

Board of County Commissioners

Agenda Request

Date of Meeting: March 3, 2009

Date Submitted: February 25, 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 Florida Boating Improvement Program (FBIP) Grant Through the Florida Fish and Wildlife Conservation Commission (FWC)

Statement of Issue:

This agenda item requests Board approval to apply to the Florida Fish and Wildlife Conservation Commission (FWC) Florida Boating Improvement Program (FBIP).

Background:

On February 2, 2009, notice (Attachment #1) was received that a funding opportunity with the Florida Boating Improvement Program (FBIP) was available to the County through the Florida Fish and Wildlife Conservation Commission (FWC). The FWC pursuant to Sections 206.606 and 327.47 F.S., is charged with providing funding through a competitive grant program for boating access projects and other boating-related activities on coastal and/or inland waters of Florida.

The maximum amount that one project can apply for is guided by ranking criteria that is based on total project cost, match provided, and status of project permitting. The maximum funding amount that can be applied for is \$400,000. However, FWC scoring guidelines dictate that less funding will yield higher points. The County can apply for a total of \$200,000 and use the Rural Economic Development Initiative (REDI) for waiver of the required cash match. REDI is established by s. 288.0656, Florida Statutes. This program allows for the waiver or reduction in cash matching fund requirements for all agency participants of REDI in rural areas. To meet REDI requirements, counties and municipalities must meet certain statutory criteria. Section 288.0656(2) (a), F.S. defines economic distress conditions and Section 288.0656(2) (a) defines a rural community (Attachment #2).

This competitive grant program funding is available through a two-tier category structure, Tier I and Tier II, and each tier is divided into specific projects. **The application (Attachment #3) deadline for this funding is April 2, 2009.** Also, the County can submit one application with multiple project sites.

TIER I PROJECTS

Tier 1 is established in accordance with ss.206.606(1)(b)3., F.S. to fund local projects for recreational channel marking and other uniform waterway markers, public boat ramps, lifts and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating-related

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activities through a competitive grants program. Projects are given priority consideration based on the following:

1. Unmet needs in counties with populations of 100,000 or less that use the facilities for recreational purposes only.
2. Unmet needs in coastal counties with a high level of boating-related activities from individuals residing in other counties.

Tier-I projects are divided into four project type categories:

1. Recreational Waterway Markers
2. Recreational Boating Access
3. Derelict Vessel Removal
4. Other Boating-Related Projects.

Eligible participants for Tier I projects include county governments and municipalities of the State of Florida. Municipalities in the counties that meet criteria stipulated for priority consideration in Tier I shall also be given priority consideration. The source of funds for Tier I projects are funded pursuant to Sub-Section 206.606(1)(b)1., F.S., from a portion of the funds collected from fuel sales tax that is transferred to the State Game Trust Fund.

Counties must submit an annual detailed accounting report for vessel registration revenues to FWC as required under Section 328.72(15), F.S. to be eligible for priority consideration in Tier I.

Tier – I: Only those funds necessary for the planning, design, engineering, permitting, development, new construction, expansion or rehabilitation of projects statewide on coastal and/or inland waters that enhance recreational boating for motorized vessels through projects that include the following:

- Recreational channel markers and other uniform waterway markers (installation, repair Replacement of signs or buoys marking an FWC permitted boating restricted zone, a channel to/from a recreational boating access facility, or signs that provide information to Recreational boaters, other than aids to navigation.)
- Public boat ramps, lifts, hoists, marine railways, and other public launching facilities (design, engineering permitting, and construction to build, repair, or enhance a publicly owned boat ramp, lift, hoist, or marine railway for recreational boaters. Cost associated with the design, engineering, permitting and construction to build, repair or enhance amenities at a public launching facility. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.)
- Derelict Vessel Removal (cost for removal and disposal as defined in section 823.11, F.S. and only vessels that are located on public waters of the state may be removed with grant funds)

- Other Local Boating-Related Activities (costs associated with projects that increase or enhance boating access for recreational boaters. Also, costs associated with projects that improve boater safety, boater education, or boater understanding of waterway regulations and for research studies, planning to determine the need for additional boating access or improvements.)

