



**U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management**

MEMORANDUM FOR: Commonwealth, State, and Territorial Coastal Program Managers

TO: William B. Kearse
Performing the Duties Chief Financial Officer and Chief
Administrative Officer for the National Ocean Service

THROUGH: Joelle Gore *Yore*
Chief, Stewardship Division, Office for Coastal Management

FROM: Kim Penn *Kimberly M. Penn*
Program Manager, Coastal Communities Program, Office for Coastal
Management

SUBJECT: Fiscal Year 2022 Funding Guidance and Allocations:
Coastal Zone Management Act Sections 306/306A and 309

This guidance is based on the funding levels contained in the Fiscal Year 2022 Consolidated Appropriations Act (Public Law 117-103). This memorandum provides guidance on the allocation and uses of these funds. If you have any questions about this guidance, please contact Kim Penn at (301) 801-4540, or by email at kim.penn@noaa.gov.

Fiscal Year 2022 Coastal Zone Management Funding *

Section 306/306A/309*	\$79,000,000
NOAA Assessments	<u>-\$79,000</u>
Total	\$78,921,000

* Figures reflect the appropriation of \$79,000,000, as authorized by the Fiscal Year 2022 Consolidated Appropriations Act (Public Law 117-103), less a NOAA-wide assessment for the Hollings Scholarship Program totaling \$79,000.

Overview

The 2022 allocation reflects the use of coastal population numbers taken from the 2010 U.S. Census for “coastal counties” or their equivalent jurisdictions, which was vetted with the state and territorial coastal management programs.

Section 306/306A and Section 309 Allotments

After the NOAA adjustments, \$78,921,000 in appropriated funds is available in Fiscal Year 2022 for Sections 306/306A and 309. The Coastal Zone Management Act (CZMA) requires that between 10 and 20 percent of the Section 306/309 appropriation be directed toward Section 309,

up to a maximum of \$10,000,000. The Office for Coastal Management has directed \$10,000,000 of the appropriation toward Section 309, leaving \$68,921,000 for Section 306/306A.

In addition, because of the January 2015 finding by NOAA and the U.S. Environmental Protection Agency that Oregon has not submitted an approvable coastal nonpoint program under Section 6217 of the Coastal Zone Act Reauthorization Amendments, NOAA redirected a total of \$745,800, or 30 percent, of the Oregon Fiscal Year 2022 Section 306/306A allocation to the 24 states with approved coastal nonpoint pollution control programs, as directed by statute (16 U.S.C. 1455b(c)(3)). Only those states with coastal nonpoint pollution control programs approved by January 30, 2022, will receive a portion of the redirected funds. Programs with coastal nonpoint pollution control programs approved after January 30, 2022, will be eligible for redirected funds the following year. The recipients of these redirected funds are encouraged, but not required, to undertake projects and tasks that support the protection of coastal waters and habitats from nonpoint sources of pollution.

The Section 306/306A funds, including the redirected funds described above, require a one-to-one match and are available to states and territories with federally approved coastal management programs. State and territorial allocations are provided in the attached table (Attachment 1).

Those states and territories that have successfully completed Section 309 assessments and strategies are eligible for Section 309 funding. These funds require no match. A total of \$8,500,000 of the Section 309 funds is awarded through the weighted formula. The primary focus of these Section 309 funds will be to implement the second year of the approved 2021-2025 strategies. In addition, \$1,500,000 of the Section 309 funds will be awarded as Projects of Special Merit. These projects are selected through a competitive process and will be funded through separate awards.

The Fiscal Year 2022 Consolidated Appropriations Act (Public Law 117-103) includes a provision authorizing the partial or full waiver of cost-sharing requirements under Section 315. This waiver is based upon need, and will not be automatically granted for Fiscal Year 2022 funds. Please reference the Office for Coastal Management's Fiscal Year 2022 CZM and NERRS Match Waiver Guidance (March 23, 2022) for the process for requesting need-based match waivers.

Coastal Zone Management Act Performance Measurement System

Coastal programs are required to report on CZMA performance measures annually, using the current version of the [CZMA Performance Measurement System Guidance](#). Reporting should be done through the [CZMA Performance Measurement System database](#). For questions regarding these performance measures, please contact Liz Mountz at elizabeth.mountz@noaa.gov.

