

October 31, 2007

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660-0062

Title: State/Local/Tribal Hazard Mitigations Plans

Form Number(s): None

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.

To complete the supporting statement, type in your responses in the white space below each question. Your responses should be full and complete and provide sufficient information to help the OMB desk officer to understand what you are planning to do and why and how the Agency/Federal Government will benefit from and use the information you will be obtaining or soliciting.

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.

On February 26, 2002, FEMA published an interim final rule at 67 FR 8844 implementing Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, enacted under Section 104 the Disaster Mitigation Act of 2000 (DMA 2000), Public Law 106-390 to provide new and revitalized approaches to mitigation planning. The Stafford Act provides a framework for linking pre-and post-disaster mitigation planning and initiatives with public and private interests to ensure an

integrated, comprehensive approach to disaster loss reduction. 44 CFR Part 201 provides the mitigation planning requirements for State, local and Indian tribal governments to identify the natural hazards that impact them, to identify actions and activities to reduce any losses from hazards, and to establish a coordinated process to implement the plan, taking advantage of a wide-range of resources.

The Interim Rule for Flood Mitigation Grants and Hazard Mitigation Planning (RIN 1660-AA36) is currently being amended to streamline planning requirements currently approved by OMB: 1660-0062, State/Local/Tribal Hazard Mitigation Plans-under Section 322 of the Stafford Act; and 1660-0075, Flood Mitigation Assistance (FMA) under 44 CFR part 78. The two plan requirements frequently create a duplication of burden hours and costs on States and local communities. 44 CFR Part 78, under OMB Number 1660-0075 is developed to address Flood Mitigation Assistance planning requirements and 44 CFR Part 201, under OMB Number 1660-0062 is developed to meet requirements for all other mitigation grant programs. The amendment to Interim Rule will allow all plans developed under 44 CFR Part 201 to also meet the plan requirements for 44 CFR Part 78, FMA program. Due to this change in the mitigation grant process, there are outstanding flood mitigation grants that have been issued with the requirement that the grantee submit a flood mitigation plan pursuant to the requirements of part 78. Although FEMA will no longer require the submission of flood mitigation plans for those funds awarded during application periods that open on or after the effective date of this rule, FEMA will continue to accept flood mitigation plans until the end of a grantee's current period of performance to include any extensions granted pursuant to §78.9 and FEMA, Financial and Acquisition Management Division's Extension Policy. Because of this change FEMA is discontinuing the information collection for OMB No. 1660-0075, Flood Mitigation Assistance, Flood Mitigation Plan.

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: a) how the information will be shared, if applicable, and for what programmatic purpose.

The purpose of the plan requirements is to enable State, tribal and local governments to better understand the risks they face from natural hazards and to make decisions and take actions to reduce the risks from those hazards. Implementation of planned, pre-identified, cost-effective mitigation measures will streamline the disaster recovery process. The mitigation plan is the demonstration of the goals, priorities, and commitment to reduce risks from natural hazards and serves as a guide for State and local decision makers as they commit resources to reducing the effects of natural hazards.

The planning criteria also support State administration of the FEMA mitigation grant programs, and contemplate a significant State commitment to mitigation activities, comprehensive State mitigation planning, and strong program management. By combining the plan requirements for both Acts, FEMA has simplified the process by

which States, Tribes and local communities can develop mitigation plans and demonstrate eligibility for mitigation grants.

In order to be eligible for certain types of FEMA mitigation grants, States, Tribes and local communities are required to have a hazard mitigation plan that meets the criteria established in 44 CFR Part 201 for this information collection.

States are required under Section 322 of the Stafford Act to have a FEMA-approved Standard State Mitigation Plan, following the criteria established in 44 CFR Part 201.4 to be eligible to receive certain Stafford Act assistance, including Hazard Mitigation Grant Program (HMGP) or Pre-Disaster Mitigation (PDM) funding. States may also be eligible under the Flood Insurance Act (FIA) for an increased share of federal assistance for certain types of projects under Flood Mitigation Assistance (FMA) and Severe Repetitive Loss (SRL) by meeting threshold requirements identified in 44 CFR Part 201 for State Standard Mitigation Plans. States, at their discretion may develop an Enhanced State Mitigation Plan, following the criteria established in 44 CFR Part 201.5 in order to be eligible for increased HMGP funding. The Enhanced Plan must demonstrate that a State has developed a comprehensive mitigation program, effectively uses available mitigation funding, and is capable of managing the increased funding.

