

Section 306A Project Questionnaire

State coastal management programs must complete this questionnaire for each Coastal Zone Management Act (CZMA) Section 306A project and submit it to NOAA's Office for Coastal Management.

This questionnaire helps applicants collect and record the information and documents typically required for NOAA review and approval of Section 306A projects, including this completed questionnaire, all project information, related grants requirements (e.g., detailed budget), title documentation and appraisal (if applicable), and other information that may be subsequently requested by NOAA.

NOTE: NOAA may request additional documentation to fulfill environmental compliance, grants or other requirements. Failure to provide this documentation in a timely manner may delay or prevent approval. Please use the *Coastal Zone Management Act Section 306A Guidance* document [November 2019] for further information.

A. Basic Project Information

1. **Grant and Task Number** (if a multi-year award, identify the year of funding):

2. **State:**

3. **Name of Project** (and, if different, cooperative agreement task name):

4. **Address** (city, county, state) **or Coordinates for Project:**

5. **Project Proponent** (must be a public entity):

6. **Key Project Contact** (coastal management program or local lead, project implementer, or sub-award manager):

7. **Involvement of Nonprofit Organizations:**
The state coastal management program or sub-recipient will contract with a nonprofit organization to complete portions of this project. Yes No
If the answer to number 7 is YES, name the organization:

8. **Project Start and End Dates (estimated):**

9. **Date Questionnaire Completed:**

10. **Total (Federal + Match) Cost:**

Federal:

Match:

11. Project Narrative Summary: Insert a high-level, short project description (no more than 400 words) here with project purpose and primary goals, including linkages to the state coastal management program. In addition, please include the following:

- a. Implementation dates of major elements of the proposed activity;
- b. Frequency of activities within the project schedule (e.g., once per week, 10 days per month, daily);
- c. Deployment and recovery schedules of equipment or structures that would be temporarily or permanently placed in the environment.

A detailed project narrative and budget similar in detail to all award tasks should be provided in a separate file consistent with cooperative agreement requirements.

B. Project Eligibility

1. 306A Objectives (Check all that apply):

- 306A(b)(1)(A) (preservation or restoration of areas designated in the state coastal management program)

Identify the designation under the state's coastal management program as required by CZMA section 306(d)(9):

- 306A(b)(1)(B) (preservation or restoration of coastal resource of national significance or restoring or enhancing shellfish production/cultch)

Identify coastal resource:

- 306A(b)(2) (redevelopment of deteriorating or underused urban or working waterfronts designated as Areas of Particular Concern in the state's coastal management program)

Identify the Area of Particular Concern:

- 306A(b)(3) (providing public access to coastal areas)
- 306A(b)(4) (development of process for aquaculture)

2. 306A Allowable Uses (Check all that apply):

- 306A(c)(2)(A) (fee simple or other interest in land)
- 306A(c)(2)(B) (low-cost construction projects, including most restoration projects)

- 306A(c)(2)(C)(ii) (shoreline stabilization/living shorelines)
- 306A(c)(2)(C)(i) (revitalize urban or working waterfronts-piers)
- 306A(c)(2)(C)(iii) (revitalize urban or working waterfronts-pilings)
- 306A(c)(2)(D) (engineering designs, specifications, other 306A reports)
- 306A(c)(2)(E) (educational, interpretive, and management costs, including signage and kiosks and aquaculture permitting processes)

3. Public Benefit

The project must meet all of the following criteria to be eligible for 306A funding:

- a. The project will be for public benefit. YES NO
- b. The project will be located on a property that is publicly owned or accessible via a publicly held easement. In the case of acquisition, the property will become publicly owned and accessible as a result of the project.
 YES NO
- c. The project will not improve private property and will not have a primary purpose of private or commercial gain. YES NO

If the answer to any of the above questions is “NO,” the project is not eligible for Section 306A funding.

- d. The state or sub-recipient will need to secure an easement or lease to conduct the project because the state or sub-recipient does not own the property.
 YES NO

If the answer to the above question is “YES,” attach a copy of the easement or lease to this questionnaire and answer questions 3e and 3f below; if “NO,” go on to 3g.

- e. What is the term of the easement or lease? (Provide date of expiration or specify if in perpetuity.)
- f. The easement or lease contains a reversionary clause. YES NO N/A
If yes, attach a copy of the reversionary clause to this questionnaire.
- g. The project will be open to the general public. YES NO N/A

If the answer to 3g is “NO,” the project is not eligible for Section 306A funding unless

access is to be limited for a legitimate reason, such as public safety, resource restoration or protection, or scientific research. Attach an explanation for why the project will not be open to the public and describe the public benefits that would be provided by the project in absence of the project being open to the general public. For example, a rain garden or living shoreline may provide water quality and ecosystem benefits, but not be “open” to the public for the purposes of access or recreation.

h. The public will be charged a user fee to access the project. YES NO N/A

If the answer to 3h is “YES,” attach an explanation for the user fee, including the amount, whether there will be differential fees (and a justification thereof), the need for the fees, and proposed use of the revenue. The revenue from access fees must be used to maintain the public access site. For additional details, see Section 306A Guidance, Section 2.4.4.

