

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Coastal Zone Management Program Administration**  
**OMB Control No. 0648-0119**

**SUPPORTING STATEMENT PART A**

**Abstract**

This request is for a revision and extension of this collection of information. Three revised documents have been developed, reviewed and finalized.

First, minor edits to update dates have been made to the *Coastal Zone Management Act (CZMA) Performance Measurement System Coastal Management Program Guidance* ([April 2011](#), updated [June 2022](#)).

Second, the *OCM FY2022 Performance Progress Report Guidelines* (2022) have been revised to include minor formatting and copy edits and to add a financial reporting table. The cooperative agreement performance reports are reviewed by agency personnel who determine whether the state is adhering to its approved coastal zone management program and whether it is making continued progress toward coastal management goals. The addition of the table is intended to ensure consistency with NOAA National Ocean Service (NOS) grants requirements as well as CZMA strategic priorities. The addition of the table should result in a negligible increase in burden as the states should have this information available.

Third, the *Coastal Zone Management Act Program Change Procedures* have been revised through the rulemaking process to update the program change regulations resulting in the elimination of the distinction between “routine program changes (RPCs)” and “amendments.” This removes the program change analysis done by states to determine if a change is substantial, and therefore an amendment, and instead requires states to describe the nature of the program change and indicate whether the state believes the program change would impact CZMA program approvability areas, national interest objectives, or compliance with other Federal laws. The revisions also streamline the documentation that all states would adhere to when submitting a program change. Combined, these changes decrease annual burden hours for program change submittals.

**Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

In 1972, in response to intense pressure on United States (U.S.) coastal resources, and because of the importance of U.S. coastal areas, the U.S. Congress passed the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et. seq.* The CZMA authorized a federal program to encourage coastal states and territories to develop comprehensive coastal management programs. The CZMA has been reauthorized on several occasions, most recently with the enactment of the Coastal Zone Protection Act of 1996. ([CZMA as amended](#)). The program is administered by the Secretary of Commerce, who in turn has delegated this responsibility to the National Oceanic and Atmospheric Administration’s (NOAA) National Ocean Services (NOS).

Currently, 34 of the 35 coastal states, including those of the Great Lakes and U.S. territories, have coastal management programs (CMPs) approved by the NOS Assistant Administrator. One state has withdrawn its program and may pursue re-approval.

The CZMA affirms the national interest in the effective protection and careful development of the coastal zone by providing assistance and encouragement to coastal states to voluntarily develop and implement management programs for their coastal areas. To provide coastal states and territories with the means of achieving these objectives, the CZMA authorizes financial assistance grants under Section 305 for program development and under Section 306 for program implementation.

Section 305 of the CZMA authorizes grants to states to develop a coastal management program. After its management program receives federal approval, the state is then eligible for annual grants under Section 306 to implement the program. Section 306A provides that states may use a portion of their Section 306 awards for low-cost construction projects. Section 309 establishes a coastal enhancement grant program. Section 310 establishes a technical assistance and management-oriented research grant program. The Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) Section 6217 established the Coastal Nonpoint Pollution Control Program (for pollution not for a specific location). The specific Sections of the CZMA that authorize grant programs will be discussed in further detail.

**A. Performance Reporting Requirements**

All thirty-four states and territories who receive funds under Sections 306, 306A, 309, 310 and/or 6217 must complete semi-annual cooperative agreement performance reports and submit data annually for the CZMA Performance Measurement System (CZMAPMS). The performance reports detail how the federal and matching funds are expended and provide other information (see next paragraph for further detail). The CZMAPMS tracks program progress in meeting the goals of the Coastal Zone Management Act. The Office for Coastal Management (OCM) has provided to the states and territories guidance on these reporting requirements: *Office for Coastal Management Fiscal Year 2022 Performance Progress Report Guidelines Coastal Management Program Annual Awards (Sections 306, 306A, 309, and 310) and*

*Projects of Special Merit (updated June 2022)* and the *Coastal Zone Management Act Performance Measurement System Coastal Management Program Guidance (April 2011, updated June 2022)*, both included in this submission.

According to the cooperative agreement performance report guidelines, the performance report is broken down into three Sections. Section A describes the status of each cooperative agreement task for Sections 306/306A, 309, as well as 310 and 6217, if applicable. Section B describes the status of program implementation activities. Section C reports on “success stories” from the state program.

According to the guidance for the CZMAPMS, coastal states with approved CMPs must submit data related to program progress in meeting the goals of the Coastal Zone Management Act. Data for 13 annual measures is submitted by the state CMPs electronically each year through an online database.

