

CHAPTER 62S-4

COASTAL MANAGEMENT PROGRAM COASTAL PARTNERSHIP INITIATIVE GRANTS

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62S-4.001 Definitions.

As used in this rule, except where the context clearly indicates a different meaning, the following terms shall have the meaning indicated:

- (1) “Act” means the Coastal Zone Management Act of 1972, 16 U.S.C. Sections 1451 et seq.
- (2) “Applicant” means local governments of the 35 coastal counties and all municipalities within their boundaries that are required to include a coastal element in the local comprehensive plan. The term also means Florida colleges, community colleges and state universities as listed in Chapter 1000.21, F.S., regional planning councils, national estuary programs and non-profit groups, as long as an eligible local government agrees to participate as a partner.
- (3) “Application” means a formal request for Coastal Partnership Initiative funds by an applicant consisting of a complete, original grant application form, including required copies and documentation.
- (4) “CPI” means Coastal Partnership Initiative, which is a competitive grant program to disperse funds pursuant to Sections 306 and 306A of the Act.
- (5) “Department” means the Florida Department of Environmental Protection.
- (6) “FCMP” means Florida Coastal Management Program as described in Sections 380.20-380.24, F.S.
- (7) “Invasive Exotic Plants” for the purpose of this rule, means non-native plants that adversely affect the habitats and bioregions they invade.
- (8) “Matching Funds” means non-federal funds expended and/or in-kind services provided by the recipient in conjunction with funds received through this program.
- (9) “NOAA” means the National Oceanic and Atmospheric Administration in the U.S. Department of Commerce.
- (10) “Non-profit” means any corporation, trust, association, cooperative, or other organization which:
 - (a) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
 - (b) Is not organized primarily for profit; and
 - (c) Uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term “non-profit organization” excludes (i) colleges and universities; (ii) hospitals; and (iii) State, local, and federally-recognized Indian tribal governments.
- (11) “Recipient” means an applicant who receives an award through the criteria and procedures established in this rule chapter.

Rulemaking Authority 380.22(3) FS. Law Implemented 380.22 FS. History—New 10-15-81, Formerly 17-24.03, Amended 12-2-87, Formerly 17-24.030, Amended 11-22-93, 4-30-96, 6-10-01, Formerly 9M-1.003, Amended 8-11-03, 9-11-05, 1-29-09, 9-2-10.

62S-4.004 Application Procedures for Coastal Partnership Initiative Grants.

(1) CPI Program Purpose. Eligible applicants may request financial assistance to implement projects to protect, enhance, and improve the management of natural, cultural, and historical coastal resources and to increase the sustainability, resiliency and preparedness of coastal communities. Grant applications must benefit the management of coastal resources, and meet the purpose of at least one of the following CPI priority areas:

- (a) Resilient Communities. The purpose of this priority area is to help coastal communities prepare for and respond to the effects of climate change and natural hazard events and disasters. Project examples

include: conducting vulnerability analyses and risk assessments; developing post-disaster redevelopment plans and business continuity plans; developing climate change adaptation strategies for incorporation in local comprehensive plans or ordinances; developing policies, guidance and best management practices; restoring and preserving coastal wetlands and shorelines; and developing energy efficiency and alternative energy strategies.

(b) Coastal Resource Stewardship. The purpose of this priority area is to promote stewardship and appreciation of fragile coastal resources through local involvement. Stewardship project examples include dune and wetland restoration; invasive exotic plant removal; coastal clean-ups; cultural resource protection; environmental awareness initiatives; coastal learning centers; and environmental education events and field trips.

(c) Access to Coastal Resources. The purpose of this priority area is to help communities identify and improve public access to cultural, historical and natural areas while protecting resources from overuse and damage. Project examples include: planning for, and construction of small-scale projects such as fishing piers, dune crossovers, boardwalks, observation decks, and canoe and sailboat launches; natural shoreline restoration; invasive exotic plant removal; waterfront park improvements; and development of recreational surface water use plans or policies pursuant to Section 163.3177(6)(g), F.S.

