

C. Budget Form:

Complete the Budget Information for Construction Programs (SF 424C) form, *or* provide a budget spreadsheet that provides a similar or greater level of budget detail. The (SF 424A and SF 424C) budget forms, should you choose to use them, are published along with this NOFO at Grants.gov. When developing your budget, keep in mind that financial assistance awards and subawards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type. Links to the full text of the Federal cost principles are available on the Internet at http://www.ecfr.gov/. If the project budget includes multiple Federal funding sources, you must show the funds being requested from this Federal program *separately* from any other requested or secured Federal sources of funding on the budget form. For example, enter the funds being requested from this Federal program in the first row of the Budget Summary section of the form and then enter funding related to other Federal programs in the subsequent row(s). Be sure to enter each Federal program's CFDA number in the corresponding fields on the form. The CFDA number for this Federal program appears on the first page of this funding opportunity.

D. Budget Narrative:

In a separate narrative titled "**Budget Narrative**", explain and justify all requested budget items/costs. Demonstrate a clear connection between costs and the proposed project activities. Describe resources you used to develop cost estimates for your project. Describe any item that under the applicable Federal cost principles requires the Service's approval and estimate its cost. If Federally-funded equipment will be used for the project, provide a list of that equipment, including the Federal funding source. Please also address the following:

1. **Match and other partner contributions:** Identify the cash and in-kind contributions that you, a partner, or other entity contribute to the project and describe how the contributions directly and substantively benefits completion of the project. See §§ 86.32 and 86.33 for more information.

2. **Contingency Costs:** Contingency costs estimated using broadly-accepted cost estimating methodologies are permissible but must be separately identified in your budget, they must comply with federal cost principles, they must be necessary and reasonable for proper and efficient accomplishment of project or program objectives, and they must be verifiable from your financial records (2 CFR 200.433). Explain how any contingency costs were calculated and why they are necessary to improve the precision of your budget estimates.
3. **Proration**: Costs for facilities that will benefit operators of boats other than transient recreational vessels at least 26 feet long must be prorated. Common examples of costs that often must be prorated include fuel docks, restrooms and showers, retaining walls, bulkheads and breakwaters, pumpout stations, dredging, and other features that are expected to partially benefit ineligible users. You do not need to allocate costs between user groups when you propose to construct, renovate or maintain facilities solely for eligible users, or when you propose to produce information and education materials. This list is not exhaustive; therefore, contact your Regional Office if you are unsure of the need to prorate a cost, or if you believe proration is not required based on the following information. For each discrete project component or element, clearly state:
    a. *The basis or method you used to allocate costs between eligible and ineligible users*. For example: Your facility has slips for 100 vessels, and 20 are dedicated for transient recreational vessels. Your prorating basis would be 20 percent. If you propose to construct a wave attenuator that will benefit the entire facility, you may only charge 20 percent of the construction costs of the wave attenuator to the project.
    b. *Your reasoning and evidence supporting use of this method*. Include relevant documentation to validate your basis for allocating costs between eligible and ineligible users, such as facility use records or trends.
    c. *Why prorating is not necessary (if applicable)*. If a proposed facility, component, or element which is primarily designed to benefit eligible users happens to provide a secondary, tangential benefit to ineligible users, or if the value of a project component or element is $5,000 or less, you do not have to prorate costs. For more guidance, see § 86.19.

   Note: After you submit your proposal, we may contact you to clarify your proration basis or method, or to negotiate a more equitable allocation prior to award.
4. **Program Income**: Program income is gross income earned by you or your subgrantee that is directly generated by a grant-supported activity, or earned as a result of the grant, during the grant period. Estimate the amount of program income that the project is likely to generate (see § 86.90). If necessary, indicate the method or combination of methods (deduction or addition) of applying your expected program income (see § § 86.77 and 86.78 for more information). You should request the Regional Director's approval for the additive method prior to the deadline and include documentation of your method and approval in this section and in attachments. Note that program income which is not approved for use as additive prior to the obligation of BIG funds will be applied using the deductive method.