Indian tribal governments are addressed under a specific planning requirement in 44 Part 201.7 that recognizes some of the unique aspects of these governments. The Interim Final Rule provides for plans prepared and approved under the existing rule, either under the State or local requirements, to be recognized as Tribal Mitigation Plans. Tribes would then be eligible for FEMA mitigation grants under both the Stafford and Flood Insurance Acts, including HMGP, PDM, FMA and SRL.

Plans must be submitted to the State Hazard Mitigation Officer (SHMO) for initial review and coordination. The States will then send the plan to the appropriate FEMA Regional Office for formal review and approval. FEMA-approved hazard mitigation plans developed under 44 Part 201 have been used by FEMA to determine State and Tribal eligibility for Stafford Act assistance, including HMGP and PDM grant funds, and are now also used to establish eligibility for Flood Insurance Act grant programs such as SRL and FMA.

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.

FEMA has not implemented a requirement for States, or tribal governments to use information technology to submit the Standard and Enhanced State Hazard Mitigation Plans, or Tribal Mitigation Plans; however, it does not preclude States or tribal governments from e-mailing electronic file(s) containing the plans to the appropriate

FEMA Regional Office for review and approval. FEMA encourages States and tribal governments to use available technology to develop their plans.

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.

There is no duplication of this planning requirement by other FEMA, Federal or State activities.

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 information collection for State Mitigation Plans will have no impact on small businesses since they are not required to participate in the development of these plans.

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.

All Standard and Enhanced State Mitigation Plans must be reviewed, revised, and re-approved every three years by the appropriate FEMA Regional office, and Tribal Mitigation Plans must be reviewed, revised and re-approved every five years. According to the Stafford and Flood Insurance Acts, without an approved mitigation plan, States and Tribal governments can not receive certain FEMA assistance, including HMGP and PDM under the Stafford Act, and FMA and SRL under the Flood Insurance Act.

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.

Respondents are not required to report information to the agency more often than quarterly.

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

Respondents are not required to prepare a written response in fewer than 30-days after receipt of it.

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

There is no requirement for respondents to submit 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.

There is no recordkeeping requirement for this type of information.

(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 does not employ statistical methodology.

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

There is no use of statistical data classification involved in this information collection.

(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.

There is no pledge of confidentiality involved with this collection that is not supported by authority established in statute or regulation.

(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 are no requirements for respondents to submit proprietary trade secret, or other confidential information.

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.

An Interim Final Rule was published on October 31, 2007, volume 72, number 210, Pages 61721-61750 for this information collection.

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 Mitigation staff is regularly invited to participate in conferences, work groups or other meetings with American Planning Association, Association of State Floodplain Managers and the National Emergency Managers Association, to discuss issues related to mitigation planning.

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.

In May 2006, FEMA Mitigation staff held a consultation meeting with State Mitigation Officers to discuss planning requirements for this information collection. State Mitigation Officers expressed the need for clarifying instructions on the plan development requirements under 44 CFR Part 201, particularly related to updating plans at the three- and five-year dates. FEMA Mitigation staff provided updated guidance on Mitigation Plan development in November, 2007 in response to these discussions. FEMA provided updated guidance on Mitigation Plan development in November, 2007 in response to these discussions.

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

There is no payment or gift to respondents for this information collection.

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

There is no assurance of confidentiality necessary for this data collection.

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.

There are no questions of a sensitive nature involved with this data 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.

