



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Beverly Eaves Perdue
Governor

James H. Gregson
Director

Dee Freeman
Secretary

Invitation to Submit Final Access Grant Application Proposals Public Beach and Coastal Waterfront Access Funds (FY 2010 – 2011)

TO: <Contact Person>

FROM: John A. Thayer Jr., AICP, Manager
CAMA Local Planning & Access Programs

DATE: August 25, 2010

We are pleased to notify you that the request for the <Project Name> has been reviewed by the Division of Coastal Management (DCM) for funding by the Public Beach and Coastal Waterfront Access Grant Program in fiscal year 2010-2011 and that you are invited to submit a final application for further consideration of your request.

Twenty-one (21) pre-applications were received totaling over \$3.5 million in grant requests by seventeen (17) local governments within the 20 coastal counties. It is anticipated that only as much as \$600,000 may be available. Communities that are invited to submit a final application are not guaranteed funding. Requests totaling over \$1 million have been invited to submit a final application.

Local governments still interested in receiving financial assistance must complete and submit **2 printed copies** of the enclosed Final Application form with attachments and graphics and **1 cd with digital files** that include the Final Application form in a .pdf or Word format along with a separate file(s) for attachments and graphics. Your local DCM District Planner must receive applications before 5:00 pm on **Monday, November 1, 2010**.

Final Application Process: The final application process has two steps: the Final Application invitation and submittal and the grant contract approval. Only final applications titled 2010-2011 will be accepted as the application packet. Application forms are adjusted annually. Prior to submitting a final application, *the local government shall hold a public meeting or hearing to discuss its proposal if it was not accomplished prior to submitting the pre-application.* The local government is required to consider public comments prior to its decision to submit a final application for state funds.

Please contact your local DCM District Planner for additional guidance regarding your specific proposal. Guidance often includes some clarifications necessary or adjustments in your request as needed in order to make the determination as to whether only a part or your entire project will receive priority for funding. Direction may also include reducing your request to match a lower dollar amount or a cost breakdown if your project is phased.

All final applicants will be notified in early December as to whether or not DCM intends to fund their project. All proposals will be circulated for final review for the State Clearinghouse, which is a requirement of the State Environmental Policy Act (SEPA). Awarded funds will not be available before February of 2011. The Governor's award letters are expected to be sent in February 2011.

400 Commerce Avenue, Morehead City, NC 28557
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North Carolina Public Beach and Coastal Waterfront Access Fund

2010-2011

Final Application



Division of Coastal Management
Department of Environment and Natural Resources

Environmental Sustainability: To assist the N.C. Department of Environment and Natural Resources in being good stewards of the environment, please print your application documentation double-sided on 30% post-consumer recycled paper.

The Division of Coastal Management does not discriminate against anyone on the basis of race, sex, color, national origin, age, or disability and is an equal opportunity employer. If anyone feels that he/she has been discriminated against, a complaint may be filed with DENR or the Equal Opportunity Office, U.S. Department of the Interior, Washington, D.C. 20240.

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This application is also available online at:

<http://www.nccoastalmanagement.net>.

Click the link to “Beach & Waterfront Access”; then along the left side click on “Public Access Grant Application Package”. A .pdf file of the complete packet will be available as well as a Word version of the application.

Notice of Available Funds and Requirements 2010-2011

Funds Available: The N.C. Division of Coastal Management (DCM) estimates that up to \$600,000 will be available for city and county public beach and coastal waterfront access projects for the FY 2010-2011 cycle.

Eligible Applicants: The 20 coastal counties and municipalities therein that have public trust waters (ocean, estuarine or riverine waters) within their jurisdictions.

Anticipated Contract Period: February 15, 2011 through August 14, 2012

Maximum Request: There is no limit on maximum request. However, due to the limited funds available, applicants need to be mindful that larger requests may be difficult to accommodate.

Match Requirements: Local government matching contributions for acquisition must be at least 15 percent of the total project cost. The match has further been reduced to 10 percent for counties designated by the NC Department of Commerce as Tier 1.¹¹

Matching contributions for improvements to existing sites must be at least 25 percent of the total project cost. The match has further been reduced to 10 percent for counties designated by the NC Department of Commerce as Tier 1.

Municipalities within counties qualifying as Tier 1 are treated similarly to the county they are within in regards to match requirements.

At least half of the local match must be cash match; the remainder may be in-kind non-cash match. Pre-award costs associated with surveying, title work, and appraisals within the last three (3) years may also be eligible for credit towards non-cash match, provided they are documented in the grant application and contract budget. See "Guidelines for Local Match" enclosed.

Use of Other State or Federal Funds for Local Cash Match: Other state and federal monies are eligible for use to meet local match provided such funds are not already being used to match other grants by other state or federal agencies. Local cash and non-cash in-kind match that is already being used or intended to be used to also match other state or federal grants must be disclosed and recognized within the application process and award contract.

