Invitation to Submit pre-application Access Grant Proposals
Public Beach and Coastal Waterfront Access Funds 2022-23 Cycle

TO: Local Officials in the Coastal Area

FROM: Tancred Miller, Policy & Planning Section Chief
Division of Coastal Management

DATE: February 2, 2022

We are pleased to notify local governments in the 20-county coastal area that the Division of Coastal Management (DCM) has grant funding available for Public Beach and Coastal Waterfront Access projects for the upcoming 2022-23 fiscal year. Local governments are invited to apply for funding for projects that are anticipated to begin after January 2023 and to be completed within eighteen (18) months.

New this funding cycle is the opportunity for Tier 1 communities to submit applications for maintenance of sites previously funded under the program. This project type recognizes the challenges economically distressed communities face in maintaining funded sites. DCM anticipates this new project type to be available in the 2022-23 Grant Cycle pending a June 2022 rule change.

Local governments interested in applying for financial assistance must complete and submit one (1) digital copy of the enclosed pre-application form with attachments. Your local DCM District Planner must receive pre-applications on or before 5:00 pm on Friday, April 22, 2022.

Process: The application process has three (3) steps: the pre-application, invitation to submit a Final Application, and grant contract approval.

DCM will review the pre-applications and select a number of proposals for further consideration based on available funding. Local governments that submitted applications in previous years but were not selected for funding must re-apply for consideration during this grant cycle. Only pre-applications titled 2022-23 will be accepted as the application packet and application forms are adjusted annually.

Local governments whose proposals are selected will be invited by mid-May to submit a Final Application with more detailed project information. A final application form will be provided with the notification. Prior to submitting a Final Application, the local government shall hold a public meeting or hearing to discuss its proposal and consider comments prior to its decision to submit a Final Application for state funds. Final Applications are anticipated to be due on or before 5:00 pm on Monday, August 22, 2022.
Local governments are encouraged to include their local matching contribution in their FY 2022-23 budget. All final applicants will be notified in October/November 2022 whether their project has been selected for funding.

**Match:** Local government matching contributions for acquisition must be at least 15% of the total project cost. Grants for improvements to existing sites must be at least 25%. However, for Tier 1 counties and their municipalities; the match for acquisition, improvements, and site maintenance projects is 10%. At least half of the local contribution must be cash match; the remainder may be in-kind match. Guidelines for determining allowable cash and in-kind match contributions are enclosed.

**Overview:** The primary objective of the public access grant program is to provide pedestrian access to public beaches and public trust waters in the 20 coastal counties. Grant funds may be used for land acquisition (including “unbuildable” lots) and site improvement projects that are consistent with the state guidelines for public access in the coastal area (15A NCAC 7M .0300). Any facility constructed with these grant funds must meet state and federal guidelines for handicap accessibility.

Examples of eligible projects include the following:

- Land acquisition - purchase of land for future public access facilities.
- Land easement acquisition - purchase of easements for public access.
- Parking areas, restrooms and other facilities.
- Urban waterfront access sites - improved public access to deteriorating or under-utilized urban waterfronts through reconstruction or rehabilitation.
- Reconstruction or relocation (excluding routine maintenance) of existing damaged public access facilities. Primarily for sites not originally funded by this program or for improvements to any sites at least fifteen (15) years old.
- Handicap facilities - Local governments are encouraged to submit proposals designed to enhance handicap accessibility existing facilities. Handicap facilities that exceed existing ADA requirements are encouraged.
- Boat Launch facilities - boat launch and ramp facilities, whether motorized or not, may be part of a project provided pedestrian access is still a major component of the project.
- For Tier 1 communities, routine maintenance of sites previously funded under the program.

Priority will be given to land acquisition projects; projects whose site design exceeds ADA requirements; and projects whose site design incorporates resiliency via nature-based features. Pedestrian access must be a major component of a project, with nature-based features being used to support, protect and enhance access improvements.

Information about past grants awarded can be found on [DCMs website](https://www.ncdeq.gov) and on the [Grants WebMap](https://www.ncdeq.gov/). Proposals that include both land acquisition and site improvements are to be submitted under separate applications. A pre-application Packet is enclosed.

