

Department of Natural Resources
Chesapeake & Coastal Service

Waterway Improvement Fund Grants Manual

1. Purpose

The Waterway Improvement Fund was established in 1966 (Annotated Code of Maryland Sec. 8-707 of the State Boat Act) for the purpose of funding projects which improve and promote the recreational and commercial capabilities, conditions and safety of Maryland's waterways for the benefit of the general boating public.

2. Source of Funds

Revenues for this fund are primarily obtained from the one time 5% excise tax that is paid to the State of Maryland when a boat is purchased and titled in the state.

3. Administration of the Funds

Grants administration for the Fund is the responsibility of the Department of Natural Resources Waterway Improvement and Infrastructure Program of the Chesapeake and Coastal Service Unit. Projects administered by the Program are paid on a grant reimbursement basis to the applicant.

4. Types of Projects Funded

The criteria used to determine which projects are eligible for assistance through the Waterway Improvement Fund are identified in Section 8-707 of the State Boat Act, (Subtitle 7 - Annotated Code of Maryland, Natural Resources Article). This subtitle determines the eligibility, type and amount of funding that can be expended for each project. The Fund provides financial support to local governments, the Department of Natural Resources, and federal agencies in the form of grants and/or loans for a wide variety of capital projects and services for the boating public including:

- a. Marking of channels and harbors and establishing aids to navigation.
- b. Clearing of debris and obstructions from navigable waters of the state.
- c. Dredging channels and harbors, and constructing jetties and breakwaters, including those projects in cooperation with the U.S. Army Corps of Engineers.
- d. Dredging ponds, lakes and reservoirs owned by the State of Maryland.
- e. Construction of marine facilities beneficial to the general boating public.
- f. Installation of marine sewage pump-out stations.
- g. Improvement, reconstruction, or removal of bridges, drawbridges or similar structures over or across water if those structures delay, impede, or obstruct the boating public.
- h. Evaluation of water oriented recreation needs and capacities of Maryland waterways and the development of comprehensive plans for waterway improvement projects.
- i. Boating information and education.
- j. Construction of marine facilities for marine firefighting, police, first aid and medical assistance, and communications for promoting safety of life and property and general service to the boating public.

- k. Acquisition of State equipment and vessels for marine firefighting, policing, first aid and medical assistance, and communications for promoting safety of life and property and general service to the boating public.
- l. Boating related structural and non-structural shore erosion control projects.

5. Types of Grants

Projects found to be eligible for State assistance from the Waterway Improvement Fund may receive funds in the form of grants as described below. The type of funding selected for a project is dependent upon the scope of the project, statutory guidelines, technical and environmental considerations as well as to what degree the project benefits the general boating public.

a. **100% State Grants (Not to exceed \$5,000)**

The Department may expend a total of \$125,000 each fiscal year, for a total of (25) grants not exceeding \$5,000 each, for projects such as minor construction, repair, and navigation projects at public boating facilities.

b. **100% State Grants (Not to exceed \$100,000)**

Projects for developing and maintaining public boating facilities and installing marine sewage pumpout stations.

c. **100% State Grants (In excess of \$100,000)**

Projects for dredging, marking channels and harbors, construction of jetties and breakwaters; clearing debris, obstructions, and abandoned boats from navigable waters; as well as construction of boating facilities on lands owned or leased by the Department of Natural Resources.

d. **Matching Grants (Max. 50% State Cost Share)**

Projects in excess of \$100,000 may be financed on a 50/50 matching basis (50% maximum state cost share) with a local jurisdiction for the engineering, construction, and maintenance of public boating facilities, dredging channels and harbors, and acquiring marine fire/rescue boats and equipment (Maximum of \$50,000). Governing body may not use other State funds as their share of the 50% match.

e. **100% Interest Free Long Term Loans (Tax Districts)**

A local governing body may borrow interest free funds for a maximum 25 year term for waterway improvement projects within a Waterway Improvement Tax District. Statutory limits apply to the use of these funds. Projects can include dredging/navigation, spur channels, and boating access related facilities.