5. **Equipment**: Provide a list of equipment to be purchased with BIG funds, if any. Typically, equipment includes tangible personal property having a useful life of more than one year and a per-unit acquisition cost of $5,000 or more. See 2 CFR 200.33 for more information.
6. **Useful life**: Estimate the useful life in years of each capital improvement for the proposed project. A capital improvement is typically a structure that costs at least $25,000 to build, or a repair or renovation of a structure costing at least $25,000 that increases the structure's useful life by 10 years or more (see § 86.3). If awarded funds, you will be required to explain how you estimated the useful life of each capital improvement. You must reference a generally accepted method used to determine useful life of a capital improvement; however, your estimates do not need to be certified by a licensed engineer or other professional. You may be required to revise or adjust useful life estimates during the approval process. See §§ 86.73 and 86.74.
7. **Required Indirect Cost Statement**: You must include in the budget justification narrative one of the following statements and attach any required documentation identified in the applicable statement: "We are:
    a. A U.S. state agency receiving more than $35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.

    b. A U.S. state agency receiving less than $35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.

    c. A U.S. state agency that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.

    d. A U.S. state agency that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimus* indirect cost rate of 10% of modified total direct costs as defined in Title 2 of the Code of Federal Regulations Part 200, section 200.68. We understand that the 10% *de minimus* rate will apply for the life of the award, including any future extensions for time, and that the rate cannot be changed even if we do establish an approved rate with our cognizant agency at any point during the award period

    e. A U.S. state agency that will charge all costs directly.

Please take note of the following:

- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. Accepting the 10% *de minimus* rate as a condition of award is an approved rate.
- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- Only the indirect costs calculated against the Federal portion of the total direct costs may be charged to the Federal award. Recipients may not charge to their Service award any indirect costs calculated against the portion of total direct costs charged to themselves or charged to any other project partner, Federal and non-Federal alike.
- Recipients must have prior written approval from the Service to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

For more information on indirect cost rates, see the Service's **Indirect Costs and Negotiated Indirect Cost Rate Agreements** guidance document on the Internet at http://www.fws.gov/grants/.

Negotiating an Indirect Cost Rate with the Department of the Interior: Entities that do not have a NICRA must first have an open, active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center (IBC). For more information, contact the IBC at:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815
Phone: 916-566-7111
Email: ics@nbc.gov

E. Single Audit Reporting Statements: As required in Title 2 of the Code of Federal Regulations Part 200, Subpart F, all U.S. States expending $750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. All U.S. State applicants must provide a statement regarding whether your organization was or was not required to submit a Single Audit report for the State's most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (http://harvester.census.gov/sac/) and provide the EIN under which that report was submitted.

Include these statements at the end of the Project Statement in a section titled "**Single Audit Reporting Statements**".

F. **Assurances:** Include the appropriate signed and dated Assurances form. The form is available online and published with this NOFO at Grants.gov. Use the **Assurances for Construction Programs (SF 424D)** for construction projects. Signing this form does not mean that all items on the form are applicable. The form contains language that states that some of the assurances may not be applicable to your organization and/or your project or program.

G. **Certification and Disclosure of Lobbying Activities:** Under Title 31 of the United States Code, Section 1352, you must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents your certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If you have made or agreed to make any payment using non-appropriated funds for lobbying in connection with this project and the project budget exceeds $100,000, complete and submit the **SF LLL, Disclosure of Lobbying Activities** form. See 43 CFR, Subpart 18.100 for more information. Submission of an application also represents your certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying.

H. **Conflict of Interest Disclosures:** You must notify the Service in writing of any actual or potential conflicts of interest that are known at the time of application or that may arise during the life of this award, in the event an award is made. Conflicts of interest include any relationship or matter which might place the recipient organization, the recipient organization's employees, or the recipient organization's subrecipients in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant organization, the applicant organization's employees, or the applicant organization's future subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the applicant to reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in the project not being selected for funding.

I. **Response to Ranking Criteria (optional; 12 pages maximum):** You may either address the ranking criteria in the Project Statement (see Section V.B.) or you may attach a separate response. If you choose to address the criteria within the Project Statement, please attach a

table with page numbers showing where each of the criteria is addressed within the Project Statement. If you choose to attach a separate response to the criteria, provide descriptions with appropriate documentation of how the proposed project addresses each of the ranking criteria found in Section VII below and at 50 CFR 86.51. Please do not rank your own proposal, as this information will be disregarded.