Public Use: Property acquired with a grant from DCM must be retained and used for public access. Facilities built or renovated with a DCM grant are intended for public access in perpetuity.

¹ The NC Department of Commerce 2010 (Article 3J) County Tier Designations.

Notice of Available Funds and Requirements 2010-2011

Site Control: The applicant must own or have at least a 25-year lease on property where a DCM project to build or renovate facilities will be located, except where improvements are proposed on Other Agency lands.

Improvements on Other Agency Lands: A local government may apply for a grant to fund improvements on property owned by a public school administrative unit or a state or federal agency. The county or municipality, however, must serve as the applicant for the project. Improvements must enhance public access to public trust waters, not just serve other recreational purposes.

Notice of Limitations and Use Restrictions: Acquired properties and properties with funded improvements and renovations will require recorded deed restrictions to be in place prior to a reimbursement of grant funds. Land acquired with access grant funds shall be dedicated in perpetuity for public access and benefit of the general public. The dedication shall be recorded in the property records by the grantee. Any lease or easement agreement shall extend at least 25 years. If land acquired or improved with access grant funds is sold or otherwise disposed of, the local government shall reimburse the State with an equal percentage of access grant funds at current market rate.

Criteria used to prioritize and select projects to receive grant assistance:

- Lack of access opportunities in the area
- Demonstrated need for the project due to high demand and limited opportunities
- Project is identified in a local beach or waterfront access plan or certified CAMA Land Use Plan
- Community has not received previous assistance from this grant program
- The commitment of matching funds exceeds the minimum required local match
- Proposal includes multiple funding sources (in addition to DCM)
- Location includes donated land deemed “unbuildable” due to regulations or physical limitations
- The community has demonstrated its ability to complete previous projects and/or has demonstrated its ability to operate and maintain facilities previously funded.

Tier 1 Coastal Communities 2010-2011

Coastal counties and municipalities that qualify for reduced local matching based on the NC Department of Commerce 2010 Article 3J County Tier Designations.

<i>County</i>	<i>Municipality</i>
Beaufort County	Town of Aurora Town of Bath Town of Belhaven Town of Chocowinity Town of Pantego City of Washington Town of Washington Park
Bertie County	Town of Askewville Town of Aulander Town of Colerain Town of Kelford Town of Lewiston-Woodville Town of Powellsville Town of Roxobel Town of Windsor
Camden County	
Chowan County	Town of Edenton
Gates County	Town of Gatesville
Hertford County	Town of Ahoskie Town of Cofield Town of Como Town of Harrellsville Town of Murfreesboro Town of Winton
Hyde County	
Tyrrell County	Town of Columbia
Washington County	Town of Creswell Town of Plymouth Town of Roper

Local Contacts and Resources

2010-2011

Local Contacts for Application Packet

Camden, Chowan, Currituck, Dare, Gates, Pasquotank and Perquimans Counties:

Charlan Owens, AICP, District Planner
Division of Coastal Management
1367 U.S. 17 South, Elizabeth City, N.C. 27909
(252) 264-3901 charlan.owens@ncdenr.gov

Beaufort, Bertie, Hertford, Hyde, Tyrrell and Washington Counties:

John Thayer, AICP, Manager, Planning and Public Access Programs
Division of Coastal Management
400 Commerce Ave., Morehead City, NC 28557
(252) 808-2808 john.thayer@ncdenr.gov

Carteret, Craven, Onslow (north of the New River) and **Pamlico** Counties:

Maureen Meehan Will, District Planner
Division of Coastal Management
400 Commerce Ave., Morehead City, NC 28557
(252) 808-2808 maureen.will@ncdenr.gov

Brunswick, New Hanover, Onslow (below New River) and **Pender** Counties:

Mike Christenbury, District Planner
Division of Coastal Management
127 Cardinal Drive Extension, Wilmington, N.C. 28405-3845
(910) 796-7426 mike.christenbury@ncdenr.gov

DCM on the WEB: An electronic copy of the application is available through the home page for the N. C. Division of Coastal Management at <http://www.nccoastalmanagement.net/>. Click the link to “Beach & Waterfront Access”; then along the left side click on “Public Access Grant Application Package”. A .pdf file of the complete packet will be available as well as a Word version of the application. District Planners can also send you a hard copy of the application.

Public Access Rules: A copy of the rules that apply to the DCM grants program, 15A NCAC 7M Section .0300 Shorefront Access Policies, can be found through the home page of the N. C. Division of Coastal Management at <http://www.nccoastalmanagement.net/>. Click the link to “Beach & Waterfront Access”; then along the left side click on “Shorefront Access Policies”.