6. Grant Funding Policies

Dredging/Navigation Projects:

- a. DNR will only provide 100% state funds for dredging/navigation projects that directly serve a publicly owned public boating facility, for projects cost shared with the U.S. Army Corps of Engineers, or for projects that support major public thoroughfare channels.
- b. All other dredging/navigation projects, including those that primarily serve local communities, will be funded through 50/50 matching state grants, tax district loans, or local special benefit districts (privately financed loans) depending on the level of benefit that the project provides to the general boating public.
- c. Those dredging/navigation projects that benefit publicly owned boating facilities, Corps of Engineers projects, major public thoroughfare channels, or have multiple funding sources that require less than 50% state matching funds will be top priority.

Boating Access Facility/Boating Safety Projects:

- a. DNR will continue providing 100% state grants where the total project costs are below \$100,000 to the extent of funding available.
- b. Projects where the total estimated cost equals or exceeds \$100,000 will no longer be phased over multiple fiscal years and will require a 50% local match.
- c. DNR will continue to provide matching state grants to acquire fire/rescue boats and equipment to the extent of available funding.

All Waterway Improvement Fund Grants:

- a. DNR will only consider reimbursing project related mitigation costs if the mitigation is completed and is required by federal/state/local regulatory agencies as part of the overall project. Any required storm water retrofits will continue to be the responsibility of the project sponsor.
- b. Boat counts will be used when appropriate to help determine the level of benefit that a project will provide to the general boating public.
- c. Type of grant (100% State, 50/50 matching, or tax district loan) approved for a project does not guarantee a similar type of state funding for a future grant project at the same location.
- d. Projects that primarily benefit commercial watermen will require 50% matching funds.
- e. Local jurisdictions that elect to charge a fee for use of their public boat ramps/landings or to use a stand alone boating facility (individual ramp or boat slips) will be limited to a single \$25,000 - \$50,000 100% state grant during any fiscal year (depending upon availability of funds). Anything beyond that amount will require a 50/50 matching fund grant. This policy does not apply to facilities that only charge a user fee to out-of-state boaters.
- f. Any administrative cost for a project is the responsibility of the grant sponsor.

7. Project Evaluation Criteria

The following technical and environmental factors as well as the benefits, which the project will provide to the general boating public, are taken into consideration when evaluating projects for funding:

- a. **Expand/Improve Public Boating Access (40,20,1)** - A score of (40) is assigned to each project that directly provides increased boating access for the general boating public such as, new boat ramps, additional parking at ramps, additional launch lanes, improve/maintain major navigation channels/harbors, and increase launch area holding/boardings piers. A score of (20) is assigned to the replacement or major improvements to existing boating access facilities as well as projects that do not actually increase boating access opportunities but improve the quality of boating access. Any project that does not directly increase or improve boating access but provides other amenities or performs an ancillary function, such as picnic areas, boardwalks, etc., or provide limited access to the general boating public should receive a score of (1).
- b. **Safety (40,20,1)** - Any project that directly improves boating safety, such as any fire fighting improvements, lighting, guard rails, accessibility improvements for persons with disabilities, dredging projects that remove dangerous shoals, breakwaters that improve navigation, etc., receives a score of (40). Those projects that indirectly improve boating safety such as, replacing worn decking, pier widening, common dredging projects, mooring buoys, site re-grading, repaving, etc., receive a score of (20). Projects that do not affect boating safety such as new comfort stations, painting, re-roofing, new parking areas, etc., receive a score of (1).
- c. **Cost/Benefit (30,1)** - Those projects that have a high cost/benefit ratio such as those that increase the usage capability or include major improvements to a public boating

facility (such as parking lot expansion, additional launch lanes, comfort station(s), additional slips/docking), navigation projects that directly support public boating facilities and/or act as major thoroughfare channels, and ADA related improvements receive a score of (30). Those projects that have a low cost/benefit ratio such as projects that benefit a very limited segment of the boating public such as spur channel dredging, tax district loans, etc., receive a score of (1).

