



# **Pennsylvania Fish and Boat Commission Statewide Public Access Grant Program**

## **Procedure Guide**

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## Section I – Introduction

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### 1.1 Program Summary

- A. The purpose of the Pennsylvania Fish and Boat Commission’s Statewide Public Access Grant Program is to provide grants to eligible applicants for planning and design, fee simple and easement acquisition, development, expansion, and rehabilitation of public fishing and boating access facilities and related or associated amenities located on the waters of the Commonwealth. Additionally, other projects that benefit public fishing within a watershed may be eligible depending on the funding source being utilized. The goal of the Grant Program is to ensure Pennsylvania’s recreational anglers and boaters, today and in the future, are provided with access to the highest quality facilities on the Commonwealth’s waterways. For development projects, successful applicants must be willing to enter into an agreement with the Commission to keep the facility open and maintained for free public use for fishing and boating opportunities; term length will be determined by the Commission. For acquisition projects, successful applicants must be willing to grant the Commission (or an entity deemed qualified by the Commission) a perpetual fishing and boating access and conservation easement on the property’s stream corridor.
- B. The Statewide Public Access Grant Program provides many services to applicants that include facility planning, design and engineering assistance, acquisition and construction funding.
- C. Generally, grants require an applicant match, usually a combination of hard (cash) and soft (in-kind) funds. In most cases, these funds will need to be derived from non-federal sources. The percent of match will be based on the funding source.
- D. In some cases, the Commission will submit grant applications to the United States Fish & Wildlife Service or other federal grant programs for funding. Applicants will be advised of any requirements of the applicable program.
- E. The Statewide Public Access Grant Program contains two activities described below.
  1. Erie Access Improvement Program: This program provides funding for projects that will be used to provide public fishing access or to protect or improve fish habitat on or at Lake Erie, Presque Isle Bay and their tributaries, including waters that flow into those tributaries.
  2. Boating Facility Grant Program: This program provides grants for the planning, acquisition, development, expansion and rehabilitation of public boating facilities located on the waters of the Commonwealth.

### 1.2 Grant Participants and Project Activities

#### B. Eligible Grant Applicants

1. Eligible grant applicants are public entities including municipal and county governments, land trusts, conservancies, Pennsylvania Department of Conservation and Natural Resources (DCNR)-designated State Heritage Areas, qualifying organizations (501(c)(3) organizations) and trail and watershed associations that have, or will have, the capability to provide fishing or boat access facilities that are open and available for general public use. **NOTE: Non-profit or not-for-profit organizations, schools, and service clubs are not eligible for direct funding under the Commission’s Boating Facility Grant Program. Such organizations must apply through their local government or another eligible applicant for funding.** Land trusts, conservancies, State Heritage Areas, and trail and watershed associations must also meet the following requirements:
  - a. The organization’s bylaws must indicate that its charitable purpose includes the preservation, conservation, or management of critical habitat, open space, watersheds, rivers and streams,

or natural areas for public benefit.

- b. The organization must be incorporated as a non-profit organization with the Pennsylvania Department of State, Corporations Bureau.
- c. The organization must be tax-exempt under Section 501(c)(3) of the Internal Revenue Code of 1986.
- d. The organization must be registered with the Pennsylvania Department of State, Bureau of Charitable Organizations.
- e. The organization must have been in existence at least five (5) consecutive years.
- f. For acquisition projects, the organization must have demonstrated experience in acquiring property.