Guidelines for Local Match Contributions 2010-2011

Introduction

The N. C. Public Beach and Coastal Waterfront Access Program is a matching grant program administered by the Department of Environment and Natural Resources, Division of Coastal Management. Guiding policies and principals for the access program are provided in Title 15A, Subchapter 7M .0300 of the North Carolina Administrative Code.

Land acquisition, site improvements, and amenities for public access to the waterfront are funded through this grant program.

Total project costs include grant funding and local match (cash and non-cash in-kind).

- **Land Acquisition:** For land acquisition, local government match must be at least 15% of the total project cost. At least one-half (1/2) of the local contribution (7.5% of the total project cost) must be cash; the remainder may be non-cash in-kind. For Tier 1 counties* and their respective municipalities, the local government contribution for land acquisition is 10% of the total project costs. At least one-half (1/2) of the local contribution (5% of the total project cost) must be cash; the remainder may be in-kind.
- **Site Improvements and Amenities:** For site improvements and amenities, local government match must be at least 25% of the total project cost. At least one-half (1/2) of the local contribution (12.5% of the total project cost) must be cash; the remainder may be non-cash in-kind. For Tier 1 counties* and their respective municipalities, the local government contribution for site improvement and amenities is 10% of the total project costs. At least one-half (1/2) of the local contribution (5% of the total project cost) must be cash; the remainder may be in-kind.

- **Projects that Include Both Land Acquisition and Site Improvements and Amenities:** Projects that include both land acquisition and site improvements and amenities shall be submitted under separate applications. These may or may not be funded under the same contract as a combined award or separately as individual awards.

Cash and Non-Cash In-kind Contributions (General)

- **Criteria for Claiming Contributions:** Cash and in-kind contributions may be claimed as part of the local government's match when such contributions meet all of the following criteria:
 1. Are verifiable from the local government's records;
 2. Are necessary and reasonable for proper and efficient completion of the project;
 3. Are not included as contributions for matching any other state or federally assisted projects or programs, except where authorized by state or federal statute;
 4. Are provided for in the project budget approved by the Division of Coastal Management;
 5. Do not include N. C. state sales tax; and,
 6. Conform to other provisions of these guidelines, as applicable.

In general, in-kind contributions are derived from resources already on hand or from donations, whereas cash contributions will be utilized to purchase new services or equipment necessary for proper completion of the access project.

* The NC Department of Commerce 2009 (Article 3J) County Tier Designations.

Guidelines for Local Match Contributions 2010-2011

Cash Contributions

Local cash contributions may be claimed for the following accountable items: planning and project design fees, permit fees, land acquisition (including survey and appraisal), labor, materials, construction equipment rental, amenities, and infrastructure. These costs must be incurred during the contract period.

- **Site Amenities:** The cost of amenities purchased by the local government during the contract period may be included as part of the cash contribution if it is an integral part of the access facility or its construction as presented in the Final Application submitted to the Division of Coastal Management and specified in the contract. Examples include park benches, bike racks, water fountains, trashcans, and lights. (See also “Donations of Property and Services”.)
- **Rental of Construction Equipment:** If the local government must rent construction equipment to complete the proposed project, (such as front loaders, graders, or dump trucks) rental costs may be included as cash contribution. (See also “Donations of Property and Services”.)
- **State and Federal Funds:** State and Federal funds may be counted as cash match provided the funds are not being used as a match for other programs. Local government employee salaries do not qualify as cash match, but may be included toward non-cash in-kind match.

Non-Cash In-kind Contributions

Local in-kind non-cash contributions may be claimed for the following accountable items: project design fees, permit fees, land acquisition (including survey and appraisal), labor, materials, construction equipment rental, amenities, and infrastructure. Reasonable local government employee time can also be credited. These costs must be incurred during

the contract period, except as specifically indicated below.

- **Site Assessments:** Title opinions, property appraisals, boundary surveys, and wetland delineations associated with land acquisitions and site improvements may be counted toward in-kind match, provided the costs are incurred within three (3) years of the grant award date.
- **FEMA Buyout Properties:** Property that was part of a FEMA buyout or other similar mitigation program is eligible for this grant program, provided the original conditions for the buyout are not in conflict with the proposed improvements. Use of the recent buyout property’s value as non-cash in-kind match may be considered similarly as previously purchased or donated property. (See also “Donations of Property and Services”.)
- **Volunteer Services:** Volunteer services eligible as in-kind contribution are limited to professional engineering and architectural services when those services are not found in the local government. Paid fringe benefits that are reasonable, allowable and allocable may be included in the valuation, if approved by DCM. When an employer other than the local government furnishes the services of an employee, or when an individual contractor volunteers, these services shall be valued at the employee’s regular rate of pay (plus an amount of fringe benefits, as described above), provided these services employ the same technical skill for which the employee is normally paid. All volunteer services must be documented by signed invoice showing the billing rate for the service, number of hours, and a statement that the charges are forgiven.

