

# Boating Facility Grants Procedure Guide

## 2013-2015

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## **SECTION 1 – BOATING FACILITY GRANT PROGRAM SUMMARY**

- 1.1 Background. The State Marine Board (Board) Boating Facility Grant Program was established in 1971 by the Oregon Legislature. Legislative direction for this grant program is contained in Oregon Revised Statute 830.150. The Board has also adopted administrative rules to further implement this Statute. These rules can be found in Chapter 250, Division 14 of Oregon Administrative Rules.

The Board does not own or operate any boating sites or facilities and, instead, relies on willing partners to apply for grants to make needed boating improvements. Boating Facility Grants are available to assist the providers of public boating access sites around the state to acquire, improve, and maintain facilities that serve recreational boaters. Typical boating improvements include launch ramps, boarding floats, parking lots, restrooms, transient moorage, and other items needed by boaters.

There are three types of boating facility grants: competitive grants to acquire property or improve boating access sites and support facilities; non-competitive small project grants limited to \$10,000 (and a total project cost of \$20,000); and annual maintenance assistance grants to help facility providers augment their existing operation and maintenance costs associated with operating eligible boating facilities.

**This Procedure Guide only addresses the requirements and procedures associated with competitive boating facility grants.** Please contact the staff of the Boating Facilities Program if you have questions about small project or maintenance grants.

Funding for boating facility grants comes from state fees and state fuel taxes paid by owners of registered boats. Federal funds from the Clean Vessel Act and Boating Infrastructure Grant programs may also be utilized to augment boating facility grants. The Board frequently partners with the Oregon Department of Fish & Wildlife to cooperatively fund projects using federal Sport Fish Restoration Funds. The sources of funding for these federal programs include federal motorboat fuel taxes and excise taxes. The Board receives no state general funds.

Because the Board derives grant funding from fees and taxes paid by owners of registered boats, which include all motorized boats and sailboats twelve feet long and longer, projects that meet the needs of these boats are a high priority. Projects that will primarily serve non-registered boats such as canoes, kayaks, rafts, and drift boats without motors are not a priority use of Board facility grants. However, boating facilities built with grant assistance from the Board are open and available to serve all types of boats.

Since 1971, the Board has awarded more than \$58 million in boating facility grants to more than 1,145 improvement projects statewide. In addition to grants, the Board offers technical and engineering assistance to applicants for projects up to \$750,000 in construction value.

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- 1.2 Eligible Applicants. Local government agencies, which under state law have an obligation to provide public recreation facilities, are eligible to apply for funding assistance. These include cities, counties, park and port districts, and state agencies.

Federal agencies such as the USDA Forest Service and USDI Bureau of Land Management (BLM) may apply for grants provided they obtain the sponsorship of an eligible local government, usually a county, and enter into a three-party cooperative agreement. Grant funds are passed through the county to the federal applicant.

- 1.3 Ineligible Applicants. Schools, non-profit organizations, not-for-profit organizations, service clubs, and other non-governmental entities are not eligible to apply for boating facility grants. However, yacht clubs, angler groups, and other interested non-eligible entities may donate cash, labor, or materials to eligible applicants.

- 1.4 Eligible Uses of Grant Funds. Boating facility grants may be used for master planning, design and engineering, land acquisition, new construction, or the expansion and rehabilitation of public recreational boat access facilities statewide. Grant funds cannot be used for routine operations and maintenance activities. Eligible uses of grant funds are more fully explained below.

A. Master Planning or Feasibility Study. Certain projects may benefit significantly if a master plan or feasibility study is performed prior to the inception of the design, engineering, and construction phases of a proposed project. Generally, these include larger projects with more than \$750,000 in construction value, complex projects with multiple existing or proposed uses at a site, projects with significant site challenges, or projects that may result in significant environmental impacts. Master plans and feasibility studies ensure both the applicant and the Board that the proposed scope, cost, impacts, and benefits of the project are reasonable and achievable. Applicants may apply for a boating facility grant specifically for master planning or a feasibility study directly related to proposed boating improvements. Applicants are expected to provide significant matching funds and utilize a qualified professional firm to perform the planning the work. Grant funds may not be used to pay for a master plan or feasibility study performed by applicant staff or staff of another public agency. However, studies conducted by applicant staff may qualify as soft match for a construction grant.

B. Design and Engineering. It is a policy of the Board that boating improvements funded through boating facility grants be designed and engineered by or under the direct supervision of a licensed professional engineer registered with the state of Oregon. Professional engineering is necessary to meet public safety requirements, applicable codes, standards, and state and federal laws. Applicants for boating facility grants may utilize the services of staff engineers, request the assistance of Board engineers, or contract with an independent professional engineer or engineering firm. These options are explained in more detail below.

1. Design and Engineering by Board Staff. As a service to applicants, the Board may be able to provide, at no direct cost to the applicant, survey and professional engineering services associated with a proposed or approved boating facility grant. Generally, the Board will provide assistance only for small projects having less than \$750,000 in total construction value. More information about engineering technical assistance is provided below.

- a. Applicants may request engineering services by contacting the Boating Facilities Program Manager. Requests are generally made prior to applying for a grant. This allows Board engineers to visit the site and develop a conceptual plan that can be incorporated into the application by the applicant.

The commitment of design and engineering technical assistance by the Board will depend upon existing and anticipated workloads, other priorities, and the suitability of the project in meeting overall program goals. Receiving engineering assistance from the Board does not assure an applicant of being awarded a boating facility grant.

- b. Once a boating facility grant has been awarded, Board engineers may continue to provide final design and engineering services to the grant recipient. These services are also provided at no cost to the recipient. Technical services provided by the Board may include field and bathymetric surveys, final designs and engineering, permitting assistance, full construction drawings, plans, specifications, and bid documents, pre-construction meetings with the successful bidder, as well as in-progress and final inspections, as needed.
- c. Boating facilities designed by Board engineering staff will carry the stamp of a licensed professional engineer.

2. Design and Engineering Completed by Others. - Applicants may utilize the design and engineering services of staff engineers, engineers employed by other public agencies, or a private professional consulting engineer. The following provisions apply to applicants in this category.

- a. Applicants and grant recipients may utilize their own staff or the services of outside consulting engineers to survey, design, and inspect a project. Applicants and grant recipients are expected to follow and use the design standards and guidelines established by the Board. Board staff must review and approve all plans and designs developed by the applicant or outside engineers prior to project bidding. We recommend a review at the 25% and 90% completion.



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- b. Applicants may include the estimated cost of a consulting engineer to survey, design and engineer a project as a part of the proposed grant. Design and engineering services provided by staff of the applicant or another public agency may be included as a component of the Applicants required soft match for the grant.
  - c. All design and engineering work must be stamped by a licensed professional engineer or architect registered in the State of Oregon.
- C. Acquisition. Boating facility grants can be used to help purchase land - including new sites or expansions to existing sites - for boating access and facilities. Grant recipients must agree to construct appropriate public boating facilities on the acquired property in a reasonable timeframe, usually within two years. Land acquired with boating facility grant assistance must ultimately be used to meet the facility needs of registered boats. Grant recipients may also apply for subsequent boating facility grants to build eligible boating improvements such as entrance/exit access roadways, parking areas, launch ramps, restrooms, boarding floats, transient tie-ups, and vessel waste disposal systems on the acquired property. Alternatively, agencies can purchase property entirely with their own funds or with the assistance of other grants and utilize all or a portion of the acquisition to meet a portion of the matching requirements of a boating facility grant. Agencies wishing to utilize the value of acquired property as match against a boating facility grant for construction must notify the Board and submit an application within two years after the property has been acquired. Additional requirements and procedures are described below.
- 1. Grant recipients may acquire property through negotiated purchase, eminent domain, transfer, gift or other legal means. All acquisitions must comply with the provisions of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646, as amended and the Uniform Appraisal Standards for Federal Land Acquisitions. The reason federal guidelines are used for acquisitions is to ensure that applicants will have the option of later applying for federal funding from other agencies such as Sport Fish Restoration and Clean Vessel Act.
  - 2. If development will be delayed for more than two years from the date of acquisition, the applicant must include the following information in the grant application:
    - a. Justification for the immediate acquisition of the property.
    - b. A projected timeframe showing when the property will be developed.
  - 3. It is not appropriate to negotiate a purchase price prior to grant and appraisal approval by OSMB. The grant recipient may contact the

landowner to determine if the land is available for acquisition and to determine whether the owner would be willing to sell, donate, or partially donate the subject property. Negotiation of an acquisition price prior to grant approval may jeopardize the eligibility of the proposed acquisition for grant funding assistance. The following provisions also apply to boating facility grants awarded to help acquire land.

- a. An acquisition, that occurs prior to grant approval and prior to Board authorization, will not be eligible for program assistance.
- b. Once the acquisition is complete, a sign that acknowledges that funding was received from the Board must be installed.

D. Development, Expansion, and Rehabilitation. The most common type of boating facility grant award is to improve an existing boating facility. Replacing older, deteriorating launch ramps and boarding floats, repaving of access roads or parking lots, and retrofitting old restrooms or replacing them to meet accessibility requirements are some of the most frequently requested items in grant applications. However, eligible projects may also include the initial development of a new boating facility; adding new boating elements like transient floats or a vessel waste pumpout at an existing site; the expansion of an existing area to provide more parking or addition launch lanes; or the rehabilitation of existing boating facilities to make them safer and more serviceable to boaters. Generally, the Board favors projects that meet the basic needs of boaters; protect public health and safety; enhance access and accessibility; or sustain or enhance water quality and other natural resources. Listed below are more specific requirements related to this type of grant.

1. Boating improvements and associated costs that are **eligible** for grant assistance include the following:
  - a. Boating facilities such as launch ramps, boarding floats, transient floats and gangways, restrooms, entrance/exit roadway, parking areas, ski floats, and vessel waste disposal systems;
  - b. Support facilities such as security lights, cameras, water and electric utility connections, septic systems, drain fields, and lift stations, information kiosks, recognition signs, landscaping, and walkways;
  - c. Other necessary improvements including dredging, breakwater and other bank protection structures, debris deflection booms, and;
  - d. Application fees associated with fill/removal and other waterway permits.
2. Improvements that are **not eligible** for grant assistance include the following:



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- a. Exhibit areas that function primarily for academic, historic, economic, entertainment or other non-boating related purposes;
  - b. Boat or trailer storage, boat repair/maintenance yards, boat wash-down facilities, marina facilities, seasonal-use facilities, RV dump stations, commercial-use facilities and recycling centers;
  - c. Improvements to boating facilities or sites that are operated by a concessionaire under agreement with a public agency, and;
  - d. Improvements in exclusive use areas such as members-only or restricted access facilities.
3. Other requirements that applicants should consider when preparing to apply for a boating facility grant are listed below.
- a. Projects may consist of improvements at a single site or a group of related improvements at geographically separated areas.
  - b. Large projects may be broken into phases, but there is no guarantee that grants will be awarded by the Board for all phases.
  - e. Only those construction costs that a grant recipient incurs after the grant is awarded are eligible for reimbursement.
  - d. Certain costs associated with approved projects, such as site surveys, design and engineering, environmental assessments, cultural resource surveys, waterway or environmental permits, etc. may be allowable as reimbursable pre-agreement costs provided the applicant notifies the Board at the time of filing an eligible grant application, or sooner.
- E. Ineligible Uses of Grant Funds. Grant funds may not be used for the following types of activities:
1. Applicant costs including but not limited to application preparation, marketing, promotional plans, or indirect project costs including overhead, payroll, accounting charges, postage, and copying;
  2. Any legal fees for any purpose related to the project including property ownership or lease activities, grant agreements, project contracting, etc.;
  3. Ordinary operations and maintenance or routine minor repairs including utilities, turf management, garbage, debris removal, fee collection systems, and security services, or caretakers;

4. Recreational use licenses, submerged or submersible land leases, royalty fees, or any other form or type of land use easement or agreement fees;
  5. Costs related to any type of land use, zoning, system development charges, construction permits, or inspection fees, including back charges between departments of the same entity;
  6. Purchase of any type or form of park equipment, tools, vehicles, boats, or other capital equipment purchases, and;
  7. Any items or costs not included in an approved budget or not approved in advance and in writing by the Board.
  8. Applicant staff time either directly or indirectly related to the project.
- F. Civil Rights Requirements – Applicants must assure that as a condition of receiving grant funds, they will comply with all local, state and federal laws relating to non-discrimination.
1. Age Discrimination Act of 1975 prohibits discrimination based on age.
  2. Americans with Disabilities Act of 1990 (ADA) provides for clear and comprehensive prohibition of discrimination on basis of disability in employment, state and local services, including transportation, public accommodations and services and telecommunications. The Architectural and Transportation Barriers Compliance Board (Access Board) website at [www.access-board.gov](http://www.access-board.gov) includes the latest ADA Accessibility Guidelines.
  3. Architectural Barriers Act of 1968 (P.L. 90-480) All facilities must be accessible to the physically handicapped.
  4. Section 504, The Rehabilitation Act Of 1973 (P.L. 93-112) As Amended in 1978 (43 CFR 17, Subpart B) Section 504 requires that no qualified persons shall on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity.
  5. Executive Order 11246, Equal Employment Opportunity and Title VI Of The Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C. Sects. 2000D to 2000D-4) 43 CFR 17, Subpart A- Title VI prohibits discrimination based on race, color or national origin in program participation and employment, where (1) the primary purpose of the grant is to provide employment, or (2) discriminatory employment practices will result in unequal treatment of person, who are or should be benefiting from the grant. The provisions of Title VI of the Civil

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Rights Act of 1964 and Executive Order 11246 implementing the Act must be followed.

Note: The Architectural and Transportation Barriers Compliance Board (Access Board) is in the process of amending the Americans with Disabilities Act Accessibility Guidelines (ADAAG) by adding a new special application section for newly constructed and altered facilities that are not adequately addressed by the existing guidelines. The amendment will ensure that newly constructed and altered recreation facilities are readily accessible and usable by individuals with disabilities.

1.5 Ownership. Boating facility grants may be used to make public boating improvements only on property owned and/or managed by the applicant. This includes ownership in fee simple, a long-term lease or easement, or other suitable tenure over the property that is commensurate with the twenty-year term of the cooperative agreement. The purpose of this restriction is to ensure that the applicant has adequate control over the project area to preclude an involuntary conversion of use. Applicants with less than fee-simple ownership should consider the following requirements.

