

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 14.

Date of Request: January 11, 2008

Date Request Received: January 11, 2008

Board Meeting Date Requested: January 22, 2008

Board Meeting Date Assigned: January 22, 2008

Short Title: N.C. Division Of Marine Fisheries: Pre-Proposal: Anchors Away/SE/WAMI-103-08, Submitted For Consideration For The Waterfront Access & Marine Industry Fund: Formal Project Presentation.

Request Status:
 Request is proceeding to Board of Commissioners
 More information is needed – see attached
 Request on hold – no further information needed
 Other:

Background: : North Carolina's Waterfront Access and Marine Industry (WAMI) Fund was created by the 2007 General Assembly to acquire waterfront properties or develop facilities for the purposes of providing, improving and/or developing public and commercial waterfront access. (SL 2007-0323)

(Administrative Use Only)

The WAMI will receive \$20 million through certificate of participation bonds, which are loans that do not use the government's taxing power as collateral; therefore, they do not require approval by a referendum, as do general obligation bonds. The debt service will be repaid by the N.C. Parks and Recreation Trust Fund financed by a deed stamp tax on the transfer or sale of property and by specialty license plate revenues.

CONTRACT TYPE

Renewal
 For Service(s)
 Intergovernmental – County as Grantee
 County as Grantor
 County Funds
 Other Funds:
 Revision
 For Equipment
 Federal Grantor
 State Grantor
 Grant or

The pre-proposal submitted for consideration for the Waterfront Access and Marine Industry Fund has been chosen for review. The N.C. Division of Marine Fisheries is now asking for a formal project presentation.

PURCHASING Budgeted Item: Yes No
Date Rec'd: Reviewed and Approved
 Comments on Reverse

Date Sent:

Signed:

Specific Action Requested: The Board of Commissioners is requested to review the pre-proposal and make a decision as to presenting a formal presentation.

ATTORNEY Reviewed and Approved
Date Rec'd: Legal Problem(s)
 Comments on Reverse

Date Sent:

Signed:

Requested by: Lori Brill
Department:
Title: County Manager
Contact Phone: 910.259.1200
Contact Fax: 910.259.1579

FINANCE Sufficient Funds Available
Date Rec'd: Not Available
 Budget Amendment Necessary
 Budgeted Amendment is Attached
 Comments on Reverse

Date Sent:

Signed:

CLERK Signature(s) Required:
 Board Chairman/County Manager
 Other:

Date Rec'd Approved by Board: Yes No
At meeting on



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Division of Marine Fisheries

Dr. Louis B. Daniel III, Director

December 20, 2007

Anne Deaton
N.C. Division of Marine Fisheries
127 Cardinal Drive Extension
Wilmington, N.C. 28405

Roy Mathews
General Contractor
298 Redd Banks Lane
Hampstead, N.C. 28443

Dear Ms. Deaton and Mr. Mathews,

This letter is to inform you that the pre-proposal *Anchors Away/SE/WAMI-103-08*, submitted for consideration for the Waterfront Access and Marine Industry Fund has been chosen for further review. The N.C. Division of Marine Fisheries is now asking for a formal project presentation.

As noted in the enclosed project presentation format, all formal proposals must be submitted by a state, county or municipal government agency. Please coordinate your presentation with DMF Resource Enhancement Section Chief Craig Hardy. He can be reached at (252) 808-8046.

The presentation must follow the enclosed project presentation format. Also enclosed is a Waterfront Access and Marine Industry Fund Strategic Plan that outlines the goals the proposal should meet.

Preference will be given to proposals for multi-use facilities that benefit multiple user groups. Special consideration will also be given to projects with funding partners.

Presentations should be sent electronically to tricia.smith@ncmail.net or by mail to WAMI Projects, c/o Patricia Smith, P.O. Box 769, Morehead City, N.C. 28557. The deadline for submission of presentations is 5 p.m. Feb. 15, 2008.

Please contact me at (252) 808-8025 or at tricia.smith@ncmail.net with any questions.

Sincerely,

Patricia Smith
N.C. Division of Marine Fisheries

6 pages

470-7020
252-93416

WAMI Project Presentation Format

- a. Submit projects in MS Word or Adobe PDF format.
- b. Identify the benefits expected from the proposed project, including users served, economic benefits to the local communities and state, providing access in an area where there is a lack of similar resources, etc.
- c. Provide estimates on the usage of the facilities, including expected number of people who will use the access site.
- d. Each project proposal is to include the following:

Lead Agency Name: Identify the name of the state, county or municipal agency submitting the project.

State Agency Name: Identify the state agency to take ownership of the project, if not already in state ownership.

Project Title: Use the project title and number printed in italics in the cover letter.