TIER II PROJECTS

Tier II – is established in accordance with section 327.47 F.S., to fund projects through a competitive grant program for the construction and maintenance of publicly owned boat ramps, piers and docks, boater education and economic development initiatives that promote boating in the state. In addition Tier II includes a competitive grants program for public launching facilities established in accordance with section 328.72(15), F.S.

Tier II projects are divided into four project type categories:

1. Boat Ramps, Piers and Docks;
2. Public Launching Facilities;
3. Boater Education; and
4. Economic Development Initiatives.

Eligible participants for Tier II projects include county governments, municipalities and other governmental entities of the State of Florida with registered vessels of 35,000 or more to be used for commercial purposes. Since Wakulla County does not meet this criteria, all of the projects in the agenda item before you are for Tier I projects.

Tier I and II funds will not be awarded to projects that DO NOT directly relate to the enhancement of boating or boating access within the State of Florida. Costs listed below are **not eligible** for reimbursement under this program:

- Cost for construction or repair of any facility not directly related to boating access (such as picnic areas, trails, fishing piers, general parking areas for picnic areas, restrooms for picnic areas, etc.)
- Application preparation costs. This includes overhead, payroll, salaries or accounting costs.
- Costs related to acquisition of real property.
- Costs associated with ordinary operation, maintenance or routine minor repairs of the proposed project [costs to provide power, water or sewer or any other utilities or services to the facility for the stipulated length of the 20-year Agreement].
- Costs expensed for any type or form of security activities, watchmen, fee collection, maintenance or other personnel costs.
- Costs associated with the acquisition or use of any type of equipment such as park equipment, vehicles, lawn care, dredge, or other capital equipment purchases used for operation and maintenance of the existing or completed project area.

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- Costs associated or directly related to a component of a project that would create or increase a boating safety hazard.
- Costs for any type of general business, marketing or promotional plans.

Applicants do not have to provide cash matching funds to these project. However, the FWC encourages applicants to provide the highest amount of cash (if no REDI is used) or in-kind matching funds to reduce the total amount of the grant funds requested. In-kind matching funds can be in the form of the following:

1. Cost of administrative and contract management, engineering or construction management, labor, materials, and equipment provided through in-house resources of the applicant.
2. Provide no more than 5% of the total project cost for project administration and 10% of the total project engineering or construction management.

NOTE: Staff is not recommending projects in excess of the \$200,000 limit, so as to utilize the Rural Economic Development Initiative (REDI) waiver and not have to provide a cash match. The maximum funding amount that can be applied for is \$400,000. However, FWC scoring guidelines dictate that less funding will yield higher points. As such, staff recommends that no more than \$200,000 be applied for and that one application with multiple project sites be submitted.

The FWC will not approve a request for any program funds to be advanced to applicants. The Recipient must have the financial capacity to process invoices and make timely payments to contractors and vendors pending receipt of program funds for reimbursement of expenses.

The FWC will not approve for any portion of a project initiated or completed prior to the award of the agreement, unless specifically requested by the applicant and pre-approved by the FWC and a provision included in the agreement. Preliminary costs may include any of the following activities completed before signing the agreement [appraisals, environmental reviews and permitting, feasibility studies, site surveys and site planning, cost estimates, and working drawings, construction plans and specifications].

Analysis

Staff has reviewed numerous County projects to present to the Board for consideration. The projects are arranged in priority order of recommendation. The most attractive and feasible projects are 1-4. Projects 5-7 do not appear to be viable and feasible for staff recommendation at this time. However, these projects are provided for Board review and for direction to staff.

1. Newport Ramp Extension

Estimated cost: \$30,000

Category: Tier I

In late 1999, Newport Park underwent renovations with funding from the Florida Department of Environmental Protection (FDEP). These renovations included the fishing dock, boardwalk/nature

trail, playground, landscaping additional parking and restroom/shower/repairs.

This project will consist of a boat ramp with off/on loading dock, a boardwalk extending from the park to the boat ramp facility, as well restrooms and shower facilities. There will also be picnic pavilions, tables and a primitive camp site and RV camp site.