- A. Lands leased from the federal government must be for a term of twenty years or more; if the lease is for less than twenty years or less than twenty years remain on the lease at the time of grant application, a letter from the responsible federal agency stating its intent to continue the area as a public facility must be submitted with the application.
- B. Lands leased by the applicant from another public agency must be for a term of at least twenty years and provide safeguards to adequately ensure that the facilities developed with grant funds will consistently remain open for public use and usable by boaters for the term of the cooperative agreement with the Board. Safeguards may include joint sponsorship of the proposed project or other agreement whereby the lessor would assume compliance responsibility for the grant-assisted areas in the event of default by the lessee or premature termination of the lease.

1.6 Funding Criteria. The Facilities Grant Program receives its funding from state boat registration fees and marine fuel taxes and federal Clean Vessel Act and the Boating Infrastructure Grant Programs. In addition, the Board coordinates with the Oregon Department of Fish & Wildlife to utilize the portion of the federal Sport Fish Restoration Fund dedicated to meet the needs of motorized boats. The primary contributing group to these revenue sources is owners of motorized boats.

- A. Priorities. Since funding for the boating facility grant program is derived principally from fees paid by owners of registered motorboats, the Board gives funding priority to projects that serve or provide direct benefits to this user group. The Board recognizes that many access sites serve multiple uses, including both motorized and non-motorized boating. The Board will consider a proposed project a priority if the

mix of use at the site or the waterbody is predominately motorized (i.e.; greater than 50%).

- B. In general, projects proposed at sites that principally serve non-motorized drift boats, rafts, kayaks, or canoes, or waterbodies that severely restrict motorized boat use are not a priority for funding.
- C. As required by statute, the Board gives the highest priority to funding for facilities that control water pollution caused by boats or boaters and projects that otherwise enhance water quality including vessel waste collection systems. Following water quality, the Board gives priority consideration to: projects that propose to rehabilitate existing facilities; projects to expand existing access or facilities; and finally; projects to acquire or develop new boating facilities.
- D. When considering various project elements, the Board gives priority to elements in the following order:
  - 1. Vessel waste collection systems;
  - 2. Boat ramps and transient tie-up floats;
  - 3. Restrooms;
  - 4. Parking and access roadways;
  - 5. Boarding floats, and;
  - 6. Landscaping, kiosks, etc.
- E. The Board gives priority to proposed projects where facilities will be open to the public and available free or for a nominal fee under \$2.00.
- F. The Board gives priority to projects based on certain local, regional, and statewide needs as follows:
  - 1. The total number of boat use days listed for the waterbody and/or site where the project is proposed. The *Triennial Boater Survey* published by the Board is used for this determination.
  - 2. The proximity and relationship of the proposed facilities to adjacent or nearby public and private boating facilities. The *Facilities Guide* and *Marina Guide* published by the Board are used for this determination.
  - 3. The priority need for the proposed project based on strategic local, regional and statewide plans. The *Six-Year Plan* and the *Boat Waste Disposal Plan* published by the Board are used to determine statewide needs. The Board will also consider adopted comprehensive plans, master plans, or local or regional plans submitted in support of the application.

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4. The need for the project as supported by user groups, citizen groups, elected or appointed officials other than those affiliated with the applicant, and/or the local marine patrol. The Board will use written letters of support attached to the application for this determination.
- 1.7 Funding Availability. Grant funds are made available on a biennial basis, beginning July 1 of every odd year and ending June 30 of the ensuing odd year, as authorized by the legislature and allocated by the Board for this purpose. State funds must be spent by grant recipients prior to the end of the biennium in which they are awarded. Federal funds for projects are generally awarded to the Marine Board or Oregon Department of Fish & Wildlife each federal fiscal year the funds are authorized and appropriated by Congress. Federal funds usually have a five-year life during which they must be spent. Grant applicants do not apply directly for federal funds. The Board consults with applicants on the potential of mixing federal funds with state funds in a project. More information about applications and timing of grants is provided below.
- A. The Board notifies potential applicants of funding availability on or about March 1 preceding the start of each biennium. Grant application deadlines are also posted on the agency web site [www.boatoregon.com](http://www.boatoregon.com) and published in the program newsletter *Boat Access Today*, which is sent to individuals and agencies on the mailing list maintained by the Boating Facilities Program.
  - B. The Board typically holds three separate funding rounds each biennium. Approximately 70% of the funds that the Board anticipates will be available for grants during a biennium are obligated during the earliest round. This round generally captures priority projects that are larger, more complex, and may require a full biennium to complete. In a later, second round the Board awards approximately 20% of available grant funds. This round usually captures smaller projects that can still be completed within the time remaining in the biennium. Finally, a third round occurs late in the biennium and is available for projects that can be completed within the final months of the biennium. The three funding rounds generally follow the timetable shown below.  
  
**Round 1** - 70% of available funds obligated – July of the initial odd year  
**Round 2** - 20% of available funds obligated – April of the even year  
**Round 3** - 10% of available funds obligated – March of the final odd year
  - C. The Board may adjust the amount of funds available, application deadlines, and consideration dates to meet existing needs or opportunities that may occur. In addition, the Board may consider grant requests at any scheduled meeting.
- 1.8 Matching Fund Requirements. Applicants are required to match grant funds approved by the Board using local funds, other grants and donations, in-kind services, and/or materials. The Board generally gives priority consideration to applicants with the greatest contribution of cash or hard matching funds.

In addition to their own funds, applicants should seek other sources of matching funds to reduce the total amount of grant funds requested from the Board. Possible sources of supplemental match include grants from the Oregon Parks & Recreation Department, Oregon Economic & Community Development Department, grants or donations from foundations, local service clubs, user groups, or businesses.

In addition to cash match, the applicant must identify any in-kind or soft match contributed to the project. Soft match can include the cost of project administration, construction contract management, project design & engineering, and inspections. However, soft match should include no more than 10% of the value of construction for project administration and 5% for inspection.

Applicants can also provide match in the form of in-kind materials or services. In-kind match may consist of donated or applicant-purchased items such as lumber or crushed aggregate; force account labor for site preparation or demolition existing structures; or force account equipment such as a dump truck, road grader, or the like. As a rule of thumb, in-kind materials or services must be items that would otherwise require grant funds to pay for in conjunction with the construction or installation of facilities authorized in the scope of the grant.

The Board’s guideline for the minimum proportion of matching funds in the form of combined cash and in-kind match, by applicant type, is:

<b>Local Entities</b>	25%
<b>State Agencies</b>	25%
<b>Federal Agencies</b>	50%

The Board recognizes that in some instances an applicant is unable to provide a cash match. In selected instances where the need to improve boating facilities to protect the safety of boaters is urgent, the Board may approve up to 100% of the construction costs. In no case will the Board fund any costs for in-kind grant administration, project management, or contract management.

## SECTION 2 – GRANT APPLICATION PROCEDURES

- 2.1 Contents of Application. To be considered for a competitive boating facility grant, eligible applicants must prepare and submit the following completed items to the Marine Board by the established deadline for the round of grants for which the applicant wishes to be considered:
- A. A signed original cover letter and six copies;
  - B. One completed and signed original and six copies of the Boating Facility Grant Application Form, and;
  - C. One original and six copies of the required applications attachments described below.

The elements of a complete application packet are described in more detail below.

- 2.2 Cover Letter. The grant application cover letter must indicate clearly that:
- The applicant has the authority to submit a grant application.
  - The applicant is capable of completing the project by the end of the biennial period or other stipulated completion period.
  - If the applicant is submitting more than one application, the letter must clearly indicate the relative priority of the individual project in relation to other applications.
  - The applicant will operate and maintain the facility for a period of twenty years and is willing to enter into a twenty-year cooperative agreement with the Board.

*A sample two-party cooperative agreement is shown in Appendix B. Please note that agreements involving federal Clean Vessel Act or Boating Infrastructure funding are different from the samples. A copy of these federal agreements can be provided upon request.*

- 2.3 Application Form. The application form consists of fourteen parts. All parts must be completed and type written or legibly hand-written in dark ink. A blank form is included as Appendix “A”. Blank or fillable [application forms](#) can also be downloaded from the agency website.

The following paragraphs describe the sections of the application form and how to provide the information required.



### **Section I. – Applicant Information**

Please provide the contact information for the applicant and the project manager. The project manager is the key person responsible for all grant compliance activities. This person may be different from the construction project manager.

Identify the type of project: Acquisition, Construction, Consultant/Engineering, or Master Plan. If the Board's boating facilities engineers are providing the design and engineering for the project, the type of project is generally "Construction". Only check Consultant Engineering if you intend to contract with an independent professional engineer or consulting engineering firm.

Grant funds requested should reflect the amount of funding you are requesting from the Board to match with applicant and other cash.

Indicate whether or not the project is identified in the Six-Year Statewide Boating Facilities Plan and/or the Boat Waste Disposal Plan for Inland and Coastal Waters. Priority rankings in these plans are listed as high, medium and low. The Six-Year Plan can be viewed in the Marine Board Library.

### **Section II. – Project Location**

Identify the facility name, project name, location, property ownership and provide accurate driving directions to the site. This section is important to those evaluating the project if they are not familiar with the area. Many items are required for federal funding. Try to not leave any blanks.

### **Section III. – Project Description**

The project description narrative should describe all elements of the project and the need for grant assistance, project objectives and facilities to be constructed, existing facilities which are to be renovated, removed or demolished. Describe who will do the work and who will provide supervision, historical site use, community involvement, problems or desires that led to the project being selected. Describe how the project relates to current and future public recreation needs, expected results and benefits.

Describe any actions under consideration that could result in lost opportunity or facility becoming unavailable for public use. Is there a threat to losing the available local match or the ability of local applicant not being able to complete the project within two years?

Describe the topography of the site and present development on the site and how proposal fits in with development, and the anticipated start and end dates of the project.

#### **Section IV. – General Facility Information**

Identify the existing level of site development. What are the existing features?

Provide information about the type and amount of use of the existing site and facilities. Percentage of use by different boat user groups as well as size of boats found at this waterbody. Use figures can come from door counts, traffic counters, entrance or other fee receipts or other credible sources. Applicants may also use boat use and activity days listed in the Board’s Triennial Boater Survey for the waterbody and launch site.

List any day use, launch, moorage, parking, or other fees boaters must pay to access the existing site.

Provide the name and approximate distance to public or private boating facilities (ramps, marinas, transient moorage, etc.) within a five-mile radius of the site.

Identify any public support for the project including, such as local marine deputies, fishing groups, yacht clubs, boating groups, watershed councils, neighboring cities, local or statewide elected officials, etc. Provide copies of letters of support received for the project. Identify any known opposition to the project and copies of their letters as well.

Describe and provide a chronology of notice given to the public and opportunities afforded the public to comment on the grant application or the proposed project. This may consist of: a larger master planning effort that encompasses the proposed project; official meetings of public bodies or noticed meetings of advisory bodies where the application or proposed project were noticed as agenda items; and other public meetings or events where prior notice was given to the public and an opportunity to comment or provide feedback was provided. A summary of comments received through these opportunities should be attached with the application. If coverage of the grant application or proposed project has been covered in local or regional media, provide copies of any stories published.

#### **Section V. - Maintenance**

Identify who will maintain the facility and the estimated annual operation and maintenance costs. Describe your plans to operate and maintain the area and or facility once the project has been completed. How will future maintenance be funded? This is only for the boating facility components. It does not include campgrounds, large day-use areas, etc.

#### **Section VI. – Proposed Project Components**

Identify the main facility components in the application. **Replacement** means replacing old facilities in like manner and kind such as single lane ramp for single lane ramp. **Expansion** means a substantive increase in the size of a facility and may include upgrades such as replacing a single lane ramp with a two lane ramp. **New Construction** means providing new facilities that never existed before. **Consultant** is only selected if

the applicant intends to hire an independent professional architect or engineering firm to design the facility.

## **Section VII. – Property Acquisition**

*This section only needs to be completed if the applicant is requesting to purchase property or lease property. If applicable, complete the “Acquisition Checklist”.*

1. Methods of Acquisition - Acquisition of lands and waters, or interests therein (such as easements), may be accomplished through purchase, eminent domain, transfer, gift, or other means that will assure the desired public use. All acquisitions must conform to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646, as amended  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_03/49cfr24\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/49cfr24_03.html)  
and the Uniform Appraisal Standards for Federal Land Acquisitions  
<http://www.usdoj.gov/enrd/land-ack/yb2001.pdf>

Note: The reason federal guidelines are used for acquisitions under this program is to ensure that Applicants will have the option of later applying for federal Sportfish Restoration, Clean Vessel Act or Boating Infrastructure grants.

- a. Every reasonable effort should be made to acquire real property by negotiated purchase.
  - b. Real property must be appraised, and the property owner given a statement of just compensation for the property. In no event can the amount established, as just compensation be less than the amount of the approved appraisal. However, this does not preclude the property owner from donating a portion or all of the value to the sponsor. Property owners must be afforded an opportunity to accompany the appraiser during the inspection of the property
  - c. Condemnation should not be advanced or delayed in order to induce an agreement on price. If an agreement does not appear possible after a reasonable period of negotiation, the applicant may, if authorized by law, institute condemnation proceedings.
  - d. If a partial taking would leave the owner with an uneconomic remnant, the sponsor must offer to acquire the entire property.
  - e. In determining the boundaries of a project, the sponsor should take into account human considerations, including the economic and social effects of the acquisition and subsequent development on owners and tenants in the adjacent area, in addition to engineering and other factors.
2. Acquisition of Structures and Impoundments – Applicants must list all structures and impoundments and their proposed use for boating or disposition.

## *Section 2 – Grant Application Procedures*

3. Acquisition for Delayed Development – State-funding assistance may be available to acquire property for which development of outdoor recreation facilities are planned within two years.

