

Board of County Commissioners

Agenda Request

Date of Meeting: February 17, 2009

Date Submitted: February 10, 2009

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Timothy P. Barden, Assistant County Administrator

Subject: Request Board Approval to Apply for A Land and Water Conservation Fund (LWCF) Grant Through the Florida Department of Environmental Protection (FDEP)

Statement of Issue:

This agenda item requests Board approval to apply to the Florida Department of Environmental Protection's (FDEP) Land and Water Conservation Fund (LWCF) (Attachment #1).

Background:

In January, 2009, the County received notice that a funding opportunity with the Land and Water Conservation Fund (LWCF) was made available to the County through the FDEP. This program is a competitive grant program which provides grants for acquisition or development of land for public outdoor recreation. This program is administered by the FDEP - Division of Recreation and Parks, Bureau of Design and Recreation Services, on behalf of the US Department of the Interior, National Park Service. The Program is governed according to Florida Statutes, Florida Administrative Code, Chapter 62D-5, Part VII and the LWCF Grants Manual.

This funding opportunity through the Florida Department of Environmental Protection - Land and Water Conservation Fund (LWCF) is provided to the Board for direction regarding several projects that staff have deemed to be eligible under this source and the information to expediently prepare the lengthy application (Attachment #1) within the 10-day period necessary to meet FDEP's **submission deadline of February 27, 2009**, is feasible.

This funding is available to county governments and municipalities in Florida and other legally constituted local governmental entities with legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public are eligible. The maximum grant request may not exceed \$200,000. The matching ratio is one applicant dollar for one federal dollar for all LWCF grant awards (50% - 50%) match. **The REDI Match Waiver cannot be used to meet the match criteria. These funds are federal funds and the feds do not recognize the REDI Waiver.**

Cash and in-kind services may be used for the required match. In-kind services can include cash, paid services [example: public works paid labor and the value of donated real property owned by the applicant that is pre-approved by the FDEP, if applicable].

LWCF funds can be used for Development:

- 1) Outdoor recreation areas and facilities such as beaches, picnic areas, trails, ball fields, tennis and basketball courts and playgrounds along with associated support facilities such as lighting, parking, restrooms and landscaping.
- 2) Enclosed buildings and structures (except restrooms, restroom/concession buildings and bathhouses) are eligible.
- 3) Acquisition: Land for outdoor recreation purposes.

If the County plans to apply for a development project, the County must own the project site or lease it from a public agency by the closing date of the application submission period. Land that is owned or leased by the County must be dedicated in perpetuity as a public outdoor recreation area. Additionally, the county must commit to operate and maintain LWCF assisted public recreation facilities in reasonable repair for a minimum of 25 years after completion of construction to prevent undue deterioration.

Acquisition projects will require a self-contained narrative, appraisal(s), title search, and if applicable, a mean or ordinary high water survey prior to project commencement. The appraisal must conform to the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA). **However, appraisal fees will not be reimbursed by the grant.**

Combination projects for acquisition and development activities can be applied for.

Applications submitted for funding are reviewed individually by the LWCF for eligibility. The Bureau of Design and Recreation Services evaluates each eligible application according to criteria noted in the Florida Administrative Code and the LWCF Manual, and assigns a score. Based on the score, the Bureau prepares and submits a recommended priority list to the Secretary of the FDEP for approval. Projects approved by the State are then submitted to the US Department of the Interior, National Park Service for final review and award.

Projects that are funded will enter into an agreement with the FDEP. This agreement sets forth conditions consistent with FDEP policy, the Florida Administrative Code and the Land and Water Conservation Fund (LWCF) Manual.

The project completion time is up to three (3) years from the effective date of the agreement to complete development projects, and up to one year for acquisition projects. Payment is on a reimbursement basis, so if funded, the County must appropriate funding to pay expenditures up front. Reimbursements can be submitted to the FDEP on a monthly basis.

