

# **ALABAMA COASTAL AREA MANAGEMENT PROGRAM**

## **Funding Application for 306A Public Access Projects**

*(Use one application per project)*

**Title of Project: Graham Creek Preserve Outdoor Classroom Construction**

**Location of Project: Graham Creek Nature Preserve 23460 Wolf Bay Drive, Foley, AL**

**Applicant (Organization Name): City of Foley**

**Applicant's Federal Identification Number: 63-6001263**

**Federal Funding Requested: \$50,000**

**Date of Request: September 9, 2013**

**Project Contact: Leslie Gahagan**

**Phone: 251-971-1471**

**Fax: 251-971-3442**

**Mailing Address: 200 North Alston Street, Foley, AL 36535**

**E-Mail Address: lgahagan@cityoffoley.org**

**Project Description/Narrative:**

Please attach a 1-2 page project narrative with the following information at a minimum:

- Purpose of the project
- Scope of services to be performed
- Geographic area served by the project
- Identification of principal investigator and all project partners
- A project timeframe with beginning/end dates and key progress benchmarks

**Project Budget:**

Please provide a categorized budget summary in the table below.

<i>Category</i>	<i>Federal Funds Requested</i>	<i>Value of Non-Federal Match *</i>	<i>Total Project Value</i>
<i>Salary</i>		\$16,600	\$16,600
<i>Fringe Benefits</i>			
<i>Travel</i>			
<i>Equipment</i>	\$33,700		\$33,700
<i>Supplies</i>	\$300	\$33,400	\$33,700
<i>Sub-Contractual</i>	\$16,000		\$16,000
<i>Other</i>			
<i>Total</i>	\$50,000	\$50,000	\$100,000

\* Please indicate whether match is cash or in-kind.

In the following table, please provide a brief justification for the expenditures in each category as they relate to the proposed project.

<i>Category</i>	<i>Justification</i>
<i>Salary</i>	Volunteers and City Staff will administer grant and build most of classroom areas and planting.
<i>Fringe Benefits</i>	
<i>Travel</i>	
<i>Equipment</i>	Construction materials for play area, learning stations and classroom; signage materials for demonstrations and exhibits
<i>Supplies</i>	Vegetation for Classroom and Nature Explore Classroom Supplies and Learning Station Supplies
<i>Sub-Contractual</i>	Contractors to install well for learning station and construction of structures in outdoor classroom
<i>Other</i>	

## ATTACHMENT 1: APPLICATION FORM AND QUESTIONNAIRE

### 1. Name of municipality, county or agency applying for funds and amount requested

City of Foley, Alabama \_\_\_\_\_ \$50,000 \_\_\_\_\_  
Name Federal Funds requested

### 2. Name, address, phone and fax numbers, and e-mail address of contact person (or attach a business card).

Leslie Gahagan \_\_\_\_\_  
Name  
200 North Alston Street Foley, AL 36535 \_\_\_\_\_  
Address  
251-971-1471/251-971-3442/ lgahagan@cityoffoley.org \_\_\_\_\_  
Phone / Fax / E-mail Address

### 3. Type of project (choose from lists below)

(NOTE: The project must be located within the designated Alabama Coastal Area, which is the area between the continuous 10-foot contour seaward three miles. Contact the Coastal Section for more information.)

#### a. **Objective** (check all that apply)

- ☐ Preservation, restoration of areas designated in Alabama's Coastal Area Management Program;
- ☐ Preservation or restoration of coastal resource of national significance or restoring or enhancing shellfish production/clutch;  
Identify coastal resource: \_\_\_\_\_
- ☐ Redevelopment of deteriorating or underused urban waterfronts designated as Areas of Particular Concern (APC) in Alabama's Coastal Area Management Program.  
Identify APC: \_\_\_\_\_
- ☒ Providing public access to coastal areas;
- ☐ Development of process for aquaculture.

#### b. **Uses** (check all that apply)

- ☐ The acquisition of fee simple or other interest in land, e.g., purchasing an easement for a public right-of-way to the beach or to purchase an ecologically important area to preserve as an area of particular concern.
- ☒ Low-cost construction project that provides for (a) public access to beaches, coastal waters and coastal wetlands, including but not limited to paths, walkways, dune walkovers, boardwalks, public piers, fences, parks;  
(b) improvements to existing public access sites, e.g., restroom facilities, parking, outdoor showers, benches, lighting, etc. and/or rehabilitation of historic buildings and structures.
- ☐ The revitalization of deteriorating or underutilized urban waterfronts or ports for
1. the rehabilitation or acquisition of piers for public use, including compatible commercial activity;

2. the establishment of small scale shoreline stabilization measures, including the installation or rehabilitation of bulkheads for the purpose of public safety or increased public access and use of urban waterfront area; and
3. the removal or replacement of pilings where such action will provide increased recreational use of urban waterfront areas.