Listed below are the specific Sections of the CZMA that authorize grant programs:

- 1.a. Section 305 of the CZMA authorizes the Secretary of Commerce to make grants to any coastal state desiring to develop a coastal management program. After the management program receives federal approval, the state is eligible for grants under Section 306 to implement the program. No states or territories are currently eligible to receive Section 305 funding.
- 1.b. Section 306 authorizes the Secretary of Commerce to make grants to coastal states to implement their federally approved coastal zone management programs.
- 1.c. Section 306A provides state CMPs with federal funds for small-scale construction projects to obtain on-the-ground results to meet specific resource improvement goals outlined in the section.
- 1.d. Section 309 establishes a voluntary Coastal Zone Enhancement Grants Program to enhance a state’s CMP to address identified priority needs within one or more of nine coastal zone enhancement areas. In addition to base funding, a portion of Section 309 funding is set-aside to be awarded competitively to states to further strategies to address enhancement areas of national importance.
- 1.e. Section 310 establishes a program of technical assistance and management-oriented research necessary to support the development and implementation of state coastal management program amendments under Section 309, and appropriate to the furtherance of international cooperative efforts and technical assistance in coastal zone management. There is currently no funding for Section 310.
- 1.f. Section 6217 of the 1990 Coastal Zone Act Reauthorization Amendments requires coastal states with approved coastal management programs to prepare and submit a coastal nonpoint pollution control program.

Listed below are the requirements for specific documents that apply to most of the state and territorial coastal management programs.

**B. Section 305 Coastal Management Program Document**

Under Section 305, the Secretary of Commerce will make grants to any coastal state desiring to develop a coastal management program. After the management program receives federal approval, the state is eligible for financial assistance under the CZMA to implement the program. Currently, no state is eligible to receive Section 305 funds to develop a coastal management program.

[15 CFR 923.3](#) sets forth the requirements which must be fulfilled as a condition for state coastal management program approval. States must develop a management program that:

- Identifies and evaluates those coastal resources recognized in the CZMA as requiring management or protection by the state;
- Reexamines existing policies or develops new policies to manage these resources. These policies must be specific, comprehensive, and enforceable;
- Determines specific use and special geographic areas that are subject to the management program, based on the nature of identified coastal concerns;
- Identifies the inland and seaward areas subject to the management program;
- Provides for the consideration of the national interest in the planning for and siting of facilities that meet more than local requirements; and
- Includes sufficient legal authorities and organizational arrangements to implement the program and to ensure conformance to it.

After completion of the management program request, OCM shall review the document to determine if it adequately meets the approval criteria. Once approved, the applicant is eligible for Section 306/306A, program implementation funds, Section 309, enhancement funds and Section 310, technical assistance funds. Applicants with approved CMPs are required to develop a coastal nonpoint pollution program under Section 6217 (see A.1.F.).

**C. Section 306/306A Guidance Requirements**

Under Section 306, OCM administers the program at the federal level. OCM provides technical and financial assistance to state CMP partners to:

1. Preserve, protect, develop, and, where possible, restore and enhance the resources of the nation's coastal zone for this and succeeding generations;
2. Encourage and assist the states to exercise effectively their responsibilities in the coastal zone to achieve wise use of land and water resources, giving full consideration to ecological, cultural, historic, and aesthetic values, as well as the need for compatible economic development;
3. Encourage the preparation of special area management plans to provide increased specificity in protecting significant natural resources, reasonable coastal-dependent economic growth, improved protection of life and property in hazardous areas and improved predictability in governmental decision-making; and
4. Encourage the participation, cooperation, and coordination of the public, federal, state, local, interstate and regional agencies, and governments affecting the coastal zone.

States with federally-approved CMPs who are making satisfactory progress in meeting the objectives of the CZMA are eligible to apply for grants under this Section as described in the *Fiscal Year 2022 Funding Guidance and Allocations Coastal Zone Management Act Sections 306\_306A and 309* May 12, 2022.

A Section 306A project shall meet one or more of the following objectives:

1. Preservation of restoration of specific areas that (a) are designated under a state's CMP as required by CZMA Section 306(d)(9) because of their conservation, recreational, ecological, or esthetic values, or (b) contain one or more coastal resources of national significance;
2. Redevelopment of deteriorating and underutilized urban waterfronts and ports that are designated under Section 306(d)(2)(C) in the state's management program as areas of particular concern;
3. Provision of access to public beaches and other coastal areas and to coastal waters in accordance with the planning process; or,
4. The development of a coordinated process among state agencies to regulate and issue permits for aquaculture facilities in the coastal zone.