Excluded from volunteer services are prison labor, court-required community service and other work programs, and volunteer civic groups.

In those instances in which the required skills are not found in the local government, or for other activities specifically approved by the

Guidelines for Local Match Contributions

2010-2011

Division of Coastal Management, rates shall be consistent with those paid for similar work in the labor market in which the local government competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.

Donations of Property and Services

- **Land/Structures:** If the local government donates land or structures for an access facility and the donation is allowed by the Division of Coastal Management to be counted as local contribution, the value of the donation for purposes of in-kind contributions shall be established by an independent licensed appraiser. The donor of the land must be a private organization or individual. The community must provide a five-year history of conveyance for the property. Land that is transferred to the community due to a statute or rule is not considered a donation. If a landowner is proposing to sell land to the community for less than the appraised value, the amount of the donation is the difference between the appraised value and the amount paid by the applicant.

Donation to, or acquisition of, the property/structure by the local government must have occurred within five (5) years of the grant award. A long-term easement (more than 25 years from the date of the grant award) of land may also be considered under this guideline.

- **Property Lease:** Lease arrangements must be for the life of the project (generally 25 years). When property is leased to the local government for an annual fee, the first year's lease payment may be considered as in-kind contribution.
- **Professional Fees:** If the usual fees of a licensed professional, such as an architect or engineer, are waived or donated to the local government for work associated with the

access project, the fees may be claimed as in-kind contributions. Rates shall be consistent with local pay scales. Partial contribution of a fee (for example, the balance of a discount rate) will not be considered as in-kind match. *All volunteer professional services must be documented by invoice showing the billing rate for the service, the number of hours and that the charges are forgiven.*

- **Construction Equipment:** The use of privately owned construction equipment (graders, loaders, dump trucks, etc.) donated for construction of the access facility may be claimed as in-kind contribution. The use value of the rented equipment shall not exceed its fair rental value. Use of public agency equipment is not eligible for matching.
- **Building Materials, Site Amenities and Landscaping Materials:** Building materials (lumber, hardware, marl, etc.), site amenities (benches, bike racks, water fountains, etc.) and landscaping materials (plants, soil, timbers) donated to the project may be claimed as in-kind contribution. The value of any of these goods shall not exceed fair market value at the time of donation. To be eligible as an in-kind contribution, the building material, amenities or landscape materials must be an integral part of the original access project as presented in the Final Application submitted to the Division of Coastal Management and specified in the contract.
- **Attorney Fees:** Fees associated with the title opinion and other property transaction costs may be included as non cash match prior to the effective date of the contract. Reasonable costs following the effective date of the contract may qualify as cash match. Such costs should be included in the project budget.

Guidance for Grant Proposals 2010-2011

Introduction

The following is further guidance to assist communities with making a grant request. For additional information, contact your local DCM District Planner listed in this packet. (See Local Contacts and Resources.)

- **Include All Costs:** List all items proposed for funding and the estimated cost of each item. All items included in cost estimates must be shown on the site plan, except for items such as grading, utilities, and planning. Round all cost estimates to the nearest dollar. Where practical, identify costs separately for independent elements of the same type of facilities or improvements on the same site.

Land Acquisition

- **Property Appraisal:** A preliminary property appraisal will be required as part of a Final Application. The preliminary appraisal is an educated estimate of the property's value. An estimate does not require a licensed appraiser. A certified property appraisal will be required prior to grant reimbursement. The appraiser is required to certify that the appraisal was completed using the Universal Standard of Professional Appraisal Practices. The appraisal must be for the value of the land and any existing structures that will be used for public access and recreational purposes. Two (2) certified appraisals are required for property with a value greater than \$600,000 prior to grant reimbursement.
- **When may a formal appraisal not be necessary:** With DCM's approval, the use of property value based on property tax assessment may be used instead only when all of the following is evident:
 1. That the property owner will accept the tax appraisal assessment;
 2. The proposal is not locally controversial;

3. The property is an unbuildable lot/remnant or of a small size or awkward shape;
4. The property is contiguous to existing publicly owned or controlled property, or FEMA buyout property; and,
5. The property has an estimated value of less than \$15,000.

- **When to Take Title to Land/Leases/Easements:** All communities must sign a contract with the state *before* accepting a title/lease/easement to land that will be acquired using grant funds. This also applies to property that is donated to the local government. A Contract for Purchase or a Loan Agreement may be accomplished prior to the effective date of a grant contract. Cash payments that occur prior to the effective date of the grant contract are not eligible for credit towards a cash match and are not reimbursable. The exception is when the intent is to use it toward non-cash match. (See "Guidelines for Local Match Contribution".)
- **Buying Now and Building Later:** The local government may use the grant to acquire land with plans to make improvements later. The grantee has five years to begin making access improvements. If this is the intent, the applicant must provide a "Plan for Future Development" as part of a Final Application. The Plan is to include: a description of how the public will be able to use the site until improved access facilities are in place; a conceptual site plan showing the proposed development; and a timeline for developing the site.
- **Acquisition Documentation:** A report form along with two (2) copies of the deed with recorded restrictions, property title, property appraisal, and proof of payment will be required prior to grant reimbursement. DCM will supply the report form.