*(NOTE: Funds shall not be used to finance large-scale erosion-prevention structures, such as beach nourishment or hard structure erosion control projects.)*

     Engineering designs, specifications and other appropriate reports related to the above (including aquaculture processes).

X Educational, interpretive signage and other management costs (including aquaculture processes).

**Verify or answer the following statements and questions by circling one option.**

**4. Public Benefit**

- a. The proposed project will be located on a property that is publicly owned or accessible via a publicly held easement.**

Yes / No

- b. The project will be for public benefit.**

Yes / No

- c. The funds for this proposed project will improve private property or other private enterprises (including non-profit property or enterprises) and will be used for private or commercial gain.**

Yes / No

*(NOTE: If the answer is Yes, the project is not eligible for funding).*

- d. The state or sub-recipient will need to secure an easement or lease to conduct the project (i.e. because the sub-recipient does not own the property).**

Yes / No

*If Yes, attach a copy of the easement or lease. If No, go to Question 4.e.*

**The easement or lease contains a reversionary clause?**

Yes / No

- e. The project will be open to the general public.**

Yes / No / Not-Applicable

*If the answer to Question 4.e. is No, the project is not eligible for Section 306A funding unless access is to be limited for a legitimate reason, such as public safety, resource protection or scientific research. Attach an explanation why the project will not be open to the public and describe the public benefits that would be provided by the project in the absence of public access.*

- f. Will the public be charged a user fee to access the proposed project?**

Yes / No / Not-Applicable

*If Yes, attach an explanation for the user fee, including the amount, whether there will be differential fees (and a justification thereof), the need for the fees and proposed use of revenue.*

**5. Involvement of Nonprofit Organizations**

**Will the applicant contract with a non-profit organization to complete part or the entire proposed project?**

Yes / No

*If Yes, the name of the non-profit is \_\_\_\_\_*

**6A. Supporting Documentation for Low-Cost Construction Projects (if your project is land acquisition, skip to 6B.)**

- a. A title opinion, certificate or affidavit showing that the property for the proposed project is publicly owned or leased in perpetuity or for the expected life of the project (at least 20 years)  
is attached to this document. / will be provided within 30 days of notification of project acceptance.

(Go to Question 7.)

**6B. Supporting Documentation for Land Acquisition Projects**

- a. A title opinion or title insurance commitment/certificate showing that the property to be acquired is owned by the contracted seller and is free of encumbrances that could affect the future viability of the property in its intended use is attached.

*Yes / No / Not-Applicable*

- b. The State or grant sub-recipient has obtained an independent appraisal of the fair market value for the property to be purchased that was developed pursuant to Coastal Program Division's Section 306A Guidance.

*Yes / No / Not-Applicable*

**7. National Historic Preservation Act and Alabama Historical Commission**

To your knowledge, will the proposed project affect properties listed in the National Register of Historic Places or is otherwise protected by Section 106 of the National Historic Preservation Act or similar State Preservation Act?

*Yes / No*

***Please read and initial.***

A clearance from the Alabama Historical Commission is required by NOAA for each project. Therefore, once the ADCNR, State Lands Division, Coastal Section tentatively approves an application, the staff submits it to the Alabama Historical Commission (AHC), which is the state's historic preservation agency. The agency will provide a clearance or will set conditions in a letter addressed to the Coastal Section.

Coastal Section staff will notify the applicant of additional requirements. The applicant must address any conditions that the AHC places on the project prior to beginning work and submit a copy of any correspondence between the AHC and the applicant to the Coastal Section office.

**Your initials indicate that you have read and understood Item 7. of this application. LG**

**8. National Flood Insurance Program**

- a. The project involves actual construction or land acquisition to support construction.

*Yes / No*

*If No, then you go on to Question 9.*

- b. The project will be located in a Special Flood Hazard Area shown on a National Flood Insurance Program (NFIP) Flood Insurance Rate Map.

*Yes / No*

*If No, then you go on to Question 9.*

- c. The community in which the project will be located is participating in the National Flood Insurance Program.

