

September 17th, 2007

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660 - 0023

**Title: Effectiveness of a Community's Implementation of the NFIP
Community Assistance Program CAC and CAV Reports**

Form Number(s): FF 81-68, 81-69

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 or 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 (give details as to why this information is being collected). 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. Provide a detailed description of the nature and source of the information to be collected.

The data obtained from the Community Assistance Contact (CAC) and Community Assistance Visit (CAV) forms information collection activity is used to assist with the management of the National Flood Insurance Program (NFIP). A major objective of the NFIP is to assure that participating communities are achieving the flood loss reduction objectives of the program. To achieve this objective, the Federal Emergency Management Agency's (FEMA's) Mitigation Division implemented a process to evaluate the floodplain management assistance needed by communities and how well communities are implementing their floodplain management programs. By determining the assistance needed and how well communities are performing their responsibilities, FEMA can

identify, prevent, and resolve floodplain management issues before problems arise that require enforcement actions.

The two key methods FEMA uses in determining community assistance needs are through the CAC and CAV, which serve to provide a systematic means of monitoring community NFIP compliance. Through the CAC and CAV, FEMA can also determine to what extent communities are achieving the flood loss reduction objectives of the NFIP. By providing assistance to communities, the CAC and CAV also serve to enhance FEMA's goals of reducing future flood losses, thereby achieving the cost-containment objective of the NFIP.

The forms that are the subject of this OMB review, the "Community Contact Report" (FF 81-68) and the "Community Visit Report" (FF 81-69) are the documents used to record the information gathered during CACs and CAVs. The purpose of the forms is to provide States and FEMA Regional Offices with a simple, uniform way of summarizing the results of the CACs and CAVs so that the information can be entered in the Community Information System (CIS), the NFIP's centralized data management system. The statute that authorizes the collection of information is the National Flood Insurance Act of 1968. Section 1315 of the Act (copy attached) requires the adoption of adequate land use and control measures that are consistent with the comprehensive criteria for land management and use under Section 1361 (copy attached), which authorizes investigations and other assistance to NFIP communities with respect to local measures in flood-prone areas such as land management and use, flood-control, flood zoning, and flood damage prevention.

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. Provide a detailed description of: how the information will be shared, if applicable, and for what programmatic purpose.

The CAC is a telephone contact or brief visit with a NFIP community for the purpose of establishing or reestablishing contact to determine if program-related problems exist and to offer assistance. The CAC is less comprehensive and considered a screening tool to determine which communities should receive the level of attention afforded by a CAV. Specifically, the purposes of the CAC are to:

- a. Establish and enhance working relationships with NFIP communities;
- b. Discover issues and problems, and determine where assistance may be needed to resolve such problems; and
- c. Offer assistance to the community in resolving issues or problems related to programmatic or regulatory aspects of the NFIP.

The CAV is a scheduled visit to a NFIP community for the purposes of conducting a comprehensive assessment of the community's floodplain management program, to assist the community in understanding the NFIP and its requirements, and implementing effective flood loss reduction measures. Specifically, the purposes of the CAV are to:

- a. Establish and enhance working relationships with NFIP communities;
- b. Gather information from various sources such as from observations of the community's floodplain, permit records, and files including the community's Biennial Report;
- c. Verify information from FEMA's NFIP Community Data File;
- d. Identify any issues or problems related to programmatic or regulatory aspects of the NFIP;
- e. Offer technical assistance to the community in resolving any issues or problems related to the programmatic or regulatory aspects of the NFIP; and
- f. Assess, in conjunction with other sources of data or mechanisms for collecting data, the effectiveness of the community's flood loss reduction efforts as well as the overall effectiveness of the NFIP flood loss reduction efforts.

CACs and CAVs are conducted by State officials and FEMA staff to assess the effectiveness of a community's implementation of the NFIP and to offer assistance to the community where such a need is identified. States are funded to conduct CACs and CAVs under the NFIP's Community Assistance Program.

Documentation of a CAC or CAV consists of completion of a CAC or CAV Data Form (e.g., FF 81-68 or FF 81-69, respectively) by States or FEMA Regional Office staff after a CAC or CAV is completed. This form is not to be completed during the actual contact or visit with local officials, used to "interview" local officials, nor are local officials asked to complete the form. Therefore, the form should be completed on the basis of asking the community questions about its floodplain management program to determine if the community requires further technical assistance.

The CAC and CAV Data Forms serve three purposes. First, the form serves as an administrative tool for advancing the CAC or CAV through the assessment process by ensuring that the necessary follow-up actions are taken in a timely manner. Second, the form provides a summary of the CAC or CAV by indicating the types of problems or assistance needed. Third, the information can be used to evaluate not only how well the community is achieving the flood loss reduction objectives of the NFIP over time, but also evaluate the overall implementation of the NFIP nationally. An evaluation of CACs or CAVs may also indicate whether the issues or problems identified support the need for a rule change, the development of a major manual or guidance document, a statement of policy by FEMA, or whether the issue or problem can be resolved through a guidance

memorandum from FEMA or by the provision of technical assistance. More detailed information about a community's floodplain management program is included in a written narrative report and letter to the community explaining any technical assistance.