### *C. Eligible Projects Activities and Costs*

1. In general, grant funds may be used for fee simple acquisitions and public fishing and boating access and conservation easements, project design and engineering, development, expansion and major rehabilitation of public recreational fishing and/or boat access facilities. Grant funds are to be used only for major site improvements related to providing fishing and boating access and not for any routine maintenance or operation activities.
2. Eligible construction activities and facilities for new, expansion and upgrade of existing facilities include but are not limited to boat ramps, courtesy floats, access roads, parking areas, landscaping related to the boat launch facility, transient tie-up floats, labor, materials, safety equipment (buoys, etc.), docks, fishing piers, fish cleaning stations, habitat projects, fisheries research, access trails and signs. Activities must benefit and directly support recreational fishing or boating; for example, picnic facilities and bike racks are not eligible costs. See Section 1.2(D)(10) for limitations on access roads and parking areas as eligible activities.
3. Eligible construction projects must occur on lands owned in "fee simple" by the project sponsor or where ownership is less than fee simple interest, ownership rights must provide for control of the property commensurate with the proposed development. The project sponsor must have title or adequate control and tenure of the project area in order to provide reasonable assurance that a conversion of use will not occur without Commission approval. All capital improvements made on land leased to the project sponsor must have lease terms at least twenty-five (25) years in length to ensure a conversion to any other use in that period will not occur. The Commission will require proof of ownership that may include Certificate of Title and/or copies of the lease at the time of application.
4. Eligible acquisition costs include purchase price; associated legal, recording, and settlement costs; title search and title insurance; environmental assessments; appraisals; GIS mapping and surveying; and signage. Appraisals must be conducted by a state certified general real estate appraiser. Environmental Assessments must meet American Society for Testing and Materials (ASTM) standards. Costs incurred by the applicant prior to approval and necessary for meeting application requirements for appraisals, surveys, title search, and environmental assessments may be included in the total project cost. These costs will only be reimbursed if a grant is awarded to the applicant.
5. All fee simple property acquired by applicants with Commission assistance must be dedicated for public use by recreational boaters and anglers and maintained by the recipient. As a condition of funding, a perpetual public fishing and boating access and conservation easement on the stream

corridor will be required by the Commission on properties acquired with Statewide Public Access Grant Program funds. The easement may be held by the Commission or an entity deemed qualified by the Commission. In addition, for properties acquired with grant funds, the Commission may require that fishing or boating facilities be developed on the property within five (5) years after the date of the acquisition. Generally, the Commission will only pay for that portion of the acquisition costs that equal the land required for the fishing or boating facilities. For example, if a forty (40) acre parcel is acquired and only four (4) acres will be used for boating facilities, then the applicant should request funding for the purchase of the four (4) acres.

#### *D. Ineligible Costs and Activities*

1. Application preparation fees and other indirect project costs such as grant administration, project management and contract management. This includes, but is not limited to, overhead, payroll, salaries and accounting costs.
2. For construction projects: legal fees associated with property ownership or lease agreements, grant agreements, or project contracting. For acquisition projects: legal fees associated with grant agreements or project contracting.
3. Ordinary operations, maintenance or routine repair costs. This includes, but is not limited to, costs to provide power, water or sewer or any other utilities or services to the facility for the stipulated length of the Agreement.
4. Costs for land leases or any other form or types of land use easements or agreements.
5. Enforcement activities, watchman salaries, fee collection, maintenance or other personnel costs.
6. Equipment, vehicles, boats, lawn care, or other capital equipment.
7. Items or costs not included in a budget approved by the Commission.
8. General business, marketing or promotional plans expenses.
9. Costs or expenses incurred prior to the execution of the Statewide Public Access Grant Program Agreement and approval by the U.S. Fish and Wildlife Service Division of Federal Aid or other federal agencies, when required, except for those costs or expenses provided for in Section 1.2(C)(4).
10. Generally, the Commission will not pay for asphalt paving of access roads or parking areas as part of the Statewide Public Access Grant Program funding. The Commission may consider providing funds for asphalt paving if an existing facility is deteriorated and in need of repair or if the facility provides parking for more than twenty (20) vehicles with trailers.
11. The Commission will not fund or authorize payment of “defective” work.

#### *E. Erie Access Improvement Program (EAIP)*

1. EAIP monies shall only be used for projects which support public fishing, public fishing access, or protect or improve fish habitat on Lake Erie, Presque Isle Bay and their tributaries including waters that flow into those tributaries.
2. In the event that the project requested under EAIP is eligible to be funded by another Commission funded grant program, the application may be redirected to that program or otherwise reviewed for other funding sources.

