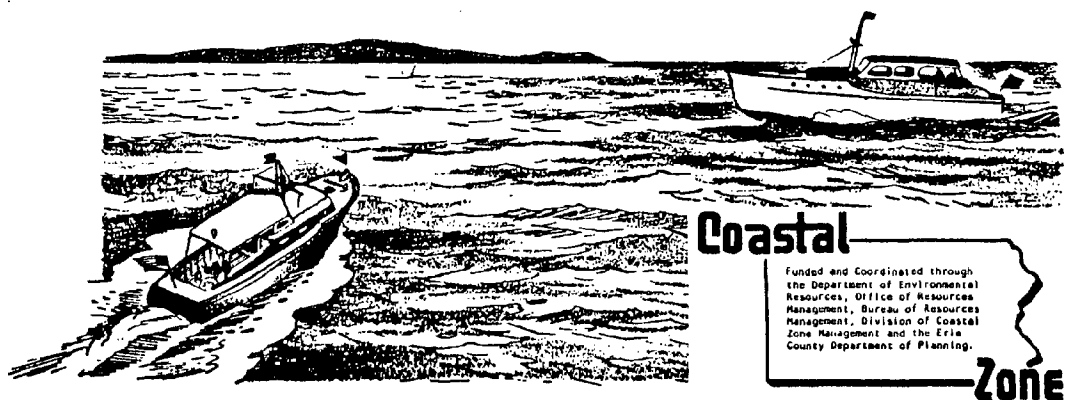


# ELK CREEK

## SAFE HARBOR/MARINA FEASIBILITY STUDY



TC  
225  
.G57  
E45  
1986

**GIRARD TOWNSHIP  
ERIE COUNTY, PENNSYLVANIA  
1986**

THE ELK CREEK SAFE HARBOR/MARINA FEASIBILITY STUDY

GIRARD TOWNSHIP  
ERIE COUNTY, PENNSYLVANIA

PREPARED FOR:

GIRARD TOWNSHIP BOARD OF SUPERVISORS

WILLIAM L. BORLAND, CHAIRMAN  
DANIEL DOUGLAS  
RAY SANDERS  
BETTY BELL, SECRETARY

FUNDED THROUGH:

THE COUNTY OF ERIE

JUDITH LYNCH, COUNTY EXECUTIVE

COUNTY COUNCIL

GARY L. BUKOWSKI, CHAIRMAN  
FIORE LEONE, VICE CHAIRMAN  
BARBARA MACK - TRACY SEYFERT  
PAUL FOUST - JOSEPH F. GILES - ROBERT C. WALKOW

ERIE COUNTY DEPARTMENT OF PLANNING

DAVID SKELLIE, DIRECTOR

IN COOPERATION WITH:

PENNSYLVANIA FISH COMMISSION  
U.S. ARMY CORPS OF ENGINEERS  
WESTERN PENNSYLVANIA CONSERVANCY

MARCH, 1986

PREPARED BY:

D. A. JOHNSON & ASSOCIATES  
110 EAST WASHINGTON STREET  
CORRY, PENNSYLVANIA 16407

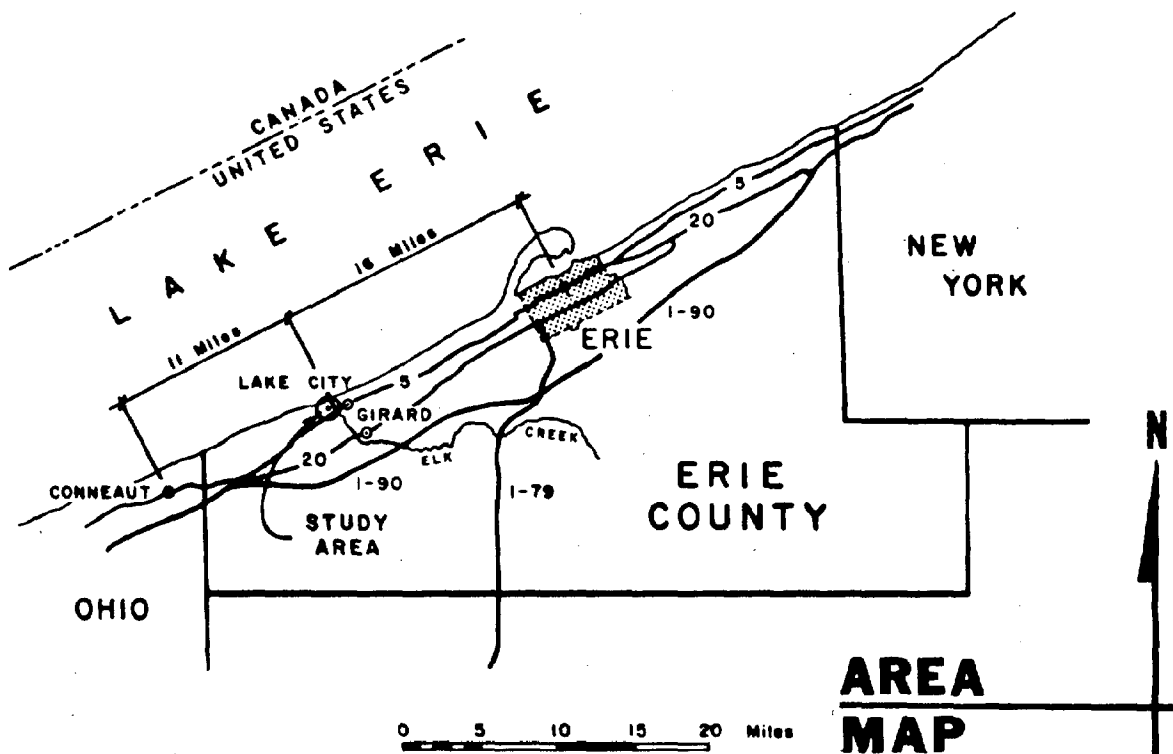
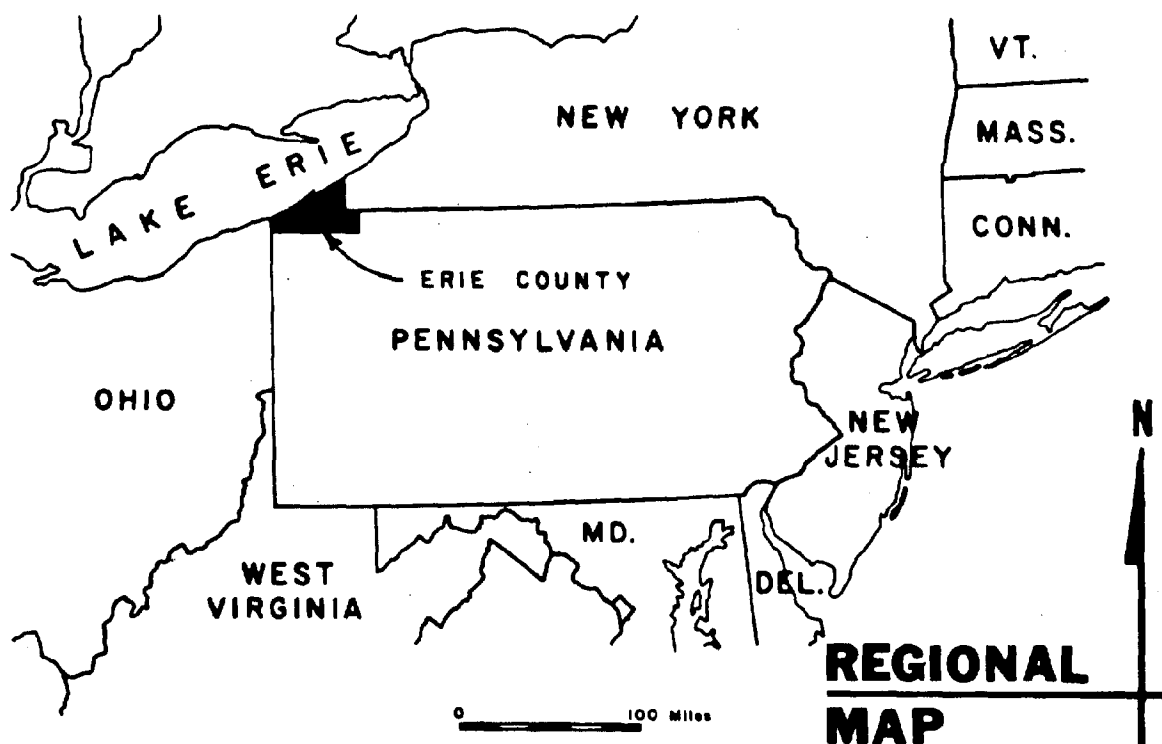
THE PREPARATION OF THIS REPORT WAS FUNDED AND COORDINATED THROUGH THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES, OFFICE OF RESOURCES MANAGEMENT, BUREAU OF RESOURCES MANAGEMENT, DIVISION OF COASTAL ZONE MANAGEMENT, AND THE ERIE COUNTY DEPARTMENT OF PLANNING.

## TABLE OF CONTENTS

		<u>PAGE</u>
I	<u>INTRODUCTION</u>	1
II	<u>HISTORICAL BACKGROUND</u>	6
	A. Planning	
	B. Construction	
III	<u>PRESENT DEVELOPMENT</u>	14
	A. Facilities	
	B. Available Activities	
IV	<u>DESIGN NEEDS &amp; BENEFITS</u>	24
	A. Potential Uses & Opportunities	
	B. Selecting The Basic Alternatives	
	C. Tasks Required For Completion	
	D. Governmental Commitments	
	E. Benefits of Development	
V	<u>FUNDING</u>	34
	A. Potential Sources	
	B. Procedures for Obtaining Funds	
VI	<u>FEDERAL, STATE, &amp; LOCAL OBLIGATIONS</u>	42
	A. Responsibilities & Mandates	
	B. Recommended Tasks	
	C. Permits	
VII	<u>IMPLEMENTATION</u>	47
	A. Lead Agency & Order of Accomplishment	
	B. Project Schedule	
VIII	<u>CONCLUSIONS</u>	49
	APPENDIX A: Excerpts--Corps of Engineer's Report	
	APPENDIX B: Excerpts--1980 Access Report	
	APPENDIX C: Correspondence & Documents	
	APPENDIX D: Funding Information	

LIST OF ILLUSTRATIONS

	<u>PAGE</u>
REGIONAL/AREA MAP	v
LAKE COAST LINE - VIEW FROM THE EAST	2
GENERAL AREA - VIEW FROM THE WEST	3
GENERAL AREA - VIEW FROM THE SOUTH	4
GENERAL AREA - VIEW FROM THE NORTH	7
GENERAL AREA TOPOGRAPHY	9
WEST BANK DEVELOPMENT	15
COTTAGE AREA - VIEW FROM THE NORTH	17
IMPROVEMENTS	18
ESTUARY - VIEW FROM THE EAST (1980)	20
ESTUARY - VIEW FROM THE NORTH (1985)	21
LAGOON AREA - VIEW FROM THE NORTH	25
PROPERTY MAP	26



OCLC: 32890269      Rec stat: n

Entered: 19950729      Replaced: 19950729      Used: 19950729

\$ Type: a      Bib lvl: m      Source: d      Lang: eng

Repr:      Enc lvl: K      Conf pub: 0      Ctry: pau

Indx: 0      Mod rec:      Govt pub:      Cont:

Desc: a      Int lvl:      Festschr: 0      Illus:

                 F/B: 0      Dat tp: s      Dates: 1986, %

\$ 1 040      EPL 'c EPL %

\$ 2 090      TC328 'b .j64 1986 %

\$ 3 090      'b %

\$ 4 049      NOAM %

\$ 5 110 2      D.A. Johnson & Associates. %

\$ 6 245 14      The Elk Creek safe harbor/marina feasibility study : 'b Girard Township, Erie County, Pennsylvania / 'c prepared for Girard Township Board of Supervisors...by The Associates. %

\$ 7 260      Corry, Pa. : 'b The Associates, 'c 1986. %

\$ 8 300      1 v. %

\$ 9 500      "March, 1986." %

\$ 10 500      "The preparation of this report was funded and coordinated through the Pennsylvania Department of Environmental Resources, Office of Resources Management, Bureau of Resources Management, Division of Coastal Zone Management and the Erie County Department of Planning." %

\$ 11 650 0      Harbors 'z Pennsylvania 'z Erie County 'x Feasibility studies. %

\$ 12 650 0      Marinas 'z Pennsylvania 'z Erie County 'x Feasibility studies. %

\$ 13 651 0      Girard (Erie County, Pa. : Township) 'x Feasibility studies. %

\$ 14 710 1      Girard (Erie County, Pa. : Township) 'b Board of Supervisors. %

\$ 15 710 1      Pennsylvania. 'b Coastal Zone Management Branch. %

\$ 16 710 1      Erie County (Pa.) 'b Dept. of Planning. %

# I

## INTRODUCTION

Elk Creek enters Lake Erie just west of Lake City Borough in Girard Township, Erie County. It is the largest stream entering the lake within the boundaries of Pennsylvania.

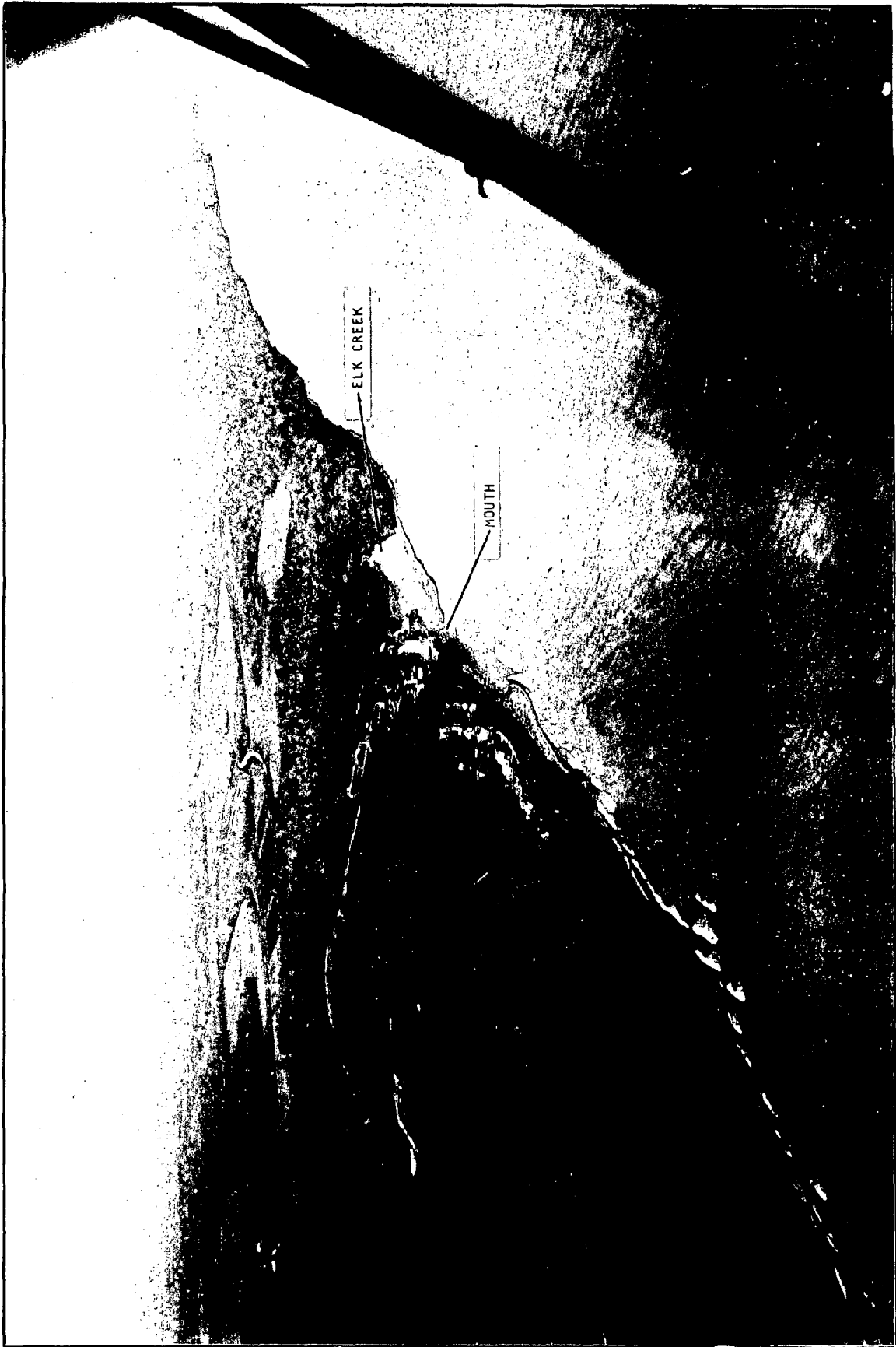
The stream, and its tributaries, follow a long meandering path through the western part of the County. The creek is characterized by very steep side slopes and escarpments throughout much of its range. The upper reaches of the stream are rocky with shallow pools, but the lower part adjacent to the lake is wide and rather placid at low flows.

The areas of the creek adjacent to the lake, which are the portions included in this study, are normally of sufficient depth for very small boats. During much of the year, however, it is impossible or dangerous for any craft to enter the creek from the lake. This is due to the fact that littoral currents and wave action build a bar of sand and gravel at the mouth. This bar is in a state of constant change, and the channel opening varies in its location and is not stable. In order to control this opening, and provide a low maintenance permanent channel, major construction would need to be undertaken. Such construction could normally only be justified as part of a complete harbor development project.

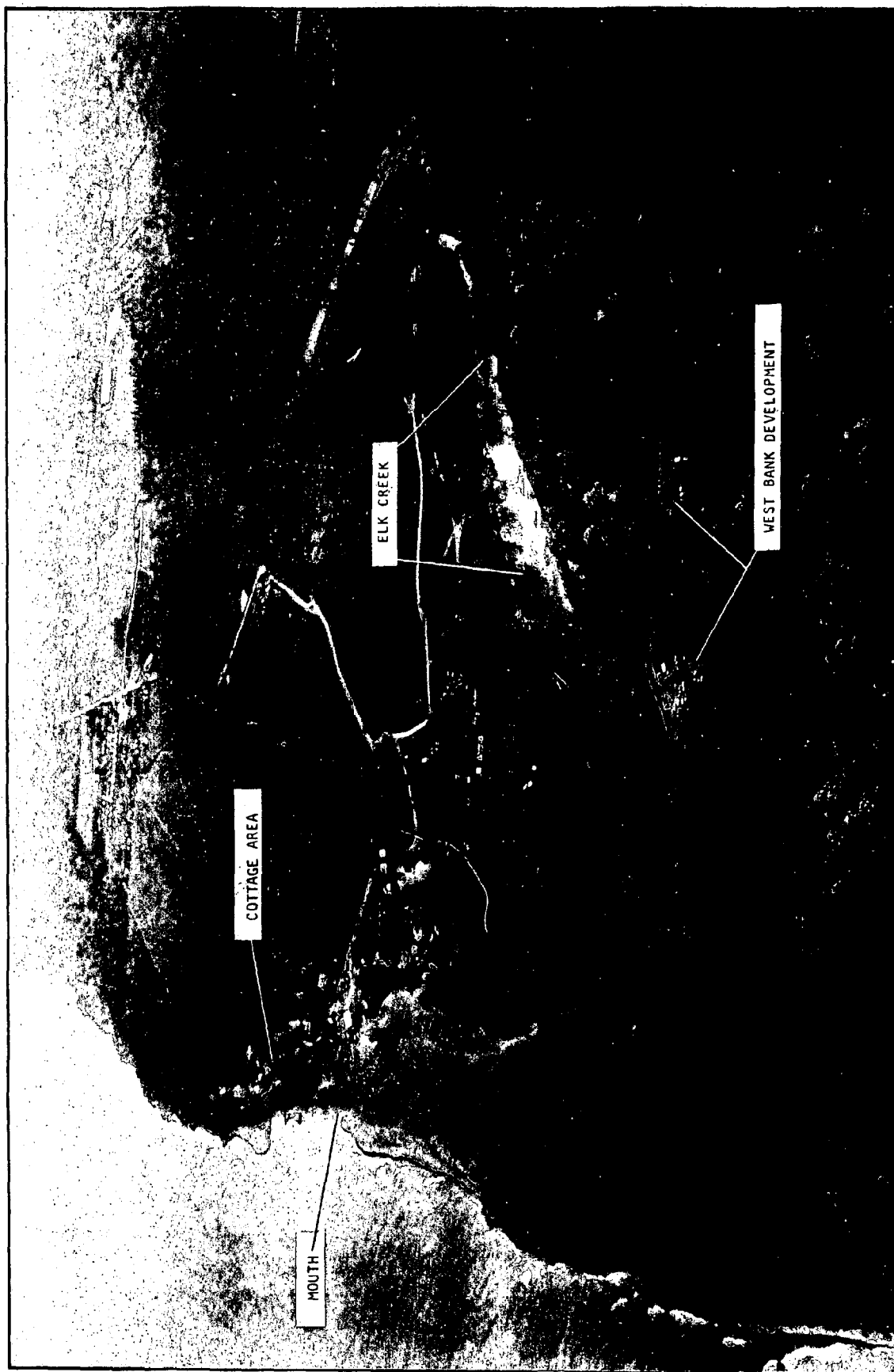
For over forty years there have been efforts made toward the construction of a small-boats harbor at the mouth of the creek. In recent years this has included funding for studies, and for improved access to the creek mouth. These funds have been made available through the Pennsylvania Department of Environmental Resources and through the Pennsylvania Department of Community Affairs. The availability of these funds, together with the donation of lands through a lease by the Pennsylvania Electric Company to Girard Township, has brought about a limited amount of public development, and vehicle access, on the west side of the creek near the mouth.

Prior to these recent efforts the Corps of Engineers made a study and interim report in 1966 relative to the potential for the development of an Elk Creek Harbor for light-draft vessels. Their report included recommendations that such construction should include a breakwater-protected entrance from the lake, an anchorage basin, a dock channel, and recreational fishing facilities.

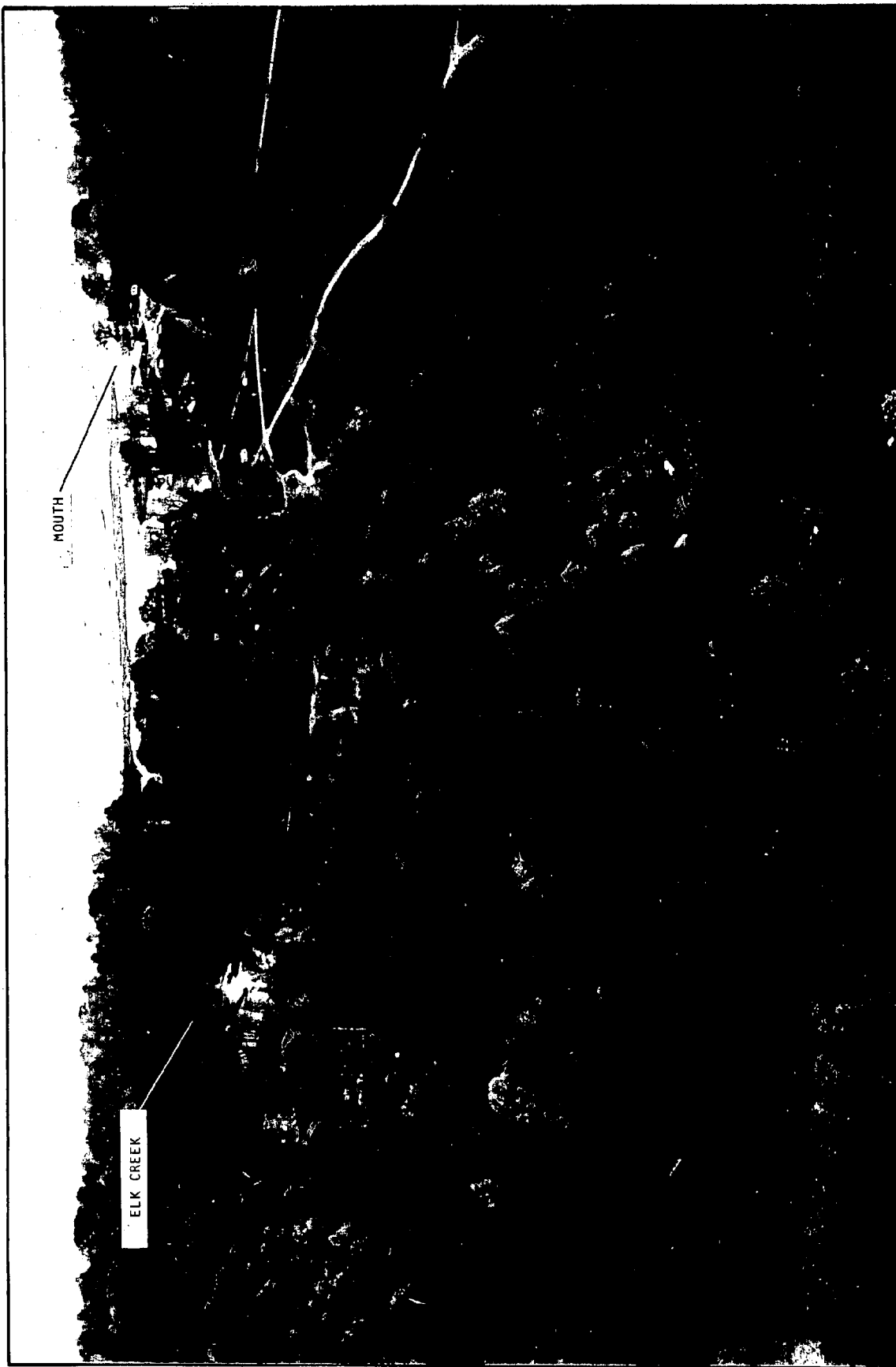




LAKE COAST LINE - VIEW FROM THE EAST



GENERAL AREA - VIEW FROM THE WEST



GENERAL AREA - VIEW FROM THE SOUTH

The purpose of the study included herein is to investigate the actual potential for further development at the mouth of the creek. This report will, in general, concentrate on the development of the channel opening into the lake, and on the lower reach of the creek, especially the east bank.

The land at the mouth of the creek, and the east bank, are both presently under private ownership. The potential for putting this area under public control is an essential part of this study.

This report will include the analysis of the design needs based on highest and best use of the land, together with the identification of available funding sources for design, acquisition, construction and maintenance. An implementation strategy will be developed to guide the development of the site.

## II

### HISTORICAL BACKGROUND

#### A. PLANNING

There have been numerous professional studies made of the Lake Erie Drainage Basin in the Girard Township/Lake City Borough area. These have included area-wide and municipal plans of a general nature, plus detailed studies of the Elk Creek drainage basin. Previous planning has included the following:

##### 1. Area-wide Planning

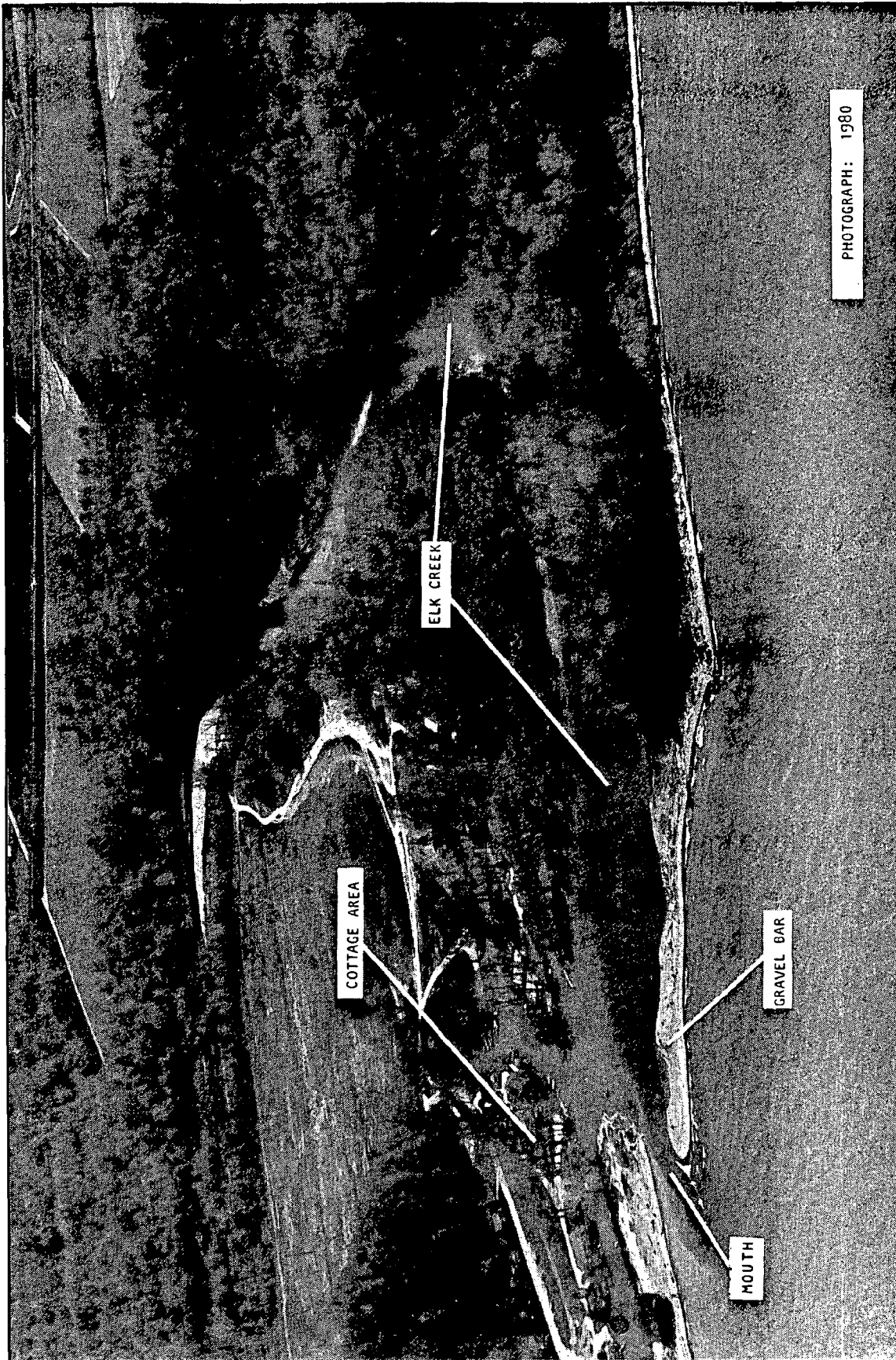
Previous area-wide planning has included county studies and regulations such as water and sewer plans, land use plans, storm water plans, population analysis, county subdivision regulations, a zoning manual, transportation plans, and similar work. Planning by the State and government related agencies include planning documents such as the Northwest Area Profile, the Comprehensive Water Quality Management Plan, the Northwest Regional Planning and Development Commission studies, and work done under the Coastal Zone Management Program.

##### 2. Municipal Planning

The Boroughs of Lake City and Girard, together with Girard Township, have developed a background Analysis & Comprehensive Plan, in cooperation with the Erie Metropolitan Planning Department. The municipalities have also developed subdivision regulations and zoning ordinances. The proposed development of a major steel producing complex in Springfield Township, about 9 miles west of the mouth of Elk Creek, also spurred new planning in the area, much of which included the study area. (This complex is no longer being considered, but much of the background work developed is being used by local interests in an effort to attract other industry to the Springfield Township site).

##### 3. Coastal Zone Planning

The Pennsylvania Department of Environmental Resources under the Pennsylvania Coastal Zone Management Program has provided a substantial amount of basic planning work relating to the Lake Erie drainage basin. The study areas include the Elk Creek Basin.



GENERAL AREA - VIEW FROM THE NORTH

This comprehensive planning endeavor (1978) included technical data on the entire Lake Erie coastline in Pennsylvania. Information developed included socioeconomic characteristics, land and water use, recreation demand, area governmental controls, and general priorities for coastal zone use.

A major part of this planning effort was the establishment of "Geographic Areas of Particular Concern". These are critical areas where the need for special management procedures is indicated in order to deal with land use issues which are of "regional benefit" or greater than local concern. The Elk Creek Estuary Site was designated as a GAPC, and as a site for recreational development. The report stated in part:

"The most appropriate use of this stream valley should focus upon its recreation potential. The estuarine nature of the mouth of Elk Creek provides excellent opportunities for fishing and swimming, and serves as a shelter for small boats. During peak fishing periods the flat valley floor is extensively utilized by fishermen as a boat launching and camping site, though no organized camping facilities are present. This area is capable of supporting publicly owned camp sites and possibly numerous other recreational facilities as well.