Because Section 306A projects often involve small-scale construction projects, NOAA must adhere to all requirements under the National Environmental Policy Act (NEPA) and other environmental statutes such as the Endangered Species Act and the National Historic Preservation Act, and others. Therefore, a certain level of information about the proposed projects must be provided so that NOAA can determine if its funding actions will comply with all necessary environmental and historic preservation requirements. NOAA collects this information through task descriptions in the cooperative agreement, required 306A questionnaire, signed title opinions or title certifications, and through email correspondence.

#### **D. Section 309 Assessment and Strategy Requirements**

Under Section 309, the Secretary of Commerce is authorized to make grants to coastal states requesting to develop and submit for Federal approval program changes that support attainment of the goals in one or more the enhancement areas. As described in [15 CFR 923, Subpart K](#), Section 309 requires OCM to identify, after careful consultation with the state, each state's priority needs for improvement; to evaluate state funding proposals; and to establish specific and detailed criteria that participating states must address in developing and implementing their coastal zone enhancement programs. The annual burden hours are based on the current Section 309 requirements.

The purposes of the Assessment are:

- To determine whether coastal problems exist within each of the nine Section 309 enhancement areas; and where problems exist, to evaluate their nature, the extent to which they are already being addressed, and their relative importance;
- To provide the factual basis for OCM, in consultation with the states, to determine the priority needs for improvement of state coastal management programs; and
- To provide the public with an opportunity to comment on the state's identification and justification of priority needs, as well as possible means that the state is considering to address the identified needs.

As outlined in the Section 309 regulations, the process by which the states and OCM will identify priority needs with regard to Section 309 enhancement areas includes:

- Conducting a self-assessment which reviews each Section 309 enhancement objective as it applies to the state and identifies the relative importance to each objective and priority needs; and,
- Developing a multi-year strategy to attain a state's Section 309 enhancement goal(s) in selected priority need areas for a multi-year period.

[Coastal Zone Management Act Section 309 Program Guidance: 2021-2025 Enhancement Cycle](#) (June 2019) provides further guidance to CMPs on how to develop their assessment and strategy documents.

Section 309 Assessments and Strategies are completed by the states and territories every 5 years. CMPs began developing assessments and strategies for the 2021-2025 cycle, with the start of their FY19 awards in July or October 2019. Thirty strategies were approved by the end of 2021. The U.S. Virgin Islands and Puerto Rico are still working to develop approved 309 strategies for the 2021-2025 cycle, and Illinois and Minnesota are considering developing strategies. The next cycle is not scheduled to begin until 2026.

Beginning in 2012, OCM also set aside a portion of Section 309 funds to support additional competitive financial assistance awards to select CMPs, called Projects of Special Merit, to further approved strategies within enhancement areas of national importance.

#### **E. Section 310 Technical Assistance to States**

Section 310 establishes a program of technical assistance and management-oriented research necessary to support the development and implementation of state coastal management program amendments under Section 309, and appropriate to the furtherance of international cooperative efforts and technical assistance in coastal zone management. *There is currently no funding for Section 310.*

#### **F. Program Change Procedures**

Section 306(e) of the CZMA requires states to submit changes to NOAA-approved state coastal management programs to NOAA for review and approval. On August 6, 2019, NOAA published in the Federal Register a final rule for revised program change regulations under the CZMA. The new rules are codified in the Code of Federal Regulations at 15 C.F.R., Part 923, Subpart H. The revised program change regulations provide a more efficient program change process for states and NOAA to make changes to state management programs and also uses a program change website portal to facilitate the new process. The revisions eliminated the distinction between “routine program changes (RPCs)” and “amendments.” This removes the program change analysis done by states to determine if a change is substantial, and therefore an amendment, and instead requires states to describe the nature of the program change and indicate whether the state believes the program change would impact CZMA program approvability areas, national interest objectives, or compliance with other Federal laws. The distinction between RPCs and amendments, and the substantiality analyses by states were administrative and paperwork burdens with little or no benefit. The revisions also established a form for program change documentation for all states accessed through the website. Through the revisions, NOAA continues to ensure that federal agencies and the public have an opportunity to comment to NOAA on a state’s proposed change to its management program, and comply with the requirements of the CZMA and other applicable federal law. OCM has determined that based on the revised submittal requirements and use of the website, the annual burden hours will decrease.

#### **G. Coastal Nonpoint Pollution Program**

The Coastal Nonpoint Pollution Control Program implements Section 6217 (Protecting Coastal Waters) of the CZARA and is a joint program with the U.S. Environmental Protection Agency (EPA) and NOAA. Section 6217 requires coastal states and territories with federally approved coastal management programs to develop coastal nonpoint source control programs. These coastal nonpoint pollution programs are to be used to control sources of nonpoint pollution which impact coastal water quality. The [Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters](#) (1993) was prepared by EPA. The [Program Development and Approval Guidance](#) (1993) was prepared by the OCM and EPA. NOAA and EPA have also issued several additional memos providing further clarity and flexibility to the original guidance. The policy memos can be found on the coastal nonpoint program [webpage](#).