3. EAIP is specific to projects that support fishing activities and habitat. While boating activities may be ancillary to fishing for the purposes of the grant, boating shall not be the primary purpose for an EAIP project.
4. EAIP is generally intended to fund activities or projects for one grant cycle or one year. Applicants proposing projects that extend beyond that period should be prepared to explain why, and what plans are in place to secure funds other than Commission monies.

### 1.3 Grant Funds and Application Periods

#### A. Grant Fund Availability and Notice

1. Program grant funds are available as authorized and allocated by the Commission for this purpose. The Commission expects all work to be completed and final payment made within a two (2) year period.
2. The Commission will issue a call for projects to announce grant fund availability. A notice of grant fund availability will normally be released each year and will be published in the media and on the Commission's website at:

<https://www.fishandboat.com/About-Us/Grants/Pages/default.aspx>

The Commission may adjust the amount of funds available, application, and consideration dates to meet existing needs or opportunities that may occur. Large projects may be phased in over several fiscal years to maximize leverage, distribution, and availability of funds.

3. If a project is not authorized in a given fiscal year, the applicant must submit a new grant application (and revised costs) for consideration in a subsequent round of grant applications. There are no carry forward provisions for application submissions.

#### B. Reimbursement of Project Expenses

1. **This is a reimbursable grant program.** Grant funds will be disbursed to the applicant/recipient only after completion of the project occurs and agency staff have verified that the work has been satisfactorily completed. Payment will only be made for documented and verified costs for work completed. The Commission will in no case pre-approve or disburse, in advance, any grant funds.
2. The applicant/recipient must have the financial capability to make timely payments to the contractor or others (upon billing/invoice) pending receipt of reimbursement from the Commission.
3. Failure to complete the project and make final payment request to the Commission within the stipulated period will result in project termination.

### 1.4 Matching Funds, Operation and Fee Policy

#### A. Matching Funds Policy

1. The Commission will give priority-funding consideration to applicants that provide more than the required fifty percent (50%) match, thereby reducing the total amount of grant funds required to complete the project.
2. Applicants are encouraged to seek other sources of matching funds to help leverage the maximum

amount of grant funds available. Other state and local funding sources are available and appropriate.

3. In addition to the cash match, the applicant may identify and agree to furnish an in-kind match to the project. This could include the cost of administration, negotiation of a fee simple acquisition, contract management, equipment use, technical assistance and inspection of the project provided by your organization or donated by a non-federal third party. Time and activity accounting records will be required. Total in-kind costs should be reasonable and well defined in the application.
4. The Commission recognizes that in some instances the cash match is not available from the applicant or other sources. In these select instances, the Commission may approve up to one hundred percent (100%) of the construction or acquisition costs. In no case will the Commission fund any costs for in-kind grant administration, project management, or contract management.

#### *B. Operation and Maintenance Participation and Fee Policy*

1. In addition to the match requirements, the applicant must agree to provide, for the term of the Agreement, all costs for ordinary and routine operations and maintenance of the facility. This includes all personnel, equipment or service and supply costs.
2. Applicants are encouraged to provide free public access to the state's waterways. Any fees for use of the facility must be nominal and pre-approved in writing by the Commission.

### **1.5 Project Engineering and Inspection**

#### *A. Engineering Required for all Construction Projects*

1. It is a requirement of the Commission to have all construction works projects designed and engineered in accordance with applicable law. All engineering must be completed by a professional engineer or architect registered in the Commonwealth of Pennsylvania. Professional engineering will assure the applicant and the Commission that proper and necessary provisions are being met with respect to public safety, codes and standards.
2. Due to the short period in which grant funds must be used, the Commission requires that some preliminary project engineering and a preliminary cost be established prior to submitting an application for construction grant funds. **Note:** Preliminary engineering is more specific than general master plans or conceptual engineering work. Dimensions of parking areas, boat ramps, bulkheads, docks, fishing piers and gangways must be included in any drawing or cost estimate.
3. Applicants may provide, at their cost, their own staff to engineer, survey, design and inspect a project. All work must follow and use minimum design standards and guidelines established by the Commission. Commission staff must review and approve all engineering work completed.

