

Department of Natural Resources

Waterway Improvement Fund

Grant Manual for Local Governments

1. Purpose

The Waterway Improvement Fund (WIF) 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, along with a portion of the State fuel tax attributed to motorized vessel usage.

3. Administration of the Funds

Grants administration for the Fund is the responsibility of the Department of Natural Resources (DNR). Projects administered by the Department 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 WIF 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, DNR, 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. Design and construction of dredge material placement (DMP) or beneficial use (BU) sites that are necessary for dredging projects funded with WIF.
- e. Construction, renovation, and maintenance 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/policing or for the acquisition of vessels and equipment for marine firefighting/policing and communication equipment to promote safety of life and property, and general service to the boating public. (See 5 (f.) for more information)
- k. Acquisition of State equipment and vessels for marine firefighting, policing, first aid and medical assistance, and communications, to promote safety of life and property and general service to the boating public. (See 5 (f.) for more information)
- 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 WIF 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% Local Government (LG) Grants

DNR may provide 100% state grants where the total project costs are \$500,000 or less to the extent of available funding.

b. 100% State Grants (ST, SP)

State projects for dredging, marking channels and harbors, construction of jetties and breakwaters (see 6. Grant Funding Policies); clearing debris, obstructions, and abandoned boats from navigable waters; as well as construction of boating facilities on lands owned or leased by the DNR.

c. Dredging Grants 100%(DG)

Grants for engineering, permits, dredging, and material placement.

d. Dredging Grants with Match (MFDG)

Local Government WIF dredging eligible grants where match is required at 50/50 State Cost Share.

e. Matching Fund (MF) Grants

Projects 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. (see 6. Grant Funding Policies).

f. Matching Fund (MFFR) Grants

Acquiring marine fire/rescue boats and equipment * (Maximum of \$80,000 State Cost Share). * Eligible equipment includes motors, trailers, and side scan sonar. Supplies, including items such as wetsuits, gloves, first aid kits or items necessary for maintenance of the vessel (i.e., props, etc.) are ineligible.

g. 100% Interest Free Long-Term Dredging Loan Tax District (TDDG)

A local grant recipient 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 include dredging/navigation spur channels.

h. Small Project Grants Not to exceed \$25,000 (25k)

Grants not exceeding \$25,000 each for WIF eligible projects. Applications for these grants can be submitted any time throughout the Fiscal Year (FY).

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 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 may provide 100% state grants where the total project costs are \$500,000 or less to the extent of available funding.
- b. DNR may provide not more than 50% of the costs exceeding \$500,000 for construction projects beneficial to the general boating public to the extent of available funding.
- c. DNR may provide not more than 50% of the costs exceeding \$1,000,000 for marina construction projects beneficial to the general boating public to the extent of available funding.
- d. DNR will continue to provide matching grants to acquire fire/rescue boats and equipment to the extent of available funding (Maximum of \$80,000 per year to local government) or its authorized organizations such as a Volunteer Fire Company.

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 stormwater 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, 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 may require 50% matching funds.

- e. The governing body will post the project sign in a prominent location as a “Public Facility” and will place a permanent sign approved by or provided by DNR, acknowledging project funding by Waterway Improvement Fund.
- f. If a fee is to be charged for use of the facility, the governing body must obtain prior approval from the DNR. All Maryland registered boaters will have equal access to State funded boating facilities.
- g. The governing body agrees to operate and maintain the proposed project. Future maintenance funds are not guaranteed by DNR.
- h. Any project funded in whole or in part with Waterway Improvement Fund grants must remain available and open for use by the general boating public. DNR must approve changes in use of the project before it is removed from public access and use, such as through sale, donation, or commercial use of the facility. If approved, the local governing body must replace the project with a facility open to the general boating public with equal value at the nearest approved location, at no cost to DNR. The local governing body may be required to repay DNR for the current value of the project in proportion to the total cost of the project paid by DNR. DNR may require two independent appraisals to determine the amount to be reimbursed to the Waterway Improvement Fund.
- i. DNR will only reimburse the cost of grant projects approved in writing by DNR.
- j. All press releases and grant related events shall be coordinated with DNR.
- k. Any administrative cost for a project is the responsibility of the grant recipient.

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/boarding piers. A score of (20) is assigned to the replacement of or major improvements to existing boating access facilities as well as projects that do not increase boating access opportunities but do improve the long-term quality of boating access including those that incorporate remedies for resilience and climate issues into the design if applicable. 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 provides 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 regrading, 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, resilience modifications that increase long term usage capabilities, 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, will imminently be issued permits, or do not require 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 is 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. **Resilience/Sustainable Elements (10, 1)** - Projects incorporating a sustainable, environmentally sensitive component including resilience considerations are assigned a score of (10). Projects designed using renewable resources, utilizing low impact development techniques, or incorporating resilient elements intended to remediate climate and flooding issues are considered environmentally sensitive. Projects that include none of these components receive a score of (1).
- g. **Other/Priority (200 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 channelward to a minimum of -4.0 mean low low water (MLLW) unless approved otherwise

by DNR. 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. if 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 recipients shall be responsible for completing all required project/channel stakeouts and shall provide DNR 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 federal, state, and local permits and approvals.
- c.** If there is no approved WIF 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 WIF Grant (or loan) approved by the 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 Procedures

a. Initial Inquiry

Project requests can originate from DNR, a local jurisdiction, federal agency, elected official, or the general public. When an inquiry is made to the Department regarding a potential project, Waterway Improvement Fund may have a staff member visit the site with the proposed project sponsor (local government, the DNR, 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

