

Supporting Statement for Paperwork Reduction Act Submissions
Coastal Impact Assistance Program
OMB Control Number 1010-New
Current Expiration Date: New

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked "Yes," Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

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.

With the passage of the Energy Policy Act of 2005 (EPAAct), the Minerals Management Service (MMS) was given responsibility for the Coastal Impact Assistance Program (CIAP) through the amendment of Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a Appendix A). The program was authorized for FY 2007, 2008, 2009, and 2010.

The CIAP recognizes that impacts from Outer Continental Shelf (OCS) oil and gas activities fall disproportionately on the coastal states and localities nearest to where the activities occur, and where associated facilities are located. The CIAP legislation appropriates money for eligible states and coastal political subdivisions for coastal restoration/improvement projects. MMS shall disburse \$250 million for each FY 2007 through 2010 to eligible producing states and coastal political subdivisions (CPSs) through a grant program. The funds allocated to each state are based on the proportion of qualified OCS revenues offshore the individual state to total qualified OCS revenues from all states. In order to receive funds, the states submit CIAP narratives detailing how the funds will be expended. Alabama, Alaska, California, Louisiana, Mississippi, and Texas are the only eligible states under EPAAct. Counties, parishes, or equivalent units of government within those states lying all or in part within the coastal zone, as defined by section 304(1) of the Coastal Zone Management Act (CZMA) 1972, as amended, are the coastal political subdivisions eligible for CIAP funding, a total of 67 local jurisdictions.

To approve a plan, legislation requires that the Secretary of the Interior must be able to determine that the funds will be used in accordance with EPAAct criteria and that projects will use the funds according to the EPAAct. To confirm appropriate use of funds, MMS requires affirmation of grantees meeting Federal, state, and local laws and adequate project descriptions. To accomplish this, MMS is providing in its CIAP Environmental Assessment a suggested narrative format to be followed by each applicant for a CIAP grant. This narrative will assist MMS in its review of applications to determine that adequate and

appropriate measures were taken to meet the laws that affect the proposed coastal projects. This narrative will be submitted electronically as part of the grant application. At that time, applicants will be obliged to fill out several OMB-approved standard forms as well. Most of the eligible states and CPSs, as experienced grant applicants, will be familiar with this narrative request.

This information collection request (ICR) addresses the narrative portion only of the MMS CIAP grant program.

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.]

MMS's, Environmental Division will use the grant narrative to review all projects proposed under the CIAP by eligible states and CPSs. The information will be collected once, when the states and CPSs select the projects they will submit for funding. The main sections of the narrative are:

Applicant and Project Information: project title, applicant point of contact, general location, and project description. This information is necessary to fulfill the CIAP legislation, which requires that the agency be able to determine that the recipient is proposing to apply or has applied the funds to an approved use.

Compliance with other Federal Authorities: several statutes, including but not limited to, the National Environmental Policy Act and the Endangered Species Act, put requirements on the actions of Federal agencies and the use of Federal funds. This section solicits information about the proposed project to assist MMS in determining whether appropriate Federal, state, and local requirements have been met.

The project narrative allows MMS reviewers to assess how well the proposed project addresses the criteria identified in EPAct. The information requested is considered the minimum necessary to allow the reviewers sufficient technical, financial, and administrative information to determine the merits of each proposal. If a proposal did not contain all of the information required by this collection, and by EPAct, additional information would have to be collected to allow reviewers to make a fully informed decision. Acceptance of proposals results in the issuance of grant awards that provide the financial support for the selected projects.

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 required narrative can be prepared electronically for personal data storage and copied into the on-line application page of <http://www.grants.gov>. We expect 100 percent electronic submission.

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.

Due to the unique nature of the requirements of EPAct, no other Federal agency collects this information. If proposed projects are ongoing efforts initiated with other funds, that are now expended,

it is possible that the body of requested information already exists and would only require minimal updating. It is impossible for MMS to know this for certain until the recipients determine how they propose to spend the CIAP funds.

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 information requested has to be sufficient to fulfill the requirements of the EPAct. We do not feel the amount of information requested will have significant impact on small entities as they will be providing the minimum amount of information needed.