#### *B. Project Management and Inspection*

1. The applicant/recipient is responsible to contract, manage and inspect all grant projects including the construction contract, materials purchasing, engineering, master plan or force account labor performed at any project site.
2. Commission staff will inspect all grant project sites during construction and upon completion to assure compliance with the Agreement between the Commission and applicant/recipient.

3. The applicant and/or contractor, before final project acceptance and payment by the Commission, shall correct project deficiencies. The applicant/recipient shall inform staff of any changes or time delays incurred with the project. The Commission may withhold any or all payment of grant funds pending deficiency corrections being completed. If the work is deemed to be deficient or defective, the Commission reserves the right to demand the applicant correct the defective work in order to achieve an acceptable project, at no cost to the Commission, and as deemed necessary by the Commission's staff. The word defective refers to work that is unsatisfactory, faulty, or deficient in that it does not conform to the contract documents, does not meet the requirements of any applicable inspection, reference standard, test, or approval referred to in the contract documents, has been damaged prior to the recommendation of final payment or has evidence of accelerated deterioration or wear and tear.

## 1.6 Selection Criteria

- A. Funding for the grant program may be derived from a variety of sources. Those sources will impact the priorities for funding from year to year. For example, if the funding source is principally from registered motorboats or a federal grant program, the highest funding priorities will be those projects that serve or provide direct benefits to this user group or to meet the federal grant program requirements. When applicable, the grant program announcement will indicate the funding source and priorities for a given grant announcement.
- B. In general, non-motorized access sites that serve principally rafts, canoes or kayaks or water bodies that restrict motorized boat use generally do not require concrete boat launch ramps or paved parking facilities.
- C. The Commission will accept applications for projects that are located on all water bodies in the state or a specific region of the state, when applicable. The Commission may also establish other strategic needs and determine specific categories and types of priority projects. When applicable, the grant announcement will indicate the geographic or regional area for a given grant announcement.
- D. Grant funding may be provided from outside sources. These outside sources of funding may have additional requirements that are not mentioned in this Procedure Guide. Commission staff will inform the applicants if any of the other requirements apply to their project prior to any awards being made.



- E. The Commission generally uses a combination of the following criteria when evaluating applications for funding.
1. Projects that meet the priorities described in the Grant Program announcement.
  2. Local, regional and statewide needs based on the number of boaters and/or anglers served.
  3. Facilities or projects that will be open and available at no cost to the public.
  4. The amount of matching funds for the project.
  5. The amount of time estimated to complete the project.
  6. Total requested amount of grant funding.
  7. Projects that meet ADA standards. (More information can be found in the 2010 ADA Standards for Accessible Design, or 28 CFR Part 36)
  8. Projects that provide access for diverse user groups.
  9. Proximity to an underserved population.
  10. The current level of use/demand.
  11. Status of in-water permits, if required.
  12. Level of design and engineering completed for the project.

### 1.7 Contacts

Pennsylvania Fish and Boat Commission  
Statewide Public Access Grant Program Manager  
Bureau of Boating  
P.O. Box 67000  
Harrisburg, PA 17106-7000  
Phone: 717-346-8196  
FAX: 717-705-7901  
E-mail: ra-boatgrants@pa.gov

## Section II –How to Apply – Application Requirements

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### 2.1 Application Materials

For all projects, the applicant must submit all required application forms and attachments. Additional pages may be attached as needed; however, applicants are encouraged to be brief and to the point.