J. **Geographic Location/Drawings/ Maps/Photographs (20 page limit):** Your proposal will be scored, in part, on the quality of the access you provide for eligible boaters to significant destinations, services, and other amenities. In addition to addressing the project location generally in the Project Statement, please provide additional context by visually depicting the following:

1. The location of the project site using Global Positioning System (GPS) coordinates in the following format: *degrees:minutes:seconds*;
2. All existing structures, facilities, and amenities;
3. All proposed project components;
4. Clearly marked areas that are for (1) eligible transient recreational vessels, (2) areas that are for others, and (3) areas that are for shared use;
5. Water depths (before and after planned dredging, if applicable);
6. If dredging is proposed, you must include an aerial photograph or schematic drawing to indicate the specific area(s) you intend to dredge;
7. Measurements for all docks, bulkheads, breakwaters, and other features where boats will be accommodated;
8. Any other information that will assist reviewers to identify project components, prorating criteria, or other factors involved with ranking.
9. A small State map that shows the general location of the project;
10. A local map that shows the facility location and the nearest community, public road, and navigable water body;
11. Maps or images that show proximity or distances to significant destinations, services that support eligible users, terrain considerations, access, or other information applicable to your project;
12. Any other map that supports the information in the project statement.

Application Checklist

We request that you number pages consecutively, label all sections, and arrange the application in the following order. Failure to provide complete information may cause delays, postponement, or rejection of the application.

- ☐ **SF 424, Application for Federal Assistance**: A complete, signed and dated SF 424, SF 424-Mandatory, or SF 424-Individual form.
- ☐ **Project Statement (10 pages maximum)**
- ☐ **SF 424 C**: A complete SF 424C Budget Information form or a budget spreadsheet providing a similar, or greater, level of budget detail.
- ☐ **Budget Narrative** (including a list of Federally-funded equipment, if applicable)
- ☐ **NICRA**: A statement regarding the status of the agency's Negotiated Indirect Cost Rate Agreement, and if applicable, a copy of the organization's current NICRA.

- ☐ **Single Audit Reporting Statement**: Note whether your State was or was not required to submit a Single Audit report for your most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website. You do not need to attach a copy of your Single Audit report.
- ☐ **SF 424 Assurances form:** Signed and dated SF 424D Assurances form.
- ☐ **SF LLL form:** If applicable, completed SF-LLL Disclosure of Lobbying Activities form.
- ☐ **Conflict of Interest statement,** when applicable.
- ☐ **Response to Ranking Criteria (optional, 12 pages maximum)**
- ☐ **Geographic Location/Drawings/Maps/Photographs (20 pages maximum)**

~~**VI. Submission Instructions**~~

~~**SUBMISSION DEADLINE: September 18, 2015, 11:59 p.m. EDT**~~

~~**Intergovernmental Review:** Before submitting an application, U.S. state and local government applicants should visit the following website (http://www.whitehouse.gov/omb/grants_spoc/) to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental review of Federal Programs." E.O. 12372 was issued to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The E.O. allows each state to designate an entity to perform this function. The official list of designated entities is posted on the website. Contact your state's designated entity for more information on the process the state requires to be followed when applying for assistance. States that do not have a designated entity listed on the website have chosen not to participate in the review process.~~

~~Download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Using the "Search Grants" tab, enter Funding Opportunity Number F15AS00278. Downloading and saving the Application Package to your computer makes the required government-wide standard forms fillable and printable. Completed applications must be submitted electronically through Grants.gov.~~

~~Go to the Grants.gov "Apply for Grants" page (http://www07.grants.gov/applicants/apply_for_grants.jsp) for an overview of the process to apply through Grants.gov. You must complete the Grants.gov registration process before submitting an application through Grants.gov. Registration can take between three to five business days, or as long as two weeks if all steps are not completed in a timely manner.~~

Important note on Grants.gov **application attachment file names:** Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters will create issues in the automatic interface between Grants.gov and the Service's financial assistance management system.

