

FISHING IS FUN PROGRAM GUIDELINES

Fishing Is Fun provides up to \$900,000 in federal matching funds annually to local Colorado communities and organizations for the development and improvement of Colorado's aquatic resources. The grants **REIMBURSE** project sponsors for up to 75 percent of approved expenses. The following Fishing Is Fun program guidelines discuss:

- eligible applicants,
- eligible project types and elements,
- project application and implementation timetables
- the selection and approval process, and
- cost-sharing requirements and details.

An example of an application is provided, as is a blank application form. A fillable application form is available on-line at the Fishing Is Fun program's page on Colorado Parks and Wildlife's website at <http://wildlife.state.co.us/Fishing/ResourcesTips/FishingIsFunProgram>. This entire guideline booklet is also available at the Fishing Is Fun page.

WHO MAY APPLY

Local governments, park and recreation departments, water districts, individuals, conservation groups and other non-profit organizations may sponsor a Fishing Is Fun project. Applicants may not participate in more than two projects annually. Separate chapters or units of statewide organizations are considered as separate applicants. Two or more local agencies may form a partnership to conduct a project. Experience has shown that contract administration, permitting, and fund management is best facilitated when a county or municipality is the lead agency. Federal dollars cannot be used as the source for local match nor can donated labor from a federal agency be used for match.

ELIGIBLE PROJECTS

The Fishing Is Fun Program is designed to improve Colorado's sportfishing resource and anglers' ability to access it. The following are characteristics of projects that can help meet those goals:

- The project will assist the Colorado Parks and Wildlife in reaching its Strategic Plan goals, most notably an increase in angler recreation days or angler satisfaction.
- Proposed improvements are substantial in nature.
- The project directly relates to an improvement in the sportfishing resource.
- Public access to the sportfishing resource is assured.
- The project is viewed as a cost-effective investment.
- Features will be maintained for the life of the project for sportfishing purposes, normally considered to be 20 years.
- All physical facilities will be of barrier free construction and be open to all anglers.

The Fishing Is Fun program has historically supported four broad categories of projects, although project proponents are encouraged to propose other projects if they can be demonstrated to meet the goal of the FIF program – improvement in Colorado’s angling recreation resources.

The four categories of projects are:

1. **New Angler Access** - This category covers projects developing access to streams and lakes that have been previously closed to the public or to lands that are locally owned but have been closed to the public for lack of development or other site problems. Access can be accomplished by easements, leases, or in some cases, fee title acquisition. It can also include site and facility development associated with that access. Construction of new or rehabilitation of breached reservoirs are included in this category.
2. **Habitat Development and Site Improvements** - This category includes in-stream structures, bank stabilization, erosion control, revegetation, and submerged fish habitat improvements.
3. **Fishing Site Improvements** - This category includes development activities on existing public fishing sites. It would include restrooms, angler trails, fishing piers, parking lots, and other angler amenities.
4. **Motorboat Access** - This is a broad category that covers all types of amenities associated with motor boat access. Projects can be on rivers or lakes and will cover such improvements as boat ramps, docks, restrooms, parking lots, fencing and access road improvements. *(Note: Applicants for motorboat access projects should also consider applying through Motorboat Colorado!, a Colorado Parks and Wildlife program which is focused on motorboat access projects. See the Colorado Parks and Wildlife website for further information.)*

Fishing Is Fun projects often include one or more of the following elements:

- Public access for stream or lake fishing by fee title, easement or lease (1)
- Construction or renovation of public fishing ponds
- Construction or renovation of boat ramps, docks, or fishing piers
- Restrooms (2)
- Stream habitat improvement structures
- Fish reefs or cover structures in lakes
- Fencing of stream riparian habitat

(1) If new public access involving a property interest (i.e. access easement, fee title acquisition) is an objective of the project, the sponsor must contact the CPW's regional coordinator early in the process and prior to submitting the application. Additional requirements are involved with real estate actions that must be addressed by CPW staff.