Section 6217 addresses persistent coastal pollution problems by improving coordination of federal and state coastal zone management programs and water quality programs. This Section formalizes coordination of Section 319 of the [Clean Water Act](#) (CWA) and Section 306 of the CZMA by requiring EPA and NOAA to oversee preparation and review of the state coastal nonpoint programs.

The program guidance describes the contents that each coastal state must include in the coastal nonpoint pollution program documentation and the criteria for program approval. The guidance describes the requirements that must be met, including: the geographic scope of the program; the pollutant sources to be addressed; the types of management measures used; the establishment of critical areas; technical assistance, public participation, and administrative coordination; and the process for program submission and Federal approval. The guidance also contains the criteria by which NOAA and EPA will review the states’ submission. Rather than create an independent program, the Section 6217 program guidance encourages states to implement their coastal nonpoint programs through changes to existing Section 319 and Section 306 programs.

The Section 6217 guidance requires each respondent to prepare a one-time document describing their coastal nonpoint pollution program. The respondents must perform the following activities to comply with the guidance.

1. Review the program guidance document describing the contents required for the Coastal Nonpoint Pollution Program.
2. Review the technical guidance document prepared under Section 6217(g), which describes management measures for controlling nonpoint sources of water quality degradation in coastal areas.
3. Plan activities (i.e., delegate collection tasks, plan interagency meetings, establish reviewers, and delegate writing activities).
4. Collect information relevant to the data items listed above, (e.g., lists of impaired coastal waters, management measures to be adopted, legal and geographical jurisdiction of agencies implementing management measures). The states should be able to acquire all of the information from existing sources.
5. Analyze the information and construct the Coastal Nonpoint Pollution Program. Program development includes revising coastal zone boundaries and planning new or modified state and local regulations to implement the Coastal Nonpoint Pollution Program.
6. Write draft Coastal Nonpoint Pollution Program.
7. Write final Coastal Nonpoint Pollution Program.

Once completed, the EPA and NOAA will jointly review the state's coastal nonpoint pollution program. The Federal agencies will use the coastal nonpoint pollution programs to evaluate state efforts to achieve the goals of the CWA and the CZMA.

#### **H. Coastal Zone Management Act Performance Measurement System**

The purpose of the CZMAPMS is to track measures of effectiveness of the coastal management programs at the national level. The system consists of a suite of performance measures to assess how well programs are achieving the objectives of the CZMA. Data generated by the CZMAPMS will be used to communicate to stakeholders, including Congress, the importance of the national CZMP. In combination with qualitative reporting of program successes, quantitative measures provide stakeholders with information about how the CZMP is responding to environmental, economic, and social challenges to balance development with the protection and restoration of coastal resources. The CZMAPMS will provide a mechanism to document trends over time in program activities as well as management priorities. The CZMAPMS was originally developed through a series of cooperative processes, which included a contract between the OCM and the H. John Heinz III Center for Science, Economics and the Environment to develop a system framework. The Heinz Center concluded that six categories captured the major CZMA objectives. Building on this report, OCM worked with a group of eight Coastal Management Programs to develop a draft list of performance measures that were piloted by seven Coastal Management Programs. The pilot group narrowed the list of performance measures to those implemented by all 34 Coastal Management Programs. The 2011 CZMAPMS Guidance is still in effect. However, updates have been made to the 2011 version to reflect which measures have been eliminated from the CZMAPMS reporting requirements. These changes occurred prior to the last PRA approved guidance from 2019. The current 2022 guidance does not include additional changes.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

#### **A. Performance Reports**

Pursuant to 15 CFR Part 24.40 (UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS), states must submit performance reports to report progress on projected work schedules and stated objectives for each cooperative agreement. In addition, states submit data for the CZMA Performance Measurement System to report progress toward the goals of the CZMA. The cooperative agreement performance reports are reviewed by agency personnel who determine whether the state is adhering to its approved coastal zone management program and whether it is making continued progress toward coastal management goals. If it is not, future grants could be reduced or a full scale program review could be triggered; the latter could result in a requirement for expenditure of federal funds to correct the program's deficiency; or, in the state losing Federal approval of its program. Regulations require performance reports to be submitted from recipients no less than annually and up to quarterly. OCM requires cooperative agreement performance reports to be submitted *semi-annually*. Since each CZM award is a distinct funding instrument authorized by an annual appropriation, and can be extended for up to three years after the start date, states and territories could have up to three concurrent CZM awards, in which case they would submit a maximum of six performance reports (two reports per award) until all tasks and activities are completed on the award. As award tasks are completed, states report only on outstanding tasks, meaning that for any reports for years two and three, the reports are simpler and less time consuming. OCM also lets the final semi-annual report for an award constitute the final report, rather than requiring a comprehensive final report that the regulations allow. The measures in the CZMA Performance Measurement System are submitted *annually*.