*Yes / No*

*(Note: If the community does not participate in the NFIP, the project is not eligible for funding.)*

## 9. Coastal Barriers Resources Act Requirements

The project is located on a coastal barrier island designated as a unit of the Coastal Barriers Resources Act (CBRA)?

*Yes / No*

*If Yes, attach a brief analysis as to how the proposed project is consistent with the three CBRA purposes: to minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife and other natural resources.*

## 10. Endangered Species Act Requirements

*Please read and initial.*

The Coastal Section office submits copies of all 306A applications to the U.S. Fish & Wildlife Service so they may render an opinion as to the proposed project's compliance with the Endangered Species Act (ESA). If the USFWS believes that a proposed project may have minor and temporary effects, additional requirements may be placed upon the project by the USFWS, and these requirements must be adhered to by the applicant in order to receive funding.

If a proposed Section 306A project may significantly affect threatened or endangered species or critical habitat, NOAA, OCRM will request that the state withdraw the proposed project from consideration. If the state still wants to proceed, NOAA, OCRM will enter into an ESA Section 7 consultation with the USFWS. However, NOAA will not approve a proposed Section 306A project that the USFWS has determined will adversely and significantly affect threatened or endangered species or critical habitat.

**Your initials indicate that you have read and understood Item 10. of this application. \_\_LG\_\_**

## 11. National Environmental Policy Act Requirements

*In your opinion,*

a. Will the proposed project significantly affect the quality of the human environment?

*Yes / No*

b. Will the proposed project involve unresolved conflicts concerning alternative uses of available resources?

*Yes / No*

c. Will the proposed project have significant adverse effects on public health and safety?

*Yes / No*

d. Will the proposed project have highly controversial environmental effects?

*Yes / No*

e. Will the proposed project have highly uncertain environmental effects or involve unique or unknown environmental impacts?

*Yes / No*

f. Will the proposed project have significant adverse impacts on other natural resources, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources?

*Yes / No*

g. Will the proposed project have insignificant effects when performed separately, but their addition to effects from existing and reasonably foreseeable actions may result in cumulatively significant impacts?

*Yes / No*

*If the answer to any one of the subparts of Item 11. is Yes, then additional National Environmental Policy Act (NEPA) review and documentation may be required. Attach a description of the resource(s) affected, the nature and scope of the effects and information explaining why the state or sub-recipient believes an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) should not be required. The federal granting agency may require additional information in cases where potential impacts are not clearly described or where probable impacts require an EA or EIS.*

**12. Environmental Justice**

**Will this proposed project have disproportionately high and adverse human health or environmental effects on minority or low income populations?**

*Yes / No*

**13. Coastal Nonpoint Pollution Control Program**

**The applicant will use best management practices in conformance with the Coastal Nonpoint Pollution Control Program.**

*Yes / No / Not Applicable*

**14. Americans with Disabilities Act – Handicapped Accessibility Requirements**

**Is the proposed project handicapped accessible?**

*Yes / No / Not Applicable*

*If the answer is No, attach an explanation as to how the project meets the handicapped accessibility requirements stated below.*

Section 306A public access projects shall be handicapped accessible unless the construction of a handicapped accessible structure would damage coastal resources or resource damage would occur in the absence of the section 306A project. In these instances, the Section 306A project shall be handicapped accessible to the extent that conditions allow. A state may not use increased cost as a reason to not construct a handicapped accessible Section 306A project. A project is not eligible for Section 306A funds unless it meets these criteria.

**15. Other Federal and State Laws and Requirements**

**Tribal Interests**

**a. The project is located on or will affect tribal lands.**

*Yes / No*

**b. The project is consistent with applicable tribal laws.**

*Yes / No / Not Applicable*

**List all local, state, tribal or federal permits required for this project.**

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*(Note: NOAA requires the applicant to submit copies of all applicable permits to the Coastal Section office prior to beginning work on the project. Failure to obtain permits and adhere to the requirements will make a project ineligible for 306A funding).*



***Please read and initial***

- a. All projects may be subject to federal and state requirements and permitting in addition to those listed by the applicant. These additional requirements include, but may not be limited to, the following:

***Permit: U.S. Army Corps of Engineers (initiated by applicant)***

Once a project is approved and a contract executed, the applicant is responsible for obtaining approval from the U.S. Army Corps of Engineers (Corps) on all projects that impact wetlands or waterways. A copy of the Corps permit must be submitted by the applicant to the Coastal Section office prior to the applicant beginning work on the project.