(2) If restrooms are involved, they must be an integral part of a fisheries project and specifically be a benefit to anglers. Costs must be commensurate with the overall project benefits to anglers.

TYPES OF INELIGIBLE PROJECT ELEMENTS

No grants will be made for overhead, program administration, planning or research. Awards are not given for contingency funds or unanticipated overages. Grants will not be made for any project that is not available to the general public for fishing purposes or for ventures with commercial overtones. "Seed" money or general operations funds are not available from Fishing is Fun. BBQ pits, RV hookups and non-fishing related amenities are not eligible for reimbursement or for use as match.

Proposals such as fishing clinics, aquatic displays or angler education may be supported outside of the Fishing Is Fun Program. Please contact the CPW Education Section in Denver for additional information on programs it has that may support these types of projects.

EXAMPLES OF RECENT FIF PROJECTS

- Open municipally-owned raw water pond to public fishing, including parking and access trails.
- In-stream work to deepen stream channel and establish improved fish habitat.
- ADA-compliant fishing piers and access trail on existing ponds.
- Shade structures and restrooms at existing ponds and lakes.
- Screens to keep fish from escaping from reservoirs into irrigation channels.
- Perpetual easement for access to "Gold Medal Water".
- Construction of new trail and boardwalk to improve lake access.
- Dam repair to protect a fishing resource.

2012 PROJECT REVIEW AND APPROVAL SCHEDULE

There are several steps in the FIF application, review and approval process. Applicants are advised to contact their local Colorado Parks and Wildlife (CPW) office as soon as possible, but at least 30 days prior to application deadline. Projects often have technical or biological questions associated with them. Guidance and input from local CPW personnel has proven to be important in developing the best possible proposal.

Applications are due in area or regional office by March 7, 2012.

Once the application is complete, the District Wildlife Manager (DWM) or area aquatic biologist will sign and forward it to the Senior Regional Aquatic Biologist. Applications in each DOW region will be evaluated and ranked by staff. **Applications undergo a thorough review process by the CPW Regions. Project sponsors may be contacted during this time for more information, beyond that provided in the first stage. Please be patient and also be aware that lobbying during the selection process will disqualify the project.**

Applications are then forwarded to the Denver headquarters by April 6, 2012. Following technical review by the FIF program coordinator, project funding applicants and local sponsors will present their project at the meeting of the FIF Review Panel in Denver on May 1, 2012.

Regional Aquatic Biologists from the DOW and the local District Wildlife Manager who helped with the project application may also be present to answer technical or biological questions from the panel.

After the presentations, the Review Panel will develop a set of funding recommendations, which will be forwarded to Colorado Parks and Wildlife's top management. In the selection process, high-rated projects historically have been those that foster significant increases in angler use, open up new public access to fishing waters, and/or include a high percentage of matching funds. However, the review panel also recognizes that not every community can provide matching funds beyond the 25% minimum, or that a project may not provide a large increase in angler numbers but may be very important to that community. Around mid-June, applicants will be notified of final funding decisions.

U.S. Fish and Wildlife Service approval (see following section) and a signed contract with the state for the project, including a Notice to Proceed, should be completed no later than March, 2013. Earlier US Fish and Wildlife Service approval and state contract development is often possible, depending on the needs of the project sponsor and the complexity of the work to be done. Projects should be completed in a timely manner but no later than December 31, 2014.

WHAT HAPPENS IF YOUR PROPOSAL IS AWARDED FUNDING?

After DOW selection, projects are also reviewed by the regional U.S. Fish and Wildlife Service office. This stage is not a competitive review, but assures that the project satisfies federal requirements, including compliance with the National Environment Policy Act (NEPA), wetlands protection, historical site protection and other laws. After federal approval is received, a contract will be drawn up and signed between the project sponsor and the Colorado Parks and Wildlife -- the final step before construction can begin.

