

**Supporting Statement for Paperwork Reduction Act Submissions
"Land and Water Conservation Fund Project Agreement and Amendment"
OMB Control Number 1024-0033**

Terms of Clearance: None

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 National Park Service (NPS) administers the Land and Water Conservation Fund (L&WCF) State assistance program. Matching grants are provided to States, and through States to local communities, for the acquisition and development of outdoor recreation areas and facilities. The L&WCF State assistance program has been designed to give maximum flexibility and responsibility to States in the administration of their programs, and all reporting requirements were developed for this purpose.

In order to receive financial assistance, grant recipients must complete and sign the L&WCF Project Agreement, NPS 10-902. This form sets forth the obligations assumed by the State through its acceptance of Federal assistance including the rules and regulations applicable to the conduct of a project under the L&WCF Act and any special terms and conditions to the project established by NPS and agreed to by the State. It also obligates the United States to provide grants up to a designated amount for eligible costs incurred on the project on the basis of information and estimates contained in the proposal.

To make changes to the previously agreed upon obligations of a project, as specified in the project agreement, it is necessary that both parties to the agreement formally approve the changes. The Amendment to Project Agreement, NPS 10-902a, recognizes changes and assures further compliance with the applicable laws and regulations. A copy of each form is attached.

- 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 forms are used by NPS and the applicable State to describe the obligations of each party with respect to the grant award/amendment. Use of such forms is necessary to set forth the legal obligations of the grantor agency and the grantee.

- 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.).

There is no substitute for Agreement and Amendment forms. The forms must be signed by the parties to the agreement. Both forms require a brief amount of information and the current information burden cannot be reduced. This form is available on the web but not fillable at this time. The website address is www.nps.gov/lwcf.

This form is available on the web but not fillable at this time. The Government Paperwork Elimination Act (GPEA), (P.L. 105-277, Title XVII, Sections 1703 and 1705 of 1998 requires Federal agencies to be able to allow individuals or entities the option to submit or transmit information electronically when practical. Ultimately, the State and Local Assistance Program Division of the NPS will be integrated into the grants.gov program.

- 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.**

No similar information is collected and there is no duplication.

- 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.**

Not applicable. All recipients are State governments.

- 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 collection must be conducted in conjunction with each grant approval or amendment. Otherwise, the Federal investment would not be sufficiently protected.

- 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.

The Project Agreement and Amendment forms are completed on an "as needed" basis in order to obtain a benefit (grant assistance). Therefore, their use may occur more frequently than quarterly. None of the other listed circumstances applies.

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.

The NPS of published a 60-Day Federal Register Notice seeking public comment on this collection on March 14, 2007 (Vol. 72, Num. 49, pages 11899-11900). No comments were received.

Over the course of the past 3 years, several consultations with Persons outside of the agency have taken place. They are:

Mr. Robert Newton
Mississippi Department of Wildlife,
Fisheries, and Parks
P.O. Box 451

Jackson, Mississippi 39205
601/432-2224

Mr. Todd Stump
South Carolina Department of Parks,
Recreation, and Tourism
1205 Pendleton Street
Suite 246
Columbia, South Carolina 29201
803/734-0617

They concur with our cost and burden estimates in completing the information collection process.

The State Liaison Officers, who are appointed by the Governors to administer the L&WCF program for each State, have been consulted concerning the reporting requirements and format. Through the National Association of State Outdoor Recreation Liaison Officers, an on-going mechanism exists for direct input into program administration. No major problems with regard to this requirement have been identified.

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

Not applicable.

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

Not applicable. No confidential information is solicited.

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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.**

Not applicable. No sensitive questions are asked.

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.

- 11 The number of respondents is set at 56; the number of States
12 (and territories) eligible for L&WCF funding. The rate of
13 response varies from State to State but averages approximately
14 8 per year per State for a total of 450 responses per year nationwide. It is estimated that the average response for both agreements and amendments require approximately three hours. The total estimated yearly burden is therefore 1,350 hours.

Cost to respondents (States) of collecting the data and preparing the forms is estimated at \$32,400 annually based on 450 annual responses at an average State preparation time of three hours per response (1,350 total hours) by State personnel averaging \$24/hour salary.

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.

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16 There are no non-hour costs.

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.

17 Collection of this data will cost the Federal Government an estimated \$49,113 annually based on approximately 450 responses per year nationwide, an average Federal handling time of three hours per response (1,350 total hours), and a average salary of 36.38/hour (GS-12/step 5 at 2007 rates).

The above estimates are based on surveys of NPS Regional and Washington Office staff with several years experience processing the Agreement and Amendment forms.

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

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19 There are no program changes.

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.

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21 Not applicable.

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.

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23 Not applicable.

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

24

25 Not applicable.