Section A of cooperative agreement performance reports describes the status of each Section 306, 306A (if applicable), 309, 310 (if applicable) and coastal nonpoint pollution program (if applicable) grant task and relevant special award conditions. The report must be detailed enough to provide OCM with a clear understanding of

what has been accomplished under each task during the performance period and include the following information:

- Status of each task, organized by task number and title (e.g., meetings held, permits processed, work products completed, contracts completed).
- Status of task benchmarks due during the performance period.
- Status of special award conditions due during the performance period.
- Progress in meeting any “necessary actions” or “program suggestions” identified in the most recent program evaluation and progress in developing and tracking their performance metrics.
- Progress in achieving program changes as identified in the Strategies supporting Section 309 tasks.

Section B of cooperative agreement performance reports describes the information required to assess the states’ coastal program implementation as it relates to: (1) Section 312 evaluation progress, (2) permit administration, monitoring and enforcement, (3) federal consistency, and (4) program changes. Information reported under these topics should include sufficient detail to provide a clear understanding of the major activities, problems, controversies, and accomplishments during the reporting period. In the case of the first three topics, states should submit quantitative information in chart or tabular form, as well as narratives that briefly elaborate on the most significant aspects of the reporting elements. For 312 evaluation project, permits and federal consistency, example submission formats and charts are provided in the performance report guidance (see: *Office for Coastal Management Fiscal Year 2022 Performance Progress Report Guidelines Coastal Management Program Annual Awards (Sections 306, 306A, 309, and 310) and Projects of Special Merit* (updated June 2022).

States may use existing state reporting mechanisms to provide the tabular data requested as long as the information that meets the reporting requirements is provided. When a topic in Section B is also a grant task (and therefore reported under Section A), it is not necessary to repeat the same information in Section B, again as long as all the required information is provided.

Section C of the cooperative agreement performance reports requires states to submit one or more examples of projects or instances where the coastal management program has been successful in addressing coastal management issues. The purpose of this Section is to enable OCM to collect information on innovative management, technical, and resource protection programs for exchange among coastal programs and to cite specific accomplishments under the National Coastal Zone Management Program. OCM has used examples of success stories in technical assistance bulletins, Congressional testimony, factsheets, websites, other NOAA documents, and in discussions with other coastal programs. Section C is not necessarily tied to a specific award period, and is requested semi-annually.

Coastal programs are asked to provide brief statements that describe the following:

- The problem the coastal program addressed.
- What the program did to address the problem
- The impact the coastal program’s efforts had.
- A link to where more information could be found (if applicable).
- A list of partners involved.
- Contact information for someone at the program that could provide additional information about the achievement.

Section D, added in the revised *Office for Coastal Management Fiscal Year 2022 Performance Progress Report Guidelines Coastal Management Program Annual Awards (Sections 306, 306A, 309, and 310) and Projects of Special Merit* (updated June 2022, consists of a table for reporting the approved NOAA federal and non-federal matching funds budgeted for the entire award period, the total cumulative amount of expended funds, the total cumulative amount of obligated funds, including unliquidated obligations (e.g., obligations incurred that have not been paid), the total cumulative remaining unobligated funds, and any budget deviations between the approved budget and actual or planned expenditures. The addition of the table is intended to ensure consistency with NOAA/NOS grants requirements as well as CZMA strategic priorities. The addition of the table should result in a negligible increase in burden as the states should have this information available.

Section A, B, and C of cooperative agreement performance reports and data for the CZMA Performance Measurement System also enable NOAA to 1) collect comprehensive information on coastal management issues; 2) collect information on innovative management techniques for exchange between programs; and 3) cite specific accomplishments under the Federal coastal zone management issues in Section 305, 306, 306A, 309, 310 and 6217. Through the information collected NOAA can: 1) document the success of the CZMA- funded projects at the state level; and 2) assess the overall success of the national program.

The 34 states and territories with approved CMPs submit data for the CZMA Performance Measurement System annually. These thirty-four states and territories can have as many as three concurrent CZM awards. Each award requires a semi-annual performance report. Thus, the states could submit a maximum of six performance reports a year (two reports per award) until all tasks and activities are completed on the award.

