

## **Attachment A: BIG Program Questions and Answers**

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

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

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

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

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

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

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

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

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

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

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

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

Yes. Public communication, which may include advertisements, magazine articles, web site information, etc. are allowed only when the focus of the message is the BIG program and/or

the BIG-funded facility. The majority of the communication must focus on the BIG-funded project and services or amenities for eligible transient boaters and cannot focus on the agency or the marina in general.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Match may not include any real property interest in land or water, including existing riparian rights. Land or water, or any interest in land or water, is not an eligible cost.

**What do we consider real property?**

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

**How do I allocate (prorate) costs between eligible and ineligible uses?**

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

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

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

**What if a component has a low value as discussed in 50 CFR 86.19(c)(3)? Do I need to allocate (prorate) costs?**

We generally expect that all costs will be appropriately allocated. However, if the value of a project component or element is \$5,000 or less, you do not have to prorate costs. If you have a component that has a value under \$5,000 and you would like to take advantage of this option, you should contact your Regional WSFR Office to discuss prior to submission of your proposal. The component must be clearly stand-alone and not a smaller part of a larger component. Be advised that when the project is completed the cost ends up being above the \$5,000 threshold, you are responsible for the increased cost and cannot charge the excess to the grant.

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

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

- 1) How you allocate (prorate) costs;
- 2) Useful life estimates; and

3) Clarifications/incorrect information and project scope as described in 50 CFR 86.46.

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

We must obligate BIG funds through an approved grant within 3 Federal Fiscal Years from the beginning of the award year. From the assigned start date, you have 3 years to complete the project. If justified, you may request up to a two-year extension. One more extension may be available, but must be approved by the WSFR Regional Director and the WSFR Assistant Director.

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

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

However, if you are requesting consideration for points under criterion 50 CFR 86.51(c)(2), you must give more detailed information. You must discuss how the technology, approach, equipment, etc. you propose using in your project will extend the useful life of the project. You must provide credible information to show how the useful life will be extended over other technology, approaches, equipment, etc.

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

Per 50 CFR 86.74(a)(1)(iv), all auxiliary components of your project must be associated with the capital improvement it supports. If it supports more than one component, then choose the one with the longest useful life. That component will then assume the useful life as associated with the capital improvement it supports.

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

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

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

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

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

No. The project is only for eligible users, except where components have been identified as mixed use and prorated accordingly. You may allow use by others only if their use does not

interfere with the intended purpose of the facility. Public access means that you must be open for reasonable hours, allow access to all parts of the BIG-funded facility and associated amenities and services, and not discriminate against any eligible users.

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

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