If development will be delayed for more than two years from the date of acquisition, the Applicant must include the following information in the project application:

- a. Reasons for immediate acquisition of the property.
  - b. Facilities to be developed and timeline for development.
  - c. Non-boating uses to be continued on the property and date such non-recreation uses will be terminated. If non-boating use on the property is not terminated within three years from date of acquisition, then conversion requirements may apply. Determination is based solely upon the state's discretion.
  - d. Type of public recreation access to be provided during the interim period.
  - e. Demonstration that income derived during the interim period will be used on the project site.
4. Ineligible Acquisition Projects - Commercial activities, Marinas, non-boating related purposes.
  5. Acquisition Procedures
    - a. An acquisition that occurs prior to grant approval and prior to OSMB's Notice to Proceed will not be eligible for program assistance unless it has been approved in writing by OSMB prior to the acquisition.
    - b. For acquisition opportunities that may be lost due to the required time it takes to go through the grant application process, OSMB may authorize such acquisitions to occur prior to grant approval. This does not guarantee that the future grant application will be approved.
    - c. At any point in the grant process the Applicant may contact the landowner to determine if the land is available for acquisition, to determine if the owner is willing to sell, donate, or partially donate the subject property.
    - d. Independently prepared appraisal reports will need to be reviewed prior to acceptance by OSMB.
    - e. The applicant may proceed with final property acquisition upon receipt of OSMB's written authorization.
    - f. Partial payments up to 90% of the grant amount may be billed for the acquisition. Final payment will be made after all required documentation is reviewed and approved by OSMB. OSMB may advance the full grant amount for real property acquisition if the funds are to be disbursed in Escrow. Funds to be disbursed in Escrow require advance notification from the Applicant to OSMB. Wire transfer of funds in Escrow will be made after all required documentation is reviewed and approved by OSMB staff.
    - g. OSMB will only approve reimbursements or funding disbursed in Escrow upon evidence that no liens or encumbrances remain on the property with the following exceptions and those of record: utility easements, ingress/egress

easements, conservation easements, previously dispensed mineral rights, or other such encumbrances that, within the opinion of OSMB, do not limit the purpose for which the property is being acquired.

**Section VIII. – Project Cost – Soft (Non-Eligible) Costs and Match**

Identify the cost and source of any soft match the applicant or others will provide as a part of the project. These costs can serve as a portion of the applicants required match for the grant but keep in mind that the applicant cannot be reimbursed for these items. Typically, these items do not amount to more than 5-10% of the total construction cost.

**Section IX. – Force Account Costs**

Identify the cost and source of any force account labor, materials, and equipment supplied by the applicant or others. Complete and attach the Force Account Estimate forms to the application. These items cannot be reimbursed.

**Section X. – Project Cost – Hard Costs and Match**

Show the expected cost and source of all cash contributions by the applicant or others along with the amount of the grant requested from the Board. Identify the amount and source of any “Other” funds listed.

The line for “Materials/Equipment” is only for the purchase of stand-alone items such as a pumpout that will be installed using force account labor. This line does not refer to any materials a contractor would purchase under a construction contract.

“Permit fees” refer only to application fees for US Army Corps of Engineers and Department of State Lands Section 404 and Section 10 permits, and other state and local government permit fees required for construction or other activities associated with the project. System development charges, impact fees, and general government overhead charges or intragovernmental assessments, or waterway leases and licenses associated with ownership of property are not eligible project costs.

**Section XI. – City/County Planning Department Affidavit**

Applicants must obtain written approval from the appropriate local planning official for proposed construction. This section of the form must be signed and completed by the local planning official. If this section is not completed, the grant application will be returned to the applicant as incomplete.

If the applicant is a federal agency the local planning department signature is not required.

**Section XII. – Waterway Permits**

Identify whether or not the proposed project requires a waterway permit. If required, list the date a permit application was submitted, provide the application permit number, and indicate the date issued. Note any other permit requirements known at the time of application. If known, identify who will be preparing the permit applications. If Board staff assistance is being requested for preparation of permit application, indicate this in the space provided.

**Section XIII. – Environmental Assessment**

Indicate whether or not the proposed project will adversely affect the environment. Most projects will have some adverse effects, including temporary construction impacts.

Describe the environmental elements that would be affected including: existing and proposed land use; soils and soil erosion; fish and fish habitat; other aquatic species; wildlife and wildlife habitat; aquatic, riparian, and native vegetation; streams, springs, and wetlands; and air and water quality. Describe any proposed mitigation actions.

Describe the cultural and historic features of the site. Identify whether an archaeologist has been consulted regarding the project or if the State Historic Preservation Office has been consulted or clearance received from this office.

Identify any federal or state species listed as threatened or endangered. Describe any anticipated impacts from the project on these species or their habitat.

**Section XIV. - Past Grant Performance and Compliance**

Describe your performance on any grant(s) previously awarded by the Board. Were the funds expended and the project completed by the deadline? Are you in compliance with applicable rules, policies, and guidelines at previously assisted project sites? This includes all grants, small grants, and the Maintenance Assistance Program (MAP)

**2.4 Required Application Attachments**

Application Attachments The application will be considered incomplete if the attachments listed below are not included with the cover letter and application form.

A. Cost Estimate. Provide an estimate of all construction costs, broken down into major components such as, floats, piling, restroom, utilities etc. and quantities.

*This will be developed by Board engineers for projects where applicants have requested and received design/engineering technical assistance.*

- B. Location/Vicinity Map or Assessor’s Map. Show the location of the proposed project on an area map with major highways, local roads/street, and local landmarks, etc.

*This will be developed by Board engineers for projects where applicants have requested and received design/engineering technical assistance.*

- C. Design/Engineering Plans and Drawings. The applicant must provide a conceptual or preliminary drawing showing the existing area and facilities and a plan or drawing showing the proposed improvements or land to be acquired. Site plans and drawings must provide sufficient detail to show what is being proposed. Submitted drawings should be no larger than 11” x 17”.

*This will be developed by Board engineers for projects where applicants have requested and received design/engineering technical assistance.*

- D. Photos. Submit a minimum of two photos that depict the typical use of the facility and existing conditions.

- E. Letters of Support. Attach copies of any letters received in support of the grant application or proposed developments. Potential supporting groups could include fishing groups, civic clubs, watershed councils, neighborhood associations, yacht clubs, marina owners, local businesses, etc. Each applicant should obtain at least one letter of support for the grant application.

- F. Public Notification and Opportunities for Input. Attach a description and chronology of any notification given to the public relating to the application or the proposed project and the opportunities provided for public input and the comments received. Notification may consist of open public meetings of an advisory or policy board, commission, or council. Notification could also consist of master plans or other public documents that were developed and adopted through some form of open participatory project.

- G. Permits and Assessments Attach copies of permits pertaining to the project.

- H. Title Reports and Appraisal. These are only to be submitted for property acquisition applications. Appraisals and title reports should be recent and no more than six months old. Complete the Acquisition Checklist for all property purchases.

- I. Force Account & Donated Time, Materials, & Equipment Include copies of the “Equipment Record”, “Materials or Supplies” and the “Labor Timesheet” if you are planning on utilizing any of these resources. These sheets will be estimates only. The final forms will be required with your reimbursement form when submitted with your application.



## Section 2 – Grant Application Procedures

Applicability of the attachments for construction, acquisition, and consultant applications is as follows:

Construction Applications	Attachments A-G & I
Acquisition Applications	Attachments A, B, D, E, F, G, H
Consultant Engineering Applications	Attachments A, B, D, E, F, I

2.5 Submitting a Complete Application. Applicants must submit a complete application including all required application forms and attachments. Applicants may attach additional pages as needed, however, applicants are encouraged to be brief and to the point. Also, keep in mind the following requirements:

- A. All applications must be submitted on or before the application deadline. Staff will not process any applications received after the specified deadline and will either hold them pending the next grant consideration period or return them to the applicant.
- B. If an applicant submits an application that is incomplete prior to the specified deadline, staff will review the application and inform the applicant of any additional information needed in order to consider the application complete by the established deadline. Any application that cannot be completed by the specified deadline will be returned to the applicant.
- C. Once a completed application is received by the established deadline, the applicant will be notified in writing that the application has been received and when it will be considered by the Board. After reviewing the application and attachments, additional information may be requested from applicants to help clarify information contained in a completed application. This information may be needed to help prioritize applications for Board consideration. Applicants should provide information in as expeditious a manner as possible.

2.6 Grants Workshop and Pre-application Meeting. Every even year, in the fall, the Marine Board sponsors a grants workshop to inform potential applicants of grant application procedures and administrative requirements of the program. All prospective applicants are encouraged to attend a grants workshop prior to applying for a boating facility grant.

In addition, it may be beneficial to meet with appropriate staff of the Boating Facilities Program at the site proposed for acquisition or development prior to preparing and submitting a grant application. This will provide the applicant an opportunity to ask any questions regarding the grant program, and will permit agency staff to assist the applicant with design, engineering and permitting in the early stages of a project. Requests should be made as early as possible prior to the established deadline for submitting a grant and directed to the Boating Facilities Program Manager. The availability of staff is subject to prior scheduling and other priorities.

**SECTION 3 – APPLICATION REVIEW, CONSIDERATION, AND BOARD ACTION**

- 3.1 Initial Staff Review. When a grant application is received, staff conducts an initial review of the application for completeness; assigns a facility grant number; and sends a letter to the applicant acknowledging receipt of the application. This letter may also request additional information that staff may need to further evaluate the application. The letter also outlines the process and timeline that staff and the Board will use to evaluate, prioritize, and take action on the application.

*Please use the assigned grant number in all correspondence regarding the application and/or project.*

- 3.2 Staff Evaluation and Prioritization. All complete applications are evaluated by staff. This entails a thorough evaluation of proposed costs, facility layout, environmental impacts, matching funds, support for the project, and other factors relating to the proposed project and the applicant. Each application is assigned a numerical priority score based on staff evaluation. (See Appendix “D” Staff Evaluation) The scores and rankings of applications are provided to the Board prior to consideration and are also provided to applicants prior to the Board meeting when their application will be considered.

In keeping with the Board’s State Agency Coordination Program, staff considers the relationship of the application to applicable state and local comprehensive plans. To avoid duplication with other multi-level and state reviews staff does not circulate applications for additional agency review or comment. However, any interested party or group may obtain a copy of applications and submit information to the Board on each proposal.

In addition, the Board makes a determination on each request whether or not a public hearing is warranted due to a significant change in the use of the waters based on the project impacts.

- 3.3 Staff Report and Recommendation. Staff prepares a written report to the Board for each complete application received. This report includes summary information about the proposed project, the results of staff’s evaluation of the proposed project, and a recommendation to the Board. The Board also receives a complete copy of the original application submitted by the applicant.

Staff recommendations may include, but are not limited to: approval of the proposed project as requested; approval of a portion or phase of the proposed project; approval of the proposed project with conditions; deferral of the proposed project to a future funding cycle; conceptual approval of the project pending the resolution of outstanding concerns; a challenge grant to the applicant; or denial of the proposed project. The applicant will

### *Section 3 – Application, Review, Consideration, and Board Action*

receive a copy of the staff report and recommendation prior to the Board consideration meeting.

- 3.4 Consideration by the Board. Applications are considered by the Board at officially noticed public meetings. Staff will notify applicants of the time and place of the Board meeting when their applications are scheduled to be considered. The Board receives an advance copy of each complete application along with a written staff report and recommendation. Applicants are also provided an advance copy of the staff report and recommendation for their respective applications and a copy of the agenda of the Board meeting.

At the Board meeting and at the discretion of the Chair, staff presents basic information about the applications received. Staff presentations may cover a group or block of applications, which the Board may consider as a single consent item, or individual applications requiring individual votes by the Board.

It has been a policy of previous Boards to consider smaller projects (applications totaling \$50,000 or less) that are recommended for funding by staff in a single vote or consent item. Applicants with smaller projects, who agree with staff recommendation, have generally been excused from having to attend the Board meeting. However, this policy is subject to change and the presence of applicants at Board meetings are always encouraged and welcomed.

While the Board may decide to consider and vote on any single application, this practice is generally reserved for applications involving larger proposed projects. For these applications, staff generally makes individual presentations to the Board and introduces the representative of the applicant in attendance. During or following staff presentation, Board members may ask questions or request more information from staff or the applicant's representative. For this reason, applicants are expected to be present when the Board is considering their individual application. Failure on the part of the applicant to have a representative at the Board meeting may result in a deferral of the grant request. The Director or the Boating Facilities Program Manager may waive this requirement if special circumstances prevent any representative of an applicant from being present.

Following the staff presentation, the applicant may elaborate on project details or present new information not included in the application or staff report to the Board. Generally, the Chair will allow a maximum of five minutes for presentations by applicants. Time constraints do not allow for the use of any audio visual equipment. Applicants need to be brief and to the point when addressing the Board.

- 3.5 Board Action. The Board has the authority to take a variety of actions on applications for boating facility grants. These actions include, but are not limited to, the options listed below.

**No action** – the Board decides not to act and may suggest that the applicant consider altering the proposal or developing concepts further.

### *Section 3 – Application, Review, Consideration,, and Board Action*

**Approve as recommended by staff** – the Board adopts the funding and scope recommendation made by staff, including any conditions or funding challenges.

**Approve** – the Board approves the project, possibly with a funding amount and scope different from the staff recommendation or with conditions.

**Conceptual approval** – the Board or staff determine that the application is worthy of a grant but may need more work or the proposed project cannot be completed within the time allowed.

**Challenge grant** – the Board approves the application but challenges the applicant to obtain additional matching funds within one year or the funding becomes available for other projects.

**Defer** – the Board determines that the application cannot be funded because funding is inadequate; other projects have higher priority; the project concept or need for the project is not sufficiently clear; or other reasons; but the applicant should reconsider or continue to refine the request and possibly return to the Board for consideration at a future meeting.

**Deny** – the Board determines that the application or project does not meet the funding criteria establish by agency policies, procedures, or rules; it is unlikely that terms of the cooperative agreement can be met; or other relevant factors.

**SECTION 4 – COOPERATIVE AGREEMENT AND PROJECT ADMINISTRATION**

- 4.1 Cooperative Agreement. Once the Board has approved a grant, the applicant (now the grant recipient) must enter into a cooperative agreement with the Board. In the case of grants with federal agencies, a three-party agreement is required. The cooperative agreement describes the responsibilities of all parties and the terms and conditions associated with the grant.

*Appendix “B” is a sample cooperative agreement.*

A cooperative agreement must be duly signed by all parties within 90 days of formal Board approval. If the grant recipient does not sign the cooperative agreement in a timely manner the Board may cancel the grant. Until the cooperative agreement is signed by all parties, the grant recipient or any other party to the agreement may discontinue their involvement in the grant.

The Board will circulate the cooperative agreement for signature and provide each party to the cooperative agreement a fully executed copy once all signatures have been obtained.

- 4.2 Project Period and Start Up. Unless modified by mutual consent of all parties, the cooperative agreement binds all parties from the date it is signed for a period of 20 years for capital construction projects or two years for planning and engineering grants. After the cooperative agreement is fully signed, the grant recipient may begin the process of purchasing materials, acquiring land, advertising for construction bids, or performing force account work.

Reimbursement will not be made for any expenditures or costs incurred by the grant recipient before the cooperative agreement is fully signed, unless the work and the expenditures are specifically pre-approved by the Board. The grant recipient should maintain frequent communications with staff of the Boating Facilities Program throughout the project to ensure that proper procedures are followed.