The forested bluffs which completely surround this stream valley serve as a natural and scenic backdrop to the area. Protection of these bluffs from any degrading influences which potentially may accompany development should be a primary goal of the CZM Program."

#### 4. Pennsylvania Electric Company Planning

The Pennsylvania Electric Company in 1979 had an environmental report prepared by a private consultant. This was a detailed report prepared as a requirement for a proposed coal fired steam electric generating station which at that time was proposed for construction.

The proposed facility was to be constructed by the Pennsylvania Electric Company on a large tract which includes the land between Route 5 and Lake Erie on the west bank of Elk Creek. The company then offered the eastern portion of the site to the Township of Girard for recreational development, and most of the site has since been developed. (See Photo - Page 15).

The contemplated construction of the coal fired generating station has since been abandoned for the foreseeable future. The 2000 page environmental study,





however, included a great deal of information on Elk Creek and the Elk Creek Basin. The study provides, in addition to items relative to construction of the generating plant, substantial documentation of the environmental aspects of the area. This includes data on geology, soils, the biotic environment, hydrology, water and air quality, and similar background information on the basin. This private study was used as an aid in the development of background information for this report, and for previous studies and construction.

5. U. S. Corps of Engineers Planning

The only major planning activities relating to the potential development of a harbor in the Elk Creek Basin was prepared by the Corps of Engineers. This was preceded by the following actions:

- a. Congress, on March 2, 1945, passed the River & Harbor Act, which authorized the Corps of Engineers to investigate harbors of refuge for light draft vessels, including areas on the south shores of Lake Erie.
- b. During May of 1945, public hearings were held which showed local interest in small-boat harbors at various creeks, including Elk Creek.
- c. A preliminary examination report by the Corps in 1946 gave consideration to 33 locations on Lake Erie.

A total of three sites in Pennsylvania were then selected as having significant potential for further study. The sites were Elk Creek, Walnut Creek, and 20 Mile Creek.

Topographic and hydrographic surveys were made of Elk Creek in 1962 and 1963, and other detailed studies were commenced thereafter. The interim report was completed by the Corps, and reported to Congress in October of 1966. The report recommended a major project, including breakwaters in Lake Erie at the mouth of the creek, a deep entrance channel, removal of shoals in the lake, a large anchorage basin, a long docking channel, recreation facilities, and general reconstruction of the area. The complex was to be located along the east bank of Elk Creek in the area which was, and is presently, under private ownership.

Following the completion of this interim report, the project became stalemated because of certain circumstances. The history to date can be outlined as follows:

- a. The local sponsor for the project, which would include an 850 acre state park was to be The Department of Environmental Resources of the Commonwealth of Pennsylvania. They ultimately withdrew from the project, however, and the Pennsylvania Fish Commission then took an active interest.
- b. The Fish Commission, in 1969, expressed their intent to serve as local sponsor, but also indicated that other local financial participation was needed for all required non-Federal costs.
- c. A reclassification of "deferred for re-study" was assigned to the project in December of 1971 because local funding was not available.
- d. During July of 1972, the Commissioners of Erie County gave their intent to participate in the project, mainly in land acquisition, but in an amount not to exceed \$1,300,000.
- e. The purchase of land did not occur, however, as the County was unable to proceed without eminent domain proceedings, which the Commissioners would not undertake.
- f. Also in July of 1972, the Fish Commission reaffirmed its intent and approved certain allocations of Project 500 Bond Issue Funds to supplement previously budgeted Boat Fund sources.
- g. The Corps of Engineers reactivated the project in 1973, but no funds were appropriated.
- h. The FY 1977 Federal budget provided for preconstruction funds for design and advance planning of the harbor development. During July of 1977, however, the Fish Commission withdrew support from the project because the County of Erie was unable to provide the necessary land.
- i. In November of 1977, a draft plan of study for reformulation was prepared by the Corps of Engineers, which recommended that the project be reclassified from "active" to "deferred for restudy".
- j. The project has recently been reclassified to an "active" status. (See Appendix C)

Additional information on the Corps of Engineers Report, and a drawing of the basic harbor plan are included in Appendix A.

## 6. Planning For Access Feasibility

In 1980, a detailed plan of the Elk Creek Basin was prepared by Girard Township using funds made available by the Pennsylvania Department of Environmental Resources, Coastal Zone Management Division. This planning was administered through the Erie County Department of Planning, and was entitled "Elk Creek Public Access Feasibility Study".

This study investigated the needs of the area, topography, traffic patterns, utilities, land use, and general information on Elk Creek itself. The report made recommendations for providing vehicle and pedestrian access to the west bank area of Elk Creek near the mouth of the creek. This is the area previously mentioned as being owned by the Pennsylvania Electric Company.

Included in the study was a development plan consisting of 6 stages, together with cost estimates and scheduling. A large part of the proposed construction was ultimately carried out. The only scheduled items which were not constructed included a boat ramp that was to be located on the west bank of the creek, and certain channel improvements that were scheduled for the mouth of the creek. To date, there has been no funding available for these facilities.

The scope of the work proposed in this study was limited. It did not include the construction of a harbor, marina, or similar facilities and did not propose the acquisition of any land on the east bank of the creek. The main purpose of the study was to investigate the means of providing an access to the lower reaches of the creek, and to the lake, plus the construction of comfort stations, parking, trails, and other facilities. These ends were achieved (except for the boat ramp and channel improvements) and are outlined in more detail in the subsection of this report which follows, and in Appendix B.

### B. CONSTRUCTION

All of the public construction which has occurred to date at or adjacent to the mouth of Elk Creek has been on the west bank on the land of the Pennsylvania Electric Company which is leased to Girard Township for recreation purposes. This construction was brought about through grants received from the Pennsylvania Department of Environmental Resources and the Pennsylvania Department of Community Affairs, the CZM and CEIP Programs respectively. Construction was staged as close as possible to

the recommendations included in the "Elk Creek Public Access Feasibility Study". The actual staging was modified to meet the availability of funding. The contracts for construction, and their approximate dates and funding are as follows:

1. Contract 1A:

This work was awarded in July of 1981 and completed later that year. The project included the construction of a gravel parking lot on the upper plateau next to Route 5, together with a short gravel access road, picnic tables, grills, a sign, and a pedestrian trail down over the escarpment to the creek level flood plain. The total cost of this construction, including professional fees, was approximately \$50,000, and was funded through the Department of Environmental Resources CZM Program.

2. Contract 2A:

The contract for this work was awarded in July of 1982 and the project was completed later in that year. The work included only the construction of the access road from the previously constructed entrance road down a ravine to the creek level at the base of the escarpment, together with related drainage and erosion control facilities and a sign. The cost of this construction, including professional fees, was approximately \$81,000, and was funded by the Coastal Energy Impact Program of the Pennsylvania Department of Community Affairs.

3. Contracts 3A/4A:

These contracts were awarded concurrently as one project in April of 1983. The work was completed by the end of that year. Included in these two contracts were the construction of the lower parking lots, additional access roads, drainage, two comfort stations, picnic tables, grills, hiking trails, and the paving of all the access roads and parking (including those constructed under contracts 1A and 2A). The cost of these projects, including professional fees was approximately \$280,000. Funding of approximately \$262,000 as obtained through the Coastal Energy Impact Program of the Pennsylvania Department of Community Affairs. An additional \$18,000 was obtained through the Pennsylvania Department of Environmental Resources CZM Program. The extent of existing construction is shown on the photograph on Page 15. Additional information on the previous contracts is included in the section which follows, and in Appendix B.

### III

#### PRESENT DEVELOPMENT

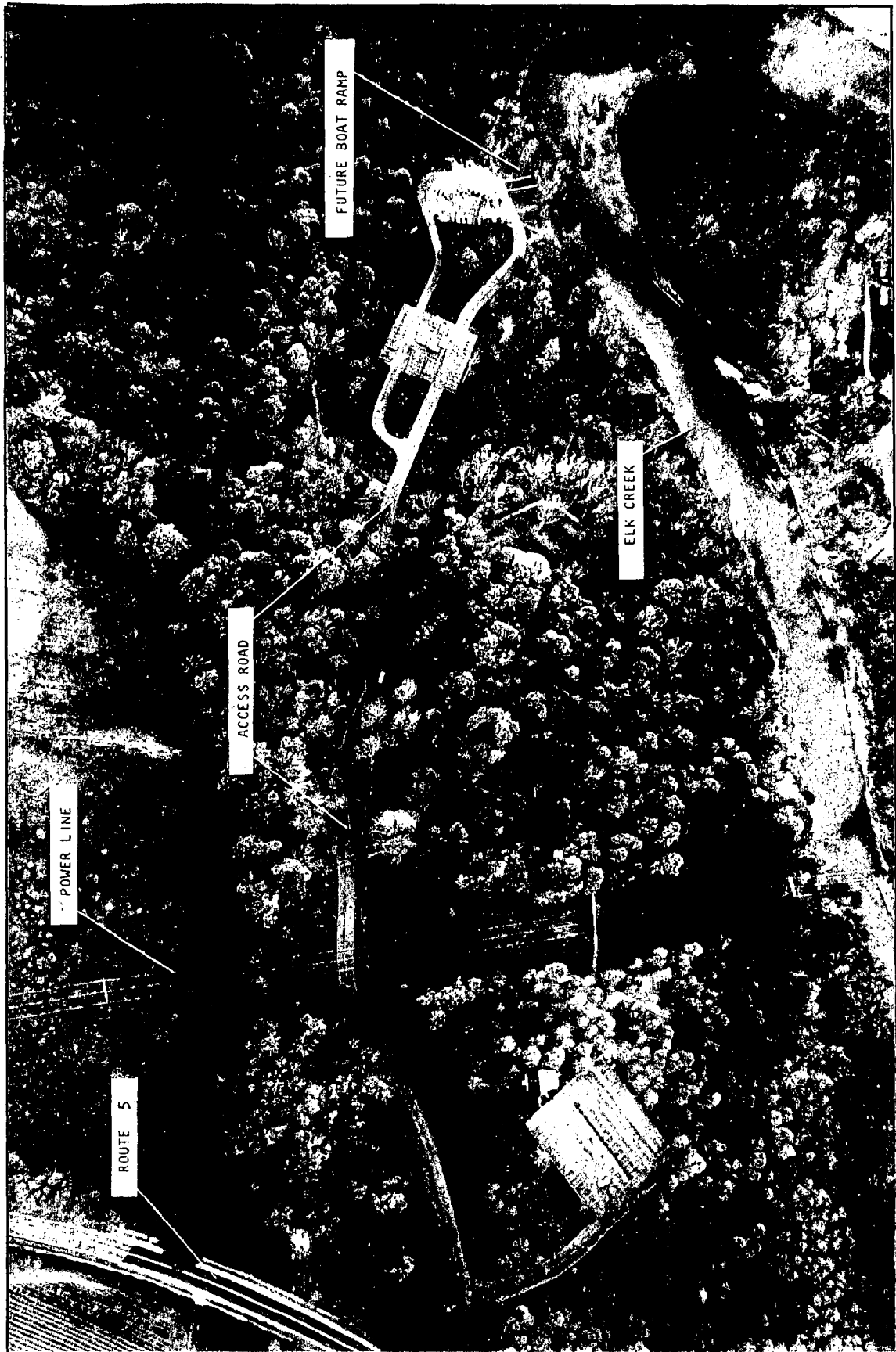
##### A. FACILITIES

The various facilities in existance adjacent to the lower reaches of Elk Creek can be categorized as public or private, with the west bank being public development and the east bank private.

##### 1. Public Development

As previously mentioned, the west bank development is on lands of the Pennsylvania Electric Company, leased to the Township. All development has been provided through public funds, and consists of the following:

- a. A paved entrance road from Route 5 into the park.
- b. Three paved parking areas, including one on the high ground near the entrance road (50 cars), and two on the lower flood plain area. The lower lots provide parking for over 100 cars (or about 50 cars plus 30 cars with boat trailers).
- c. Over a half mile of paved access roads which connect the entrance road and upper parking area to the two other parking areas. The main access road reaches the lake level via a meandering route through a ravine in the escarpment. The access roads include guard rails, traffic control signs, and over 1000 feet of subsurface drainage.
- d. Two comfort stations, each which is a modern masonry pit-type structure with restroom facilities for both men and women. One is located near the entrance and the other adjacent to the parking lots on the lake level.
- e. Approximately 6500 feet of foot trails throughout the wooded areas surrounding the other facilities.
- f. A total of about 12 picnic tables and 6 grills for use by the public. These are located near the parking areas.



WEST BANK DEVELOPMENT

Additional facilities in the planning stage for this west bank area include a trail to connect to the existing system which will be routed to the lake bluff area north of the present development (on other lands of the Pennsylvania Electric Company). Also included, with design completed, is a boat ramp into Elk Creek. This is proposed to be located at the north end of the existing north parking lot. The various facilities, existing and proposed, are shown in Appendix B.

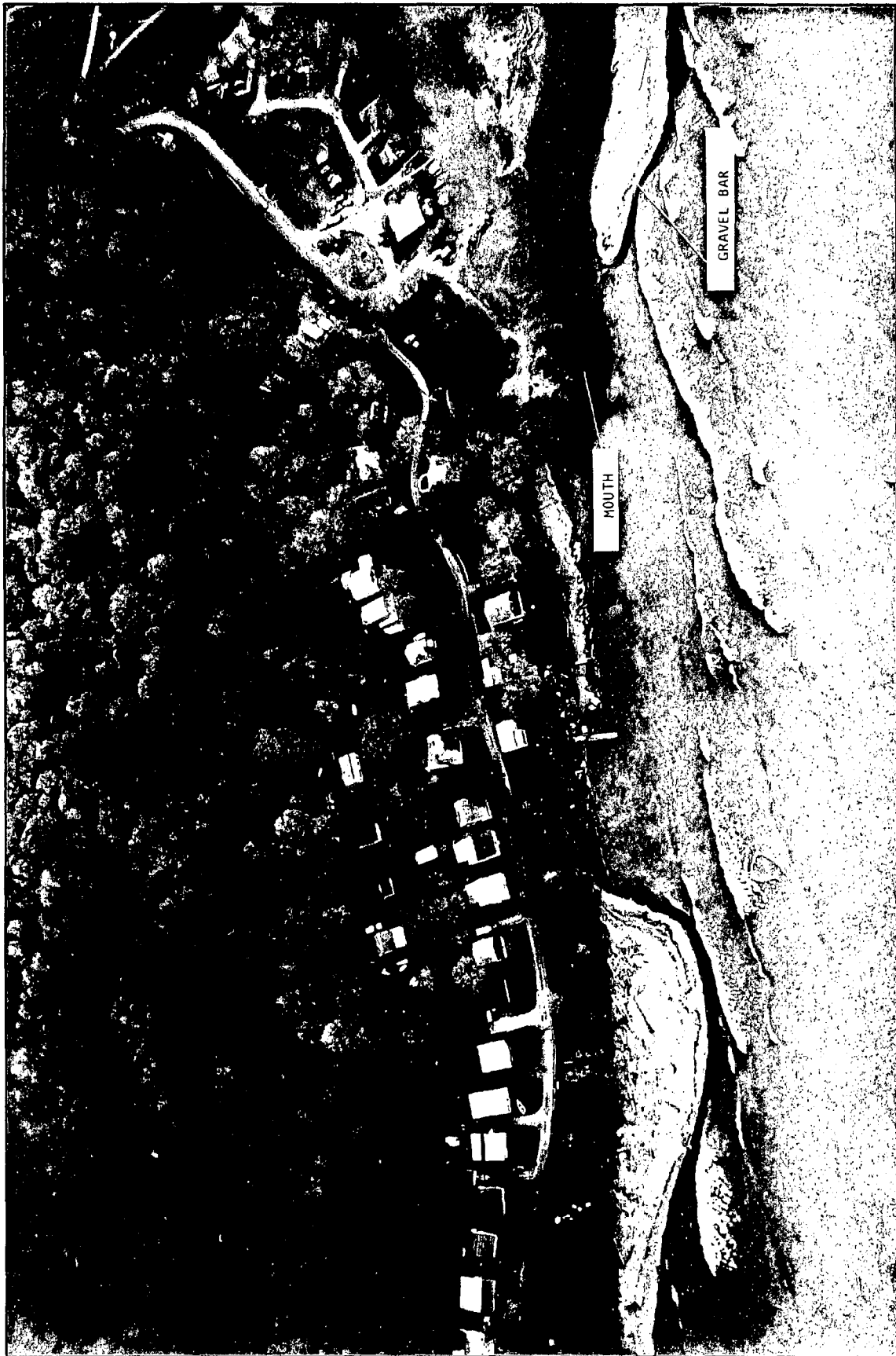
2. Private Development

All of the private development in the Elk Creek basin north of Route 5 is on the east side of the creek. Most of the development is located on the property identified as belonging to the Rhoades brothers. Their property is privately operated as a rental cottage area with camping, boating, and pleasure fishing facilities available. The public is permitted boating and fishing privileges on a fee basis. The following facilities are located on the Rhoades property.

- a. Approximately 61 summer cottages.
- b. Five year round cottages.
- c. Five mobile homes.
- d. Docking space for approximately 70 small shallow draft boats.
- e. A warehouse and maintenance shed.
- f. A general store, where staples and fishing equipment are sold in the summer months.
- g. Approximately six small outbuildings.

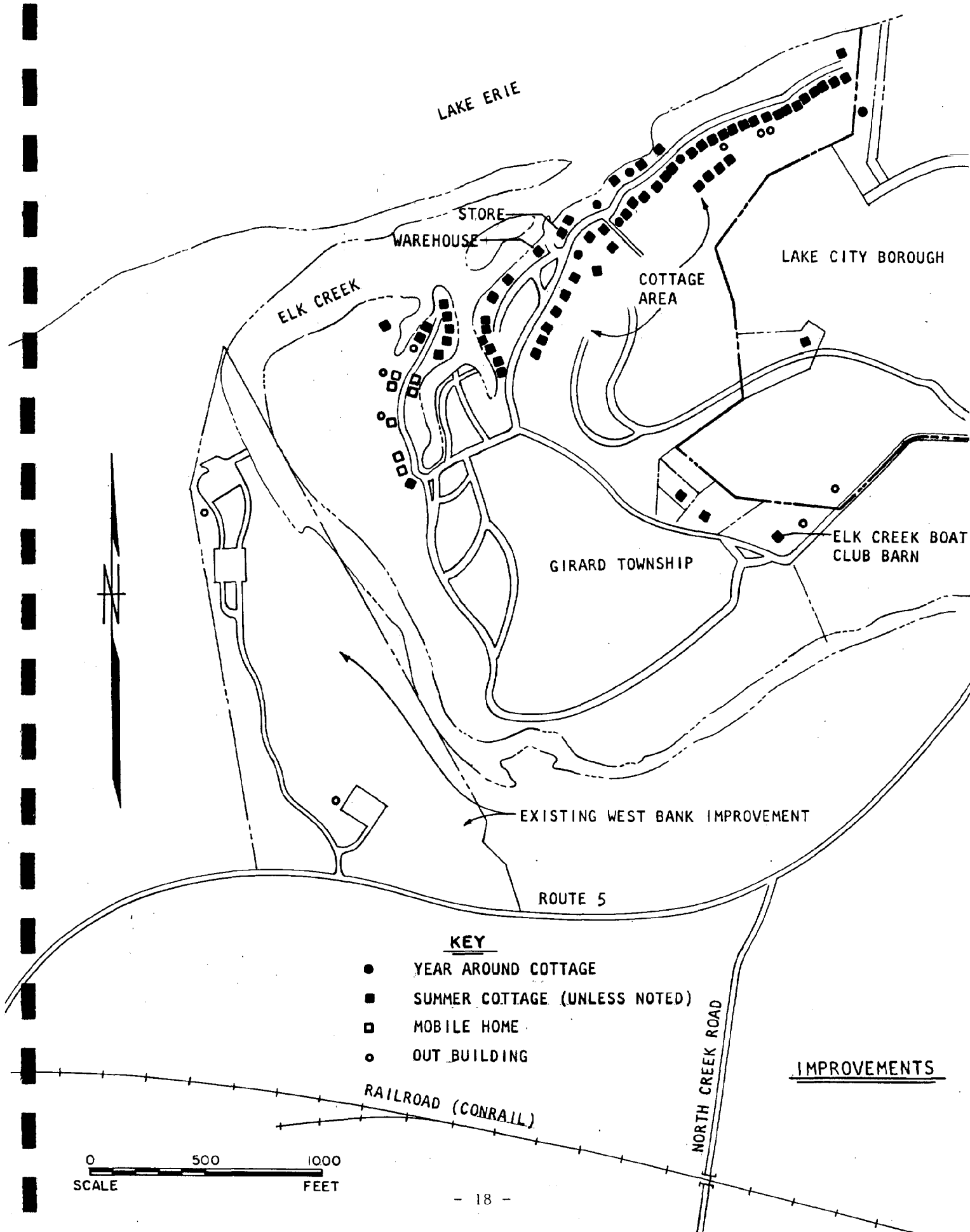
It should be noted that of the 66 cottages and trailers on the site, 60 are owned by persons other than the Rhoades brothers and are on short term leases (1 to 5 years). The photograph on Page 17 shows a portion of the cottage area which is mostly located on high ground along the lake shore on the northeast end of the property. The cottages are also shown on the map on Page 18.

The estuary area, including the gravel bar at the mouth of the creek, is partially within the Rhoades parcel and partially within lands of the Pennsylvania Electric Company. For any type of major harbor development, at least a portion of both properties would need to be secured. The east bank is the key to the eventual development of the area, however, as the Pennsylvania Electric Company has already shown its interest in the public use of the land.



COTTAGE AREA - VIEW FROM THE NORTH





## B. AVAILABLE ACTIVITIES

The present recreational activities at the site are nature and water oriented. Existing facilities provide for the following basic recreational activities:

### 1. Boating and Canoeing

This activity originates mostly from the privately owned facilities on the east side of Elk Creek. There are some boats launched from the west side, but they are mostly car-top boats or canoes. The west bank does, however, include parking for automobiles with boat trailers. This parking was planned and constructed in anticipation of a boat ramp. To date there has been no funding made available for this ramp construction.

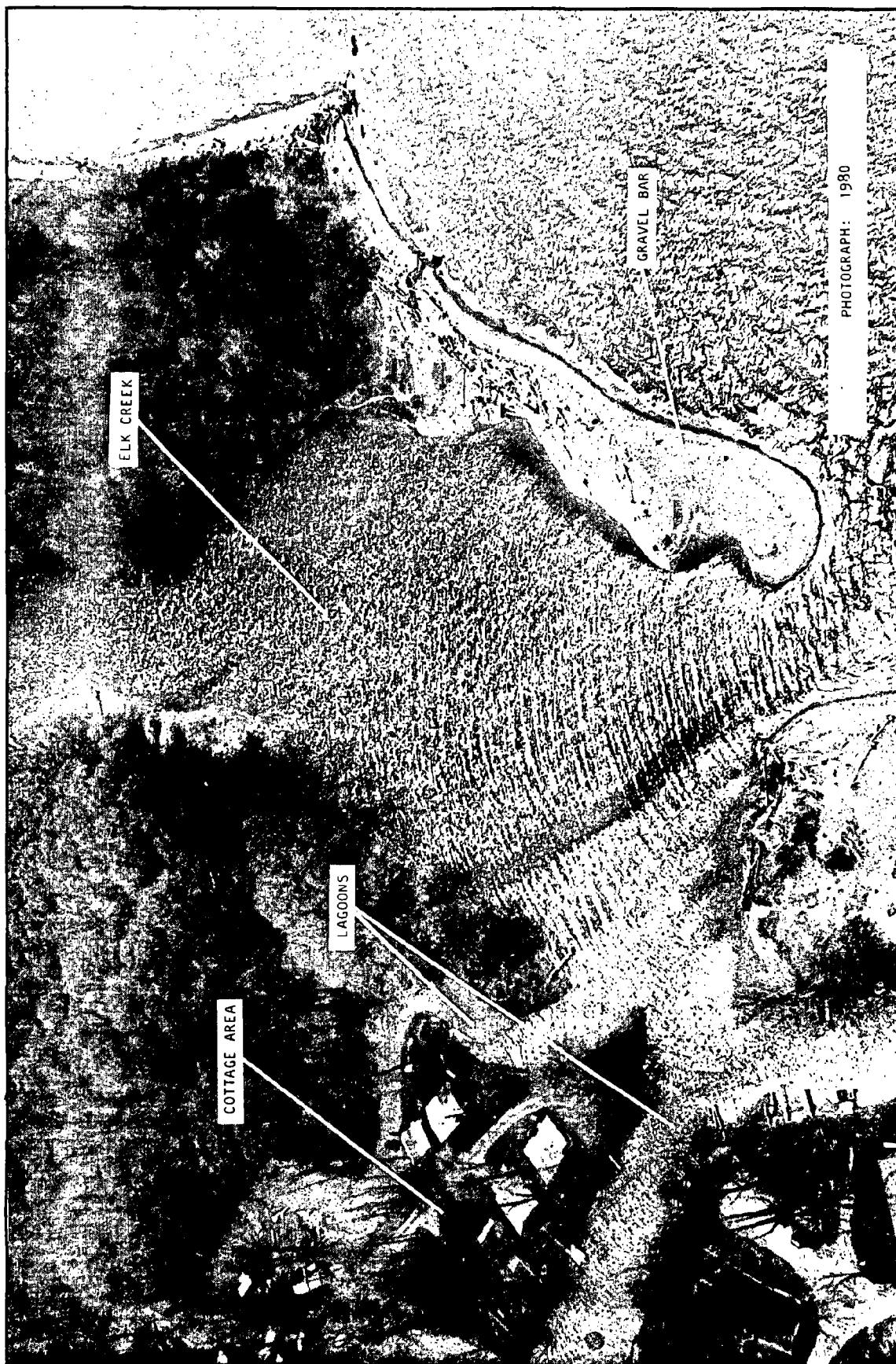
Because of the shifting gravel bar at the mouth of Elk Creek, boats launched from either bank are often restricted to Elk Creek, and cannot enter the lake. This is especially true during periods of low flow. Even during times when the channel is well defined and clear into the lake, the navigation of the channel may be difficult or dangerous. When the lake is rough and heavy wave action occurs, the passage into the creek is very dangerous for small craft, and impossible for larger boats. The gravel bar is constantly changing and moving the mouth of the creek. See photographs on Pages 20 and 21.

### 2. Fishing

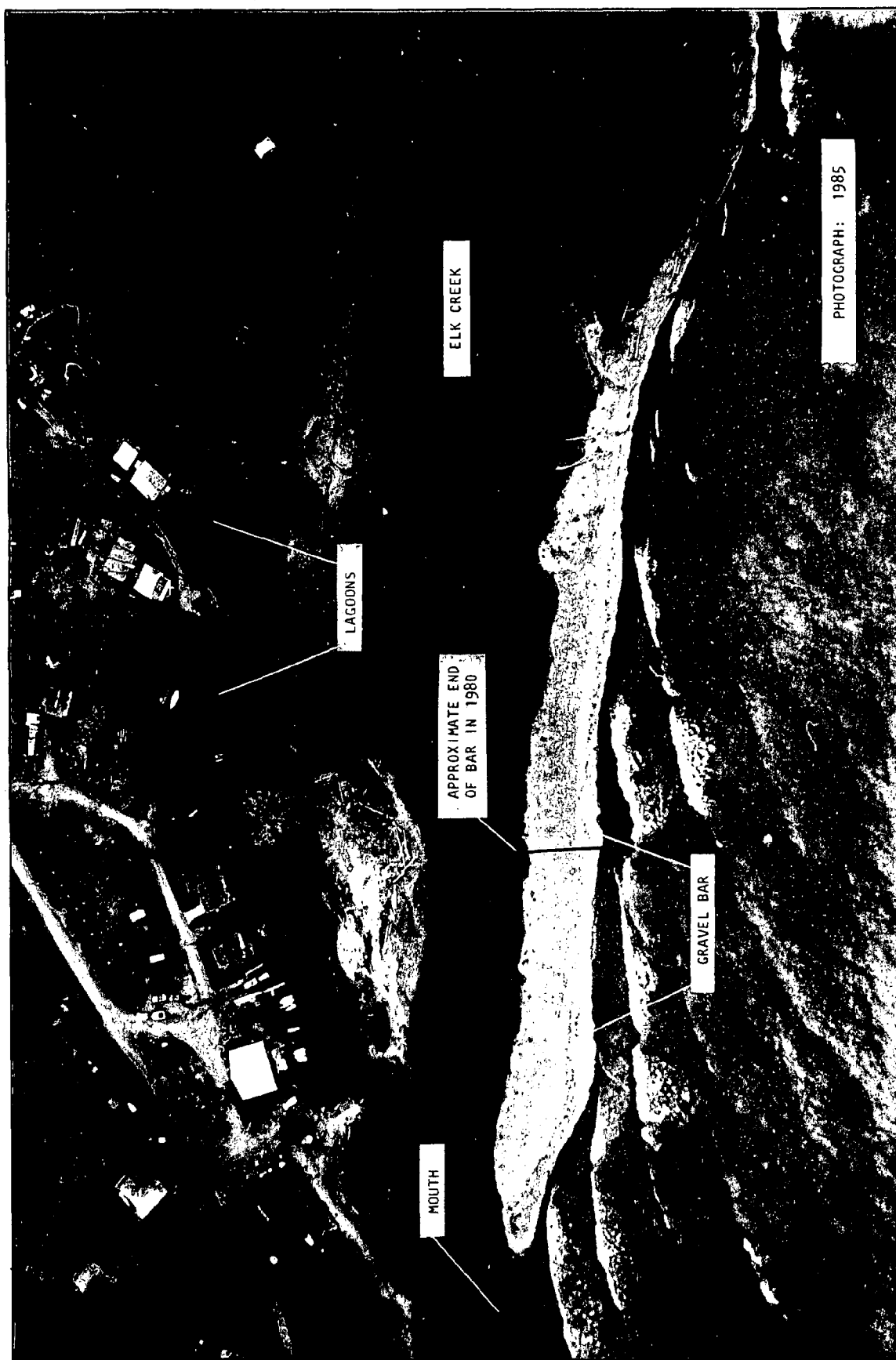
This is probably the most active recreational activity at the site, especially during the fall when the Coho salmon are making their spawning runs up the tributaries of the lake. Elk Creek is a major creek and has large runs of salmon each year. Shoreline fishing is very heavy during these periods, and the lake level parking facilities on the west bank are quite often filled.

This is also a very heavy time for boating, and there are often conflicts between shore fishermen and those in boats. Many of the boats docked at the private facilities on the east bank are used for salmon fishing and for other types of fishing.

Although the times when the salmon are running create the most obvious and prominent fishing activity, there are ongoing periods of fishing for other species. Species of sports fish which are found in and adjacent to the mouth of Elk Creek include the following:



ESTUARY - VIEW FROM THE EAST



ESTUARY - VIEW FROM THE NORTH

Coho Salmon  
Chinook Salmon  
Rainbow Trout  
Brook Trout  
Brown Trout  
Freshwater Drum  
Bluegill

Bullheads  
Smallmouth Bass  
Largemouth Bass  
Yellow Perch  
Walleye  
Smelt

It should be noted that sport fishing, which was at one time a multimillion dollar industry on Lake Erie, has been in a state of decline. It has been helped, however, by the salmonoid stocking program established by the Pennsylvania Fish Commission. This program was started in 1971, and has had a dramatic effect on the use of the coastal waters, especially at mouths of major tributaries to the lake, like Elk Creek. Six species of salmonoids are stocked in the program for Elk Creek. This stocking is accomplished by the Pennsylvania Fish Commission, together with cooperating sportsmen's groups.

Brook, brown, and rainbow trout are included in this stocking program, and are normally introduced into the stream during the spring. They are usually of catchable size when released. The spring program for Elk Creek also includes steelhead, coho salmon and chinook salmon, which are released as two-inch to four-inch fry. These juveniles attain catchable size after two to three years in the lake. They return to the stream on their spawning run.

Of the more important species, the yellow perch, walleye and smallmouth bass are high on the list. Much of the fishing, especially from boats during periods when the salmon are not running, is for these species. Hand dipping for smelt also occurs at the mouth of Elk Creek during late April and early May, when the rainbow smelt are entering the creek to spawn.

### 3. Hiking and Nature Study

With over a mile of hiking trails already located on the west side of the creek, and with more planned, this has become an important existing recreational activity. The trails, when complete, will provide a pedestrian access to the lake bluff and to the gravel bar, as well as providing a recreation amenity within themselves. The existing trails are mostly in natural areas, and are relatively narrow, thus providing access with a minimal amount of disturbance to the adjacent natural environment.