WAMI Strategic Plan Program Area Objective: Identify the WAMI Strategic Plan Program Areas and Objectives the project will meet.

Project Period: Give the total time period of the project proposed for funding, not to exceed two years.

Need: Demonstrate the need for assistance.

Objective: Address what is to be accomplished.

Approach: List all procedures necessary to attain each project objective.

Expected Results and Benefits: Identify and document the results or benefits expected from the proposed project and how the project will help address waterfront access, working waterfronts, or public waterfront access facilities in North Carolina. For example, identify economic value, number of visitors and/or fishermen, preserving facilities at risk to development, etc.

Property owner's consent: Include a signed letter from the property owner stating his/her intent to sell or consent to alter the property.

Maintenance Plan: Identify how the project will be maintained after initial funding from WAMI. Include who will be responsible and identify fund sources and how agreements will be arranged (e.g., letters of agreement, memorandums of agreement, contracts, etc.).

Geographic Location: Detail the location where the project will be administered and where the project will be conducted. Provide either a GIS ESRI Shapefile of the property or a deed or tax survey map with legal description of the property.

Milestone Schedule: Provide an activity schedule in table format for the duration of the project, starting with Month 1 and concluding at the end of the requested award period, including a maximum three-month report-writing period.

Cost Summary: Detail all costs to be incurred in the project, including, but not limited to personnel, construction, contracts, capital purchases, travel expenses, etc. Details are to include start-up versus long-term maintenance costs. Indirect cost rates cannot exceed the indirect rate established for the Division of Marine Fisheries (this rate is established annually).

Principal Project Contact: Provide the name and contact information for the principal person leading the project.

Other Funding Sources: Identify all other funding sources (fund source and amount) that will partner with the WAMI funds to pay for this project.

Waterfront Access and Marine Industry Fund

Strategic Plan 2007

I. Introduction

North Carolina's Waterfront Access and Marine Industry (WAMI) Fund was created by the 2007 General Assembly to acquire waterfront properties or develop facilities for the purposes of providing, improving and/or developing public and commercial waterfront access. (SL 2007-0323)

Traditional maritime industries and public access to North Carolina's coastal waters have been rapidly disappearing, being replaced by non-waterfront-dependent development and rising property taxes. The General Assembly felt state intervention was needed to ensure existing and future waterfront-dependent uses and continued access to the state's public trust waters.

The WAMI will receive \$20 million through certificate of participation bonds, which are loans that do not use the government's taxing power as collateral; therefore, they do not require approval by a referendum, as do general obligation bonds. The debt service will be repaid by the N.C. Parks and Recreation Trust Fund financed by a deed stamp tax on the transfer or sale of property and by specialty license plate revenues.

The Division of Marine Fisheries (DMF) is the agency responsible for establishing a program to solicit proposals and disburse WAMI funds. The authorizing legislation states the DMF director may:

- Consult with representatives of the commercial fishing industry and other marine industries or nonprofit groups with expertise in waterfront access issues to review potential projects.
- Establish a committee to review potential property acquisitions and capital and infrastructure improvements.

The Joint Legislative Commission of Seafood and Aquaculture must be briefed at various intervals throughout the process.

The DMF director will establish an advisory committee with representatives from the commercial fishing and other marine trade industries, as well as other state agencies, to assist in establishing a strategic plan for the fund and to develop guidelines to evaluate and select proposals.

The DMF will partner with other agencies, such as the Clean Water Management Trust Fund, Sea Grant, Division of Coastal Management and others to maximize the benefit potential of the fund. Access projects financed by the fund may be for recreational or commercial purposes, however any land or facility purchased with the WAMI money would be owned by the state. DMF will work closely with the State Treasurer's Office to ensure the tax-exempt status of the bonds is not jeopardized.

II. Goal

The overall goal for the use of the WAMI Fund is to retain and enhance working waterfronts and public access to coastal waters through cooperative state and local partnerships.

The strategic plan establishes a framework of objectives and strategies to meet this goal, incorporating issues identified in the Waterfront Access Study Committee Final Report, included as an appendix to this plan.

III. Certificates of Participation Bonds

Funding for the WAMI Fund will be provided by the Certificates of Participation Bonds (COPS). Section 3.10.4 Establishment of Capital Improvement Projects from the Office of State Budget and Management (OSBM) Budget Manual defines COPS as limited obligation bonds approved by the General Assembly without a vote of the people, with debt service provided from the General Fund and secured by a security interest in the facility financed or other, similar real property. COPS can only be used on property the state owns and must take the title to the improvements.