There is no legal commitment of funding until federal approval of the project is received and a contract is duly executed by the state and sponsor. At that time a specific letter of authority to proceed will be provided to the sponsor. **Starting any work or letting any contracts before the contract is approved and prior to having this letter to proceed may invalidate the federal grant!**

Applicants are required to submit quarterly status reports during construction, and upon completion of the project an annual operating report. Instructions and standardized forms will be attached to the contract for this purpose, and are also available on the Fishing Is Fun page of the DOW website.

Field inspections may be made as projects are being constructed. Upon completion the state will inspect the project prior to approving final payment to the sponsor and may inspect it annually thereafter to ensure compliance with the contract. Project sponsors are obligated to maintain the use of the project for its lifetime, normally considered to be 20 years.

WHAT IF YOUR PROPOSAL IS NOT SELECTED?

Fishing Is Fun is a competitive statewide assistance program. As with any grant program, experience with expectations associated with the program will improve a project's chances. Discussions with and reviews by local CPW personnel and aquatic biologists will also help applicants strengthen a funding request. A clear willingness to cost-share the project can also be an important factor -- average local cost share for successful projects in 2008 was nearly 45 percent of total project costs!

Proposals not funded in one year may be re-submitted in future years, but they must go through the same application process -- e.g., be dated and signed by the local DWM officer and sent to the regional coordinator -- for the next funding cycle. An application which circumvents this process will not be considered.

WHAT QUALIFIES AS MATCHING FUNDS?

Matching funds are an important part of any proposal. For an applicant, the determination of acceptable matching funds can be confusing. If questions arise during application preparations, it may be advantageous for the District Wildlife Manager or applicant to contact the FIF Program Coordinator, Jim Guthrie, directly at 303-291-7563 to determine if the proposed funds or donations are eligible for use as match.

Guidelines covering the determination and use of eligible matching funds are as follows:

1. Federal funds may not exceed 75 percent of the total project cost. "Federal funds" includes Fishing Is Fun grants, any other Sport Fish Restoration funds from the DOW and other federal funds such as those from the U.S. Forest Service, Bureau of Land Management, Corps of Army Engineers, or U.S. Fish and Wildlife Service.
2. In-kind and cash donations must come from non-federal sources.
3. In-kind contributions may be in the form of non-federal volunteer labor, donated or reduced cost materials, use of equipment or costs incurred by the contractor or subcontractors to complete the project. To be eligible as an allowable cost, all in-kind contributions must be expressly determined by the state to be a necessary and cash integral part of the project. In-kind matching funds may be used in addition to, or in place of, cash donations.
4. Third party in-kind contributions may count toward satisfying the matching requirement only if the project sponsors receiving the in-kind contributions would otherwise have to pay for them to complete the project. Adequate documentation of volunteer and in-kind services, e.g. signed time sheets, will be important to provide when requesting reimbursement.
5. In-kind match may not include costs that are borne by other federal grant agreements. This includes costs and third party in-kind contributions that have been used to satisfy matching or cost-sharing requirements of another federal grant/aid agreement or any other award of federal funds. U.S. Forest Service challenge grant or federal county aid

dollars cannot be used to match Fishing Is Fun grants.

6. Unless expressly permitted in the project assistance agreement, income derived from the project or program by the participants or subcontractors may not be counted as part of the match requirement.
7. In-kind matching money must be specific to the approved work units of the project documented in the work plan of the application, and will be specified as a line item in the budget exhibit of the contract.
8. Indirect costs (such as overhead charges or contingency estimates) may not be included as part of in-kind contributions. This also applies to non-expendable tools and equipment that have a use beyond the project.
9. Engineering, project design, land and water surveys, blueprint preparation and environmental assessment preparation specific to project construction can be used as in-kind matching funds.
10. No funds expended prior to the receipt of a letter to proceed will be eligible as match, except for pre-approved preliminary costs associated with the design and planning of project. This does not apply to property or structures already owned by the applicant which will be dedicated to the objectives of the project.

Acceptance of justifiable items and their value will be subject to approval by the Fishing Is Fun Program Coordinator.

