

SUPPORTING STATEMENT

OMB Control Number: 0572-0117

**Environmental Policies and Procedures
(7 CFR Part 1794)**

A. JUSTIFICATION

1. Circumstances that make this collection of information necessary.

USDA Rural Development administers rural utilities programs through the Rural Utilities Service (Agency). The Agency applicants provide environmental documentation, as prescribed by the rule, to assure that policy contained in the National Environmental Policy Act (NEPA) is followed. The Agency published its revised Environmental Policies and Procedures in December 1998 and made revisions in 2003 to clarify policy on certain environmental review processes for certain categories of actions. The rule promulgated environmental regulations that cover all Agency Federal actions taken by the Agency's electric, telecommunications, and water and environmental programs. The regulation was necessary to ensure continued compliance with the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and certain related Federal environmental laws, statutes, regulations, and Executive Orders.

Agency electric, telecommunications, and water and environmental program borrowers provide environmental documentation, as prescribed by the rule, to assure that policy contained in NEPA is followed. The burden varies depending on the type, size, and location of each project, which then prescribes the type of information collection involved. The collection of information is only that information that is essential for the Agency to provide environmental safeguards and to comply with NEPA as implemented by the CEQ regulations.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate that actual use the Agency has made of the information received from the current collection.

The documentation required by this regulation is collected from the Agency's rural electric and telecommunications borrowers and water and waste loan and grant applicants. The purpose of this information is to determine such factors as:

- a. description of the proposed project for which financial assistance (loan or grant) will be utilized;
- b. project feasibility;
- c. project cost and the degree of participation from other sources;
- d. affected environment within the project's area of impact;
- e. potential environmental impacts of the proposed project;

- f. whether significant impacts can be successfully mitigated;
- g. public concerns or issues related to the project;
- h. proposed project compliance with applicable Federal environmental laws, regulations, statutes, and Executive Orders; and
- i. proposed project compliance with applicable state and local environmental laws, regulations, and statutes.

Categorically excluded proposals without an Environmental Report (ER) –

The amount of documentation required by this regulation for any one proposal is primarily dependent upon the size of the proposed action and the magnitude of its expected environmental impacts. A project description is normally the only documentation submitted by applicants for categorically excluded proposals listed in 1794.21. Applications for categorically excluded proposals must include an environmental report (ER). An ER is also required documentation submitted by applicants for proposals normally requiring an environmental assessment (EA). For proposals in this category, the Agency will provide detailed guidance to applicants, supervise and coordinate the analysis, and ultimately, upon review and concurrence of the information, the ER shall serve as the agency's EA. The ER shall be incorporated into the preliminary engineering design document required by the Agency.

Proposals requiring an Environmental Analysis (EA) with scoping and Proposals requiring an Environmental Impact Statement

Applications for proposals listed in 1794.24, which normally require an EA with scoping, require the submittal of multiple documents from the applicant. Before any scoping meetings are held, the applicant must submit an Alternative Evaluation Study and either a Siting Study (electric generation) or a Macro-Corridor Study (electric transmission lines). Following scoping, the applicant must submit an environmental impact analysis (EIA). For proposals in this category, the Agency will either adopt the applicants EIA as its EA or prepare its own EA. Applicants for proposals listed in 1794.25, which normally require an EIS, also require the submittal of multiple documents from the applicant. The same documents required for proposals listed in 1794.24 are also required for proposals listed in 1794.25. Where an EIA has been submitted by the applicant, the Agency will develop its draft and final EIS from the EIA. An EIA will not be required if the draft and final EIS is prepared by a third-party consultant.

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.

The Rural Development Utilities Program is committed to complying with the E-Government Act to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. Internally the Agency has requested funds from the Agency Chief Information Officer to develop an electronic submission solution for this collection, however, this project has not moved forward as a planned Information Technology project for the Agency. The Agency will continue

to work to develop an electronic submission solution for this collection in the future. Currently, respondents can prepare materials using electronic methods such as e-mail and discs or, submit hard copy material to the Agency as they determine appropriate.

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 documentation required is associated with a particular event. No general data collection is involved. However, another Federal agency may have an action associated with the proposed project which triggers that agency's compliance with the CEQ regulations implementing NEPA. The rule provides for cooperation among Federal and state agencies, the adoption of environmental documents produced by other Federal agencies, and tiering to or incorporating information from other environmental documents for the purpose of paperwork and cost reduction to the applicant or borrower.

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 to be collected is in the format designed to minimize the paperwork burden on small business, especially small engineering and environmental consulting firms. The information collected is the minimum needed by the Agency to ensure that the environmental consequences of a proposed action are identified and adequately addressed.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If the collection of information was not conducted, the Agency decision-maker would not be aware of the environmental consequences of the Federal action being taken. The Agency would not be in compliance with NEPA and CEQ Regulations if the information was not collected and evaluated prior to approving the action.

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

a. Requiring respondent to reporting information more than quarterly.