The sale of COPS must be spent or obligated within three years from date of sale, preferably within two years. All invoices must be kept for six years after the debt is repaid. For example, if the COPS have a 20-year amortization, all records of invoices must be kept on file for 26 years (see section Section 3.10.14 COPS Procedures/Guidelines of the OSBM Budget Manual). Bond sales are sold as needed based on the previous sales and use of the funds from the previous sales. It may take two to three months to complete a sale.

III. Definitions

Certificates of Participation (COPS) – Limited obligation bonds approved by the General Assembly without a vote of the people, with debt service provided from the General Fund and secured by a security interest in the facility financed or other, similar real property.

Waterfront Access – means a parcel, or parcels, of real property that provides access to *water-dependent* commercial and/or recreational activities in North Carolina's coastal public trust waters or on coastal public trust submerged lands.

Working Waterfronts – are commercial facilities that *require* direct access to or a location on, over or adjacent to North Carolina's coastal public trust waters and submerged lands. The term includes *water-dependent* facilities that may be open to the public, offer access by vessels to State waters and lands *or* that support facilities for recreational, commercial, research or government vessels.

Examples include, but are not limited to: commercial fishing facilities, including fish houses; wet and dry marinas available for public use; boat construction facilities; boat haul-out and repair facilities; recreational fishing facilities, including fishing piers; facilities engaged in or offering boating for hire (e.g. charter/headboats); and aquaculture facilities that require direct use/flow of coastal waters and/or wharf areas for marine aquaculture operations and product transport.

Public Waterfront Access Facility – is a site or facility owned by a public entity that provides (or is capable of providing) public access for *water-dependent* recreational activities in North Carolina's coastal public trust areas.

Examples include, but are not limited to: public boat ramps and other boat launching sites; public mooring facilities; waterfront parks and boardwalks; and public rights of-way adjacent to North Carolina Department of Transportation bridges.

III. Program Areas

Funds from the WAMI are to focus on multipurpose and multi-use facilities, real estate, etc. to increase, maintain and enhance waterfront access for the commercial industry, recreational industry, marine industry, and marine research. Many issues faced by the marine industry are related to water access regardless of the industry sector. The challenge is to provide multi-purpose and multi-use facilities that meet all these needs while incorporating an environmentally responsible design.

Program Areas include the following with priority given to those that incorporate use in multiple areas to preserve the multi-purpose and multi-use goal of the WAMI Fund:

A) PUBLIC DOCKING FACILITIES

The following objectives (in no order of priority) are established to improve docking facilities for commercial fishing access, recreational fishing access, marine industry access and marine research access through capital improvements and property acquisition.

Objectives

- Long term
- Short term
- Transient
- Deep Water
- Shallow Water
- Allow for adequate provisions for loading and unloading (e.g. able to drive vehicle on docks).
- Mooring
- Dinghy
- Informational kiosks

B) PUBLIC BOAT RAMPS

The following objectives (in no order of priority) are established to improve commercial fishing access, recreational fishing access, marine industry access and marine research access through capital improvements and property acquisition.

Objectives

- Adequate Piers
- Adequate Parking
- Small Vessels (canoes, kayaks)
- Large Vessels
- Informational kiosks

C) FISHING ACCESS

The following objectives (in no order of priority) are established to improve commercial fishing access, recreational fishing access, marine industry access and marine research access through capital improvements and property acquisition.

Objectives

- Public Ocean Fishing Piers
- Public Inland Fishing Piers
- Other public substrate access and enhancement not requiring a vessel (e.g., access to shellfish beds)
- Adequate Parking and Restrooms
- Beach Access for Vehicles
- Informational Kiosks

D) OTHER MARINE INDUSTRY FACILITIES

The following objectives (in no order of priority) are established to improve commercial fishing access, recreational fishing access, marine industry access and marine research access through capital improvements and property acquisition.

Objectives

- High Ground Gear Storage
- Ice
- Fuel
- Pump-out
- Access to Processing infrastructure
- Dry-stack Storage
- Harbors of Refuge
- Haul-out Repairs and Sales
- Concessions and Restrooms
- Informational Kiosks

IV. Process

WAMI funds identified in the 2007 North Carolina legislative sessions will be used to acquire properties and develop existing properties through enhancing infrastructure for the purpose of multi-use functions to benefit waterfront access for commercial industry, recreational industry, marine industry, and marine research. Projects for consideration are to identify all possible multi-use and multi-function areas that will be provided by program area.

Multi-purpose and multi-use projects can include property already considered in a local waterfront access plans many local cities and counties have established and traditional uses of the property reflecting multi-purpose uses. Projects leveraging funds (i.e., providing matching funds, dedication of user fees, etc.) and partnerships are encouraged. Additionally, potential projects are encouraged to specifically identify how marine research will benefit by including dedicated parking spots for state and academic research, informational kiosks, etc.