#### **B. Section 305 Coastal Management Program Document**

Section 305 authorizes states to develop a coastal management program. A state must have received federal approval to be eligible for annual grants under Section 306 to implement the program.

*Currently, there are no states receiving Section 305 funds to develop a coastal management program. Congress has not appropriated Section 305 funds for many years.*

#### **C. Section 306/306A Requirements**

The states and territories completing Section 306A projects must submit all required Section 306A documentation for NOAA approval. The only information required, beyond typical project level data such as project descriptions, maps, and budget details, unless notified by NOAA, is a completed and signed Section 306A *Project Questionnaire* and title information for each proposed Section 306A project. This process is directly related to the Section 306 cooperative agreement application, in that a state shall submit one application for a combined Section 306/306A award.

The information submitted as part of the 306A questionnaire is needed in order for NOAA to undertake appropriate environmental compliance review pursuant to the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), Essential Fish Habitat provisions of the Magnuson-Stevens Fishery Conservation and Management Act (EFH), National Historic Preservation Act (NHPA) and others. Each of the compliance reviews require a similar set of information about the project, including, but not limited to: what is the project, where will the project occur (location), how will project be constructed (methods), when will project be implemented, how long will the project take to complete, are there any special methods or practices that will be employed as part of the project and provide figures, drawings, or maps to better illustrate the project's intent.

#### **D. Section 309 Assessment and Strategy**

The 34 coastal states and territories with federally approved coastal zone management programs are encouraged to complete assessments and strategies every five years according to [guidance](#) provided by OCM. Thirty-two of the thirty-four CMPs have chosen to develop assessments and strategies for the 2021-2025 cycle, with the remaining two CMPs considering participation. The Section 309 Assessment and Strategies are used to identify and implement multi-year strategies to enhance a state's CMP.

#### **E. Program Changes**

The states and territories must request approval of changes to their approved CMPs. This process is directly related to the program approval process. States are required to submit program changes on an as needed basis. All state program change submissions must now use the new Program Change Website Portal. The website uses a program change form that all states use, easing state and NOAA paperwork burdens, promoting more consistent submissions and NOAA analyses, and expediting NOAA's review; NOAA uses the information submitted to analyze whether the changes comply with the requirements of the CZMA and other applicable federal law.

#### **F. Coastal Nonpoint Pollution Control Program Document**

Section 6217 authorizes states and territories with Federally-approved coastal zone management programs to develop and implement coastal nonpoint pollution control programs. Of the 34 states and territories with approved coastal management programs, 26 states have a fully approved coastal nonpoint management programs, seven states have conditionally approved programs, and one state has a disapproved program. Of the seven states with conditionally approved programs, five are in various stages of the final clearance to become fully approved, meaning that NOAA and EPA believe they have satisfied all conditions on their program and no additional work to further develop their coastal nonpoint programs is needed. The four states with conditionally or disapproved programs continue to make progress towards full program approval and submit documents explaining how they address identified program gaps for NOAA and EPA review on an as needed basis.

#### **Compliance with NOAA Information Quality Guidelines**

NOS will retain control over the information collected 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 collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a 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 collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

The OCM developed the Internet-based [Coastal and Marine Management Program \(CAMMP\) Information System](#), which is an electronic grant application management system. CMPs use CAMMP to develop their annual cooperative agreement applications. Completed CAMMP applications and other documents needed for federal financial assistance are submitted through Grants.gov. From there, the application is transferred to [NOAA's Grants Online](#) system for review and processing. CMPs use the Grants Online system to submit performance reports and request other post-award action requests, as needed. OCM recently updated the

CAMMP system to provide users with the ability to develop grant applications for multi-year cooperative agreements, provides new and improved budget calculation features, and allows users to create more detailed budget narratives.

The OCM also maintains an on-line reporting site for CMPs to submit their annual CZMA performance measurement data:

<https://coast.noaa.gov/czmpm/Login.aspx>.

With the 2019 revisions to the program change regulations, submission of program change are now submitted through the [Program Change Portal Website](#). The website uses a program change form that all states use, easing state and NOAA paperwork burdens, promoting more consistent submissions and NOAA analyses, and expediting NOAA's review. NOAA uses the information submitted to analyze whether the changes comply with the requirements of the CZMA and other applicable federal law.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

NOAA is the only agency providing funds for these objectives. We have not identified any duplication with any other federal agencies. For the cooperative agreement performance report and CZMA Performance Measurement System requirements, no similar information is available. OCM routinely reviews the data it collects to ensure it is not duplicating other data. Where there are opportunities to reduce unnecessary data collection, such as in the streamlining of the CZMA Performance Measurement System, or rely on existing datasets and tools to facilitate the development of submissions, as in the revised Section 309 guidance, changes are made to our data collection processes to avoid duplication.