4. Picnicking

The developed area on the west bank provides family picnic facilities for about 100 persons. To date this has appeared to be adequate. There are no pavilions at present, but one has been approved for funding by DCA as part of a COG project which also includes the new trails mentioned above.

5. Miscellaneous

Other activities on the site include incidental bicycling, jogging, pleasure driving and similar activities. The private cottages also provide a general summertime leisure living activity for many families.

## IV

### DESIGN NEEDS & BENEFITS

#### A. POTENTIAL USES & OPPORTUNITIES

Past studies have generally pointed to the development of the lower reaches of Elk Creek as a water access to Lake Erie. This has included two major areas of proposed construction:

1. The improvement to the mouth of the creek to make it navigable and safe for small craft.
2. The improvement of the lower part of the stream to provide for boat access and docking facilities.

The east bank has had rudimentary docking facilities and boat access for many years, and the west bank has been recently developed to include public vehicle access to the creek, plus parking. A boat ramp has also been proposed for the west side. All of these facilities are for boat access and are essentially useless, however, without improvements to the channel at the mouth of the creek.

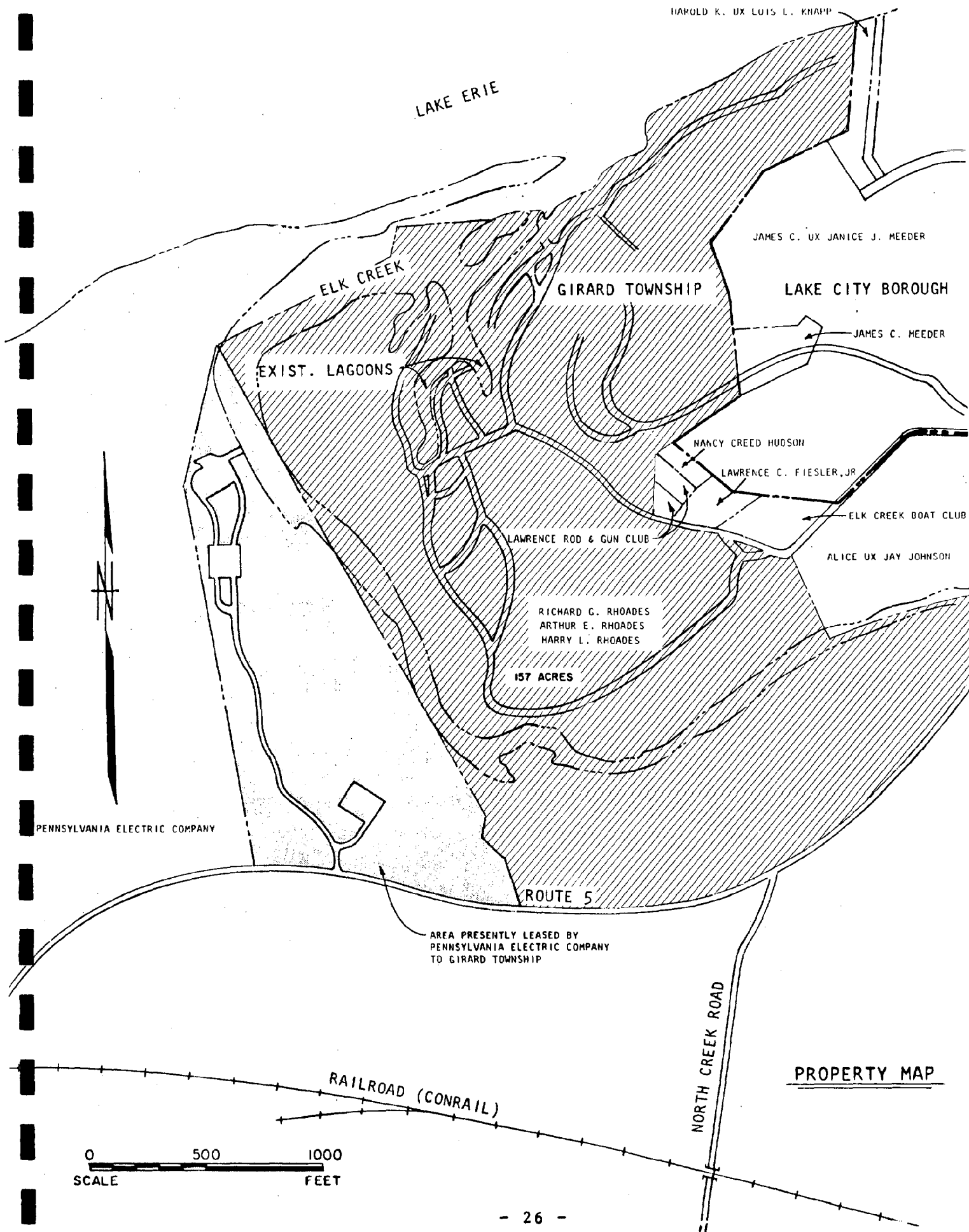
The previous construction on the west side of the creek, which has all been done with public funding, was completed in a series of stages. The next stage was proposed as the boat ramp, and the final stage was projected to include minimal breakwalls at the mouth of the creek. This minimal effort at controlling the channel, however, would necessitate very heavy maintenance costs. The channel would probably be in need of dredging on an annual basis in order to preserve safe navigation. Neither local or state government agencies are willing to assume the high costs of such an installation.

A more acceptable project would include the construction of heavy breakwalls out into the lake, with a dogleg channel to promote a self-cleaning action. An installation of this type was proposed by the Corps of Engineers in their Interim Report of 1966. This proposal by the Corps also included a safe refuge harbor, which was to be located essentially in the existing lagoon area on the east side and south of the creek mouth. An installation of this type would not have an adverse affect on the existing development on the west side. Recent activities by the Pennsylvania Fish Commission have also pointed toward the fact that they would favor a complete breakwater installation together with a small boat harbor. See Appendix A for more details of the project originally proposed by the Corps of Engineers.



LAGOON AREA - VIEW FROM THE NORTH





## B. SELECTING THE BASIC ALTERNATIVES

In arriving at a course of action for the further development of Elk Creek, five (5) basic alternatives have been evaluated for acceptance or rejection. The following represents an outline of these general alternatives together with an evaluation of each:

### Alternative 1: Do Nothing

This alternative would essentially leave everything as it is. It might include the installation of a boat ramp on the west bank, but the east bank would be left under private ownership. Private development could be encouraged or discouraged. This alternative is rejected on the basis that it would eventually lead to the loss of the recreation potential of the east side of the creek. It has been strongly recommended by all agencies involved that the entire area at the mouth of the creek be put under some type of public ownership in order to preserve it for future generations. This site is one of the last remaining natural access areas in this part of the lake. The fact that most of the required land is under one ownership, and without major development, makes it a prime target for such preservation.

### Alternative 2: Government Purchase of the East Bank

This alternative would require that some type of governmental agency, or agencies, purchase all land adjacent to the mouth of the creek which is not now under government control. This alternative is recommended as the acceptable course of action. The details of such a purchase are discussed later in this report.

### Alternative 3: Construct Channel Improvements

This alternative includes the construction of major breakwalls or other acceptable means for ensuring that small boats can enter the mouth of the creek in all types of weather. This alternative is recommended irregardless of any other development, if funds can be obtained for such construction.

### Alternative 4: Development of the East and West Bank

This alternative would require the development of the east side of the creek into a recreational area or other use beneficial to the general public. It would likely include additional construction on the west bank. Such a project could include both land and water related types of development. The obvious use, due to the nature of the terrain and the proximity to the creek, would be as a marina or boat harbor of some type. The proposed boat ramp on the west bank could become a part of this overall plan. This alternative is recommended to be instituted only if and when Alternate 3 has been completed.

#### Alternative 5: Return the East Bank to a Natural State

This alternative has some merit, especially if funds cannot be found for development. With access roads, parking, and comfort stations in the area, and even with no further development, it would receive heavy usage by fishermen. This plan is recommended as an interim step if the land becomes publicly owned.

The review of these basic alternatives, together with their acceptance or rejection, points to a general course of action in the following order:

1. Purchase of land on the east side of the creek for public use.
2. When funds are available, make improvements to the channel.
3. Following the channel improvement, provide east bank development as funds become available.

This course of action generally conforms to the consensus of the various parties involved, but sufficient public funds are not presently available to proceed with the purchase of land. It should be pointed out that private funds could also be used for purchase or development, if available. Private funds have not surfaced to date, but could play a part in the eventual development of a marina or other recreational complex.

#### C. TASKS REQUIRED FOR COMPLETION

The tasks required for completion of the various components included in the general course of action are as follows:

1. Land Purchase.
  - a. Planning
  - b. Survey
  - c. Appraisal
  - d. Negotiation
  - e. Purchase
2. Channel Improvements.
  - a. Planning
  - b. Design
  - c. Construction

### 3. East Bank Improvements.

- a. Planning
- b. Design
- c. Construction

The other major task, which must be considered as an integral part of the construction proposed above, is the long term maintenance of any facilities that are constructed.

#### D. GOVERNMENTAL COMMITMENTS

To the date of this report, actual commitments for the purchase of the land needed, or for additional construction, are essentially non-existent.

There have been commitments toward this end, however, through the financing of this report (Pennsylvania Department of Environmental Resources), and by certain actions of the County of Erie and the Pennsylvania Fish Commission. These latter two agencies have set a cooperative effort in motion to provide the land survey of the Rhoades property and the appraisal of that property. This is explained in more detail by the letters and other documents contained in Appendix C.

In addition to the governmental units involved, a private agency has agreed to provide help in securing options and possibly providing interim financing for the purchase of all or part of the Rhoades property. This agency is the Western Pennsylvania Conservancy. This land conservation organization is the largest in the State of Pennsylvania and has the support of over 10,000 members. The Conservancy works to protect land and waters which are considered significant for their natural beauty, or for their scientific or recreational importance.

One method used by the Conservancy to protect or conserve land is to serve as a catalyst, and as an aid in the negotiations for property. In some cases they actually purchase the property for eventual transfer, at cost, to state or federal agencies. Their funds, which come from private foundations, are nearly always "rolled over" in this way. This is of special interest to governmental agencies desiring to purchase land that should be preserved during periods when there are insufficient funds currently available for the purpose. The Conservancy's interest in this project is therefore a very fortunate occurrence.

#### E. BENEFITS OF DEVELOPMENT

The benefits to be derived from governmental purchases of the land, plus the development of channel improvements and a safe harbor for small craft, can be put into three general categories:

1. Conservation Benefits.
2. Safety Benefits.
3. Economic Benefits.

These benefits are not definable in absolute terms, but a general overview of their various aspects is as follows:

##### 1. Conservation Benefits

The preservation of lake access for future use by the public cannot be measured in quantitative terms. Existing public access to Lake Erie in the area near the project site is very limited and must be conserved when possible. In the words of a report prepared under the Pennsylvania Coastal Zone Management Program:

"Despite the limited amount of development in the Lake Erie coastal zone, public access remains the most severe limitation to developing an increased recreational base. The character of the shoreline (high bluffs) limits the opportunity to occupy the shore interface. Private ownership of lands bordering the lake is also a barrier to recreational development."

Among the major developments that has added to the short term need for additional access to Lake Erie and its tributary streams has been the salmon stocking program established by the Pennsylvania Fish Commission in 1971. This has increased fishing pressures on the lake, and demand for access facilities, which is expected to continue. This program also occurred in concurrence with a general improvement in Lake Erie water quality, from a fishing standpoint, due largely to increased pollution control in the Great Lakes Basin.

##### 2. Safety Benefits

One of the most important benefits to be derived through improvements to the stream channel and the

construction of an anchorage basin, would be the general increase in safety to the boating public. Not only would this be of benefit to those craft which are based at Elk Creek, but the improvements would also provide a harbor of refuge for those craft based elsewhere which are in need of shelter. There have been numerous occasions in the past where boats have attempted to enter the mouth of Elk Creek to escape storms, and have failed. At least one of these occasions has resulted in the loss of lives.

As recreational boating increases in the future, the need for additional harbors of refuge will become more important. Although the Walnut Creek facility is only about eight miles to the east, the Elk Creek harbor would still be of major importance from a standpoint of lake boating safety.

### 3. Economic Benefits

The economic benefits are probably the most measurable of the various benefits derived from development of any facility. A detailed economic analysis of such benefits for this project is beyond the scope of this report, but the following major benefits may be expected to occur to the area:

#### a. Recreational Boating

The navigational improvements proposed are expected to have very significant affects on recreational boating in the area. In the interim report prepared by the Corps of Engineers in 1966, detailed projections were made of these benefits. Included were benefits for boats that are presently based at the private facilities located at Elk Creek; additional boats being based at the new facilities; increased number of trailer-drawn boats using the harbor; increased activity by transient boats; and the benefit as a harbor of refuge. The total annual benefit projected by the Corps (in 1966) was about \$60,000. The benefit projection, except for the benefit as a harbor of refuge, was based on the gain in annual return which owners of pleasure craft would receive as a result of the improvements. It was considered equivalent to the net return on depreciated investment in boats after all expenses are paid, and is the typical method used by the Corps for this type of projection. The benefit as a harbor of refuge was designated as \$10,000, based on population densities and the estimated number of boats. The reader is referred to the Corps report for more details of the methods used in making the projections.

b. Recreational Fishing

There would be increased pleasure fishing activity brought about by the greater amount of boating activity at the site. In addition to this, however, is the expectation that there would also be a dramatic increase in fishing from the shore. In the previously mentioned Corps of Engineers recommendations the channel protection included about 1600 feet of flat-top piers (breakwaters) which could be used by fishermen, plus berms and other appurtenances which would also be used for fishing. The Corps report included figures from the Fish and Wildlife Service of the U. S. Department of Interior (1963), which placed the net increase in recreational fishing benefits at about \$15,000 annually for the pier fishing. This projection was made on the basis of the spin-off economic benefits to the area from the added fishing activity.

c. Commercial Fishing

At the time of the Corps of Engineers report, the U. S. Fish and Wildlife Service (1963) had noted that the commercial fishing boats operating out of Elk Creek had declined from 6 to 1 over the preceeding 10 years. Their explanation of this pointed to the fact that the docking facilities were both limited and expensive. They projected that commercial fishing activity should increase to about 12 boats if the projected improvements were made. The Corps report placed an annual increase in benefits to the area of about \$17,000 on this enlarged commercial activity. This was based on 25% of an estimated annual catch (attributable to new commercial operations) of \$69,000. It should be noted that nearly all of the commercial fishing at that time was for one species; the yellow perch.

In recent years, commercial fishing on the lake has been in a general decline. The following excerpts from the 1983 Status Report of the Pennsylvania Fish Commission point up the Commissions concerns with the yellow perch population in this area:

"Central basin Lake Erie perch continue to evoke concern from fisheries management agencies. Classical symptoms of over-

harvest and the resultant population reactions of stress are evident. Although corrective regulatory measures have been enacted in 1982 and 1983, we are just now beginning to detect a positive response from the population in Pennsylvania.....Most other species are caught as incidentals in nets set for perch. Fewer commercial fishermen are expected to fish in 1984 and the decline in landings probably will continue."

The ability of the commercial fishing industry to re-establish itself in a significant way in this part of Lake Erie is unknown at present. If such re-establishment should occur, however, the Elk Creek harbor could become very important as a commercial docking facility.

The total economic benefits, as projected by the Corps of Engineers report (1966) was about \$92,000 annually. This included the total for recreational boating, recreational fishing, and commercial fishing. The figure includes the various spin-off benefits which become associated with these activities. Benefits were allocated as being about 61% general benefit and 39% local. Using an average annual inflation figure of 7% for the period since 1966, the total annual benefits would be about four times the previous figure, or \$356,000. Even if commercial fishing on Lake Erie was to be projected as becoming non-existent, the annual benefits could still be in the area of \$300,000.

It should be noted that a letter from the Corps of Engineers dated March 21, 1986 states that this \$300,000 in annual benefits appears excessive, based on new methodology now being used (See Appendix C).



FUNDINGA. POTENTIAL SOURCES1. Administered By The Local Government

The ability of local municipalities in Pennsylvania, especially small rural townships, to fund significant recreational projects, is historically almost non-existent. Most of the major recreation facilities constructed in such municipalities in recent years have been funded with Federal monies which were administered through the State government. A typical undertaking of this type has been the development occurring on the west bank of Elk Creek.

Local governments have been hard hit by budget problems in recent years. Girard Township, in which the proposed development site is located, has witnessed a local township tax increase for 1986 of more than 50% above the 1985 level. This occurred with no major increases in budget funds for recreation. Lake City Borough, which borders the project, is also experiencing budget restraints, though not as severe as those in Girard Township. These local municipalities cannot be expected to provide any significant funding toward the construction of a project of the magnitude envisioned. There would be a limited possibility, however, that the Township (or a group of local governments) may be able to contribute toward the eventual maintenance of such a facility. They would not, however, have the funding capability for the complete maintenance program.

The County of Erie, which at one time had a strong parks program, has, in recent years, divested itself of its public parks. This has come about because of the severe budgeting problems the County has had to face. The County has shown a continuing interest in trying to promote the development of Elk Creek, however, and has aided very significantly through administrative help on past programs. They have also furnished help in setting up and monitoring meetings, and have aided the Pennsylvania Fish Commission in its efforts to provide a survey and appraisals of the property on the east bank of Elk Creek.

One possible source of local funding would be the Housing and Community Development Act (Small Cities Block Grant Program). This is a federal program but is typical of today's climate of regional planning and programming where Federal and State levels are very often intertwined as funding agencies. In some cases, such as this one, the administration of Federal dollars is channelled through all four levels of government, either directly or indirectly.

Girard Township is one of the five municipalities in Erie County that is designated as an "Entitlement Community" under this program. The Township was funded at approximately \$100,000 in 1985 (1984 entitlement), and is expected to be funded in a like amount for the years 1986 and 1987 (1985 and 1986 entitlements). The first year was designated by the Township for a needed road construction project. No decisions have yet been made for the use of the second two years of funding. It is quite doubtful that these funds can be available for Elk Creek, due to the stringent requirements of the Act. At least 51 percent of the funds made available to the Township under the Block Grant Program must benefit low and moderate income persons, and it would be difficult to substantiate such a claim for harbor development.

The Housing and Community Development Act is outlined in more detail in the "Catalog of Federal Domestic Assistance". Excerpts from that publication, relating to this act, are included in Appendix D.

2. Administered by the State Government.

The Commonwealth of Pennsylvania has a limited amount of funding available for recreational development. This funding came about in 1984 when the electorate of Pennsylvania approved a public referendum proposal to create a \$190,000,000 bond program for economic redevelopment. Legislation to formulate the program was enacted and put into law as the Pennsylvania Economic Revitalization Act. One of the components of this act is the Recreational Improvement and Rehabilitation Act Program (RIRA). This program is funded at \$30 million, of which \$12 million is to be used by the Pennsylvania Department of Environmental Resources to fund site development and material costs for recreation projects where the labor is authorized and funded from the Pennsylvania

Conservation Corps Act Program. This program would not be applicable to the Elk Creek Project. The other \$18 Million, however, was appropriated to the Department of Community Affairs for a three year period ending June 30, 1987. One year of this funding is still available, after which the program may be phased out. The \$18 Million is to be expended equally over the three years of the program period. The annual program appropriation of \$6 Million will be used by DCA for a grant-in-aid program to municipalities for various park, recreation and community center projects and purposes, including acquisition. The funds are distributed in accordance with a selection process, and on a 50-50 matching basis with the municipality.

Other funds potentially available from the State include the programs that were used for development of the west bank of Elk Creek. These facilities were constructed with monies made available through the State from the Federal Government, under the Coastal Zone Management Program.

The Coastal Zone Management Act was enacted by Congress in 1972. Funding was first made available in 1974, and during that year the Governor of the Commonwealth designated the Pennsylvania Department of Environmental Resources as the lead agency for the Coastal Zone Program within the State. Federal funding was made available under the program by the National Oceanic and Atmospheric Administration of the U. S. Department of Commerce. Additional funding is supplied by the participating states.

The Commonwealth of Pennsylvania is qualified as a "coastal state" because of its shorelines in the Delaware River Estuary (55 miles) and its Lake Erie Shoreline (63 miles). This Lake Erie Coastal Zone includes all or part of 10 municipalities, most of which have shorelines on the lake. Girard Township is one of these communities.

Public involvement and participation at the local level is also an important part of the procedure, and the Erie County Coastal Zone Steering Committee has been established to provide coordination between the Pennsylvania Department of Environmental Resources and local officials, as well as County and regional agencies. The local county agency responsible for administrative functions of the program is the Erie County Department of Planning.

There are presently only two sections of the Coastal Zone Management Act under which funds are authorized:

- a. Section 306. This section provides funds to support the goals, objectives and policies of the Coastal Zone Management Program. A large portion of the funding is to be made directly available to local communities in the coastal zone through grants administered by the Pennsylvania Department of Environmental Resources. Funding is basically on a matching basis, but the State provides matching funds through funding received from the Land and Water Conservation Fund Act of the U. S. Department of the Interior. Most of these funds are earmarked for planning efforts, including updating of comprehensive plans, zoning ordinances, and subdivision regulations. A limited amount of the funding, however, is available for acquisition or construction. The Elk Creek Feasibility Study (funded in 1980), the first stage of the west bank construction, the professional fees for the third and fourth stages of construction, the west bank boat ramp design, and this study, were all funded under this section of the Coastal Zone funding.

Section 306 was amended in 1980 with the addition of a new Section 306A. This new section provides funding for the acquisition of land, the rehabilitation or acquisition of piers for public use (and compatible commercial uses), the establishment of shoreline stabilization measures for public safety and access, and engineering costs for these activities. In addition, there are funds for education, interpretive, and management costs. The amendment also provides funds on a 50/50 match basis for low cost construction projects, including such items as bikeways, walkways, fences, parks, and historic structures. Funds from Section 306A, in the amount of \$65,000, are expected to be made available from this source sometime during 1986, and are proposed to be used toward acquisition of land on the east side of Elk Creek.

- b. Section 308. This section provides funds under the Coastal Energy Impact Program (CEIP). The monies are designated for use in energy related planning, and for facilities required as a result of energy development. Both acquisition and construction are included in the provisions of the act in the form of grants and loans. The program in Pennsylvania is administered by the Pennsylvania Department of Community Affairs.

This section of the program was the source for the bulk of the construction funding for the public facilities developed on the west side of Elk Creek. The basis for relating the funding to energy conservation was the proposed coal fired generating station which was to be constructed to the west of the park site by the Pennsylvania Electric Company. This type of funding may continue to be available, but it is questionable that the eligibility criteria can be met in the future.

There are numerous other sections to the Coastal Zone Management Act. Most are not applicable to the type of funding needed. Section 315 of the act was written for the purpose of providing funding for development of recreational areas and lake access, but as of this date there have been no funds appropriated by Congress.

More details of the Coastal Zone Management Act can be obtained from the "Catalog of Federal Domestic Assistance". Excerpts from that publication, as they relate to the Coastal Zone Management Act, are included in Appendix D.

Probably the most viable approach to State funding would be through the Pennsylvania Fish commission. There would appear to be a potential for possible major acquisition and development funds from this source. This possibility would be enhanced if the time frame for the funding could be stretched out over a few years. As of this date, there is no actual commitment for such expenditures, but the decision by the Commission to proceed with property surveys and preliminary evaluation (of the Rhoades property) is indicative of their interest in the project. It should be noted that the Commission's interest is preliminary in nature and does not represent an irrevocable commitment. See Appendix C. Public ownership and management of the development by the Commission would, of course, be an ideal objective.

The Fish Commission funds are a combination of Federal and State monies. The funds include fees from boat registration, fishing licenses and similar sources, as well as funds from the U. S. Fish and Wildlife Service (Dingell-Johnson Program).

3. Administered by the Federal Government.

There are very few programs in aid for local acquisition or construction which are administered directly by the Federal Government. Most Federal programs

are passed down through the other layers of government. The applicable programs of that type have been previously reviewed in the local and state portions of this section of the report.

There are two agencies of the Federal Government that provide direct assistance programs of a type that could be applicable to this project; the Department of Agriculture and the Department of Defense. The direct funding from the Department of Agriculture is administered through the Soil Conservation Service. The list of allowable uses for funds of this type includes recreation, but the priority is very low. During the last 5 years, all funds have been expended for projects relating to erosion control, which is the top priority category. It would therefore appear that the only potential funding from this source would relate to stream erosion. It is not expected to play a major role, if any, in the project development. See letter of 3/21/86--Appendix C.

The largest potential source of funding is through the Office of the Chief of Engineers, Department of the Army, Department of Defense. This aid is provided through the Army Corps of Engineers.

Within the potential Corps funding that would have applicability to this project, there are two basic categories. The first of these is under Section 107 of the 1960 River and Harbor Act, as amended. This section provides funds for small navigation projects and limited harbor development. It has a \$2 Million dollar cap, and there are no minimal matching requirements. The Corps will normally, however, require some local participation. This section may be a potential source if used in conjunction with other funds.

The main source of potential funding for the development of the harbor and breakwaters would be through a specific authorization of Congress. This is the type of funding that was proposed in the 1966 interim report of the Corps. Excerpts from that report are included in Appendix A. It should be noted that this is probably the only type of funding that would have the potential to provide sufficient monies for the construction of the breakwalls and harbor (marina). The near term prospects for such funding are very limited, as is evidenced by the letter from Col. Hardiman dated March 20, 1985 (see Appendix C). In addition, since the date of that letter, the potential for funding has been further reduced through the passage by Congress of the Gramm-Rudman Bill. This new law is designed to force a balanced national budget by 1991. All indications are that this will have severe impacts on domestic programs, and will limit most potential non-essential funding brought about through special authorizations of Congress.

#### 4. Loan Programs

There are federal programs which may be potential sources for loans. The problems with this avenue of approach, of course, is that other sources of funding are still needed in order to amortize the loans. There may be some types of funding, however, that could be advantageous only with the use of long term loans. The following two sources of federal loans could be considered:

- a. Farmers Home Administration - Resource Conservation and Development Loans.
- b. Farmers Home Administration - Watershed Protection and Flood Prevention Loans.

More details on these loan sources can be found in the "Catalog of Federal Domestic Assistance". See Appendix D.

#### 5. Private Funding

Except for one source, any significant private funding would appear to be non-existent. It is possible that funds could be solicited from private foundations, local companies or through private contributions working cooperatively with local, state and Federal government although such a proposal has not been pursued. The one source, which was previously discussed on Page 29, is the Western Pennsylvania Conservancy. This private group has the potential to play a very important part in the funding of this project. Although they do not propose to make outright grants, they have offered to aid in the negotiation for purchase of the Rhoades property. They also have proposed to put up acquisition funds on a temporary basis, until the Pennsylvania Fish Commission, or possible others, can provide for the permanent funding of the acquisition. This is outlined in more detail in the minutes of the meeting of February 22, 1985 (See Appendix C).

#### B. PROCEDURES FOR OBTAINING FUNDS

The procedures for obtaining funds from Federal sources is outlined in the "Catalog of Federal Domestic Assistance". Excerpts from that publication are included in Appendix D, together with information on the person or agency to contact, allowable uses, eligibility requirements, and related information.

The methods for obtaining funds that originate with, or are administered through, the State are handled in various ways. The procedures for making applications, together with other related information, is included in Appendix D, following the information relating to Federal funding.

The County government, and the Township government, are basically not funding sources. If and when funds would be available through these levels of government, the applications would be made following procedures as yet to be established. Most applications to the Township would be made directly to the supervisors. Applications to the County Government are normally administered through the County Planning Department.



## VI

### FEDERAL, STATE, & LOCAL OBLIGATIONS

#### A. RESPONSIBILITIES & MANDATES

The scope of this project, as it is envisioned, would require four major undertakings. These broad categories are as follows:

1. Purchase of Land
2. Construction of Breakwaters
3. Construction of Harbor/Marina
4. Maintenance of Facilities

When these are viewed relative to the legislative responsibilities of the various parties involved, there is a definite overlapping. It becomes quite obvious, however, that some tasks would be best suited to certain governmental agencies. This matching of agencies to tasks is controlled by several factors, including ability to fund a project, expertise in performing the functions required, willingness to be involved, and the legal right to perform the required act. For the purposes of this report, the Western Pennsylvania Conservancy has been included, although it is not a governmental body nor does it have any legislative mandate. The Conservancy has, however, shown a definite desire to be involved.

The following is a general look at the various agency responsibilities and mandates:

#### 1. Local Government

The project site is within Girard Township and contiguous to Lake City Borough. These two municipalities would have the legal right to own the land and, with the proper permits, the right to construct the facilities. In addition, both have shown a willingness to be involved but, like other small local governmental units, they do not have a tax base sufficient to provide significant funding for a large recreation complex that is areawide in scope. The local governments also have a problem in that they do not possess the required expertise for performing the major tasks. Essentially, these facts restrict such

governments to areas of low financial commitment. This would probably point to these communities being involved with utilities and public services, acting as local participants in Federal/State grant programs, and possibly involvement with the facility maintenance.

The approach to such undertakings should be through an organized joint effort by the several communities which are in close proximity to the proposed development. If a full scale harbor/marina is constructed, all of the adjacent municipalities will benefit from the economic impact, and all of them should be willing to at least show a token involvement in the facility.

## 2. County Government

The County of Erie has played an active role as the coordinator for the Coastal Zone funding that has been made available for studies, and for construction on the west bank of Elk Creek. As with the local governments, the County's tax base is quite limited. In addition, this government level has no basic legal mandate to provide recreation funding, or to even participate in such endeavors. The County does possess in-house expertise in planning, but not in engineering.

Probably the strongest area for County involvement in the project will be with coordination efforts and planning. It does not appear possible that any significant funding can be obtained from the County, except for pass-through financing from the State and Federal level.

## 3. State Government

The State government has shown a definite interest in Elk Creek. The Coastal Zone Program, together with the donated lease of land by the Pennsylvania Electric Company, has been the main impetus in the development of the west bank of the creek. Although this funding comes from the Federal government, the State has been very active in contract administration. The State agencies involved have included the Pennsylvania Department of Community Affairs and the Pennsylvania Department of Environmental Resources. The nature and location of the proposed project falls comfortably within the Coastal Zone funding mandates. It is therefore expected that at least a limited amount of additional funding of this type will be used in the project, probably for land acquisition.

The agency of the State government that probably would be most affected by this proposed facility would be the Pennsylvania Fish Commission. All of the basic criteria for involvement in the project can probably be met by this agency, although financing of all of the improvements would be a serious burden. A cooperative effort with the Corps of Engineers would be a more viable proposal. The Commission has the expertise and, with proper permits, the legal right to purchase land and provide the envisioned facilities. They have also shown a willingness to be involved, especially in the purchase of the additional land required. Any portion of the project that would be undertaken by the Commission would fall within its general legislated mandates.

No other state agencies or programs are expected to play a significant role in the development of this project. A possible exception for limited funding could be the R.I.R.A. program administered through the Department of Community Affairs. Use of these funds, however, would result in problems if the facility were to be eventually turned over to the Fish Commission. The reason for this is that the nature of the funding is such that a project using these funds cannot be owned by the State, and the funds would have to be returned. In addition, the R.I.R.A. program is not appropriated past 1987.

#### 4. Federal Government

Only one agency of the Federal Government appears to have the potential and basic mandate for direct funding for all or part of this facility. This is the Corps of Engineers, Department of the Army. The other types of Federal funding that may be involved are administered through the State and have been mentioned previously.

It should be noted that the Corps financing of any project of this type always requires a local "sponsor", and Federal funding is based on the "Federal Interest" in the project. The local contribution which the Corps previously projected for this project (in 1964), was about 38% of the initial construction costs. This portion would need to be furnished by the Fish Commission or others.

The Corps has taken an active role in the betterment of Elk Creek for over 40 years. This is summarized

in Section II of this report. This agency is probably the only source of funding that could conceivably be used to construct the entire facility. Funding at present is not available, but there is a limited possibility that the project funding could materialize in the future.

The Corps has taken a position of being willing to see this creek mouth area developed as a safe harbor of refuge. In addition, they would have the legal right and the expertise to properly bring a project of this type and size to completion. All of the construction envisioned falls within the legislative mandates of the agency.

5. Private

The only private agency that appears to have potential for active involvement in the acquisition and/or construction stages of this development is the Western Pennsylvania Conservancy. This involvement, however, is very important as it can prove to be the catalyst to bring about other funding. The main purpose of the Conservancy involvement would be to furnish interim financing in order to provide time for other State or Federal funds to be made available. This involvement falls within the basic goals of the Conservancy.

The private sector may also have involvement in the project through participation in public hearings and meetings. The public involvement is encouraged in all of the various Federal and State funding programs.

Local sportsmans clubs are an important part of the picture. Their involvement in the public planning process is very helpful, and they also have the potential for providing aid in the general maintenance of the facilities after they are constructed.

