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# VMRC ABANDONED OR DERELICT VESSEL GRANT PROGRAM MANUAL

EFFECTIVE MARCH 30, 2023

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## SECTION I PROGRAM DESCRIPTION AND PURPOSE

### *Background*

The 2021-2025 Virginia Marine Debris Reduction Plan recognized abandoned or derelict vessels as a leading marine pollution problem in Virginia's waterways. The plan established a strategy to address this issue that includes prevention, research and monitoring, disposal infrastructure, and removal of existing abandoned or derelict vessels. In 2021, Virginia's Coastal Zone Management Program created the Abandoned and Derelict Vessels (ADV) Work Group that was tasked with the goal of creating a comprehensive, sustainable, and robust Virginia ADV Prevention and Removal Program. In their final recommendations, the work group recommended a general funds allocation of \$3 million to the VMRC for abandoned or derelict vessel removal and the creation of an ADV Fund manager at the agency. Consistent with a part of these recommendations, the VMRC was allocated \$3 million in FY 2022 to support the removal of abandoned or derelict vessels to be administered as a grant program to localities.

The Virginia Marine Resources Commission (VMRC) hereby establishes this program to provide grants to local governments and other political subdivisions of the Commonwealth to receive funding or to reimburse for the removal of abandoned or derelict vessels from the public tidal waters of the state.

### **1.1 Source of Funds**

In the event monies are appropriated by the Legislature, and/or if other funding is available for the Abandoned or Derelict Vessel Grant Program for a given fiscal year, VMRC will announce the availability of funding through a request for proposals (RFP) to be posted on the web at [mrc.virginia.gov/ADVGrant](http://mrc.virginia.gov/ADVGrant) and through the Coastal Planning District Commissions.

### **1.2 Funding Availability**

In FY 2023, VMRC plans to award up to \$3,000,000 in FY23 and FY24 with no cap on individual awards to jurisdictions. Jurisdictions may submit applications for multiple vessels to be removed.

### **1.3 Request for Proposals**

VMRC is requesting a descriptive narrative, cost estimate, and schedule to fund the removal of abandoned or derelict vessels in Virginia's marine environment. Applications should be submitted as described in Section III of this manual. Applications may include requests for reimbursement for vessels removed after March 10, 2023; or may include requests for advance funding for a vessel or vessels identified in the application. Applications to this RFP are being accepted on a rolling basis until such time the VMRC has determined the allotted funds are fully appropriated.

## Section II Eligibility

### 2.1 Eligible Participants

Eligible participants shall include state, county, municipal governments, and planning district commissions of the Commonwealth of Virginia that have jurisdiction or authority in Virginia's marine environment. Nongovernmental Organizations (NGOs) will be required to operate under an agreement with a county or municipality or may be identified as a sub-recipient for the grant award and appointed by the county or municipality. Grant funds under this program will not be directly awarded to NGOs or private citizens.

### 2.2 Eligible Uses of Program Funds

This grant may be used for the costs of investigation, removal, and disposal of abandoned or derelict vessels that represent a threat to public or environmental health or safety, public infrastructure used to support or enhance public trust resources, or which might constitute an obstruction to the lawful use of the waters or navigation.

### 2.3 Ineligible Uses of Program Funds:

Program funds will only be awarded for projects that are directly associated with the removal and disposal of an abandoned or derelict vessel from Virginia's marine environment.

## Section III General Instructions for Grant Applications

### 3.1 Application Form and Instructions

Applicants must submit applications on VMRC's Abandoned or Derelict Vessel Removal Grant Application form (VMRC/ADV VESSEL-APP (2023)). The application form and instructions may be obtained from VMRC's Web site at [mrc.virginia.gov/ADVGrant](http://mrc.virginia.gov/ADVGrant). Applications must be submitted to [Rachael.peabody@mrc.virginia.gov](mailto:Rachael.peabody@mrc.virginia.gov). Applications are to be submitted with a cover letter. The cover letter should request consideration of the project and include the total amount requested.

### 3.2 Authorization to Apply

Applications must include documentation of formal authorization by the appropriate governing body that the individual signing the application form has the authority to apply for and administer the grant on behalf of the governing body.

### 3.3 Grant Awards Process

Grant funding for approved projects shall be awarded on a first come, first serve basis up to the amount of the remaining funds available in the grant period. The costs of investigation, removal, and responsible disposal of eligible abandoned or derelict vessels listed on a complete and eligible application shall be funded 100 percent by this grant program. Each vessel listed on a grant application will be reviewed and scored based on a public safety, navigation, and environmental review.

## Section IV Grant Funding

### 4.1 Advance Funds

Funding may be awarded for advance fund requests.

### 4.2 Reimbursement of Funds

Funding may be awarded for reimbursements of approved vessels in the event said vessels are removed by the applicant after March 10, 2023.

### 4.3 Payment of Grant Funds

Payment of grant funds to the applicant shall be by warrant (check).

## SECTION V GRANT AGREEMENT

### 5.1 Grant Agreement

Upon approval of a project for funding, the grantee and VMRC shall enter into a grant agreement. This grant agreement will describe the responsibilities of both parties and terms and conditions particular to each project, and will require compliance with applicable statutes, rules, and policies.

## VI COMPLIANCE REQUIREMENTS

### 6.1 State and Federal Laws, Authorized Disposal Sites

Projects must comply with all local, state, and federal regulations, obtain state or federal permits, if necessary; and follow all applicable laws related to procurement for any labor, equipment, materials, facilities, construction, and other services related to the project funded. Authorized disposal sites shall be a permitted landfill. The grantee must legally remove the vessels and are responsible for liabilities associated with removal and disposal.

### 6.2 Project Completion Requirement

Failure to complete advanced funded projects within the agreed upon time may result in grant termination. A quarterly and final grant report will be required and detailed within the Grant Agreement.

### 6.3 Timeline and Agreement Changes

The grantee shall inform the VMRC Abandoned or Derelict Vessel Program staff of any changes or time delays incurred with the project. If deadlines or other terms of the agreement cannot be met, the grantee must notify VMRC immediately and request an amendment to the agreement.

### 6.4 Cost Overruns

If the grantee believes that the costs will exceed the awarded funds, they shall detail the issues in writing to the VMRC and request additional funding. VMRC must approve the request in writing to

serve as authorization to proceed. If allocated funds are not spent within the agreed upon time, funds must be paid back to the VMRC.

### **6.5 Agreement Compliance Requirement**

A grant agreement will be terminated, and program funds returned to VMRC for noncompliance with any of the terms of the agreement or these guidelines, unless the noncompliance is rectified by the grantee.

### **6.6 Contingency Fees Prohibited**

Contingency fees are prohibited. Applicants must agree that they have not, or will not, pay or agree to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the applicant, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award of a grant from this Program.