To determine the annual burden for this collection, the hours were calculated separately for new plans, updated plans and the review time for all plans. Section 201.3(c) of the rule specifically requires States to coordinate the development, review and submittal of all new or updated State and local mitigation plans; therefore, the number of respondents is limited to the total number (56) of States, where “State” is defined in the Section 201.2 as any State of the U.S., the District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Since February, 2002, 56 States, the District of Columbia, and the 5 US territories developed FEMA-approved State Hazard Mitigation Plans, and over 2,500 local and multijurisdictional mitigation plans have been approved by FEMA, covering more than 10,500 communities.

FEMA previously had two separate mitigation plan collection approvals: one for Stafford Act programs under Part 201 (OMB No. 1660-0062), and one for the Flood Mitigation Assistance (FMA) program under Part 78 (OMB No. 1660-0075). The two separate plan requirements created a duplication of burden. By combining the two separate plan requirements, FEMA has reduced the need for separate reviews and approvals for two separate mitigation plans to be eligible for FEMA mitigation grants. The consolidation of the planning requirements did not result in any increase in burden; conversely, a reduction in burden will be reflected in the discontinuation of OMB 1660-0075.

To determine the number of new plans submitted by each respondent annually, estimates that roughly 5 new local or tribal plans per State will be developed each year, and would take an average of 2,080 hours (12 months) per plan to develop, resulting in 582,400 burden hours.

To determine the number of updated plans submitted by each respondent annually, FEMA estimated that it would take an average of 320 hours (8 weeks) per plan to update. Based on the current inventory of plans approved, FEMA estimates that roughly 10 plans per State will be updated annually, resulting in 179,200 hours per year for updates. All of the updated plans are submitted directly to FEMA from the State.

In addition, all States must review and submit plans. FEMA have estimated that 15 plans are submitted for review annually (5 new plans plus 10 updated plans) and it takes 8 hours to review each plan, the burden would include an additional 6,720 hours annually.

Annual Burden Hours

Project/Activity (Survey, Form(s), Focus Group, etc.)	No. of Respondents	Frequency of Responses	Burden Hours Per Response	Annual Responses	Total Annual Burden Hours
	(A)	(B)	(C)	(AxB)	(AxBxC)
New Plan Development (Local and Tribal Mitigation Included)	56	5	2080	280	582,400
Mitigation Plan Updates (Local and Tribal Included)	56	10	320	560	179,200
Mitigation Plans Review by States (Local and Tribal Included)	56	15	8	840	6,720
TOTAL	56		2,408	1,680	768,320

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.

There are no forms involved with this data collection.

c. 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.

The total annual estimated costs to States, territories, tribal governments and local communities for this information collection associated are \$21,282,464. FEMA assume that Urban and Regional Planners will have responsibility for information collected for any of the responding agencies. FEMA determined wage rates using data from the November, 2005, U.S. Department of Labor, Bureau of Labor Statistics (BLS), Standard Occupation Classification (SOC) System. The mean hourly wage for Urban and Regional Planners was \$27.70 per hour. Therefore, it is estimated that \$21,282,464 (768,320 hours x \$27.70 per hour) is the total burden hour cost to respondents.

Respondent's Occupational Category	Total Annual Burden Hours	Mean Hour Rate (\$)	Average Cost per Respondent (\$)	Total Annual Cost Burden (\$)
Urban and Regional Planners	768,320	\$27.70	\$66,702	\$21,282,464
Total	768,320	\$27.70	\$66,702	\$21,282,464

13. Provide an estimate 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.)

There is no total annual cost burden to respondents or recordkeeping resulting from this collection of information.

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 [Describe]	
Staff Salaries [1_#_ of GS12/5 employee spending approximately 12 hours for f time annually(description)..... for this data collection]	\$226,447.
Facilities [cost for renting, overhead, ect. for data collection activity]	
Computer Hardware and Software [cost of equipment annual lifecycle]	
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	
Travel	
Printing [number of data collection instruments annually]	
Postage [annual number of data collection instruments x postage]	
Other	
Total	\$226,447.