Funded projects shall maintain intended use of facilities and public access areas for a minimum of 25 years. Capital Projects exceeding \$100,000 in total cost must result in facilities and public access lasting at least 30 years.

The DMF will issue a news release requesting the public to identify areas that may be available for state acquisition or property or infrastructure enhancement (meaning the state must take title to any buildings used to enhance an access site). Request for public identification will be open for 30 days. The DMF Director will appoint a Citizens Advisory Committee. This Advisory Committee will also identify projects available for purchase or enhancement. Additionally, other available projects identified by the state (e.g., DMF, Wildlife Resources Commission, Division of Coastal Management, etc.) will be considered.

Identified potential projects will be categorized by the DMF. Each person identifying a potential project will minimally provide the following to the DMF:

- Date of submission
- Contact name
- Telephone number
- Alternate contact
- Affiliation, if any
- Property address (physical address)
- General geographic location
- Water body
- Number of acres
- Waterfront footage
- Water depth
- Existing facilities

- Other comments

After closure for public input, the DMF will briefly summarize and review all projects listed. Initial screening through a standardized evaluation process will prioritize projects and will eliminate some projects for further consideration. DMF, with input from the Citizens Advisory Committee, will prioritize up to 20 potential projects for further consideration. State agency lead for these top priority projects will be requested to provide a formal project presentation as outlined in the Standardized Project Presentation Format listed in the Implementation Plan section of this Strategic Plan. The DMF Director will present these projects to the Advisory Committee for the Coordination of Waterfront Access for further guidance in an advisory capacity. The DMF Director will give final approval of projects.

Advisory Committee for the Coordination of Waterfront Access - Prioritized projects recommended by the Citizens Advisory Committee for funding from the WAMI Fund will be presented and approved, by priority order, or denied by the Advisory Committee for the Coordination of Waterfront Access housed with the Department of Environment and Natural Resources as mandated by Senate Bill 646. The committee is composed of:

- The Secretary of Environment and Natural Resources or the Secretary's designee, Chair
- The Director of the Division of Coastal Management of the Department of Environment and Natural Resources (DENR) or the Director's designee.
- The Director of the Division of Parks and Recreational of the DENR or the Director's designee.
- The Director of the Division of Marine Fisheries of the DNER or the Director's designee.
- The Director of the Division of Aquariums of the DENR or the Director's designee.
- The Executive Director of the Wildlife Resources Commission or the Executive Director's designee.
- A representative of the State Property Office appointed by the Secretary of Administration.
- The Executive Director of North Carolina Sea Grant.
- One local government representative appointed by the North Carolina League of Municipalities.
- One local government representative appointed by the North Carolina Association of County Commissioners.

Citizens Advisory Committee – The Division Director will designate a citizens advisory committee to help guide the process, identify areas for funding under each program area, and establish priorities. The Citizens Advisory Committee is proposed to be composed of the following:

- Director of the North Carolina Marine Fisheries or Secretary of the Department of Natural Resources or Director's designee, Chair

- One Waterfront Access Study Committee member
- One Marine Boat Dealer - defined as one that does not have dedicated marine or estuarine waterfront access
- Two Fish Dealers - defined as one who does not have dedicated marine or estuarine waterfront access
- Two Commercial Fishermen - defined as one who does not have dedicated marine or estuarine waterfront access
- One Recreational Activity Person – defined as one who uses coastal waters access sites for the purpose of executing recreational activities (e.g., boating, canoeing, kayaking, sightseeing, etc.).
- One Recreational Fishermen – defined as one who does not have dedicated marine or estuarine waterfront access
- One Ocean Pier Owner
- One Coop Fish Dealer Responsible Party - defined as the person who coordinated, supervises or otherwise directs operations of a business entity that serves the commercial fishing industry as a non profit venture

A Citizens Advisory Committee will be formed and will be responsible for identifying projects to receive funds from the Waterfront Access and Marine Industry Fund for each program area for each district:

- Northern
- Central
- Southern

Identified projects must be on land that is available for purchase or enhancement. The committee will develop a plan on how to maintain purchased or enhanced real property and facilities after the initial acquisition.

Joint Legislative Committee on Seafood and Aquaculture – Prior to the expenditure of any funds, the Division shall report to the Joint Legislative Committee on Seafood and Aquaculture.