- A. All grant applications must be submitted on or before established deadlines using the application form. The Commission will not consider late or incomplete applications. Late applications will be returned to the applicant.
- B. Staff will contact applicants who submit incomplete applications. If the application can be completed prior to the established deadline, the applicant will have an opportunity to resubmit.
- C. In addition to the completed application, the applicant must demonstrate the following:
  - 1. Authorization to submit a grant application.
  - 2. Construction activities are on land owned solely by the applicant or the applicant has a long-term lease or agreement on the site.
  - 3. A willingness to enter into a Cooperative Agreement for construction projects or for property acquisition projects.
  - 4. With fee simple acquisition projects, a willingness to enter into a perpetual public fishing and boating access and conservation easement. In addition, the applicant must be willing to develop fishing or boating facilities within five (5) years after the date of the acquisition.
  - 5. Ability to provide resources to operate and maintain the facility for the period of the agreement.
  - 6. Capability of completing this project within the two (2) year contract period or other stipulated completion period.
  - 7. The ability to secure all necessary permits and local land use approvals necessary for the construction and operation of the proposed facility.
- D. Requests for application forms, guidance and assistance should be directed to:

Pennsylvania Fish and Boat Commission  
Statewide Public Access Grant Program Manager  
Bureau of Boating  
P.O. Box 67000  
Harrisburg, PA 17106-7000  
Phone: 717-346-8196  
Fax: 717-705-7901  
E-Mail: ra-boatgrants@pa.gov

## 2.2 Pre-Application Meeting

Applicants are strongly encouraged to contact the Statewide Public Access Program Manager to discuss the nature of the application prior to submitting a request for consideration. To the extent possible, an on-site pre-application meeting will be held to discuss the proposed project. A pre-application meeting provides the applicant an opportunity to ask questions regarding the grant program and receive guidance on technical, permitting and construction issues.

## 2.3 Application Preparation - General

- A. The grant application form provided on the PFBC website must be used:

<https://www.fishandboat.com/About-Us/Grants/Pages/default.aspx>

**One electronic copy** (saved on a flash drive) of the completed grant application and required attachments must be postmarked on or before the specified deadline. *Applicants are strongly encouraged to use a mail tracking option (e.g., USPS Priority Mail, USPS Priority Mail Express, UPS shipping, FedEx Ground, FedEx Express, etc.) to ensure their application is delivered timely.*

- B. Completed applications must include a cover letter addressed to the Commission requesting consideration of the project and any other pertinent information.
- C. The applicant must submit all required attachments with the initial grant application.
- D. An individual authorized by the project sponsor to act on its behalf is required to sign all applications. Include a resolution or other documentation indicating that this individual has authority to sign and submit the application.

## 2.4 Application Preparation - Detail

*Checklist: Required Application Attachments*

Note: Applications submitted without all of the required attachments will be considered incomplete and will be returned to the applicant.

- A. Application Cover Letter. The applicant must demonstrate that the applicant has the authority to submit a grant application for consideration by the Commission and has the capability to complete the project. The applicant must have the resources to operate and maintain the facility for the term of the agreement.
- B. Original Application. The application will be considered incomplete if one (1) electronic copy saved on a flash drive is not included.
- C. Location/Vicinity Map or Tax Assessor's Map. An area map showing the location of the project within the city and county. The map must show the project in relation to highways, local roads/streets, landmarks, etc.
- D. Existing Condition/Use Photographs. Include a minimum of two (2) photographs that depict the typical use of the facility and existing conditions.
- E. Cost Estimates. Complete Section III – Proposed Project Budget on the application in its entirety. For construction projects, include an estimate of the construction costs, broken down

into major components and quantities, and engineering fees prepared by a PA licensed engineer.