Section 312 Evaluation Metrics and 312 Evaluations

During Fiscal Year 2017, each coastal management program identified three performance measures associated with five-year targets. That cycle will be ending in Fiscal Year 2022, and it is now time to update these measures with new measures. During the Fiscal Year 2022 award period, each coastal management program should select three existing CZMA performance measures for which they already report in the CZMA performance measures database. A five-year target for the federal Fiscal Years 2023-2027 should be identified for

each of the three measures. Data collection for the next five-year evaluation metrics will cover the time period from July 1, 2023, to June 30, 2028—or October 1, 2023, to September 20, 2028, consistent with award start dates. Reporting for the next five-year evaluation metrics will start either July 1, 2024, or October 1, 2024, respectively. Please include language in a new or existing task describing your program’s plan to develop the next set of evaluation metrics.

Coastal management programs will report on these measures annually through the existing CZMA Performance Measurement System. It is highly likely that at least one of the three performance metrics must be the national hazards measure. Note: Official guidance on these measures will be forthcoming in July 2022 from the Office for Coastal Management’s Policy, Planning, and Communications Program.

Coastal programs that will have a Section 312 evaluation in Fiscal Year 2022 should include language in a new or existing task describing the program’s participation in the evaluation. Coastal programs that will have a Section 312 evaluation in Fiscal Year 2023 should include language in a new or existing task describing the program’s preparation to participate in the evaluation (submission of the standard pre-evaluation information request, etc.).

For questions regarding 312 evaluations and evaluation metrics, please contact Michael Migliori at michael.migliori@noaa.gov.

Support of Strategic Priorities

CZMA Section 306 and 309 funds should support NOAA’s strategic priorities and be consistent with the priorities of the CZMA. NOAA worked with state coastal programs to develop the *National Coastal Zone Management Program Strategic Plan 2018-2023*. Consistent with the strategic plan, coastal management programs are encouraged to use their Section 306 funds in part to support the following:

- Effectively plan and prepare for change, including environmental and demographic changes and emerging uses of coastal and ocean resources, to strengthen coastal economies and minimize risks from coastal hazards.
- Protect, preserve, and restore coastal and ocean ecosystems for use and enjoyment by all, including considerations of equity and justice, and facilitate the adoption of nature-based infrastructure solutions.
- Strengthen the national coastal management network and grow partnerships to enhance capacity for, and visibility of, coastal management.

Multi-year Awards

Fifteen states and territories (Commonwealth of the Northern Mariana Islands, Delaware, Georgia, Hawaii, Louisiana, Maine, Massachusetts, Michigan, New Hampshire, North Carolina, Ohio, Oregon, South Carolina, Washington, and Wisconsin) agreed to work with the Office for Coastal Management in Fiscal Years 2022 and 2023 in the fourth round of piloting multi-year awards.

States using multi-year awards should develop applications with two-year budgets, with a five percent increase to Section 306/306A in the second-year budget to accommodate any budget

fluctuations and adjustments between years. This does not mean that the award allocations will increase in Fiscal Year 2023, but it will eliminate the need for submitting an award amendment if the budget increases by up to five percent; conversely, minor reductions in the budget do not require an amendment. The Fiscal Year 2023 Funding Guidance and Allocations will include the final allocations for the second year of the multi-year awards, and the Office for Coastal Management will work with pilot states to develop any necessary budget revisions.

Application Procedures

All applications should be submitted electronically via the grants.gov website on or before the date listed in Attachment 2 of this memorandum.

States that are applying for one-year funding should use the [Coastal and Marine Management Program \(CAMMP\) system](#) to develop their final application. Draft applications may be prepared in CAMMP or in a word format outside of the CAMMP system and then pasted in.

Notice Information

According to the CZMA, the secretary of commerce may make grants to eligible coastal states. Coastal states are defined as states that are in, or bordering on, the Atlantic, Pacific, or Arctic Oceans, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. For the purposes of the CZMA, the term also includes Puerto Rico, the U.S. Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

Attachments

cc: Keelin Kuipers, Deputy Director, Office for Coastal Management
John King, Chief, Business Operations, Office for Coastal Management
Arlene Simpson-Porter, Director, NOAA Grants Management Division
Derek Brockbank, Executive Director, Coastal States Organization