FEMA staff review and approve State Standard and Enhanced Mitigation Plans. Since State plans only need updating once every three years, it is assumed that 21 States would come in for a review annually, plus it is estimated that three (3) States would develop an Enhanced Plan. The estimated review time of State Plans is 24 work hours each. Based on a GS 12, Step 5 Federal employee’s salary for FY 2007 (\$34.44 per hour), the estimated annualized cost to the Federal Government to review State Standard and Enhanced plans is \$19,837. Approximately 500 local plans are submitted for review and approval each year (see 12a above), and it generally takes approximately 12 hours to review each local plan. Based on a GS 12, Step 5 Federal employee’s salary for FY 2007 (\$34.44 per hour), the estimated annual cost to the Federal Government to review local mitigation plans is \$206,640. Therefore, the total annual cost to the Federal Government is estimated at \$226,447.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to annual reporting and recordkeeping hour and cost burden. A program change is the result of deliberate Federal government action. All new collections and any subsequent revisions of existing collections (e.g., the addition or deletion of questions) are recorded as program changes. An adjustment is a change that is not the result of a deliberate Federal government action. These changes that result from new estimates or actions not controllable by the Federal government are recorded as adjustments.

The total burden estimated for this information collection a program adjustment from 571,200 to 768,320 burden hours (+197,120). Clarification in identity of respondents/grantees as defined in 44 CFR Part 201.2 Definitions.

Annual Burden Hours

Project/Activity (Survey, Form(s), Focus Group, etc.)	No. of Respondents	Frequency of Responses	Burden Hours Per Response	Annual Responses	Total Annual Burden Hours
	(A)	(B)	(C)	(AxB)	(AxBxC)
New Plan Development (Local and Tribal Mitigation Included)	56	5	2080	280	582,400
Mitigation Plan Updates (Local and Tribal Included)	56	10	320	560	179,200
Mitigation Plans Review by States (Local and Tribal Included)	56	15	8	840	6,720
TOTAL	56		2,408	1,680	768,320

**A Increase of +656 “Annual Responses” are due to: (1) increase of +30 hours in Plan Development; (2) increase of +340 hours due to Plans Review; (3) increase of +286 hours due to Plan Updates and (4) deletion of -320 “Burden Hours Per Respondent” due to duplication of State burden efforts (see in table below).*

Project/Activity (Survey, Form(s), Focus Group, etc.)	No. of Respondents	Frequency of Responses	Burden Hours Per Respondent	Annual Responses	Total Annual Burden Hours
	(A)	(B)	(C)	(AxB)	(AxBxC)
State Mitigation Plan Updates	21	1	320	21	6,720
Enhanced Mitigation Plan Updates	3	1	160	3	480
New Local or State Mitigation Plan Development.	250	1	2080	250	520,000
Local Mitigation Plan Review by States	500	1	8	500	4,000
Local Mitigation Plan Updates	250	1	160	250	40,000
TOTAL			2728	1,024	571,200

**Respondents should have been 56 States and Territories. All plans are submitted to FEMA from the grantees/States not the locals, therefore burden efforts are imposed on the States not the locals.*

**State Mitigation Plan Updates, Enhanced Mitigation Plans and Local Mitigation Plan Updates are the same burden efforts.*

Itemized Change in Annual Cost Burden

Data Collection Activity/Instrument	Program Change (Old Cost Burden)	Program Change (New)	Adjustment Old Cost Burden	Adjustment (New)
Urban Regional	0	0	0	\$21,282,464.

Planners				
Difference	0	0	0	0
Total(s)				+\$21,282,464

The total estimated burden cost to respondents using wage rate categories was not captured during the last OMB submission for this information collection. The total adjustment burden hour costs to respondents for this information collection is estimated to be \$21,282,464 annually.

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.

This collection will not contain results that will be published, outline plans for tabulation and publication of information.

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

This collection does not seek approval to not display the expiration data for this information collection.

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 “Certification for Paperwork Reduction Act Submissions”. This collection does not use efficient statistical survey methodology or use of information technology. Statistical Survey methodology "is not applicable" Question #3 in the supporting statement justifies the non-use of information technology

B. Collections of Information Employing Statistical Methods.

This collection does not employ the use of statistical methodology.