There is no requirement to respond more frequently than quarterly.

b. Requiring written response in less than 30 days.

There is no requirement to respond in less than 30 days.

c. Requiring more than an original and two copies.

There is not requirement of more than original and two copies to be submitted.

d. Requiring respondent to retain records for more than 3 years.

Record retention requirements shall be in accordance with 7 CFR 1767.

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.

This collection is not a survey.

f. Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.

This collection does not employ statistical sampling.

g. Requiring 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 is no requirement of a pledge of confidentiality.

h. Requiring respondents to submit proprietary trade secret, 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 is no requirement to submit propriety trade secrets.

8. If applicable, identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection. Summarize public comments received and describe actions taken by the agency in response to these comments. 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, reporting format (if any), and on data elements to be recorded, disclosed, or reported.

As required by 5 CFR 1320.8(d), a Notice to request comments was published on August 15, 2006, at 71 FR 46891. No comments were received. A copy of the Notice is attached.

The Agency's regional offices maintain close contact with borrowers through both general field representatives (GFR), field accountants (FA), staff in Rural Development State Offices, and a

headquarter's staff. Field staff have direct personal contact with the Agency's electric, telecommunications, and water and environmental borrowers on a regular basis in connection with the fulfillment of the Agency's pre and post loan requirements and providing technical assistance and guidance.

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

Payments or gifts are not provided to respondents.

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

This is public information which does not require confidentiality.

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private.

This information does not contain questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

The *average number* of respondents for the electric, telecommunications and water and Environmental Programs (WEP) is 1,339 respondents. (The breakdown on an annual basis is as follows: 718 proposals for the Electric Program; 100 proposals to the Telecommunications Program applicants; and approximately 1,003 proposals to the Water and Environmental Program that will require a level of environmental review specified in 7 CFR 1794, Subpart C.

A number of applicants that prepare their own environmental documents and consultants that prepare environmental documents for applicants were selected at random and contacted to determine the cost of information collection. Based on these contact discussion, we estimate that the total annual staff hours required to comply with this inspection would be as follows:

Cite	Program		Total Resp	Hrs. per	Total Hrs.	Cost per Hr.	Total cost to Public
1794.21(b)	Electric	Professional	400 x 4	8	12,800	\$50	\$640,000
		Clerical	400 x 4	2	3,200	\$16	\$51,200
1794.22(a)	Electric	Professional	300 x 2	160	96,000	\$50	\$4,800,000
		Clerical	300 x 2	40	24,000	\$16	\$384,000
1794.23	Electric	Professional	10	275	2,750	\$50	\$137,500
		Clerical	10	80	800	\$16	\$12,800
1794.24	Electric	Professional	2	2,400	4,800	\$70	\$336,000
		Clerical	2	750	1,500	\$20	\$30,000
1794.25	Electric	Professional	6	2,660	15,960	\$70	\$1,117,200
		Clerical	6	1,500	9,000	\$20	\$180,000
1794.22(a)	Telecom	Professional	100	55	5,500	\$50	\$275,000
		Clerical	100	75	7,500	\$20	\$150,000
		Draft	100	255	25,500	\$25	\$637,500
1794.21(c)	Water	Professional	150	8	1,200	\$70	\$84,000
		Clerical	150	3	450	\$20	\$9,000
1794.22(b)	Water	Professional	250	160	40,000	\$70	\$2,800,000
		Clerical	250	40	10,000	\$20	\$200,000
1794.23	Water	Professional	600	275	165,000	\$70	\$11,550,000
		Clerical	600	80	48,000	\$20	\$960,000
1794.25	Water	Professional	3	2,660	7,980	\$70	\$558,600
		Clerical	3	1,500	4,500	\$20	\$90,000
					486,440		\$25,002,800.00

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no capital and start-up costs and purchase of service components involved with this collection.

14. Provide estimates of annualized cost to the Federal Government.

The cost to the Federal Government, based on an hourly professional rate at the GS-13/5 level and an hourly clerical rate at the GS-6/5 level, to collect and evaluate this information is estimated to be \$6,007,920 based on the following calculation.

COST TO THE FEDERAL GOVERNMENTElectric and Telecommunications Proposals

Travel		\$13,500
Professional	5,000 Review/hours x \$42 =	\$210,000
Clerical	620 Review/hours x \$17.92 =	11,110

Water and Environmental Proposals

Travel		\$20,000
Professional	140,000 Review/hours x \$42 =	5,880,000
Clerical	6,000 Review/hours x \$17.92 =	107,920
TOTAL		\$6,007,920

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

This is revision of a currently approved information collection. The adjustment increase of 46,240 total burden hours was due to an increase in the number of respondents for the Electric Program.

16. For collection of information whose results will be published, outline plans for tabulation and publication.

All comments will become a matter of public record.

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.**18. Explain each exception to the certification statement identified in item 19 on OMB 83-1.**

None requested.

A. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.