Attachment 1

Fiscal Year 2022 Allocations for CZMA Sections 306/306A and 309

State/Territory	306/306A Base	306 Oregon Redirect	Total 306/306A	309 Weighted Formula	Fiscal Year 2022 Total
Alabama	1,615,000	0	1,615,000	92,000	1,707,000
Alaska	0	0	0	0	0
American Samoa	990,000	19,000	1,009,000	79,000	1,088,000
California	2,486,000	38,000	2,524,000	530,000	3,054,000
Connecticut	2,150,000	33,000	2,183,000	141,000	2,324,000
Delaware	1,490,000	24,000	1,514,000	89,000	1,603,000
Florida	2,486,000	38,000	2,524,000	530,000	3,054,000
Georgia	2,486,000	38,000	2,524,000	271,000	2,795,000
Guam	1,006,000	19,000	1,025,000	79,000	1,104,000
Hawaii	2,417,000	0	2,417,000	159,000	2,576,000
Illinois	2,486,000	0	2,486,000	0	2,486,000
Indiana	1,128,000	0	1,128,000	82,000	1,210,000
Louisiana	2,486,000	0	2,486,000	530,000	3,016,000
Maine	2,486,000	38,000	2,524,000	406,000	2,930,000
Maryland	2,486,000	38,000	2,524,000	471,000	2,995,000
Massachusetts	2,486,000	38,000	2,524,000	329,000	2,853,000
Michigan	2,486,000	0	2,486,000	503,000	2,989,000
Minnesota	1,110,000	18,000	1,128,000	0	1,128,000
Mississippi	1,309,000	0	1,309,000	86,000	1,395,000
New Hampshire	1,105,000	22,000	1,127,000	81,000	1,208,000
New Jersey	2,486,000	38,000	2,524,000	458,000	2,982,000
New York	2,486,000	38,000	2,524,000	530,000	3,054,000
North Carolina	2,486,000	38,000	2,524,000	395,000	2,919,000
Northern Mariana Islands	1,067,000	19,000	1,086,000	81,000	1,167,000
Ohio	1,956,000	30,000	1,986,000	123,000	2,109,000
Oregon	2,486,000	-745,800	1,740,200	204,000	1,944,200
Pennsylvania	1,891,000	29,000	1,920,000	116,000	2,036,000
Puerto Rico	2,440,000	35,800	2,475,800	0	2,475,800
Rhode Island	1,539,000	26,000	1,565,000	90,000	1,655,000
South Carolina	2,486,000	38,000	2,524,000	349,000	2,873,000
Texas	2,486,000	0	2,486,000	530,000	3,016,000
U.S. Virgin Islands	1,053,000	19,000	1,072,000	0	1,072,000
Virginia	2,486,000	38,000	2,524,000	529,000	3,053,000
Washington	2,486,000	0	2,486,000	480,000	2,966,000
Wisconsin	2,393,000	34,000	2,427,000	157,000	2,584,000
TOTALS	68,921,000	0	68,921,000	8,500,000	77,421,000

Attachment 2

**2022 Coastal Zone Management Act
Cooperative Agreement Application Schedule**

Type of Award	Drafts Due to Office for Coastal Management	Office for Coastal Management Comments Back to State	Grants.gov Submission Deadline
CZM July 1 Starts	February 25, 2022	March 11, 2022	April 8, 2022
CZM Oct 1 Starts	April 8, 2020	April 29, 2022	May 20, 2022

Attachment 3

Additional Guidance and Reminders

To improve management of the cooperative agreements and be consistent with federal and NOAA-specific financial requirements, we would like to provide the following reminders and guidance.

Application Submission

Applications for all awards should be developed in the [Coastal and Marine Management Program \(CAMMP\) system](#). CAMMP has been updated to support multi-year applications for the Fiscal Year 2022 award season. Please contact your liaison or cammphelp@noaa.gov if you run into any problems with CAMMP.

To find the CZMA Federal Funding Opportunity announcement on grants.gov and obtain the application materials, you need to do the following:

- (1) Go to www.grants.gov.
- (2) Under the APPLICANTS tab at the top of the page, select “How to Apply for Grants.”
- (3) Select “Search for Opportunity Package” on bottom-right of page.

Federal Funding Opportunity numbers will be provided for July 1 and October 1 start dates in an upcoming email.

Ensure that your state or territory is registered in www.grants.gov. To get general instructions and links for registering, go to the APPLICANTS tab, then select “Applicant Resources” and “Organization Registration.”