DCM hopes you will consider utilizing funding through this grant program to help make a positive and lasting contribution to your community's public access efforts. Your local DCM District Planner looks forward to receiving your pre-application and assisting you in this process. If you have any questions, please contact your local [DCM District Planner](https://www.ncdeq.gov).
North Carolina
Public Beach and Waterfront Access Grant Program
2022-23 Pre-application

NC Division of Coastal Management
NC Department of Environmental Quality
# Table of Contents

**NOTICE OF AVAILABLE FUNDS AND REQUIREMENTS** ............................................................... 3  
**PUBLIC BEACH AND COASTAL WATERFRONT ACCESS GRANT PROGRAM** .......................... 4  
**2022-23 FUNDING SCHEDULE** ............................................................................................. 4  

**ASSISTANCE COMPLETING THE APPLICATION** .................................................................... 5  

**SUBMITTING THE APPLICATION** .......................................................................................... 5  

**PROJECT COSTS** .................................................................................................................. 6  
  **COSTS TO BUILD OR RENOVATE FACILITIES** ............................................................... 6  
  **COSTS TO ACQUIRE LAND** .............................................................................................. 6  
  **PLANNING AND INCIDENTAL COSTS** ............................................................................... 6  
  **COSTS NOT TO BE INCLUDED IN A GRANT AWARD OR LOCAL MATCH** ...................... 7  

**PROJECT DESIGN** ................................................................................................................ 7  
  **DESIGNING FACILITIES FOR ADA** ............................................................................... 7  
  **DESIGNING FACILITIES FOR RESILIENCY** .................................................................. 8  

**PROJECT REQUIREMENTS** .................................................................................................. 8  
  **LAND ACQUISITION PROJECTS** ..................................................................................... 8  
  **SITE IMPROVEMENT PROJECTS** ..................................................................................... 10  
  **MAINTENANCE AT PREVIOUSLY FUNDED SITES PROJECTS** ......................................... 11  

**LOCAL CASH AND IN-KIND CONTRIBUTIONS** ................................................................. 12  
  **CASH CONTRIBUTIONS** .................................................................................................. 12  
  **IN-KIND CONTRIBUTIONS** ............................................................................................. 13  

**TIER 1 COASTAL COMMUNITIES** ......................................................................................... 15
NOTICE OF AVAILABLE FUNDS AND REQUIREMENTS

Overview: The primary objective of the Public Beach and Waterfront Access Grant Program is to provide pedestrian access to public beaches and public trust waters in the 20 coastal counties. Grant funds may be used for land acquisition and site improvement projects that are consistent with the state guidelines for public access in the coastal area (15A NCAC 7M .0300). Any facility constructed with these grant funds must meet state and federal guidelines for handicap accessibility. Information about past grants can be found on DCMs website and on the Grants WebMap.

Funds available: The N.C. Division of Coastal Management (DCM) estimates that approximately $1.2 million dollars will be available for public beach and coastal waterfront access projects in FY 2022-23.

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: Eighteen (18) months beginning between January and February 2023.

Maximum request: There is no limit on maximum request. However due to the limited funds available larger requests may be difficult to accommodate.

Match requirements: Local governments are encouraged to include their local contribution in their FY 2022-23 budget.

- Land Acquisition: Matching contributions must be at least 15% of the total project cost, except for Tier 1 communities whose matching contribution must be at least 10% of the total project cost.

- Site Improvements: Matching contributions for improvements to existing sites must be at least 25% percent of the total project cost, except for Tier 1 communities whose matching contribution must be at least 10% of the total project cost.

- Maintenance of Previously Funded Sites: Matching contributions must be at least 10% of the total project costs. Only Tier 1 communities are eligible for this project type. Due to a pending rule change DCM anticipates the availability of this new project type in the 2022-23 Grant Cycle.

Site control: The applicant must own or have at least a 25-year lease or easement on property where grant funds are used to build or renovate facilities, except where improvements are proposed on “Other Agency Lands”. For 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 must serve as the applicant for the project. Improvements must enhance public access to public trust waters and not just serve other recreational purposes.

