

SUPPORTING STATEMENT
EVALUATIONS OF COASTAL ZONE MANAGEMENT ACT PROGRAMS: STATE
COASTAL MANAGEMENT PROGRAMS AND NATIONAL ESTUARINE RESEARCH
RESERVES
OMB CONTROL NO. 0648-xxxx

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

[The Coastal Zone Management Act of 1972, as amended](#) (CZMA; 16 U.S.C. 1451 *et seq.*) requires that state coastal management programs (CMPs) and national estuarine research reserves (NERRs or research reserves) that are developed pursuant to the CZMA and approved by the Secretary of Commerce be evaluated periodically. This request is for a new information collection to accomplish those evaluations.

Section 1458 of the CZMA (previously numbered Section 312, which has historically been the number used to refer to the evaluation process and is done here as well) and implementing regulations at 15 CFR 923, Subpart L, require that state CMPs be evaluated concerning the extent to which the state has:

- 1) implemented and enforced the program approved by the Secretary;
- 2) addressed the coastal management needs identified in 16 U.S.C. 1452(2)(A) through (K);
and
- 3) adhered to the terms of any grant, loan, or cooperative agreement funded under the CZMA.

Section 1461(f) of the CZMA and implementing regulations at 15 CFR 921, Subpart E, require that research reserves be evaluated with regard to:

- 1) their operation and management, including education and interpretive activities;
- 2) the research being conducted within the research reserve; and
- 3) adherence to the requirements of section 1458 of the CZMA and procedures set forth in [15 CFR 923](#).

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

NOAA's Office of Ocean and Coastal Resource Management (OCRM) conducts periodic evaluations of the 34 CMPs and 28 research reserves and produces written findings for each evaluation. Prior to FY2012, evaluations were conducted without using any standard or consistent set of questions and information requests and without PRA approval. Some documents were reviewed prior to a four-five day site visit to each program, when evaluators met with staff and some partners and stakeholders and gathered information during meetings and interviews. Other documents were often reviewed after the site visit. During FY 2012, OCRM conducted no evaluations and spent the year significantly revising the entire CZMA Section 312 evaluation process to reduce the number and duration of evaluation site visits, complete more concise review findings within the CZMA 120-day deadline, and reduce involvement and time

for state program and OCRM staffs. Each CMP and research reserve will be evaluated (and thus need to provide information pursuant to this collection request) approximately once every five (5) years. Partners and stakeholders of a program being evaluated will be asked to provide information during the same timeframe.

As an outcome of this revision process, specific information needs were identified that OCRM must have to evaluate the programs against the requirements of the CZMA. OCRM has access to documents, information and data submitted in cooperative agreement applications, semi-annual performance progress reports, and certain documentation required by the CZMA and implementing regulations. However, additional information from each CMP and research reserve, as well as information from the CMP and research reserve partners and stakeholders with whom each works, is necessary to evaluate against statutory and regulatory requirements. Different information collection subsets are necessary for 1) CMPs, 2) research reserves, 3) partners and stakeholders of CMPs, and 4) partners and stakeholders of research reserves.

The information requests for CMPs and for research reserves identify the statutory and/or regulatory citations for evaluation criteria for which OCRM requires the information to determine a program's compliance during the evaluation.

The information request for coastal management programs contains eight sections:

- Section I, Questions #1 through #11 address the administration, operation, and management of the program, as required by 16 USC §1458(a) and 16 USC §1455(d);
- Section II, Questions #12 through #14 elicit information about the protection of natural resources and coastal habitat, as required by 16 USC §1452 (2)(A);
- Section III, Questions #15 through #17 request information explaining how the CMP addresses coastal hazards and the adverse effects of land subsidence and sea level rise, as required by 16 USC §1452(2)(B) and 16 USC §1452 (2)(K);
- Section IV, Questions #18 through #20 seek information about how the program addresses coastal water quality as required by 16 USC §1452(2)(C);
- Section V, Questions #21 through #24 request information about how the program addresses coastal dependent uses, siting of major facilities, and community development; assistance to support planning, conservation, and management for living marine resources, including aquaculture facilities; and redevelopment of deteriorating urban waterfronts and ports, as required by 16 USC §1452 (2)(D), (J), and (F);
- Section VI, Questions #25 through #27 are designed to obtain information about public access, as required by 16 USC §1452 (2)(E);
- Section VII, Questions #28 through #35 seek information about how the program addresses coordination and simplification for expedited governmental decisionmaking, consultation and coordination with federal agencies, and public and local government participation in coastal management decisionmaking, as required by 16 USC §1452 (2) (G), (H), and (I);