***Permit: Alabama Department of Environmental Management***

All projects are in the Alabama Coastal Area and, therefore, subject to approval and permitting by the Alabama Department of Environmental Management's (ADEM) Division 8 Regulations, which are used to certify that activities within the coastal area are consistent with the Alabama Coastal Area Management Program. Therefore, once the ADCNR, State Lands Division, Coastal Section tentatively approves a project, the staff submits it to ADEM for a consistency review.

In some cases, ADEM will certify consistency before the contract with the applicant is executed, and this determination will be included in the contract that is executed between the ADCNR, SLD and the applicant. In other cases, the ADEM determination will take place after the contract is executed. If the project is not consistent, then the applicant may work with ADEM to make the modifications necessary to be consistent with the program. The applicant must submit to the Coastal Section office any resulting changes in the project and a copy of the ADEM certification of consistency prior to beginning work. If a project cannot come into compliance or if the applicant chooses not to alter the project, the project will not be eligible for funding.

***Alabama Department of Conservation and Natural Resources***

Once the ADCNR, State Lands Division, Coastal Section tentatively approves a project application, the staff submits it to the ADCNR Marine Resources Division and/or the Wildlife and Freshwater Fisheries Division for a determination as to whether or not the project will impact the fisheries resource. Staff will also review projects that involve state submerged lands. These determinations are provided in a letter to the Coastal Section office. Staff will contact the applicant if the state determines that the fisheries resource will be adversely impacted or if the State Lands Division requires further action.

- b. If the land ceases to be available (or the project ceases to be used) for the intended use at any time during the life of the project, the applicant must reimburse the state the full amount of the federal cost of the project, and the state, in turn, will reimburse NOAA.
- c. All projects require the use of permanent signage that acknowledges the contribution of the National Oceanic and Atmospheric Administration and the Alabama Department of Conservation and Natural Resources Division (ADCNR), State Lands Division (SLD). Signage requirements and language will be provided to the applicant when a contract is executed.

**Your initials indicate that you have read and understood Item 15. of this application.     LG**

## ATTACHMENT 2

**Please answer the following six questions.  
If needed, use additional pages for explanations.**

**1) The community in which the project is proposed (*check only one*)**

\_\_\_\_\_ has a comprehensive plan with a recreation and coastal access component.

X \_\_\_\_\_ has a comprehensive plan with a recreation component.

\_\_\_\_\_ has a comprehensive plan.

\_\_\_\_\_ has a recreation or parks department.

\_\_\_\_\_ has none of the above.

**2) The proposed project (*check all that apply*)**

X \_\_\_\_\_ will provide access to beaches or coastal waters.

\_\_\_\_\_ is redevelopment of a deteriorating and underutilized urban waterfront, port or commercial fishing area.

**3) The proposed project will provide (*check all that apply*)**

\_\_\_\_\_ fishing

X \_\_\_\_\_ bird watching

\_\_\_\_\_ swimming

\_\_\_\_\_ hiking

\_\_\_\_\_ boating

X \_\_\_\_\_ picnicking

\_\_\_\_\_ scenic viewing (*explain briefly*)

\_\_\_\_\_ historical access / information (*explain briefly*)

\_\_\_\_\_ cultural access / information (*explain briefly*)

X \_\_\_\_\_ other (*explain briefly*) *Education – outdoor classroom, play area and learning stations constructed for public use at a nature park*

**4) Regarding this project (check only one)**

\_\_\_\_\_ additional funds, other than the initial grant match, will be leveraged.

*If Yes, identify source of funding.*

\_\_\_\_\_

\_\_\_\_\_ there are no plans to leverage additional funds.

**5) Labor on this project (check only one)**

\_\_\_\_\_ will be accomplished by volunteers.

X \_\_\_\_\_ will be accomplished primarily by volunteers with the remainder provided by public sector employees.

\_\_\_\_\_ will be accomplished solely by public sector employees.

\_\_\_\_\_ will be contracted.

**6) A similar project does not exist within (check only one)**

X \_\_\_\_\_ a radius greater than 50 miles.

\_\_\_\_\_ within a 50 mile radius.

\_\_\_\_\_ within a 25 mile radius.

\_\_\_\_\_ within a 10 mile radius.

\_\_\_\_\_ within a radius less than 10 miles.