Public use: Property acquired with a grant through the Public Beach and Coastal Waterfront Access Program must be retained and used for public access. Facilities built or renovated with grant funds must be maintained for public access for at least 25 years.
Notice of limitations and use restrictions: Acquired properties funded through the grant program will require recorded deed restrictions to be in place prior to reimbursement of grant funds. Land acquired with access funds shall be dedicated in perpetuity for public access and the benefit of the general public.

Application submittal: Submit one (1) digital copy of the pre-application via email to your DCM District Planner before 5:00 pm, Friday, April 22, 2022. Only pre-applications titled 2022-23 will be considered for funding.

Evaluation of applications: DCM will review the pre-applications and select a number of proposals for further consideration based on available funding, and the following criteria:

- Pedestrian access must be a major component of the project;
- Community’s history of previous assistance from this grant program;
- Demonstrated need for the project due to high demand and availability and adequacy of opportunities in the area;
- Project is identified in a local beach or waterfront access plan or certified CAMA Land Use Plan;
- The commitment of matching funds meets or exceeds the minimum required local match; and
- The community has demonstrated its ability to complete previous projects and/or has demonstrated its ability to operate and maintain previously funded facilities.

- Priority will be given to:
  - Land acquisition projects, includes donated land deemed “unbuildable” due to regulations or physical limitations;
  - Projects whose site design exceeds ADA requirements; and
  - Projects whose site design incorporates resiliency via nature-based features to support, protect and enhance access improvements.

PUBLIC BEACH AND COASTAL WATERFRONT ACCESS GRANT
2022-23 FUNDING SCHEDULE

<table>
<thead>
<tr>
<th>February 2022</th>
<th>The NC Division of Coastal Management sends pre-applications to local governments. Pre-applications are also available on DCM’s website.</th>
</tr>
</thead>
<tbody>
<tr>
<td>April, 22, 2022</td>
<td>Pre-applications are due by 5:00 pm to the applicant’s District Planner.</td>
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<tr>
<td>August 22, 2022</td>
<td>Final applications are due by 5:00 pm to the applicant’s District Planner.</td>
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<tr>
<td>October/November 2022</td>
<td>Final applicants notified whether their project has been selected for funding.</td>
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<tr>
<td>January/February 2023</td>
<td>Anticipated contract issuance.</td>
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ASSISTANCE COMPLETING THE APPLICATION

The Division of Coastal Management provides technical assistance to local governments. Contact your District Planner to discuss your application or project.

<table>
<thead>
<tr>
<th>County</th>
<th>District Planner</th>
<th>Contact Info</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Pasquotank, Perquimans, Tyrrell and Washington</td>
<td>Charlan Owens, AICP 401 South Griffin Street, Suite 300, Elizabeth City, N.C. 27909</td>
<td>(252) 264-3901 <a href="mailto:charlan.owens@ncdenr.gov">charlan.owens@ncdenr.gov</a></td>
</tr>
<tr>
<td>Beaufort, Carteret, Craven, Hyde and Pamlico</td>
<td>Rachel Love-Adrick 400 Commerce Ave. Morehead City, NC 28557</td>
<td>(252) 808-2808 <a href="mailto:rachel.love-adrick@ncdenr.gov">rachel.love-adrick@ncdenr.gov</a></td>
</tr>
<tr>
<td>Brunswick, New Hanover, Onslow and Pender</td>
<td>Mike Christenbury 127 Cardinal Drive Extension, Wilmington, N.C. 28405-3845</td>
<td>(910) 796-7475 <a href="mailto:mike.christenbury@ncdenr.gov">mike.christenbury@ncdenr.gov</a></td>
</tr>
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SUBMITTING THE APPLICATION

Submit one (1) digital copy of the pre-application in PDF or Word format via email to your DCM District Planner before 5:00 pm, Friday, April 22, 2022. A pre-application is required for each site; proposals for improvements, maintenance, or land acquisition at multiple sites will require separate applications. Proposals that include both land acquisition and site improvements are to be submitted under separate applications. Only pre-applications titled 2022-23 Cycle will be considered for funding.

Electronic copies of the application are available on the N.C. Division of Coastal Management website. District Planners can also send a hard copy of the application.