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 information requested is necessary to fulfill the responsibilities of the Secretary of the Interior under EPAct. Without the collection and analysis of the requested information, the appropriateness of a project cannot be determined. EPAct has set forth criteria that must be met prior to release of funds or in a monitoring effort to determine that funds have been used appropriately.

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

(a) requiring respondents to report information to the agency more often than quarterly.

Not applicable in this collection.

(b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

Not applicable in this collection.

(c) requiring respondents to submit more than an original and two copies of any document.

Not applicable in this collection.

(d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years.

Not applicable in this collection.

(e) 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.

Not applicable in this collection.

(f) requiring the use of statistical data classification that has been reviewed and approved by OMB.

There are no special circumstances with respect to 5 CFR 1320.5(d)(2)(v) through (viii) as the collection is not a statistical survey and does not use statistical data classification.

(g) 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.

This collection does not include a pledge of confidentiality not supported by statute or regulation.

(h) 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.

This collection does not require proprietary, trade secret, or other confidential information not protected by agency procedures.

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 3 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), MMS provided a 60-day notice in the Federal Register on May 23, 2006 (71 FR 29666). Also, 30 CFR 250.199 and the Paperwork Reduction Act explain that the MMS will accept comments at any time on the information collected and the burden. We display the OMB control number and provide the address for sending comments to MMS. We received no comments in response to the Federal Register notice or unsolicited comments from respondents covered under these regulations.

Only a select few states (six total), and their boroughs, parishes, etc. (67), can qualify for funds under the CIAP. The funds can be applied only towards projects that meet at least 1 of 5 criteria specified by EPA. The six states were sent drafts of the MMS CIAP Plan guidelines.

During the comment period, MMS regional offices consulted with several respondents on the potential burden of collecting this information. The burden estimates in section A.12 reflect previous experience on the part of the potential respondents, submitting similar types of actions on other grant programs. Estimates were received from the following:

Kathy Smartt, CIAP Team Leader, Texas General Land Office,
(512) 475-1552, P. O. Box 12428, Austin, TX 78711

Chris Potter, CIAP Coordinator, California Resources Agency,
(916) 654-0536, 1416 Ninth Street, Suite #1311, Sacramento, CA 95814

Randy Bates, Acting Director, Office of Project Management and Permitting, State of Alaska,
(907) 465-8797, 302 Gold Street, Suite #202, Juneau, AK 99801

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

We will not provide payment or gifts to respondents in this collection.

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

We protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR 2); also the information that will be provided to MMS is already a matter of public record.

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.

The collection does not include sensitive or private questions.

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

(a) 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.

(b) 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.

(c) 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.

There are approximately six states and 67 parishes, boroughs, counties, etc. Submissions are generally on occasion. We estimate that the total annual reporting and recordkeeping burden is 12,600 burden hours. We expect each project narrative will take 42 hours to complete. We anticipate an average of 300 projects per year. Based on a cost factor of \$50 per hour, we estimate the total annual cost to industry is \$630,000 (42 hrs x 300 projects = 12,600 hrs x \$50 per hour = \$630,000).

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).

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) 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.

(b) If cost estimates are expected to vary widely, agencies should present ranges of cost burden 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.

(c) 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.

We have identified no paperwork cost burdens for this collection of information.

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.

To analyze and review the information, the Government spends an average of 2 hours for each hour spent by respondents. The total estimated Government time is 25,200 hours. Based on a cost factor of \$50 per hour, the total annual estimated burden on the Government is \$1,260,000 (12,600 hours x 2 hours = 25,200 hours x \$50 = \$1,260,000).

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

This ICR is a new submission to obtain information. The reporting "hour" burden for this new collection constitutes a program increase of 12,600 burden hours. There are no costs reported.

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.

MMS will not tabulate or publish the data.

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.

Not applicable. We will 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.

To the extent that the topics apply to this collection of information, we are not making any exceptions to the “Certification for Paperwork Reduction Act Submissions.”

B. Collection of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. 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.

This section is not applicable for this collection. We will not employ statistical methods in this information collection.