~~Although proposals must be submitted at Grants.gov, you are also encouraged to send a single electronic (.pdf) file containing your entire application package, including items listed and in the~~

~~order given in this section, to your Regional WSFR contact (see contact information in Section IX, Agency Contacts) by or before the deadline. This practice can help ensure we receive your full application in the event you encounter difficulties in Grants.gov.~~

VII. Application Review

Criteria: Criteria for reviewing and ranking BIG Tier 2 applications are in the Final Rule for BIG (50 CFR 86.51) published May 6, 2015 in the Federal Register. There are a total of 36 points possible per application. Please see Attachment A for frequently asked questions and clarifications to the ranking criteria. You must fully address the following criteria to demonstrate that the proposed BIG project will:

(a) Meet a Documented Need, Improve Eligible Boater Access, and Demonstrate Cost Efficiency (20 total possible points.)

(1) Will the proposed boating infrastructure meet a need for more or improved facilities? (0–10 points)

In evaluating a proposed project under this criterion, we consider whether the project will:

a. Construct new boating infrastructure in an area that lacks it, but where eligible vessels now travel or would travel if the project were completed;
b. Renovate a facility to improve its physical condition, follow local building codes, improve safety, or adapt it to a new purpose;
c. Create accessibility for eligible vessels by reducing wave action, increasing depth, or making other improvements;
d. Expand an existing facility that is unable to accommodate current or projected demand by eligible vessels; or
e. Make other improvements to accommodate an established need.

(2) Will eligible users receive benefits from the proposed boating infrastructure that justify the cost of the project? (0–7 points)

In evaluating a proposed project under this criterion, we consider the total cost of the project, the benefits made available to eligible users, and the objectivity or reliability of the data and information used to demonstrate benefits relative to costs. Relate costs and benefits to the need for the project (See § 86.43(a)). We may consider the availability of preexisting structures and amenities, but only in the context of the identified need. As costs vary depending on local factors, we do not use a cost per slip to compare projects. Describe in your application any factors that would influence costs such as:

a. The need for specialized materials to meet local codes, address weather, future sea level rise, or terrain, or extend useful life;
b. Increased transportation costs due to facility location; or
c. Other factors that may increase costs but support needed benefits.

Describe any costs associated with providing a harbor of safe refuge, if applicable.

(3) Will the proposed boating infrastructure accommodate boater access to significant destinations and services that support transient boater travel? (0–3 points)

In evaluating a proposed project under this criterion, we consider:

a. The degree of access that the BIG-funded facility will provide;
b. Activities, events, or landmarks near the facility, how well known they are, how long they are available, and how likely they are to attract boaters to the facility.
c. The availability of services and the degree of safety at and around the facility, the ease of access to these services, and how well they meet the needs of eligible boaters.

(b) Meet Match Requirements and Demonstrate Partnerships (10 total possible points)

(1) Will the proposed project include private, local, or State funds greater than the required minimum match? (0-7 points)

As given in § 86.56, we will award points under this criterion as follows. Please note that, while in-kind services and materials may be included in the minimum 25 percent match requirement, **your proposal will only be scored on this criterion for additional cash match.**

Percent Cash Match	Points
26–30	1
31–35	2
36–40	3
41–45	4
46–50	5
51–80	6
81 or higher	7

(2) Will the proposed project include contributions by private or public partners that contribute to the project objectives? (0–3 points)

Partners may include non-Federal entities such as subgrantees, private businesses, other State agencies other than the primary recipient of BIG funds, non-profit organizations, or Federal agencies other than the Service. To be considered a partner, the entity must commit a financial or in-kind contribution or take a voluntary action that is necessary for, and directly and substantively contributes to, completion of the project. See § 86.55 and § 86.57 for additional guidance. In evaluating proposed projects under this criterion, we consider:

a. The significance of the contribution to the success of the project;
b. How the contribution supports the actions proposed in the project statement;

c. How the partner demonstrates its commitment to the contribution; and
d. The demonstrated ability of the partner to fulfill its commitment.