Pros:

- Existing ramp already permitted
- Docking area already improved
- Limits the damage caused by power loaders
- This ramp is highly used by the public
- The cost of maintenance increase is minimal
- The parking area can be extended to the camping area.

Cons:

- The staging area would not be improved. Currently there is not enough property for improvement because of wetlands encroachment on either side.

2. Waterway Regulatory Signs (Idle Speed/ No Wake Signs) –for 67 Signs.

Estimated cost: \$40,000

Category: Tier I

A regulatory sign, the type that will be purchased under this grant, is a device used to alert the mariner to various warnings or regulatory matters such as horsepower, speed or wake restrictions.

Pros:

- Many signs have been lost to vandalism and storms and are an important part of water boating safety in the coastline waters of the County.
- The County is responsible for these markers and can be held liable for their absence or condition.
- Citizens frequently voice concerns over absent or damaged signage.
- Lack of funding for replacement has been a problem in the past.
- Guarantees compliance with funding sources and assures boating safety for users as required under Florida boating law.

Cons:

- Signs that are installed must be maintained or replaced if damaged, with all costs to the County.
- Operational funds must be budgeted for upkeep and replacement, as required.

3. Rock Landing Boom/Lift Hoists

Estimated cost: \$55,000

Category: Tier I

Boom hoists are mounted extension arms that aid fisherman with on/off loading of catch and supplies. Staff proposes to purchase eleven (11) boom hoists, 1 for each of the 10 slips plus 1 additional to be installed by the floating dock to aid boaters. Each boom hoist can handle 2000 pounds. The cost of each boom hoist is approximately \$5,000.

Pros:

- The lift hoist will facilitate for fisherman, the up and down load of their catch and supplies or their fishing trip.
- The lift hoist will prevent back injury and other accidents that might otherwise occur without this aid.
- The boat ramp and dock are currently under bid for replacement and this additional equipment will draw more boaters to use the facilities, which will generate more revenue to maintain and operate the facility.
- A hoist system will be in place to be used by fisherman and regular users to avoid accidents and help off load supplies.

Cons:

- Will require operational funds for maintenance and repair.

NOTE: This project could remedy issues raised regarding the height of the anticipated new dock currently out for bid for construction at Rock Landing. These hoists can provide commercial fishermen and recreational boating users the ability to off-load cargo and supplies during fluctuating tide levels.

4. Lower Bridge Road Ramp & Dock Improvements

Estimated cost: \$75,000

Category: Tier I

This project is located on Highway 98 on the Wakulla River. Past improvements to this facility include repairs to the cracked and degraded ramp. The submerged portion of the ramp is 29 feet wide and extends approximately 40 feet into the Wakulla River. The cracked concrete slab of the ramp was removed in July of 2006 and was replaced with a new, six (6) inch thick, twenty-nine (29) by forty (40) foot concrete slab. Currently, due to the high usage and excess power loading at this facility and deteriorating dock conditions, the ramp and dock at this location require replacement.

Pros:

- The existing ramp is already permitted and will yield 10 points in the evaluation criteria.
- Will limit the damage caused by power loaders
- Improves a very highly used ramp
- Maintenance already funded and there will be a minimal increase for improvements and upkeep.

Cons:

- Limited parking is a problem.
- The proposed renovation would not improve staging or access areas.
- Requires minimal increase for improvement and upkeep.

5. Shell Point New Boat Ramp and Dock

Estimated cost: \$110, 000

Category: Tier I

This project is for the construction of a new ramp and dock area on County owned property in Shell Point.

Pros:

- The County would provide a public boating ramp in a prime location to County residents and provide additional boating option.
- The County owns the property.
- The parking area is potentially already available but would require a partnership agreement for shared parking with local property owners.

Cons:

- The ramp location could create a problem with adjacent property owner's access.
- Project development may require giving notice to adjacent property owners for an impact determination and input on accessibility and increased traffic and other issues.
- Lack of property to develop a parking area and will require the purchase of land or a shared parking agreement.
- Will require operating funds for maintenance of the new facility.
- Proposed new development would have to under go permitting.