- 4.3 Design and Engineering. If Boating Facilities Program engineers are providing consulting design and engineering services to the grant recipient, a full set of plans and specifications will be prepared for grant recipient approval. These can be used by the grant recipient as a part of the formal bid package used to solicit competitive construction bids. A list of potential bidders can also be supplied to the grant recipient by staff engineers.

Grant recipients who use in-house or professional consulting design and engineering services must provide the Boating Facilities Program with one copy of the final plans, specifications and cost estimate for review and approval prior to taking any procurement action. Staff engineers can generally review designs and specifications and respond to grant recipients in two weeks. Staff review is intended to ensure that minimum guidelines are met and the design fits within the project scope approved by the Board. After reviewing and approving the design and specifications, staff will notify the grant recipient that they may proceed.

- 4.4 Project Bidding and Contracting Requirements. Unless all materials and labor come entirely from in-house sources or are available on state purchasing agreements, grant recipients must formally solicit and obtain competitive bids for all construction and material purchases. Grant

## *Section 4 Cooperative Agreement and Project Administration*

recipients must comply with all state and local contracting laws, rules, and policies including prevailing wage rates, the Oregon Attorney General's Model Contracting Rules, and all applicable Oregon Revised Statutes. Grant recipients are responsible for conducting the bid selection process and awarding the construction contract to the successful bidder. A copy of the bid tabulation and the successful bid must be provided to the Board.

4.5 Contractor Supervision and Inspections. Grant recipients are responsible for making regular visits to the construction site and supervising the work of the contractor. Staff engineers of the Boating Facilities Program may assist with inspections at critical points during construction, if requested.

4.6 Project Completion. A project is generally considered to be complete when all construction is done satisfactorily and the site is ready for public use. A final inspection will be performed by Board engineers if the project was designed with their assistance. For other projects, grant recipients may request that Board engineers perform an on-site inspection or review.

For projects involving significant improvements, the grant recipient is encouraged to host a dedication ceremony inviting local dignitaries, elected officials, user group representatives, etc. to celebrate the opening of the facility. The chair or other member of the Marine Board may be available to participate in the ceremonies.

All projects are expected to be completed within budget and during the biennial period from which the grant is awarded. The Board understands, however, that even under the best of circumstances unforeseen problems can impact the cost and completion date of a project. If the grant recipient suspects that the approved grant cannot be completed with the funds awarded or by the end of the biennium as stipulated in the cooperative agreement, the Boating Facilities Program Manager or Grants and Contracts Coordinator should be contacted immediately.

Board staff will work with the grant recipient to determine what can be done if a problem arises that affects the cost of the project or the timeline. However, grant recipients must make consistent good-faith efforts to keep the project within budget, scope, and deadline.

## SECTION 5 – FISCAL GRANT ADMINISTRATION

- 5.1 Keeping Records and Requesting Reimbursement. All boating facility grants are reimbursement grants. This means that the grant recipient must have enough funds available to complete the entire project. As work is done and documented, the Board will reimburse the grant recipient for legitimate expenditures made. It is essential that the grant recipient keep accurate documentation and records to obtain reimbursement. Supporting evidence must be kept of each item of cost. Estimates are neither sufficient nor acceptable.

Project-related costs incurred or expenditures for work completed prior to project authorization are not eligible for reimbursement. In addition, reimbursement will only be approved for costs associated with work directly related to or identified in the scope of the grant award, cooperative agreement, and other grant-related documents. Requests for reimbursements from the grant recipient and payments to the grant recipient will be held until all required documentation is provided and accepted by Boating Facilities Program staff.

Additional information about the submitting requests for reimbursements is provided below.

- A. Partial Billings. Grant recipients may request reimbursement for eligible expenditures made at any time after a significant portion of project has been completed. For large projects, the grant recipient may want to submit several partial billings, usually at critical stages during the project. Partial billings are not required and a grant recipient may submit only the final billing request (see below). To submit a partial billing request, grant recipients must submit a completed copy of the Boating Facility Grant Billing Form and attach documentation supporting the expenditures, such as the contractor's request for payment, supplier invoices, etc. Up to 90% of the grant amount can be reimbursed to the grant recipient through partial billings. The remaining 10% is paid when the project has been completed.
- B. Final Billing. A final billing can only be submitted after all work has been completed and accepted by the grant recipient. To request final reimbursement, grant recipients must submit a copy of the Boating Facility Grant Billing Form along with documentation supporting all expenditures, such as the contractor's final payment request, release of liens and claims form, letter of acceptance from the owner, etc. A final inspection of the completed work by Boating Facility Program engineers may be required before the final payment to the grant recipient is authorized.

- 5.2 Completing the Billing Form. A Boating Facility Grant Billing Form must be completed and submitted with all reimbursement requests. A sample form is included as Appendix “?”. A separate account should be established for each approved project in such a manner that all project costs can be tracked according to the categories on the agency billing form.

- A. Soft Funds – Not Eligible for Reimbursement. Grant recipients must show on the billing form any costs they incur for project administration, materials, inspections, etc., if these were identified in the application materials as a part of the Applicant's match. The “**Total**



**Soft Funds**” line is a stand-alone total, not to be applied to the “**Less Applicant Cash Match**” line under the Hard Cash portion of the form.

1. Administration Costs: Completing the grant application, attending meetings relating to the project, attending Marine Board Meetings.
  2. Miscellaneous Office Fees: Postage, coping, faxing, filing, phone.
  3. Legal Fees: money spent on legal representation
  4. Permit Fees: time and money spent filling out permit application. Fee for submitting Permit Application.
  5. System Development Charges (SDC)
- B. Force Account. Donations of in-kind contributions to Applicants by others may be eligible for match. The value of in-kind contributions may be used as all or part of the Grant Recipient’s share of the project cost. The method of valuation and charges for volunteer services, material, and equipment must be documented, reviewed and approved by OSMB during the grant evaluation process. Procedures for placing a value on in-kind contributions from private organizations and individuals are set forth below.
1. Valuation of Volunteer Services - Documented volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteered service may be counted as in-kind contribution if the service is an integral and necessary part of the approved project. Records of in-kind contributions of personnel shall require time sheets containing the signatures of the person whose time is contributed and the supervisor verifying that the record is accurate.
    - a. Rate for Volunteer Services- Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the Grant Recipient. In cases where the kinds of skills required are not found in other activities of the Grant Recipient, rates used should be consistent with those paid for similar work in the labor market in which the Applicant competes for the kind of services involved. The time of a person donating services will be valued at a rate paid as a general laborer unless the person is professionally skilled in the work being performed on the project. When this is the case, the wage rate this individual is normally paid for performing the service may be charged to the project. A general laborer’s wages may be charged in the amount which the Grant Recipient or local government agencies in the immediate area pay their employees for performing similar duties.
    - b. Ineligible Volunteer Matches - Attendance at public meetings, hearings or ceremonial services are ineligible for inclusion as match.
  2. Valuation of Materials or Supplies - Prices assessed to donated materials included in the in-kind contribution should be reasonable and should not exceed current market prices at the time they are charged to the project. Records of in-kind contributions of materials must indicate the fair-market value by listing the comparable prices and vendors.

## Section 5 Fiscal Grant Administration

3. Valuation of Donated Equipment – The hourly rate for donated equipment used on a project cannot exceed its fair-rental value. Records of in-kind contributions of equipment must include schedules showing the hours and dates of use and the signature of the operator of the equipment.

The basis for determining the charges for donated materials, equipment and labor must be documented and must be approved by OSMB during the grant application process.

- C. Hard Cash Funds. Grant recipients must show the actual amount of eligible expenditures made in this portion of the form. The Construction Contract line must only reflect those expenditures directly associated with capital improvement projects where a contractor is hired through a bidding process. The Material and Equipment line captures only the costs for items bought or rented by the grant recipient such as a the purchase of pumpout station or rental of a jack hammer. Copies of invoices for these material and equipment expenditures must be provided with the form. The Consultant Contract line is to be used only when a consultant has been hired through a personal services contract for design engineering, master planning, or other related services. Reimbursements for the total amount of eligible expenditures are prorated by funding source and reimbursed according to the percent of cash contribution from each source.
- D. Less Other Cash Funds. Grant recipients must identify the source(s) of the other cash funds and, if necessary, include a letter identifying other funding sources and the amounts contributed by each.
- E. Amount Due from OSMB. This can be calculated by taking the “Total Hard Funds” and subtracting the “Less Applicant Cash Match” and the “Less Other Cash Funds”.
- F. Signature. Every billing form must be signed by an authorized official who can certify that the statements and all documentation are true and correct.

- 5.3 Avoiding Cost Overruns. Grant recipients must make every effort to avoid cost overruns on a project. Any expenditure incurred or made that exceeds an awarded construction contract is considered a cost overrun, even if the excess is within the total amount of the approved grant. If the grant recipient and the Board agree on the validity of a cost overrun, a change order to the contract may be authorized. Should the grant recipient approve a change order without prior Board approval, the cost may be ineligible for reimbursement.

In any event, grant recipients may not authorize a cost overrun on a project if it exceeds the grant funds approved by the Board. If a project appears likely to go over the amount of the grant awarded, the grant recipient must notify the Boating Facilities Program Manager or the Grants/Contracts Coordinator to explain the situation and discuss possible remedies. It may be possible to modify the design or scope of a project to keep it within the grant budget.

If justified, the Marine Board Director is authorized to approve minor cost overruns up to \$10,000. All cost overruns more than \$10,000 above the approved grant amount must be considered and approved by the Board.

All project-related costs are subject to Board review to ensure compliance with the approved scope of the grant and the requirements of the grant program.

- 5.4 Requesting a Grant Increase. Grant recipients may request an increase to an existing grant by sending a letter of explanation detailing the circumstances surrounding the request and justifying the need for the request. The letter must indicate the amount requested, the amount of additional match the grant recipient is prepared to provide, and any supporting documentation such as contractor's quote, bid tabulation sheet, etc. The letter must be submitted to the Boating Facilities Program Manager, who reviews the request and determines whether the request should be taken to the Director and/or the Board for further consideration.
- 5.5 Allocating Cost Savings. Cost savings realized on the project because of favorable bids, changes in scope, or other factors will be prorated between the parties based on the percentage of their respective cash contributions. Grant recipients may not spend or commit cost savings to other project elements or other uses without prior approval by the Boating Facilities Program Manager. Any costs incurred or work authorized by the grant recipient using cost savings may be ineligible for reimbursement if prior approval is not received.

All cost savings associated with grant funds are subject to reversion and reauthorization by the Board for other grant projects within the biennium.

## **SECTION 6 – POST-COMPLETION RESPONSIBILITIES**

- 6.1 Conversions. The terms and conditions of the Boating Facility Grant Cooperative Agreement require grant recipients to: retain ownership of all property acquired or developed with grant assistance; maintain the property and facilities in a suitable manner; and make it available for public boating recreation for the term specified in the agreement, which generally is a period of twenty years. Grant recipients may not convert, wholly or in part, any property acquired or developed with grant assistance to any use other than those stipulated in the grant award or cooperative agreement, without Marine Board approval.

If the grant recipient converts site or facilities funded with grant assistance to unauthorized uses or disposes of the property or facilities before the ending date of the cooperative agreement, the grant recipient must reimburse the Board 100% of all funding received or provide replacement property and developments as approved by the Board. Replacement property must be equal to or exceed the fair market value of the converted property, as determined by appraisals, at the date of conversion or disposal. Appraisals to determine fair market value of the converted property and replacement property must be reviewed and approved by the Marine Board.

- 6.2 Operations and Maintenance. Grant recipients must operate and maintain boating sites and facilities funded with grant assistance so they appear attractive and inviting to the public. Sanitation and sanitary facilities must be maintained in accordance with applicable public health standards and codes. Sites and facilities must be kept safe for public use and kept in reasonable condition throughout their expected lifespan. Grant recipients must make boating sites and facilities available for public use during reasonable hours of the day and times of the year. Grant recipients must perform or contract for adequate routine maintenance and operation activities to protect the public, preserve the viability of the site and facilities, and provide a quality boating experience for the public. Unusual or significant events such as vandalism, flood, fire, or closures that require corrective actions must be promptly reported to the Board.
- 6.3 Recognition Sign. Grant recipients must post and maintain in a conspicuous location a sign recognizing the Board, the grant recipient, and any other funding sources contributing to the grant. All Clean Vessel Act and Boating Infrastructure grant project signs must include recognition of the U.S. Fish and Wildlife “Sport Fish and Restoration Program” as the source of federal grant funds.

Clean Vessel Act projects must have at least one universal pumpout/dump station sign posted in a conspicuous location so boaters can easily find and locate the equipment from the water.

- 6.4 Financial and Accounting Requirements. Grant recipients must maintain complete fiscal records relating to the approved grant in a manner that is consistent with generally accepted accounting principles. Required fiscal records must provide an accurate and timely accounting of funds received by source of expenditures and any unexpended balances. The grant recipient’s records must be detailed enough and include sufficient, readily available documentation to demonstrate that all expenditures reimbursed by the Board covered eligible costs under the terms of the grant award. Other records such as correspondence, photos, etc.

documenting events related to the project and grant must also be kept and maintained by the grant recipient.

Grant recipients must provide authorized staff of the Board, the Oregon Secretary of State's Office, and the federal government access to all fiscal records and supporting documentation. All grant-related fiscal records and supporting documentation must be maintained for a period of up to ten (10) years following completion of the work authorized by the grant award. In the event that litigation is involved seek the retention schedule from the Marine Board.

All recipients that receive federal funds must comply with OMB Circular A133 Single Audit Act.

- 6.5 Availability to Users. Grant recipients must agree to allow Board staff, or their agents, unencumbered access to inspect the site and facilities assisted with grant funds throughout the term of the grant agreement. Inspections will generally be for the purpose of determining whether the site and facilities are open and available for public use, properly maintained, and serving the purpose for which the grant was awarded. Following site visits, staff may request the grant recipient to provide maintenance logs or use data or recommend that the grant recipient take corrective actions to remediate any problems noted.

Grant recipients must assure, to the maximum extent possible, that no person will be excluded from participation in or be denied the proceeds or benefits of the use of the sites or facilities funded with grant assistance or be otherwise subjected to discrimination on the grounds of race, creed, color, national origin, age, sex, or disability.

## **SECTION 7 – GLOSSARY**

For the purpose of the Boating Facility Grant Procedure Guide, the following definitions apply:

**Administration:** The preparation and management of a boating facilities grant including, but not limited to bidding and contracting, material procurement, construction management and oversight, project inspection, and fiscal responsibilities.