- Section VIII, Question #36 is an overarching question about the significant accomplishments and challenges the program had or faced during the evaluation period.

The information request for national estuarine research reserves contains eight sections:

- Section I, Questions #1 through #13 address the administration, operations, management, and facilities of the reserve, as required by 16 USC §1458(a), 16 USC §1461(f)(1), and 15 CFR 921.40(b)(1), (3), and (6);
- Section II, Questions #14 through #17 are designed to obtain information about public access, as required by 16 USC §1458(a) and 15 CFR 921.40(b)(4);
- Section III, Questions #18 through #20 seek information about the reserve’s land acquisition activities, as required by 16 USC §1458(a) and 15 CFR 921.40(b)(6);
- Section IV, Questions #21 through #30 request information about the research and monitoring carried out at the reserve, as required by 16 USC §1458(a), 16 USC §1461(f)(1), and 15 CFR 921.40(b)(1) and (2);
- Section V, Questions #31 through #36 elicit information about the educational activities of the reserve, as required by 16 USC §1458(a), 16 USC §1461(f)(1), and 15 CFR 921.40(b)(1) and (3);
- Section VI, Questions #37 through #40 are designed to obtain information about the reserve’s Coastal Training Program, as required by 16 USC §1458(a), 16 USC §1461(f)(1), and 15 CFR 921.40(b)(1) and (2);
- Section VII, Questions #41 through #44 address the reserve’s responsibilities for stewardship of the reserve resources, including resource protection, manipulation, and restoration, as required by 16 USC §1458(a) and 15 CFR 921.40(b)(1) and (7);
- Section VIII, Question #45 is an overarching question about the significant accomplishments and challenges the reserve had or faced during the evaluation period.

The information request for partners and stakeholders of the CMPs is in the form of a survey and solicits opinions about:

Questions #1, #17, and #18 – general management of the state’s coastal zone, recommendations for improvement, and any other thoughts to share;

Questions #2 through #5 – strengths, accomplishments, weaknesses, and challenges of the CMP;

Questions #6 through #9 – working relationships and collaborations with the CMP;

Questions #10 through #12 – the effectiveness of, and concerns about, the federal consistency process;

Questions #13 through #16 – the effectiveness of, and concerns about, the state permitting process in the coastal zone.

All of the opinions and information are being requested to validate information provided by the CMP or provide new information or concerns from an outside perspective.

The information request for partners and stakeholders of the national estuarine research reserves is in the form of a survey and solicits opinions about:

Questions #1, #10, and #11 – addressing priorities of the National Estuarine Research Reserve System, recommendations for improvement, and any other thoughts to share;

Questions #2 through #5 – strengths, accomplishments, weaknesses, and challenges of the reserve;

Questions #6 through #9 – working relationships and collaborations with the reserve.

All of the opinions and information are being requested to validate information provided by the CMP or provide new information or concerns from an outside perspective.

Because each CMP and each research reserve has a unique administrative and programmatic framework to accomplish the requirements of the CZMA, there will be no comparisons or aggregation of information between or among any of the CMPs or research reserves. Even the information in the form of opinions requested from partners and stakeholders for a particular program evaluation will not be aggregated because each coordinates or collaborates with the program from a unique perspective.