ISSUE:

The property for this project is already owned by the County. However, if developed into a public boating facility, the problems associated with the impact of this development on adjacent property owners must be considered. The property owners have not been given due notice of this proposed development and have not been provided opportunity for comment. Additionally, there exists a traffic problem that would be increased by new users of the proposed public boating facility that may compound the problem. Also, in order to provide adequate parking for the users of this proposed public boating facility, the County would have to either purchase additional land or to enter into a partnership agreement for shared parking area.

6. Shell Point Existing Boat Ramp Renovation and Access Improvements

Estimated cost: \$80,000

Category: Tier I

This project is for the renovation of an existing boat ramp in Shell Point. This boat ramp is on private property but has been used by the public in the past as launch through the current owner. However, due to a state of disrepair, the owner has chosen to close this ramp for safety reasons. Therefore, there is currently no public or private boat ramp in Shell Point for citizens to use.

Pros:

- Existing dock already in place.
- Permitting and existing ramp is easier than new ramp.
- Parking available via a partnership agreement.
- County public ramp in a prime location to Wakulla residents

Cons:

- The property is private property and would require acquisition by the County.
- Permitting for public use would have to be undertaken.
- No Notice to adjacent property owners for impact and conversion of use.
- No available property to provide adequate parking other than additional land acquisition through a negotiated long-term partnership agreement.
- Will require operating funds for maintenance of the new facility

ISSUE:

Staff has not been directed by the Board to pursue discussion with the owner for the acquisition of this property for the conversion into a public boat ramp. This project presents many issues that need resolution to determine the feasibility for acquisition, renovation and conversion into a public boat ramp. Staff would need direction from the Board to pursue clearing up issues regarding this project prior to the grant submission. Without County ownership of the property, the County would not be able to utilize FBIP grant funding for this project.

7. Upper Bridge Boat Ramp & Dock

Estimated cost: \$85,000

Category: Tier I

This project is for the construction of a new ramp and docking area. This is a natural launch area that currently has no facilities and would require the construction of a new ramp and docking facility.

Pros:

- This project would improve on the natural launch and allow use by larger boats to launch.
- This project would provide a safer ramp and dock area for users.
- Regular trash pickup and policing is already funded.

Cons:

- No parking available.
- Concern with safety of users on a main road state road.
- Facility needs upgrading and will increased maintenance.
- This project is not currently listed as a dock or ramp facility, so permitting could present problems and unwanted delays with development.
- Power loading very close to a nature sensitive area.
- Insufficient area for staging and for turn around.

ISSUES:

There are a number of issues with regards to this project. At this time, it is not clear if the County or the State of Florida owns the right-of-away (ROW) on that portion of Highway 98. Staff has began to research this property control issue with the State. However, without ownership of the ROW as well as adjacent land for parking, the County would not be able to construct any facilities at this site with the use of FBIP grant funding. There is also the issue of inadequate parking and the danger of boats and trailers pulling out onto a major thoroughfare.

Summary

This funding opportunity through the FWC is provided to the Board for direction regarding several projects that staff has deemed to be eligible under this source of grant funding. The projects listed under #1 thru #4 appear to be the most fungible projects at this time and it is staff 's recommendation to pursue this grant funding all or in part of these projects at this time. The total of these projects that are recommended at this time is \$200,000. The projects listed under #5 thru #7 are viable and much needed projects, but as presented by staff, have many potential issues that would require further Board direction to remedy prior to, therefore, staff does not recommend them for consideration for this grant cycle at this time.

Options:

1. Authorize staff to pursue submission of an application with multiple sites that include priorities #1-#4 to the FWC and to apply for a total funding level of \$200,000.
2. Do not authorize staff to pursue submission of an application with multiple sites that include priorities #1-#4 to the FWC and to not apply for a total funding level of \$200,000.
3. Board Direction.

Recommendation:

Option #1

Attachment(s):

1. FWC Notice of Funding Availability
2. REDI Guidelines
3. Florida Boating Improvement Program Application