**Access Road:** A road that leads from a public thoroughfare to public boating facility.

**Agency:** The Oregon State Marine Board, agency staff, or other authorized representatives.

**Agreement:** The written document through which the grant recipient and the Board mutually agree to carry out respective responsibilities for a fixed period or as amended by mutual consent.

**Amendment:** A change in the cost, scope, or term of a cooperative agreement.

**Application:** A complete proposal with the required forms and attachments submitted for consideration by the Board

**Biennium:** The 24-month period beginning July 1 of each odd-numbered year and ending June 30 of the next odd-numbered year.

**Board:** The Oregon State Marine Board, a five-member Board appointed by the Governor or the state agency.

**Boarding float:** A floating structure on or adjacent to a launch ramp used for temporary short-term use for loading or unloading a boat. Floats are normally 6 ft. to 8 ft. wide.

**Boating Facility Grant Program:** The program authorized by ORS 830.150. Funds are available for the acquisition, development and rehabilitation of public marine facilities available to, and ordinarily use by motorized boats.

**Boating Facilities Program Manager:** Agency staff member designated by the Director to manage the Boating Facilities Grant Program.

**Boating Infrastructure Grants (BIG):** The federal grant program to states administered by the US Fish & Wildlife Service and administered in Oregon by the Marine Board as authorized by ORS 830.150. Funds are available for the development and rehabilitation of transient tie-up facilities at public and private facilities used principally by non-trailerred recreational boats.

**Boat Ramp:** An inclined hard surface slab that extends into the water, upon which trailerable boats can be launched and retrieved.

**Boats:** All types of watercraft capable of being used as a means of transportation on the water, but does not include boathouses, floating homes, air mattresses, beach water toys or single inner tubes.

**Breakwater:** An structure used to deflect waves and wakes.

**Clean Vessel Act (CVA):** The Federal grant program to states administered by the U.S. Fish & Wildlife Service and administered in Oregon by the Marine Board as authorized by ORS 830.137. The purpose of the program is to develop and maintain facilities that manage human waste carried on board boats.

**Composting Toilet:** A toilet system where human waste is collected in a tank and combined with wood shavings or bulking material to produce compost.

**Consultant:** A person or business that provides professional services, including design engineering, master planning, or other services.

**Conversion:** Changing the use of a boating site or facility, which has been acquired or developed with assistance from a boating facility grant, for any other purpose not specified in the Cooperative Agreement.

**Debris Deflection Boom:** A floating structure used to deflect floating debris from collecting on ramps, boarding floats, or transient tie-ups.

**Dredging:** Clearing, widening or deepening a channel by removal of sediment.

**Desk Audit:** An audit of the grant recipient's project records performed by the Agency.

**Director:** The State Marine Board Director.

**Dump Station:** A device to receive waste from a porta-potty and transport it to an upland disposal system.

**Existing Boat Access Site:** A site with some form of improvements(s) such as access road, launch ramp, parking, or restrooms.

**Expand:** To significantly increase an existing boat access site in size or number (e.g., expand a one-lane ramp to a two-lane ramp).

**Facility Developments:** One or all of the site improvements or related support infrastructure at a boat access site (e.g., ramp, floats, restroom, parking, breakwater, boom, etc).

**Floating Restroom:** A floating structure moored in open water that provides toilet facilities to boaters.

**Force Account:** The use of the applicant's staff, equipment, and or materials to perform some or all of the approved project.



## *Section 7 - Glossary*

**Gangway:** A structure that provides pedestrian access from landside facilities to waterside facilities.

**Grant Recipient:** A successful applicant for grant funds responsible for the completion, operation and maintenance of the project.

**Maintenance Assistance Program (MAP):** Funding assistance to eligible public participants for the routine maintenance and operations of improved facilities. Funds are provided on an allocation basis.

**Mixed Use Site:** A boating facility where annual use is mixed from 31% to 69% between registered and non-registered boats.

**Motorized Use Site:** A boating facility where annual use by registered boats is 70% or more of all use.

**New Construction:** A facility that never existed previously or a substantial upgrade to an existing facility (e.g., adding new boarding floats and piles to site where none existed previously).

**Non-Motorized Use Site:** A boating facility where predominant annual use (70% or more ) is by non-registered boats.

**Non-Registered Boats:** All recreational boats not powered by motors, including sailboats less than 12 feet, canoes, kayaks, rafts, drift boats and other types of float boats.

**Parking Area:** A developed gravel and/or asphalt surface to accommodate at least 6 boat trailer spaces (10 ft x 40 ft) and two single car spaces (9 ft x 20 ft) associated with a boat ramp, including any required accessible parking spaces.

**Pile:** A slender, wood or steel member driven into the ground and used to maintain the horizontal position of floats or debris deflection boom.

**Proposed Boat Access Site:** An unimproved site that may be used as an informal launch site but has potential for boating facility developments.

**Public Facility Grant Project:** A project to acquire property or develop, improve, rehabilitate, or replace public boating facilities.

**Pumpout:** A float-mounted device designed to draw waste from a boat holding tank and pump it to an upland disposal system.

**Registered Boats:** All recreational boats powered by motor, including electric motors, personal watercraft, jet boats, and sail boats 12 feet and longer.

**Repair:** Work at a boating facility to fix deteriorated or broken components (e.g., repair potholes in existing asphalt parking lot).

**Replace:** Install a new boating facility or components and remove an existing boating facility or components of the same type (e.g., replace wood boarding floats with wood boarding floats).

**Restrooms:** All types of landside facilities used to collect human waste including flush, vault, composting, and portable toilets. Restroom may include one or more stalls.

**Routine Maintenance:** All types of ordinary activities completed on a regular basis (daily, weekly or monthly) to keep a facility safe, usable, and operational.

**System Development Charges (SDC):** A fee charged by local governments to join into an existing system such as connection into a municipal sewage system.

**Transient Tie-Up:** A floating structure that is used for short-term (no less than 72 hours or longer than 10 days) tie-up (not permanent, annual, seasonal, or homeport moorage), is at least 100 feet in length, and provides broadside tie-up or space for mooring at least 6 non-trailerred boats.

**User Fee:** Any form of fee charged to boaters for access or use of a boating facility. Includes day use, launch, parking, tie-up or any other general entrance or use fee.

**Utilities:** All inclusive term for water, electrical, and sewer service.

**Vault Toilet:** A type of restroom where human waste is collected and retained in a concrete vault until it is pumped out.

**Vessel Waste Collection System:** All types of stationary or portable systems that pump or remove human waste from recreational boat holding tanks or porta-potties. This includes pumpouts, dump stations, related forward sewage lift stations, necessary floats, piles, and gangways, and related facilities.

## Appendix "A"

### Grant Application Checklist

A complete application package, that is to be considered for a grant, must include one original application with a complete set of supporting documents. Please do not staple together or hole punch each set. Below is a list of what is to be included:

<b>Document</b>	
✓	Cover Letter
✓	Application
✓	Existing condition and use photographs
✓	Location/Vicinity map (Assessor's map)
✓	Primary design/engineering plans
✓	Engineering cost estimate
✓	Letter (s) of support or opposition (email accepted)
✓	Permits- <b>a complete copy</b>
✓	SHPO Clearance
✓	Force Account Materials & Supply Record
✓	Force Account Equipment Record
✓	Force Account Labor Timesheet estimate
✓	Acquisition checklist & supporting documents (If Applicable)
✓	Consultant contract (If Applicable)



***CITY OF WATERWORLD***

GEORGE B. WANTSMONEY, PARKS DIRECTOR  
123 MAIN ST.  
WATERWORLD, OR 97111  
PHONE: 541-123-4567; FAX: 541-675-4321

February 1, 2011

Wayne Shuyler, Boating Facilities Program Manager  
Oregon State Marine Board  
PO Box 14145  
Salem, OR 97309

RE: Facility Grant Application  
Waterworld City Park, Ramp, Parking, Security System

Dear Mr. Shuyler;

Enclosed please find our grant application for the boating facility improvements at Waterworld City Park. The City Council has reviewed and approved the application for submittal and the \$25,000 pledged cash match. We are prepared to complete this project within the Marine Board's two-year biennial grant cycle.

The City of Waterworld intends to enter into a twenty (20) year cooperative facility grant agreement pending award of a grant. We currently have 47 years remaining in our lease with the Bureau of Land Management. As part of the lease agreement it is stipulated that we will provide all operations and maintenance at the facility for the duration of the lease.

Please do not hesitate to contact Joe Namath, Project Manager at 541-123-4597 if you have any questions or need clarification on any part of the grant application. We appreciate your staff's hard work to provide the preliminary engineering and cost estimates that made it possible for us to apply for this grant.

Sincerely,

*George B. Wantsmoney*

George B. Wantsmoney

Enclosures: 1 original application and supporting documents

*\*Note: Reference Section 2, Grant Application Procedure Item 2.2 for cover letter requirements.*



# Facility Grant Program Application Form

## Public Boating Facilities

### Oregon State Marine Board

<b>FOR OSMB USE ONLY</b>		Grant Number:
Biennium:	Date Received:	

*Fill in all sections that apply – Leave all other sections blank*

<b>I – APPLICANT INFORMATION</b>		
Applicant or Entity Name:	Telephone Number:	Fax Number:
Applicant Mailing Address:	City:	Zip code:
Project Manager Name and Title:		E-Mail:
Telephone Number:		
Applicant: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Port/Park District <input type="checkbox"/> State Agency <input type="checkbox"/> Federal		

Type of Project: <input type="checkbox"/> Acquisition <input type="checkbox"/> Construction <input type="checkbox"/> Consultant/Engineering <input type="checkbox"/> Master Plan		
Grant Funds Requested: \$	Applicant Cash \$	Other Cash \$
Is this project identified in the Marine Board's 2011-2017 Six Year Facilities Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No    Priority Ranking _____	Is this project identified in the Marine Board's on-line 2001-2006 Vessel Waste Disposal Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No    Priority Ranking _____	

<b>II - PROJECT LOCATION</b>		
Facility Name:	Waterbody:	County:
Project Name: <i>(What do you want this project to be called?)</i>		
Location Information: Township _____ Range _____ Section # _____ Tax Map # _____ Tax Lot # _____		
River Mile:	Latitude/Longitude:	
US Congressional District #: _____ Oregon Legislative Districts: House: _____ Senate: _____		

Property Control and Tenure:  Fee Simple    Lease Agreement    Easement    Condemnation  
 Other (Specify): \_\_\_\_\_ (if yes, explain on separate page)

Number of years remaining in lease \_\_\_\_\_

Name of property owner: \_\_\_\_\_

Contact information Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Driving Directions (*Give as much detailed information as possible*)

### III – PROJECT DESCRIPTION

**Project Description Narrative:** Describe all elements of the project and the need for assistance, project objectives, and facilities to be constructed, existing facilities which are to be renovated, removed or demolished.

Describe who will do the work and who will provide supervision. Describe historical site use, community involvement, and the problems or needs that led to the application being submitted.

Describe how the project relates to current and future public recreation needs, expected results and benefits.

Describe any actions under consideration that could result in lost opportunity or the facility becoming unavailable for public use. Is there a threat to losing the available local match or the ability of local project sponsor not being able to complete the project with 2 years?

Describe the topography of the site and existing development on the site and how this proposal fits in with development. Also identify the anticipated start and end dates of the project.

**Local Need:** Describe to what extent the project satisfies priority needs, as identified in a current local planning document (e.g.; park and recreation master plan or city or county comprehensive plan).

**Site Suitability:** Describe to what extent the site is suitable for the proposed development project.

#### IV. GENERAL FACILITY INFORMATION

##### Existing Site Features

- Unimproved
- Ramp. What type of ramp (i.e; gravel, concrete, earth/dirt, pole slide, hoist)? \_\_\_\_\_ Number of lanes \_\_\_\_\_
- Transient Tie-Up. What type of decking? \_\_\_\_\_ Broadside or Slips? \_\_\_\_\_
- Boarding Floats. What type of material (i.e.; wood, concrete, etc.)? \_\_\_\_\_
- Boat Trailer Parking. How many stalls? \_\_\_\_\_
- Single Vehicle Parking. How many stalls? \_\_\_\_\_
- Restroom. What type (i.e.; flush, vault, portable, composting, floating) \_\_\_\_\_ Number of stalls \_\_\_\_\_
- Pumpout/Dump Station
- Marine Fuel Station
- Boat Wash Station

##### Estimate the mix of boats that use this facility (based on 100%)

<16 ft. motorized \_\_\_\_\_%    17-26 ft. motorized \_\_\_\_\_%    27 ft. and over \_\_\_\_\_%    All non-motorized \_\_\_\_\_%

Types of Boats using this site. Personal Watercraft _____%      Sail Boats _____% General Pleasure Boat _____%      Ski Boats _____% Fishing Boats _____%      Cruiser/Yachts _____% Kayak, canoe, other paddle craft _____%	Estimate the amount of use at this facility Launch/Retrievals Per Year: ____ Tie-up/Overnight Moorage Per Year: ____
--	--

List all use fees charged at this site.  
 Day Use\$ \_\_\_\_\_ Launch \$ \_\_\_\_\_ Parking \$ \_\_\_\_\_ Tie-up/Overnight Moorage: \$ \_\_\_\_\_ per ft.

**List any other boating facilities, both public and private (ramps, tie-up facilities or marinas) with a 5-mile radius.**

	Name:	Direction (N,S, E,W):	Distance:
1.			
2.			
3.			
4.			

<b>Known Public Support/Opposition: (Name)</b>	
Support	Opposition
Adjacent land owners _____	_____
Users groups _____	_____
Neighborhood Assoc. _____	_____
Local Government _____	_____
State/Federal Government _____	_____
Legislature/Congressional _____	_____
Other (Specify) _____	_____

**Public Notice and Opportunities for Comment** (Provide Description, dates, and results: attach sheet if necessary)



**V. Maintenance**

Who will maintain the site when the project is completed?

Applicant    Other (Specify) \_\_\_\_\_

**Estimate annual boating facility operations and maintenance costs.** \$ \_\_\_\_\_

Describe your plans to operate and maintain the area and/or facility once the project has been completed. How will future maintenance be funded? How much do you expect to budget in dollars and staff hours to maintain area and/or facility?