4. Project Geography and Location

a. Is the project or parcel entirely contained within the State Coastal Zone Boundary?

YES NO

If the project or acquisition location is not entirely within the State Coastal Zone Boundary, please attach a description of how the project will provide clear and direct benefits to the state coastal program consistent with Section 306A Guidance, Section 2.7.

b. Is the project within the State’s NOAA approved Coastal and Estuarine Conservation Land Program (CELCP) boundary?

YES NO N/A (state does not have draft or final CELCP plan).

c. Does the acquisition expand an existing National Estuarine Research Reserve (NERR) or support the research reserve system? YES NO

d. Does the project include an area designated as a unit of the Coastal Barrier Resources System (CBRS)? A CBRS mapper and the official maps of the CBRS are available on the U.S. Fish and Wildlife Service’s website at <https://www.fws.gov/cbra/maps/mapper.html>. YES NO

If the answer to this question is “YES,” list the unit number(s):

5. Supporting Documentation for Low-Cost Construction Projects (if your project is land acquisition, skip to 6)

All of the following information is required for low-cost construction projects and must be attached:

- a. A title opinion, title insurance commitment/certificate, or affidavit showing that the property on which the proposed project will be located is publicly owned, leased, or under easement in perpetuity or for the expected life of the project (at least 20 years). (Section 306A Guidance, Section 4.3.5)
- b. A detailed site plan for the project as described in Section 306A Guidance, Section 4.3.4.
- c. A plan to ensure that operations and maintenance are provided for the project for its expected useful life as described in Section 306A Guidance, Section 2.4.11.

If there is no party that has been identified to conduct operations and maintenance please describe why there is no plan for operations and maintenance.

- d. A detailed site location map for the project. If available, please include the relevant USGS quadrangle maps for the site. (Section 306A Guidance, Section 4.3.3)

Continue to Section C, NEPA and Environmental Compliance.

6. Supporting Documentation for Land Acquisition Projects

All of the following information is required for land acquisition projects and must be attached:

- a. A title opinion or title insurance commitment/certificate showing that the property to be acquired is owned by the contracted seller and is free of encumbrances that could affect the intended uses of the property. Title opinion must be less than one year old. (Section 306A Guidance, Section 4.3.5)
- b. Copies of any third-party easements associated with the acquisition. (Section 306A Guidance, Section 4.3.10)

- c. An independent appraisal of the fair market value for the property to be purchased that was developed pursuant to the Office for Coastal Management Section 306A Guidance (using Uniform Standards of Professional Appraisal Practice [USPAP] Standards 1 & 2). Appraisal must be less than one year old. (Section 306A Guidance, Section 4.3.11)
- d. A legal property survey meeting all applicable state and local requirements for accuracy and sufficiency. (Section 306A Guidance, Section 4.3.12)
- e. Copy of final deed or conservation easement containing the required NOAA deed restriction. (Section 306A Guidance, Section 4.3.13)
- f. A copy of the purchase-sale agreement indicating the selling price. (Section 306A Guidance, Section 4.3.14)
- g. Evidence of agreement with willing seller (e.g., letter from seller). (Section 306A Guidance, Section 4.3.15)

C. Project Information Necessary for NOAA Office for Coastal Management National Environmental Policy Act (NEPA) and Environmental Compliance Review

Project Information

1. Provide the detailed information below to describe the proposed activity, either as direct responses to each question below (as feasible), in the detailed project narrative, or as attachments with references to the appropriate question for items such as maps or data tables.
 - a. Its purpose, objectives, and goals.
 - b. Graphics (e.g. figures, photographs), plan diagrams, models. These items, if available, would be additional to a basic site plan and design drawings.
 - c. For purposes of compliance with E.O. 11988 (Floodplain Management) and to ensure that relevant coastal hazards are taken into consideration such that projects are designed and maintained to last as long as intended, applicants should include maps of the existing 100-year and/or 500-year floodplains determined by the Federal Emergency Management Agency (FEMA) or other reputable sources, and other available information relevant to future site

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conditions. Information in narrative form is acceptable when mapping data are not available consistent with Section 306A Guidance, Section 3.2.7.