HOW IS THE VALUE OF IN-KIND MATCHING FUNDS DETERMINED?

The valuation of an in-kind contribution is dependent on whether the contribution is from the state, contractor or a third party. Examples of in-kind match include volunteer labor, reduced cost or donated specialized labor or equipment provided by a project partner, or labor from a county public works crew paid for by the county.

1. State contributions are valued at cost to the state regardless of current market value.
2. Generally, contractor or third party in-kind contributions are valued at the rate the state would have to pay for similar services or property if purchased on the open market.
3. Materials such as rocks, gravel, or lumber contributed by a contractor or third party will be assigned the market value at the time of the contribution.
4. If the contractor or a third party contributes land, equipment or building space, or the use thereof, the contribution will be valued at the fair rental rate over the term of the project or the fair market value, of the land, equipment, or building space, whichever is less. Only equipment, buildings or lands, or portions thereof, necessary and integral to the

completion of the project will be considered for evaluation as an in-kind contribution.

5. Fair market or rental values shall be determined by the standard appraisal techniques or any other method approved by the state.
6. If not specified in the budget outline of the application, the value of donated labor will be computed at \$20 per hour. The use of higher hourly figures must be justified by the type of work and qualifications of the worker. Contact the Fishing Is Fun Program Coordinator for further information on the determination of allowable wage rates for donated labor or services.

PUBLIC INVOLVEMENT NOTIFICATION

Projects will require intention notices in the local newspaper of record. Proof of publication and comment period of 30 days required.

COMPLIANCE REQUIREMENTS

A number of federal requirements have to be addressed for all projects. These “compliance issues” are addressed as part of the federal aid application portion of the process, not during the initial application and panel review process. Depending on the nature of the projects, substantial delays – nine months or more – may occur as a result of these requirements, although lengthy delays are the exception. The following lists some compliance assurances that are typically required as part of the federal review process:

Potential compliance requirements -- What it is, who takes lead on addressing

Historical and Cultural Preservation

A written statement from the State Historical Preservation office clearing your project – CPW normally takes the lead on this.

Prime and Unique Farmland

A written confirmation from the Natural Resources Conservation Service clearing your project site from the unique or prime farmland restrictions – CPW normally takes the lead on this.

Army Corps of Engineers 404 Permit

A 404 Permit or clearance from the Corps of Engineers may be needed for projects that could affect jurisdictional wetlands – the project sponsor normally takes the lead on this, if applicable, through contact with the local Army Corps of Engineers Office

Endangered Species

Each project must assess whether there will be an impact on any federally-listed threatened or endangered species or how any impact will be mitigated – DOW personnel normally take the lead on assessing the presence of any listed species. Project sponsor may take the lead on determining course of action should endangered species issues arise.

Environmental Assessments

Projects that involve water depletions, wetlands or other environmental impacts may require an acceptable Environmental Assessments – Project sponsor will develop any required environmental assessments.

Important points to keep in mind as a project is developed or implemented

- Early consultation with Colorado Parks and Wildlife local personnel and/or aquatic biologists can be helpful in project design, and to identify and resolve issues prior to the review panel meeting.
- Federal funds (e.g. Forest Service, BLM funds) cannot be used as match for a project. Volunteer time is best documented at the time it is provided, commonly through signed volunteer timesheets. Trying to document volunteer participation in a project after the fact is difficult at best, and may result in reduced match and reduced reimbursement for expenses.
- Do not start construction work before the federal grant is approved and a contract with the state is signed.
- If the project design or cost estimates change, contact the Fishing Is Fun program coordinator to determine if an amendment to the federal grant or the state contract is needed. Waiting until the end of the grant period to tell the Fishing Is Fun Program Coordinator of design or budget changes may preclude CPW from being able to reimburse the project sponsor for some costs.
- Funding is provided on a reimbursement basis, which means the project sponsor pays for expenses up front, and then is reimbursed for the Fishing Is Fun share of the expenses later.