**VI. PROPOSED PROJECT COMPONENTS** *Note: See Procedure Guide for definitions, Check all that apply*

		Replacement	Expansion	New Construction	Consultant
BOAT ACCESS	Boat Ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Boarding Floats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Transient Tie-up	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gangway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Piles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RESTROOMS	Flush Restroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Vault toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Composting toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PARKING AREA	Access road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Paved parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gravel parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curbs, signs, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CVA	Pump out	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dump station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Floating restroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MISCELLANEOUS	Dredging	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Breakwater/Bank Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ski Float	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Debris Deflection Boom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Informational Kiosks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Land Acquisition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (Specify)_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VII. PROPERTY ACQUISITION** *Note: See Procedure Guide for definitions*

Appraisal Completed:  Yes  No Date of Appraisal: \_\_\_/\_\_\_/\_\_\_ Type of Appraisal \_\_\_\_\_

Appraised Value of Property \$\_\_\_\_\_ Assessed Value \$\_\_\_\_\_

Current Ownership:  Private Owner  Public Agency  Other (Specify) \_\_\_\_\_

Willing Seller  Yes  No Condemnation  Yes  No

Current Zoning: \_\_\_\_\_ Name of Owner (Unless confidential) \_\_\_\_\_

Size Acres: \_\_\_\_\_

Describe what is located on the site and how the site is currently being used:

Large empty rectangular area for describing the site and its current use.

<b>VIII. PROJECT COST – SOFT (NON-ELIGIBLE) FUNDS</b> <i>Not eligible for Facility Grant Funds</i>				
	Applicant	Other**	Board	TOTAL
Administration	\$	\$	\$ N/A	\$
Pre-Agreement Costs	\$	\$	\$ N/A	\$
Miscellaneous Office Fees (postage, coping, phone etc)	\$	\$	\$ N/A	\$
Permit Fees	\$	\$	\$ N/A	\$
Legal Fees	\$	\$	\$ N/A	\$
System Dev. Charge (SDC)	\$	\$	\$ N/A	\$
Other _____	\$	\$	\$ N/A	\$
<b>Total Soft Funds</b>	\$	\$	\$ N/A	\$

<b>IX. FORCE ACCOUNT COSTS</b> <i>Note: See Procedure Guide for definitions</i>				
	Applicant	Other**	Board	TOTAL
Force Account Labor	\$	\$	\$ N/A	\$
Force Account Materials	\$	\$	\$ N/A	\$
Force Account Equipment	\$	\$	\$ N/A	\$
<b>Total Force Account</b>	\$	\$	\$ N/A	\$

<b>X. PROJECT COST – HARD (CASH) FUNDS</b>				
	Applicant	Other**	Board	TOTAL
Property Acquisition	\$	\$	\$	\$
Construction Contract	\$	\$	\$	\$
Materials/Equipment	\$	\$	\$	\$
Eligible Permit Fees	\$	\$	\$	\$
Consultant Contract <b>Attach Copy of Contract</b>	\$	\$	\$	\$
<b>Total Hard Funds</b>	\$	\$	\$	\$

<b>Total Soft Funds</b>	\$	\$	\$	\$
<b>Total Force Account</b>	\$	\$	\$	\$
<b>Total Hard Funds</b>	\$	\$	\$	\$
<b>GRAND TOTAL</b>	\$	\$	\$	\$

**\*\*Other Sources of Funds (List all sources on separate sheets of paper, if necessary)**

Grant/Loan Funds (Name of Grant) \_\_\_\_\_ Grant/Loaning Agency: \_\_\_\_\_

**Grant:**  Federal  State/Local  Other Status:  Approved  Pending Apply Date \_\_/\_\_/\_\_

**Loan:**  Federal  State/Local  Other Status:  Approved  Pending Apply Date \_\_/\_\_/\_\_

**Other Types and Sources:**

Cash Contribution(s) Source(s): \_\_\_\_\_  
Source(s): \_\_\_\_\_

Material Contribution(s) Source(s): \_\_\_\_\_  
Source(s): \_\_\_\_\_

Labor Contribution(s) Source(s): \_\_\_\_\_  
Source(s): \_\_\_\_\_

Other Contribution(s) Source(s): \_\_\_\_\_  
Source(s): \_\_\_\_\_

**XI. CITY/COUNTY PLANNING DEPARTMENT AFFIDAVIT** *Note: construction Projects Only*

*This information is needed to determine if the proposed project complies with statewide planning goals and is compatible with local comprehensive plans (ORS 192.180).*

	YES	NO
Is project regulated by a local comprehensive plan and zoning ordinance?	<input type="checkbox"/>	<input type="checkbox"/>
Have land uses been approved ( <i>include final approval letter from jurisdiction</i> )?	<input type="checkbox"/>	<input type="checkbox"/>
Is project compatible with the local comprehensive plan and zoning ordinance? (Please cite appropriate plan policies, ordinance section, and case numbers). Policy/Ordinance/Case Number _____	<input type="checkbox"/>	<input type="checkbox"/>

Compatibility of this project with the local planning ordinance cannot be determined until the following local approvals are obtained:

Conditional Use Permit  Development Permit  Plan Amendment  Zone Change  Other

An application has  has not  been made for the local approvals checked above.

\*Signature of Local Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

*\*Must be authorized signature from your local City/County Planning Department.*

**XII. WATERWAY PERMITS** *Section 404 of the Clean Water Act, Section 10 of the Rivers & Harbors Act, ect.*

	YES	NO	
Are waterway permits required for the project?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If No, go to Section XIII</i>
Have the waterway permit applications for the project been  <input type="checkbox"/> Submitted? <input type="checkbox"/> Approved?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If Yes, provide permit number and date below:</i>  Permit Number: _____  Date ____/____/____
US Army Corps of Engineers Permit. Application/Permit No.: _____ Date ____/____/____			
Division of State Lands Permit. Application/Permit No.: _____ Date ____/____/____			
<b><u>Other Permit Considerations:</u></b>			
Structures in federally navigable waterway may require a Corps' Section 10 Permit. <input type="checkbox"/> Applicable <input type="checkbox"/> N/A			
Public ramps & floats in state navigable waterways may require a facility license from DSL. <input type="checkbox"/> Applicable <input type="checkbox"/> N/A			
Projects utilizing foam flotation in floats may require certification with the Marine Board. <input type="checkbox"/> Applicable <input type="checkbox"/> N/A			
Sites with the Willamette River Greenway may require a Greenway permit. <input type="checkbox"/> Applicable <input type="checkbox"/> N/A			
<b>If permits are required, who will prepare the permit applications?</b> <input type="checkbox"/> Applicant Staff <input type="checkbox"/> Consultant <input type="checkbox"/> Other			
<i>Please identify the Consultant or Other, if known:</i> _____			
<b>Will the technical assistance of Marine Board staff be requested for permitting?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			

**XIII. ENVIRONMENTAL ASSESSMENT**

*Aquatic Resources*

YES

NO

**Will the project require any work to be done below the ordinary high water mark?**

If YES, list the elevation of ordinary high water: \_\_\_\_\_ List ordinary low water: \_\_\_\_\_

What is the in-water work period authorized by the Department of Fish & Wildlife? \_\_\_\_\_

**Describe below the type of in-water work that needs to be done and the size and extent of the area affected:**

YES

NO

**Are any fish or aquatic species federally listed as threatened or endangered for this waterbody?**

If YES, identify the listed species: \_\_\_\_\_

**Is the site on a waterbody that is designated as Essential Salmon Habitat by DSL or ODFW?**

If YES, describe the extent of the designation: \_\_\_\_\_

**Describe below how the project may impact the migration, spawning, or habitat of affected salmon species:**

<b>Terrestrial Resources</b>	YES	NO
<b>Are any wetlands located on the site?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, describe where the proposed work will be in relationship to any wetlands and any impacts: <hr/> <hr/>		
<b>Have the wetlands been delineated by a qualified expert?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, list the name or the individual and affiliation: <hr/>		
<b>Is there any riparian vegetation located on the site?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, identify the vegetation and where the proposed work will be in relationship to the vegetation and any impacts: <hr/> <hr/>		
<b>Are any terrestrial species or habitat federally listed as threatened or endangered on the site?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, identify the listed species and where the proposed work will be in relationship to the species and any impacts: <hr/> <hr/>		
<b>Has the local Oregon Department of Fish &amp; Wildlife or tribal biologist been consulted?</b>	<input type="checkbox"/>	<input type="checkbox"/>
Name and phone number of ODFW and/or tribal biologist(s): <hr/> <hr/>		
<b>Cultural Resources</b>	YES	NO
<b>Are there any known historical, archaeological, or cultural sites or resources on the site?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, describe where the proposed work will be in relationship to these resources and any impacts: <hr/> <hr/>		
If NO, has the State Historic Preservation Office or local tribal officials' been contacted? <input type="checkbox"/> YES <input type="checkbox"/> NO		
If YES, identify who has been contacted and the status of any inquiry or review: <hr/> <hr/>		



#### XIV. PAST GRANT PERFORMANCE AND COMPLIANCE

Are you in compliance with applicable rules, policies, and guidelines at previously assisted project sites? (No unresolved conversions, maintenance issues, and open to the public)

YES  NO (Grants, Small Grants, MAP) If NO, please describe below:

*Please describe your performance on grants previously awarded by OSMB. Were funds expended and project completed by the project deadline? Do you have credit signs at all grant assisted sites? Did you have any amendments made to the grant agreement? Please describe deficiencies if any.*

#### **Applicant signature**

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete, and accurate. I further certify that I possess the authority including the necessary requisite property interests to undertake the proposed activities.

I also certify that the Applicant's governing body is aware of and has authorized the person identified as the official representative of the Applicant to act in connection with this application and subsequent project as well as to provide additional information as may be required.

By signature below the Applicant intends to enter into a Cooperative Facility Grant Agreement and agrees to comply with all applicable federal, state and local laws and Oregon State Marine Board's program rules, policies and guidelines in conjunction with this proposal and resulting project if so approved.

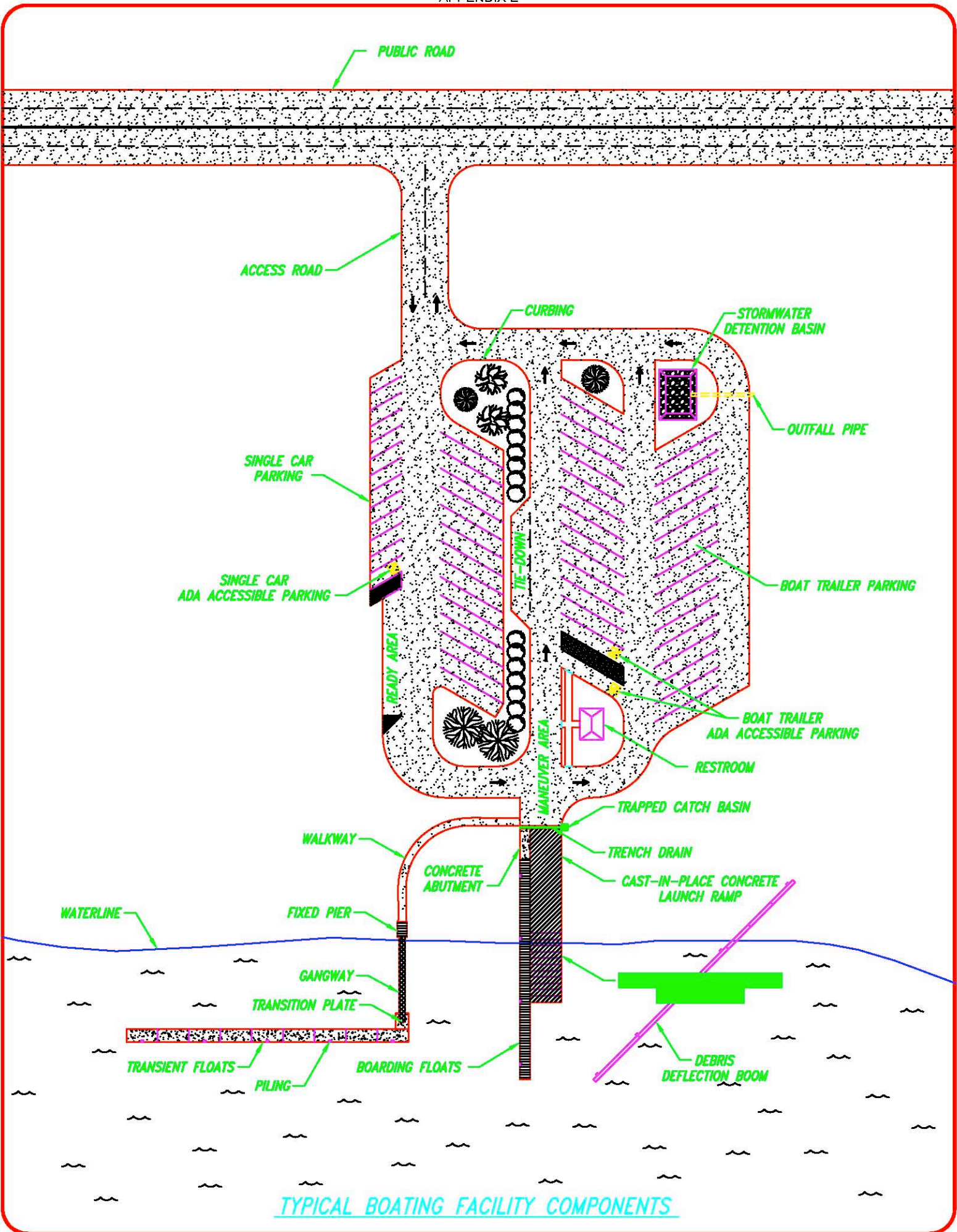
\_\_\_\_\_  
Print/Type Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

Note: Instruction regarding this application and the facility grant program can be found in the Facilities Program Procedure Guide, or you may contact the Boating Facilities Program Manager, Oregon State Marine Board, 435 Commercial St. N.E. #400, PO Box 14145, Salem, Oregon 97309, Ph: (503) 378-2605



TYPICAL BOATING FACILITY COMPONENTS



**Ramp to be replaced**



**Parking Area**

# Sample

## FACILITY IMPROVEMENTS AT

### CONCEPTUAL COST ESTIMATE

Item	Quantity	Unit	Unit Cost	Total Cost
Mobilization		L.S.		
Demolition (Remove and Dispose of Hook & Plank Ramp and 3 Trees)		L.S.		
Earthwork		C.Y.		
Crushed Rock Base Course		TON		
Cast-In-Place Concrete Ramp		S.F.		
Precast Concrete Plank Ramp		S.F.		
Riprap		C.Y.		
Concrete Abutment		S.F.		
12" Steel Piles		EA		
Wood Boarding Float		S.F.		
Asphaltic Concrete		TON		
Concrete Sidewalk		S.F.		
Wheelstops		EA.		
Pavement Marking		L.S.		
Signs		L.S.		
Mitigation		L.S.		
			<b>Sub-Total</b>	
			<b>Total</b>	

Notes: Estimated cost is total contract cost and includes contractor's profit and overhead.