(c) Demonstrate Innovation and Environmental Stewardship (6 total possible points)

(1) Will the proposed project include physical components, technology, or techniques that improve eligible user access? (0-3 points)

In evaluating a proposed project under this criterion, we consider whether the project will increase the availability of the BIG-funded facility for eligible users or improve eligible boater access to the facility. Describe whether you will be:

a. Using a new technology or technique;
b. Applying a new use of an existing technology or technique;

We will consider if you choose to complete the project using an optional or advanced technology or technique. If you choose to go beyond the minimum technical requirements for a project component, you must describe the current standard and how you will exceed the standard. We will not award points for following standards set by law.

(2) Will the proposed project include innovative physical components, technology, or techniques that improve the BIG-funded project? (0–2 points)

In evaluating a proposed project under this criterion, we consider if the project will include physical components, technology, or techniques that are newly available, or repurposed in a unique way. Examples include components, technology or techniques that:

a. Extend the useful life of the project;
b. Are designed to help save costs, decrease maintenance, or improve operation;
c. Are designed to improve services or amenities for BIG-eligible users;
d. Reduce the carbon footprint of the facility;
e. Reduce negative environmental impacts (beyond compliance requirements); or
f. Improve facility resilience.

(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? (0–1 points)

In evaluating a project under this criterion, we consider if the application documents that the facility has received official recognition for its voluntary commitment to environmental compliance, sustainability, and stewardship by exceeding regulatory requirements. The official recognition must be part of a voluntary, established program administered by a Federal or State agency, local governmental agency, Sea Grant or equivalent entity, or a State or Regional marina organization. The program must require the facility to use management and operational techniques and practices that will ensure it

continues to meet the high standards of the program and must contain a component that requires periodic review. The facility must have met the criteria required by the program and received official recognition by the due date of the application.

Review and Selection Process:

Project selection is a six-step process: application acceptance, pre-ranking review, application ranking, application selection, applicant risk assessment, and award letter.

- **Application acceptance** - The Service will accept applications via Grants.gov for review any time after publication of the notice and prior to the application deadline. We determine that applications are complete, substantial, and eligible. States may revise and resubmit applications until the identified application deadline. We encourage applicants to communicate with the Service Regional WSFR Office well in advance of the deadline to ask for a preliminary review; however, we cannot guarantee pre-deadline application review due to limited staff availability.
- **Pre-Ranking review** – The Service and designated experts will conduct a pre-ranking review of eligible proposals to assess useful life estimates of any proposed capital improvements, and cost allocation methods (prorating) where proposed infrastructure or other amenities is expected to benefit both eligible and ineligible users. We may identify errors or other deficiencies in your proposal. During this period, a Service representative may contact the project officer you identify in your project statement to clarify information and negotiate revisions, if necessary.
- **Application ranking** – After the pre-ranking review, a panel of up to eight Service program specialists completes the review and ranking of the applications using criteria given in Section VII. A subcommittee of the Sport Fishing and Boating Partnership Council also ranks the applications. Collectively, these two review groups comprise the National Review Panel. Prior to participating in any review or evaluation process, all staff and Council panel members sign the "Department of the Interior Conflict of Interest Certification" form. After the application ranking, you may be asked to revise the project scope and/or budget.
- **Application selection** - The National Review Panel scores and ranks applications and recommends a ranked list to the Service Director. The Service Director makes final grant selections.
- **Risk Assessment** - Each fiscal year, for every entity receiving one or more awards in that fiscal year, the Service conducts a risk assessment based on eight risk categories. The result of this risk assessment is used to establish a monitoring plan for all awards to the entity in that fiscal year. The Service's risk assessment form is available on the Internet at http://www.fws.gov/forms/3-2462.pdf.
- **Award Notification** – If selected, the Service Regional WSFR Office will notify State applicants of the award and the process needed to receive a grant, including satisfactory completion of compliance requirements. When these requirements are met, the Regional Office will send a letter to your agency detailing the terms and conditions of the award.

We expect to announce the grants by March 2016.

VIII. Award Administration

1. Award Notices

Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail. Award recipients are not required to sign or return the notice of award. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information or forms required and where to submit payment requests.