IMPLEMENTATION PLAN

Timeline:

Action	Who	Deadline
Develop Draft WAMI Strategic Plan	Division of Marine Fisheries	September 7, 2007
Approve Draft WAMI Strategic Plan	Advisory Committee for the Coordination of Waterfront Access	September 14, 2007
Identify Citizens Advisory Committee	Director	October 1, 2007
Issue News Release requesting public input	Director	October 1, 2007
Solicit potential projects for consideration for funding.	DMF	November 1, 2007
Identify projects to be evaluated and develop a plan to maintain real property and facilities	Citizens Advisory Committee and State Agencies	November 1, 2007
Compile a summary of proposed projects	Director	November 15, 2007
Review each project through a standardized process and prioritize top 20 projects.	Director with input from the Citizens Advisory Committee	December 5, 2007
Submission of formal project presentation for each of the top 20 projects.	State Agency Leads	January 5, 2007
Review, comment and provide guidance on the 20 prioritized projects.	Advisory Committee for the Coordination of Waterfront Access	January 20, 2008
Approve projects to be funded.	Director	January 31, 2008
Prior to the expenditure of any funds, the Division shall report to the Joint Legislative Committee on Seafood and Aquaculture.	Joint Legislative Committee on Seafood and Aquaculture	February 1, 2008
Notify project owners of approval and sale of COPS	Division of Marine Fisheries	February 15, 2008

Project Identification:

Once the WAMI Strategic Plan is approved and the Citizens Advisory Committee is formed, it is suggested that the Citizen Advisory Committee identify and draft project

specifications in a standardized structure, either by drafting these as a committee or identifying the state agency lead to draft these requirements. This standardized process will help the Advisory Committees fully understand the scope of each project for review and priority approval or denial.

Standardized Project Presentation Format:

- a. Submit projects in MS Word or Adobe PDF format.
- b. Indirect cost rates cannot exceed the indirect rate established for the Division of Marine Fisheries (this rate is established annually).
- b. Projects are to identify benefits expected from the proposed project, including users served, economic benefit to the local communities and state, lack of similar resources in the area, etc.
- c. Projects for public access, facilities, and other infrastructure must provide estimates on the usage of the facilities, including expected number of people who will use the access site.
- d. Each project is to include the following:

Name (State Agency): Identify the name of the state agency submitting a project.

Project Title: A brief statement to identify the project.

WAMI Strategic Plan Program Area, Objective: Identify the WAMI Strategic Plan Program Area.

Project Period: The total period of the project proposed for funding.

Need: Demonstrate the need for assistance.

Objective: Address what is to be accomplished.

Approach: List all procedures necessary to attain each project objective.

Expected Results and Benefits: Identify and document the results or benefits expected from the proposed project and how the project will help address waterfront access, working waterfronts, or public waterfront access facilities in North Carolina. For example, identify economic value, number of visitors and/or fishermen, preserving facilities at risk to development, etc.

Maintenance Plan: Identify how the project will be maintained after initial funding from WAMI. Include who will be responsible and identify fund

sources and how agreements will be arranged (e.g., letters of agreement, memorandums of agreement, contracts, etc.).

Geographic Location: The location where the project will be administered and where the project will be conducted.

Milestone Schedule: An activity schedule in table format for the duration of the project, starting with Month 1 and concluding at the end of the requested award period, including a maximum three-month report-writing period.

Cost Summary: Detail all costs to be incurred in the project, including, but not limited to: personnel, construction, contracts, capital purchases, travel expenses, etc. Details are to include start-up versus long-term maintenance costs.

Principal Project Contact: The principal person leading the project is to be listed.

Other Fund Sources: Identify all other funding sources that will be applied for this project (fund sources and amount) that will partner with the WAMI funds to fund this project.

Project Evaluation:

Identified projects will be evaluated through a standardized process to be developed. The standardized process will provide emphasis on projects meeting multi-purpose and multi-use criteria for as many users as possible (e.g., commercial industry, recreational industry, marine industry and marine research) and as many program areas as possible. Also, priority will be weighted for proposals leveraging other funds and development of partnerships. Projects are to be prioritized allowing equality in regions (southern, central, and northern).

Project Monitoring:

Project monitoring is conducted and reporting requirements are reviewed. Reports shall be submitted to the Division Director using the following format:

Progress Reports:

- Title page – project name, project dates (periods covered), applicant's name, and date.
- Objectives for the award period
- Activities Completed – listed by objective
- Milestone Chart – original and revised if changes occurred during project period.

- Progress during the period of semi-annual progress – bulleted items
- Deviations – planned activities not completed during the period. Provide an explanation for each deviation.
- Activities planned during the next reporting period.

Final Report:

- Title page – grant name, project dates, applicants' name, date
- Abstract/Executive Summary
- Introduction
- Procedures
- Results
 - Capital items purchased
 - Facilities built
 - Other
- Discussion
 - What occurred
 - What did not occur that was expected to occur.
 - Deviations from project proposal identified and justified
 - Interpretation of results
 - Applicability of study results to WAMI Strategic Plan and priorities
 - Recommendations/Summary
 - Budget expenditures
 - Budget deviations

Agencies with projects that do not meet the reporting requirements will not receive additional funds until all outstanding reports have been submitted and accepted as being complete by Division's Administrative Services Office. A verbal presentation of project results may be requested.