B. RECOMMENDED TASKS

Based on the foregoing considerations, including the potential funding abilities of the parties involved, it is recommended that the following tasks and responsibilities should be undertaken by the various agencies:

1. Purchase of the Land

It is recommended that the Pennsylvania Fish Commission undertake the survey and appraisal of the property, with the aid of the County of Erie (where their departments can be of help). A survey and preliminary evaluation have been completed as of this writing.

The actual negotiation and initial purchase of all or part of the east bank land (the Rhoades Property) would best be undertaken by the Western Pennsylvania Conservancy.

The ultimate owner should be the Pennsylvania Fish Commission, and they would be expected to purchase the land from the Conservancy within five years. At that time, it is also recommended that the lease of the west bank be assigned to the Fish Commission, assuming that the Pennsylvania Electric Company would concur in this action. It is desirable that the entire area around the mouth of the creek be managed as a common public facility.

2. Construction of Breakwaters

It is recommended that the construction of the breakwaters required to make the creek mouth safe for navigation be undertaken by the Corps of Engineers. Only a Federal Agency would have the potential for funding of the magnitude required. The Corps letter of March 21, 1986 (See Appendix C) states that Federal Funding will not be available under current administration policy. A special Federal appropriation of some type would probably be needed. It should be noted that this stage of the total project could be constructed without the harbor/marina.

3. Construction of the Harbor/Marina

This part of the total is also of a magnitude (as projected by the Corps) that would require funding that would probably be nearly beyond the ability of any agency to provide, except the Corps of Engineers. A smaller harbor, or staged construction, might make the project/s of a size that could ultimately be constructed by the Fish Commission without other funding. It is recommended, however, that the harbor/marina be constructed at the same time as the breakwaters and as part of the same project.

4. Maintenance of Land & Facilities

The Fish Commission will own the facilities and it is recommended that they also provide the maintenance. It may be possible to have some services provided by the Township, or other local governments, but such aid would be minimal.

C. PERMITS

Permits will need to be secured for nearly all of the construction work. Among others, this will include permits issued under Title 25 Regulations (Chapter 105) administered by the Pennsylvania Department of Environmental Resources, and permits issued by the Corps of Engineers under Section 404 of the Federal Clean Water Act.

## VII

### IMPLEMENTATION

#### A. LEAD AGENCY & ORDER OF ACCOMPLISHMENT

Because of the Pennsylvania Fish Commission's major projected management involvement in this project, it is recommended that they should be the lead agency. It would be expected that they would coordinate all aspects of the project, including the coordination of efforts to secure federal funding through the Corps of Engineers.

The County of Erie would also be expected to take an active role in the coordination of the local efforts toward that same end. Once the project is underway, the County could be instrumental in planning efforts and with local public involvement.

The order of accomplishment of the various tasks and responsibilities, together with the primary agency involvement, is recommended to be as follows:

1. Land Survey: Pennsylvania Fish Commission.
2. Land/Building Appraisal: Pennsylvania Fish Commission.
3. Negotiations for Purchase of Land: Western Pennsylvania Conservancy.
4. Purchase of Land (initial): Western Pennsylvania Conservancy.
5. Basic Facility Planning: Corps of Engineers.
6. Purchase of Land (final): Pennsylvania Fish Commission.
7. Breakwater Design: Corps of Engineers.
8. Breakwater Construction: Corps of Engineers/Pennsylvania Fish Commission.
9. Harbor/Marina Design: Corps of Engineers.
10. Harbor/Marina Construction: Corps of Engineers/Pennsylvania Fish Commission.
11. Maintenance, On-shore & Off-Shore: Pennsylvania Fish Commission.

It should be noted that the preceding recommendations are not to be construed as a predetermined commitment by the Fish Commission, or others. See Appendix C.

B. PROJECT SCHEDULE

A project schedule for a development such as this cannot be prepared with any certainty. From a realistic standpoint, it is expected that the eventual funding of the breakwaters and the harbor/marina may be a decade or decades away. The following schedule is therefore presented only as a guide. The steps beyond Number 4 represent only an ideal situation. Lack of funding will almost certainly move these later steps back by several years.

1.	<u>Land Survey:</u>	Completed
2.	<u>Land/Building Appraisal:</u>	Completed *
3.	<u>Negotiations for Purchase of Land:</u>	1986
4.	<u>Purchase of land (By Conservancy):</u>	1986
5.	<u>Purchase of Land (By Fish Commission):</u>	1987-1991
6.	<u>Breakwater Design:</u>	1991
7.	<u>Breakwater Construction:</u>	1993
8.	<u>Harbor/Marina Design:</u>	1991
9.	<u>Harbor/Marina Construction:</u>	1993

\*Preliminary Evaluation Only

## VIII

### CONCLUSIONS

Historically, the development of the area at the mouth of Elk Creek has been very slow. Until the last few years only the private land on the east bank was developed. Since 1979, however, the availability of Coastal Zone Management funding has brought about the major improvements which now exist on the west bank.

This report illustrates that there are benefits to be derived through public ownership and control of the entire area at the mouth of the creek. The availability of public funding for this purpose is, however, at present, nearly non-existent. Limited funding from the Coastal Zone Program, together with aid from a private source (the Western Pennsylvania Conservancy), may provide the impetus for the eventual public ownership of this entire area. It should be noted that public ownership of the land, even without further development, is considered to be a very desirable goal. If the area should be further developed privately, to any degree, there would probably be little likelihood of it ever becoming publicly owned.

The short term recommended goals, which appear to be obtainable, include the purchase of the east bank land with eventual ownership to be vested in the Pennsylvania Fish commission. It is also recommended that the Township lease of the west bank be assigned to the Fish Commission, if possible. Both the east and west banks should be utilized for passive recreation and trails.

Long term recommended goals include a cooperative project for constructing breakwaters and a harbor/marina. It is projected that the costs for such an undertaking would be shared between the Corps of Engineers and the Fish Commission, with the Corps being the major funding source.



# APPENDIX A

EXCERPTS  
CORPS OF ENGINEER'S REPORT

The attached sheets in this appendix are from a draft report of the Corps of Engineers, dated November 1977, which includes the provisions of the 1966 Interim Report.

## I - PROJECT AUTHORIZATION DATA

### 1. Project Location

Elk Creek is located in Erie County, Commonwealth of Pennsylvania, 24th Congressional District, approximately 22 miles west of Erie, PA and 11 miles east of Conneaut, OH. Elk Creek was identified as a promising location for a small boat harbor and harbor of refuge because of its strategic location with respect to existing harbors, proximity to productive fishing grounds, and appreciable boating demand within the tributary area. Elk Creek Harbor is located in the Appalachian Region. Although Erie County, PA is not currently a "designated redevelopment area" it is bordered by Crawford County, PA and Chautauqua County, NY that were designated as redevelopment areas on 31 August 1972 and 27 September 1974, respectively. For this reason, redevelopment benefits have been added when updating the economic analysis for the Project and are proposed for inclusion in the economic analysis of this pre-construction design.

### 2. Description of Authorized Project

The project, as authorized, is a multi-purpose project for recreational craft navigation, recreational pier fishing, and commercial fishing. House Document No. 512, Eighty-Ninth Congress, Second Session, describes the authorized improvements for Elk Creek. The Plan recommended in the project document, shown on Plate 1 provided for:

- a. Breakwaters in Lake Erie at the mouth of Elk Creek, aggregating about 1,600 feet in length;
- b. An entrance channel, 100 feet wide, about 1,100 feet in length, and 8 feet deep, from that depth in the lake to the anchorage basin, widened at the lakeward end;
- c. An irregular-shaped anchorage basin, approximately 6 acres in extent, and 6 feet deep;
- d. A dock channel, 1,700 feet in length, 100 feet wide, with depths of 6 feet for 1,200 feet and 4 feet for 500 feet;
- e. A berm, with a minimum elevation of 11 feet above low-water datum and a top width of 60 feet, along the Lake Erie shoreline from the inner end of each breakwater and extending to high ground;
- f. Removal of shoals lakeward of the entrance channel to a depth of 8 feet; and

**DRAFT**

g. Recreational facilities for breakwater fishing.

3. Items of Local Cooperation in Authorizing Document.

Authorization for these improvements was made subject to the requirement that local interests agree to:

a. Contribute in cash 38.8 percent of the Federal first cost of the improvement, exclusive of incremental recreation costs and aids to navigation, a contribution presently estimated at \$1,531,000, on October 1976 price levels, to be paid in a lump sum prior to initiation of construction, or in installments over the construction period at a rate proportionate to the proposed or scheduled appropriation of Federal funds, the final apportionment of cost to be made after actual costs have been determined;

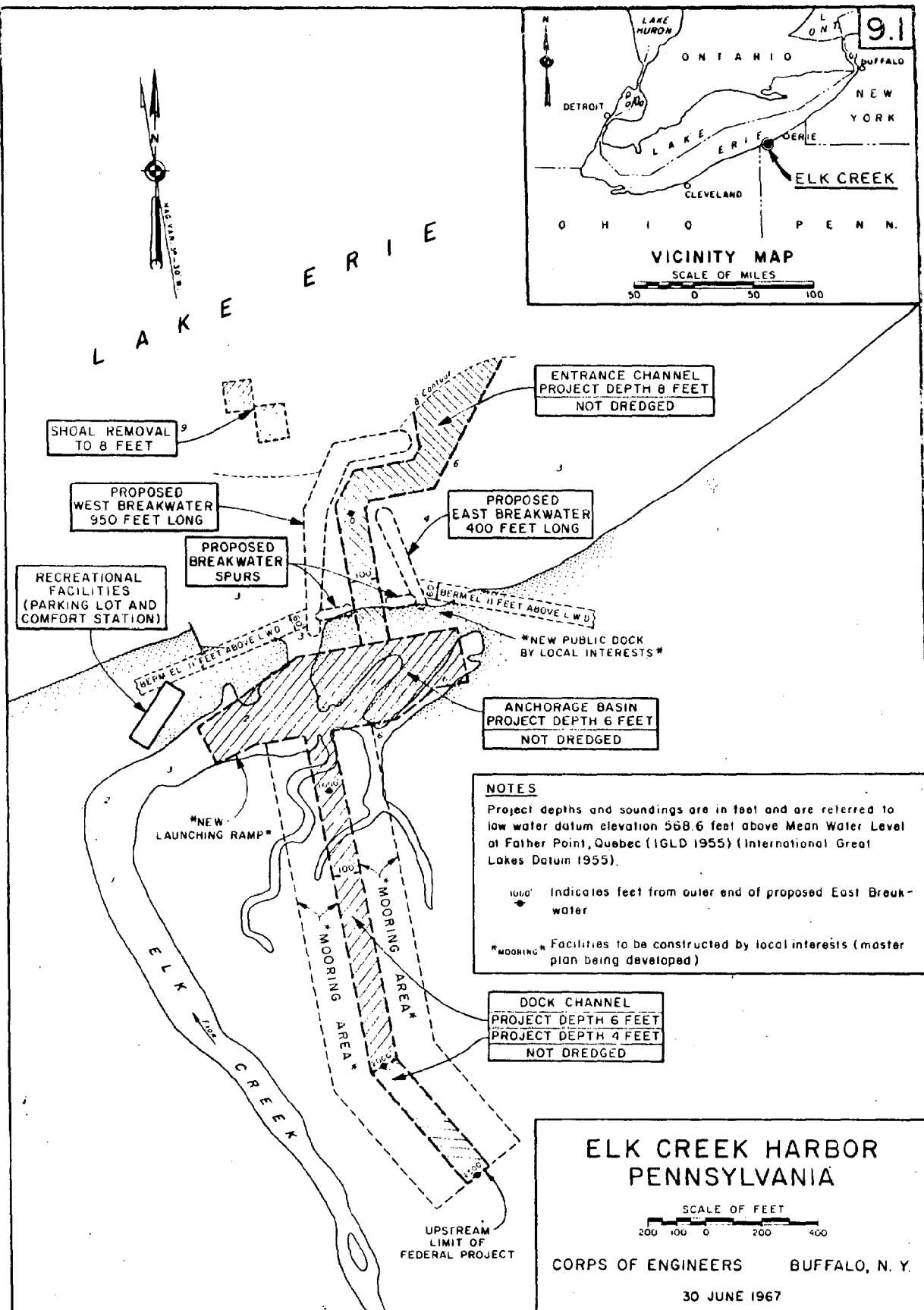
b. Provide without cost to the United States all lands, easements, and rights-of-way required for construction and subsequent maintenance of the project and for aids to navigation upon the request of the Chief of Engineers, including suitable areas determined by the Chief of Engineers to be required in the general public interest for initial and subsequent disposal of spoil and any necessary retaining dikes, bulkheads, and embankments therefore, or the cost of such retaining works;

c. Hold and save the United States free from damages due to the construction and maintenance of the project;

d. Establish a competent and properly constituted public body empowered to regulate the use, growth, and development of the harbor and related facilities with the understanding that said facilities will be open to all on equal terms;

e. Provide and maintain without cost to the United States: depths in the service channels to principal docks and berthing areas commensurate with those provided in the Federal project; and necessary access road, mooring facilities, and parking and service areas, including a launching ramp, toilet facilities, and an adequate public landing or wharf with provision for the sale of motor fuel, lubricants, and potable water, available to all on equal terms;

f. Establish regulations prohibiting discharge of untreated sewage, garbage, and other pollutants in the waters of the harbor by users thereof, which regulations shall be in accordance with applicable laws or regulations of Federal, State, and local authorities responsible for pollution prevention and control; and



g. With respect to the recreational facilities:

(1) Pay, contribute in kind or repay (which may be through user fees) with interest, one-half of the cost of modifications necessary to provide for recreational fishing on the breakwater, and one-half of the cost of associated access facilities, parking areas, and sanitary facilities, the amount involved being currently estimated at \$109,000, on October 1976 price levels, subject to final adjustment after actual costs have been determined; and

(2) Bear all costs of maintenance, operation, and replacement of the modifications and associated facilities, the amount involved being currently estimated at \$6,900, on October 1976 price levels, on an average annual basis:

Provided that the improvement for navigation may be undertaken independently of providing public recreational facilities for breakwater fishing whenever the required local cooperation for navigation has been furnished.

Concerning Item 3b, above, it is estimated that at least 80 acres of land will be required to accommodate the project and necessary support facilities such as parking, etc. as laid out in a proposed Master Plan prepared by the Fish Commission in 1973. The Fish Commission's report on the Master Plan is included in Appendix F. Costs for purchasing these lands will probably exceed \$1 million. Also, the costs for the service facilities identified in Item 3c, above, are estimated at about \$2.1 million, and since they are considered to be self-liquidating are not included in evaluating the economic viability of the project.

## II - STATEMENTS OF CONTROVERSIAL ISSUES AND AREAS OF CONCERN

### 4. Environmental Considerations.

a. Wildlife - No environmental assessments or Environmental Impact Statement have been prepared for the Elk Creek project to this time. Coordination was officially established between the Corps of Engineers and the U. S. Fish and Wildlife Service through a letter dated 10 November 1976 to the Area Supervisor of USF&WL Service at State College, PA.

As a result of this initial contact, and in response to the requirements of the 1958 F&WL Coordination Act, the Fish and Wildlife Service conducted a literature search and inventory of available data regarding habitat of the project area. The existing fish and wildlife resource base was established and documented in a letter report dated 18 February 1977 from the Fish and Wildlife Service. This report is included in the POS

as Appendix A. An environmental assessment will be prepared and if required the draft EIS is scheduled to be started in the early stages of the Phase I GDM and should be completed in approximately 12 months.

b. Spoil Disposal - The material to be dredged for the Elk Creek project appears to be coarse sand and gravel. It is considered that the material will be suitable for berm construction and deposition on the eastern side of the breakwater for beach replenishment. An analysis of the spoil material in the project area will be made to determine its suitability for construction and open lake disposal. If the spoil material is found to be unsuitable for open lake disposal, an acceptable method of disposal will be designed and the economic and environmental impact of the disposal method will be evaluated in the Phase I GDM.

c. Sanitary Facilities - Suitable sanitary facilities will be required for waste disposal from boat holding tanks and from land based users to prevent pollution of the harbor area. Adequate facilities for trash disposal will also be required and have been included in the items of local cooperation.

#### 5. Need for Harbor at Elk Creek.

The channel conditions at the mouth of Elk Creek remain basically the same today as they were during the preparation of the Interim Report in 1965. The entrance channel continues to fill in during the summer months making it almost impossible to use the harbor safely during stormy weather. The harbor entrance is in a constant state of change as a result of wave and littoral action as shown in Photos 1 & 2.

At the time when Elk Creek was considered for a possible harbor of refuge there were no other suitable harbors between Erie, PA, and Conneaut, OH, a distance of approximately 33 miles. Since then, a marina has been constructed, by the Pennsylvania Fish Commission at Walnut Creek, approximately eight miles east of Elk Creek. The Walnut Creek Marina was designed primarily to provide access to the lake for trailer drawn boats. The docking facilities at Walnut Creek are leased for only two or three days at a time in order to provide a large turnover for recreational fishing. Therefore seasonal dockage demand at Elk Creek would not appear to be affected by the construction of the Walnut Creek Marina. Also, statements were made at an "Orientation Workshop" held on 6 April 1977 in Erie, PA that the entrance to Walnut Creek is inadequate for passage of recreational craft larger than about 25 feet and is difficult to enter during rough weather. The size of craft that can safely operate at Walnut Creek must be established, and the resulting harbor-of-refuge benefit for the proposed Elk Creek facility may be affected by the results.

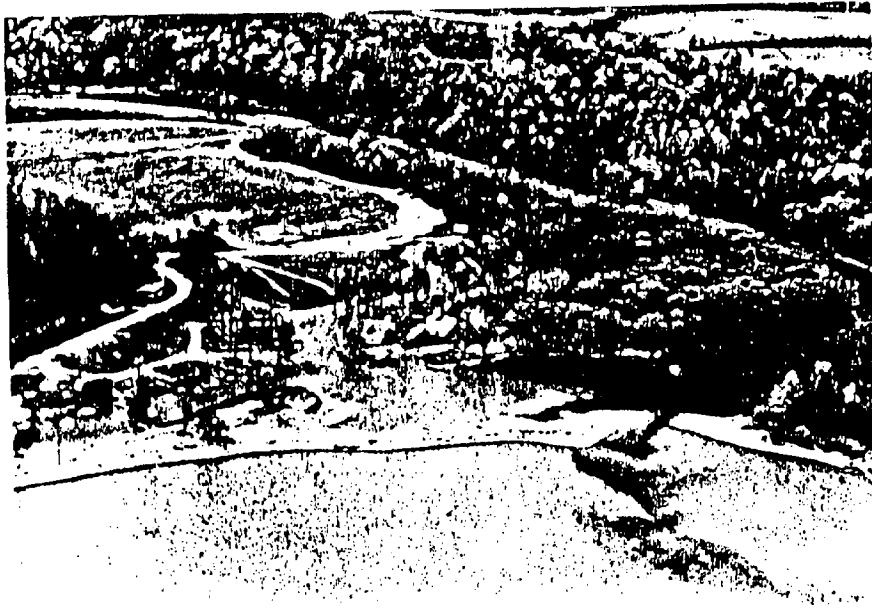


Photo 1. Aerial view of existing harbor at Elk Creek 5 May 1974.



Photo 2. Aerial view of Elk Creek harbor taken on 9 August 1974. A considerable amount of deposition has taken place at the stream mouth during the three month period.

The Lake Erie salmonid stocking program established by the Pennsylvania Fish Commission in 1971 has increased the demand for additional access facilities to Lake Erie. The Lake Erie shoreline in Pennsylvania has been rated by three leading outdoor fishing magazines as one of the top ten best fresh water fishing areas in the United States. Since the salmonid stocking program is expected to continue, the demand for additional access facilities to Lake Erie is expected to increase.

A regional analysis of the demand for additional refuge and docking facilities for small recreational boats will be required to determine the expected number and size of boats that would use the proposed harbor facilities at Elk Creek. The effects of the proposed new steel plant to be built in the vicinity of Conneaut, OH will be included in the demand analysis. Indications are that there would be a significant increase in demand at Elk Creek if the plant at Conneaut is constructed.

#### 6. Commercial Fishing.

When the plan in H.D. 512 was under study, there was one commercial fishing boat operating out of Elk Creek. In the U. S. Fish and Wildlife Service report submitted for the Elk Creek Plan in 1963, it was estimated that 12 fishing boats would base there after the considered improvements were made. At the present time, there is still one part-time commercial fishing boat operating out of Elk Creek. An updated estimate of the number of commercial fishing boats that would operate out of Elk Creek after the harbor improvements are made is needed to re-evaluate the benefits which would be received from the commercial fishing operations. The National Marine Fisheries Service will be requested to conduct the analysis for current needs of commercial fishing facilities to be incorporated into the project. If no commercial fishing benefits would be forthcoming with the project, the cost apportionment could possibly change and result in a larger percentage of costs to be provided by the local cooperator.

#### 7. Economic Evaluation.

In evaluating the average annual costs and benefits for the Elk Creek project the interest rate used thus far has been 3-1/4 percent. This percentage has not been increased because local cooperation for the project had been established prior to the end of December 1969 which fixed the interest rate for the project at 3-1/4 percent. (Correspondence is contained in Appendix D). In light of the present administration's policy of reviewing water resource projects at the current interest rate of 6-3/8 percent, the economic evaluation in the Phase I GDM for Elk Creek will be presented at both 3-1/4 percent and 6-3/8 percent. The latest justification statement for the Elk Creek project is shown as Inclosure 1.



## 8. Local Cooperation.

The local cooperator for the Elk Creek project since 1969 has been the Pennsylvania Fish Commission. The last correspondence from the Fish Commission indicating their intent was received in November 1972. An updated letter of intent to provide the items of local cooperation was requested from the Fish Commission because of the time elapsed since their last letter and the controversy concerning the acquisition of land for the project.

One of the requirements of local cooperation is for local interests to provide all lands, easements and rights-of-way required for construction and subsequent maintenance of the project. Land acquisition was not considered in the initial study since, at that time, the Commonwealth of Pennsylvania had plans to purchase approximately 850 acres of land surrounding the mouth of Elk Creek for the purpose of establishing a park. The Commonwealth subsequently abandoned plans to purchase the acreage for a park because of plans by others to construct a thermal electric generating plant in the area. Although the generating plant was not constructed, the State park was never developed.

The Pennsylvania Fish Commission indicated they were depending on Erie County to provide the necessary land for the project. The Erie County Parks and Recreation Department contacted the owners of the Weindorf Estate, which contains all the land needed for the project, in an effort to purchase the property. The owners refused to sell any portion of their estate and the Erie County Commissioners stated they would not take legal action to obtain the land. A spokesman for the Pennsylvania Fish Commission stated at the public meeting on 7 June 1977 that they may not be able to provide assurance of the items of local cooperation if Erie County was unable to provide the land. The Fish Commission voted to withdraw their support of the Elk Creek Harbor project during their July 1977 quarterly meeting since Erie County could not provide the necessary land. After receiving notification by the Fish Commission of their withdrawal of support for the project (see 26 July 1977 letter in Appendix D), letters dated 29 August 1977 were sent to legislators and State and local agencies informing them that the project would be recommended for reclassification as inactive, as a result of the Fish Commission's decision, if no other responsible agency indicated its intent to provide the items of local cooperation. None of the agencies indicated a willingness to provide the local cooperation for the project. However, requests were made to postpone reclassification until after January 1978 when the Erie County governmental structure will change. It was considered inappropriate to hold funds for the project in anticipation of local assurances, however, since the possibility of obtaining local assurance in the reasonably near future still exists, it was recommended that the project be reclassified as deferred. The correspondence initiating action requesting reclassification, along with other letters on this matter, are included in Appendix D.

# APPENDIX B

EXCERPTS  
1980 ACCESS REPORT

The attached sheets in this appendix are from the "Project Implementation" portion of the "Elk Creek Public Access Feasibility Study" prepared in 1980.

## B. STAGING OF CONSTRUCTION

Improvements proposed for the site should be constructed in stages. This is necessary in order to provide construction contracts which are small enough to be adapted to the availability of funding. The recommended stages are shown on the map on Page 75, and consist of the following:

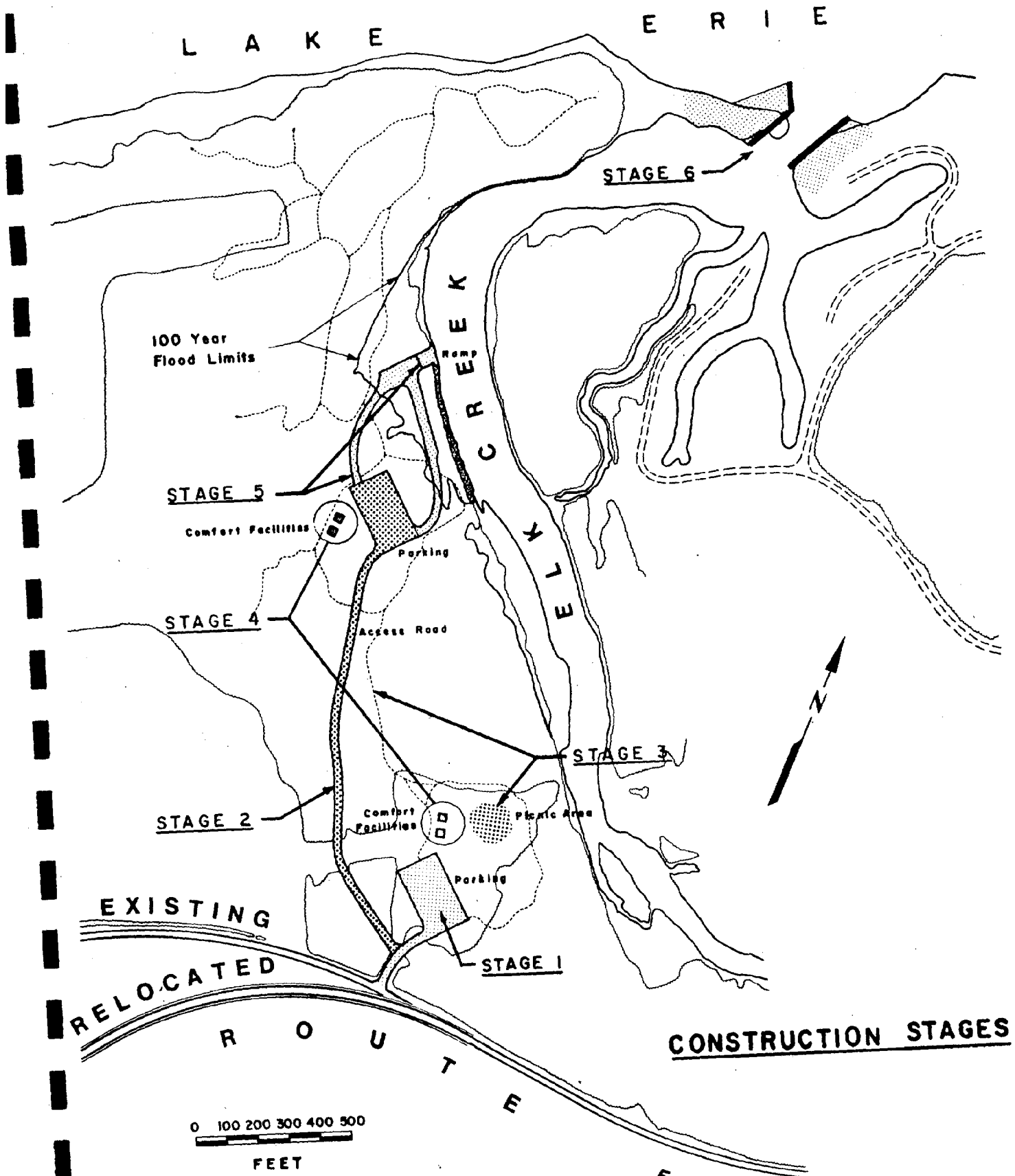
### Stage 1: Entrance Road & Parking Area 1

This initial stage would provide for a properly graded entrance road for approximately 300 feet from Route 5 to a parking area size for 100 automobiles. Both the road and parking area would have gravel surfaces and a security light would be provided.

In addition, approximately 1200 feet of trail, 4 feet wide, would be constructed from the parking area northerly down the escarpment area to the lower level adjacent to Elk Creek. This stage, by itself, would provide for greatly improved parking and pedestrian access to the creek, and would create a natural park. Hiking, nature walks, and fishing would constitute the main activities. A portable toilet would need to be provided as an interim sanitary precaution during periods of peak use. This is currently being done to serve the small temporary parking lot in existence. The cost of the toilet is not included in the cost estimate as it is considered an operational expense.

### Stage 2: Access Road & Parking Area 2

This second developmental stage would complete the vehicle access into the park. The project would consist of an access road approximately 1400 feet in length leading from the entrance road to a parking lot. This parking area would also be included in the project. Both the road and parking area would have gravel surfaces, and security lighting would be provided. The completion of this stage would leave the park in a predominantly natural state, but would increase the capabilities for heavier use. A second portable toilet would be needed in this lower area.



5  
NOTE: See Corps letter of  
March 21, 1986 relating  
to recommendations for  
Stage 6. (Appendix C)

### Stage 3: Picnic Area & Trails

This third stage of development would include the construction of a picnic area, and the remainder of the planned trails within the park. At this stage the park would be capable of providing a considerable amount of added use, and attendance would be expected to increase. It would be preferable, if possible, to have this stage added in conjunction with Stage 4.

### Stage 4: Comfort Facilities

The addition of the permanent comfort facilities for the park would represent the fourth stage of development. A single restroom building could be constructed, with the second facility to be built at a later date. A single basic sewer and water system would ultimately serve both comfort stations, however, and it would be less costly to construct both in the same project. The building could be of masonry or frame construction, but treated wood may be desirable, especially for the comfort station constructed in the lower area. Additional security lighting should also be provided.

### Stage 5: Boat Launching Ramp & Access

This stage would involve the construction of a 12 foot wide concrete ramp into Elk Creek, a bituminous paved maneuvering area, and gravel connecting roads from Parking Area 2. It would also include the required stream bank protection adjacent to the ramp. The connecting road should be wide enough to facilitate a waiting or parking line, plus allowing the passage of vehicles. This stage would represent the completion of access to the lake, except for the improvements to the channel.

### Stage 6: Channel Improvements

If the previously contemplated harbor improvement project were to be funded, this stage would not be required. The improvement of creek channels is expensive, especially when the control is required where the creek enters a lake having heavy wave action and fluctuating water levels. The benefits must be weighed against the costs. The benefits derived from channel improvement for a harbor of refuge, with mooring facilities, such as proposed by the Corps of Engineers, would be much greater than the benefits for a boat ramp. The channel improvement proposed is therefore of a modest nature, intended solely to serve the needs of small recreational boats. It

# APPENDIX C

CORRESPONDENCE & DOCUMENTS



DEPARTMENT OF THE ARMY  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207-3199

REPLY TO  
ATTENTION OF

NCBPD-PF

MAR 21 1986

SUBJECT: Elk Creek, Pennsylvania

Mr. James Thomas  
D. A. Johnson & Associates  
Box 11  
Corry, PA 16407

Dear Mr. Thomas:

Enclosed, as requested, are Buffalo District's comments on the Elk Creek, Safe Harbor/Marina Feasibility Study Report forwarded for review by your letter dated 10 March 1986.

My point of contact pertaining to this matter is Mr. Joseph C. Hassey of my Planning Division, who can be contacted by calling commercial number (716)876-5454, extension 2276 or by writing to:

District Commander  
U.S. Army Engineer District, Buffalo  
1776 Niagara Street  
Buffalo, NY 14207  
ATTN: Mr. Joseph C. Hassey

"The Buffalo District - Leadership in Engineering"

Sincerely,

*Bruce W. Clark*  
DANIEL R. CLARK

Colonel, Corps of Engineers  
District Commander

1 Enclosure  
as stated

BUFFALO DISTRICT, CORPS OF ENGINEERS  
COMMENTS ON ELK CREEK, SAFE HARBOR/MARINA  
FEASIBILITY STUDY REPORT

1. Page 33, last sentence - The projected annual benefits of \$300,000 may or may not be reasonable based on the Corps current method of analysis. A total reanalysis is required based on new methodology now being used by the Corps. The \$300,000 in annual benefits appears excessive.

2. Page 39, second paragraph - All recreational type projects have a low priority under the current Administration's policy. The Administration's position is that funding will not be provided to those projects relying on recreation benefits to achieve a B/C ratio of unity, and projects having primary recreation outputs are viewed as the sole responsibility of the non-Federal public and private sector.