2. Administrative and National Policy Requirements

Once we have selected a project for funding, compliance with all applicable Federal laws, regulations, and policies, including environmental laws such as the National Environmental Policy Act, the Endangered Species Act, the National Historic Preservation Act, and applicable executive orders must be satisfied before we can approve a grant and make funding available.

All financial assistance awards are subject to Federal financial administration requirements. The Service Regional WSFR Offices will work with applicants to ensure that all financial arrangements comply with these requirements. The rules that apply to different grant recipients include 2 CFR 200 and 43 CFR 12, which are government-wide regulations. Administration of the Boating Infrastructure Grants Program is governed by 50 CFR 86.

Transmittal of Sensitive Data: Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission and delivery. The Service strongly recommends that recipients use the most secure transmission and delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted emails; or emailing a password-protected zipped or compressed file attachment in one email followed by the password in a second email. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

Award Terms and Conditions: Acceptance of a financial assistance award from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application approved by the Service and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Federal regulations applicable to Service awards are available on the Internet at http://www.fws.gov/grants/. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

Financial and Performance Reports: Interim financial reports may be required no more frequently than quarterly, and no less frequently than annually. A final financial report and a

final performance report will be required and are due within 90 calendar days of the end date of the award. Electronic submission of performance information using Wildlife TRACS may be required, as detailed in the terms and conditions of the award. At a minimum, performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved project statement; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Guidance for using Wildlife TRACS for performance reporting is available at https://tracs.fws.gov/learning.

Significant Deviations Reports: Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.
- Favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

The Service will specify in the notice of award document the reporting and reporting frequency applicable to the award.

Other Mandatory Disclosures: Recipients and their subrecipients must disclose, in a timely manner and in writing, to the Service or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this award. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (See 2 CFR 200.113, 2 CFR Part 180, and 31 U.S.C. 3321).

~~**IX. Agency Contacts**~~

~~The Service administers the Boating Infrastructure Grant Program. You may learn about the national level program by contacting:~~

~~Paul Van Ryzin~~
~~U.S. Fish and Wildlife Service~~
~~Wildlife and Sport Fish Restoration Program~~
~~5275 Leesburg Pike, MS: WSFR~~
~~Falls Church, VA 22203~~
~~703 358 1849, Paul_VanRyzin@fws.gov~~

~~For specific information and application details, contact your Service Region WSFR Office:~~

Region 1 – Paul Hayduk, Paul_Hayduk@fws.gov, 503-736-4780 (OR, WA, ID)
Region 1 – Flinn Curren, Edward_Curren@fws.gov, 808-792-9572 (Insular Jurisdictions)
Region 2 – Bud Fazio, Buddy_Fazio@fws.gov, 505-248-7468
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 – Eddie Bennett, Eddie_Bennett@fws.gov, 303-236-8165
Region 7 – Mary Price, Mary_Price@fws.gov, 907-786-3982
Region 8 – Lawrence Riley, Lawrence_Riley@fws.gov, 916-978-6182

X. 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. A response to this Notice of Funding Opportunity 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. OMB has approved this collection and assigned OMB Control No. 1018-0109, which expires on September 30, 2015. The public reporting burden for this collection of information is estimated to average of 40 hours per application and 6 hours per performance report. These burden estimates include time for reviewing instructions and gathering data, but do not include the time needed to complete government-wide Standard Forms associated with the application and financial reporting. You may send comments regarding the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, Division of Policy and Directives Management, 5275 Leesburg Pike, Falls Church, VA 22041.

(*Attachment follows*)

Attachment A

Boating Infrastructure Grant Program Questions and Answers

1. ***How can I use BIG funds for dredging? Does it have to be only for dredging in the direct route from open water to the slips?***

The BIG final rule allows for a maximum of $200,000 in BIG Federal funds per year for dredging costs. This includes any and all costs associated with dredging, so you cannot receive more than $200,000 by requesting permitting, engineering, disposal, etc. costs related to dredging in other parts of the grant proposal. You may receive the maximum $200,000 BIG Federal funds for a BIG Tier 1-State grant, a BIG Tier 2-National grant, or both.

If a State receives a grant award under BIG Tier 2-National that includes $200,000 in Federal funds for dredging ($266,666.67 total with match), and the actual dredging costs exceed this amount, it is permissible for a State to use a BIG Tier 1-State grant to supplement Tier 2-National award.