- d. **Regulatory Permits/Environmental (30,1)** - Those projects that already have permits, or will imminently be issued permits, receive a score of (30). If no permits are issued and there are other environmental issues that could delay the permits for at least one year from July 1st or more, the project receives a score of (1).
- e. **Projected Expenditure Rate (20,10,1)** - If 100% of the funds for the proposed project will be expended within the approved fiscal year (July 1 to June 30), a score of (20) may be assigned. All projects that are anticipated to have 100% expenditures made within 1 to 2 years receive a score of (10), and any projects anticipated to have 100% expenditures made after 2 years receive a score of (1).
- f. **Continuation of a Current Project (10,1)** - If the proposed project is a continuation of a current project, the score assigned can be (10). All other projects receive a score of (1).
- g. **Boating Congestion (10,1)** - Any project that does not impact boating congestion in any manner receives a score of (10). Any project that aggravates or adds to boating congestion (on a waterway identified as being highly congested) receives a score of (1). An example would be the construction of additional launching lanes or increased parking that increases use at a facility on a waterway that already experiences high congestion and/or legal citations.
- h. **Sustainable Elements (10, 1)** - Projects incorporating a sustainable, environmentally sensitive component is assigned a score of (10). Projects designed using renewable resources and utilizing low impact development techniques are considered environmentally sensitive. Projects that include none of these components receive a score of (1).
- i. **Other/Priority (200 Safety/Statewide, 100 Local)** - Criteria assigns additional points to projects that are either mandatory, have a special circumstance, or have a high local/state priority.

8. Supplemental Guidelines for Recreational Dredging/Navigation Projects

Hydrographic Surveys

- a. All funding requests for dredging/navigation or boating facility projects (projects that include installing a new ramp, boat slips, or pier/dock) must include a recent bathymetric survey no more than 2 years old. A recent survey is needed to determine the estimated project costs and to verify sufficient water depths. The terminating bottom contour for the survey should go to at least the proposed project depth, or in the case of a new or enhanced boating facility, should show the existing water depths at the end of the ramp or at the dock/pier/slips channel ward to -4.0 mean low water (MLLW) unless approved otherwise by DNR Chesapeake & Coastal Service. All survey drawings will show all horizontal and vertical controls and the source/information for the benchmark(s) used for the survey. All soundings/elevations should be shown in MLLW. The number/density of soundings taken shall be taken/plotted in a manner sufficient to accurately determine the existing water depths within the project site as described above. Survey shall include a verbal description

in the form of a table for all channel stake point descriptions, angles, distances, and coordinates required to relocate the channel in the field using existing horizontal controls. Any submerged obstructions found in the project site shall be labeled accordingly on the drawing(s). Any existing marine structures (both in-water and upland) within the limits of the proposed project site shall be located/labeled accordingly. All surveys provided to DNR shall include a hard copy as well as an electronic copy in both PDF/AutoCAD format. Digital orthophoto (orthorectified) overlay aerial maps can be used as part of the final drawing(s) to show adjacent shorelines, etc. as long as they can be displayed electronically in AutoCAD. Hard copy drawings should be provided in Plan D size (24"x36"). All surveys must be stamped by either a Maryland Registered Land Surveyor or Maryland Registered Professional Engineer.

- b. Grant sponsor shall be responsible for completing all required project/channel stake-outs and shall provide DNR Chesapeake & Coastal Service with a post dredge survey for all dredging projects, the cost of which can be included in the overall project cost in accordance with the requirements indicated in '8. a.' directly above. All channel/project stakeouts and associated construction must be completed in strict accordance with approved federal, state, and local permits and approvals.
- c. If there is no approved WWI Fund Grant for a proposed project, the local jurisdiction will need to front the costs to complete the necessary survey(s). If the terms and conditions of the State grant are followed when obtaining the survey(s), DNR will consider reimbursing for this service as part of the overall project costs, provided future State funding is awarded in accordance with the type of WWI Fund Grant (or loan) approved by Department for the project (i.e. 100% state, MF, or Tax District Loan). If supplemental surveys are required, they can also be included in the overall project cost.