Guidance for Grant Proposals 2010-2011

Site Control for Properties to be Improved or Renovated

- **Site Control:** The applicant must own or have at least a 25-year lease or easement on the property where improvements or renovated facilities will be located. The community must submit copies of the deed or of the signed lease or easement, as well as the opinion by the community's attorney, regarding site control as part of the Final Application submittal. Proposals that include the leasing or acquisition of easements as part of the total project cost must identify the estimated costs and assumptions used in the request proposal. Where property is owned or controlled by another governmental entity or agency, a Joint Use Agreement may suffice, subject to approval of DCM.
- **Recorded Deed Restriction:** A deed restriction with assurances concerning public access will be required prior to reimbursement of a grant award for improvements and/or renovations.
- **Joint Use Agreement:** A local government and a school system or state or federal agency must include a draft Joint Use Agreement with a Final Application. The agreement describes the hours of use of the facilities by the public and how the site will be maintained. DCM staff must approve the formal agreement prior to a reimbursement of grant funds. It is the community's responsibility to ensure that the agreement is acceptable to DCM/DENR prior to expenditure of local funds to be reimbursed. Recording of the Joint Use Agreement may be required.

Costs to Build or Renovate Facilities

- The Importance of Good Estimates: If you receive a grant, you are expected to complete your project according to the cost estimates in your application.

Obtain estimates from contractors, engineers or architects, who have experience in developing or designing access sites. Consider the impact of inflation by assuming that the project may be completed over an eighteen (18)-month period after the grantee signs a contract with the State.

- Be Specific: Include specific units (sizes, numbers, lengths, etc.) for each item in the cost estimates. Include dimensions or square footage of all indoor or sheltered facilities. The intended use of enclosed structures, especially partitioned interior areas, must be identified.
- Contingency: A contingency amount of **5%** of the total cost to build or renovate a project may be included in the cost estimates (not required).
- Equipment/Tools are Not Eligible: Tools, maintenance equipment, office equipment and indoor furniture are not eligible for reimbursement with grant funds.

Planning and Incidental Costs

- Planning and Design Costs: For projects to build or renovate facilities, the following items can be included in cost estimates: architectural and engineering fees, site plans, design drawings, construction drawings, construction management, and preparing cost estimates.
- Incidental Land Acquisition Costs: Appraisals, title searches, surveys, and attorney fees can be included in cost estimates. (See also "Guidelines for Local Match Contributions".)
- Limit on Planning and Incidental Land Acquisition Costs: The sum of planning costs, incidental land acquisition costs and the cost of preparing permit applications cannot exceed **20%** of the total cost of the project. Exceptions

Guidance for Grant Proposals 2010-2011

may be made for Tier 1 jurisdictions* with written approval from DCM.

- **Timing of Expenses:** Design, engineering and planning costs to develop projects and other incidental costs to acquire land are only eligible for consideration as cash match or for reimbursement **after** the local government signs a contract with the state. These expenses may be considered for non-cash match as indicated under “Guidelines for Local Match Contributions”.

Additional Improvement Requirements

- **Placing Utility Lines Underground:** All utility lines funded with a grant award must be placed underground unless agreed to otherwise within the contract.
- **Making Facilities Accessible:** All facilities funded with a grant award must comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Applicants are strongly encouraged to include the costs of building accessible facilities and access routes to those facilities in the grant application. Prior to closing out a project and receiving final payment of grant funds, the local building official will be required to provide a letter certifying compliance.

Costs Not to be Included in a Grant Award or Local Match

- **Environmental Assessments** - other than preliminary work associated with site planning and wetland delineation.
- **Restoration Plans** - associated with contaminated sites. However some costs of

actual remediation or clean up may be eligible for non-cash in-kind match.

- **Restoration Plans** - however, wetland restoration may be eligible for cash or non-cash in-kind match credit.
- **Attorney Fees** - no fees for condemnation or other litigation will be considered. See “Guidelines for Local Match Contributions” for acceptable attorney fees.

Timing Issues

- **Starting the Project:** A grantee must sign a grant contract before beginning any components of a project in order to be eligible for match or reimbursement. Certain costs can be incurred before the contract start date. (See “Guidelines For Local Match Contributions”.)
- **Completing the Project:** Though grant contracts may be amended and extended at the discretion of DCM, a contract typically is limited to eighteen (18) months. Despite amendments, state rules limit the total life of a contract to three (3) years.
- **Receiving Grant Funds and Reimbursements:** Access grants are paid as reimbursements of actual expenses. The program will reimburse grantees only after the community’s required local cash match has been met. No grant funds may be dispensed/dispersed prior to a community meeting its local cash match.