- F. For Construction Projects: Preliminary Design and Engineering Plans. Conceptual or preliminary drawings must consist of the existing and proposed site plans that will provide sufficient detail to review what is being proposed.
- G. For Acquisition Projects: Title Reports (if available) and Appraisals. Appraisals must be performed no more than six (6) months prior to the application.
- H. For Acquisition Projects: Agreement of Sale or Letter of Intent with Landowner.
- I. For Construction Projects: Proof of Ownership/Control (Deed or Lease): Provide copies of documents evidencing ownership/control of the project property.
- J. Documentation of Match. Provide a copy of official grant award letters, letters committing in-kind match by applicant from appropriate official, or documentation required in consultation with the PFBC. Include copies of scope of work and project descriptions from all applications made for funding from DCNR, DEP, DCED or other funding sources related to the project.
- K. Copies of Local or Regional Plans. Provide copies of any pertinent pages from local or regional plans or provide a web location to find the local or regional plans.

### *Section I Identification of Applicant and Project Coordinator*

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

### *Section II General Project Information*

Enter the appropriate project address/location information and check the appropriate box or boxes for the type of project being submitted.

### *Section III Proposed Project Budget*

This section has three (3) parts. First, enter the total project cost, the amount of grant funds requested from the Statewide Public Access Grant Program, and the amount of the local match. Please round each of these items to the nearest one hundred dollars (\$100).

Second, document proposed, detailed project costs on the "Project Costs" spreadsheet. Double-left click inside the "Project Costs" table to open an excel spreadsheet to easily calculate total costs. Once all costs have been entered into the excel spreadsheet, click anywhere in the application. Then right-click inside of the "Project Costs" table and click "update link." The information will transfer from the excel spreadsheet to the "Project Costs" table.

In the "Applicant" column, enter the funding amounts to be provided by the applicant in the form of cash or in-kind services and materials. In the "Other" column, enter the funding amounts that have been applied for or awarded from other funding sources such as other grant programs, charitable contributions or local partners, etc. In the "PFBC" column, enter the funding amounts requested from the Statewide Public Access Grant Program.

Finally, enter detailed information for any other sources of funding. If additional space is needed, please attach additional sheets as necessary.

#### *Section IV Project Description*

Select the appropriate project type and provide a detailed description of the scope of work and the approach to the project. List the project's major milestones and estimated completion dates. Indicate whether the project was discussed with PFBC staff.

#### *Section V Existing Conditions (must be completed for all projects)*

Identify the current type of facility and the land ownership situation. Estimate the amount of usage through counts, fee collection, surveys or other means. Identify public fishing and boating facilities within a five (5) mile radius.

#### *Section VI Proposed Project Components (complete only for construction projects)*

Identify the main facility components in the application. "Replacement" means in like manner and kind such as a single lane ramp for a single lane ramp. "New Construction" means never existed or substantial upgrade.

#### *Section VII Project Selection Criteria*

List the applicant's legal name and the project title. Complete subsections 1 -6. See application for more information on the subsections.

#### *Section VIII Waterways Permits*

Enter information pertaining to waterways permits if applicable.

#### *Section IX Environmental Assessment*

Mark the appropriate box for each question and provide additional detail in the space provided as needed. Additionally, please identify whether the proposed project will require any environmental evaluations and/or reports.

#### *Section X Certification*

Complete the "Certification" Section as indicated on the application.

#### *Section XI Acceptance of Federal Funding if Available*

Check one (1) of the boxes to indicate whether federal funding will be accepted for the project. When federal funds are utilized, there are additional requirements that apply beyond those required by the Commission. If a project is funded, in whole or in part, with federal funds, the local match cannot come from another federal source. The Commission will require additional documentation if federal funds are to be used to support the project. Contact the Commission for more information about the additional requirements that apply to federally funded projects.

#### *Section XII Verification of 501(c)(3) Status and BCO Registration*

501(c)(3) entities must complete this section of the application. The organization must be **both** tax

exempt under Section 501(c)(3) of the Internal Revenue Code and registered with the Pennsylvania Department of State, Bureau of Charitable Organizations (BCO). In order for the Commission to verify an organization's status and eligibility, please answer the two (2) questions in their entirety and attach a copy of the IRS letter and BCO registration to the application. **Note:** This section does not apply to municipal and county governments.

