
CHAPTER 62S-5
COASTAL MANAGEMENT PROGRAM GRANTS TO
STATE AGENCIES AND WATER MANAGEMENT DISTRICTS

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62S-5.001 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 state agencies, as identified in Sections 20.10 through 20.43, F.S., and water management districts.
 - (3) "Department" means the Florida Department of Environmental Protection.
 - (4) "FCMP" means Florida Coastal Management Program as described in Sections 380.20 through 380.24, F.S.
 - (5) "Match Funds" means non-federal funds expended and/or in-kind services provided by the recipient in conjunction with funds received through this program.
 - (6) "NOAA" means the National Oceanic and Atmospheric Administration in the U.S. Department of Commerce.
 - (7) "Recipient" means an applicant who receives an award through the criteria and procedures established in this chapter.
- Rulemaking Authority 380.22(3) FS. Law Implemented 380.22 FS. History—New 1-29-09, Amended 8-11-10.

62S-5.002 Application Procedures.

- (1) 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.
- (2) Project Objectives. The FCMP shall use coastal management funds for activities and tasks that are consistent with the intent and purpose of the Act and contribute to the protection, management and enhancement of Florida's coastal resources. The notice of availability of funds shall identify FCMP priorities within the objectives, but applications that meet any of the objectives may be submitted.
- (3) Notice. To initiate a funding cycle, the FCMP shall publish a notice of the availability of funds on the Florida Administrative Weekly (FAW) website at <https://www.flrules.org/> no later than October 31. The period for submitting applications shall be a minimum of 60 days from publication of the notice of availability of funds.
- (4) Application Process. There is no specific application form supplied by FCMP; however, the application format and content shall be as follows:
 - (a) All applications shall be submitted on 8 1/2" by 11" white paper. One original signed application, four paper copies of the application, and one CD-DVD copy of the application must be submitted.
 - (b) Title Page. Each copy of the application shall include a Title Page that contains the following information:
 1. Title of the project.
 2. Name of applicant entity and name of applicant partner entity, if applicable, that has agreed to participate.
 3. Name, title, phone and fax numbers, e-mail address, and postal address of official contact during application and award procedures.
 4. Name of proposed project manager.

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5. Signature and date. Include typewritten name and full title of signatory.
 - (c) Work Plan. This section describes the project and cannot exceed 10 single-sided pages or 5 double-sided pages. The title page, location map, budget page and 306A checklist are not counted as part of the 10 pages. The Work Plan shall include the following sections and information:
 1. Project Description. Describe the proposed project or activity, explaining how it enhances or protects coastal resources and meets the priorities identified in the Notice of Availability of Funds. Describe how the work can be completed within one year and implemented upon completion.
 2. Project Location. Include a location map no larger than 8 1/2" x 11". For proposed construction projects, include the location map and an 8 1/2" x 11" site plan in the 306A checklist.
 3. Objective. Describe the specific tasks and deliverables and related timelines for each.
 4. Budget. The application must include a budget that:
 - a. Shows how funds will be expended and describes the source and amount of match funds, if any.
 - b. Indicates whether additional funds from other sources will be used to complete the proposed project. If total project costs exceed the amount of proposed FCMP funds and match funds, indicate the total project cost.
 - c. Reflects a maximum of 5% in indirect costs, if the applicant elects to include indirect costs in the project budget.
 5. If construction is proposed, a statement confirming that:
 - a. The applicant has conducted preliminary consultation with appropriate federal, state, regional and local regulatory agencies and the agencies did not identify any apparent conflicts with applicable permit requirements.
 - b. The property on which construction activities will take place is owned or leased by the applicant or the applicant holds a sufficient easement. Projects located on federally-owned lands are not eligible for FCMP funds.
 - c. Permits can be obtained and project construction completed within the grant year.

Rulemaking Authority 380.22(3) FS. Law Implemented 380.22 FS. History—New 1-29-09, Amended 8-11-10.

62S-5.003 Review and Funding of Grants.)

(1) The FCMP shall review applications in consultation with agencies having the appropriate expertise to evaluate the merits of the projects and provide technical comments and recommendations to the FCMP. The FCMP shall determine which projects will be included in the state's cooperative agreement application to NOAA based on the consultation and the following criteria: the project's feasibility; the cost-effectiveness of the project; and the degree to which the project meets the priorities stated in the notice of availability of funds, complements other state and federal resource management programs and initiatives, and meets or reduces an unmet need.

(2) 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

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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.

(3) 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.

(4) 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.

(5) 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.

(6) 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 decision not to fund an application is reversed, the Department shall include the application among any state agency or water management district projects included in the following year's application for coastal zone management funds pursuant to the Act.

Rulemaking Authority 380.22(3) FS. Law Implemented 380.22, 380.27 FS. History—New 1-29-09, Amended 8-11-10.