9. Grants Procedure

a. Initial Inquiry

Project requests can originate from Department of Natural Resources, a local jurisdiction, federal agency, elected official, or the general public. When an inquiry is made to the Department regarding a potential project, the Waterway Improvement Program (Program) will have a staff member visit the site with the proposed project sponsor (local government, the Department of Natural Resources, or federal agency) and make a preliminary analysis to determine if the project can qualify for State funding in accordance with the Departmental criteria and statutory guidelines mentioned above.

b. Grant Applications and Project List

A "Waterway Improvement Fund Application and Project Agreement" is submitted to the Program by local governments, the Department of Natural Resources, and federal agencies for projects that benefit the boating public. The Agreement includes the name of the grant applicant, description and estimated cost of the project, and proposed benefits. The Agreement also includes all of the terms and conditions required by the applicant to receive reimbursement for the project. Grant applicant must comply with all terms and conditions included in the Waterway Improvement Fund Application and Project Agreement.

Applications for Dredging/Navigation projects must also include a "Dredging/Navigation Project Needs & Benefits" Form. Applications for fire/rescue boats and equipment from local jurisdictions must also include a Matching Fund Fire & Rescue Grant Agreement Form.

The Program annually accepts grant applications until August 15th for the following fiscal year's budget. Deadline exceptions are made on a case-by-case basis. These projects are reviewed, rated and ranked in accordance with the pertinent statutes and above referenced criteria/guidelines. Those projects found to be eligible for funding are then prioritized and placed on a Waterway Improvement Fund Project List, to the extent of funding available, and submitted to the Office of the Governor and Maryland General Assembly for approval.

c. Approval

When the grant is approved by the General Assembly a letter is sent to the applicant confirming the approval (typically May of each year). Funds become available for approved grants on July 1st of each fiscal year. Grant funding is subject to expiration after 3 years from the date that the grant funds become available to the applicant, unless an exception is approved in advance by Chesapeake & Coastal Service.

d. Permits

Approval of a Waterway Improvement Fund Grant does not in any way infer the approval or pre-approval of any federal, state or local permits/approvals required to complete a project. All necessary Federal, State and Local permits and approvals must be secured by the governing body and copies must be provided to Chesapeake & Coastal Service before award of contract. It is the responsibility of the governing body to notify the permitting agencies of any change to the design or project that may require a permit modification or additional approval. Any projects completed without the necessary permits will not be eligible for grant reimbursement.

e. Dredge Material Placement Sites (DMP)

DMP sites along with all easements and staging areas must be secured by the governing body before work can begin. It is preferred that a DMP site is already secured when submitting applications for funding of dredging projects.

f. Plans and Specifications

Plans and specifications are prepared by the governing body and must be approved by the Program before bids are solicited. All changes in the original plans and specifications must also be submitted to and approved by the Program before the work is performed.

g. Public Bidding

The Governing Body will publicly advertise the project for bids or use other procurement method approved in advance by DNR. This requirement applies to all phases of the project including, but not limited to, planning, engineering, construction, and inspection. Proposals will be received and compiled by the Governing Body involved. DNR reserves the right to have a representative present at the bid opening.

Documentation of the bidding must be submitted to DNR before contracts are awarded. This includes public notices, advertisements, bid tabulation sheets, and a letter requesting that the governing body be permitted to award the contract to the successful bidder. The contract should not be awarded until DNR provides concurrence on the selection.

DNR encourages use of Small Business Vendors and certified Minority Business Enterprises. All sole source procurements must receive prior approval from DNR. Procurements less than \$2,500 require oral or written bids where practical, in order to show competition. Procurements \$2,501 to \$10,000 are required to have at least two written competitive bids. Solicitations for procurements \$10,001 and above must be written and published and have at least two responsive bids.

h. Prevailing Wage Rates

The prevailing wage rate law applies to the construction of any facility funded under this program with a total contract value equal to or greater than \$500,000 in which 50% or more is funded by the State. Appropriate prevailing wage rate clauses and schedules must be included in the contract.

i. Contracts

Governing body should notify DNR at least one week prior to start of work and must submit a copy of all signed contracts to DNR prior to the start date.

j. Construction

Depending upon the scope of construction involved, a DNR representative may or may not inspect the project site during the course of construction. The governing body must however notify the DNR of project start dates, scheduled progress meetings, inspection dates and dates of final acceptance for all construction projects.

k. Reimbursements

The governing body pays the contractor then submits copies of the appropriate invoices and canceled checks (or certifications of payment) along with a "Waterway Improvement Projects Request for Reimbursement Form" to the Program. Upon receipt of this Form/documentation, the Program will process a reimbursement payment to the governing body.

l. Technical Assistance

In the case of approved dredging, jetty, or breakwater projects; Program may provide limited technical assistance if necessary to grant applicants for completing projects.