The information collected will not be disseminated to the public but will be used to support the evaluation findings, which are available to the public. NOAA's Office of Ocean and Coastal Resource Management will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question #10 of this Supporting Statement for more information on confidentiality and privacy. The information collected is designed to yield data that meet all applicable information quality guidelines. If NOAA's OCRM should decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

CMP and research reserve manager respondents will receive information requests via e-mail, and submittals will be made via e-mail. Some of their information request responses will be in the form of existing documents. Other information provided by them may require multi-page responses. E-mail and attachments accommodate these requests more efficiently than a Web-based survey tool. Partners and stakeholders of CMPs and of reserves will receive a link to a Web-based survey tool (Survey Monkey) and will respond to questions soliciting their opinions through the survey tool. Because these information requests ask for opinions only, these are more easily accommodated by the Web-based Survey Monkey.

4. Describe efforts to identify duplication.

NOAA is the only agency charged with administering the CZMA and with evaluating the state coastal management programs and national estuarine research reserves pursuant to the requirements of the CZMA for ongoing approval and operation of the programs. No other similar information collections were found.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The CMP and reserve partners and stakeholders are almost entirely representatives of state, local, regional, or inter-state government agencies or entities, and in some cases, universities and non-governmental organizations. In a few instances, a small business or other small entity might have some interaction with a CMP or research reserve. Those businesses or entities (as well as all other partners and stakeholders) will be asked to complete a questionnaire through a Web-based survey tool. Completion of the questionnaire should take approximately 30 minutes, and respondents have approximately 45 days until the deadline for completion.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

NOAA would not be able to determine compliance of a state CMP or research reserve with the requirements of the CZMA and thus could not determine whether program approval and federal financial assistance should be maintained, modified, or withdrawn.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

Not applicable.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on October 15, 2012 (77 FR 62494) solicited public comments. No comments were received.

Prior to the year-long process to revise the CZMA Section 312 evaluation process, OCRM solicited volunteers from state CMPs and research reserves to participate in a CZMA Evaluations Workgroup to provide input and feedback for the revision of the evaluation process. There were a total of seven CMP and NERR managers who volunteered and participated in the Workgroup. In addition, OCRM engaged external experts and other NOAA staff with expertise in evaluation to provide input into the revision. The Workgroup members provided feedback and comments on the specific information to be obtained during a programmatic Section 312 evaluation, the

availability of that information, the frequency of collection, and provided estimates of time to complete the information requests. These were averaged to provide the estimate of time burden in Question 12 below.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Responses to information requests and to questions will not be disseminated or published by NOAA OCRM but will be available to the public upon request. It is stated on the forms that the information is part of the public record. However, the identity of a respondent will be protected if the respondent's comments and responses are released.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

With a total of 62 approved CMPs and research reserves, and in order to evaluate a single program once every five years, up to 13 individual programmatic evaluations will need to be conducted each year. Each year, 13 different CZMA managers will need to respond to the information request, and an average of 35 partners and stakeholders per program will be asked to provide information. Thus, the estimated number of respondents is 468 annually (13 CZMA program managers; 455 partners and stakeholders [35 per CZMA program]).

As explained in the response to Question 8, a total of seven CMP and NERR managers volunteered and participated in the Evaluation Revision Process Workgroup. These managers are representative of all managers who will respond to the information request during their programs' evaluations. The Workgroup members provided feedback and comments on the specific information to be obtained during a programmatic Section 312 evaluation, the availability of that information, the frequency of collection, and provided estimates of time to complete the information requests. Based on their feedback, the average **estimated time per response is 55 hours per CZMA program manager and 30 minutes per partner/stakeholder.**

There are two points worth noting about the 55-hour response time for a manager. First, although 13 managers will respond to the information request each year, a single CZMA program manager will only have to respond once every five years. On an annualized basis for one manager, this is a burden of 11 hours.

Second, beginning in FY14, each coastal management program and reserve that is scheduled to

be evaluated in that year will include a task in its cooperative agreement award that will allow the program to expend award funds toward the participation in and completion of its programmatic Section 312 evaluation.

