

**Supporting Statement for Paperwork Reduction Act Submission**  
**OMB Control Number 1004-0012**

TERMS OF CLEARANCE: None.

**Section A. 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.**

The Bureau of Land Management (BLM) uses the information collection to lease or sell certain public lands to qualified applicants for recreational and public purposes. The Recreation and Public Purposes Act of June 14, 1926 (R&PP), as amended (43 U.S.C. 869 *et seq.*), authorizes the Secretary of the Interior to lease or sell certain public lands to State and local governments and to nonprofit corporations and associations for recreational and public purposes. Title 43 CFR parts 2740 and 2912 provide guidelines and procedures to sell or lease certain public lands.

**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. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

The BLM collects and uses the applicant's information once to determine if the applicant meets all requirements of the Act and regulations to lease or purchase lands for recreational or public purposes.

The BLM uses the information on Form 2740-1 (Application for Land for Recreation or Public Purposes) as follows:

**Item #1a: Applicant's name.** The BLM uses the information to identify the applicant.

**Item #1b: Address, home phone number, and business phone number.** The BLM uses the information to identify and communicate with the applicant.

**Item #2: Give legal description of lands applied for: Subdivision; Section; Township; Range; and Meridian.** The BLM uses the information to identify the location of the lands, and determine if the lands meet the requirements of the R&PP Act and regulations.

**Item #3a: Indicate whether application is for lease or purchase.** The BLM uses information to determine the method of disposal.

**Item #3b: Indicate whether proposed use is public recreation or other public purposes.** The BLM uses the information to determine what the applicant pays for the lands.

**Item #4: Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.** The BLM uses the applicant's construction schedule, development and management plans, and estimated revenue expenditures to determine if the applicant's proposed project is well planned, adequate, effective, realistic, and practical. If the proposed project substantially interferes with the environment or cultural resources, the applicant must select another site for the project.

**Item #5: If the applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.** The BLM uses the information to determine the applicant's qualifications (governmental or nonprofit entity), if the applicant is registered to do business in the State, if the applicant has the authority to hold or acquire the lands, and if the signing official has the authority to act on the applicant's behalf.

**Item #6: Attach a copy of your authority for filing this application and to perform all acts incident thereto.** The BLM uses the information to verify the applicant's qualifications (governmental or nonprofit entity), if the applicant is registered to do business in the State, if the applicant has the authority to hold or acquire the lands, and if the signing official has the authority to act on the applicant's behalf.

**Item #7: If the land described in this application has not been classified for recreation and/or public purposes pursuant to the Recreation and Public Purposes Act, consider this application as a petition for such classification.** The BLM uses this statement to eliminate the petition for classification form from the collection.

**Item #8: Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age?** To lease or purchase lands under the Act the applicants must obligate themselves to the following commitment: Nondiscrimination as to access to the lands and facilities based on race, color, religion, sex, age, or national origin in accordance with Title VI of the Civil Rights Act of 1964, (78 Stat. 241).

**Item #9: Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities?** To lease or purchase lands under the Act applicants must obligate themselves to the Americans With Disabilities Act of 1990 (101 Stat. 327).

**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 [and specifically how this collection meets GPEA requirements].**

The BLM has determined that adopting this means of information collection is not practical because of the small number of applications (seven annually), and because the applicants must also attach a detailed plan and schedule for development, a management plan, which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land. Presently, BLM does not collect any of these forms electronically.

**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 Item 2 above.**

The information collection is unique to the R&PP Act and regulations. The BLM is the only agency collecting this information. The BLM is unable to use or modify existing information collections to process new applications because the applicant's responses are distinct, unrelated, and specific to their individual proposed project.

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The collection does not have a significant impact on small entities. The information collection applies to Federal, State and local governments, and to nonprofit corporations and associations, seeking to obtain benefits under the R&PP Act and regulations.

**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.**

The BLM is the only agency responsible for carrying out the provisions of the R&PP Act. The Act authorizes the lease or purchase of certain public lands by qualified applicants for recreational and public purposes. Less frequent collection would mean no collection at all. Reducing the burden will preclude the collection of sufficient information to determine if the applicant meets the statutory requirements of the Act and regulations.

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

- \*requiring respondents to report information to the agency more often than quarterly;**
- \*requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- \*requiring respondents to submit more than an original and two copies of any document;**
- \*requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- \*in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- \*requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

**\*that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

**\*requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines. We do not exceed the guidelines in 5 CFR 1320.5.

**8. If applicable, provide a copy and identify the date and page number of publication 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 in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

As required in 5 CFR 1320.8(d), the BLM published a 60-day notice in the Federal Register on April 8, 2005 (70 FR 18041), soliciting comments from the public and other interested parties. The comment period closed on June 7, 2005. We did not receive any comments from the public in response to this notice, or unsolicited comments from respondents covered under these regulations. A copy of the notice is attached.

During the approval period, we consulted with the following respondents affected by this information collection to verify the accuracy of our burden estimates. In these consultations, all respondents concurred with our burden hour and cost estimates, and had no suggestions for changes.

Larry Plew, Superintendent  
Case File No. CACA 046849  
Eastern Sierra Unified School District  
P.O. 575, 231 Kingsley Street

Bridgeport, California 93517  
(760) 932-7443

Kathleen Ramsey, Medical & Founding Director  
Case File No. MNM-01927302  
The Wildlife Center, Inc.  
P.O. Box 246  
Española, New Mexico 87532  
(505) 753-9505

Sandy Kube, Planning Manager, Administrative Services  
Case file No. AZA-032992-01  
Deer Valley School District # 97  
20402 N. 15<sup>th</sup> Avenue  
Phoenix, Arizona 85027  
(623) 445-4953

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

The applicant receives no payments or gifts.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The applicant's confidentiality is protected to the extent consistent with the Freedom of Information Act (5 U.S.C. 552).