FINAL APPLICATIONS

Local governments whose proposals are selected will be invited by mid-May to submit a Final Application. A final application form will be provided with the notification.

Prior to submitting a Final Application, the local government shall hold a public meeting or hearing to discuss its proposal and consider comments prior to its decision to submit a Final Application for state funds.

Final Applications will be due on or before 5:00 pm on Monday August 22, 2022.
PROJECT COSTS

Project costs submitted in the application will become the budget for the project. List all proposed project elements and the estimated cost of each element. All elements included in the project costs must be shown on the site plan, except for items such as grading, utilities, and planning. Round all project costs to the dollar.

Accurate cost figures are important, if the actual costs are more than those listed in the application, the local government will need to use its own funds to cover the difference.

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: Assume the project may be completed eighteen months 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. Also, include utilities and other infrastructure.

List all items proposed for funding and the estimated cost of each item. Where practical, identify costs separately for independent elements of the same type of facilities or improvements on the same site.

ADA accessibility: Be sure to include accessible amenities and accessible routes between amenities in your project costs (see Designing Facilities for ADA). Describe whether and how the project exceeds ADA requirements, along with the costs for those improvements.

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).

COSTS TO ACQUIRE LAND

Value of land: Use an appraisal or the assessed property tax value of land that you are planning to buy or that will be donated to the local governments (see Land Acquisition Requirements).

PLANNING AND INCIDENTAL COSTS

Eligible planning or incidental costs: 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 and before the contract end date. These expenses may be considered for in-kind match (see In-kind Contributions).

Planning costs: For projects to build or renovate facilities, the following costs are eligible: architectural and engineering fees, site plans, design and construction drawings, construction management, and preparing cost estimates.
Incidental land acquisition costs: Appraisals, title searches, surveys, and attorneys’ fees can be included as incidental costs.

Limit on planning and incidental land acquisition costs: The sum of planning costs, incidental land acquisition costs, and the cost of preparing an application cannot exceed 20 percent of the total cost of the project. Exceptions may be made for Tier 1 jurisdictions with written approval from DCM.

COSTS NOT TO BE INCLUDED IN A GRANT AWARD OR LOCAL MATCH

Ineligible items: Tools, maintenance equipment, office equipment and indoor furniture.

Environmental assessments other than preliminary work associated with site planning and wetland delineation.

Remediation plans associated with contaminated sites. However, some costs of actual remediation or clean up may be eligible for in-kind match.

Restoration plans: Wetland restoration may be eligible for cash or in-kind match credit.

Attorney Fees: No fees for permitting, condemnation or other litigation will be considered.

PROJECT DESIGN

DESIGNING FACILITIES FOR ADA

Any facility constructed with these grant funds must meet state and federal guidelines for handicap accessibility. Applicants are encouraged to include the costs of access routes to the accessible 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.

The resources below will help your community design a handicapped accessible facility. DCM recommends working with your project designer and building official to design a site accessible to people with disabilities.

- ADA Standards for Accessible Design
- ADA Accessibility Standards
- Guide to the ADA Accessibility Standards - This companion resource explains and illustrates provisions in the standards and includes a series of animations on accessibility.
- Going Beyond ADA - Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas – while these Access Board standards for beach access currently apply only to Federally controlled beaches, they provide a good reference point for local governments that are working to improve program access to their beaches.
Additional Resources about designing access sites for people with disabilities:

- **ADA Live! Episode 10: Beach Access** - This podcast episode discusses how to make a beach accessible to people with disabilities.

- **Northeast ADA Center** – “Heading to the Shore” blog on providing beach access.

- **Accessibilityonline.org** recording of webinar on accessible toilet rooms.

- **ACCESS North Carolina a Vacation and Travel Guide for People with Disabilities** – guide provides accessibility ratings to access sites on the coast (pg. 363-448).

**DESIGNING FACILITIES FOR RESILIENCY**

Communities are encouraged to explore and incorporate resiliency by incorporating nature-based features into the design of their beach or water access site if flooding or erosion is a concern. Pedestrian access must be a major component of the project, with nature-based features being used to support, protect and enhance access improvements. Facilities built or renovated with grant funds must be maintained for public access for at least 25 years. Operation and maintenance is the responsibility of the local government.

