

# BOATING ACCESS PROGRAM

Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program



## DISTRIBUTION METHOD

Apportioned based on formula

## Governing Guidance

- Sport Fish Restoration Act also known as Dingell-Johnson (DJ) Act of 1950 (enabling legislation)
- 50 CFR Part 80
- USFWS Manual Chapter 517 FW 7

**ELIGIBLE GRANTEES: ALL STATE/TERRITORY FISH AND WILDLIFE AGENCIES WITH ASSENT LEGISLATION**

**Purpose** Provide facilities that create or add to public access for recreational boating

## ELIGIBLE PROJECTS

→ A broad range of access facilities and associated amenities that benefit recreation boaters may qualify

- Projects that seek to acquire, develop, renovate, maintain, or improve facilities that create or improve public access to the waters of the United States or improve the suitability of these waters for recreational boating. These facilities may include auxiliary structures to ensure safe use by recreational boaters. Projects may include surveys to determine information needed to plan for providing access to recreational waters for any size or type of recreational boat
- Maintenance and operations projects can be funded for boating access sites, facilities, and structures, even if the Sport Fish Restoration Program did not fund their acquisition or construction
- Facilities funded through the subprogram must be available to all recreational boaters, but States may restrict uses for public safety, property protection, noise abatement, or aquatic resource protection. Examples of restrictions include limiting the horsepower or types of boat motors and setting speed limits, no-wake zones, or hours of use
- States are responsible for maintenance of all capital improvements they acquire or construct using Sport Fish Restoration Boating Access funds throughout the improvement's planned useful life.

## SOURCE OF FUNDS

*Annual apportionment from the Sport Fish Restoration & Boating Trust Fund*

Includes Revenues from:

- Federal excise taxes on boating and angling equipment
- Import duties on boating and angling equipment
- Portion of gasoline tax attributable to motorboats and small engines
- Interest earned on Trust Fund

## MATCHING REQUIREMENTS AND LIMITATIONS ON AVAILABILITY OF FUNDS

- At least fifteen percent of the Region's Sport Fish Restoration apportionment over a five-year period must be used for Boating Access projects
- WSFR calculates the Regional allocations for separate five-year periods that coincide with Federal fiscal calendars
- If total Regional allocation for the five-year period is less than fifteen percent, States may agree among themselves in a memorandum of understanding which State(s) will make the additional allocations to meet the Regional requirement
- With Regional Director approval, a State may change its current-year allocation up to, but not after, the close of the Federal fiscal year which funds were apportioned
- States must use Recreational Boating Access funds in the year that the State receives them, or in the following four fiscal years, otherwise the funds will revert to the Service and be reapportioned
- Primary project purpose must be to benefit recreational boaters and other uses must be incidental or secondary
- If the primary project purpose is to benefit users who are not recreational boaters, program funds may only be used to the extent that recreational boaters use a facility and other expenses must be matched through other methods. For example, if survey information shows that only 40% of facility's users are recreational boaters, program funds can account for no more than 40% of project costs

## SPECIAL CONDITIONS OR REQUIREMENTS

- \* Send to Regional Director an application for Federal assistance to use funds available under Act
- \* Commit to provide the required match
- \* Propose to use funds for specific activities eligible under the subprogram and demonstrate compliance with applicable policies and regulations