Based upon the annual number of respondents and estimated time per response, the **estimated total annual burden hours is 943 hours** (715 hours for 13 CZMA program managers; 227.5 (228) hours for 455 partners and stakeholders).

Respondents are likely to be program managers, department heads, and content area specialists within their respective organizations – both within the CZMA programs and within the partners’ and stakeholders’ organizations. Although there are broad salary ranges by state, regionally, and by type of agency and organization, the average salary is equivalent to a Government Service Pay Grade 12, Step 1 basic hourly rate of \$28.88.

The estimated cost to a program manager to respond to an evaluation information request once every five years is \$1,588.40 (55 hours x \$28.88/hour). Multiplied by 13, the cost is \$20,649.

The cost to a total of 455 partners and stakeholders to respond to a single program evaluation request once every five years is \$6,570 (.5 hour x \$28.88/hour x 455).

Therefore, the estimated annual cost of this information collection is \$27,219.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

There is no reporting or recordkeeping cost burden for the respondents, as submissions will be via email or the Web.

14. Provide estimates of annualized cost to the Federal government.

This information collection effort is supported through in-house staff time. The revised CZMA Section 312 evaluation process will require 13 evaluations to be conducted per year. One evaluator will conduct five evaluations per year, so 2.5 evaluators are needed annually to complete 13 evaluations. The OCRM program specialist assigned to work with each CZMA program being evaluated will also participate in the evaluation process, so 13 program specialists will be involved annually.

Under the previous evaluation process, evaluators were primarily CAPS ZA-3 and ZA-4 salaried employees at various pay intervals. Under the revised evaluation process and for this PRA submittal, evaluators are presumed to be salaried at the beginning point of the CAPS ZA-4, Interval 1 scale (\$ 89,033.00). Based on the average of estimates by program evaluators serving on the CZMA Evaluation Workgroup, an evaluator spends approximately 330 hours on a single evaluation. At that salary rate, the annual labor costs for 2.5 evaluators will be \$464,070.75 (hourly rate of \$43.27 x 330 hours x 13 evaluations).

Under the previous evaluation process, program specialists were primarily ZA-3 and ZA-4

salaries employees at various pay intervals. Under the revised evaluation process and for this PRA submittal, OCRM program specialists are presumed to be salaried at the beginning point of the CAPS ZA-4, Interval 1 scale (\$89,033.00). Based on the average of estimates by program specialists serving on the CZMA Evaluation Workgroup, a specialist spends approximately 60 hours of involvement for a single evaluation. At that salary rate, the annual labor costs for 13 program specialists will be \$33,750.60 (hourly rate of \$43.27 x 60 hours x 13 evaluations).

Under the previous evaluation process, each programmatic evaluation resulted in a four-five day site visit to the state in which the program was located. The average cost of a single site visit was computed to be \$2,200/per person for planning and budgeting purposes. With 16 evaluations conducted per year, each requiring an evaluator and the OCRM specialist assigned to the program being evaluated, travel costs averaged approximately \$70,000. Under the revised evaluation process, only up to two evaluations will require site visits to be conducted per year; each site visit will be one-two days in length, requiring an evaluator and the OCRM program specialist. Assuming an average of \$1,000/person for a one-two day site visit with two people, a maximum of two site visits will result in travel costs of approximately \$4,000.

The entire evaluation process will be implemented electronically, with no administrative staff support, printing, or supply costs.

ANNUALIZED COST TO FEDERAL GOVERNMENT		
ZA-4 evaluators (2.5): \$ 43.27/hour for 330 hours	Number of evaluations: 13	Total evaluator labor costs: \$464,070.75 (464,071)
ZA-4 program specialist: \$43.27/hour for 60 hours	Number of program specialists: 13	Total program specialist labor costs: \$33,750.60 (33,751)
Travel cost/site visit: \$2,000	Number of site visits: 2	Total travel costs: \$4,000.00
TOTAL: \$501,821		

15. Explain the reasons for any program changes or adjustments.

Not applicable. This is a new collection.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The collection results will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable; not seeking approval.

18. Explain each exception to the certification statement.

NA.