Examples of nature-based features include: dune plantings, rain gardens, green parking lots, living shorelines, living breakwaters, and wetland restoration.

See Naturally RESILIENT Communities and Building Community Resilience with Nature-Based Solutions for more information on nature-based features, and case studies to help your community identify appropriate designs.

**PROJECT REQUIREMENTS**

**LAND ACQUISITION PROJECTS**

**Eligible projects:** Purchase of land or easements for future public access facilities.

**Land acquisition match:** For land acquisition, local government match must be at least 15% of the total project cost. Total projects costs include grant funding and local cash and non-cash in kind match. At least one-half (1/2) of the local contribution (7.5% of the total project cost) must be cash; the remainder may be 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.

*The following requirements apply to land to be acquired by fee simple title or easement.*

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. 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.
Dedication for public access: Land acquired with Public Beach and Coastal Waterfront Access program funds shall be dedicated in perpetuity for public access and benefit of the general public, and the dedication shall be recorded in the local Register of Deeds by the grantee.

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 in-kind match.

Is it urgent? Request a waiver
The grant cycle from pre-application to contract is approximately one year. DCM understands that land acquisitions can be time sensitive, and may need to occur outside of a contract. If necessary, a local government can request a waiver to purchase land to be considered for funding under a future grant application. The local government acknowledges that the waiver does not indicate preferential treatment in grant selection or guarantee grant funding.

The waiver process is outlined below:

1. The local government submits a waiver application to DCM, the waiver application must be submitted and approved prior to the local government acquiring land. The waiver application must identify the proposed site and explain why the property must be acquired early due to factors beyond the local governments control.
2. DCM will review the waiver application. If approved, the waiver is effective for 18 months.
3. To be eligible for grant funding the local government must submit a pre-application for the land acquired with a waiver before the waiver expires, and the pre-application must be selected to submit a final application.
4. The local government must then submit a final application and be selected for grant funding.
5. Grant funding is not guaranteed until the local government has signed a fully executed contract with DEQ.

DCM anticipates the availability of Acquisition Waivers in July 2022.

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 after closing out the contract to begin developing beach and water access facilities.

Property lease or easement: Arrangements must be for the life of the project (25 years).

Donated land/structures/bargain sale: See Donations of Property and Services.

Property values and appraisals
To obtain an accurate cost for acquiring property, applicants are encouraged to obtain an appraisal for each parcel. This includes property that may have been acquired prior to the application deadline using an acquisition waiver.

Applicants may use the assessed property value from their county real estate tax office. This value is not as accurate as an appraisal. Accurate appraisals are important. If the applicant underestimates a property’s value, the applicant will need to pay the difference with local funds.
A certified property appraisal will be required prior to grant reimbursement. A licensed appraiser is required to certify that the appraisal was completed using the Universal Standard of Professional Appraisal Practices.

For property with a value more than $500,000, two (2) certified appraisals will be required if the grant is approved. The State Property Office will review the appraisals and determine the value of the property.

Existing Capital Improvements: The appraisal must be for the value of the land and any existing structures that will be used for public access and recreational purposes. Only those improvements that will be used for public access and recreational purposes can be included in the cost of the property to be reimbursed with a grant. Please identify the value of each of these improvements and describe how they will be used at the proposed access site.

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 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.

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.

SITE IMPROVEMENT PROJECTS

Eligible projects: Any facility constructed with these grant funds must meet state and federal guidelines for handicap accessibility. See Designing Facilities for ADA.

Construction Projects

- Facilities such as ADA beach access mats, dune crossovers, boardwalks, and piers that provide pedestrian access to the water.
- Support facilities such as parking areas, restrooms and other facilities.
- Boat launch facilities - boat launch and ramp facilities, whether motorized or not, may be part of a project provided pedestrian access is still a major component of the project.
- Nature-based features may be part of a project provided pedestrian access is still a major component of the project, with nature-based features being used to support, protect and enhance access improvements.