An "Application for Waterway Improvement Fund (WIF) Grant" must be submitted to the Program through the DNR's "Grants Gateway" (Outcome 5) by local governments, the DNR and federal agencies for projects that benefit the boating public. The application includes the name of the grant applicant, project description, estimated cost of the project and proposed benefits.

Applications for Dredging/Navigation projects must also include a "Dredging/Navigation 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 accepts grant applications through Grants Gateway during the annual solicitation (usually July through mid-September) for the following fiscal year's budget. These projects are reviewed, rated and ranked in accordance with the pertinent statutes and above referenced Project Evaluation Criteria. Those projects found to be eligible for funding are then prioritized and placed on a WIF Project List, to the extent of available funding, 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 June of each year). Funds become available for approved grants on July 1st of each fiscal year. The applicant will be required to enter into a formal Grant Agreement with the DNR.

d. Permits

Approval of a WIF 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 grant recipient and copies must be provided before award of contract. It is the responsibility of the grant recipient 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 (DMP) and Beneficial Use (BU) Sites

DMP and BU sites along with all easements and staging areas must be secured by the grant recipient before work can begin. It is preferred that a DMP or BU site is already secured when submitting applications for funding dredging projects. For projects involving BU, applicants have identified material placement options and are pursuing required permits.

f. Plans and Specifications

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

g. Public Bidding

The grant recipient will publicly advertise the project for bids or use other procurement methods if 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 grant recipient. 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 grant recipient 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 the use of Small Business Vendors and certified Minority Business Enterprises. All sole source procurements must receive prior approval from the DNR. Procurements less than \$5,000 require at least one, preferable two written bids or quotes. Procurements \$5,000 to \$15,000 are required to have at least two written competitive bids; oral bids and quotes are not acceptable. All procurements over \$15,000 may be advertised. Additionally, solicitations for procurements \$25,001 and above must 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 \$250,000 in which 25% or more is funded by the State. Appropriate prevailing wage rate clauses and schedules must be included in the contract.

i. Contracts

Grant recipients 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 construction. The grant recipient must however notify the DNR of project start dates, scheduled progress meetings, inspection dates and dates of final acceptance for all construction projects.

k. Technical Assistance

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

l. Reimbursements

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

10. Grant Application Instructions

Applicants will need to create a profile and submit applications through the Grants Gateway Outcome 5 at the following link:

<https://dnr.maryland.gov/ccs/Pages/funding/grantsgateway.aspx>

Applicants must be a County, Town, or City government, or a State or Federal agency. The project information should include the name of the project, project address, County, latitude/longitude and legislative district and must include a detailed project purpose and summary including the type/phase of the project. Also include the local priority if submitting more than one

project application and include any site plans, drawings and photographs of the proposed project(s).

A project schedule and budget must also be completed. Funds will become available on July 1st of each fiscal year.

If a WIF grant is awarded for the project, the full terms and conditions of the grant award will be outlined in the Grant Agreement. Questions regarding completing the online application can be directed to the Regional Administrator listed below.

Please contact DNR if you have any further questions regarding the Waterway Improvement Fund or the grant application process:

Carla Fleming, Director
Maryland DNR Engineering and Construction
Tawes State Office Building
580 Taylor Avenue, D-3
Annapolis, MD 21401
Carla.Fleming@maryland.gov
Phone 443-534-6289

Regional and Statewide Administrators

Matt Negley (443-433-6284) or Matt.Negley@maryland.gov

Regional Administrator for the Eastern Region Caroline, Queen Anne's, Kent, Talbot, Dorchester, Wicomico, Worcester, and Somerset Counties

Jennifer Jackson (410-897-2153) JenniferL.Jackson@maryland.gov

Regional Administrator for Southern Region

Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's Counties

Matt Negley (443-433-6284) or Matt.Negley@maryland.gov

Statewide/State-owned Facilities and Regional Administrator for Central and Western Regions

Baltimore City and County, Carroll, Cecil, Harford, Howard, Montgomery, Frederick, Washington, Allegany and Garrett Counties

Isaac Wilding (443-458-8217) or Isaac.Wilding@maryland.gov

Statewide Dredging and Technical Boating Facility Review

Jillian Seagraves 410-260-8920 or Jillian.seagraves@maryland.gov

Statewide Boating Facility Resilience and Climate Review