(d) Working Waterfronts. The working waterfronts priority area is designed to assist communities with waterfront revitalization. The working waterfronts initiative aims to support projects that enhance and sustain traditional waterfront communities while addressing public access, resource protection, and hazard mitigation issues. Project examples in this category include constructing boat ramps, waterside boardwalks, kiosks and fish cleaning stations; and restoring shorelines and wetlands or implementing other measures that mitigate the effects of natural hazards.

(2) Assistance.

(a) Financial awards are limited to:

1. No more than \$30,000 and no less than \$10,000, for planning, design and coordination activities; and

2. No more than \$60,000 and no less than \$10,000 for construction projects, habitat restoration, invasive exotic plant removal or land acquisition. These projects cannot involve planning and coordination activities as stated in subparagraph 62S-4.004(2)(a)1., F.A.C.

(b) Projects funded under the CPI must be located on publicly-owned or leased land, or land held in perpetuity under a conservation easement. Projects located on federally-owned lands are not eligible for FCMP funds.

(c) Non-profit organizations are not eligible to receive funds for construction projects, habitat restoration, invasive exotic plant removal or land acquisition. Applications submitted by non-profit organizations that propose these activities will be disqualified.

(d) A recipient will be required to provide 100% (1:1) matching funds, cash or in-kind. No more than one half (50%) of match can be provided by a third party.

(e) Eligible applicants may submit no more than one application per funding cycle.

(f) Funds awarded by the procedures described in this chapter shall not be used to supplant or replace any state or local funds, used as matching funds to apply for or receive other federal funds, or used as match for funds awarded as a result of the application processes described in this chapter.

(3) Period of Assistance. Funding is available only for project work initiated and completed during a 12 month period beginning July 1 and ending June 30, unless the FCMP grants a written extension for good cause.

(4) Notice.

(a) If funds are available, the FCMP shall initiate the funding cycle by publishing a notice of the availability of funds on the Florida Administrative Register (FAR) website at <https://www.flrules.org/> no later than October 31. Applications for a funding cycle will not be accepted prior to the publication of the notice of availability of funds.

(b) In addition, the FCMP shall send a copy of the notice of availability of funds to the chair of the Board of County Commissioners in each of the 35 coastal counties and to the chair of the governing body of each eligible municipality as defined in paragraph 62S-4.001(2), F.A.C.

(5) Application Form. All Coastal Partnership Initiative (CPI) grant applications must be submitted on the CPI Application Form. The CPI Application Form 62S-4.004(5), effective date 9-2-10 is hereby incorporated by reference and is available from the FCMP grants website at <http://www.dep.state.fl.us/cmp/grants/index.htm>. To request an application form, contact FCMP staff at the Department of Environmental Protection, Florida Coastal Management Program, MS 235, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000.

(a) Applications shall be received by the FCMP on or before 4:00 p.m., Eastern Time Zone, on the date identified in the notice of availability of funds, which shall be a minimum of 60 days from the publication of the notice.

(b) One originally-signed application, four copies of the application and one CD/DVD version shall be submitted to: FCMP, M.S. 235, ATTN: CPI Applications, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000.

(c) It is the applicant’s responsibility to ensure that one original application, four copies, and one CD/DVD version are delivered at the proper time and place. Applications submitted by fax or other electronic media are not acceptable. Applications received after the exact time and date specified above will be disqualified. *Rulemaking Authority 380.22(3) FS. Law Implemented 380.22 FS. History—New 10-15-81, Formerly 17-24.04, Amended 12-2-87, Formerly 17-24.040, Amended 11-22-93, 4-30-96, 6-10-01, Formerly 9M-1.004, Amended 8-11-03, 9-11-05, 1-29-09, 9-2-10.*

62S-4.007 Review Procedures and Criteria.

(1) Minimum Requirements. Applications must include the following in order to be reviewed by the evaluation committee:

- (a) A signed and complete Title Page;
- (b) A Location Map;
- (c) A Work Plan; and
- (d) A Budget.