3. Page 44, Item 4, second paragraph, first sentence - Sentence should be revised to read; " . . . financing of any project of this type always requires a local "sponsor," and . . . "

4. Page 46, Item 2 - Federal funding will not be provided as established by Administration policy.

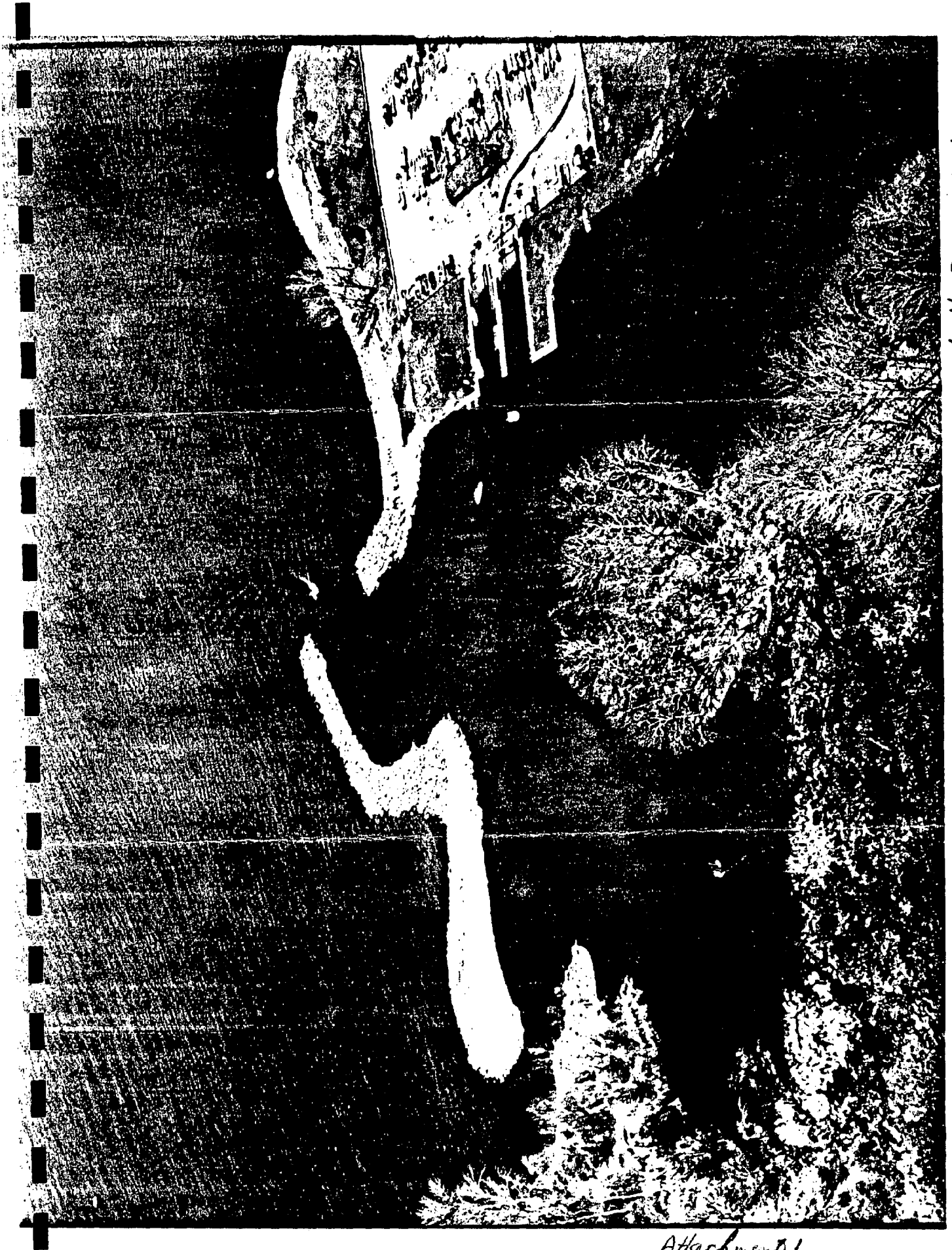
5. Appendix B, second page (plate showing construction stages):

a. During design of the breakwaters, tying them into solid ground by using berms should be considered. Alternately, stone revetment along the shore should be designed to stabilize the bar. Armor along the inside of the bar may be required depending upon Elk Creek velocities during flooding events. This should be checked.

Attached, as an example, is an aerial photograph of the breakwater built by New York State at the mouth of the Little Salmon River on Lake Ontario. Note the armoring of the shore.

b. Provisions will have to be made for bypassing littoral drift around the breakwater. Otherwise shoaling at the entrance will occur along with possible downdrift erosion.





Little Salmon River  
Lake Ontario



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA FISH COMMISSION  
P.O. Box 1673  
Harrisburg, PA 17105-1673

March 12, 1986

Mr. Jim Thomas  
D. A. Johnson & Associates  
Box 11  
Corry, PA 16407

Re: Elk Creek Safe Harbor/Marine  
Feasibility Study

Dear Mr. Thomas:

Kindly be informed the subject feasibility study was received in this office today (3/12/86). As per your request, we have done a cursory review of the study and submit the following comments for your consideration:

Reference is made to the portion of Page 38 of the study. The expression "but the decision by the Commission (PFC) to proceed with property surveys and appraisals (of the Rhoades property) is indicative of their interest in the project," is a bit strong. All parties should be advised that the Commission's "interest" is preliminary in nature and does not represent an irrevocable commitment. Any "appraisals" which might be undertaken by the Commission are obviously for the purpose of gaining insight into financial feasibilities of the Commission.

Any actual appraisals for the purpose of determining final fair market value toward Federal assistance must ultimately be approved by the Federal agency that might provide such assistance. In the overall, we must be guided by the Federal agency, as appropriate, so as not to jeopardize its participation in any proposed acquisition(s) for the subject.

Chapter VII, Implementation, (Page 48), recommends that the Pennsylvania Fish Commission be the "lead agency" for surveys, appraisals, purchase, breakwater construction (with Corps of Engineers) and maintenance, on-shore and off-shore - "that's a pretty heavy load to haul," - it most certainly does not and should not be misconstrued to be a predetermined commitment on behalf of the Fish Commission. In fact, involvement by the Fish Commission in this project will depend upon the mutual degree of cooperation from other interested parties, much of which remains to be resolved at this time.

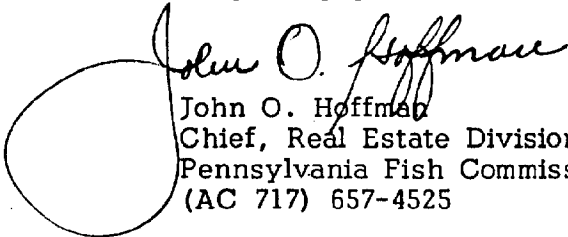
Should you have any questions regarding the Fish Commission's position on this project, do not hesitate to contact this office.

Ltr to D. A. Johnson & Assoc.  
Re: Elk Creek Safe Harbor/  
Marine Feasibility Study

March 12, 1986  
Page 2

Thank you for the opportunity to review the feasibility study.

Very truly yours,



John O. Hoffman

John O. Hoffman  
Chief, Real Estate Division  
Pennsylvania Fish Commission  
(AC 717) 657-4525

Western Pennsylvania Conservancy  
316 Fourth Avenue  
Pittsburgh, Pennsylvania 15222  
412 288 2777  
We conserve the land

March 13, 1986

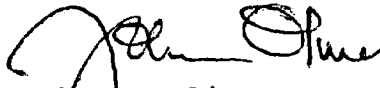
Mr. Jim Thomas  
D. A. Johnson & Associates  
Box 11  
Corry, Pa. 16407

Dear Mr. Thomas:

Thank you for forwarding a copy of the Elk Creek Safe Harbor/Marina Feasibility Study. I think it's a first-rate report and Tony Suppa concurs.

On behalf of the Conservancy, I would encourage all concerned to proceed with their responsibilities as outlined in this report.

Sincerely yours, .

  
John C. Oliver, III  
President

JCO/klh



**COUNTY OF ERIE**  
**Department of Planning**  
Erie, Pennsylvania 16501  
814 / 452-3333

JUDITH M. LYNCH  
COUNTY EXECUTIVE

April 3, 1985

Mr. John Hoffman  
Chief, Real Estate Division  
Pennsylvania Fish Commission  
P.O. Box 1673  
Harrisburg, Pennsylvania 17120

Dear Mr. Hoffman:

Per the request of Mr. Tony Suppa of the Western Pennsylvania Conservancy, I have contacted Mr. Dusty Rhoades to determine the structures owned by the Rhoades brothers for appraisal purposes. According to Mr. Rhoades, six cottages are owned by the Rhoades brothers as well as the red pole barn and the country store. There is a total of 60 tenant lots being leased at this time. Of these, 55 have cottages located on them and five have trailers.

Mr. Rhoades indicated that the longest lease will expire some time in 1991. Most of the leases, however, will expire within the next three years.

Once you have determined the necessary steps to take regarding an appraisal, please let me know how much of the property the Fish Commission is willing to have appraised. As was stated at our meeting in February, Coastal Zone Management funds can be made available to pick up the remaining costs to complete an appraisal for the entire property.

If we can be of further assistance in this matter, please do not hesitate to contact me.

Sincerely,

David A. Skellie  
Acting Director

DAS/rd

cc: Tony Suppa  
E. James Tabor  
Dave Johnson



COUNTY OF ERIE  
Department of Planning  
Erie, Pennsylvania 16501  
814 / 452-3333

JUDITH M. LYNCH  
COUNTY EXECUTIVE

March 25, 1985

Mr. E. James Tabor  
Chief, Division of Coastal Zone Management  
Bureau of Water Resources Management  
Pennsylvania Department of Environmental Resources  
P.O. Box 1467  
Harrisburg, Pennsylvania 17120

Dear Jim:

Enclosed please find a copy of a letter dated March 20, 1985 from Colonel Hardiman of the Buffalo District Corps of Engineers. In it he indicates that Federal water projects designed primarily for recreational purposes are of low priority.

The Colonel makes reference to my February 26th letter to him (a copy is enclosed). In this letter I reference "safe harbor/marina" in defining our anticipated goals for the development of this site at the mouth of Elk Creek.

I feel that this letter seriously harms our chances for the acquisition and future development of this site. As you know, our logic was to first acquire the property and then obtain funding from the Army Corps for the construction of a breakwater and channelization improvements.

I would appreciate your review and comments so that I may respond to the Colonel's letter.

As always, your assistance is appreciated.

Sincerely,

David A. Skellie  
Acting Director

DAS/rd  
Enclosures

cc: Dave Johnson

DEPARTMENT OF THE ARMY  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207

20 MAR 1985

NCEPO

SUBJECT: Elk Creek Small Boat Harbor, OH

Mr. David A. Skellie  
Acting Director  
Erie County Department of Planning  
Erie, Pa 16501

Dear Mr. Skellie:

I am replying to your letter dated 26 February 1985 concerning the authorized Elk Creek Small Boat Harbor project.

I regret to inform you that funds required to initiate the Preconstruction Planning for the Small Boat Harbor Project have not been included in the President's Fiscal Year 1986 Budget.

The benefits of the Elk Creek Harbor project are primarily recreational and Federal water projects designed primarily to provide recreational opportunities are of low priority in the current Administration's policy. It is the policy to rely more on the private sector and local governments to provide recreation services whenever possible. On this basis, I cannot project if or when funds will be provided to begin Preconstruction Planning for Elk Creek, although I will request funds in my Fiscal Year 1987 budget submittal.

If I may be of further assistance on this matter, please contact me.

Sincerely,

*Robert R. Hardiman*  
for ROBERT R. HARDIMAN  
Colonel, Corps of Engineers  
District Commander



COUNTY OF ERIE  
Department of Planning  
Erie, Pennsylvania 16501  
814 / 452-3333

JUDITH M. LYNCH  
COUNTY EXECUTIVE

March 12, 1985

Mr. William Borland  
Chairman, Girard Township Board of Supervisors  
10140 Ridge Road  
Girard, Pennsylvania 16417

Dear Mr. Borland:

Enclosed for your review is a copy of a letter from County Solicitor Kenneth D. Chestek, dated March 8, 1985, summarizing the results of a title search which was completed late last week. Also enclosed is a copy of the deed of the property at the mouth of Elk Creek jointly owned by Harry, Arthur, and Richard Rhoades.

You will note from these enclosures that the Rhoades brothers appear to have a clear title to the real estate in question. As a matter of caution, however, our Solicitor recommends that a quit claim deed be obtained from the former executors of the estate of Roy Weindorf, Robert Weindorf and Gladys Sullivan.

In regard to the cottages on the property, the title search indicates that they have, in fact, been treated as personal property rather than part of the real estate. It appears that leases have been executed by the property owners and the owners of the cottages. The length of these leases will have to be determined through a meeting with the property owners.

At this point in time, I feel it is necessary to meet with the property owners to discuss a number of issues. As was mentioned at the February 22, 1985 meeting, three individuals were to meet with the property owners, those being Tony Suppa, Tom Fuhrman, and Dave Johnson. Probable items of discussion should be the current efforts being made by representatives of state and local government and the Western Pennsylvania Conservancy, confirmation of the willingness to sell by property owners, the need for a quit claim deed, the status of the cottages, and a procedure to determine the price of the property (e.g. through an appraisal process). I would request at this time that you have your consultant, D.A. Johnson and Associates, schedule a meeting between the above named individuals.



I thought that our meeting on March 7th regarding the reactivation of the Council of Governments to assist in coordinating and promoting the acquisition of this property was successful. If you require any further assistance on the Council of Governments or should you have any questions regarding the results of the title search, please do not hesitate to contact me.

Sincerely,

*David A. Skellie*

David A. Skellie  
Acting Director

DAS/rd  
Enclosures

cc: Congressman Thomas J. Ridge  
Representative Jim Merry  
Senator Anthony Andrezeski  
Judith M. Lynch  
Colonel Robert Hardiman  
Arthur Martinucci  
Eugene Spori  
James Tabor  
Tony Suppa  
John Hoffman  
Thomas Fuhrman  
Robert Bullano  
D. A. Johnson  
Springfield Township  
Platea Borough

MAR 8 1985



COUNTY OF ERIE

Office of the County Solicitor  
Erie, Pennsylvania 16501-1081

JUDITH M. LYNCH  
COUNTY EXECUTIVE

KENNETH D. CHESTEK  
COUNTY SOLICITOR

ROGER H. TAFT  
DEPUTY COUNTY SOLICITOR

JOHN P. GARHART  
THOMAS S. KUBINSKI  
TED G. MILLER  
ASSISTANT COUNTY SOLICITORS

March 8, 1985

Mr. Dave Skellie  
Planning Department  
Erie County Court House  
Erie, Pennsylvania 16501

Dear Dave:

You have requested that I search the title to the property at the mouth of Elk Creek, which is apparently being considered for acquisition and development as a park.

In my opinion, good and merchantable title to the property is now vested in Harry L. Rhoades III, Arthur E. Rhoades and Richard G. Rhoades, subject to the following qualifications:

Prior to 1974, this property was owned by Arthur Weindorf and Roy C. Weindorf. In 1974, Arthur died and conveyed his one-half interest to his widow Louise Weindorf and his three grandchildren, the Rhoades brothers named above. In 1977, Louise Weindorf assigned to the Rhoades brothers her interest in the property, vesting one-half of the property in the Rhoades brothers.

The other half of the property is a bit more complex. Roy Weindorf died with a Will in 1973. Robert Weindorf and Gladys Sullivan were thereafter appointed executors of his estate. They were also named in the Will as the beneficiaries of the residue of his estate; that is, they inherited anything that was not specifically given to somebody else. Since this property was not specifically given to anybody else, it would have passed by way of the residuary clause to Robert Weindorf and Gladys Sullivan.

Mr. Dave Skellie  
Page Two

In 1982, Robert Weindorf and Gladys Sullivan, in their capacity as executors of the estate of Roy Weindorf, conveyed one-half of the property to the Rhoades brothers. They signed the deed only as executors and not as beneficiaries of the estate or owners of the property, which raises in my mind the somewhat remote possibility that they or their heirs may claim that, since they had inherited the property through the Will, the estate had nothing to sell in 1982 and therefore this deed was ineffective. Although I think it is more likely that the conveyance would be upheld, out of an abundance of caution I would recommend that whoever takes title to the property also obtain a quit claim deed from Robert Weindorf and Gladys Sullivan in their individual capacities as well.

There is one further matter revealed by my search. Apparently, there are a number of cottages located on the property which, for one reason or another, are treated as personal property rather than part of the real estate. This is evidenced by the fact that several of them showed up in the Tax Claim office as having delinquent taxes owing for the improvement, although the real estate taxes are current. My search also revealed a twenty year lease executed in June of 1970 by Arthur and Roy Weindorf to Earl W. Platz for one lot and the improvement on the lot, which would give Mr. Platz the right to occupy that particular improvement through June of 1990.

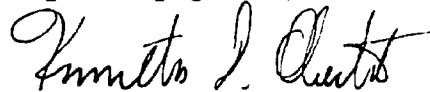
The agreement appears to claim ownership of the improvements by the Weindorf brothers, although I believe the agreement which is printed, is inaccurately stated. I would be curious to learn if other persons living in or occupying the other cottages have similar agreements, and whether they consider the buildings their own or part of the real estate.

I would also suggest that an accurate survey be made of the property. The tax map shows acreage totalling over 157 acres; however, the deeds purportedly covering the same parcel purport to describe a parcel only slightly over 151 acres.

Mr. Dave Skellie  
Page Three

I am enclosing for your reference a copy of the deed from Weindorf and Sullivan, executors to the Rhoades brothers. If there is anything further you need, please let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kenneth D. Chestek".

Kenneth D. Chestek

KDC:dms

Enclosure

cc: Judith M. Lynch, County Executive

RECORDED: JULY 16, 1982 @ 4:21 P.M.

319a - INDIVIDUAL FIDUCIARY DEED - Owik Print, Erie, PA 454-5826



BOOK 1463 PAGE 537

15<sup>th</sup> day of JULY

In the year of our Lord one thousand nine hundred and EIGHTY-TWO (1982)

Between ROBERT WEINDORF and GLADYS SULLIVAN, Executors of the Estate of Roy C. Weindorf a/k/a Roy Weindorf, late of the Township of Girard, County of Erie and State of Pennsylvania, Parties of the First Part,

- A N D -

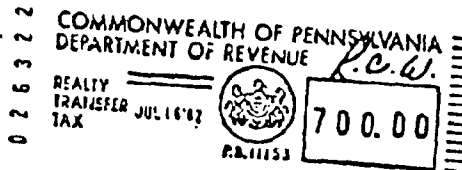
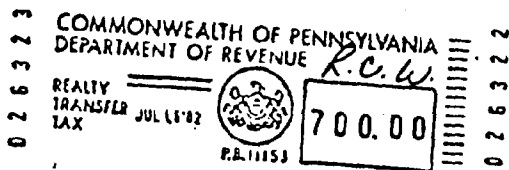
HARRY L. RHOADES III, ARTHUR E. RHOADES, and RICHARD G. RHOADES, all of the County of Erie and State of Pennsylvania, Parties of the Second Part.

Whereas, Roy C. Weindorf, a/k/a Roy Weindorf, died testate on the 22nd day of December, 1973; and,

WHEREAS, Letters Testamentary were duly granted on the said estate of Roy C. Weindorf a/k/a Roy Weindorf, deceased, by the Register of Wills of Erie County, Pennsylvania on January 3, 1974; and

WHEREAS, Robert Weindorf and Gladys Sullivan were appointed Executors of the Estate of Roy C. Weindorf a/k/a Roy Weindorf, by the Register of Wills in and for Erie County, Pennsylvania on January 3, 1974; and

WHEREAS, the herein named Executors are still acting.



GIRARD SCHOOL DISTRICT REALTY

Transfer Tax \$ 700.00  
Received By David B. Wiley  
Date July 16, 1982

GIRARD TOWNSHIP

Transfer Tax \$ 700.00  
Received By David B. Wiley  
Date July 16, 1982

Witnesseth, That the said party of the first part, for and in consideration of the sum of ONE HUNDRED FORTY THOUSAND AND NO/100 (\$140,000.00) -----

lawful money of the United States of America, unto the party of the first part, well and truly paid by the said party of the second part, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained, sold, released and confirmed, and by these presents does grant, bargain, sell, release and confirm unto the said party of the second part, its, his, her or their heirs, executors, administrators, successors and assigns, an undivided one-half (1/2) interest in all that certain piece or parcel of land situate in the Township of Girard, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northeasterly corner of the whole piece at a point on the shore of Lake Erie, said point also being the northwesterly corner of other land conveyed by Carnegie Land Corporation to Roy and Arthur Weindorf, December 11, 1939; thence along said land, South 27° 01' 50" West, two hundred forty-eight and twelve hundredths (248.12) feet to an iron pipe; thence by the same, South 69° 16' 50" West, six hundred six and eighty-seven hundredths (606.87) feet to a stake; thence by the same, South 55° 01' 50" West, passing over a spike in a pole at a distance of ninety-three and thirty three hundredths (93.33) feet, two hundred thirty four and fifty three hundredths (234.53) feet; thence by the residue of the piece, North, one hundred fifty-four and twenty eight hundredths (154.28) feet to a point on the shore of Lake Erie; thence along the shore of Lake Erie the following three courses and distances, North 76° 22' East, two hundred eighty-six and thirty-five hundredths (286.35) feet, North 51° 38' East, three hundred ninety three and eighty-six hundredths (393.86) feet, and north 70° 00' East, three hundred three and eight tenths (303.8) feet to the place of beginning and containing 2.399 acres of land.

BEING the same premises as conveyed to Roy Weindorf and Arthur Weindorf, by deed dated September 24, 1953 and recorded in Erie County Deed Book 661 at page 190 on September 29, 1953.

ALSO, All that certain piece, parcel or tract of land situate in the Township of Girard, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the center of the Lake Road, as relocated by the Pennsylvania State Highway Department, on the dividing line between lands formerly of Mrs. Julia M. Hall and lands formerly of Z. M. Miles and Mrs. E. R. Morgan; thence along said dividing line North 48° 58' 30" West, two hundred twenty (220) feet, more or less, to a point in Elk Creek; thence along Elk Creek South 67° 47' 20" West, seven hundred nineteen and seventy three hundredths (719.73) feet to a point in the center of a private road twenty (20) feet wide, formerly the old Lake Road, now vacated; thence along the center of said private road North 25° 23' West, four hundred twelve and eleven hundredths (412.11) feet to a point at the intersection of the vacated Lake Road with another private road leading into lands formerly of John F. Miles; thence along the center of said private road leading to lands formerly of John F. Miles, North 76° 39' 50" West, six hundred ninety-five and seventy seven hundredths (695.77) feet to a point on the dividing line between lands formerly of John F. Miles and lands formerly of Z.M. Miles, and Mrs. E.R. Morgan; thence along the dividing line between land formerly of John F. Miles and lands formerly of Z. M. Miles and Mrs. E. R. Morgan, the seven (7) following courses and distances, viz: (1) North 05° 09' 59" East, two hundred eighty-seven and sixty-eight hundredths (287.68) feet; (2) North 51° 02' 30" East, four hundred eighty-eight and twenty-two hundredths (488.22) feet; (3) North 06° 37' 10" West, four hundred forty-six and fifty hundredths (446.50) feet; (4) North 22° 28' 10" West, Two hundred fifty and nineteen hundredths (250.19) feet; (5) North 34° 44' 40" East, four hundred seven and eighty-three hundredths (407.83) feet; (6) North 56° 53' East, four hundred thirty two and fifteen hundredths (432.15) feet; (7) North 04° 47' 10" East, three hundred sixty (360) feet, more or less, to the shore of Lake Erie; thence Westwardly along the shore of Lake Erie, South 70° 20' 30" West, one thousand one hundred thirty nine (1,139) feet, more or less, to the dividing line between lands

formerly of John F. Miles and other lands formerly of Z. M. Miles and Mrs. E. R. Morgan; thence along the line of said lands formerly of Z. M. Miles and Mrs. E. R. Morgan the following ten (10) courses and distances, (continued on attached sheets)

WEINDORF TO RHOADES

viz: (1) South  $31^{\circ} 05' 20''$  West, five hundred (500) feet, more or less; (2) South  $73^{\circ} 20' 20''$  West, six hundred six and eighty-seven hundredths (606.87) feet; (3) South  $59^{\circ} 05' 20''$  West, One thousand one hundred thirty-five and thirty seven hundredths (1,135.37) feet; (4) South  $14^{\circ} 54' 40''$  East, five hundred thirty nine and fifty-five hundredths (539.55) feet; (5) South  $56^{\circ} 09' 40''$  East five hundred forty-two and eighty-five hundredths (542.85) feet; (6) South  $35^{\circ} 39' 40''$  East, one thousand four hundred seventy-six and seventy-five hundredths (1,476.75) feet; (7) South  $14^{\circ} 09' 40''$  East, one hundred fifteen and fifty hundredths (115.50) feet; (8) South  $42^{\circ} 24' 40''$  East, ninety-nine (99.00) feet; (9) South  $35^{\circ} 24' 40''$  East, one hundred seven and twenty five hundredths (107.25) feet; (10) South  $17^{\circ} 24' 40''$  East, ninety-five and seventy hundredths (95.70) feet to a point; thence through lands of the Grantor herein, formerly Z. M. Miles and Mrs. E. R. Morgan, South  $09^{\circ} 30'$  West, ninety-eight (98.00) feet, more or less, to the center of the new Lake Road; thence Eastwardly along the center of said Lake Road by a curve to the left whose radius is 1,910.08 feet for a distance of one thousand nine hundred thirty-six (1,936.00) feet, more or less, to a point of tangent; thence by same North  $33^{\circ} 48'$  East, seven hundred thirty eight (738) feet, more or less, to the dividing line between lands formerly of Mrs. Julia M. Hall and lands formerly of Z. M. Miles and Mrs. E. R. Morgan at the place of beginning. Containing one hundred forty-nine (149) acres, more or less, but subject to existing highways.

Together with a right of way twenty (20) feet in width over and across the lands adjoining the above described property on the East, said right of way extending along the line of the Lake Road, now vacated, from its intersection with the private road leading into lands formerly of John F. Miles, referred to in the foregoing description, to its intersection with State Highway Route No. 5, and also a right of way twenty (20) feet in width extending along the line of the Lake Road, now vacated, from its intersection with the aforesaid private road leading into lands formerly of John F. Miles to the line of lands formerly of Julia M. Hall, the center line of said last mentioned right of way being the dividing line between the land conveyed by this deed and other lands of Carnegie Land Corporation, formerly of Z.M. Miles and Mrs. E. R. Morgan, the said right of way to be used in common by Carnegie Land Corporation and its successors and assigns and the parties of the first part and their heirs and assigns.

The above described property is conveyed subject to the right of way for water pipes, spring and well as devised in the Last Will and Testament of James Miles, deceased, to Zeruah M. Miles and Mrs. Eliza R. M. Morgan, and the right to enter upon the premises to repair and change the line of water pipes as given in the above mentioned Will, as set forth in the deed from Lake Erie Terminal Railroad to Carnegie Land Company hereinafter recited.

Individual Fiduciary Deed

BOOK 1463 PAGE 540

WEINDORF TO RHOADES

---

Said property is also subject to the right of way for an electric transmission line granted by Carnegie Land Company to Pennsylvania Electric Company by instrument dated January 30, 1930.

BEING the same property as conveyed to Roy Weindorf and Arthur Weindorf by deed dated December 11, 1939 and recorded in Erie County Deed Book 398 at page 543 on December 13, 1939.

STATEMENT PURSUANT TO SECTION 405 OF ACT 97 OF 1980, THE SOLID WASTE MANAGEMENT ACT OF 1980--Party of the First Part, by execution of the within instrument, hereby warrants that the property conveyed hereunder has not, to the actual knowledge of the Party of the First Part, nor by reason of action by Party of the First Part, been used for the purpose of the disposal of hazardous wastes as the same are defined in Section 103 of the Act.

EXCEPTING AND RESERVING therefrom, so much of the premises as were conveyed to Pennsylvania Electric Company by deed recorded in Erie County Deed Book 661 at page 193, consisting of 2.217 acres of land in said deed dated August 18, 1953 and recorded on September 29, 1953.



Together with all and singular the improvements, ways, streets, alleys, passages, waters, watercourses, rights, liberties, privileges, hereditaments and appurtenances whatsoever, thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever, of the party of the first part, in law, equity, or otherwise, by whomsoever of us, and to the same and every part thereof,

BOOK 1463 PAGE 541

To Have and to Hold the said lot or piece of ground above described with the message or tenement thereon erected unto the said party of the second part, its, his, her or their heirs, executors, administrators, successors and assigns forever.

AND the said party of the first part hereby does and will warrant special the property hereby conveyed.

In Witness Whereof, The said party(ies) of the first part has/have hereunto set his/her/their hand and seal(s) the day and year first above written.

SEALED AND DELIVERED  
IN THE PRESENCE OF US:

*James R. Steadman*

*Robert Weindorf*  
Robert Weindorf, Executor of the  
Roy C. Weindorf a/k/a Roy Weindorf  
Estate

*Gladys M. Sullivan*  
Gladys Sullivan, Executor of the  
Roy C. Weindorf a/k/a Roy Weindorf  
Estate

COMMONWEALTH OF PENNSYLVANIA, }  
COUNTY OF ERIE } ss.

On this, the fifteenth (15th) day of July, 1982,

before me a Notary Public, the undersigned officer

personally appeared Robert Weindorf and Gladys Sullivan, Executors of the Estate of Roy C. Weindorf a/k/a Roy Weindorf,

known to me (or satisfactorily proven)  
to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

*Marilyn K. MacKendrick*  
Marilyn K. MacKendrick, Notary Public  
Gilead Boro, Erie County Pennsylvania  
My Commission Expires Dec. 13, 1987  
Notary Public

I hereby certify that the residence of the within named Grantee

is: 130 Box 462, Hurien, Pa. 16415

*Edward J. Rente*



COUNTY OF ERIE  
Office of the County Executive  
Erie County Court House  
Erie, Pennsylvania 16501-1081

JUDITH M. LYNCH  
COUNTY EXECUTIVE

AREA CODE 814  
TELEPHONE 452-3333  
EXT 333

February 26, 1985

Colonel Robert R. Hardiman  
District Commander  
Army Corps of Engineers  
Buffalo District  
1776 Niagara Street  
Buffalo, New York 14207

Dear Colonel Hardiman:

I wish to thank you for your recent assistance in placing the Elk Creek Harbor project in the "active" category of Civil Works Projects. This assistance has permitted local efforts to continue toward the goal of a safe harbor/marina complex at this site.

On February 22, 1985, a meeting was held at the Girard Township Municipal Building to discuss the Coastal Zone Management funded project which would coordinate programmatic responsibilities by the various agencies involved in the project, locate funding sources for development, future operations and maintenance, and in general develop an implementation strategy to complete the harbor facility. In attendance were representatives from Congressman Tom Ridge's office, State Representative Jim Merry, the Pennsylvania Fish Commission, the Department of Environmental Resources Division of Coastal Zone Management, the Western Pennsylvania Conservancy, Erie County, Girard Township, and Lake City Borough. D.A. Johnson & Associates of Corry, Pennsylvania are under retainer as the Township's engineering firm and will carry out programmatic responsibilities.

As a result of this meeting, the Erie County Solicitor's office is conducting a certified title search which should be concluded this week. If the result of the title search indicates clear ownership, then a meeting will be held to discuss the matter with the property owners who are reportedly willing to sell the 157.65 acre parcel. Proposals will then be solicited to conduct an appraisal for the property. The Pennsylvania Fish Commission has offered to conduct the appraisal for the portion of the property proposed for utilization as a safe harbor/marina. The Division of Coastal Zone Management is willing to pay for the remainder of the appraisal cost.

Page 2  
February 26, 1985

Colonel Robert R. Hardiman

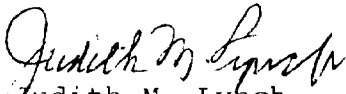
The most positive result of the meeting was a commitment, contingent upon the results of the title search and appraisal process, by Mr. Tony Suppa of the Western Pennsylvania Conservancy to secure an option on the property, thereby allowing the study to be completed and funding application(s) developed to acquire the property.

Ultimately, if we are successful in obtaining all or a portion of this property, assistance will be respectfully requested from the Corps for continued planning, design and construction of the breakwater and channelization associated with this facility. Your continued involvement is therefore appreciated and essential.

We intend to keep you apprised of any future developments regarding this effort and hope to meet with you and your staff in the near future.

Any response that you may have should be directed to Mr. David A. Skellie, Acting Director of the Erie County Department of Planning.