Waterfront Access and Marine Industry Fund projects will be monitored through an electronic database maintained by Division staff and will be available for public access. The database will contain the following elements:

Tracking Number – A number assigned to each new project. The number is the permanent number assigned to the grant upon approval for funding. Additional numerical and date spaces may be added to indicate additional years of funding.

Fiscal Year – The fiscal year that money has been awarded.

PI organization – The principal investigator organization, if any (i.e., DMF, UNCW, etc.)

PI individual – The actual person responsible for the proposal, including address, telephone and email.

Grant Title – Name of the grant.

Short Description of the Proposal – Derived from the Abstract/Executive Summary.

Amount Funded – Total amount of funds awarded.

Personnel Costs - Amount requested for salaries and fringe.

Operational Costs - Amount requested for operations and equipment.

Indirect Costs - Amount of indirect or overhead.

Date Funds Received – Date funds were transferred to the recipient.

Report(s) Due – Date the annual reports are due.

Report(s) Received – Date Division received the annual report.

Final Report Due – Date the final report is due.

Final Report Received – Date the final report is received.

Final Expenditures – Total amount actually spent on the grant.

Comments – Any additional comments that may be necessary

8. Conditions for Receipt of Funds

- a. Funded projects requiring additional permits from local, state or federal agencies will be the responsibility of the project agency. Failure to obtain these permits will require the grantee to return funds in full.
- b. All funded facilities and public access projects shall post signs providing credit to the Waterfront Access and Marine Industry Fund.
- c. Funded projects shall maintain intended use of facilities and public access areas for a minimum of 25 years. Capital Projects exceeding \$100,000 in total cost must result in facilities and public access lasting at least 30 years. Abandonment, conversion, prohibition of public use, etc. shall automatically require repayment to the fund(s) of an amortized portion of the total grant reflecting the remaining life of the project.

- d. Failure to accept identified special conditions associated with the funds shall automatically require repayment of all or portion to the fund(s).
- e. Failure to sign a contract, memorandum of agreement, letter of agreement, etc. identifying those responsible for maintaining the facility, property, structure, etc. within the allotted timeframe shall render the approved project null and void with funds reverting back to the appropriate Fund.
- f. The Fisheries Director or his designee must approve adjustment of budget accounts of more than 10% of the total project cost.

9. Unused/Returned Funds

A grant recipient will contact the Division if they are unable to use allocated funds for the intended project. The Division will retrieve the unused funds to be placed back into the appropriate fund.

Potential Criteria for Project Selection: once available projects have been identified for funding, the Citizens Advisory Committee based on the following criteria will make initial selection of projects:

- Equality in regional location.
- Equality in program area
- Projects that identify matching funds will be given priority (e.g., Clean Water Trust Fund, other government allocation of funds, etc.) to maximize all resources available.
- Funded projects are not to be located in areas that lack biological capacity to support the project (i.e., do not locate a large boat ramp or mooring facility that encourages fishing near an area that has a stressed biological resource).
- Long term maintenance plan and supporting resources have been identified.
- Project provides use of innovative techniques to increase public access availability
- Project provides use of innovative techniques in environmental-friendly design.
- Project provides energy efficient design.
- The project is cost efficient (e.g., restrooms or utilities already exist on site, price is reasonable, etc.).
- Current infrastructure is in danger of being lost.
- Can be used for oyster stockpile and other habitat enhancement material.

Division Acquisition – if the DMF is required to purchase, build and maintain these projects, DMF will need additional resources for staff and operations. This will cause a lifetime commitment of resources to maintain and preserve these facilities into perpetuity.



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Division of Marine Fisheries

Louis Daniel, Director

127 Cardinal Dr. Ext.
Wilmington, NC 28405

Dear Mr. Williams,

Thank you for agreeing to partner on this possible waterfront access project in Hampstead. Enclosed is the packet I received on requirements for WAMI project proposals. Could you please have the appropriate county staff review this. Rich Carpenter, district manager for the Wilmington DMF office will be the primary contact for DMF. Please contact him or myself about setting up an on-site meeting with WRC, DCM, DMF, and Pender County to discuss how much property is needed, if the site is suitable, facilities needed, some rough cost estimates, permitting and land use issues, and other planning aspects for the project proposal. Our contact information is:

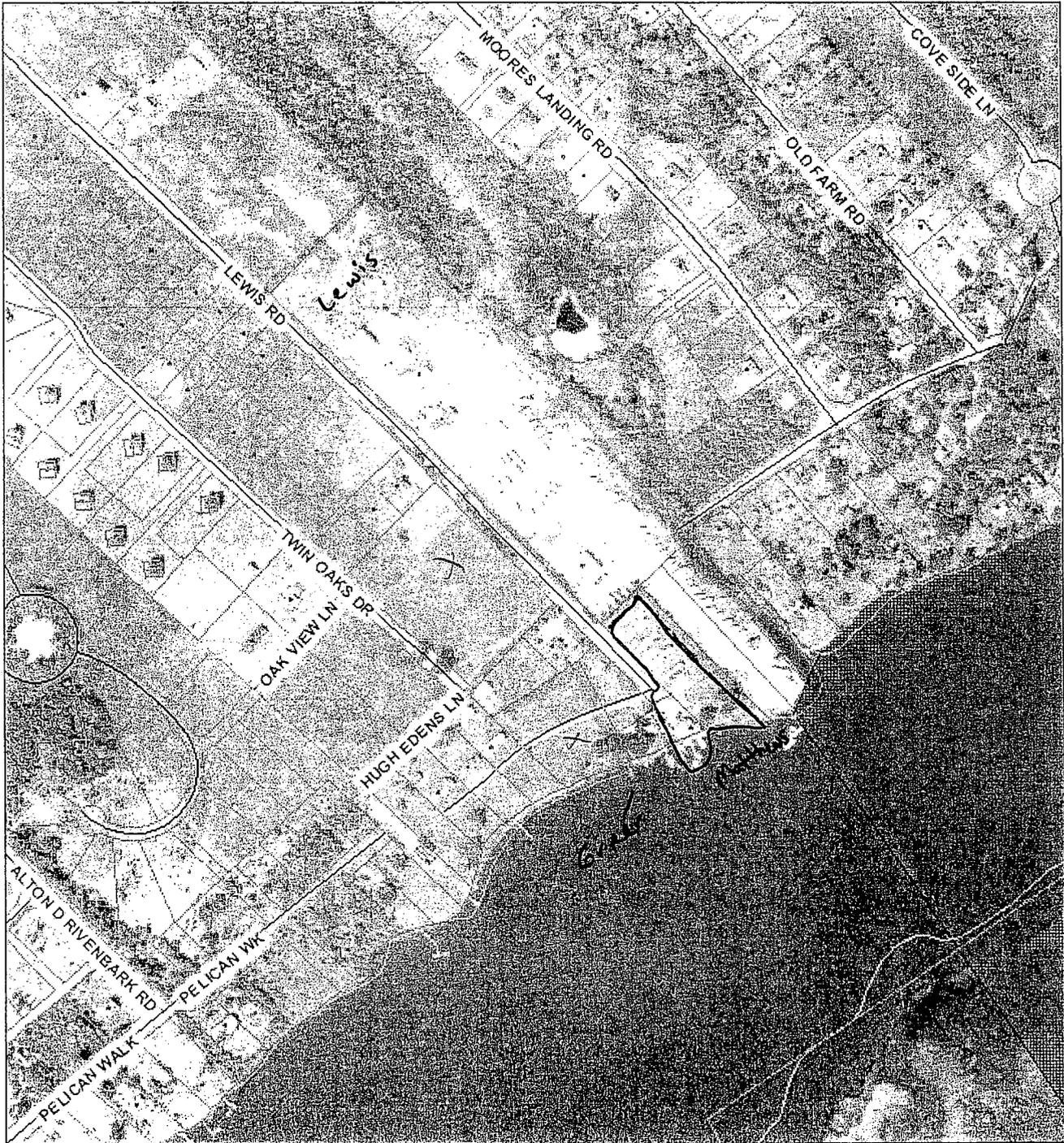
Rich.carpenter@ncmail.net
Anne.deaton@ncmail.net

910-796-7215

Sincerely,

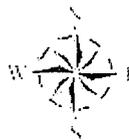
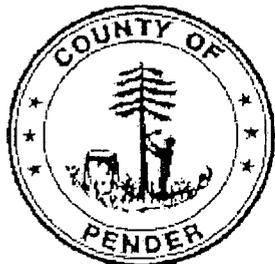
Anne Deaton

Project number:	103
Date of call:	10/18/07 e-mail
Contact name:	Anne Deaton
Phone number:	
Alternate contact:	Anne.Deaton@ncmail.net
Affiliation, if any:	NCDMF
Property address:	547 Lewis Road, Hampstead
General location:	Off Sloop Point Loop Road, Hampstead
Water body:	
Acres:	20 acres
Waterfront footage:	
Water depth:	
Existing facilities:	Currently leased as a boat yard
	Some slips rented to commercial fishermen
	Boat lift
	Adjacent dredged canal
	Open land for parking
Other comments:	Purchase Anchors Away Boat Yard property.
	Adjacent property with fish house, boat ramp and boat house recently sold to an aggressive developer. May be possible to acquire that property, as well.