Depending on the project type applied for, the environmental review criteria and/or requirements under the National Environmental Policy Act (NEPA) for land and water conservation fund

proposals will have to be followed. This process is stringent and will impact National Park Service review and decision's on funding of applications.

Analysis

The maximum funding amount provided by the LWCF is approximately \$200,000. There is a 50-50 match requirement. The REDI Match Waiver cannot be used for waiver of the required match due to this being federal funding, and the Federal government does not honor it. So the project selected by the Board for this funding, must have funding already set-aside to provide the match requirement. **The deadline for the application to the FDEP is February 27, 2009.**

To meet the Board's request, staff reviewed numerous County projects to present to the Board for consideration. However, after close review of the application criteria, inquiries to the FDEP, meeting with Parks and Recreation staff and consultants, the impending deadline for submission of the application, and the 50% match requirement, staff determined that that only two projects were feasible to apply for under this funding opportunity, The two projects are as follows:

- 1) Phase III- Medart Recreational Park Improvement: The items that would be included are: ball field improvements for multi-purpose use, improved lighting, walkways and trails, picnic facilities, parking and landscaping with native vegetation.
- 2) Mashes Island Boat Ramp and Expanded Facilities Upgrades: The items that would be included would be seawalls, picnic facilities, bike racks, parking and landscaping with native vegetation.

Of the two identified projects, staff's recommendation is the Mash Island Boat Ramp and Expanded Facilities Upgrades Project. The estimated costs for the repair and expansion of the Mashes Island Boat Ramp and Expanded Facilities would be approximately \$75,000. The estimated cost to repair or replace the boat ramp is \$40,000-\$50,000 while the remaining \$25,000 in funding would be used for the facility upgrades. The cost would be split \$37,500 county match funds and \$37,500 from this grant source. The match requirement under this project is 1:1 dollar. The match of \$37,500 can be provided from the Parks and Recreation Reserve in the One-Cent Sales Tax Option Capital Improvement 317-Fund. The current balance in that account is \$124,250. It is staff's belief that the Mashes Island Boat Ramp project is more fundable based on the following:

- 1) Ability to leverage higher points in the application criteria than other County projects identified and therefore have a much higher chance of being funded;
- 2) The site is a County owned, preliminary site work has been done, and the surroundings and amenities needed are favorable to the priorities listed by the FDEP in the application;
- 3) The information required in the application is the most readily available to prepare the application to meet the February 27, 2009 submission deadline, which if approved by the Board, will be in 10 days.

- 4) The request of only \$37,500 is an attractive funding amount and will make our application more competitive.

Summary

The Mashles Island Boat Ramp in its current state of deterioration poses a danger to users and to the safety of Wakulla County citizens and is a potential liability to the County. This recommendation ties in with current Board direction to staff, at the January 6, 2009 meeting, to seek funding options for the repair and/or replacement of the boat ramp at Mashles Island. The match of \$37,500 is a very cost-effective share to pay when taking into account that the repair and improvements to be made area at a reduced price to the County, the safety protections and the benefits the repairs and expansion of the pier will provide to the citizens, tourist and to the County.

Options:

1. Authorize staff to pursue submission of an application to the FDEP/LWCF for \$37,500 for repair and expansion of the Mashles Island Boat Ramp and Expanded Facilities Upgrades and approve the use of \$37,500 from the Parks and Recreation Reserve in the One-Cent Sales Option Capital Improvement 317-Fund.
2. Do not Authorize staff to pursue submission of an application to the FDEP/LWCF for \$37,500 for repair and expansion of the Mashles Island Boat Ramp and Expanded Facilities Upgrades and do not approve the use of \$37,500 from the Parks and Recreation Reserve in the One-Cent Sales Option Capital Improvement 317-Fund.
3. Board Direction.

Recommendation:

Option #1

Attachment(s):

1. Application for Funding- FDEP, Land and Water Conservation Fund