Sincerely,

  
Judith M. Lynch  
County Executive

JML/das/rd

cc: Congressman Thomas J. Ridge  
Representative Jim Merry  
Senator Anthony Andrezeski  
Mr. Eugene Sporn  
Mr. James Tabor  
Mr. Arthur Martinucci  
Mr. Tony Suppa  
Mr. John O. Hoffman  
Mr. Jim Young  
Mr. K. Ronald Weis  
Mr. Thomas Fuhrman  
Board of Girard Township Supervisors  
Lake City Borough Council  
Girard Borough Council  
David Johnson

## GIRARD TOWNSHIP

10140 WEST RIDGE ROAD

GIRARD, PENNA. 16417

### Special Meeting

February 22, 1985

1:30 p.m.

The following were present: Dave Skellie of the Erie County Planning Dep't., Dave Johnson, Girard Township Engineer, Jim Tabor, D.E.R. Rep., Coastal Zone Management, Ann DiTullio, from Congressman Tom Ridge's office, Judy Lynch, County Executive, Dan Douglas, Girard Township Supervisor, Tom Fuhrman, Mayor of Lake City, Gene Spork, Pa. Fish Commission, William Borland, Girard Township Supervisor, Tony Suppa, Western Pa. Conservatory, Jim Young, Pa. Fish Commission, K. Ronald Weis, Pa. Fish Commission, John O. Hoffman, Pa. Fish Com., Ray Sanders, Girard Township Supervisor, and Jim Merry, State Representative of the 5th District, also Roy Seneca from the Times-News.

Dave Skellie said that Erie County has a \$20,700.00 grant through the Coastal Zone Management Program. Technically the period runs through the end of January. Dave Skellie said the purpose of these funds is to coordinate an effort to utilize the Elk Creek or look at the utilization of the Elk Creek property. Skellie said there are a number of potential funding sources which can be utilized for acquisition or development. The intent of this study through the Township is to come up with a coordinated approach involving all of the agencies represented. Skellie also said that the Corp. of Engineers will not look at the property unless it is under public ownership. And they have included the project on their active list, through the help of Tom Ridge. The Corp. of Engineers won't proceed any further unless we, at the local level, can obtain the property for future use. There being no specific time table. The County had a meeting earlier this date, and discussed the options that are available. Skellie said that Dave Johnson will be working on the study and will be coordinating the effort through the various agencies. The County Planning Dep't. will assist him any way they can. Copies of the States contract with the State and the U.S. Department of Commerce explaining what the project is supposed to do, was shown to each person attending the meeting. Jim Tabor said that the draft of Proposal is almost identical to the past statement that was submitted in the application to N.O.A. which they had approval for. Skellie said that the State is looking for these things through the study: the design needs for completion of the Access Area, funding sources for the development of a recreational facility. The main thing is to determine how each of the agencies are to respond what their roles are going to be, the Township, County,

## GIRARD TOWNSHIP

10140 WEST RIDGE ROAD

GIRARD, PENNA. 16417

Page 2

State, and Corp. And an implementation strategy. The end result should be a proposal in which everyone is in agreement for the Elk Creek Access. Gene Spork said that ten years ago this project almost reached fruition, but because of different situations the deal fell through. At that time, it was a cooperative effort between the Corp. of Engineers and the Fish Commission utilizing State monies and land and water conservation fund monies and the County contribution of the land. Spork said that the Corp. of Engineers keeps an authorization on file for about eight years. If no activity occurs during that period, it becomes a candidate for deauthorization by the Congress. 1985 is the year that the Corp. would return to Congress and tell them if they want to deauthorize it, go ahead and do it. However, letters from Judy Lynch and Tom Ridge were sent to the Corp. of Engineers and said the project is doing good. Spork said in order to make a good viable Access the Corp. of Engineers must be involved. It was discussed last summer that the first priority would be to get the land under public ownership. Spork also said after the land is put under public ownership, it will have to remain low until the Corp. is committed to put in a breakwall. Tony Suppa stated that the Conservatory could secure or buy an option, and get the longest period of time they could, and possibly negotiate an extension of that option. The Conservatory would be able to work out a re-payment plan, which could be financed over a four or five year period. The Conservatory is willing to take an option on the property. Spork stated that the Conservatory wants an appraisal. Fuhrman stated that Mr. Rhodes wants one million dollars for 174 acres of the land, it is negotiable. Fuhrman also said that there is up to \$200,000.00 in acquisition money available. He said it's possible to use the Fish Commission as matching funds for that. The County was going to make the application. Skellie said that the matching funds has a cap of \$200,000.00 on it. There is a possibility that the Township will receive an entitlement in the 1985 program, in which the Elk Creek Access was a consideration in the future. Skellie said there's a possibility of matching C.D. funds to R.E.R.A. But, you can't use R.E.R.A. funds to transfer property ownership to another State agency such as the Fish Commission. Fuhrman said that Mr. Rhodes just has fishing for an activity. Skellie suggested that the next step of the study be to meet with the Rhodes brothers to discuss an appraisal and a title search and possibility an option. Fuhrman said that there is income from the cottages. They are leased. Johnson said that the cottages will not be part of the

## GIRARD TOWNSHIP

10140 WEST RIDGE ROAD

GIRARD, PENNA. 16417

Page 3

real estate deal. There is 157 acres. Judy Lynch suggested that the 157 acres be purchased with an option. Fuhrman mentioned that there was reference use for a future marina purposes in the low lands. Sporel said that the Fish Com. had plans with the Corp. of Engineers. The agreement was that the Corp. would put in the breakwall and do some of the main channels, and the Fish Com. would do the boat channels. The County was to buy the land. This agreement was prior to 1980. Suppa asked about the reaction to the cottage owners when they would be asked to vacate. It would have to be arranged with the owners. Fuhrman said there is between 20-30 cottages being occupied at this time. Girard Borough wasn't able to be represented at the meeting, but they do have an interest in the situation. Fuhrman talked about forming a Municipal Authority to act as a lead agency for this project, and possibility more funding. There are many advantages to a Municipal Authority, combining Girard Borough, Lake City Borough, and Girard Township. William Borland said that Girard Township was asked to contribute \$20,700.00 from a grant for a study. Borland said starting a negotiation or setting up a meeting with the property owners would be a good start. Johnson said time will be the only long part of the study. Lynch agreed the title search should take place first, then Suppa and Fuhrman will talk to the Rhodes brothers. Lynch said that the County Solicitor Staff will begin immediately on the title search. Skellie said if the Counsel Governments would be a better organization, there is C.O.G. money up to \$5,000.00. Sporel said the Corp. has moved as far as they can for now. Lynch said a copy of the title search will be sent to Suppa, and the Fish Commission within one week. Douglas thanked everyone for attending.



COUNTY OF ERIE  
Office of the County Executive  
Erie County Court House  
Erie, Pennsylvania 16501-1081

JUDITH M. LYNCH  
COUNTY EXECUTIVE

January 9, 1985

AREA CODE 814  
TELEPHONE 452-3333  
EXT 333

Mr. Eugene Sporn  
Pennsylvania Fish Commission  
Bureau of Waterways  
P.O. Box 1673  
Harrisburg, Pennsylvania 17105

Dear Mr. Sporn:

As you know, the County of Erie and several West County local municipalities have an interest in seeing the development of the mouth of Elk Creek as a possible recreation area. These municipalities have been attempting to coordinate a program through the use of Coastal Zone Management funds which would ultimately see the construction of a breakwater and channelization of the mouth of the creek as a safe harbor and possibly as a marina. This project would complement the facility which already exists on the west side of the mouth of Elk Creek which is being leased by Girard Township and which was constructed through the assistance of the Departments of Community Affairs and Environmental Resources.

You are also aware of the County's attempt to develop an application for DCA Recreational Improvement and Rehabilitation Act funding on behalf of these local municipalities. After several discussions with David A. Skellie of the Erie County Department of Planning, it became apparent that the Fish Commission was not able to commit itself to match the RIRA funding in order that the Township might own the facility and the Fish Commission control it through a long-term lease.

In our conversation with the Department of Community Affairs Regional Office in Erie, that agency indicated that the project appeared to meet the criteria of the RIRA program. The Department of Community Affairs looked favorably on the receipt of an application.

While we are unable to submit an application for the first round of funding, the fiscal year 1985-86 applications will be taken some time this spring. We would very much like to submit an application for this project at that time assuming the Fish Commission can commit funding for the project.

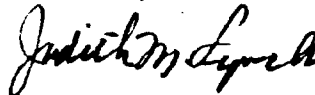
In addition, you are probably aware that funding has been made available through the Coastal Zone Management Program in order to determine the best means of completing the development of the Elk Creek Recreational Access. We anticipate the use of the Girard Township engineer as consultant in the development of this study. Any progress through negotiations or any possible commitment would be very beneficial to us so that this program might proceed as soon as possible.

Page 2  
January 9, 1985

Mr. Eugene Sporn

Your assistance in this matter is appreciated. It appears that a meeting is necessary in the near future to discuss these matters. If so, please contact the Department of Planning at your earliest convenience to make arrangements.

Sincerely,



Judith M. Lynch  
County Executive

JML/das/rd

cc: James Tabor, Division of Coastal Zone Management  
William Borland, Girard Township  
Thomas C. Fuhrman, Lake City Borough  
Richard Gebhardt, Girard Borough  
David Johnson, D.A. Johnson & Associates  
Robert Orlando, Department of Community Affairs

Senator Anthony Andrezeski  
Representative Jim Merry





DEPARTMENT OF THE ARMY  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207

8 NOV 1984

NCBPO

SUBJECT: Reclassification of Elk Creek Harbor, PA project from Deferred  
to Active Status

Mr. David A. Skellie  
Acting Director  
County of Erie, Department of Planning  
Erie County Courthouse, Room 13  
6th Street  
Erie, PA 16501

Dear Mr. Skellie:

This is to advise you that the Elk Creek Harbor project, authorized by the River and Harbor Act of 1966, has been placed in the "active" category of Civil Works Projects.

The project authorization provides for construction of breakwaters extending into Lake Erie near the mouth of Elk Creek, and dredging of entrance and interior channels, to create a safe refuge with protected berthing and mooring areas for small boats.

The project was classified as "deferred" in September 1977 as a result of the Pennsylvania Fish Commission's withdrawal of its sponsorship. The Commission withdrew sponsorship because Erie County was not, at that time, willing to take the steps necessary to secure project easements. However, the County of Erie, Department of Planning, Erie, PA, indicates negotiations for land are proceeding at this time and acquisition does not appear to be a problem. Therefore, with positive indications of local cooperation from both the State and the County, and a historical BCR above unity, the project has been reclassified to the "active" status.

Correspondence pertaining to this matter should be addressed to the District Commander, U.S. Army Engineer District, Buffalo, 1776 Niagara Street, Buffalo, NY 14207, ATTN: Mrs. Linda Howard. If you have any questions or require additional information, please contact Mrs. Howard of my Program Development Office at (716) 876-5454, extension 2223.

Sincerely,

*Robert R. Hardiman*  
706 ROBERT R. HARDIMAN  
Colonel, Corps of Engineers  
District Commander



COUNTY OF ERIE  
Office of the County Executive  
Erie County Court House  
Erie, Pennsylvania 16501-1081

JUDITH M. LYNCH  
COUNTY EXECUTIVE

September 20, 1984

AREA CODE 814  
TELEPHONE 452-3333  
EXT 333

Congressman Thomas J. Ridge  
1331 Longworth House Office Building  
Washington, D.C. 20515

Attention: Mark Holman

Dear Mr. Ridge:

As you are aware, a coalition of governmental agencies and interest groups has been involved in the promotion of the construction of a recreational access at the mouth of Elk Creek in Girard Township. Initial planning for this project began in fiscal year 1979-1980. At that time a six (6) stage project (see map) was proposed for development which included the construction of a new road from PA Route 5 to the mouth of the creek, parking areas, restroom facilities, picnic areas and trails. Of the proposed six (6) stage project, four (4) stages have been constructed. Stage five (5) involves the construction of a boat ramp and Stage six (6) is for rechannelization of the mouth of the creek to provide a safe harbor for small boats.

Preliminary funding has been approved in the amount of \$20,700 through the Pennsylvania Department of Environmental Resources Division of Coastal Zone Management for the purposes of analyzing design needs for the completion of the Elk Creek Access site, identifying available funding sources that can be used to design, acquire, construct, and maintain the site, and explaining each agency's role in an implementation strategy.

A meeting was held on July 24, 1984 at the Girard Township Building with individuals from Representative James Merry's office, the Pennsylvania Fish Commission, the Pennsylvania Department of Environmental Resources, the Pennsylvania Department of Community Affairs, the County of Erie, Girard Township, and Lake City Borough. In addition to agreeing to a procedural strategy, one of the results of this meeting was to request that the Army Corps of Engineers reclassify the Elk Creek Project to an active status. A letter from Colonel Hardiman dated August 20, 1984 indicates that the Corps has, in fact, reclassified the project (see attached letter).

In order to construct a project through the Army Corps, there are four (4) stages which include a planning phase known as a reformulation study, preliminary engineering, final engineering, and construction. Colonel Hardiman's letter also indicates that the earliest Federal funding for the project would be Fiscal Year 1987.

Page 2

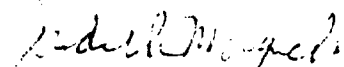
Congressman Thomas J. Ridge  
September 20, 1984

We would like to request funding from the Corps so that a reformulation study can be requested as soon as possible. Mr. Daniel T. Kelly of the Buffalo District has indicated that there could be a chance for funding in Fiscal Year 1986 for the Phase I reformulation study if requested by your office. This is based upon the assumption of a Congressional financial "add-on" for Fiscal Year 1986.

I would very much appreciate your assistance in contacting the Chief Engineer's Office of the Corps of Engineers in Washington, D.C. to determine the status of supplemental funding in 1986 for the reformulation study. A promotional effort by your office may, in fact, reduce by one year the steps necessary to complete our project.

Your assistance in this matter is very much appreciated. Should you have any question, please do not hesitate to contact me.

Sincerely,

  
Judith M. Lynch  
County Executive

JML/das/rd  
Enclosures

cc: Representative James Merry  
E. James Tabor, PA Department of Environmental Resources  
Arthur Martinucci, PA Department of Community Affairs  
Edward Miller, PA Fish Commission  
Eugene Spori, PA Fish Commission  
Girard Township Supervisors  
Mayor Thomas Fuhrman, Lake City Borough  
David Johnson  
Dan Seaman

# APPENDIX D

## FUNDING INFORMATION

The attached sheets are from the  
Catalog of Federal Domestic  
Assistance, by Federal Department.



DEPARTMENT OF THE ARMY  
BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207

20 AUG 1984

NCBPD-PF

SUBJECT: Elk Creek, PA, Small-Boat Harbor Project

Mr. David A. Skellie  
Acting Director  
Erie County Department  
of Planning  
Erie, PA 16501

Dear Mr. Skellie:

Thank you for your letter of 1 August 1984 in which you reaffirmed your support for the Elk Creek Small-Boat Harbor Project, as authorized by the 1966 River and Harbor Act, and inquired as to ways to accelerate the reformulation study.

I have taken the first step toward completing this project by requesting that the Elk Creek Project be reclassified to an active status. Currently, the earliest Federal budgeting for the project would be FY 87 (1 Oct 1986 - 30 Sep 1987).

Correspondence pertaining to this matter should be addressed to the District Commander, U.S. Army Engineer District, Buffalo, 1776 Niagara Street, Buffalo, NY 14207, ATTN: Mr. Daniel T. Kelly, P.E. If you have any questions or require additional information, please contact Mr. Kelly of my Planning Division at (716) 876-5454, extension 2243.

Sincerely,

*for* *Robert R. Hardiman*  
ROBERT R. HARDIMAN  
Colonel, Corps of Engineers  
District Commander



COUNTY OF ERIE  
Department of Planning  
Erie, Pennsylvania 16501  
814 / 452-3333

JUDITH M. LYNCH  
COUNTY EXECUTIVE

August 1, 1984

Colonel Robert R. Hardiman  
District Commander  
Army Corps of Engineers  
Buffalo District  
1776 Niagara Street  
Buffalo, New York 14207

Dear Colonel Hardiman:

The purpose of this letter is to inform you of the status of the Elk Creek Recreational Access located in Girard Township and to request your advice and assistance in formulating steps toward completion of a safe harbor/marina complex at this site.

As you may know, four (4) stages of the Elk Creek Access Project have already been constructed (see enclosed map). Included in this development is a black-topped road from State Route 5 to the mouth of Elk Creek, parking facilities at the top of the hill near Route 5 and near the mouth, restroom facilities, trails, and recreation equipment including picnic tables and barbecue grills. Stage 5 included engineering specifications for a boat ramp. However, no ramp can be constructed until Stage 6 channelization improvements can be initiated.

There has been a great deal of local support for completion of this project. Recently, the Erie County Coastal Zone Management Steering Committee gave high priority toward funding a feasibility study which would determine the steps necessary to complete this project.

The Pennsylvania Department of Environmental Resources Division of Coastal Zone Management has agreed to place this project in its Fiscal Year 1984-85 funding package. A copy of the project application is attached for your review. Funding for this project will amount to \$20,700 and work will begin on January 1, 1985.

On July 24th, a meeting was held to review this application and to clarify all interested parties' stance regarding the project. In attendance were representatives of State Representative Jim Merry's office, the Pennsylvania Fish Commission, the Pennsylvania Department of Environmental Resources Division of Coastal Zone Management, the Pennsylvania Department of Community Affairs, Erie County, Girard Township and Lake City Borough. As a result of that meeting, all parties have stated their interest in pursuing the project's objectives stated in the application.

Colonel Robert R. Hardiman

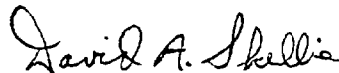
August 1, 1984

Also, this group is requesting that the designated project classification by the Army Corps of Engineers be changed from a deferred to an active status so as to allow us to pursue funding through the Corps of Engineers. In speaking with Mr. Daniel Kelly of the Buffalo District, our first step in this process is to conduct a "reformulation" study and that funding for such a study would not be available until Fiscal Year 1987. Is it possible, in order to afford better coordination through the Corps process, to utilize Coastal Zone Management funding to conduct the reformulation study? Or, is it preferable to conduct a Coastal Zone Management funded feasibility study with Corps input and utilize this as a pre-reformulation study to encourage approval of future funding through the Corps' normal planning, engineering and construction phasing? My thinking is that the use of Coastal Zone Management funds for a reformulation study could further this project and save one year's time.

As you are aware, this project failed in the 1970's due to the lack of commitment by any public body to purchase the land. Although I cannot provide you with specific details, negotiations for this land are proceeding at this time. At this point we do not see land acquisition as a problem.

Your assistance in this matter would be appreciated. If you should require any additional information, please do not hesitate to contact me.

Sincerely,



David A. Skellie  
Acting Director

DAS/rd

Enclosure

cc: Representative James Merry  
Judith M. Lynch  
James Tabor  
Arthur Martinucci  
Edward Miller

Girard Township Board of Supervisors  
Mayor Thomas Fuhrman  
David Johnson  
Dan Seaman  
Eugene Sporn

## CATALOG OF FEDERAL DOMESTIC ASSISTANCE

### GRANTS

#### DEPARTMENT OF AGRICULTURE

#### SOIL CONSERVATION SERVICE - STATE OFFICE

James H. Olson  
Federal Building and U.S. Court House  
Federal Square Station, Box 985  
Harrisburg, PA 17108  
(717) 782-2202  
FTS 390-2202

#### 10.906 RIVER BASIN SURVEYS AND INVESTIGATIONS (River Basin Program)

**FEDERAL AGENCY:** SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

**AUTHORIZATION:** Watershed Protection and Flood Prevention Act; Public Law 83-566, as amended, Section 6.

**OBJECTIVES:** To assist Federal, State, and local agencies in improving national economic development through the development of coordinated water and related land resources programs. Studies are carried out in cooperation with State, Federal, and local agencies. Special priority is given to solving erosion and sedimentation, flooding, flood-plain-management, and agricultural water-management problems. Protecting natural values in wetlands and flood plains, protecting important farmlands, managing and other special resources, are secondary objectives.

**TYPES OF ASSISTANCE:** Provision of Specialized Services; Advisory Services and Counseling.

**USES AND USE RESTRICTIONS:** Technical assistance is provided in planning activities to help solve water and related land resources problems. It is available through disciplines such as engineering, economics, social sciences, agronomy, range management, forestry, biology, hydrology, archaeology, landscape architecture, waste management, recreation, etc.

#### ELIGIBILITY REQUIREMENTS:

**Applicant Eligibility:** Any local or State water resource agency or other Federal agency concerned with water and related land resource development. SCS participation is based on a cooperative effort with another agency or agencies. State and local agencies are expected to fund their own activities. This program is also available in Puerto Rico and the Virgin Islands.

**Beneficiary Eligibility:** Any local or State water resource agency or other Federal agency concerned with water and related land resource development that can benefit from the development of alternative plans and recommendations.

**Credentials/Documentation:** Requests designate the proposed study area, describe the basic study objective, and indicate joint participation.

#### APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the Single Point of Contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Letter of request addressed to the appropriate State Conservationist of the Soil Conservation Service.

**Award Procedure:** Not applicable.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Receipt of request is acknowledged when received by the State Conservationist.

**Appeals:** Not applicable.

**Renewals:** Not applicable.

#### ASSISTANCE CONSIDERATIONS:

**Formula and Matching Requirements:** Each cooperating agency is to fund its own participation. The extent of participation and funding are to be defined in a plan of work that establishes the basis for the cooperative study effort. Priority is given to studies in which the degree of State or local agency participation is high.

**Length and Time Phasing of Assistance:** The length of the study is defined in the plan of work. It is subject to some modification, depending on the availability of funds to each of the cooperating agencies. Federal assistance for planning is provided as rapidly as possible depending on availability of funds, Congressional limits on new study starts, and competent personnel resources. Sponsors are encouraged to focus their cooperative studies on a limited number of critical problems of special concern nationally, such as flood damage reduction and erosion control. Short duration, low cost studies that support ongoing programs, particularly USDA programs, are encouraged.

#### POST ASSISTANCE REQUIREMENTS:

**Reports:** Reports are prepared at the completion of each study. Post study assistance depends to a considerable degree on the recommendations developed during the study.

**Audits:** Not applicable.

**Records:** Not applicable.

#### FINANCIAL INFORMATION:

**Account Identification:** 12-1069-0-1-301.

**Obligations:** (Salaries and expenses) FY 84 \$15,371,147; FY 85 est \$14,674,739; and FY 86 est \$11,574,000.

**Range and Average of Financial Assistance:** Not applicable.

**PROGRAM ACCOMPLISHMENTS:** USDA has cooperated with local, State, and concerned Federal agencies in the preparation and updating of State water resource plans and other water land and related studies. The USDA helps States coordinate upstream and downstream elements of water, land, and related resource planning activities. Between 1961 and 1984, the Department has participated in 174 cooperative surveys and has completed 125. Other river basin activities include salinity control studies and flood-plain-management studies. Eight USDA salinity control reports have been published covering over one-half million irrigated acres in the Colorado River basin. Two salinity control areas are presently under study and two other salinity units are pending. These studies are being performed in cooperation with the Bureau of Reclamation. The Flood Plain Management Assistance Program, under which technical assistance is provided to local governments in implementing their flood-plain-management programs, is underway in 30 States. About 22 flood-plainmanagement studies are to be completed in fiscal year 1984; about 290 have been completed to date.

**REGULATIONS, GUIDELINES, AND LITERATURE:** "What the Soil Conservation Service Does," SCS-CI-3; "Local-State/Federal Watershed Projects," SCS-CI-4; "Multiple-Purpose Watershed Projects," PA-575; National Basin and Area Planning Manual; "River Basin Investigation and Surveys," 7 CFR 621, and SCS General Manual (6M) 150-Basin and Area Planning, Part 401.

#### INFORMATION CONTACTS:

**Regional or Local Office:** For list of SCS State offices with telephone numbers and addresses, see Appendix IV of the Catalog.

**Headquarters Office:** Deputy Chief For Programs, Soil Conservation Service, Department of Agriculture, P.O. Box 2890, Washington, DC 20013. Telephone: (202) 447-4527. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 10.902, Soil and Water Conservation; 10.904, Watershed Protection and Flood Prevention; 12.110, Planning Assistance to States.

**EXAMPLES OF FUNDED PROJECTS:** Not applicable.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.



## DEPARTMENT OF COMMERCE

### ECONOMIC DEVELOPMENT ADMINISTRATION - REGIONAL OFFICE

(Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia)

Craig M. Smith, Regional Director  
325 Chestnut Street, 4th Floor  
Mall Building  
Philadelphia, PA 19106  
(215) 597-4603  
(Use same 7-digit number for FTS)

### 11.300 ECONOMIC DEVELOPMENT—GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES

**FEDERAL AGENCY:** ECONOMIC DEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Public Works and Economic Development Act of 1965; Public Law 89-136, as amended; Public Law 98-166; 42 U.S.C. 3131, 3132, 3135, 3141, 3171.

**OBJECTIVES:** To assist in the construction of public facilities needed to initiate and encourage the creation of permanent jobs in the private sector in designated geographic areas where economic growth is lagging behind the rest of the nation.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Grants for such public facilities as water and sewer systems, access roads to industrial parks or areas, port facilities, railroad sidings and spurs, public tourism facilities, vocational schools, and site improvements for industrial parks. Qualified projects must fulfill a pressing need of the area and must: (1) tend to improve the opportunities for the successful establishment or expansion of industrial or commercial plants or facilities, (2) assist in the creation of additional long-term employment opportunities, or (3) benefit the long-term unemployed and members of low-income families. In addition, proposed projects must be consistent with the currently approved Overall Economic Development Program for the area, and for the Economic Development District, if any, in which it will be located.

#### ELIGIBILITY REQUIREMENTS:

**Applicant Eligibility:** States, cities, counties, and other political subdivisions, and private or public nonprofit organizations or associations representing a redevelopment area or a designated Economic Development Center are eligible to receive grants. Corporations and associations organized for profit are not eligible.

**Beneficiary Eligibility:** Unemployed and underemployed persons and/or members of low-income families.

**Credentials/Documentation:** Application must describe the type of proposed facility, estimated costs, extent of proposed project, permanent private sector job impact, (estimated payrolls, estimated private investment) estimated time for construction implementation, and assurance that the project will satisfy statutory requirements. Most important, documentation must demonstrate how the project will have a positive impact on the economic development process in the community. Costs will be determined in accordance with OMB Circular Nos. A-87 for State and local governments and A-122 for nonprofit organizations.

#### APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** The Economic Development Representative (EDR) or other appropriate EDA officials will meet with the applicant and community leaders to establish the basis for a preapplication conference. After reviewing project and local development profile information with the regional office, EDA will

notify the applicant immediately if EDA cannot accept the project. If the project appears viable, a preapplication conference may be arranged at the Regional Director's discretion with regional office personnel. The standard application forms furnished by EDA and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment is necessary for this program. After a review of the environmental impact assessment is completed, an environmental impact statement may also be required. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Applicant should contact the EDR servicing the State in which the project is to be located. An Economic Development Representative assigned as coordinator of the project for EDA will provide necessary forms and assist in filling them out. Nonprofit organizations are subject to the provisions of OMB Circular No. A-110.

**Award Procedure:** Grant applications from eligible applicants are approved by the Assistant Secretary for Economic Development, Department of Commerce. Contract award should be made on the lowest base bid submitted by a responsible bidder, with a responsible bidder defined as one who can furnish 100 percent performance and payment bonds and who meets the applicable State and local statutory requirements.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Normally within 120 days of acceptance of application.

**Appeals:** None.

**Renewals:** None.

#### ASSISTANCE CONSIDERATIONS:

**Formula and Matching Requirements:** The basic grant rate may be up to 50 percent of the project cost. Severely depressed areas may receive supplementary grants to bring the Federal contribution up to 80 percent of the project cost; designated Indian Reservations are eligible for up to 100 percent assistance. Additionally, redevelopment areas located within designated Economic Development Districts may, subject to the 80 percent maximum Federal grant limit, be eligible for a 10 percent bonus on grants for public works projects. This program has maintenance of effort (MOE) requirements, see funding agency for further details.

**Length and Time Phasing of Assistance:** EDA grant funds are disbursed for costs incurred only after all contracts for construction have been awarded.

#### POST ASSISTANCE REQUIREMENTS:

**Reports:** Reports for specific projects may be requested. Compliance: Applicable statutes include the Architectural Barriers Act, Civil Rights Act, Davis Bacon and the Water Pollution Control Acts.

**Audits:** To the extent that State and local units of government receive funds under the program, they will be subject to the audit requirements set forth in the Single Audit Act of 1984. All other recipients will be subject to OMB Circular No. A-73.

**Records:** As necessary for above-mentioned audit.

#### FINANCIAL INFORMATION:

**Account Identification:** 13-2050-0-1-452.

**Obligations:** (Grants) FY 84 \$169,987,906 (includes \$40 million for projects approved under P.L. 98-8 for program 11.300); FY 85 est \$149,000,000 (includes \$19 million for a project approved under P.L. 98-396) and FY 86 est \$0.

**Range and Average of Financial Assistance:** No specific minimum or maximum project amount - \$50,000 to \$5,600,000; \$580,000.

**PROGRAM ACCOMPLISHMENTS:** In fiscal year 1984, 184 regular projects and 83 Jobs Bill projects were approved.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Title 13 CFR Chapter III Part 305 and Part 309; Annual Report: Economic Development Administration Civil Rights Guidelines.

#### INFORMATION CONTACTS:

**Regional or Local Office:** Refer to Appendix IV of the Catalog for EDA regional office addresses.

**Headquarters Office:** John Corrigan, Deputy Assistant Secretary for Operations, Economic Development Administration, Room H7824, Herbert C. Hoover Building, Department of Commerce, Washington, DC 20230. Telephone: (202) 377-3081. (Use the same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.301, Economic Development—Business Development Assistance; 11.302, Economic Development—Support for Planning Organizations; 11.303, Economic Development—Technical Assistance; 11.304, Economic Development—Public Works Impact Projects; 11.307, Special Economic Development and Adjustment Assistance Program—Sudden and Severe Economic Dislocation or Long-term Economic Deterioration; 15.124, Indian Loans—Economic Development; 23.001, Appalachian Regional Development (See individual Appalachian Programs).

#### NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION - FIELD AREAS

Atlantic Marine Center  
439 West York Street  
Norfolk, VA 23510  
(804) 441-6776  
FTS 827-6776

#### 11.419 COASTAL ZONE MANAGEMENT PROGRAM ADMINISTRATION GRANTS

**FEDERAL AGENCY:** NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Coastal Zone Management Act of 1972, Section 306; Public Law 92-583 (16 U.S.C. 1451 et seq.); Coastal Zone Management Act Amendments of 1976, Section 306; Public Law 94-370 (16 U.S.C. 1451 et seq.); Coastal Zone Management Act Amendments of 1980, Public Law 96-464.

**OBJECTIVES:** To assist States in implementing and administering Coastal Zone Management programs that have been approved by the Secretary of Commerce.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Grants may be used only to administer the States' approved Coastal Zone Management programs. This includes personnel salaries, travel and other related costs required to support the administration of the program. Grants may also be used to administer the States' approved Coastal Zone Management program for a geographic segment of the coastal zone.

#### ELIGIBILITY REQUIREMENTS:

**Applicant Eligibility:** Any coastal State, including Puerto Rico, Virgin Islands, Guam, American Samoa, the Northern Marianas, and the Trust Territory of the Pacific whose Coastal Zone Management program has been approved by the Secretary of Commerce. The Governor shall designate the State agency, or entity that is to be the applicant.

**Beneficiary Eligibility:** Any coastal State, including Puerto Rico, Virgin Islands, Guam, American Samoa, the Northern Marianas, and the Trust Territory of the Pacific whose Coastal Zone Management program has been approved by the Secretary of Commerce. The Governor shall designate the State agency, or entity that is to be the applicant.

**Credentials/Documentation:** Letter from Governor designating the applicant. Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments.

**EXAMPLES OF FUNDED PROJECTS:** 1) Infrastructure for industrial park development; 2) Port development and expansion; 3) Public construction infrastructure necessary for economic development (i.e. water/sewer facilities); 4) Renovation and recycling of old industrial buildings; and 5) Revitalization of central business districts.

**CRITERIA FOR SELECTING PROPOSALS:** Project proposals must be located within a designated area and must be in conformance with an Overall Economic Development Program (OEDP) for the eligible area. Project must also contribute to long-term economic development of the area by creating or retaining permanent jobs and raising income levels. Conformance with the Federal Register announcements and other EDA and/or Federal program requirements such as NEPA, Civil Rights and Historic Preservation are part of the selection criteria.

#### APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** The standard preapplication forms, CD-288, as furnished by NOAA and required by OMB Circular No. A-102 must be used for this program. Informal preapplication conferences are recommended. Consultation and assistance is available from NOAA in the preparation of an application. An environmental impact statement is necessary for this program. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** The Application for Federal Assistance (Non-construction Programs) CD-292, as furnished by NOAA and required by OMB Circular No. A-102, is to be submitted in original and two copies.

**Award Procedure:** Applications are approved by the Office of Ocean and Coastal Resource Management.

**Deadlines:** Applications should be submitted 120 days prior to the beginning date of the grant.

**Range of Approval/Disapproval Time:** From 60 to 120 work days.

**Appeals:** No formal procedure. If application is unacceptable the applicant is fully informed and applicant may revise application.

**Renewals:** Continuation grants on an annual basis are available. Individual grants may be extended.

#### ASSISTANCE CONSIDERATIONS:

**Formula and Matching Requirements:** At least 20 percent of the total project cost must be provided by the applicant. Federal funds from other sources cannot be used to match. Grants must be not less than one percent of the amount appropriated each fiscal year. Within the statutory range grants are allocated by formula. The statistical factors used for fund allocation are: (1) population in coastal counties and the source is the 1980 Decennial Census; and (2) miles of coastal shoreline and the source is "The Coastline of the United States," NOAA. The statistical factor used for eligibility does not apply to this program.

**Length and Time Phasing of Assistance:** Grants are normally made for one year. Grant funds are released by advance Treasury check, reimbursement, or letter of credit, in accordance with the criteria set forth in Attachment J to OMB Circular No. A-102.

**POST ASSISTANCE REQUIREMENTS:**

**Reports:** Financial Status Reports, CD-287, and performance reports are required quarterly or semi-annually and final reports are required within 90 days of the grant ending date.

**Audits:** In accordance with the provisions of Attachment P to Circular A-102, "Uniform requirements for grants to State and local governments," audits shall be made of organizations carrying out this program at least once every 2 years. These audits will be made in accordance with the General Accounting Office guidelines, "Standards for Audit of Government Organizations, Programs, Activities and Functions," and additional OMB guidance.

**Records:** Work papers prepared in connection with audit reports are to be retained for three years after issuance of the report.

**FINANCIAL INFORMATION:**

**Account Identification:** 13-1450-0-1-302.

**Obligations:** (Grants) FY 84 \$15,789,354; FY 85 est \$7,143,000; and FY 86 est \$0.

**Range and Average of Financial Assistance:** \$125,000 to \$1,750,000.

**PROGRAM ACCOMPLISHMENTS:** State Coastal Zone Management Programs now cover 90 percent of the Nation's coastline. From 1972 through 1985 a total of \$194,000,000 will have been spent to develop this capability.

**REGULATIONS, GUIDELINES, AND LITERATURE:** "Grants Management Manual for Grants," under the Coastal Zone Management Act.

**INFORMATION CONTACTS:**

**Regional or Local Office:** None.

**Headquarters Office:** Chief, Coastal Programs Division, Office of Ocean Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Washington, DC 20235. Telephone: (202) 634-1672. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.417, Sea Grant Support; 11.420, Coastal Zone Management Estuarine Sanctuaries.

**EXAMPLES OF FUNDED PROJECTS:** These projects studied behavioral attitudes, identification of safe evacuation routes, necessary times, and shelter area; determination of areas to evacuate in various types of storms; identification of potential damage; and evacuation exercises designed to train personnel and test model procedures. Other Federal funds for the Florida Coastal Management program are being used to develop hurricane loss and public information programs for the Southwest and lower Southeast regions of the State; significant improvements; and focus on dredge spoil planning and disposal as a priority activity.

**CRITERIA FOR SELECTING PROPOSALS:** While appropriated funds are allocated to States through a formula based on coastal population and shoreline mileage, the tasks in the State application are reviewed for relevance to program objectives and cost effectiveness.

**NOTE:** Section 306 has been amended with Section 306A being added. See the end of this section.

## 11.420 COASTAL ZONE MANAGEMENT ESTUARINE SANCTUARIES

**FEDERAL AGENCY:** NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Coastal Zone Management Act of 1972, Section 312; Public Law 92-583 (16 U.S.C. 1451 Seq.); Coastal Zone Management Act Amendments of 1976, Section 315 (1); Public Law 94-370 (16 U.S.C. 1451 Seq.); Coastal Zone Management Act Amendments of 1980, Public Law 96-464.

**OBJECTIVES:** To assist States in the acquisition, development and operation of national estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Grants may be used to cover the costs of acquisition, development and operation of national estuarine sanctuaries. Development and operation costs may include the administrative expenses necessary to monitor the sanctuary. A limited amount of research may be funded.

**ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** Any coastal State including Puerto Rico, Virgin Islands, Guam, American Samoa and the Northern Marianas. The Governor shall designate the State agency or entity that is to be the applicant.

**Beneficiary Eligibility:** Any coastal State including Puerto Rico, Virgin Islands, Guam, American Samoa and the Northern Marianas. The Governor shall designate the State agency or entity that is to be the applicant. Also all qualified scientists and students.

**Credentials/Documentation:** Letter from Governor designating the applicant. Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments.

**APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard preapplication form, CD-288, as furnished by NOAA and required by OMB Circular No. A-102 must be used. Informal preapplication conferences are recommended. Consultation and assistance is available from NOAA in the preparation of an application. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** For land acquisition and development awards, the Application for Federal Assistance (For Construction Programs) CD-290, as furnished by NOAA and required by OMB Circular No. A-102 is to be submitted in original plus two copies. For preacquisition, operation and management and research awards, the application for Federal assistance (For Non-Construction Programs) CD-292 is to be used.

**Award Procedure:** Applications are approved by the Office of Ocean and Coastal Resource Management.

**Deadlines:** Preapplications and applications should be submitted 150 and 120 days respectively prior to grant beginning date.

**Range of Approval/Disapproval Time:** From 60 to 90 workdays.

**Appeals:** No formal procedure. If application is unacceptable the applicant is fully informed and may revise application.

**Renewals:** Not applicable.

**ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** At least 50 percent of the total project cost must be provided by the applicant. The Federal share for each sanctuary shall not exceed \$3,000,000.

**Length and Time Phasing of Assistance:** Payments are made by advance Treasury check, reimbursement or Letter of Credit in accordance with the criteria set forth in Attachment J to OMB Circular No. A-102.

**POST ASSISTANCE REQUIREMENTS:**

**Reports:** The Outlay Report and Request for Reimbursement for Construction Programs (SF 271) are required monthly. For Non-Construction Programs the Financial Status Report, SF 269, is required quarterly or semi-annually. Performance reports are required quarterly or semi-annually and within 90 days of the grant ending date.

**Audits:** In accordance with the provisions of Attachment P to Circular A-102, "Uniform requirements for grants to State and local governments," audits shall be made of organizations carrying out this program at least once every 2 years. These audits will be made in accordance with the General Accounting Office guidelines, "Standards for Audit of Government Organizations, Programs, Activities and Functions," and additional OMB guidance.

**Records:** Work papers prepared in connection with audit reports are to be retained for three years after issuance of the report.

## FINANCIAL INFORMATION:

**Account Identification:** 13-1450-0-1-302.

**Obligations:** (Grants) FY 84 \$2,242,000; FY 85 est \$4,518,600; and FY 86 est \$1,280,000.

**Range and Average of Financial Assistance:** FY 85 \$10,000 to \$1,620,000; \$126,000.

**PROGRAM ACCOMPLISHMENTS:** Through fiscal year 1985, national estuarine sanctuaries have been established in California (two), Oregon, Georgia, Ohio, Hawaii, Florida (two), Washington, Rhode Island, Maryland, and Puerto Rico, North Carolina, Maine, New York, Alabama and Massachusetts. In fiscal year 1986, it is anticipated that one additional site will be acquired.

**REGULATIONS, GUIDELINES, AND LITERATURE:** 15 CFR Part 921 - Estuarine Sanctuary Grants. Grants Management Manual for Grants under the Coastal Zone Management Act.

## INFORMATION CONTACTS:

**Regional or Local Office:** None.

**Headquarters Office:** Chief, Sanctuary Programs Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven Street, N.W., Washington, DC 20235. Telephone: (202) 634-4236. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.417, Sea Grant Support; 11.419, Coastal Zone Management Program Administration Grants; 12.110, Planning Assistance to States.

**EXAMPLES OF FUNDED PROJECTS:** Generic projects/activities funded under the national Estuarine Sanctuary program consist of: acquisition of lands to be included in the sanctuary; site selection procedures and management plan development; construction projects; operation of the sanctuary; and research and educational activities.

**CRITERIA FOR SELECTING PROPOSALS:** There are four types of awards to coastal States under the National Estuarine Sanctuary Program: preacquisition, acquisition and development, operation and management, and research. Detailed criteria for the State's development of these awards and criteria for reviewing each award are provided in the regulations for the National Estuarine Sanctuary Program (15 CFR Part 921, June 27, 1984). Final regulations are published in the Federal Register.

## 11.421 ENERGY IMPACT—FORMULA GRANTS

**FEDERAL AGENCY:** NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Coastal Zone Management Act Amendments of 1976, Section 308(b), Public Law 94-370 (16 U.S.C. 1451 Seq.); Coastal Zone Management Act Amendments of 1978, Section 308(b), Public Law 95-372; Coastal Zone Management Act Amendments of 1980, Public Law 96-464.

**OBJECTIVES:** To provide financial assistance to coastal States to plan and construct public facilities and services and for the amelioration of environmental and recreational loss attributable to Outer Continental Shelf (OCS) energy development activities.

**TYPES OF ASSISTANCE:** Formula Grants.

**USES AND USE RESTRICTIONS:** Formula grants are available only to those States which have or have had adjacent OCS oil and gas leasing and development activities. Proceeds from these grants may be used for a very broad range of projects subject to certain priorities and prerequisites. The priority use of these grant funds is for the repayment of local and State bonds guaranteed under Section 308(d)(2) of the Act. The prerequisites of use relate to planning and development of public facilities and services. A prime use of these funds is for the protection and restoration of environmental and recreational resources. Project costs must be in line with the value of the resources.

## ELIGIBILITY REQUIREMENTS:

**Applicant Eligibility:** Any coastal State which has a management

program that has been approved under Section 306 or is making, in the judgment of the Assistant Administrator, satisfactory progress toward the development of a management program that is consistent with the policies set forth in Section 303. The Governor shall designate the State agency or entity that is to be the applicant.

**Beneficiary Eligibility:** Local and regional government units may apply for assistance under this program from their designated State Section 308 agency.

**Credentials/Documentation:** Letter from the Governor designating the applicant. Costs will be determined in accordance with OMB Circular No. A-87.

## APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** Only construction projects require a preapplication and an environmental impact statement. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** The requisition for 308(b) formula grants, NOAA Form 36-20 is to be submitted in three copies.

**Award Procedure:** Requisitions are approved by NOAA. Special note: Intra-State Allocation process (Section 308(g)(2)): each coastal State, after being notified of its allotment, must establish a process to allocate its allotment among State agencies and units of local government based upon the need for assistance.

**Deadlines:** Requisitions should be submitted 120 days prior to proposed work start date.

**Range of Approval/Disapproval Time:** From 60 to 120 workdays.

**Appeals:** No formal procedure.

**Renewals:** Not applicable.

## ASSISTANCE CONSIDERATIONS:

**Formula and Matching Requirements:** 100 percent Federal funding.

Grants are allotted to a State by means of a prescribed formula based on the State's proportional share of nation-wide OCS activities of the preceding fiscal year measured by the following weighted indices: (1) OCS acreage initially leased, 50.0 percent; (2) OCS oil and natural gas landed, 25.0 percent; (3) OCS oil and natural gas produced, 25.0 percent. Eligible States receive a minimum of 2 percent and a maximum of 37.5 percent of the appropriation. The statistical factors used for fund allocation are: (1) amount of acres leased in the Federal Outer Continental Shelf and the source is Outer Continental Shelf Statistics, USGS; (2) amount of petroleum produced off the coast of a State in the O.C.S. and the source is Outer Continental Shelf Statistics - Sales or Lease Production, USGS; and (3) amount of petroleum first landed on the shore and the source is Outer Continental Shelf Statistics - Sales or Lease Production, USGS. The statistical factor used for eligibility does not apply to this program.

**Length and Time Phasing of Assistance:** Each State is allotted a specific amount of each year's appropriation by means of a formula. The proceeds of grants which are requisitioned by and disbursed to a State in any fiscal year but which are not expended or committed by the State by the end of the fiscal year in which the grant proceeds were awarded are subject to recovery and subsequent re-allotment. Grant proceeds not requisitioned remain available for award until the end of fiscal year 1988, at which time proceeds not awarded will be returned to the United States Treasury.

## POST ASSISTANCE REQUIREMENTS:

**Reports:** Financial Status Reports, SF 269, and performance reports are required every 6 months (October-March, April-September) and final reports within 90 days of the grant ending date.

**Audits:** In accordance with the provisions of Attachment P to Circular A-102, "Uniform requirements for grants to State and local governments," audits shall be made of organizations carrying out

this program at least once every 2 years. The audits will be made in accordance with the General Accounting Office guidelines," Standards for Audit of Government Organizations, Programs, Activities and Functions," and additional OMB guidance.

**Records:** All financial records and working papers must be retained for 3 years after the completion of the project or program for which a grant was made.

#### **FINANCIAL INFORMATION:**

**Account Identification:** 13-1450-0-1-302.

**Obligations:** (Grants) FY 84 \$245,000; FY 85 est \$148,000; and FY 86 est \$0.

**Range and Average of Financial Assistance:** Dependent upon State's allotment. In FY 82, allotments ranged from \$75,000 to \$1,000,000.

**PROGRAM ACCOMPLISHMENTS:** In fiscal year 1984, NOAA approved an additional 12 projects totaling \$325,000.

**REGULATIONS, GUIDELINES, AND LITERATURE:** 15 CFR Part 931, OMB Circular Nos. A-87 and A-102.

#### **INFORMATION CONTACTS:**

**Regional or Local Office:** None.

**Headquarters Office:** Chief, Coastal Programs Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven St., N.W., Washington, DC 20235. Telephone: (202) 634-1672. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.419, Coastal Zone Management Program Administration Grants; 11.422, Coastal Energy Impact Grants; 11.423, Coastal Energy Impact Program—Loans and Guarantees.

**EXAMPLES OF FUNDED PROJECTS:** A \$307,000 grant awarded to the Alaska Department of Fish and Game, the Division of Parks, and the City of Steward was used to perform studies assessing the potential onshore impacts of Outer Continental Shelf (OCS) oil and gas development and to prepare plans for the prevention of damage to environmental and recreational resources arising from this development. LaFourche Parish, Louisiana, received a grant of \$80,000 for the purchase of oil firefighting equipment.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.

### **11.422 COASTAL ENERGY IMPACT GRANTS**

**FEDERAL AGENCY:** NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Coastal Zone Management Act Amendments of 1976, Public Law 94-370 (16 U.S.C. 1451 et seq.), as amended by Public Law 96-164, Section 308 (C) (1), 308 (C) (2) and 308 (C) (3).

**OBJECTIVES:** To assist the States and units of local government to study and plan for the social, economic and environmental consequences on the coastal zone of new or expanded energy facilities; to prevent, reduce, or mitigate losses resulting from the transportation, transfer, or storage of coal or from alternative Ocean Energy Activities; and to participate effectively in Federal policy, planning, and managerial decisions relating to the development of OCS oil and gas resources.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Eligible uses include: Planning projects for housing and land use planning, public safety, and public facility plans, provided they are related to the social, economic and environmental impacts resulting from new or expanded energy activity; development and implementation of an Intra-State Allocation Process; carrying out responsibilities under the OSC Lands Act; projects to prevent, reduce or mitigate unavoidable losses to valuable coastal environmental and recreational resources resulting from the transportation, transfer, or storage of coal or from AOE activities.

#### **ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** Any coastal State or territory which has a management program that has been approved under Section 306 or is making in the judgment of the Assistant Administrator, satis-

factory progress toward the development of a management program that is consistent with the policies set forth in Section 303.

**Beneficiary Eligibility:** Only units of general purpose local governments in the coastal zone, as defined in 15 CFR 931.22, and State agencies are eligible for CEIF assistance. The State Section 308 agency is the applicant for the grants; it may then pass through awarded assistance to local governments in accordance with the State's Intra-State Allocation Process.

**Credentials/Documentation:** Letter from the Governor designating the applicant. Costs will be determined in accordance with OMB Circular No. A-87.

#### **APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. No preapplication necessary. An environmental impact assessment is required for this program. This program is eligible for coverage under E.O. 12372, "Inter-governmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** The applications for 308(c) grants, NOAA Form 36-21 or NOAA Form 36-26 are to be submitted in original plus two copies. In each State the Governor designates a 308 lead agency. The lead agency submits applications for financial assistance to NOAA. Projects and proposals for funding from units of local government and State agencies must be submitted to the Section 308 lead agency.

**Award Procedure:** Applications are approved by NOAA. Special Note: Intra-State Allocation Process (Section 308(g)(2)) - each coastal State, after being notified of its allotment, must establish a process to allocate its allotment among State agencies and units of local government based upon the need for assistance.

**Deadlines:** Applications should be submitted 120 days prior to the proposed work start date.

**Range of Approval/Disapproval Time:** From 60 to 120 workdays.

**Appeals:** No formal procedure.

**Renewals:** Not applicable.

#### **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** The Federal share of grants for 308(c) are not to exceed 70 percent of the total project costs. Local or State funds may be used to meet the nonfederal share of project costs, or in-kind contributions may be used, as described in OMB Circular No. A-102. The statistical factors used for fund allocation are: (1) peak construction employment and the source is Office of CZM; (2) environmental factor and the source is Office of CZM; (3) safety factor and the source is Office of CZM; and (4) planning cost differentials and the source is American Planning Association Annual Report. The statistical factor used for eligibility does not apply to this program.

**Length and Time Phasing of Assistance:** Grants are normally made once a year. The allotment of financial assistance among the States is based on formulas related to new or expanded energy facilities affecting the coastal zone.

#### **POST ASSISTANCE REQUIREMENTS:**

**Reports:** Financial status reports are required semi-annually or quarterly and a final report within 90 days of the grant ending date. Performance reports are required semi-annually or quarterly and a final report required within 90 days of the grant ending date.

**Audits:** In accordance with the provisions of Attachment P to Circular A-102, "Uniform requirements for grants to State and local governments," audits shall be made of organizations carrying out this program at least once every 2 years. These audits will be made in accordance with the General Accounting Office guidelines, "Standards for Audit of Government Organizations, Programs, Activities and Functions," and additional OMB guidance.

**Records:** All financial records and working papers must be retained for 3 years after the completion of the project or program for which a grant was made.

## **FINANCIAL INFORMATION:**

**Account Identification:** 13-4315-0-3-452.

**Obligations:** (Grants) FY 84 \$245,000; FY 85 \$215,000; and FY 86 est \$0.

**Range and Average of Financial Assistance:** Dependent upon State's allotment. Allotments range from \$75,000 to \$192,000.

**PROGRAM ACCOMPLISHMENTS:** In fiscal year 1984, NOAA approved an additional 5 projects totaling \$244,469.

**REGULATIONS, GUIDELINES, AND LITERATURE:** 15 CFR Part 931, OMB Circular Nos. A-87 and A-102.

## **INFORMATION CONTACTS:**

**Regional or Local Office:** None.

**Headquarters Office:** Chief, Coastal Programs Office, Office of Ocean and Resource Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven St., N.W., Washington, DC 20235. Telephone: (202) 634-1672. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.421, Energy Impact—Formula Grants.

**EXAMPLES OF FUNDED PROJECTS:** Ventura County, California, was provided with \$60,000 to plan for social, physical, and environmental impacts of OCS and other coastal energy activity on its public facilities and services. A \$12,000 grant was made to the Town of Seabrook, New Hampshire to study the effect of the Seabrook nuclear electric power generation plant on the municipal water supply.

**CRITERIA FOR SELECTING PROPOSALS:** Not presently available.

## **11.423 COASTAL ENERGY IMPACT PROGRAM—LOANS AND GUARANTEES**

**FEDERAL AGENCY:** NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

**AUTHORIZATION:** Coastal Zone Management Act Amendments of 1976, Section 308(d)(1) Loans and 308(d)(2) Bond Guarantees; 16 U.S.C. 1451 et seq; Public Law 94-370.

**OBJECTIVES:** To provide financial assistance for public facilities necessary to support increased populations stemming from new or expanded coastal energy activity.

**TYPES OF ASSISTANCE:** Direct Loans.

**USES AND USE RESTRICTIONS:** The public facilities eligible include but are not limited to highways and secondary roads, parking, mass transit, docks, navigation aids, fire and police protection, water supply, waste collection and treatment (including drainage), schools and education, and hospitals and health care.

## **ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** Any coastal State which has a management program which has been approved under Section 306; or is making in the judgment of the Assistant Administrator, satisfactory progress toward the development of a management program which is consistent with the policies set forth in Section 303.

**Beneficiary Eligibility:** Only units of general purpose local government in the coastal zone, as defined in 15 CFR 931.22, and State agencies are eligible for CEIP financial assistance.

**Credentials/Documentation:** Costs will be determined in accordance with OMB Circular No. A-87.

## **APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** For construction project, the borrower must provide a Preliminary Engineering Report which contains a preliminary analysis of the engineering aspects of the proposed facility costs and financial feasibility of the project. Cost for the Preliminary Engineering Report may also be included in 308(b) applications. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment should be submitted with the initial construction project application to determine whether an environmental impact statement is required. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected

the program for review.

**Application Procedure:** Applications for Section 308(d)(1) and (2) NOAA Form 36-23 are to be submitted in original plus two copies. In each State the Governor designates a 308 lead agency. The lead agency submits applications for financial assistance to NOAA. Projects and proposals for funding from units of local governments and State agencies must be submitted to the 308 lead agency.

**Award Procedure:** Applications are approved by NOAA. Special note: Intra-State Allocation Process (Section 308(g)(2)) - each coastal State, after being notified of its allotment, must establish a process to allocate its allotment among State agencies and units of local government based upon the need and level of anticipated impact (see 15 CFR Subpart J).

**Deadlines:** Applications should be submitted 120 days prior to the proposed work start date.

**Range of Approval/Disapproval Time:** From 60 to 120 workdays.

**Appeals:** No formal procedure.

**Renewals:** Not applicable.

## **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** Up to 100 percent Federal funding allotments are made. The statistical factors used for fund allocation are: (1) peak construction employment and the source is the office of OCRM; (2) new employment and related new population and the source is the office of OCRM; and (3) CPI annual update for standard construction and the source is the BLS. The statistical factor used for eligibility does not apply to this program.

**Length and Time Phasing of Assistance:** After being notified of its allotment, a coastal State may submit application for loans and guarantees from this allotment.

## **POST ASSISTANCE REQUIREMENTS:**

**Reports:** Quarterly construction and financial status reports are required for all construction projects.

**Audits:** In accordance with the provisions of Attachment P to Circular A-102, "Uniform requirements for local grants to State and governments," audits shall be made of organizations carrying out this program at least once every 2 years. These audits will be made in accordance with the General Accounting Office guidelines, "Standards for Audit of Government Organizations, Programs, Activities and Functions," and additional OMB guidance.

**Records:** Recipients of loans and guarantees should retain financial records until complete repayment of the loan or guarantee for a period of at least 3 years.

## **FINANCIAL INFORMATION:**

**Account Identification:** 13-4315-0-3-452.

**Obligations:** (Loans) FY 84 \$0; FY 85 est \$0; and FY 86 est \$0.

**Range and Average of Financial Assistance:** Dependent upon State's allotment. In 1978, allotments ranged from \$200,000 to \$38,000,000.

**PROGRAM ACCOMPLISHMENTS:** Through June of fiscal year 1983, 33 loans totaling \$128,440,000 were awarded to eight States.

**REGULATIONS, GUIDELINES, AND LITERATURE:** 15 CFR Part 931, OMB Circular Nos. A-87 and A-102.

## **INFORMATION CONTACTS:**

**Regional or Local Office:** None.

**Headquarters Office:** Chief, Coastal Programs Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, 3300 Whitehaven St., N.W., Washington, DC 20235. Telephone: (202) 254-8000. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 11.421, Energy Impact—Formula Grants.

**EXAMPLES OF FUNDED PROJECTS:** A \$10,636,000 loan was awarded to construct a 168 bed hospital and provide needed emergency treatment services to oil crew workers in Morgan City, Louisiana. The Park Central Municipal Utility District in the City of Port Arthur, Texas, received a \$13,482,000 loan to finance the construction of sewer, water and drainage facilities needed as a result of OCS energy activity. A \$5,078,000 loan was made to Jackson County, Mississippi, to expand the County water system.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.

**DEPARTMENT OF DEFENSE**  
**CIVIL WORKS ACTIVITIES**

Col. Robert R. Hardiman  
Buffalo District  
1776 Niagara Street  
Buffalo, NY 14207  
(716) 876-5454, Ext. 2200

**12.101 BEACH EROSION CONTROL PROJECTS**  
**(Small Beach Erosion Control Projects)**

**FEDERAL AGENCY:** OFFICE OF THE CHIEF OF ENGINEERS,  
DEPARTMENT OF ARMY, DEPARTMENT OF DEFENSE

**AUTHORIZATION:** Section 103 of the 1962 River and Harbor Act,  
as amended; Public Law 87-874; 33 U.S.C. 426g.

**OBJECTIVES:** To control all beach and shore erosion to public shores  
through projects not specifically authorized by Congress.

**TYPES OF ASSISTANCE:** Provision of Specialized Services.

**USES AND USE RESTRICTIONS:** Corps of Engineers designs and  
constructs the project. Each project selected must be engineer-  
ingly feasible, complete within itself, and economically justified.  
The nonfederal sponsoring agency must agree to (1) assume full  
responsibility for all project costs in excess of the Federal cost  
limit of \$1,000,000; (2) provide all necessary lands, easements,  
rights-of-way; (3) hold and save the United States free from dam-  
ages; (4) assure that water pollution that would affect the health of  
bathers will not be permitted; (5) assure continued public owner-  
ship or public use of the beach, and its administration for public  
use; (6) provide project maintenance; and (7) provide and maintain  
necessary access roads, parking areas and other public use facilities  
open and available to all on equal terms.

**ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** States, political subdivisions of States or other  
responsible local agencies established under State law with full au-  
thority and ability to undertake necessary legal and financial re-  
sponsibilities.

**Beneficiary Eligibility:** States, political subdivisions of States or other  
responsible local agencies established under State law with full au-  
thority and ability to undertake necessary legal and financial re-  
sponsibilities.

**Credentials/Documentation:** Applicant must furnish evidence of legal  
authorization, financial capability, and willingness to provide all  
necessary local participation and required cooperation.

**APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** State or local government officials  
should consult the nearest District Engineer regarding specific  
problems and the possibility of remedial action under this pro-  
gram. An environmental impact statement is also required. This  
program is eligible for coverage under E.O. 12372, "Intergovern-  
mental Review of Federal Programs." An applicant should consult  
the office or official designated as the single point of contact in his  
or her State for more information on the process the State requires  
to be followed in applying for assistance, if the State has selected  
the program for review.

**Application Procedure:** Formal letter to District Engineer from a  
prospective sponsoring agency indicating clear intent to provide  
all required local participation.

**Award Procedure:** The Chief of Engineers approves an individual  
project upon the basis of a comprehensive investigation and report  
by the District Engineer.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Not applicable.

**Appeals:** Not applicable.

**Renewals:** Not applicable.

**ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** Local cost participation re-  
quirements and procedures for determining the local share of  
project cost are similar to those for beach erosion control projects  
specifically authorized by Congress under regular authorization  
procedures. The determination of local cost is based on the public  
use and ownership of the beach protected. The Federal participa-

tion can not exceed \$1,000,000 or 70 percent of project cost  
whichever is lower.

**Length and Time Phasing of Assistance:** Not applicable.

**POST ASSISTANCE REQUIREMENTS:**

**Reports:** A semiannual report is submitted to the District Engineer  
covering inspections, maintenance, and current project status.

**Audits:** Not applicable.

**Records:** As necessary to show past project conditions and local ac-  
tions.

**FINANCIAL INFORMATION:**

**Account Identification:** 96-3122-0-1-301.

**Obligations:** (Salaries and expenses) FY 84 \$2,224,338; FY 85 est  
\$1,298,000; and FY 86 est \$2,150,000.

**Range and Average of Financial Assistance:** Not applicable.

**PROGRAM ACCOMPLISHMENTS:** Three projects were under con-  
struction in fiscal year 1984.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Engineer Reg-  
ulation 1105-2-10, App. E (33 CFR 263) and information sheets  
describing this program are available from the District Engineer.

**INFORMATION CONTACTS:**

**Regional or Local Office:** See Appendix IV of the Catalog for a list-  
ing of District Engineers.

**Headquarters Office:** Office of the Chief of Engineers, Attn: DAEN-  
CWP-A Washington, DC 20314. Telephone: (202) 272-0141.

**RELATED PROGRAMS:** 12.102, Flood Control Works and Federally  
Authorized Coastal Protection Works, Rehabilitation.

**EXAMPLES OF FUNDED PROJECTS:** Not applicable.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.

**12.107 NAVIGATION PROJECTS**  
**(Small Navigation Projects)**

**FEDERAL AGENCY:** OFFICE OF THE CHIEF OF ENGINEERS,  
DEPARTMENT OF THE ARMY, DEPARTMENT OF DE-  
FENSE

**AUTHORIZATION:** Section 107 of 1960 River and Harbor Act, as  
amended; Public Law 86-645; 33 U.S.C. 577.

**OBJECTIVES:** To provide the most practicable and economic means  
of fulfilling the needs of general navigation, through projects not  
specifically authorized by Congress.

**TYPES OF ASSISTANCE:** Provision of Specialized Services.

**USES AND USE RESTRICTIONS:** Corps of Engineers designs and  
constructs the project. Each project selected must be engineer-  
ingly feasible, complete within itself, and economically justified.  
The nonfederal sponsoring agency must agree to assume full re-  
sponsibility for all project costs in excess of the Federal cost limit  
of \$2,000,000; contribute toward project costs for construction and  
maintenance in view of recreational benefits, land enhancement  
benefits or other special local benefits; provide all necessary lands,  
easements, rights-of-way; hold and save the United States free  
from damages; and, provide adequate public landing or wharf,  
piers, access roads, parking areas and other needed public facilities  
open and available to all on equal terms. Local cost participation  
requirements and procedures for determining the local share of  
project cost are similar to those for navigation projects specifically  
authorized by Congress under regular authorization procedures.  
No project is to be recommended for implementation under the  
Section 107 authority for which the total constant dollar Federal  
costs over 50 years exceed \$4,500,000 when discounted at the cur-  
rent water project discount rate.

**ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** States, political subdivisions of States or other  
responsible local agencies established under State law with full au-  
thority and ability to undertake necessary legal and financial re-  
sponsibilities.

**Beneficiary Eligibility:** States, political subdivisions of States or other  
responsible local agencies established under State law with full au-  
thority and ability to undertake necessary legal and financial re-  
sponsibilities.

**Credentials/Documentation:** Applicant must furnish evidence of legal  
authorization, financial capability, and willingness to provide all  
necessary local participation and required cooperation.

#### APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** State or local government officials should consult the nearest District Engineer regarding specific problems and the possibility of remedial action under this program. An environmental impact statement is also required. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Formal letter to District Engineer from a prospective sponsoring agency indicating clear intent to provide all required local participation.

**Award Procedure:** The Chief of Engineers approves an individual project upon the basis of a comprehensive investigation and report by the District Engineer.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Not applicable.

**Appeals:** Not applicable.

**Renewals:** Not applicable.

#### ASSISTANCE CONSIDERATIONS:

**Formula and Matching Requirements:** None.

**Length and Time Phasing of Assistance:** Not applicable.

#### POST ASSISTANCE REQUIREMENTS:

**Reports:** Not applicable.

**Audits:** Not applicable.

**Records:** Not applicable.

#### FINANCIAL INFORMATION:

**Account Identification:** 96-3122-0-1-301.

**Obligations:** (Salaries and expenses) FY 84 \$12,363,022; FY 85 \$11,191,000; and FY 86 est \$4,850,000.

**Range and Average of Financial Assistance:** Not applicable.

**PROGRAM ACCOMPLISHMENTS:** Projects at 21 locations were under construction in fiscal year 1984.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Engineer Regulation 1105-2-10, App E (33 CFR 263) and information sheets describing this program are available from the District Engineer.