The dredging must support the project, but can be anywhere in the basin. You must state in your application how the dredging is necessary and reasonable for completion of the project and meeting the objectives of the project.

2. ***May I use BIG funds in the future for maintenance dredging?***

Yes. However, remember there is no guarantee of future funding and you still must commit to maintaining the dredged area for the useful life of the project. You may use either BIG Tier 1-State or BIG Tier 2-National funds for maintenance dredging. Use of BIG Tier 1-State funds for dredging is a State-level decision; BIG Tier 2-National funds are nationally competitive and may not score well if maintenance dredging is a primary purpose unless the applicant clearly identifies compelling reasons for it.

3. ***Are services such as food service, retail, or lodging considered eligible boating infrastructure facilities for this program?***

No. BIG will not fund services or structures for food service, retail, or lodging. This includes ship stores, food courts, and hotels.

BIG can fund restrooms and laundry facilities for boaters piloting transient recreational vessels 26 feet or greater in length. You must prorate costs for these facilities to account for any use by others.

4. ***Are parking lots and access roads adjacent to boating facilities for transient, recreational vessels eligible costs?***

No. Parking lots, access roads, walkways and other surface areas damaged as a direct result of BIG-funded construction may be repaired, but new construction or renovation of these components is not an eligible cost.

5. ***I want to "get the word out" about my BIG-funded facility. Can I do anything using BIG funds?***

Yes. Public communication, which may include advertisements, magazine articles, web site information, etc. are allowed only when the focus of the message is the BIG program and/or the BIG-funded facility. The majority of the communication must focus on the BIG-funded project and services or amenities for eligible transient boaters and cannot focus on the agency or the marina in general.

6. ***Can I fund a pumpout or floating restroom with BIG funds?***

Yes. However, you must prorate costs if a proposed facility will be used by anyone other than boaters operating transient recreational vessels 26 feet in length or longer.

We encourage you to use Clean Vessel Act (CVA) funding for pumpouts and floating restrooms, as available. A State may require a pumpout be funded through the CVA Program.

7. ***What does it mean to record the Federal Interest on my property? Does this put a lien on my property?***

Recording a Federal Interest on the property attaches a notice to the deed that alerts interested parties that the property contains a project that was paid for in part with Federal funds, and therefore the Federal government has an "interest." It is not a lien. It does however, show that there is an interest that the current, or future owner of the property must continue to fulfill according to the terms and conditions of the BIG grant.

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

Yes, we may award BIG funds for projects that involve only engineering, economic, environmental, historic, cultural and feasibility studies, as well as other activities necessary for the planned construction of facilities for transient boaters. We list these as eligible activities for the program (50 CFR 86.11).

The Service will accept and score applications that include only these activities in anticipation of the development of transient boating opportunities. However, since these applications do not include the development of transient boating facilities they will likely receive lower scores and are unlikely to be funded with Tier 2 – National funds.

We encourage applicants to consider using BIG Tier 1 – State funds for this type of preliminary work or contact the Regional Office to discuss other possible funding strategies.

9. *May I purchase land, or an interest in land, with BIG funds?*

No, land acquisition or an interest in real property (fee simple, easement, lease) is not an eligible cost under the BIG regulation.

10. *May I use the value of existing boating infrastructure as non-Federal match?*

Generally you may only use the value of any structure completed before the beginning of the period of performance as match if the Service approves the activity as a pre-award cost.

11. *May real property serve as the State match? May I use BIG funds for leasing land, buying an easement, or other real property transactions?*

No. Match may not include any real property interest in land or water, including existing riparian rights. Land or water, or any interest in land or water, is not an eligible cost.

12. *What do we consider real property?*

Real property as defined at 2 CFR 200.85 is "land, including land improvements, structures and appurtenances thereto, excluding movable machinery and equipment."

13. *How do I allocate (pro-rate) costs between eligible and ineligible uses?*

Unless the proposed boating infrastructure will benefit only transient recreational boaters operating vessels 26 feet or more in length, you must show in your application how you divide project costs between eligible and ineligible uses. You must do this for costs of all discrete elements and major components in your project. You must tell us the basis or method used to determine what percentage of use is for eligible users and what percentage is for ineligible users. Explain your reasoning. Some examples of methods used may be equipment usage records, square footage or number of slips, vessel surveys, etc.