(2) Applications that meet the minimum requirements listed in paragraphs 62S-4.007(1)(a)-(d), F.A.C., will be reviewed by an interagency technical evaluation committee of at least three members who are appointed by the FCMP Administrator and have knowledge of current coastal resource management issues and state and federal resource management programs and activities. Each application will be evaluated using the evaluation criteria below. The final score of each application shall be the average of the evaluators’ scores.

(3) Evaluation Criteria.

	Maximum Points
(a) The project location is clearly depicted on a map.	10
(b) Project description is clearly presented.	15
(c) Project objectives, tasks, deliverables and timelines clearly relate to the project description.	20
(d) There is a demonstrated need which the project addresses.	25
(e) Project meets purpose of at least one CPI priority.	10
(f) Applicant demonstrates how the project will benefit coastal resource management.	25
(g) Project is feasible and can be completed within one year.	10

(h) Budget and budget narrative clearly show how FCMP funds and match funds will be expended in accordance with paragraph 62S-4.004(2)(d), F.A.C., and demonstrate a cost relationship to project activities.	15
(i) Project costs are reasonable.	10
Total Maximum Points Possible	140

(4) Applications will be funded in rank order by score, depending on the availability of funds. If more than one application receives the same score, those applications will receive equal treatment in making funding decisions.

(5) If the project is funded by NOAA, the subgrant agreement shall be executed within 90 days from approval unless mutually waived by the FCMP and recipient. Failing timely execution, funds will be allocated to other FCMP needs.

Rulemaking Authority 380.22(3) FS. Law Implemented 380.22, 380.27 FS. History—New 10-15-81, Formerly 17-24.07, Amended 122-87, Formerly 17-24.070, Amended 11-22-93, 4-30-96, 6-10-01, Formerly 9M-1.007, Amended 8-11-03, 9-11-05, 1-29-09, 9-2-10.

62S-4.008 Funding Coastal Partnership Initiative Grants.

(1) The FCMP shall use the criteria and procedures established in this rule chapter to evaluate project applications and determine their eligibility to be included as part of Florida’s official cooperative agreement application for federal assistance under the Act. The final decision whether or not to fund a project is made by the Department and NOAA.

(2) Funding of any application submitted in response to the FCMP’s notice of availability of funds and in accordance with this rule chapter is subject to the amount of federal coastal zone management funds awarded to the FCMP and the amount allocated to the CPI by the FCMP.

(3) Notice of funding decisions shall be published on the FAW website at <https://www.flrules.org/>. Any person whose substantial interests are affected may request a hearing pursuant to Section 120.569, F.S., within 21 days of publication of the notice. Failure to request a hearing within the applicable time period shall constitute a waiver of the right to a hearing.

(4) A timely filed petition for an administrative hearing shall not cause the suspension of further action on other applications. If, as a result of a Chapter 120, F.S., administrative or judicial proceeding, the Department’s determination of ranking for an application is reversed, and as a result an applicant obtains a rank high enough that it would qualify for inclusion in the Department’s application to NOAA, the Department shall include the application in the following year’s application to NOAA for coastal zone management funds.

(5) Any recipient of a previous grant awarded by the Department that did not complete the tasks specified in the grant agreement or substantially failed to abide by the terms of the grant agreement, without good cause, shall be ineligible to be considered for funding under the CPI program for two consecutive funding cycles. The FCMP shall determine within 30 days of the grant end date whether the grant recipient is ineligible pursuant to this paragraph and shall notify the ineligible grant recipient in writing. Any person whose substantial interests are affected may request a hearing pursuant to Section 120.569, F.S., within 21 days of receipt of notice. Failure to request a hearing within the applicable time period shall constitute a waiver of the right to a hearing.

Rulemaking Authority 120.569, 120.57, 380.22(3) FS. Law Implemented 120.569, 380.22 FS. History—New 1-29-09, Amended 9-2-10.