10. Grant Applications

a. Schedules

Applications for Waterway Improvement Funds are accepted throughout the year. **The cut-off date for receiving applications is August 15th** for the next fiscal year (July 1st - June 30th) unless approved otherwise by DNR Chesapeake & Coastal Service, at which time the list is prepared for submission to the Legislature for approval.

b. Application Form

All grant requests are to be submitted on the "Waterway Improvement Fund Application and Project Agreement Form" contained in this guide. Applications should be mailed to the Chesapeake & Coastal Service Waterway Improvement & Infrastructure Program. Applications for Dredging/Navigation projects must also include a Dredging/Navigation Project Needs and Benefits Form. Applications for fire/rescue boats and equipment from local jurisdictions must also include a Matching Fund Fire & Rescue Grant Agreement Form.

c. Grant Application Instructions (Do not fill in any shaded areas on application)

1. Applicant Name: The Applicant must be a County, Town or City government, or a State or Federal agency. Examples: Talbot County, National Park Service, City of Annapolis, etc. List your local jurisdiction's Federal ID number.
2. Project Title: Include name of project. Examples: Johnson Creek Boat Ramp, Mill Creek Landing, Annapolis City Fire Boat, etc. Check whether the project is being funded individual (one single grant) or multi-year (multiple grants to complete project).
3. County/Municipality: Example: City of Annapolis, Baltimore County, Perryville, etc.
4. Legislative District: Include legislative district where project is located.
5. Project Location: Include street address and waterway where project is located.
6. Project Description: Check the type/phase of project in the correct space and provide a detailed description of the project (Example: Construct 2 lane boat ramp with 30 car trailer parking, entrance road, 100 feet to timber bulkhead, utilities). Also attach any available site plans, drawings, and photographs of proposed project.
7. Type of Funding Requested: Check one of the types of funding on the application that you are requesting for the project.
8. Total Estimated Project Cost: Total estimated project cost (both local and state cost share) to complete the entire proposed project.
9. Amount of Waterway Funds Requested: Total funding request *for this specific grant only* (do not include the total cost of the project unless this grant will cover the total cost).
10. Local Project Coordinator: Include the name, title, mailing address, phone number and e-mail address for the individual who will be managing the project on a daily basis.
11. Project Period: Waterway Improvement Fund grants will only remain active for 3 years from the award date unless otherwise approved by the Program. Include the dates when the project will be completed (maximum 3 years). Funds will become available on July 1st of each fiscal year. Also include any existing or proposed multi-year project costs including the grand total cost for the project (all years).
12. Detailed Project Status/Justification: Complete all questions A-K.
13. Terms and Conditions: Please review all of the Terms and Conditions of the Grant.
14. Local Government Authorization: If you agree with the Terms and Conditions of the Grant, include the name of the County/Municipality and sign the Application (also print name/title and date).

11. Service Contract Grants

The State may provide limited funding to local governments (dependent upon availability of funds) for portable toilet rentals at public boating facilities through grants from the Waterway Improvement Fund. Local governments may prepare contracts for such services within their jurisdictions and be reimbursed for the cost through Waterway Improvement Fund grants for a contract period of nine months (Jul-Nov, Mar-Jun) on a fiscal year (FY) basis.

Local governments must submit their Service Contract grant applications to the appropriate regional administrator of the DNR Chesapeake & Coastal Service Waterway Improvement and Infrastructure Program by March 1st of each year. Contracting and grant processing for these projects are the same as for any other Waterway Improvement grant. However, grant balances not disbursed 2 months after the end of the FY are subject to immediate reversion by DNR.

Guidance Checklist and Program Contacts:

Grants Management Checklist: The local governing body is required to follow the steps outlined in the Grants Management Checklist, in managing their grants. Attention to the steps set forth will assure compliance with statutory requirements and; thereby, the eligibility of expenditures for reimbursement. A "Grants Management Checklist" Form is available to assist the applicant in tracking these administrative requirements.

Please contact DNR Chesapeake & Coastal Service if you have any further questions regarding this grant application process:

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