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

Small businesses and other small entities are not involved.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the information collection was not conducted or conducted less frequently, the reviewing agency personnel would have a difficult time documenting whether an awardee is adhering to its approved coastal zone management program, adhering to the terms and conditions of the financial assistance award, and whether the state is making continued progress toward coastal management and performance goals. Since future awards are based on performance and timely reporting of performance, this information is necessary or NOAA would not be able to issue additional awards.

NOAA is not able to approve 306A projects until all NEPA and other federal environmental requirements are met. The information requested under 306A is needed to satisfy these requirements.

States that do not submit information toward meeting their Coastal Nonpoint Program requirements under Section 6217 of the CZMA could be found to have failed to submit an approvable program and, per statute, would be subject to losing a portion of their federal funding under Section 306 of the CZMA and Section 319 of the Clean Water Act until they are able to develop a fully approvable coastal nonpoint program.

In addition, several of the performance measures feed into NOAA and DOC-wide performance metrics. Collection on an annual basis is needed to ensure data can be reported as part of these higher-level performance metrics.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

This collection will be conducted in a manner consistent with OMB guidelines.

**8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A [Federal Register](#) Notice published on March 4, 2022 (87 FR 12434) solicited comments on this renewal request. No comments were received in response to the notice.

Additionally, OCM regularly solicits comments on its funding, reporting and programmatic guidance. Each year, the NOAA National Ocean Service Chief Financial Officer sends a draft memorandum (Draft Funding Guidance and Allocations, Coastal Zone Management Act Sections 306/306A and 309) to Commonwealth, State, and Territorial Coastal Program managers outlining anticipated award allocations, application procedures, various grant requirements, and other information.

Comments are requested from the managers prior to the funding memorandum being finalized. No comments were received.

Finally, to support this specific PRA renewal, OCM solicited specific feedback from state coastal management program partners on the burden of effort estimates included in this package via an email request sent on July 5, 2022 to five state programs, asking the following three questions:

- Is the guidance clear?
- Is the reporting format acceptable?
- Is the time estimate accurate?



4 of 5 states provided written feedback. Of the four responses, one response indicated that the estimated annual burden associated with the required reporting accurately reflects the reporting efforts for the identified activities. Two responses indicated that the response time for Section 309 Strategy and Assessment document preparation should be much higher. The other two respondents did not indicate that the estimate is wrong. Two respondents indicated that the CZMA Performance Management System reporting should be somewhat higher, while the other two respondents did not indicate it was inaccurate. One respondent indicated that Year 1 - 306/306A/307/309/310/6217 performance reporting estimate should be slightly higher and that the Section 306a Application Questionnaire and documentation estimate should be somewhat higher, while the other three respondents did not indicate that the estimates were inaccurate. All burden response times were increased in the last renewal based on stakeholder feedback. Because there is now inconsistent feedback among stakeholders and new reporting guidance has recently been released, NOAA is not inclined to increase the burdens at this time. However, NOAA will discuss with the stakeholders, review where the discrepancies are occurring, and update the burden hours at the next renewal as appropriate. Stakeholders also indicated that there are likely ways to enhance the quality, utility, and clarity of the information collected for the CZMA Performance Management System reporting noting they are too specific and too vague at the same time, as well as likely ways to minimize the burden of the collection of information for Section 306A reporting; however, they did not have suggestions for improvement at this time.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payments or gifts to respondents are made, other than remuneration of contractors or grantees.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

Confidentiality is neither promised nor provided.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

No sensitive questions are asked.

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

As part of their annual cooperative agreements, all coastal management programs are required to submit data for semi-annual cooperative performance reports for their Section 306/306A, Section 309, and when applicable Section 310 and 6217 funding. The annual cooperative agreements also require state coastal management programs to submit annual CZMA Performance Measurement System data, updates to their approved programs (or program changes), when needed, and all necessary paperwork for 306A funding (if applicable). In addition, the CZMA requires all coastal states participating in the National Coastal Zone Management Program to develop and submit coastal nonpoint pollution control programs under Section 6217 and encourages states to develop and implement assessments and strategies to further enhance their programs under Section 309. For the CZM awards, the states and territories submit two cooperative agreement performance reports per year that include all the appropriate reporting sections. States and territories could have up to three concurrent CZM awards, which would require six performance reports in a year.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
CZMA Performance Mgmt System - Tracking	General & Operations Managers	34	1	34	25	850	\$55.41	\$47,098.50
Year 1 - 306/306A/307/309/310/6217 - Section A & B performance reports	General & Operations Managers	34	2	68	40	2720	\$55.41	\$150,715.20
Year 2 - 306/306A/309/310/6217 306/306A/309/310/6217- Section A performance report	General & Operations Managers	28	2	56	20	1120	\$55.41	\$62,059.20
Year 3 - 306/306A/309/310/6217 - Section A performance report	General & Operations Managers	24	2	48	10	480	\$55.41	\$26,596.80
Section C performance Reports	General & Operations Managers	34	2	68	2	136	\$55.41	\$7,535.76
Program Change Documentation	General & Operations Managers	18	1	18	15	270	\$55.41	\$14,960.70
Section 306a Application Questionnaire and documentation	General & Operations Managers	20	1	20	25	500	\$55.41	\$27,705.00
Section 309 Strategy & Assessment Document Preparation	General & Operations Managers	34	0.2	7	260	1,820	\$55.41	\$100,846.20