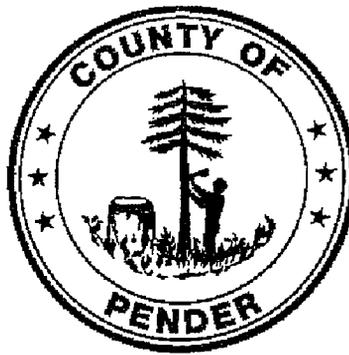


1:481 feet

Pender County GIS



This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public or primary information sources should be consulted for the verification of the information contained on this map. Pender County assumes no legal responsibility for the information contained on this map.



PENDER COUNTY INFORMATION BRIEF

Subject: Public Boating Access Areas

Prepared By: Dee Turner, Director of Pender County Parks and Recreation

Date: October 24, 2007

Current Issue:

There is a deficiency of public boating access areas in Pender County.

Current Findings:

There are four (4) public boating access areas in Pender County maintained by North Carolina Wildlife Resources Commission; one (1) saltwater and three (3) freshwater. There are two (2) marinas that have boat ramps that may be used by the public for a fee. There are also marinas that require a membership or annual pass for usage. There are subdivisions which offer boating access to its property owners. There are numerous privately owned boat ramps, accessing freshwater, that charge a fee per use.

Comparative Data:

Data has been compiled on counties within our area to compare boat ramp accesses. This data was gathered from the North Carolina Wildlife Resource Commission and North Carolina Waterways websites. *Note*---The data in the bridge access location chart on the North Carolina Waterways website was totally dependent upon public responses for requested information.

**ICW = Intracoastal Waterway

Pender County	
Boat Access Area	ICW/Stream/Creek/River/Lake
Surf City	ICW
Holly Shelter (SR1523)	Northeast Cape Fear River
Sawpit Landing (SR1512)	Northeast Cape Fear River
Shelter Creek (SR1523)	Shelter Creek

Onslow County	
Boat Access Area	ICW/Stream/Creek/River/Lake
Shell Rock Landing	ICW
Turkey Creek	ICW
West Onslow Beach	ICW
Jacksonville	New River

New Hanover County	
Boat Access Area	ICW/Stream/Creek/River/Lake
Federal Point	Cape Fear River
Snow's Cut	ICW
Wrightsville Beach	ICW
Castle Hayne	North East Cape Fear River
Sutton Lake	Sutton Lake

Brunswick County	
Boat Access Area	ICW/Stream/Creek/River/Lake
Holden Beach	ICW
Oak Island	ICW
Ocean Isle Beach	ICW
Sunset Harbor	ICW
Rices Creek (SR1521)	Rices Creek
Pireway	Waccamaw River
SR1426	Hood Creek - Indian Creek
SR1428	Indian Creek
SR74 and SR76	Hood Creek – Sturgeon Creek – Mill Creek
SR 17	Jackson Creek – Town Creek – Bell Swamp Creek
SR133	Mallory Creek – Jackeys Creek – Orton Pond – Dutchman Creek – ICW
SR17	Royal Oak Swamp – Big Doe Creek – Shallotte River – McMilly Swamp – Singletree Swamp
SR179	Calabash Creek - ICW

Major Issues:

1. Available Land: Due to the increased development of Pender County, finding land suitable for boating access areas is becoming more difficult. In addition to limited availability, there is the issue of escalating property values.
2. Funding: As stated above, the cost of available land is rising rapidly. The County would need to seek grant monies to assist in purchasing land. The County would also need to dedicate money to match the grant funds.
3. Maintenance: The County would possibly need to hire additional staff to perform routine maintenance. Outside contractors could also be utilized for routine maintenance as well as major repairs/renovations.
4. Partnership: The ideal situation would be to form a partnership with the North Carolina Wildlife Resource Commission (NCWRC). The NCWRC has funds available for the acquisition of land, as well as for design and construction of boat ramps. Their ideal land acquisition would be 3-5 acres, but minimum land acquisition would be 2 acres. Another condition considered by the NCWRC is a minimum depth of 4' at low tide. All permitting would be handled by the NCWRC. They will consider constructing a boat ramp on long-term leased land but prefer ownership.

Benefits: Allowing the citizens of Pender County and those visiting Pender County access to a valuable, natural resource. This could potentially bring more revenue into the County.

Recommendation: Continue seeking suitable land for boating access areas as well as grant funding sources. Actively seek partnership with NCWRC and other possible agencies.