Rehabilitation

- Handicap facilities - applicants are encouraged to submit proposals designed to enhance handicap accessibility at existing facilities.
- Urban waterfront access sites - improved public access to deteriorating or underutilized urban waterfronts through reconstruction or rehabilitation, such as the establishment or rehabilitation of boardwalk areas, shoreline stabilization measures such as the installation or rehabilitation of bulkheads, and the placement or removal of pilings for the purpose of public safety and increased access and use of the urban waterfront.
- Reconstruction or relocation of existing damaged public access facilities. Primarily for sites not originally funded by this program, or for improvements to any sites at least fifteen (15) years old.

**Site improvements match:** For site improvements and amenities, local government match must be at least 25% of the total project cost. Total projects costs include grant funding and local cash and in-kind match. At least one-half (1/2) of the local contribution (12.5% of the total project cost) must be cash; the remainder may be 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.

**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. 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 DCM approval.

**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 grantee’s responsibility to ensure that the agreement is acceptable to DCM/DEQ prior to expenditure of local funds to be reimbursed. Recording of the Joint Use Agreement may be required.

**Placing utility lines underground:** All utility lines funded with a grant award must be placed underground unless agreed to otherwise within the contract.

**Required development permits:** Receipt of a grant award does not guarantee approval of a CAMA development permit or any other State permit. The local government is required to obtain all applicable permits. Contact your DCM Field representative for guidance on applying for a CAMA Permit. Local governments cannot issue CAMA Minor Permits or grant CAMA Permit Exemptions to themselves.

**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.

### MAINTENANCE AT PREVIOUSLY FUNDED SITES PROJECTS

*DCM anticipates the availability of this new project type in the 2022-23 Grant Cycle.*

**Eligible projects:** repair and maintenance of access site facilities and amenities to ensure public health and safety. Repair and maintenance does not include activities such as trash removal, grounds keeping, or custodial services, nor can it be used to pay local government staff salaries. *This project category is available only to Tier 1 communities.*

**Site maintenance match:** For maintenance at previously funded sites, the grantee match must be at least 10% of the total project cost. 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.
Required development permits: Receipt of a grant award does not guarantee approval of a CAMA development permit or any other State permit. The local government is required to obtain all applicable permits. Contact your DCM Field representative for guidance on applying for a CAMA Permit. Local governments cannot issue CAMA Minor Permits or grant CAMA Permit Exemptions to themselves.

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.

LOCAL CASH AND IN-KIND CONTRIBUTIONS

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 materials necessary for proper completion of the access project.

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 provided for in the project budget approved by the Division of Coastal Management;
2. Are verifiable from the local government’s records;
3. Are necessary and reasonable for proper and efficient completion of the project;
4. Are not included as contributions for matching any other state or federally assisted projects or programs, except where authorized by state or federal statute;
5. Use of other state or federal funds for local cash match must be identified to ensure that double matching does not occur;
6. Do not include N.C. state sales tax; and,
7. Conform to other provisions of these guidelines, as applicable.

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 (other than local government salaried employees), 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.

Construction equipment rental: 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.

State and federal funds: Other state and federal funds may be counted as cash match provided the funds are not being used as a match for other programs. Use of other state or federal funds for local cash match must be identified to ensure that double matching does not occur.

Attorney fees: Fees associated with the title opinion and other property transaction costs may be included as a cash contribution.

Fees: Fees for preparing a grant or permit proposal are not eligible.
IN-KIND CONTRIBUTIONS

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

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.

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.

**Permits:** Project permit fees and design and engineering fees associated with permits that are expended prior to a grant contract may be counted toward non-cash in-kind match, provided the costs are incurred within three (3) years of the grant award date. Fees for preparing a grant or permit proposal are not eligible.

**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 in-kind match may be considered similarly as previously purchased or donated property. (See 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.

DONATIONS OF PROPERTY AND SERVICES

**Land/structures:** If the local government has land that has recently been donated or that will be donated, 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 applicant 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.
Donation to, or acquisition of, the property/structure by the local government must have occurred within five (5) years of the grant award date to qualify as an in-kind match. A long-term easement (more than 25 years from the date of the grant award) of land may also be considered under this guideline.

**Bargain sale:** If a landowner is proposing to sell land to the applicant 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. *Contact your District Planner if your project includes a bargain sale.*

**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 signed 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.
# Tier 1 Coastal Communities 2022-23

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