The community’s cost estimates identify the total amount of grant funds to be reimbursed. The grantee is responsible for any additional costs needed to complete the project.

The program will retain the final ten percent (10%) of the grant amount until the completion of the project. Contact your local District Planner for the details of the process.

* The NC Department of Commerce 2010 (Article 3J) County Tier Designations.

Grant Award and Site Maintenance Requirements 2010-2011

Site Improvements

- The project will be required to be completed consistent with 15A NCAC 7M Section .0303 (e), (f) and (g).
- No construction credited towards the grant is to occur prior to the receipt of all required local, state, and federal permits. Coordination with permitting agency personnel will be required to occur so as to afford the least amount of impact on coastal resources.
- If the community subcontracts with a company engaged in other project(s) for the locality, all accounting and reporting specific to the project associated with the grant award will be required to be wholly separate from that of the other project(s).
- Signage Requirement: The community will be required to install CAMA public access signs at the project site(s). The State will provide these signs at no cost to the community.
- The community will be required to permit inspection of property and facilities acquired or developed pursuant to the grant award by DENR/DCM to ensure work progress is in accordance with the grant award, including a final inspection upon the project's completion.
- Development plans and specifications will be required to be available for review by DENR/DCM upon request. All significant deviations from the project proposal outlined in the grant award will be required to be submitted to DENR/DCM for prior approval.
- Any future improvements, modifications, or changes to the project site will be required to be subject to full review and approval by DENR/DCM. This can include any changes that require permits or any modifications (reductions or additions) to recreational amenities. Unapproved changes to the project site may be or can be the cause for DENR to

seek repayment of previously granted funds for site acquisition and improvements.

Land Acquisition

- The acquisition cost or fair market value of real property, including interest in donated lands, will be required to be based upon the appraisal of a licensed appraiser. The reports will be required to be provided for review and acceptance by DENR/DCM. Grant funds dispersed for acquisition cannot exceed the fair market value of the real property associated with the award. If the negotiated purchase price or a subsequent appraisal value is greater than the project cost as presented in the final application, the grantee must pay the additional cost.
- Recognize that any tract or parcel of, or interest in, real property subject to being purchased under the provisions of the grant award, which is determined by DENR/DCM for any reason not to be suitable, can be the basis for all obligations of the State to cease as to the property associated with the award.

Reimbursement of Costs

- The DENR/DCM will withhold the initial payment of grant funds awarded until the community has documented expenditure of the local cash match sum. In-kind services match is to be documented by the community to DCM by the end of the grant contract period.
- Consistent with the "Project Schedule and Activities Chart" provided in the grant award, the community will be required to submit reports as to the status and progress of the project. The local District Planner (Contract Administrator) will provide the periodic and final closeout report form templates.

Grant Award and Site Maintenance Requirements

2010-2011

- Grant funds will not be provided until a Title Opinion for the site has been submitted to and approved by the local District Planner/Contract Administrator.
- Documentation requirements for land acquisition: Two (2) copies of the following are required prior to payment of the grant award:
 1. Copy of the appraisal, and the appraisers certification that the appraisal was completed using the Universal Standard of Professional Appraisals Practices. The appraisal must be for the value of the land and existing structures that will be used for public access and recreational purposes. Two (2) appraisals are required for property with a value greater than \$600,000.
 2. Proof of Payment. Canceled checks for land purchases (front and back).
 3. Deed to each parcel containing the Notice of Limitations of Use Restrictions required by the project agreement. Restrictions include a conversion protection clause.
 4. Evidence of title for each parcel acquired (Letter from the County or City Legal Officer, or certificate from the Title Guaranty Company).
- Actual payments of the award will be based on the local District Planner/Contract Administrator's approval of a monitoring report. Final requisitions and invoices for payment will be required to be received by DCM within 30 days after end of the grant contract period.
- The community will be required to maintain and make available at proper times to DENR/DCM all bid documents, and accurate records of all expenditures for costs applicable to the grant award, and to submit properly certified billings for such costs on forms as may be prescribed by DENR/DCM. The community will need to

keep complete accounting records, including original invoices, payrolls, contracts, or other documents clearly showing the nature and property of all costs incurred under the grant award for a period of three (3) years following project completion, or until an audit has been completed, whichever is later. All accounting records and supporting document must clearly show the number of the project to which they are applicable.

- The community will be required to agree to refund to DENR, subsequent to audit of the project financial records by DENR, any funds not expended in compliance with the grant award.

Retention, Use, and Maintenance

The community will be required to agree to the following related to the retention, operation, maintenance, and use of properties and facilities acquired or developed with grant assistance; and these requirements will survive the closeout of the contract.