Under the privacy provisions of the E-Government Act of 2002, individuals/respondents were informed as to whether or not providing the information is mandatory to obtain a benefit. The BLM has firewalls to protect website access, strong security and password protection of the information in the database, and other security measures to protect electronic information.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and 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.**

We do not require respondents to answer questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

**\*Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

**\*If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

**\*Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

The BLM's estimate of the time it takes a respondent to supply the information was verified by consultations with several respondents (see item #8 in this supporting statement). The estimated average response time per respondent includes the time it takes an applicant to read the instructions, collect the required information, and complete the application. The BLM's estimates of the number of respondents and responses are based on data within a three-year period from FY 2003 to FY 2005 (10/1/2002 to 9/30/2005).

Estimates of the Hour Burden of the Collection of Information

(a) Number of responses received (FY 2003 to FY 2005)	22
(b) Frequency of response	1
(c) Annual number of responses (22 ÷ 3 years) rounded to nearest whole number	7
(d) Annual response time per respondent	40 hours
(e) Annual response time for this collection (7 annual responses x 40 hours)	280 hours

Annualized Cost to the Respondents for the Hour Burden for the Collection

(f) Hourly cost per respondent	\$20
(g) Annual cost per respondent (\$20 x 40 hours)	\$800
(h) Annualized cost to respondents for collection (\$800 x 7 annual respondents)	\$5,600

**13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

**\*The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting**

information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

**\*If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

**\*Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Respondents incur no annual capital or start-up costs to prepare for or respond to the information collection. Respondents do not need to purchase any computer software or hardware to comply with this information collection. Pursuant to section 43 CFR 2741.4, each application must be accompanied by a nonrefundable application fee of \$100. The non-refundable application fee for this collection is reported on the OMB 83-I under Item #14(b). Estimates are based on data within a three-year period from FY 2003 to FY 2005 (10/1/2002 to 9/30/2005).

Total Annual [non-hour] Cost Burden to Respondents or Recordkeepers Resulting from the Collection of Information

(a) Total capital and start-up cost	0
(b) Total operation/maintenance and purchase of services cost	0
<u>Application Fee for Collection</u>	
(c) Annual number of responses	7
(d) Non-refundable application fee per respondent	\$100
(e) Annual non-refundable application fee for this collection (\$100 x 7 annual respondents)	\$700

**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. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

The annual cost burden to the Federal Government is the time BLM spends reviewing an application to make sure the required information has been included before making an eligibility determination. Estimates are based on data within a three-year period from FY 2003 to FY 2005 (10/1/2002 to 9/30/2005).

Annualized Cost to the Federal Government

(a) Annual number of responses	7
(b) Number of hours to evaluate a response	10
(c) Hourly cost to evaluate a response	\$25
(d) Total cost to evaluate a response (\$25 x 10 hours)	\$250
(e) Annual cost to evaluate and process applications (\$250 x 7 annual responses)	\$1,750
(f) Annual non-refundable application fee for this collection	\$700
(g) Annualized cost to Federal Government for this collection (\$1,750 - \$700)	\$1,050

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

Item 13 of the OMB 83-1 (Annual reporting and recordkeeping hour burden): Since the last approval, the number of respondents (applicants) decreased from 20 annually to 7 annually. Respondents are required to submit only one response (application). This decrease resulted in the decrease in the total annual hours requested from 800 hours to 280 hours, for a decrease of 520 hours annually, which is an adjustment.

Questions	Previous Collection	This Collection	Difference
(a) Number of respondents	20	7	13
(b) Total annual responses	20	7	13
(c) Total annual hours requested	800	280	520

Item 14 of OMB 83-1 (Annual reporting and recordkeeping cost burden (in thousands of dollars)): Respondents incur no cost associated with operating or maintaining systems or purchasing services. Pursuant to 43 CFR 2741.4, each application must be accompanied by a nonrefundable application fee of \$100. Since the last approval the non-refundable application fee has decreased from \$2,000 annually to \$700 annually, a decrease adjustment of \$1,300. This decrease is due to the decrease in the number of respondents (applicants) from 20 annually to 7 annually. For this current request the \$700 non-refundable application fee, has been rounded to \$1 (in thousands of dollars) on the OMB 83-I under Item #14(b).

Questions	Previous Collection	This Collection	Difference
(a) Total annualized capital/startup costs	0	0	0
(b) Total Annual costs (O&M)	2	1	1
(c) Total annualized costs requested	2	1	1



**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.**

We have no plans to publish this information collection.

**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.**

We are not requesting approval to not display the expiration date.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

There are no exceptions to the certification statement.

### **B. Collections of Information Employing Statistical Methods**

When Item 17 on the OMB Form 83-I is checked "Yes", the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

**1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**

**2. Describe the procedures for the collection of information including:**

- \*Statistical methodology for stratification and sample selection,**
- \*Estimation procedure,**
- \*Degree of accuracy needed for the purpose described in the justification,**
- \*Unusual problems requiring specialized sampling procedures, and**
- \*Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

**3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.**

**4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**

**5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.**

This information collection does not employ statistical methods.