*Oregon Kids Boating Association*

*The Other Side of the Hills Branch*

*PO Box 032*

*Somewhere, OR 94535*

*PH: 541-123-4256*

February 29, 2011

Wayne Shuyler, Boating Facilities Program Manager

Oregon State Marine Board

PO Box 14145

Salem, OR 97309

RE: Future application from a Public Agency

Dear Mr. Shuyler:

The Oregon Kids Boating Assoc. strongly supports the replacement of the deteriorated boat ramp at Somewhere Park. Our group loves to boat on the Wild River Reservoir during the spring and summer months. Somewhere park is the only access to this popular boating facility so when the fish are biting it is extremely crowded and congested at this site.

The addition of boarding floats would allow better staging for boaters who are waiting to load or unload instead of circling the area. We also support the paving of the large gravel parking area. Quite often vehicles are parked in every direction, which makes it very hard to find a place to park where you will not be blocked in.

We appreciate your consideration of this extremely important access point in Oregon. Please contact me if you have any questions regarding our support of this grant. Application.

Sincerely,

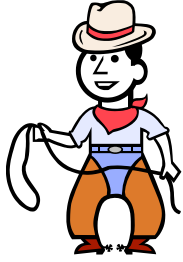
*John Q. Boater*

John Q. Boater

President, Oregon Kids Boating Association

*Sample*





**The Ranch  
Bob and Helen Baker  
PO Box 435  
Somewhere, OR 97435**

March 4, 2011

Wayne Shuyler, Boating Facilities Program Manager  
Oregon State Marine Board  
PO Box 14145  
Salem, OR 97309

RE: Future application from a Public Agency

Dear Mr. Shuyler:

We understand from Brandon Roy that the Public Agency is applying for a grant to replace the boat ramp, pave the parking area and add floats. The Ranch owns approximately 3,000 acres of grazing land some of which runs alongside the Wild River Reservoir.

Our family has always maintained a cooperative relationship with the Public Agency. We would support these improvements. We hope that this grant application receives your support and favorable review by your Board.

Sincerely,

Bob and Helen Baker

*Sample*

## ACQUISITION CHECKLIST

- \_\_\_1. First contact with owner. If verbal, note date and subjects discussed, owner's reaction to applicant's interest in the acquisition.
- \_\_\_2. History of conveyances. This is frequently included in the appraisal report or in the title report,
- \_\_\_3. Invitation to the owner from the appraiser or Applicant to accompany the appraiser while the appraiser is viewing the property for the purpose of making the appraisal.
- \_\_\_4. Written offer of purchase at not less than the review appraisal amount. Any donations or waiver of just compensation by the seller of part or all of the value must be contained within the purchase agreement.
- \_\_\_5. If purchase price exceeded the fair market value, is there adequate justification.
- \_\_\_6. A copy of the deed to the purchasing agency.
- \_\_\_7. A copy of the check or voucher (both sides) used to make the payment.
- \_\_\_8. A copy of the title insurance policy.
- \_\_\_9. A copy of the vesting deed. This is the deed or deeds under which the seller acquired the property.
- \_\_\_10. One copy each of any easements that affect the property, and a statement as to the effect of each easement on the proposed recreation use of the property.
- \_\_\_11. One copy of each of any deeds referred to in the deed to the purchaser, the vesting deed or in the easements. These are called reference deeds.
- \_\_\_12. A statement of unrecorded interests is required for each parcel. Unrecorded interests include such items as unrecorded sales contracts, leases or easements that are not part of the public record. The title insurance policy includes all of the recorded instruments, and therefore, is not necessary to repeat. Also, a statement of the effect on recreation utility of any unrecorded interests discovered must be made.
- \_\_\_13. A statement on any liens by public agencies that is not included in the title reports.
- \_\_\_14. One copy each (if applicable) of an assessor's map of the property, any official plats, county or private land surveys or documents pertaining to the vacation of platted streets or roadways.
- \_\_\_15. A statement of payments made to the seller for relocation and other allowable costs in conformance with Public Law 91-646.

If any of these documents has been previously submitted to Marine Board staff, they need not be resubmitted, but such prior submittals should be mentioned in the transmittal letter.

Appendix "B"

**STATE MARINE BOARD  
FACILITY GRANT COOPERATIVE AGREEMENT  
FACILITY GRANT NO. –BOATING IMPROVEMENTS**

This Agreement is entered into by and between the State of Oregon, acting by and through its State Marine Board, hereinafter called the "Board," and *Grant Recipient Legal Name*, hereinafter called the "Recipient."

RECITALS

WHEREAS, the Board and the Recipient are authorized under ORS Chapter 190 to enter into cooperative agreements.

WHEREAS, the Board is authorized to provide grants for boating facility projects under ORS 830.150.

WHEREAS, the Board has sufficient facility grant funds available within its current biennial budget and has authorized expenditure on the Recipient's Project as defined below.

WHEREAS, the Recipient agrees to comply with Facility Grant Program Rules OAR 250-14 and other Board adopted policies and procedures.

WHEREAS, the purpose of this Agreement is to set forth the obligations of both parties in the development of recreational boating facilities at Project Location for the construction of Description, hereinafter called the "Project," as described in the Recipient's Facility Grant Application Number Assigned at Top and Staff Report to the Board. With this reference, the Facility Grant Application and Staff Report are made part of this Agreement. If a conflict exists between the Facility Grant Application, Staff Report and this Agreement, the Agreement will govern.

NOW, THEREFORE, the Board and the Recipient agree to the following:

I. BOARD COVENANTS

1. Grant Funds. Upon approval by its governing body, the Board shall provide grant funds in the amount of Amount of Board Approved Grant Funds to the Recipient to fund the authorized Project activities. The Board shall not provide to the Recipient, and the Recipient shall not use any funds described in this section for administration, overhead, or indirect costs whether or not related to this Agreement.
2. Expenditure of Funds by the Board. The Board, with the Recipient's approval may be authorized to expend grant funds described in Section I.1. on authorized Project activities.
3. Payments. After the Recipient awards the contract for construction of the Project, and construction activities commence the Board shall, upon receipt of the Recipient's request for



## Appendix "B"

payment and appropriate documentation all in form and substance satisfactory to the Board, disburse funds to the Recipient in accordance with Section III.

4. Overpayment. In the event that the aggregate amount of the Board's interim progress payments to the Recipient exceeds the allowable reimbursable costs of the Recipient for the Project, the Recipient agrees to refund to the Board the amount paid in excess of such allowable expenses within thirty (30) days of final billing by the Recipient or the Project Completion Date, whichever is earlier.
5. Disallowed Costs. The Recipient agrees that payment(s) made under this Agreement shall be subject to offset or reduction for amounts previously paid hereunder which are found by the Board on the basis of an audit examination not to constitute allowable costs under this Agreement. If such disallowed amount exceeds the payment(s); the Recipient shall immediately upon demand, pay the Board the amount of such excess.
6. Cost Savings. Any cost savings realized on the Project shall be prorated between the parties based on the percentage of their respective cash contributions as set forth in Section I.1. and Section IV.1.
7. Principal Contact:

Name/Title: Wayne Shuyler, Facilities Program Manager

Address: PO Box 14145, 435 Commercial St. NE, Salem, OR 97309-5065

Phone/FAX: (503) 378-2605 (503)378-4597

### II. TERM; PROJECT COMPLETION; PROJECT OWNERSHIP

1. Term. This Agreement is effective as of the last date shown executed by all parties and expires twenty (20) years from that date, at which time it will be subject to review, renewal or expiration.
2. Project Completion. The Project shall be completed, and final billing for the Project shall be submitted to the Board, on or before End of Biennium. Unless approved in writing, the Board shall not be obligated to disburse any payments after this date.
3. Project Ownership. The Board acknowledges and agrees that the Project is the exclusive property of the Recipient. The Board is neither responsible nor liable in any manner for the construction, operation or maintenance of the Project.

### III. CONDITIONS TO DISBURSEMENT

1. Conditions Precedent to Any Disbursement. The Board shall not be obligated to reimburse any of the grant funds for authorized Project costs hereunder unless the Board has received from the Recipient:

## Appendix “B”

- a. Prior to Project bid advertisement or construction, the final architectural and engineering plans, specifications, and cost estimate(s) for the Project, said plans, specifications and estimates to be in form and substance satisfactory to the Board;
  - b. Prior to Project bid advertisement or construction, a copy of all necessary federal, state and local permits or approvals required for the Project; and
  - c. A copy of the general contractor’s performance bond, if other than the Recipient, in the amount of the construction contract from a surety company authorized to do business in Oregon.
2. Conditions Precedent to Partial Progress Payment(s). The Board shall not be obligated to make partial progress payment(s) hereunder until receipt, review and approval by the Board of documentation based on the percentage of Project completion. Approved payments are made on a prorated basis by each of the parties matching cash contributions. In no event shall the Board disburse more than ninety percent (90%) of the amount indicated in Section I.1. as progress payments.
3. Conditions Precedent to Final Payment. The Board shall not be obligated to make final payment hereunder until:
- a. Receipt by the Board of a copy of the Notice of Substantial Completion of the Project;
  - b. Receipt by the Board a copy of a Certificate of Acceptance of the Project duly executed by the Recipient;
  - c. Inspection and approval of the Project by the Board; and
  - d. Final payment request and all documentation as may be required, shall be submitted by the Recipient to the Board. Upon approval by the Board, final payment will be made to the Recipient within thirty (30) days by the Board.

## IV. RECIPIENT COVENANTS

1. Matching Funds. The Recipient shall contribute the total sum of \$Hard matching funds in cash and \$Amount of in-kind “soft” equivalent in labor, materials, or services and the Recipient shall procure \$ Sport Fish Restoration funds in cash from the Oregon Department of Fish and Wildlife as described in the Staff Report.
2. Construction. The Recipient shall award, and monitor the contractor’s performance under the construction contract in such a manner as to insure compliance with Project plans and specifications. The Recipient shall be responsible for all cost overruns unless otherwise specifically agreed to in writing by the Board. The Recipient shall at all times be responsible for the maintenance and operation of the Project and related facilities.

## Appendix "B"

3. Project Sign. The Recipient shall post in a conspicuous location at the site a sign identifying the Board's participation in the Project.
4. Public Access to Project. During the term of this Agreement the Recipient shall allow open and unencumbered public access to the Project to all persons without regard to race, color, religious or political beliefs, sex, national origin, or place of primary residence.
5. User Fees. Notify and request written approval from the Board of any user fees charged for the use of the improvements described herein throughout the term of this Agreement. Fees charged will be subject to reasonable review and approval by the Board. If user fees are charged for the use of the completed Project, the Recipient shall maintain sufficient records and accounting procedures that demonstrate all of the gross income from the fees is used to defray direct operational costs (for example, maintenance and repair costs) for the Project. User fees may affect the Recipient's participation in the Maintenance Assistance Program, OAR 250-14-004.
6. Payments. To the extent required by State and Federal law the Recipient agrees to:
  - a. Make payment promptly as due to all contractors, subcontractors, vendors or any other persons supplying labor and/or materials for the Project;
  - b. Pay all contributions or amounts due to the State Industrial Accident Fund for workers compensation premiums incurred if the contractor fails to make such payments; and
  - c. Not permit any lien or claim to be filed or prosecuted against the Board, due to any construction or maintenance activities at the Project.
7. Liabilities. Each party shall be responsible, to the extent required by law (including the Oregon Tort Claims Act, ORS 30.260-30.300), only for the acts, omissions or negligence of its own officers, employees or agents.
8. Compliance with Applicable Law. The Recipient shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to this Agreement. The Board's performance under this Agreement is conditioned upon the Recipient's compliance with the provisions of ORS 279B.220, 279B.230, 279B.235, 279C.500 and 279C.530 (unless inapplicable as a matter of federal law), which are incorporated by reference herein.
9. Compliance with Workers Compensation Law. The Recipient shall require that the contractor, its subcontractors, if any, and all employers performing work on the Project be subject employers under the Oregon workers compensation law (unless inapplicable as a matter of federal law) and shall comply with ORS 656.017, which requires subject employers to provide workers' compensation coverage for all their subject workers.
10. Records Maintenance. The Recipient shall maintain all fiscal records relating to this Agreement in accordance with generally accepted accounting principles. In addition, the

Appendix "B"

Recipient shall maintain any other records pertinent to this Agreement in such a manner as to clearly document the Recipient's performance. The Recipient's accounting procedures shall provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Controls shall be established which are adequate to ensure that all expenditures reimbursed under this Agreement are for allowable purposes and that documentation is readily available to verify that such charges are accurate.

11. Access. The Recipient acknowledges and agrees that the Board and the Oregon Secretary of State's Office and the federal government and duly authorized representatives shall have access to such fiscal records and other books, documents, papers, plans and writings of the Recipient that are pertinent to this Agreement to perform examinations and audits and make excerpts and transcripts. The Recipient shall retain and keep accessible all such fiscal records, books, documents, papers, plans and writings for a minimum of five (5) years, or such longer period as may be required by applicable law, following final payment and termination of this Agreement, or until the conclusion of any audit, controversy, or litigation arising out of or related to this Agreement, whichever date is later.

12. Principal Contact:

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone/Fax: \_\_\_\_\_

V. TERMINATION; REMEDIES

1. Termination for Convenience. The Recipient may terminate this Agreement at any time upon thirty (30) days prior written notice to the Board; provided, however, that the Recipient shall, within thirty (30) days of such termination, reimburse the Board for all funds contributed by the Board to the Project; provided further that until the Recipient has fully reimbursed the Board for such funds, the Recipient shall comply with the terms hereof.

2. Termination Because of Non-Appropriation or Project Ineligibility. The Board, at any time upon thirty (30) days prior written notice to the Recipient, may modify or terminate this Agreement if:

a. The Board fail to receive funding or appropriations, limitations, or other expenditure authority at levels sufficient to pay for the allowable costs of the Project to be funded hereunder or should any state law, regulation or guideline be modified, changed or interpreted in such a way that the Project, or any portion of the Project, is no longer eligible for facility grant funds as described in ORS 830.150.

b. In the event insufficient funds are appropriated for the payments under this Agreement

## Appendix "B"

and the Recipient has no other lawfully available funds, then the Recipient may terminate this Agreement at the end of its current fiscal year, with no further liability to the Board. The Recipient shall deliver written notice to the Board of such termination no later than thirty (30) days from the determination by the Recipient of the event of non-appropriation. The Board shall pay for all authorized project costs expended up to the date of written notice of termination.