- Retention of Use: Any property acquired or developed with grant assistance will be required to be retained and used for public access.
- Operation and Maintenance: The community will be required to agree to operate and maintain solely at its expense, insofar as it is legally empowered to do so, for as long as they exist, the facilities and areas covered by the grant award contract. Acquired or development property will be required to be operated and maintained as follows:
 1. The property must be maintained in such a manner that DENR/DCM finds it to appear attractive and inviting to the public.
 2. Sanitation must be kept at reasonable standards for public use. Fire protection

Grant Award and Site Maintenance Requirements 2010-2011

and other similar services must be maintained in accordance with applicable State and local public health standards.

3. Properties must be kept reasonably safe for public use. The community will determine the level of maintenance and supervision necessary to maintain the facility in a safe condition.
 4. Buildings, roads, and other structures and improvements must be kept in reasonable repair throughout their estimated lifetime, so as to prevent undue deterioration and not to discourage public use.
 5. Buildings, roads, and other structures and improvements must be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.
 6. Reasonable user fees may be assessed, as long as those fees are used exclusively for the operation and maintenance of the access facility and/or other public access facilities within the local jurisdiction with the written consent of DENR/DCM. Accounting reports may be required.
- Reasonable Use Limitations: The use of property acquired or developed with grant assistance may not be changed from the proposed and approved in the grant award, unless approval is obtained from DENR/DCM. The community may impose reasonable limits on the type and extent of use of areas and facilities acquired or developed with grant assistance when such a limitation is necessary for maintenance or preservation. All limitations will be required to be in accord with the applicable grant contract.
 - Use of Proceeds of Sales of assisted areas and facilities: The proceeds of sale of assisted areas and facilities will be required to be held by DENR or the community and be disposed of

only in accordance with a plan approved by DENR.

- Notice of Limitations of Use and Restrictions: The community and/or owner of the real property acquired or improved with grant funds awarded will be required to file, in the office of the local Register of Deeds, a Notice of Limitation of Use and Restrictions which sets forth the land use restrictions contained in the grant award contract and to provide a copy to DENR/DCM.



**PUBLIC BEACH AND
COASTAL WATERFRONT
ACCESS PROGRAM**

NC COASTAL MANAGEMENT PROGRAM

Application Deadline November 1, 2010

FINAL APPLICATION 2010- 2011

North Carolina Public Beach and Coastal Waterfront Access Program

Please complete a separate application for each proposed project and submit two (2) printed copies and one (1) cd with digital files to your DCM District Planner.

This application is also available online at: <http://www.nccoastalmanagement.net>. Click on the link to "Beach & Waterfront Access".

Local Government: _____

Federal ID #: _____

Lead Elected Official: _____

Title: _____

Address: _____

Local Administrator of this Project: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

Email Address: _____

Signature: _____

Name (print): _____

Date: _____

Project Name: _____

Is this an ongoing project (for example, Phase II of a previously funded project, or improvement to an existing project)?

Yes: _____ No: _____

If yes, please describe: _____

Project Type: _____
(Local, Neighborhood, Regional, Urban Waterfront
Redevelopment)

Land Acquisition: Yes: _____ No: _____

Site Improvements: Yes: _____ No: _____

Previous DCM Access Grant Recipient: Yes: ___ No: ___

If Yes, When: _____ How Many: _____

Additional Project Costs and Funding Sources NOT included in this proposal (if applicable):

Cost \$ _____ Source: _____

Cost \$ _____ Source: _____

Cost \$ _____ Source: _____

Budget Totals and Financial Assistance Requested: *Provide information from Summary Budget.*

Application Budget Total:

1. **DCM Grant Assistance Requested** \$ _____

2. **Local Contribution** \$ _____

Local Cash: \$ _____
Local Cash (Grant Assistance): \$ _____ Funding Source: _____
Local Cash (Grant Assistance): \$ _____ Funding Source: _____
Local In-Kind \$ _____

TOTAL COST \$ _____

Provide the following ATTACHMENTS and NARRATIVE:

- A. **Project location maps:** Provide a regional location map and a detailed vicinity map (street map) showing the project location.
- B. **Parcel Information:** Provide the following information for each parcel:
- 1) Name and address of owner
 - 2) Lot dimensions
 - 3) Applicable setbacks (zoning, CAMA, DOT, other) and local zoning and Future Land Use Map designation(s)
 - 4) Deed number, book, page and date
 - 5) Assessed value
 - 6) An evaluation of its appropriateness for public access
 - 7) Title opinion including Attorney's NC Bar number
 - 8) Easement agreement, if applicable
 - 9) List of required permits or certifications (CAMA, zoning, etc.)
- C. **Site description:** Provide a description of the site, including natural features and existing improvements. Also include Water Quality Classification.
- D. **For Land Acquisition:** Provide a boundary survey indicating land area, along with a preliminary appraisal and a letter of intent to sell from the property owner. Provide a "Plan for Future Development" to include: a description of how the public will be able to use the site until improved access facilities are in place; a conceptual site plan showing proposed future development; and a timeline for developing the site.
- E. **Project description:** Provide a description of the project, including information on features, materials, and proximity to closest/other access sites.
- F. **Project site plan:** Provide a to-scale site plan showing property lines, proposed construction, significant natural features, and existing uses on adjacent lots. Include a north arrow and graphic scale and dimensions for site improvements. *Improvements shown as an overlay on aerial photos also may be submitted as a supplement to but not in lieu of a site plan.* Provide to-scale building elevations and floor plans as applicable.
- G. **Pre-project tasks:** Identify tasks that must be completed prior to starting the project.
- H. **Local Government Approval:** Each grant application must be reviewed and approved by the local governing board at a duly advertised public hearing or meeting. Provide a memorandum resolution, or copy of the minutes indicating the board's action on the application.

- I. Is all or a portion of this project under consideration by other programs for funding?
YES _____ NO _____ *If so, indicate which program(s) and which fiscal year(s). Does the funding requested from another program duplicate or complement the funding requested from the Access Program? How viable is the project if complementary funding from another program is not secured?*
- J. Is this project identified as high local priority in your certified Future Land Use Plan or local Access Plan? YES _____ NO _____ *If so, attach a brief description of the plan and a statement of the extent to which the project implements the policies of the plan.*
- K. Is this project reflected in other policy documents or ordinances? YES _____ NO _____ *If so, attach a brief description of the document or ordinance and a statement of the extent to which the project implements goals of the document or ordinance.*
- L. **Proposed Local Match and Cost Assumptions:** Provide narrative indicating the source of cash match and availability of funds. Provide narrative explaining the relevance of proposed in-kind match to the project. If other state and/or federal funds are to be used as local match, indicate the amount, the funding source, when the funding source will be awarded/available, and the specific project elements that will qualify for joint funding.
- M. List the types and sources of utilities proposed; and identify associated costs.

N. Proposed Summary Budget: The form below must be completed and included with your application.

	Grant Assistance Requested	Local Cash Contribution	Local In-Kind Contribution	TOTAL
Land Acquisition Costs				
	\$	\$	\$	\$
Subtotal	\$	\$	\$	\$
Permit and Design Fees:				
	\$	\$	\$	\$
Subtotal	\$	\$	\$	\$
Site Improvement Costs:				
Materials				
	\$	\$	\$	\$
Subtotal	\$	\$	\$	\$
Site Improvement Costs:				
Labor				
	\$	\$	\$	\$
Subtotal	\$	\$	\$	\$
Local Administrative Costs:				
In-kind				
	\$	\$	\$	\$
Subtotal	\$	\$	\$	\$
TOTAL BUDGET	\$	\$	\$	\$

Additional Project Tasks NOT Included in this Proposal	Additional Project Cost
	\$
TOTAL ADDITIONAL COST	\$

O. Proposed Budget: If available, attach a detailed breakdown of the cost assumptions upon which the Summary Budget is based. Proposals that include this information increase their likelihood of funding.

P. Project Timeline and Reporting Periods: The purpose of the timeline is to establish benchmarks during the project period to ensure timely completion. Progress monitoring is to occur at 6 month intervals for the duration of an 18 month contract. We recognize that unexpected events may require adjustments to the timeline. The schedule is meant to be an aid for measuring the progress of the project and a guide to making adequate contract adjustments when necessary.

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Task																		
Return Contract																		
Land Acquisition																		
Permitting Process																		
Land Preparation																		
Construction																		
Landscaping																		
Final Inspection																		
Close-Out																		

The form below only illustrates grant and local cash match totals. Local funds must be spent before grant funds. Non-cash match is not illustrated or represented in the table, however it must still be reported.

Grant: \$ _____

Cash Match: \$ _____

Total: \$ _____

Non-cash Match: \$ _____

PROJECT SCHEDULE AND ACTIVITIES CHART

<p>% of total work to be completed _____ %</p> <p>Grant funds to be spent \$ _____</p> <p>Local funds to be spent \$ _____</p>	<p>Period 1</p> <ul style="list-style-type: none"> • • • •
<p>% of total work to be completed _____ %</p> <p>Grant funds to be spent \$ _____</p> <p>Local funds to be spent \$ _____</p>	<p>Period 2</p> <ul style="list-style-type: none"> • • • •
<p>% of total work to be completed _____ %*</p> <p>Grant funds to be spent \$ _____</p> <p>Local funds to be spent \$ _____</p>	<p>Period 3</p> <ul style="list-style-type: none"> • • • •

*The final reporting period shall include a holdback of 10% of the total grant award, which is retained until a closeout packet is received by the District Planner/Contract Administrator.