

December 2006

SUPPORTING STATEMENT
CITRUS CANCKER; COMPENSATION FOR CERTIFIED CITRUS
NURSERY STOCK
OMB No. 0579-0296

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Department of Agriculture is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – 7772), the Secretary of Agriculture, either independently or in cooperation with the States, is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker) new to or widely distributed throughout the United States.

Sections 301.75-15 and 301.75-16 of Title 7 of the Code of Federal Regulations (CFR), referred to as the regulations, provide for compensation to owners of commercial citrus groves for losses due to citrus canker eradication activities under certain conditions.

The Animal and Plant Health Inspection Service (APHIS) amended the citrus canker regulations to establish provisions under which eligible commercial citrus nurseries may, subject to the availability of appropriated funds, receive payments for certified citrus nursery stock destroyed because of citrus canker. The payment of these funds is necessary in order to reduce the economic effects on affected commercial citrus nurseries that have had certified citrus nursery stock destroyed to control citrus canker. This appropriation and similar appropriations in 2004 and 2005 cover losses due to tree destruction occurring after September 30, 2001. The regulations currently cover compensation for losses of commercial citrus groves but do not address payments to commercial nurseries, since no appropriations acts prior to 2003 included these entities as eligible for payment.

Implementing this payment program necessitates the use of information collection activities in the form of an Application for Citrus Canker Compensation. APHIS is asking OMB to approve the use of this information collection activity in connection with its program to provide for the payment of compensation to commercial nurseries for losses of certified citrus nursery stock.

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.

Application for Citrus Canker Lost Production Payment (PPQ 653-R)

This information is used to compensate growers' funding losses due to the removal of citrus trees from their property. To apply for payment for recovery of lost production income, an eligible grove owner must complete an application form containing the owner's name and address, a description of the owner's property, and a certification statement that the trees removed from the owner's property were commercial citrus trees. Completed claim forms must be sent to the USDA Citrus Canker Eradication Program office in Miami, FL, which is where the records necessary to validate claims are located. When the completed application is submitted, it should be accompanied by a copy of the public order (typically an IFO) that directed the destruction of the certified nursery stock and its accompanying inventory that describes the number of plants and type of the certified nursery stock removed. If the certified nursery stock was planted in pots, the inventory should specify the size of the container. If the certified nursery stock was bare root plants or in a temporary container, the inventory should specify whether the plant was non-budded or budded.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.

Due to many growers not having access to computers and the low usage of this form (12 annually), it will not be automated at this time.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information APHIS collects is exclusive to its mission of preventing the incursion or interstate spread of plant pests and noxious weeds and is not available from any other source.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information APHIS collects in connection with this program is the minimum needed to provide eligible grove owners compensation for nursery stock destroyed to control citrus canker.

6. Describe the consequences of 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 application for funds is a one-time procedure. If this information was not collected, APHIS would be unable to reimburse eligible grove owners for the loss of nursery stock.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

No special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

8. 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 form, and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB.

In 2006, APHIS held productive consultations with the following citrus producer associations concerning the information collection activities associated with its citrus tree replacement program:

Richard Kinney
Florida Citrus Packers
P.O. Box 1113
Lakeland, Florida 33802
863-682-0151

Michael Carlton
Florida Citrus Mutual
P.O. Box 89
Lakeland, Florida 33802
863-682-1111

Ron Hamel
Gulf Citrus Growers Association
P.O. Box 1319
LaBelle, Florida 33975
863-675-2180

On Thursday, June 8, 2006, pages 33168-33172, APHIS published an interim rule and request for comments in the Federal Register. The rule stated its plans to request continuation of a 3-year renewal for this information collection. Nine comments from the public were received, however none were dealing with paperwork. A copy of the Federal Register notice is attached.

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

This information collection activity involves no payments (other than appropriate, program-related payments) or gifts to respondents.

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

No additional assurance of confidentiality is provided with this information collection. However, the confidentiality of information is protected under 5.U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and others that are 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.

This information collection activity asks no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

● **Indicate the number of respondents, frequency of response, annual hour burden, and explanation of how the burden was estimated. 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.**

See APHIS Form 71 for hour burden estimates. These estimates were developed from discussions with eligible citrus grove owners in Florida.

● **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

Respondents are citrus growers in Florida who have had citrus trees removed from their groves due to citrus canker. APHIS estimates the total annualized burden to these respondents to be \$30.00. APHIS arrived at this figure by multiplying the hours of estimated response time (2 hours) by the estimated average hourly wage of the above respondents (15.00). $\$15 \times 2 = \30 .

13. Provide estimates of the total annual 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 component: (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.

There is zero annual cost burden associated with capital and start-up costs, maintenance costs, and purchase of services in connection with this program.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

See APHIS Form 79 for the annualized cost to the Federal Government. This cost is based on the estimated average time required to process fund request applications. These one-time costs are estimated to be \$32.59.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There is no change in this information collection.

16. For collections of information whose results are planned to be published, outline plans for tabulations and publication.

APHIS has no plans to tabulate or publish the information collected.

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.

If forms were to be discarded because of an outdated OMB expiration date, but otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act.”

APHIS is able to certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.