3. Termination for Default. The Board may, at any time upon thirty (30) days prior written notice of default to the Recipient, may modify or terminate this Agreement if:
  - a. The design, permitting, or construction of the Project is not pursued with due diligence; or
  - b. The Recipient's fee simple title to or other interest in the construction sites or Project is not sufficient, legal and valid; or
  - c. The construction of the Project is not permissible under federal, state, or local law; or
  - d. The Recipient, does not abide by the nondiscrimination and affirmative action provisions of this Agreement; or
  - e. The Recipient, without the prior written approval of the Board, uses the funds provided by the Board hereunder to build any project other than the Project described in the final architectural and engineering drawings approved by the Board; or
  - f. The construction is not completed in a good and workmanlike manner or fails to comply with any required permits; or
  - g. During the term of this Agreement, the Recipient conveys the Project or the Project property or any part thereof or converts the use of the Project or the Project property to a use which precludes free and unencumbered public boat access.
4. Rights and Remedies. The Recipient shall, within thirty (30) days of its receipt of a notice of default, reimburse the Board for all funds contributed by the Board to the Project. Further, the Board shall have any and all rights and remedies available at law or in equity.

## VI. GENERAL PROVISIONS

1. No Duplicate Payment. The Recipient shall not be compensated for, or receive any other form of duplicate, overlapping or multiple payments for the same work performed under this Agreement from any agency of the State of Oregon or the United States of America or any other party.
2. Amendments. This Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties.

## Appendix “B”

3. Force Majeure. Neither the Board nor the Recipient shall be held responsible for delay or failure to perform when such delay or failure is due to fire, flood, epidemic, strike, public carrier, act of God, act of a public enemy or a public authority or a cause which cannot be reasonably foreseen or provided against.
4. Persons Not to Benefit. No member of or delegate to Congress, resident commissioner, officer, agent or employee of the United States of America, member of the Oregon Legislative Assembly, elected official of the State of Oregon, or official, agent, or employee of the State of Oregon, or elected member, officer, agent, or employee of any political subdivision, municipality or municipal corporation of the State of Oregon shall be admitted to any share or part of this Agreement or derive any financial benefit that may arise therefrom.
5. No Third Party Beneficiaries. The Board and Recipient are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.
6. Successors and Assigns. The provisions of this Agreement shall be binding upon and shall inure to the benefit of the Board and Recipient and their respective successors and assigns; provided however that the Recipient may not assign this Agreement or any interest therein without the prior written consent of the Board, which consent may be withheld for any reason.
7. Severability. The Board and the Recipient agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provisions held to be invalid.
8. Notice. Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile, or mailing the same, postage prepaid, to the Board or the Recipient at the address or number set forth on the signature page of this Agreement, or to such other addresses or numbers as either party may hereafter indicate pursuant to this Section. Any communication or notice so addressed and mailed shall be deemed to be given five (5) days after mailing. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine. Any communication or notice by personal delivery shall be deemed to be given when actually delivered.
9. Counterparts. This Agreement may be executed in several counterparts, all of which when taken together shall constitute one agreement binding all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of the Agreement so executed shall constitute an original.

Appendix "B"

10. Governing Law; Venue; Consent to Jurisdiction. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding collectively, "Claim" between the Board and/or other agency or department of the State of Oregon and the Recipient that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon; provided, however, if a Claim must be brought is a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon.

11. Merger Clause; Waiver. THIS AGREEMENT CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE BOARD AND THE RECIPIENT ON THE SUBJECT MATTER HEREOF. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS AGREEMENT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH THE BOARD AND THE RECIPIENT. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. THE DELAY OR FAILURE OF THE BOARD TO ENFORCE ANY PROVISION OF THIS AGREEMENT SHALL NOT CONSTITUTE A WAIVER BY THE BOARD OF THAT PROVISION OR ANY OTHER PROVISION. THE RECIPIENT, BY THE SIGNATURE BELOW OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

BOARD:  
State of Oregon, acting by and through its  
State Marine Board

RECIPIENT: Legal Name of Grant Recipient

By: \_\_\_\_\_  
Scott Brewen, Director

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: (503) 378-2619

Telephone: \_\_\_\_\_

Fax No: (503) 378-4597

Fax No: \_\_\_\_\_

Federal Employer Identification Number:  
\_\_\_\_\_





# Oregon State Marine Board FACILITY GRANT BILLING FORM

Recipient Name:		OSMB Grant No:	
Project Name:		EMAP No:	
Billing Period ~ mm/yyyy	from:	to:	
Percent of work complete or materials stored:		Partial Payment:	Final Payment:

PROJECT FUNDING ~ IN-KIND FUNDS (soft funds) <i>NOT eligible for Reimbursement</i>			
CATEGORY	CURRENT COSTS	PREVIOUSLY INCURRED	TOTAL COSTS TO DATE
Administration			\$0.00
Force Account Labor/Materials			\$0.00
Force Account Equipment			\$0.00
Force Account Inspection			\$0.00
Force Account Permits/Lease			\$0.00
System Development Charges			\$0.00
Other: _____			\$0.00
<b>TOTAL IN-KIND FUNDS</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

PROJECT CONSTRUCTION COSTS ~ CASH FUNDS <i>(All funding parties) Eligible for Reimbursement</i>			
CATEGORY	CURRENT COSTS	PREVIOUSLY INCURRED	TOTAL COSTS TO DATE
Property Acquisition			\$0.00
Construction Contract			\$0.00
Material/Equipment			\$0.00
USACE/DSL Waterway Permit			\$0.00
Consultant Contract			\$0.00
<b>TOTAL CONSTRUCTION COST</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Less Recipient Cash Match			\$0.00
Less Other Cash Match			\$0.00
<b>AMOUNT DUE FROM OSMB</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Certification:** I certify that this is a true and correct statement of all expenditures and that appropriate billing documentation to support this statement is available for inspection in the recipient's fiscal records. I further understand that payment will be withheld until all documentation is provided.

Print/Type Name: _____
Title: _____

Signature - Authorized Official: _____
Date: _____

<b>FOR OSMB USE ONLY</b>	Amount: \$ _____	Date: _____	Approved by: Wayne Shuyler, Facilities Manager INITIALS: _____
Payment Method: _____	Reversion: _____		







## Force Account Equipment Record (ACTUAL)

Project Title: \_\_\_\_\_

Waterbody: \_\_\_\_\_ Facility Name: \_\_\_\_\_

The hourly rate for equipment used on a project shall not exceed its fair-rental value. Records of force account equipment shall include schedules showing the hours and dates of use and the signature of the operator of the equipment.

Date	Description of Equipment Used	Hourly Rate of Equipment	Number of Hours Used

\_\_\_\_\_  
Signature of Person Operating Equipment Date

\_\_\_\_\_  
Project Supervisor Signature Date

Total This Sheet \$ \_\_\_\_\_



## Force Account Equipment Record (ESTIMATED)

Project Title: \_\_\_\_\_

Waterbody: \_\_\_\_\_ Facility Name: \_\_\_\_\_

The hourly rate for equipment used on a project shall not exceed its fair-rental value. Records of force account equipment shall include schedules showing the hours and dates of use and the signature of the operator of the equipment.

Date	Description of Equipment To Be Used	Hourly Rate of Equipment	Number of Hours of Estimated Use

\_\_\_\_\_  
Signature of Person Operating Equipment Date

\_\_\_\_\_  
Project Supervisor Signature Date

Total Estimated Donation This Sheet \$ \_\_\_\_\_



## Force Account Materials or Supplies Record (ACTUAL)

Project Title: \_\_\_\_\_

Waterbody: \_\_\_\_\_ Facility Name: \_\_\_\_\_

Prices assessed to materials or supplies included in the matching share should be reasonable and should not exceed current market prices at the time they are charged to the project.

Date	Description of Materials or Supplies	Fair Value	Is this full retail value?

\_\_\_\_\_  
Project Supervisor Signature

\_\_\_\_\_  
Date

Total Actual This Sheet \$ \_\_\_\_\_



## Force Account Materials or Supplies Record (ESTIMATED)

Project Title: \_\_\_\_\_

Waterbody: \_\_\_\_\_ Facility Name: \_\_\_\_\_

Prices assessed to materials or supplies included in the matching share should be reasonable and should not exceed current market prices at the time they are charged to the project.

Date	Description of Materials or Supplies	Fair Value	Is this full retail value?

\_\_\_\_\_  
Project Supervisor Signature Date

Total Estimated Donation This Sheet \$ \_\_\_\_\_



# Force Account Labor Timesheet Volunteer or Paid

Project Title: \_\_\_\_\_

Waterbody: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Name of Worker: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Professional and technical personnel, consultants, and other skilled and unskilled labor may furnish volunteer services. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved project.

Records of in-kind contributions of personnel shall include time sheets containing the signature of the person whole time is contributed and of the supervisor verifying that the record is accurate.

Rates for volunteer should be consistent with those regular rates paid for similar work in other activities of the State. In cases where the kinds of skills required for the project are not found in other activities by the grantee, rates used should be consistent with those paid for similar work in the labor market in which the grantee competes for the kind of services involved. The time of a person donating services will be valued at the rate of pay as a general laborer unless the person is professionally skilled in the work being performed on the project (mason doing work on a retaining wall). When this is the case, the wage rate the individual is normally paid for performing this service may be charged to the project. The rate cannot exceed prevailing wage charges determined by the Department of Labor. A list can be found at <http://www.access.gpo.gov/davisbacon/or.html>

Date	Hourly Rate	Hours Worked (From-To)	Description of Work	Initials

Signature of Personal Donating Time

Date

Project Supervisor Signature

Date

Total Hours Worked \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

(Actual)      Rate of Pay      Total Value of Hours This Sheet

**STATE MARINE BOARD  
2013-2015 FACILITY GRANT PROJECT APPLICATION  
STAFF EVALUATION**

Total Score:

FACILITY GRANT #  COUNTY:  WATERBODY:

PROJECT NAME:  APPLICANT:

**APPLICATION AND PROJECT FACTORS:**

<b>1</b>	<b>Quality of application:</b> (Based on completeness, comprehensibility, supporting material, etc.)	Excellent	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Good	5	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Adequate	3	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Inadequate	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>2</b>	<b>Type of project:</b> (Based on predominate elements of the project)	Water quality	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Safety/ADA Requirement	8	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Renovation/expansion	6	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Master planning/engineering	4	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		New boating facilities	2	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Other eligible elements	1	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Non-eligible elements	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>3</b>	<b>Principal project components:</b> (Based on item making up largest percentage of project cost)	Essential for access	5	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Non-essential	1	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Not eligible	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>4</b>	<b>Serving registered boats:</b> (Based on Six-Year Plan and other information)	Motorized (70-100%)	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Mixed (31-69%)	3	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		Nonmotorized (<30%)	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>5</b>	<b>Applicant matching contributions:</b> (Cash, materials, property, force account labor/equipment) <i>Excluding: administration, inspections, permits, etc.</i>	>30%	15	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		21-30%	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		11-20%	5	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		1-10%	1	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		<1%	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

**AND/OR**

<b>6</b>	<b>Federal partner matching contributions:</b> (Cash, materials, property, force account labor/equipment) <i>Excluding: administration, inspections, permits, etc. and ODFW Sportfish</i>	>50%	15	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		36-50%	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		21-35%	5	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		1-20%	1	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		<1%	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>7</b>	<b>Other non-applicant matching contributions:</b> (Cash, materials, property, force account labor/equipment) <i>Excluding: administration, inspections, permits, etc.</i>	>20%	15	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		11-20%	10	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		6-10%	5	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		1-10%	1	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
		<1%	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>

<b>8 Facility use fees charged:</b> (Includes: entrance fee, launch fee, parking fee, etc.)	Free	10	<input type="text"/>
	\$1.00-2.99	5	<input type="text"/>
	\$3.00-\$5.99	3	<input type="text"/>
	\$6.00 and up	0	<input type="text"/>
<b>9 Applicant's priorities:</b> (Determined by applicant for up to three projects) <i>Single projects score 5 points</i>	First	5	<input type="text"/>
	Second	3	<input type="text"/>
	Third	1	<input type="text"/>
	More than three	0	<input type="text"/>
<b>10 User group/community/political support for project:</b> (Includes: letters of support, resolutions, other evidence)	High	10	<input type="text"/>
	Medium	5	<input type="text"/>
	Low	1	<input type="text"/>
	No evidence	0	<input type="text"/>
<b>Sub-total</b>			<input type="text" value="0"/>

**STAFF EVALUATION FACTORS:**

<b>11 Priority in Six-Year Plan:</b> (Based on 2005-2011 Plan)	High	10	<input type="text"/>
	Medium	5	<input type="text"/>
	Low	3	<input type="text"/>
	Not Listed	0	<input type="text"/>
<b>12 Statewide or regional importance of waterbody:</b> (Reference: 2002 or 2005 Triennial Survey and other factors) Top 50 waterbodies or at least 10,000 use days = 10 Top 100 waterbodies or at least 3,000 use day = 5 All other listed waterbodies = 3	High	10	<input type="text"/>
	Medium	5	<input type="text"/>
	Low	3	<input type="text"/>
	Not Listed	0	<input type="text"/>
<b>13 Level of design and engineering completed:</b>	Final	10	<input type="text"/>
	Preliminary	5	<input type="text"/>
	Conceptual	3	<input type="text"/>
	None	0	<input type="text"/>
<b>14 Status of in-water permits:</b>	COE & DSL approved or N/A	15	<input type="text"/>
	COE or DSL approved	10	<input type="text"/>
	Application prepared and submitted	5	<input type="text"/>
	Application not prepared or not submitted	0	<input type="text"/>
<b>15 Project development suitability and impacts:</b> (Environmental factors, adjacent land use, traffic, safety, etc.)	Highly suitable/minor impact	15	<input type="text"/>
	Suitable/many impacts	5	<input type="text"/>
	Not suitable/extensive impact:	0	<input type="text"/>
		10	<input type="text"/>
<b>16 Applicants prior grant performance:</b> (Project management, contractor relations, supervision, billing, etc.)	Excellent	10	<input type="text"/>
	Good	5	<input type="text"/>
	Average	3	<input type="text"/>
	Poor	0	<input type="text"/>



**17 Applicants operation and maintenance performance record:**  
(Attention to user needs, site cleanliness, operational condition, etc.)

Excellent 10  
Good 5  
Average 3  
Poor 0


**18 ODFW matching contributions:**  
(Sportfish Restoration Funding allocated as % of total project)

>20% 15  
11-20% 10  
6-10% 5  
1-5% 1  
<1% 0


Comments:

**Sub-total**

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0