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Section 309 Competitive Funding - Section A Semi-Annual Performance Report on Project Implementation	General & Operations Managers	15	2	30	2	60	\$55.41	\$3,324.60
Section 310 Funding - Section A Semi-Annual Performance Reports	General & Operations Managers	0	2	0	1	0	\$55.41	\$0.00
Coastal Nonpoint Pollution Control Program Document Preparation	General & Operations Managers	4	1	4	240	960	\$55.41	\$53,193.60
Section 305 Program Development Document	General & Operations Managers	0	1	0	800	0	\$55.41	\$0.00
Section 305 Section A Semi-Annual Performance Report	General & Operations Managers	0	2	0	5	0	\$55.41	\$0.00
<b>TOTAL</b>				<b>353</b>		<b>8,916</b>		<b>\$494,035.56</b>

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

With use of e-mail and the Internet, costs for letters or records sent are minimal. We receive approximately 98 percent of our responses electronically. With 34 states reporting, spending per state averages \$25.00 on mailing, totaling \$850.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The annual Federal cost is estimated at \$264,616. This estimated cost represents the personnel time taken to collect, review, process, and analyze the data, using loaded salary/cost numbers for federal and contract staff. See the table below for details.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Positions	ZP-4	\$217,464	71%		\$154,399
	ZP-3	\$154,764	13%		\$21,667
Contractor Cost				N/A	
		\$132,163	67%		\$88,549
Travel					\$0
Other Costs:					\$0
<b>TOTAL</b>					<b>\$264,616</b>

**15. Explain the reasons for any program changes or adjustments reported in ROCIS.**

The annualized responses decreased by six due to several state Coastal Nonpoint Pollution Control Programs being in the final clearance process for having fully developed their coastal nonpoint programs, which decreased burden hours by 1,680. The document preparation burden hours for program change documentation decreased by 270 due revisions to the program change requirements and submittal processes. The combined total decrease in budget hours is 1,950.

**Adjustments**

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Program Change Documentation	18	18	1	1	270	540	The adjustment of a decrease in burden hours was due to the 2019 final rule for revised program change regulations under the CZMA, which provides a more efficient program change process for states and NOAA to make changes to state management programs and streamlines the documentation that all states would adhere to.
Coastal Nonpoint Pollution Control Program Document Preparation	4	10	1	1	960	2400	This adjustment is due to a decrease in the number of respondents as several state Coastal Nonpoint Pollution Control Programs are in the final clearance process for having fully developed their coastal nonpoint programs.
<b>Total for Collection</b>	<b>22</b> (22 unique respondents)	<b>28</b> (28 unique respondents)	<b>2</b>	<b>2</b>	<b>1230</b>	<b>2940</b>	
<b>Difference</b>	<b>-6</b>		<b>0</b>		<b>- 1710</b>		

**Labor costs were not previously calculated. The current labor costs were generated using 11-1021 General and Operations Managers with a mean hourly wage of \$55.41.**

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

After the coastal state completes a comprehensive coastal management program, Draft and Final Environmental Impact Statement and the Environmental Assessment documents are published according to the National Environmental Policy Act (NEPA).

Final state Section 309 assessment and strategies will be posted online for full transparency and OCM will develop national and/or regional syntheses of key findings from the assessments and strategies to distribute to partners, stakeholders, and the public, as appropriate.

OCM will also regularly synthesize CZMA performance measurement through factsheets posted to the web to show national accomplishments of the National Coastal Zone Management Program.

After NOAA and EPA make a decision regarding the approvability of a state's coastal nonpoint program, NOAA and EPA's decision document providing the basis for such a decision is posted online.

There are no complex analytical or statistical techniques used in these publications.

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

There are no forms used in this collection.

**18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).