### *Section XIII Applicant Signature*

This section must be completed by an individual that has signing authority on behalf of the applicant. A resolution or other documentation indicating that this individual has authority to sign and submit the application must be included. If this section is not completed, the grant application will be returned to the applicant as incomplete.

## Section III – Project Consideration and Approval

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### 3.1 Commission Staff Evaluation

- A. Upon receipt and initial review of the application for completeness, staff will assign a project tracking number and outline the review process in an acceptance letter provided to each applicant. Please use this grant number for all future correspondence regarding the application and/or project.
- B. Staff will review and assign a score and rank to each application.
- C. Upon completion of all application evaluations, staff will prepare a report to the Commission's Executive Director for each grant application being recommended for approval and funding. The report will include a summary of the application, staff evaluation and funding level recommendation.

### 3.2 Agency Coordination and Public Comment

- A. The Commission will reasonably assure that each project complies with all applicable state and local comprehensive plans.
- B. Any interested party or group may obtain a copy of the applications and submit comments to the Commission on each proposal.
- C. The Commission may determine that the scope or impact of a project may have local impact in which case the applicant will be required to arrange for a public meeting.

### 3.3 Consideration by the Commission – Grant requests Greater than \$100,000

- A. Staff will develop appropriate background materials that include the application, a staff report, and ranking for presentation to the Commission.
- B. At the Commission meeting, staff will make a presentation covering the grant program package for the coming year.
- C. The Commission will consider all information provided and make a determination on the applicant's request.
- D. All applicants will receive notification of the Commission's decision in writing.

### 3.4 Consideration by the Executive Director – Grant requests \$100,000 or less

- A. Staff will develop appropriate background materials that include the application, a staff report, and ranking for presentation to the Executive Director.
- B. The Executive Director will consider all information provided and make a determination on the applicant's request.
- C. All applicants will receive notification of the Commission's decision in writing.

## Section IV – Project Construction and Closeout

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### 4.1 Engineering Review and Approval

- A. Recipient shall submit one electronic copy (saved on a flash drive in .pdf format) of the final engineering drawings and specifications for review before soliciting bids or commencing any work at the project site. Recipient shall allow a minimum of thirty (30) days for Commission review of the project's final engineering drawings and specifications before initiating any work to ensure that minimum guidelines are being met and the project fits within the scope as approved by the Commission. Staff will notify recipient of engineering approval, at which time recipient may commence bid solicitation for the project.

### 4.2 Project Bidding and Contracting Requirements

- A. The recipient's procurement transactions must comply with applicable federal, state and local contracting requirements. Applicants are reminded that projects may be subject to prevailing wage requirements.

### 4.3 Contract Closeout

- A. For construction projects: Recipient is responsible and shall assure that facilities and improvements funded through the Grant Program are satisfactorily completed according to the provisions of the Agreement, project plans and specifications, and applicable agency, federal, state, and local codes and regulations.

For acquisition projects: Recipient is responsible and shall assure that the property has been properly acquired with good and marketable title and due diligence performed, and the transaction has been recorded at the appropriate Recorder of Deeds office.

- B. Recipient must complete the project within the contract period prescribed.
- C. If the project is not significantly underway before the date set for completion, the Commission may, upon written notice to the recipient, cancel all or part of the obligated funds.

### 4.4 Billing

- A. At project closeout, the recipient shall notify the Commission and arrange an on-site project inspection. Upon approval and/or correction of any identified defects, the recipient may submit the final grant billing reimbursement request.
- B. Applicants will submit the Grant Billing Form marked "final" upon completion of the project. Recipient shall sign the Grant Billing Form certifying that the project is completed and operational with the final payment request.
- C. Upon review of the final Grant Billing Form, acceptance of the project, and receipt of project closeout documents, the Commission will process the final payment.

### 4.5 Cost Overruns

- A. Cost overruns are the responsibility of the recipient.