New registrations can take an average of seven to ten business days to process if you or your organization already has a Taxpayer Identification Number or an Employer Identification Number. Otherwise, the process can take up to two and a half weeks to complete. Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through www.grants.gov.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101, to the extent applicable, any proposal awarded in response to this announcement will be required to use the System for Award Management (SAM), which may be accessed online at www.sam.gov/SAM/.

Each applicant, unless excepted under 2 C.F.R. 25.110, is required to be registered in SAM before submitting an application, provide a valid Unique Entity Identifier in the application, and continue to maintain an active SAM registration with current information at all times during which it has an active federal award or application under consideration by a federal agency. A federal agency may not make an award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements, and if the applicant has not fully complied by the time the agency is ready to make an award, the agency may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making an award to another applicant.

Please note, on April 4, 2022, the U.S. government will switch from using the DUNS Number to a new Unique Entity ID, also known as a UEI. Systems such as SAM.Gov will require use of the UEI after April 4, 2022. See SAM.Gov for more information. Current SAM.gov registrants have already been assigned their Unique Entity Identifier (SAM) and can view it within SAM.gov.

Award Administration

Programs with multiple CZM awards open simultaneously must allocate and account for staff and fringe time for each open award. Specifically, each open award must have actual or an estimate of staff time allocated to the award for project work performed and, at minimum, proportional staff time allocated in order to account for award management and other administrative activities. We encourage you to work with your coastal management liaison and NOAA's Grants Management Division to determine how best to account for award administrative time within each open award.

Budget Narrative Guidance

NOAA's Grants Management Division has developed a detailed **Budget Narrative Guidance** that provides additional details regarding the information that grants officers are looking for when reviewing applications.

306A Construction Projects

NOAA worked with a team of state coastal program staff to revise the 306A guidance and checklist during 2017-2018. The updated [306A guidance](#) and associated [306A Project Questionnaire](#) were finalized in 2019. States and territories should use the project questionnaire for all newly proposed projects, including for 306A projects proposed through a change of scope to the award or a Special Award Condition (Specific Award Conditions) release. Your coastal management liaison and the Office for Coastal Management's environmental compliance team can provide advice and guidance regarding information necessary to complete environmental compliance reviews.

For those undertaking Section 306A construction projects, all new construction and alteration projects must comply with the 2010 Americans with Disabilities Act standards (see <https://www.access-board.gov/guidelines-and-standards>). Also see Department of Justice information and technical assistance at https://www.ada.gov/2010ADASTANDARDS_index.htm.

Recipients are reminded that for any CZMA Section 306A construction or acquisition project, NOAA Special Award Conditions require that temporary (during construction) and permanent signage be placed at the site to identify the project and indicate that the project is being funded under the Coastal Zone Management Act, by NOAA's Office for Coastal Management, in conjunction with the state coastal management program. See [Coastal Zone Management Act Section 306A Guidance](#) on page 28.

Federal Funding Accountability and Transparency Act (FFATA) of 2006 Requirements

Since 2011, the Federal Funding Accountability and Transparency Act of 2006 requires "Prime Grant Recipients" of federal awards, including CZMA recipients, that provide sub-awards greater than or equal to \$25,000, to adhere to FFATA subaward reporting requirements, as

outlined in the Office of Management and Budget guidance issued August 27, 2010. The prime awardee (i.e., the CZMA program) is required to file a FFATA subaward report, through the FFATA Subaward Reporting System (FSRS), “by the end of the month following the month in which the prime recipient awards any sub-grant greater than or equal to \$25,000.” All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) at www.fsrs.gov on all subawards over \$25,000.

The sub-awardee is not required to report information to FSRS. Reporting of information regarding executive compensation data for sub-awardees, or any other information associated with subawards, is the responsibility of the prime recipient. The sub-awardee, however, does have an obligation to provide to the prime grant awardee all information required for such reporting.

“Subawards” are defined as either subcontracts, or grants-specific subawards. A “subcontract,” means “a subcontract awarded directly by a contractor to furnish supplies or services (including construction) for performance of a prime contract, but excludes supplier agreements with vendors, such as long-term arrangements for materials or supplies that would normally be applied to a contractor’s general and administrative expenses or indirect cost.” For grants, a “subaward” means “a legal instrument to provide support for the performance of any portion of the substantive project or program for which the recipient received the award.”

For more information such as user guides, FAQs, and an online demonstration, please see the FSRS website www.fsrs.gov.