

Applicant and Grantee Responsibilities

Accepting an award of Federal assistance from the Grants Program requires compliance with special program conditions and requirements as well as certain Federal laws and regulations. Below are outlined the major requirements of the Grants Program. All laws, regulation, and grant program requirements and conditions which successful applicants must comply with are stipulated in the grant agreement.

Matching Share:

In accordance with section 4(d)(2) of the National Maritime Heritage Act, grants and subgrants must be matched "on a 1-to-1 basis with non-Federal assets from non-Federal sources, which may include cash or donated services fairly valued as determined by the Secretary." Thus a \$5,000.00 award of Federal assistance must in turn be matched by the grantee or subgrantee with an equivalent amount in non-Federal assets.

Matching shares may consist of: (1) Charges incurred by the grantee or subgrantee as costs during the grant period. (2) Costs financed with cash contributed or donated by other nonfederal third parties, including other public agencies, institutions, and private organizations and individuals. (3) Costs represented by services and real and personal property, or use of these, contributed or donated by nonfederal third parties during the grant period.

Secretary's Standards:

All Preservation Projects must be carried out in accordance with applicable preservation standards prescribed by the Secretary of the Interior. These include: 1) Standards for Historic Vessel Preservation Projects; 2) Standards for Treatment of Historic Properties; and 3) Standards for Archeology and Historic Preservation. See the maritime heritage grants website or *Application Guidelines and Grant Manual* for further information.

Ongoing Maintenance:

Section 4(e)(2) of the Act requires that any organization which receives a grant or subgrant must agree to assume, after completion of a grant-funded project, the total cost of continued maintenance and administration of a historic maritime property. Covenants and preservation agreements are a legally binding agreements between the funding agency and the recipient of

acquisition or development funding which requires and enforces ongoing maintenance and preservation of the historic maritime property.

Section 106 Compliance

Grants Program projects that involve properties that have been listed in or determined eligible for the National Register of Historic Places (NRHP) must comply with Section 106 of the National Historic Preservation Act of 1966, as amended. Section 106 states that federal agencies consider the effects of projects they carry out, approve, or fund on historic properties (which are those listed in or eligible for the NRHP). *Please consult your State Historic Preservation Office (SHPO) early in the application completion process to determine whether initiation of Section 106 Compliance is necessary.* The National Park Service and State Historic Preservation Offices (SHPOs) will work with grantees whose projects will affect historic properties to ensure compliance with Section 106.

Requirements for Archeology Projects:

Grants Program projects dealing with maritime archeological resources must be carried out in accordance with the Secretary's Standards for Archeology and Historic Preservation. Archeological work carried out on Federal lands must be conducted in accordance with the laws and regulations implemented by the Archeological Resource Protection Act of 1979 and other relevant Federal laws and regulations. Archeological work carried out within National Park Service parks is to be conducted in accordance with relevant Federal regulations and NPS guidelines.

As well, archeological projects must be carried out in accordance with the following additional Grants Program guidelines and requirements

1. Professional Standards.

Archeological investigations of historic maritime properties are to be carried out under the supervision of a principle investigator whose professional qualifications meet the criteria for archeology specified in 36 CFR 61, Appendix A "Professional Qualification Standards".

2. Research Design.

All archeological investigations must be conducted in accordance with an approved research design before the investigation may begin.

3. Data Collection and Preservation of Archeological Sites.

Recordation and preservation in-place rather than recordation through excavation is the preferred methodology for investigating and documenting a maritime archeological site. Methods and techniques chosen for implementing the research design in the field are to be the least destructive and the most effective means for recording data. To the greatest extent possible, data collection shall be accomplished without disturbing or destroying the property, shall have limited or no recovery of artifacts, and shall preserve the site for future research.

4. Curation of Recovered Artifacts and Archeological Records.

Grantees or Subgrantees conducting archeological projects involving recovery of artifacts must have access to facilities which allow for the professional conservation and care of any recovered artifacts and associated archeological records.

Federal Laws and Regulations:

Grants are to be administered in accordance with the provisions specified in 43 CFR 12, "Administrative and Audit Requirements and Cost Principles for Assistance Programs". In addition to these regulations, Federal assistance awarded under National Maritime Heritage Act is subject to other Federal legislation affecting grants programs. These laws and regulations address financial requirements, reporting procedures, non-discrimination, environmental compliance, drug-free workplace, procurement standards, and other Federal requirements. Below is listed some of the Federal legislation affecting grant programs which requires, where applicable and relevant, compliance by grant recipients:

- Civil Rights Act of 1964
- Rehabilitation Act of 1973
- The Architectural Barriers Act of 1968
- Coastal Barrier Resources Act
- Coastal Zone Management Act of 1972
- Executive Order 11246 on Equal Employment Opportunity
- Executive Order 11288 on Floodplain Management
- Executive order 11755 on Convict Labor
- Executive Order 11990 on Protection of Wetlands
- Executive Order 11988 on Evaluation of Flood Hazards
- Flood Disaster Protection Act of 1973
- Freedom of Information Act
- Hatch Act
- Lead-Based Paint Poisoning Prevention Act
- National Environmental Policy Act of 1969
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970