The CAC and CAV are FEMA's formal procedures for identifying, preventing, or resolving floodplain management issues before they develop into problems requiring enforcement actions. If problems cannot be resolved, an enforcement action may be initiated by FEMA to obtain compliance with NFIP floodplain management criteria by ensuring that communities correct program deficiencies, remedy past violations, and enforce ordinances for future development. Therefore, documentation of the CAC and CAV precedes and parallels documentation required under the Community Compliance Program, which builds on the basic procedures in 44 CFR 59.24 (b) and (c) (copy attached) for suspension of community eligibility. Imposing probation or suspending a community from participation in the NFIP requires detailed, accurate, and comprehensive information about a community's floodplain management program. Documentation organized in the manner prescribed by a CAC or CAV not only facilitates action by FEMA or another agency when needed, but will improve the capability of tracking a community's progress when specific issues or problems are identified, and actions are being taken to remedy violations or correct program deficiencies. This documentation is also essential to make enforcement actions legally defensible.

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.

Although the collection uses Internet utility, there is no web-based capability at this time to complete and/or submit the information requested in the CAC the CAV. The information is obtained via completion of the paper version of FF 81-68 (CAV) and FF 81-69 (CAC). The CAC or CAV Data Form will be entered in CIS by State or FEMA staff that conduct CACs or CAVs, and have access to the system. FEMA staff will then use this information to track any follow-up action required on the part of the community and ensure that any assistance promised to the community is provided. In addition, the date of the contact or visit will be recorded in the system, which will alleviate communities being contacted or visited more frequently than required, and avoid any unnecessary or duplicated contacts or visits. FEMA staff will also use the information to evaluate communities' floodplain management programs on a regional or national basis. The information will be useful in determining the overall effectiveness of the NFIP in achieving its flood loss reduction objectives and assist FEMA's effort in determining if any programmatic or regulatory adjustments are needed in the NFIP.

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 FEMA Regional Offices are responsible for determining which communities will be contacted or visited and track the date of all contacts or visits. This tracking includes those CACs and CAVs that are conducted by States on behalf of FEMA and will avoid communities being contacted more frequently than needed. To avoid any duplication of burden, all contacts and visits are coordinated through the appropriate FEMA Regional Office, which also has the responsibility of negotiating the cooperative agreements with States. There are no other known entities collecting this information.

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.

This collection does not impact any small business or entity.

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

If the information discussed above is not collected, FEMA would not know the extent to which approximately 20,000 communities participating in the NFIP are adhering to the obligation of implementing a floodplain management program as agreed to when joining the NFIP. The core of this agreement is that FEMA will provide flood insurance coverage if communities enforce safe building development practices in floodplains. Additionally, FEMA will not have an adequate mechanism to record and document the needs of communities to obtain further technical assistance if the information is not collected.

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.

There is no requirement from respondents to report information more often than once every five years.

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

There is no requirement for written responses in fewer than 30-days.

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

There is no request for submitting more than an original and two copies of any document.

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

Typically, these records are retained by communities for longer than three years as a routine business process at the State and/or local level because the records provide evidence that a community is implementing an effective floodplain management program.

(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 information collection does not employ statistical methodology.

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

The information collected is for internal use only (i.e. program planning and administration) and does not constitute federal statistical data for dissemination to the public.

(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 collect personal information and does not involve any claims of confidentiality and will not hamper the ability of NFIP managers to share the data with the respective communities.

(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 request for proprietary, secret or confidential information involved in this collection.

8. Federal Register Notice:

a. 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. Summarize public comments received in response to that notice and describe actions taken by

the agency in response to these comments. Specifically address comments received on cost and hour burden.

A 60-day Federal Register Notice inviting public comments was published on July 2, 2007 Volume 72, Number 126, pp. 36014. No comments were received. Please see attached copy of the published notice included in this package.

b. 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.

FEMA works regularly with State officials who are involved with community based floodplain management and have an interest in the information collected with the subject forms. The forms are simple to allow State officials and FEMA Regional Staff to quickly determine the needs of a community in terms of assistance with floodplain management based on the data collected from the forms. The subject forms were revised from a previous format that State officials found burdensome to use. In two recent training workshops about CAVs and CACs, participants were asked if the forms could be improved upon. There were no suggestions for improvement. Generally, the forms are viewed as providing flexibility in how they are used which is valued by the individuals who fill out the forms.

c. Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Local officials from whom information is obtained do not complete the forms; therefore, they have little interest in the form format. State officials and FEMA Regional staff, who compile the information request in the forms, regularly work with the forms and are provided with an opportunity to recommend improvements.

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

No such payments or gifts have been provided nor considered for the future.

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

Information obtained during the CAC or CAV is maintained in the FEMA Regional Offices and CIS, and will be used principally to follow-up with communities to ensure

NFIP compliance. The information is community-related and therefore, it does not contain personal identifiable information subject to the requirements of the Privacy Act. Furthermore, the information is not of a confidential nature as discussed in item 7(g) above.

11. Provide additional justification for any question 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.

There are no questions of a sensitive nature involved in this collection.

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 desired. 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.

