

Supporting Statement

A. Justification.

1. Circumstances that make collection of information necessary. Marine events may actually block navigation channels or cause interference with adjacent vessel traffic or with the ability of larger commercial vessels to safely navigate designated shipping lanes. Also, adjacent vessel traffic may interfere with the safety or conduct of the marine event. The Coast Guard is authorized, under 33 U.S.C. 1233, to issue regulations to promote the safety of life on navigable waters during regattas and marine parades. In 33 CFR Part 100 the Coast Guard established regulations to provide notification of and effective control over marine events conducted on the navigable waters of the United States to promote the safety of life and property in the event area. This rulemaking authority has been delegated to the District Commanders under 33 CFR 1.05-1.

2. How, by whom, how frequently, and for what purpose is the information used? The permit application provides the Coast Guard with the minimum information needed to identify the marine event and the event contact, to consider whether or not an event is likely to result in the loss of human life unless special precautions are taken, and to issue a local and/or broadcast notice to mariners of the event, its location and its schedule, prepare appropriate environmental documentation and to determine whether or not a permit is required and may be issued for the event. The current Application for Approval of Marine Event form, CG-4423, is required to be submitted. The Coast Guard uses this information to identify each marine event, the event sponsor and responsible representatives for accountability, clarifying information and event control, to determine whether the event requires and merits Coast Guard approval, Coast Guard or Coast Guard Auxiliary supervision or assistance and what impacts the event may have on navigation and on the environment.

The purpose of the permit application information elements under 33 CFR 100.15(d) are as follows:

Blocks 5, 17, 18, 19, 20, 21, 22 & 23 The name and address of the sponsoring organization, authorized representative, person to be contacted for further details are needed to identify the event sponsor and the people accountable for the overall event and accurate details. The telephone number provides an alternate time saving means of contacting the sponsor's representative for additional or clarifying information. The name of the person in charge of the event, his or her location and how reached during the event is needed in case questions arise or the conduct of the event must be adjusted due to emergencies or unanticipated navigational or environmental considerations. In some cases, the same person performs all these duties and the information need not be repeated.

Blocks 1, 10, 6, 7, 8 & 9. The name and description of the nature and purpose of the event, information on general public interest, the number of participating boats and the number of spectator craft are needed to consider how large, complex and congested the event is, what impacts on navigation may result, and for determining whether or not a permit is needed and may be issued.

Blocks 2, 3, 4, 9, 11, 12, 14, 15 & 16. The event location, date and time schedule are needed to identify each marine event and are used with other available information to consider potential impacts on navigation and whether a permit is needed and may be issued. This information is also used in advising the boating public about the event. Attaching a section of a chart or a scale drawing showing the event boundaries and/or courses and markers contemplated is needed to clearly indicate where the event occurs, the event's relationship to navigation channels or potential environmental impacts, and placement of course markers/navigational aids for the event. The number of sponsor provided safety patrol vessels is needed to consider the adequacy of protection provided by the sponsor and what additional resources may be needed to ensure the safety of life during the event. The Coast Guard cannot have any question or doubt over the location, sailing courses or event boundaries separating participants from non-participants or adjacent navigation.

The Coast Guard must develop environmental documentation appropriate for the event either from additional environmental information provided by the sponsor in the application or on its own based on experience with other similar events in similar locations. This environmentally related information is needed to enable the Coast Guard to properly assess potential environmental impacts, the applicant's efforts to mitigate or avoid those impacts, including other contacts with other agencies and their responses, and to develop appropriate environmental documentation and permit conditions.

3. Consideration given to use of improved information technology? Neither the statutory authority nor the existing regulations prohibit the use of transmitting permit application information electronically by e-mail or facsimile. The Coast Guard is encouraging sponsors to use electronic means for submitting permit application information.

4. Efforts to identify duplication and why similar available information can't be used. The information supplied in the application for a marine event permit is not available from other sources in a timely manner. Each event is considered on a case-by-case basis. Although information may exist for a similar event, the required information would

still be needed to correctly apply the available information to the specific marine event being considered by the Coast Guard.

4. If the collection of information involves small businesses or other small entities, describe methods used to minimize burden. To the extent that the collection of this information involves small business or small entities, the burden is minimal because the number of participating vessels is usually smaller, and the attendant amount of information collected is also smaller. The potential burden imposed on small businesses is minimal.

4. Consequence to Federal program if the collection is not collected or is collected less frequently.

If the information in the permit application were not provided when a permit is required, the Coast Guard would not be able to determine whether or not an event is likely to result in the loss of human life unless special precautions are taken, nor be able to issue a local and/or broadcast notice to mariners to alert the navigation community of the event, its location and its schedule, nor prepare the proper environmental documentation and appropriate mitigation and precautionary measures in a timely manner. The Coast Guard needs to know of the intention to hold the event in advance and then determine whether simple notification to navigation, appropriate regulations, or permit conditions, or a combination, would best ensure the safety of life and property on the water. Currently, marine event permits that are issued for repetitive events are limited to one year validity.

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

- requiring respondents to report more often than quarterly;

Submitting a permit application to the Coast Guard for approval is on occasion for each event and would only be more often than quarterly if the event sponsor chooses to hold an event more often than quarterly and also chooses not to apply for Coast Guard approval of the repeated events at the same time.

- requiring respondents to respond in fewer than 135 days of receipt;

The existing regulations, 33 CFR 100.15 (c), require respondents to submit a permit application to the Coast Guard at least 135 days prior to the intended start of the event.

