

§ 86.10

50 CFR Ch. I (10–1–07 Edition)

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Subpart A—General Information About the Grant Program

§ 86.10 What does this regulation do?

In this part, the terms “I,” “you,” “my,” and “your” refer to the State agency seeking participation in the national Boating Infrastructure Grant (BIG) Program. “We” and “us” refers to the Fish and Wildlife Service. This part establishes your requirements under the Sportfishing and Boating Safety Act of 1998 to:

- (a) Participate in the national BIG Program,
- (b) Complete your boat access survey, and
- (c) Develop State plans to install tie-up facilities for transient nontrailerable recreational vessels.

§ 86.11 What does the national BIG Program do?

This program provides funds for States to construct, renovate, and maintain tie-up facilities with features for transient boaters in vessels 26 feet

or more in length, and to produce and distribute information and educational materials about the program.

§ 86.12 Definitions of terms used in part 86.

For the purposes of this part, the following terms are defined:

Construct means engaging in activities that produce new capital improvements and increase the value or usefulness of existing property. These activities include building new tie-up facilities or replacing or expanding existing tie-up facilities.

Grant means financial assistance the Federal Government awards to an eligible applicant.

Grant agreement means a contractual agreement used to obligate Federal Aid funds for carrying out work covered by an approved grant proposal.

Maintain means engaging in activities that allow the facility to continue to function, such as repairing docks. These activities exclude routine janitorial activities.

Navigable waters means waters connected to or part of the jurisdictional waters of the United States that transient nontrailerable recreational vessels currently use or can use.

Nontrailerable recreational vessels mean motorized boats 26 feet or more in length manufactured for and operated primarily for pleasure, including vessels leased, rented, or chartered to another person for his or her pleasure.

Project means a specific plan or design.

Proposal means a description of one or more projects for which a State requests grant funds.

Recreational waters means navigable waters that vessels use for recreational purposes.

Renovate means to rehabilitate or repair a tie-up facility to restore it to its original intended purpose, or to expand its purpose to allow transient nontrailerable recreational vessels.

States means individual States within the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Survey instrument means a tool developed by the Service and approved by

OMB to assess the need for boating facilities.

Tie-up facilities mean facilities that transient nontrailerable recreational vessels occupy temporarily, not to exceed 10 consecutive days; for example, temporary shelter from a storm; a way station en route to a destination; a mooring feature for fishing; or a dock to visit a recreational, historic, cultural, natural, or scenic site.

Transient means passing through or by a place, staying 10 days or less.

Water-body means the lake, section of river, or specific area of the coast, such as a harbor or cove, where tie-up facilities or boat access sites are located.

§ 86.13 What is boating infrastructure?

Boating infrastructure refers to features that provide stopover places for transient nontrailerable recreational vessels to tie up. These features include, but are not limited to:

(a) Mooring buoys (permanently anchored floats designed to tie up nontrailerable recreational vessels);

(b) Day-docks (tie-up facilities that do not allow overnight use);

(c) Navigational aids (e.g., channel markers, buoys, and directional information);

(d) Transient slips (slips that boaters with nontrailerable recreational vessels occupy for no more than 10 consecutive days);

(e) Safe harbors (facilities protected from waves, wind, tides, ice, currents, etc., that provide a temporary safe anchorage point or harbor of refuge during storms);

(f) Floating docks and fixed piers;

(g) Floating and fixed breakwaters;

(h) Dinghy docks (floating or fixed platforms that boaters with nontrailerable recreational vessels use for a temporary tie-up of their small boats to reach the shore);

(i) Restrooms;

(j) Retaining walls;

(k) Bulkheads;

(l) Dockside utilities;

(m) Pumpout stations;

(n) Recycling and trash receptacles;

(o) Dockside electric service;

(p) Dockside water supplies;

(q) Dockside pay telephones;

(r) Debris deflection booms; and

(s) Marine fueling stations.