Table 1. Annual Hour Burden

Data Collection Activity/Instrument	No. of Respondents	Frequency of Responses	Hour Burden Per Response	Annual Responses	Total Annual Hour Burden
	(A)	(B)	(C)	(D) = (AxB)	(E) = (CxD)
FF 81-68 (CAV)	1,000	1	2	1,000	2,000
FF 81-69 (CAC)	2,000	1	1	2,000	2,000
TOTAL	3,000			3,000	4,000

The Mitigation Division’s policy is to contact or visit at least 15 percent of all NFIP participating communities every year. The 3,000 total number of respondents includes initial first time contacts or visits within a 5 year period, and possible revisits with communities that may require additional visits within the 5 year time period due to problems in communities’ floodplain management programs.

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 an estimate of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost to the respondents of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.

Table 2. Annual Cost to Respondents for Hour Burden.

Data Collection Activity/Instrument	1Respondent's Occupational Category	2Median Wage (\$)	Total Annual Hour Burden (hour)	Total Annual Cost Burden (\$)
		(F)	(E) from Table 1	(G) = (FxE)
FF 81-68 (CAV)	State Officials	\$50.00	2000	\$100,000
FF 81-69 (CAC)	State Officials	\$50.00	2000	\$100,000
TOTAL			4000	\$200,000

The total estimated burden cost of State Officials to complete and review these forms is estimated to be \$200,000 annually.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. (Do not include the cost of any hour burden shown in Items 12 and 14.)

There are no operation and maintenance, capital, or start-up costs to respondents associated with this information collection. The only cost to respondents is the one associated with the actual completion of each form as reflected under Q12c above. Communities that participate in the NFIP retain records pertaining to floodplain development as a routine business practice for the benefit of their citizens, and in some cases, as required by State law. These records are not kept exclusively for the purpose of providing information to FEMA in conjunction with the CAC or CAV.

The cost estimates should be split into two components:

a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. 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.

b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.

Annual Cost Burden to Respondents or Record-keepers

Data Collection Activity/Instrument	*Annual Capital Start-Up Cost (investments in overhead, equipment and other one-time expenditures)	*Annual Operations and Maintenance Cost (such as recordkeeping, technical/professional services, etc.)	Annual Non-Labor Cost (expenditures on training, travel and other resources)	Total Annual Cost to Respondents
NA - see Q13 narrative				
Total				

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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs [There are no contract costs]	
Staff Salaries [Based on an hourly rate of \$26.53 for FEMA staff (GS-12, Step 1, from the 2007 OPM salary rate table) spending 1-hr each completing CAV and CAC for 3,000 respondents.]	\$79,590
Facilities	N/A
Computer Hardware and Software	N/A
Equipment Maintenance	N/A
Travel	N/A
Printing	N/A
Postage	N/A
Other (³ Cooperative Agreement with States to assist with CAC and CAV reports)	\$2,000,000
Total	\$2,079,590

³The Community Assistance Program State Support Services Element, an NFIP grant program, utilizes Cooperative Agreements to provide funding to States to conduct CAVs and CACs, among other eligible activities.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I in a narrative form. Present the itemized changes in hour burden and cost burden according to program changes or adjustments in Table 5. Denote a program increase as a positive number, and a program decrease as a negative number.

Definitions

Program changes should not be confused with adjustments.

i) Program change

A "**Program increase**" is an additional burden resulting from an action or directive of a branch of the Federal government (e.g., an increase in sample size or coverage, amount of information, reporting frequency, or expanded use of an existing form). This also includes previously in-use and unapproved information collections discovered during the ICB process, or during the fiscal year, which will be in use during the next fiscal year.

A "**Program decrease**", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).

ii) An "**Adjustment**" denotes a change in burden hours due to factors over which the government has no control, such as population growth, or in factors which do not affect what information the government collects or how (e.g., changes in the methods used to estimate burden or correction of errors in burden estimates).

Itemized Change in Annual Cost Burden

Data Collection Activity/Instrument	Program Change (Old Cost Burden)	Program Change (New)	Adjustment Old Cost Burden	Adjustment (New)
Difference			\$0	\$200,000
Total(s)				

Explain:

The total estimated burden cost of State Officials to complete and review these forms is estimated to be \$200,000 annually.

During September of 2005, the nation was impacted by Hurricane Katrina. The Terms of Clearance for this collection required an evaluation of the impact, if any, to this forms collection. There have been no regulation or procedural changes to this collection, and consequently no changes in burden hours, annual responses, or number of respondents as a result of the impact of Hurricane Katrina.

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.

The information collected will not be published.

17. If seeking approval not to display the expiration date for OMB approval of the information collection, explain reasons that display would be inappropriate.

A valid OMB control number, expiration date and burden disclosure notice will be displayed in all collection's material.

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

This collection does not seek exception to the certification statement referenced above.

B. Collections of Information Employing Statistical Methods.

When Item 17 on the Form OMB 83-I is checked "Yes", the following documentation should be included in the Supporting Statement to the extent it applies to the methods proposed:

THERE IS NO STATISTICAL METHODOLOGY INVOLVED IN THIS COLLECTION.