14. *What about not having to prorate for secondary benefits?*

This consideration is only for components where the primary benefit is 100% for eligible vessels/users. We recommend if you have a component that meets this standard and it also has a secondary benefit that is not strictly for eligible users, you contact your Regional WSFR Office to discuss. Your Regional Office will advise if the secondary benefit is significant enough to require you to allocate (pro-rate) costs. If we determine that the component significantly benefits both eligible and ineligible users, we will expect you to pro-rate costs. Failure to do so may result in your application not being scored.

15. *What if a component has a low value as discussed in § 86.19(c)(3)? Do I need to allocate (pro-rate) costs?*

We generally expect that all costs will be appropriately allocated. However, if the value of a project component or element is $5,000 or less, you do not have to prorate costs. If you have a

component that has a value under $5,000 and you would like to take advantage of this option, you should contact your Regional WSFR Office to discuss prior to submission of your proposal. The component must be clearly stand-alone and not a smaller part of a larger component. Be advised that if, when the project is completed the cost ends up being above the $5,000 threshold, you are responsible for the increased cost and cannot charge the excess to the grant.

16. ***What parts of the application may I discuss/negotiate/change after the due date?***

There are three basic items that we may discuss with you after the due date and we may ask you to make changes to your application as a result of discussions/negotiations after the due date:

1) How you allocate (pro-rate) costs;
2) Useful life estimates; and
3) Clarifications/incorrect information.

17. ***How long do I have to finish my project?***

We must obligate BIG funds through an approved grant within three Federal Fiscal Years from the beginning of the award year. Example: for FY 2016 awards, we must obligate by September 30, 2018. We will assign a grant start date during this time. From the assigned start date, you have three years to complete the project. If justified, you may request up to a two-year extension. One more extension is available, but must be approved by the WSFR Regional Director and Assistant Director.

18. ***How much detail must I give for useful life in the application?***

By the application deadline, you must give an estimate of useful life for all discrete components of your project. This information must briefly state how you derived the useful life information you give. You do not need reports or complicated methodologies at this stage. After you are notified you have received an award, you may be asked for more information.

However, if you are requesting consideration for points under criterion § 86.51(c)(2), you must give more detailed information. You must discuss how the technology, approach, equipment, etc. you propose using in your project will extend the useful life of the project. You must provide credible information to show how the useful life will be extended over other technology, approaches, equipment, etc.

19. ***What if there is a component of my project that costs less than $25,000? How do I assign a useful life?***

Per § 86.74(a)(1)(iv), all auxiliary components of your project must be associated with the capital improvement it supports. If it supports more than one component, then choose the one with the longest useful life. That component will then assume the useful life as associated with the capital improvement it supports.

20. ***Must my project display the Sport Fish Restoration symbol and/or credit the program some other way?***

Yes. You may use various methods of communication to credit the Program and identify the funded facilities. When your project is completed, you must show us how you credit the Sport Fish Restoration Program for your project and identify BIG-funded areas or components.

21. ***I want to charge more than the closest marina does for user fees. This is because I will have more amenities and the higher fees will help us maintain the facility.***

The rule requires you to charge reasonable fees based on the prevailing rates for a marina in your area with similar amenities. If you offer more benefits, services, etc. than other marinas in your area, you may charge higher fees. If you are a subgrantee, you must request State approval for a change in fees or to charge a higher fee than the prevailing rate in your area.

22. ***I'm required to give public access. Does this mean that once the project is completed, I can let anyone use it?***

No. The project is only for eligible users, except where components have been identified as mixed use and pro-rated accordingly. You may allow use by others only if their use does not interfere with the intended purpose of the facility. Public access means that you must be open for reasonable hours, allow access to all parts of the BIG-funded facility and associated amenities and services, and not discriminate against any eligible users.

23. ***Who should I contact if I have additional questions?***

Additional information is available from the Service Regional WSFR Offices contact listed in Section IX, Agency Contacts.