#### **4.6 Uniform Access and Recognition Signs**

- A. Boating facilities developed with assistance from the Commission must have some form of uniform access (symbol or letter) sign posted at the entrance to the facility to let the public know this is a public fishing or boating access site.
- B. The recipient must also post at or near the facility one (1) recognition sign identifying the Commission, recipient, and others (if applicable) as funding partners. When federal funds are part of the approved grant, the project must include recognition of the appropriate federal program or agency.

#### **4.7 Reports and Maintenance**

- A. It is the responsibility of the recipient to provide all ongoing maintenance and operation activities necessary to protect, preserve and provide quality fishing and boating facilities for the use and enjoyment of the public. Any significant events (vandalism, flood, fire, or closures) that require corrective actions must be promptly reported to the Commission.

#### **4.8 Conversion, Use of Program, Sale of Property**

- A. All property developed with Commission assistance must be dedicated for public use by recreational anglers and boaters and maintained by the recipient for a time period that meets the requirements in Section 1.2(C)(2). Recipient retains title to all improvements after final payment by the Commission. Conversion from approved use will require approval of the Commission and, if federal funds are used, the appropriate federal source.
- B. In the event the recipient fails to maintain the facility or converts the use of the facility, the recipient shall promptly reimburse the Commission for all original improvement costs funded by the Commission.
- C. All fee simple property acquired by applicants with Commission assistance must be dedicated for public use by recreational boaters and anglers and maintained by the recipient for the period specified in the grant agreement. The applicant will be required to grant a perpetual public fishing and boating access and conservation easement on the property's stream corridor as described in Section 1.2(C)(5). Conversion from approved use will require approval of the Commission and, if federal funds are used, the appropriate federal source.
- D. If fee simple property acquired with Commission assistance is sold by the applicant, the applicant will be required to grant a perpetual conservation easement on the entire property prior to transfer to the Commission or an entity deemed acceptable to the Commission, or to payback all or a portion of the grant money, whichever is determined by the Commission to be in its best interests.

#### **4.9 Financial and Accounting Requirements**

- A. Recipients must retain all grant project accounting records, supporting documents and any other documents for a period of up to four (4) years following project completion and acceptance by the Commission.
- B. The Commission reserves the right to perform a fiscal audit of these records to assure compliance with all state and federal program rules.

#### **4.10 Public Access to Facility**

- A. The recipient shall agree to allow unencumbered access by the Commission, its employees or agents for the duration of the Agreement for the purpose of site visit or inspection to verify the facility is being maintained, in operation, and is open and available to the public. As part of the inspection, the Commission may request maintenance and use information from the recipient to validate condition of the facility.
- B. The recipient shall assure that no person on the grounds of race, creed, color, national origin, age, sex, or disability is excluded from participation in, denied the proceeds or benefits of, or be otherwise subjected to discrimination.

## Section V – Glossary

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For the purpose of this Statewide Public Access Grant Program Procedure Guide, the following definitions shall apply:

1. **Agreement:** The written document under which the recipient and the Commission mutually agree to carry out respective responsibilities for a fixed period unless amended by mutual consent.
2. **Application:** A complete proposal with all the attachments required for consideration by the Commission.
3. **Fiscal Year:** The state fiscal year which begins on July 1 of each year and ends on June 30 of the next year.
4. **Commission:** The Pennsylvania Fish and Boat Commission. Also referred to as PFBC.
5. **Conversion:** The use of the project for any other purpose not specified in the Agreement.
6. **Financial Audit:** An audit of the applicant's project records made by the Commission.
7. **Grant Program:** The program authorized by the Commission. Funds are available for planning, acquisition, development, expansion and rehabilitation of public recreational fishing and boating access facilities.
8. **Grant Project:** A project to acquire, develop, expand or rehabilitate recreational fishing or boat access facilities and related support facilities, or a project that meets the criteria of a specific grant program announcement.
9. **Recipient:** The recipient of grant funds and party responsible for completing the project and the operation and maintenance of the site.