- requiring respondents to submit more than an original and two copies of any document;

The current regulations do not require respondents to submit any permit application information in writing.

- requiring respondents to retain records more than three years;

The current regulations do not require respondents to retain any records after the event is held.

- in connection with a statistical survey;

The information in the permit application is not used in connection with a statistical survey.

- requiring use of a statistical data classification not approved by OMB;

The information collection does not require use of a statistical data classification not approved by OMB.

- that includes a pledge of confidentiality not supported by authority or which impedes sharing data with other agencies; or

The information collection does not require a pledge of confidentiality.

- requiring respondents to submit proprietary trade secret, or other confidential information.

The information collection does not require respondents to submit proprietary trade secrets, or other confidential information.

8. Describe efforts to consult with persons outside the agency.

A request for comment was published in the Federal Register on October 2, 2006, in Volume 71, Number 190, page 57984, no comments were received.

9. Explain any decision to provide any payment or gift to respondents. No payments of gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents. Marine events are public by their very nature and none of the information collected is of a nature requiring confidentiality.

11. Provide additional justification for any questions of a sensitive nature. No questions of a sensitive nature are contained in the information collection.

8. Estimated hour and cost burden of the information collection to respondents. The total annual hour burden on respondents is estimated to be 3,000 hours. The total annual cost to respondents for submitting permit applications is estimated to be \$4,500.00.

Estimated hour burden.

The Coast Guard estimates there will be almost 3,000 respondents submitting a permit application for one or more events to the Coast Guard annually. Of that number, we estimate 500 annually will submit typed permit applications. (1 hour x 3,000 permit applications = 3,000 hours)

A sponsor should be able to prepare the permit application information in about 10-20 minutes. The permit application may be typed in e-mail format or on paper suitable for facsimile or printed in black ink. A permit application requiring no explanations could be completed in about 10 minutes, one with lengthy explanations, in about 20 minutes.

The time to gather the marine event information to complete the permit application is estimated to take approximately 60 minutes. Even though the information must be developed over the course of planning the event, someone must glean the details from the records to enter them into the permit application. This includes time to obtain a chart section or prepare a scale drawing, enter event boundaries, courses and markers that the Coast Guard needs to consider any impacts the event may have on navigation, whether or not to issue the permit, and to use as needed for a notice to mariners. The explanations for items 3, 5, 6, 8 and 9 consume most of the estimated time to complete the permit application.

Total annual burden on the public: 1 hour x 3,000 = 3000 hours.

Estimated cost burden.

The Coast Guard estimates about 500 permit applications are likely to be typed. The estimated cost of a secretary (equivalent to a GS-7) for one hour is \$27.00.

The annual cost per marine event to type (20 min.) a permit application is \$9.00 (\$27.00 x 1/3). The total annual cost of typed permits to respondents is \$4,500 (\$9.00 x 500).

13. Estimated total Capital and start up cost burden on respondents. There are no annualized capital and start-up costs for this collection.

14. Estimated annualized cost to the Federal Government. It is estimated that the Coast Guard issued approximately 3,000 marine event permits in 2005. The proposed estimate of 3,000 permit applications will allow for minor yearly fluctuations in the number of permit applications processed and for a number of permits denied.

Operational Expenses. Estimated number of respondents annually is 3,000 permit applications processed. Total annual cost to the government is \$3,274,000. The source for the personnel cost figures is Commandant Instruction 7310.1 J, Standard Rates.

The Coast Guard estimates that the total cost to the Government for reviewing an estimated 3,000 permit applications annually for a marine event is \$234,000. This is based upon 2 hours work for an E-6 through E-7 or GS-5 through GS-8 (\$39 per hour) for reviewing 3,000 permit applications, determining whether or not a permit should be required, and preparing a local and/or broadcast notice to mariners for the event. The tasks necessary to review a permit application include logging it in, determining jurisdiction, considering the impact on navigation, contacting other agencies and/or the applicant, determining whether a permit should be required, some data base work, and preparation of a local and/or broadcast Notice to Mariners.

The Coast Guard estimates that the total cost to the Government for processing an estimated 3,000 environmental documents for marine event is \$3,040,000. This is based upon 3 hours work for a CWO/03/04 or GS-12/13 (\$64 per hour) to prepare a categorical exclusion determination (CED) and checklist for 2,500 marine event permits (\$480,000) and 80 hours work for a CWO/03/04 or GS-12/13 (\$64 per hour) to prepare an environmental assessment for 500 marine event permits (\$2,560,000). The tasks necessary to process the additional environmental documentation include logging it in, reviewing authorities, considering the impact on the environment, contacting other agencies and/or the applicant, determining the safety patrols needed by the sponsor and the Coast Guard, as applicable, some data base work, developing appropriate environmental documentation, developing permit conditions, as needed, and making, routing and mailing copies.

13. Explain reasons for changes in burden. There is no change in burden expected.

16. Outline plans for tabulation, statistical analysis and publication. There are no plans for tabulation, statistical analysis or publication of the information collected.

16. Reasons for seeking approval to not display the OMB expiration date. The information collection does not seek approval to not display the OMB approval expiration date.

16. Explanations for each exception to the certification statement in item 19 of OMB Form 83I. There are no exceptions to the certification statement in item 19 of OMB Form 83-I.

B. Descriptions of Collections of Information that employ statistical methods. The collection of this information does not involve statistical methods.