#### INFORMATION CONTACTS:

**Regional or Local Office:** See Appendix IV of the Catalog for listing of District Engineers.

**Headquarters Office:** Office of the Chief of Engineers, Attn: DAEN-CWP-A, Washington, DC 20314. Telephone: (202) 272-0141. (Use the same 7-digit number for FTS.)

**RELATED PROGRAMS:** 12.109, Protection, Clearing and Straightening Channels.

**EXAMPLES OF FUNDED PROJECTS:** Not applicable.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.

### DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

#### REGIONAL OFFICE - REGION III

(Delaware, District of Columbia, Maryland,  
Pennsylvania, Virginia, West Virginia)

Philadelphia Regional Office  
Regional Administrator  
Regional Housing Commissioner  
Liberty Square Building  
105 South 7th Street  
Philadelphia, PA 19106-3392  
(215) 597-2560  
(Use same 7-digit number for FTS)

#### 14.219 COMMUNITY DEVELOPMENT BLOCK GRANTS/SMALL CITIES PROGRAM (Small Cities)

**FEDERAL AGENCY:** COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**AUTHORIZATION:** Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 42 U.S.C. 5301 - 5317, as amended.

**OBJECTIVES:** The primary objective of this program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Small Cities develop their own programs and funding priorities. Generally, as in the case of entitlement grants, most activities previously eligible under the categorical program consolidated under the Act, and defined by the statute and regulations may be carried out, i.e., acquisition, rehabilitation or construction of certain public works facilities and improvements, clearance, housing rehabilitation, code enforcement, relocation payments and assistance, administrative expenses, economic development, completing existing urban renewal projects, and certain public services within certain limits. Neighborhood-

based nonprofit organizations, local development corporations or Small Business Investment Companies may act as subgrantees to carry out neighborhood revitalization or community economic development projects in furtherance of block grant objectives. For-profit businesses may be used as subgrantees to carry out economic development activities. Communities are restricted from constructing or rehabilitating public facilities for the general conduct of government and certain community wide facilities, i.e., central libraries, stadiums, sports arenas, cultural centers, convention centers; and from underwriting the cost of constructing new housing or of making housing allowance or other income maintenance-type payments. The projected use of funds must be developed to give maximum feasible priority to activities which benefit low and moderate income persons, aid in the prevention or elimination of slums or blight and the projected use of funds may also include activities which the applicant certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. At least 51 percent of the funds made available to each unit of general local government must benefit low and moderate income persons.

#### ELIGIBILITY REQUIREMENTS:

**Applicant Eligibility:** Under the CDBG Program/State Program (14.228) each State may now elect to administer all aspects of the Small Cities Program for the nonentitlement communities within its jurisdiction. However, HUD will continue to administer the Small Cities Program in States not electing to do so. In States where HUD administers the Program, eligible applicants are units of general local government (including counties), except metropolitan cities, urban counties or units participating in an urban county's CDBG program, and Indian tribes eligible for assistance under Section 107(a)(3) of the Act.

**Beneficiary Eligibility:** State and local governments.

**Credentials/Documentation:** Costs will be determined in accordance with OMB Circular No. A-87 for State and local governments.

#### APPLICATION AND AWARD PROCESS:

**Preapplication Coordination:** Not applicable.

**Application Procedure:** The application will be reviewed to assure that it meets all requirements of the regulations. The application will also be rated and ranked under the selection criteria and applicants funded to the extent funds permit.



**Award Procedure:** Applicants are advised of ranking and selection by the Area Office.

**Deadlines:** HUD shall establish deadlines for submission of applications by State through publication of a Notice in the Federal Register.

**Range of Approval/Disapproval Time:** Although not required by Statute, HUD Field offices will attempt to review, rate, and rank applications within 75 days.

**Appeals:** None.

**Renewals:** There are no automatic renewals. Complete new applications must be undertaken.

#### **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** Allocations to States are based on a dual Formula under Section 106 of the Act (24 CFR 570, Subpart B) using statistical factors. Allocations for each State are based on an amount equaling the greater of the amounts calculated under two formulas. The factors involved in the first formula are population, extent of poverty and extent of overcrowding, weighted 0.25, 0.50, and 0.25, respectively. The factors involved in the second formula are population, poverty, and age of housing weighted 0.20, 0.30, and 0.50, respectively. The statistical factors used for fund allocation are (1) total resident population for all places in nation from the source 1980 Census; (2) number of persons with incomes below the poverty level from the source 1980 Census; (3) number of housing units with 1.01 or more persons per room from the source 1980 Census; (4) age of housing; number of year-round housing units built in 1939 or earlier from the source 1980 Census. The statistical factors for each State have been reduced to reflect only the non-entitled area; that is, the State area excluding metropolitan cities and urban counties. Address questions concerning the formula to John Nagoski, Division of Data Systems and Statistics, Office of Management, Community Planning and Development, 451 7th Street, SW, Washington, DC 20410. Telephone: (202) 755-6042.

**Length and Time Phasing of Assistance:** Competition is held on an annual basis, but it is not unusual for a single purpose or a comprehensive program to take more than 12 months to complete, depending on activities undertaken.

#### **POST ASSISTANCE REQUIREMENTS:**

**Reports:** Performance Assessment Report and Financial Reports.

**Audits:** Periodic audits must be made. These audits must take place

at least every two years or at the completion of the program.

**Records:** All information on grants must be kept.

#### **FINANCIAL INFORMATION:**

**Account Identification:** 86-0162-0-1-451.

**Obligations:** (General purpose discretionary) FY 84 \$1,035,146,000; FY 85 est \$1,023,264,000, and FY 86 est \$1,225,720,000. These are total amounts for CDBG small cities and include both State and HUD administered obligations.

**Range and Average of Financial Assistance:** In fiscal year 1984, averages were approximately - \$253,000 for Single Purpose and \$486,238 for Comprehensive. Grants range from less than \$24,000 to over \$800,000.

**PROGRAM ACCOMPLISHMENTS:** Fiscal year 1984 approvals totaled approximately 80 for the Small Cities Program.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Administrative Regulations for Community Development Block Grants, 24 CFR 570, Subpart F.

#### **INFORMATION CONTACTS:**

**Regional or Local Office:** Contact appropriate HUD Field Office (or Regional Office in Region VIII) listed in the Catalog appendix.

**Headquarters Office:** State and Small Cities Division, Office of Block Grant Assistance Community Planning and Development, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, DC 20410.

**RELATED PROGRAMS:** 14.218, Community Development Block Grants/Entitlement Grants; 14.228, Community Development Block Grants/State's Program.

**EXAMPLES OF FUNDED PROJECTS:** Neighborhood revitalization projects emphasizing rehabilitation of private homes, and including appropriate improvements of public facilities; economic development projects for expanded employment opportunities; and projects to address serious deficiencies in public facilities such as water and sewer.

**CRITERIA FOR SELECTING PROPOSALS:** The program is competitive and the demand for grants far exceeds the available funds. Applications are ranked in accordance with a national rating system to ensure that grants are fairly and equitably awarded. Applicants are funded based on the final ranking of the application, to the extent funds are available. Rating factors consist of: absolute number and percent of poverty persons; impact of the proposed programs; and outstanding past performance in meeting basic national objectives in the area of housing and equal opportunity.

## **DEPARTMENT OF THE INTERIOR**

### **U. S. FISH & WILDLIFE SERVICE - REGIONAL OFFICE**

(Region V: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Washington, District of Columbia)

Howard N. Larsen  
One Gateway Center  
Newton Corner, MA 02158  
(617) 965-5100

(Use same 7-digit number for FTS)

#### **15.605 FISH RESTORATION**

(Dingell—Johnson Program or D-J Program)

**FEDERAL AGENCY:** U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

**AUTHORIZATION:** Federal Aid in Sport Fish Restoration Act of 1950; 64 Stat. 430; as amended 16 U.S.C. 777777k.

**OBJECTIVES:** To support projects designed to restore and manage sport fish populations for the preservation and improvement of sport fishing and related uses of these fisheries resources.

**TYPES OF ASSISTANCE:** Formula Grants.

**USES AND USE RESTRICTIONS:** Approvable activities include land acquisition, development, research and coordination. Activities prohibited are law enforcement and public relations.

#### **ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** Participation limited to State fish and wildlife agencies. States must have passed laws for the conservation of fish which include a prohibition against diversion of license fees paid by fishermen for purposes other than the administration of the State fish and wildlife agency. Also eligible are Puerto Rico, Guam, the Virgin Islands, American Samoa, the Northern Mariana Islands, and the District of Columbia.

**Beneficiary Eligibility:** Same as Applicant Eligibility.

**Credentials/Documentation:** Notification of desire to participate must be made annually to the Secretary. The State fish and wildlife director must furnish a certification of the number of paid fishing license holders. Costs are determined in accordance with OMB Circular No. A-87 for State and local governments.

#### **APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard application forms furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Environmental assessment is required where actions will significantly affect the human environment. This program is eligible for coverage under E. O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Grantee may document initial program by submission of satisfactory comprehensive long range plan. When plan is accepted, project documentation is not required and annual agreement based on the plan is executed. Grantee has the option of submitting a project application. The form used is furnished by the Service. Documentation is covered in detail in the "Federal Aid Manual."

**Award Procedure:** The Regional Director approves or disapproves comprehensive long range plans and individual proposed projects. Regional offices are responsible for notification of grant approval to the grantee by return of a completed agreement.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Average 8 days.

**Appeals:** Differences of opinion about the substantiality of proposed projects are considered by qualified representatives of the Service and the State. In the event of continued disagreement, final determination rests with the Secretary of the Interior.

**Renewals:** Projects are renewed on an annual basis through approval of a project agreement.

#### **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** Forty percent on the basis of land and water area of the State and 60 percent on the basis of paid fishing license holders. No State may receive more than five percent or less than one percent of the total apportioned. Puerto Rico is apportioned one percent; Guam, the Virgin Islands, the Northern Mariana Islands, American Samoa, and the District of Columbia are apportioned one-third of one percent. States are reimbursed up to 75 percent of the total project cost. Statistical factors used for fund allocation are (1) States percentage share of land and water area and statute miles of coastline including coastal and Great Lakes Waters from the source GE20 Number 1, May 1970, Area Measurement Report, Census; Coastline of the U.S., NOAA; (2) States percentage share of number of paid fishing license holders from the source annually certified by each State's fish and wildlife agency. Statistical factors used for eligibility do not apply for this program.

**Length and Time Phasing of Assistance:** Apportioned funds are available for obligation for a period of two years. Balances remaining unobligated after the period of availability are returned to the Service.

#### **POST ASSISTANCE REQUIREMENTS:**

**Reports:** A Performance Report is required for each annual segment within 90 days after the end of the segment.

### **NATIONAL PARK SERVICE - REGIONAL OFFICE**

Anthony M. Corbisiero, Associate Regional  
Director

Planning and Development

National Park Service

143 South 3rd Street

Philadelphia, PA 19106

(215) 597-7989

(Use same 7-digit number for FTS)

### **15.916 OUTDOOR RECREATION—ACQUISITION, DEVELOPMENT AND PLANNING**

(Land and Water Conservation Fund Grants)

**FEDERAL AGENCY:** NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

**AUTHORIZATION:** 16 U.S.C. 1-4 et seq. Land and Water Conservation Fund Act of 1965; Public Law 88-578; 78 Stat. 897; as amended by Public Law 90-401 (82 Stat. 354); Public Law 91-485 (84 Stat. 1084); Public Law 91-308 (84 Stat. 410); Public Law 92-347 (86 Stat. 460); Public Law 93-81 (87 Stat. 178); Public Law 94-422 (90 Stat. 1313); and Public Law 95-42 (91 Stat. 210).

**OBJECTIVES:** To provide financial assistance to the States and their political subdivisions for the preparation of Statewide Comprehensive Outdoor Recreation Plans (SCORPs) and acquisition and development of outdoor recreation areas and facilities for the general public, to meet current and future needs.

**Audits:** Audits of internal controls, propriety of costs, and compliance with regulations and legislation are performed at regular intervals.

**Records:** Cost records must be maintained separately for each project. Records, accounts, and supporting documents must be retained for three years after submission of final request for reimbursement.

#### **FINANCIAL INFORMATION:**

**Account Identification:** 14-9923-0-2-303.

**Obligations:** (Grants) FY 84 \$35,423,000; FY 85 est \$35,060,000; and FY 86 est \$38,700,000.

**Range and Average of Financial Assistance:** FY 84 \$104,600 to \$1,569,000; \$560,357; FY 85 \$116,867 to \$1,753,000; \$626,067.

**PROGRAM ACCOMPLISHMENTS:** In fiscal year 1984, 1,312 acres of water were created or restored as public fishing lakes in participating States and a total of 719 acres were acquired or developed to provide public access to fishing grounds. Fiscal year 1985 statistics are not available at this time.

**REGULATIONS, GUIDELINES, AND LITERATURE:** 50 CFR 80; Federal Aid Manual; Federal Aid in Fish and Wildlife Restoration Annual Report (limited number available at no cost).

#### **INFORMATION CONTACTS:**

**Regional or Local Office:** See Catalog address appendix.

**Headquarters Office:** Fish and Wildlife Service, Department of the Interior, Washington, DC 20240. Telephone: (703) 235-1526. (Use same 7-digit number for FTS).

**RELATED PROGRAMS:** 11.405, Anadromous and Great Lakes Fisheries Conservation; 11.407, Commercial Fisheries Research and Development; 15.600, Anadromous Fish Conservation; 15.603, Farm Fish Pond Management; 15.604, Fishery Research—Information; 15.608, Fishery Resources Technical Assistance; 15.610, Wildlife Research Information; 15.611, Wildlife Restoration; 15.612, Endangered Species Conservation.

**EXAMPLES OF FUNDED PROJECTS:** Fish habitat improvement, research on fishery problems, surveys and inventories of fish populations and habitats, provision for public use of fishery resources, lake and stream rehabilitation.

**CRITERIA FOR SELECTING PROPOSALS:** Projects must be submitted by the State agency having responsibility for management of the State's fishery resources. The State agency selects those projects which are submitted for funding under the program. Projects are approved if they meet basic criteria contained in the regulations and the Manual.

**TYPES OF ASSISTANCE:** Project Grants.

**USES AND USE RESTRICTIONS:** Acquisition and development grants may be used for a wide range of outdoor recreation projects, such as picnic areas, inner city parks, campgrounds, tennis courts, boat launching ramps, bike trails, outdoor swimming pools, and support facilities such as roads, water supply, etc. Facilities must be open to the general public and not limited to special groups. Development of basic rather than elaborate facilities is favored. Fund monies are not available for the operation and maintenance of facilities. Grants are also available to States only for revising and updating existing SCORPs preparation of new plans and for statewide surveys, technical studies, data collection and analysis and other planning purposes which are clearly related to SCORP refinement and improvement plan.

#### **ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** For planning grants, only the State agency formally designated by the Governor or State law as responsible for the preparation and maintenance of the Statewide Comprehensive Outdoor Recreation Plan is eligible to apply. (Treated as States in this regard are the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, and Guam.) For acquisition and development grants, the above designated agency may apply for assistance for itself, or on behalf of other State agencies or political subdivisions, such as cities, counties, and park districts. Additionally, Indian tribes which are organized to govern themselves and perform the function of a general purpose unit of government qualify for assistance under the program. Individuals and private organizations are not eligible.

more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Project proposals are submitted to the Service through the State liaison officer designated by the Governor. The State Liaison Officer has the initial prerogative of determining acquisition and development project eligibility, priority need, and order of fund assistance within the State.

**Award Procedure:** Proposals are reviewed by regional office, where final action may be taken.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** Approximately 20 days for acquisition and development projects; 60 days for planning projects.

**Appeals:** State may appeal to the Secretary of the Interior.

**Renewals:** Project agreements may be amended to change the scope, amount, or duration. Must be approved by the Service.

#### **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** The Land and Water Conservation Fund Act specifies that not more than 50 percent of the project cost may be federally financed. Under certain conditions, all or part of the project Sponsor's matching share may be from certain other Federal assistance programs, such as Title I Community Development, Appalachia and all other Regional Commissions. Forty percent of the first \$225 million; thirty percent of the next \$275 million; and twenty percent of all additional appropriations is apportioned equally among the States. The remaining appropriation is apportioned on the basis of need. This program has maintenance of effort (MOE) requirements, see funding agency for further details.

**Length and Time Phasing of Assistance:** Funds are available for obligation during the fiscal year in which appropriated and for the two following fiscal years. The assistance period for individual projects varies and may be extended. Complex projects may be

**Beneficiary Eligibility:** The general public. For planning grants, same as Applicant Eligibility.

**Credentials/Documentation:** The State Liaison Officer (SLO), appointed by the Governor to administer the program in the State, must furnish assurance that the project is in accord with the State Comprehensive Outdoor Recreation Plan; i.e., that it meets high priority recreation needs shown in the action program portion of the plan. The State's apportionment balance of fund monies must be adequate for the project, and the sponsoring agency must permanently dedicate the project to public outdoor recreation and assume responsibility for operation and maintenance. SCORPs must cite the State's legal authority to participate in the Land and Water Conservation Fund program. Costs will be determined in accordance with OMB Circular No. A87 for State and local governments.

#### **APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard application forms furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Applicant is required to furnish basic environmental information or evaluation. Assessment by the National Park Service will determine whether an environmental impact statement will be prepared. This program is eligible for coverage under E. O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for

broken down into stages, with one being initially approved and the remainder qualified for activation at a later date. Except for project preparation costs, all costs must be incurred within the project period. Planning projects may not be phased.

#### **POST ASSISTANCE REQUIREMENTS:**

**Reports:** State inspection reports are submitted triennially on completed projects stating whether the properties acquired and/or developed with fund assistance are used in accordance with the agreement. For planning projects, end products are specified in the application for assistance. Reports are required with billings.

**Audits:** OMB Circular A-102 Attachment P requires State and local recipients to provide an organizational audit to their respective cognizant agencies at least once every two years.

**Records:** Maintain records to facilitate audit, including records that fully disclose the amount and disposition of assistance; the total cost of the project; and the amount and nature of that portion of the cost supplied by other sources.

#### **FINANCIAL INFORMATION:**

**Account Identification:** 14-5035-0-2-303.

**Obligations:** (Grants) FY 84 \$107,699,000; FY 85 est \$102,403,000; and FY 86 est \$0.

**Range and Average of Financial Assistance:** \$150 to \$5,450,000; \$68,178.

**PROGRAM ACCOMPLISHMENTS:** By September 30, 1984, over \$2.9 billion has been made available to State and local units of government to assist in planning, acquiring and developing public outdoor recreation areas and facilities.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Outdoor Recreation Grants-in-Aid Manual (available on a subscription basis from the Superintendent of Documents, Government Printing Office, Washington, DC 20402, at a cost of \$9.75). "The Land and Water Conservation Fund Act of 1965, as Amended," no charge; and "Private Assistance in Outdoor Recreation," \$0.90 from Government Printing Office.

#### **INFORMATION CONTACTS:**

**Regional or Local Office:** See Catalog Appendix IV for addresses.

**Headquarters Office:** Chief, Recreation Grants Division, National Park Service, Department of the Interior, P.O. Box 37127, Washington, DC 20013-7127. Telephone: (202) 343-3700. Contact: Sam L. Hall.

**RELATED PROGRAMS:** 10.062, Water Bank Program; 39.002, Disposal of Federal Surplus Real Property.

**EXAMPLES OF FUNDED PROJECTS:** Acquisition and development grants may be used for a wide range of outdoor recreation projects, such as picnic areas, inner city parks, campgrounds, tennis courts, boat launching ramps, bike trails, outdoor swimming pools, and support facilities such as roads, water supply, etc. Facilities must be open to the general public and not limited to special groups. Development of basic rather than elaborate facilities is favored. Fund monies are not available for the operation and maintenance of facilities.

**CRITERIA FOR SELECTING PROPOSALS:** At the Federal level each project must be in accord with a State comprehensive outdoor recreation plan. Beyond this, the selection of projects is made by the State Liaison Officer of each State who is responsible for the administration of the 15.916 program in his State.

DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION - STATE OFFICE

Room 728, Federal Building  
228 Walnut Street  
Harrisburg, PA 17108  
(717) 782-4476  
FTS 590-4476

**10.414 RESOURCE CONSERVATION AND DEVELOPMENT LOANS**

**FEDERAL AGENCY:** FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

**AUTHORIZATION:** Food and Agriculture Act of 1962; Public Law 87-703; 7 U.S.C. 1011 (Supp. V) 1959-63; 7 U.S.C. 1010.

**OBJECTIVES:** To provide loan assistance to local sponsoring agencies in authorized areas where acceleration of program of resource conservation, development, and utilization will increase economic opportunities for local people.

**TYPES OF ASSISTANCE:** Direct Loans.

**USES AND USE RESTRICTIONS:** Loan funds may be used for (1) rural community public outdoor-oriented water based recreational facilities; (2) soil and water development, conservation, control and use facilities; (3) shift-in-land use facilities; (4) community water storage facilities; and (5) special purpose equipment to carry out the above purposes. Project must be located in an authorized RC&D area. A loan for a single RC&D measure cannot exceed \$500,000.

**ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** Public agencies and local nonprofit corporations in authorized Resource Conservation and Development (RC&D) Areas may be eligible for loan assistance provided they: (1) Are a sponsor of the RC&D measure for which a loan is requested and which is included in the RC&D project plan; (2) have authority to borrow funds, repay the loan, and pledge security for the loan and to operate the facilities or services provided; and (3) are financially sound, organized, and managed to provide efficient service. Assistance authorized for eligible applicants in approved RC&D areas in States, Puerto Rico, and the Virgin Islands.

**Beneficiary Eligibility:** Farmers, ranchers, rural residents and other residents in an authorized Resource Conservation and Development (RC&D) area.

**Credentials/Documentation:** Evidence of legal capacity, financial responsibility, and economic feasibility relative to the activity for which assistance is requested.

**APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An informal preapplication conference is recommended. An environmental impact assessment is required for this program. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Preapplication Form AD-621 is filed at District FmHA Offices from which assistance may be obtained. This program is subject to the provisions of OMB Circular No. A-110.

**Award Procedure:** After the preapplication has been reviewed by the District Director, it is forwarded to the FmHA State Director for review and processing instructions. Following review by the State Director the applicant is notified about eligibility, availability of funds and if an application should be filed. Upon favorable review and approval of a complete application package, funds are made available to the District FmHA Director for delivery.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** From 30 to 90 days.

**Appeals:** If an application is rejected, the reasons for rejection are fully stated. The applicant may request a review of the decision from the next higher management level of FmHA.

**Renewals:** Not applicable.

**ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** This program has no statutory formula.

**Length and Time Phasing of Assistance:** A time limitation is not specified for use of FmHA loan funds. Funds will be awarded when all FmHA requirements are met and the project can be completed on a timely basis. Funds may be advanced on an as needed basis by FmHA.

**POST ASSISTANCE REQUIREMENTS:**

**Reports:** Periodic progress reports are to be made to the FmHA District Director.

**Audits:** Periodic audits should be made as part of the recipient's systems of financial management and internal control to meet terms and conditions of loans and other agreements.

**Records:** Records and accounts are required to reflect the operations of the project.

**FINANCIAL INFORMATION:**

**Account Identification:** 12-4140-0-3-351.

**Obligations:** (Loans) FY 84 \$82,000; FY 85 est \$2,000,000; and FY 86 est no funds were requested.

**Range and Average of Financial Assistance:** \$30,000 to \$500,000; \$194,000.

**PROGRAM ACCOMPLISHMENTS:** In fiscal year 1984, two loans were made. It is estimated that 2 loans will be made in fiscal year 1985.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Farmers Home Administration, PA-799 and PA-973, no charge, 7-CFR1942 Subpart 1.

**INFORMATION CONTACTS:**

**Regional or Local Office:** Consult your local telephone directory for FmHA county or district office number. If no listing, contact appropriate FmHA State office listed in Appendix IV of the Catalog.

**Headquarters Office:** Director, Community Facilities Division, Farmers Home Administration, Department of Agriculture, Washington, DC 20250. Telephone: (202) 382-1490. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 10.063, Agricultural Conservation Program; 10.423, Community Facilities Loans; 10.500, Cooperative Extension Service; 10.901, Resource Conservation and Development; 10.902, Soil and Water Conservation.

**EXAMPLES OF FUNDED PROJECTS:** Not applicable.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable.

**10.419 WATERSHED PROTECTION AND FLOOD PREVENTION LOANS**

**FEDERAL AGENCY:** FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

**AUTHORIZATION:** Watershed Protection and Flood Prevention Act, as amended; Public Law 93-566; Section 9, 16 U.S.C. 1006a and Flood Control Act, as amended; Public Law 78-534.

**OBJECTIVES:** To provide loan assistance to sponsoring local organizations in authorized watershed areas for share of cost for works of improvement.

**TYPES OF ASSISTANCE:** Direct Loans.

**USES AND USE RESTRICTIONS:** Loan funds may be used to help local sponsors provide the local share of the cost of watershed works of improvement for flood prevention, irrigation, drainage, water quality management, sedimentation control, fish and wildlife development, public water based recreation, and water storage

and related costs. The total amount of WS loans outstanding in any one watershed cannot exceed \$10,000,000.

#### **ELIGIBILITY REQUIREMENTS:**

**Applicant Eligibility:** To be eligible for a watershed loan an applicant must: (1) Be a sponsoring local organization, such as municipal corporation, soil and water conservation district, or other organization not operated for profit in the approved watershed project; and (2) have authority under State law to obtain, give security for, and raise revenues to repay the loan and to operate and maintain the facilities to be financed with the loan. Assistance is authorized for eligible applicants in approved watershed areas in States, Puerto Rico, and the Virgin Islands.

**Beneficiary Eligibility:** Farmers, ranchers, rural residents and other residents in the authorized watershed area.

**Credentials/Documentation:** Evidence of legal capacity, economic feasibility and financial responsibility relative to the activity for which assistance is requested.

#### **APPLICATION AND AWARD PROCESS:**

**Preapplication Coordination:** The standard application forms furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment is required for this program. This program is eligible for coverage under E.O. 12372 "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review.

**Application Procedure:** Preapplication Form AD-621 is filed at county or District FmHA office from which assistance may be obtained. This program is subject to the provisions of OMB Circular No. A-110.

**Award Procedure:** After the preapplication has been reviewed by the District Director, it is forwarded to the FmHA State Director for review and processing instructions. Following review, by the State Director, the applicant is notified about eligibility, availability of funds and, if an application should be filed. Upon favorable review and approval of a complete application package, funds are made available to the District FmHA Director for delivery.

**Deadlines:** None.

**Range of Approval/Disapproval Time:** From 30 to 90 days.

**Appeals:** If an application is rejected, the reasons for rejection are fully stated. The applicant may request a review of the decision from the next higher management level of FmHA.

**Renewals:** Not applicable.

#### **ASSISTANCE CONSIDERATIONS:**

**Formula and Matching Requirements:** This program has no statutory formula.

**Length and Time Phasing of Assistance:** A time limitation is not specified for the use of FmHA loan funds. Funds will be awarded when all FmHA requirements are met and the project can be completed on a timely basis. Funds may be advanced on an as needed basis by FmHA.

#### **POST ASSISTANCE REQUIREMENTS:**

**Reports:** Periodic progress reports are made to the FmHA.

**Audits:** Periodic audits should be made as part of the recipient's systems of financial management and internal control to meet terms and conditions of loans and other agreements.

**Records:** Records and accounts are required to reflect the operations of the project.

#### **FINANCIAL INFORMATION:**

**Account Identification:** 12-4140-0-3-351.

**Obligations:** (Loans) FY 84 \$0; FY 85 est \$14,000,000; and FY 86 est no funds were requested.

**Range and Average of Financial Assistance:** \$4,000 to \$7,500,000; \$270,000.

**PROGRAM ACCOMPLISHMENTS:** No loans were made in fiscal year 1984 and it is estimated that two loans will be made in fiscal year 1985.

**REGULATIONS, GUIDELINES, AND LITERATURE:** Watershed Loans - Farmers Home Administration - PA-406 - no charge. Farmers Home Administration - PA-973 - no charge. 7 CFR 1942 Subpart I.

#### **INFORMATION CONTACTS:**

**Regional or Local Office:** Consult your local telephone directory for FmHA county or District office number. If no listing, contact with appropriate FmHA State office listed in Appendix IV of the Catalog.

**Headquarters Office:** Director, Community Facilities Division, Farmers Home Administration, Department of Agriculture, Washington, DC 20250. Telephone: (202) 382-1490. (Use same 7-digit number for FTS.)

**RELATED PROGRAMS:** 10.416, Soil and Water Loans; 10.423, Community Facilities Loans; 10.902, Soil and Water Conservation; 10.904, Watershed Protection and Flood Prevention; 10.906, River Basin Surveys and Investigations.

**EXAMPLES OF FUNDED PROJECTS:** Loans were made to: 1) install or improve facilities to store and convey irrigation water to farms; treat and distribute water for farm use, and drain farm areas; 2) install structures and equipment for flood prevention; 3) install or improve a municipal water supply reservoir with recreation, fish and wild life improvement; 4) establish recreational developments in or adjacent to reservoirs, lakes, streams, or shorelines; 5) provide fish and wildlife developments.

**CRITERIA FOR SELECTING PROPOSALS:** Not applicable. This program has no statutory formula.

SEC. 6. COASTAL RESOURCE IMPROVEMENT PROGRAM.

The Coastal Zone Management Act of 1972 is further amended by adding immediately after section 306 the following new section:

"RESOURCE MANAGEMENT IMPROVEMENT GRANTS

"SEC. 306A. (a) For purposes of this section—

"(1) The term 'eligible coastal state' means a coastal state that for any fiscal year for which a grant is applied for under this section—

"(A) has a management program approved under section 306; and

"(B) in the judgment of the Secretary, is making satisfactory progress in activities designed to result in significant improvement in achieving the coastal management objectives specified in section 303(2)(A) through (I).

"(2) The term 'urban waterfront and port' means any developed area that is densely populated and is being used for, or has been used for, urban residential recreational, commercial, shipping or industrial purposes.

"(b) The Secretary may make grants to any eligible coastal state to assist that state in meeting one or more of the following objectives:

"(1) The preservation or restoration of specific areas of the state that (A) are designated under the management program procedures required by section 306(c)(3) because of their conservation recreational, ecological, or esthetic values, or (B) contain one or more coastal resources of national significance.

"(2) The redevelopment of deteriorating and underutilized urban waterfronts and ports that are designated under section 305(b)(3) in the state's management program as areas of particular concern.

"(3) The provision of access of public beaches and other public coastal areas and to coastal waters in accordance with the planning process required under section 305(b)(7).

"(c)(1) Each grant made by the Secretary under this section shall be subject to such terms and conditions as may be appropriate to ensure that the grant is used for purposes consistent with this section.

"(2) Grants made under this section may be used for—

"(A) the acquisition of fee simple and other interests in land;

"(B) low-cost construction projects determined by the Secretary to be consistent with the purposes of this section, including but not limited to, paths, walkways, fences, parks, and the rehabilitation of historic buildings and structures; except that not more than 50 per centum of any grant made under this section may be used for such construction projects;

"(C) in the case of grants made for objectives described in subsection (b)(2)—

"(i) the rehabilitation or acquisition of piers to provide increased public use, including compatible commercial activity,

"(ii) the establishment of shoreline stabilization measures including the installation or rehabilitation of bulkheads for the purpose of public safety or increasing public access and use, and

"(iii) the removal or replacement of pilings where such action will provide increased recreational use of urban waterfront areas,

but activities provided for under this paragraph shall not be treated as construction projects subject to the limitations in paragraph (B);

"(D) engineering designs, specifications, and other appropriate reports; and

"(E) educational, interpretive, and management costs and such other related costs as the Secretary determines to be consistent with the purposes of this section.

"(d)(1) No grant made under this section may exceed an amount equal to 80 per centum of the cost of carrying out the purpose or project for which it was awarded.

"(2) Grants provided under this section may be used to pay a coastal state's share of costs required under any other Federal program that is consistent with the purposes of this section.

"(3) The total amount of grants made under this section to any eligible coastal state for any fiscal year may not exceed an amount equal to 10 per centum of the total amount appropriated to carry out this section for such fiscal year.

"(e) With the approval of the Secretary, an eligible coastal state may allocate to a local government, an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency, a portion of any grant made under this section for the purpose of carrying out this section; except that such an allocation shall not relieve that state of the responsibility for ensuring that any funds so allocated are applied in furtherance of the state's approved management program.

"(f) In addition to providing grants under this section, the Secretary shall assist eligible coastal states and their local governments in identifying and obtaining other sources of available Federal technical and financial assistance regarding the objectives of this section."