- d. Sampling, collection, or observation protocols and operational procedures.
 - e. Any proposed best management practices, including any and all CZMA Section 6217 management measures that will be employed or on-site mitigation to reduce or control project impacts. (Section 306A Guidance, Section 4.3.9)
 - f. Monitoring measures and protocols for the project (if any).
 - g. If not fully described in Section 4 of this questionnaire, a description and plan diagram of the proposed impact area, if the proposed activity involves construction, restoration, dredging, excavation, and/or fill.
 - h. If not fully described in Section A, question 11 of this questionnaire, include a description, including specifications of the equipment or structures (e.g. scientific monitoring equipment, deployment platforms) that would need to be temporarily or permanently placed in the environment.
 - i. A description of the construction methods and materials to be used during project implementation.
- 2.** List any federally threatened, endangered, or other protected species (e.g., marine mammals) that exist in the project area. If Endangered Species Act or related consultation has been initiated or completed, please attach.
- 3.** If your project has any components that may risk the introduction or spread of non-native invasive species, describe any management practices or protective measures that would be implemented to prevent their introduction. Best practices may include measures such as sanitizing boats and vessels before departure from ports and sterilizing gear/machinery/equipment/materials prior to placement on land or in water.
- 4.** List any hazardous substances or hazardous wastes, as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) or the Resource Conservation and Recovery Act (RCRA) that are used, stored, generated, or

released by the proposed activity which could pose any threat to human health and/or the environment.

5. List any potential unique or unknown risks to human health or the environment from the proposed activity.
6. Describe the degree to which the proposed action may have effects on the human environment that are likely to be highly controversial. A project is considered highly controversial if there is a substantial dispute about the size, nature, or effect of the major federal action rather than the existence of opposition to the use.
7. Is the proposed activity a continuation of, or related to, an ongoing or phased project?

YES NO

If yes, please include information and attach relevant documents describing the ongoing or phased project.
8. Describe how the project is compatible with relevant local, regional, or state planning and zoning.
9. Describe any changes to scenery or viewsheds in the project vicinity.
10. Describe whether location of the proposed activity includes unique geographic areas of notable recreational, ecological, scientific, cultural, historical, scenic, or aesthetic importance. Examples include, but are not limited to coral reefs, marine protected areas, National Marine Sanctuaries, essential fish habitat, habitat area of particular concern, critical habitat designated under the Endangered Species Act, park or refuge lands, wild or scenic rivers, wetlands, prime or unique farmland, sites listed on the National Register of Natural Landmarks, sites listed or eligible for the National Register of Historic Places, tribal lands, sites that are ecologically significant, or critical areas (including areas that are normally inundated by water or areas within the 100-year floodplain).
11. Explain whether the project is likely to have adverse economic or environmental impacts on minority groups, low-income groups, or Native American tribes that are out of proportion with its impacts on other groups.

Other Project Location Attributes

- 12.** Will the proposed activity degrade or disturb previously undisturbed areas?
YES NO
If "YES," please explain.
- 13.** Are there any known previous or ongoing uses of the site, or any other issues that make it likely that contaminants may be uncovered and/or disturbed?
YES NO If "YES," identify the potential contaminant and the circumstances that may uncover or disturb the contaminants.

Project Partners, Permits, and Consultations

- 14.** Will the proposed activity be conducted in partnership with NOAA, or require NOAA's direct involvement, activity, or oversight? YES NO
If "YES," describe NOAA's involvement, activity, or oversight, including the name of the office or program that is involved.
- 15.** List all other interested or affected federal, state, and local agencies; tribal governments; nongovernmental organizations; or minority or economically disadvantaged communities. Describe the listed entities' involvement, activity, or oversight regarding the proposed activity.
- 16.** List all federal, state, and local permits, authorizations, waivers, determinations, and ongoing consultations that would be required for the proposed activity to comply with all applicable environmental laws and regulations. Provide the date the permit, authorization, waiver, or determination was obtained or the date by which it will be obtained. Provide copies of the permits, authorizations, waivers, or determinations that have been secured. (Section 306A Guidance, Section 4.3.8)
If any of the above have expiration dates that could affect project implementation, please note and explain.
If the project involves wetlands or living shorelines and does not qualify for a U.S. Army Corps of Engineers Nationwide Permit, please note and explain.
- 17.** Explain the actions that the coastal management program or sub-recipient has taken to initiate or complete National Historic Preservation Act consultation with the State Historic Preservation Office or Tribal Historic Preservation Office.

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Please attach relevant documents. A completed consultation is necessary before the project can be approved. (Section 306A Guidance, Section 4.3.6)

- 18.** Has the project been designed consistent with applicable Americans with Disabilities Act of 1990 (ADA) requirements found in the Section 306A Guidance, Section 2.4.13?

YES NO

Only projects incorporating all required ADA elements can be approved.

- 19.** If there is a lead federal agency for the project, please provide the agency and contact (if known) and describe whether any NEPA document has been completed or is in process for the proposed activity.

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OCM requires this information in order to adequately assess the eligibility of proposed CZMA section 306A projects. Public reporting burden for this collection of information is estimated to average 25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Stewardship Division, OCM, 1305 East-West Hwy., 10th Floor, Silver Spring, Maryland 20910. This reporting is required under and is authorized under 16 U.S.C. 1455a. Information submitted will be treated as public records. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.