

March 19, 2008

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660 – 0010

Title: Implementation of Coastal Barrier Resources Act

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.

Specific Instructions

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. Provide a detailed description of the nature and source of the information to be collected.

Section II of the Coastal Barrier Resources Act (P.L. 97-348) prohibits the sale of National Flood Insurance Program (NFIP) policies for buildings that have been newly constructed or substantially improved on undeveloped coastal barriers on or after October 1, 1983. FEMA Regulation Title 44 of the Code of Federal Regulations, Section 71.4, requires documentation indicating that a building is neither new construction nor substantial improvement. The Coastal Barrier Resources Act of 1990 (P.L. 101-591) expands the areas encompassed by the Coastal Barrier Resource System (CBRS).

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 information collection is used by FEMA, through its NFIP Bureau & Statistical Agent, to assist the insurance companies - Write Your Owns (WYO), and the contractor for the NFIP Direct – in underwriting new business and renewal applications for flood insurance. This is to verify whether a building, which is located on a designated coastal barrier, is neither new construction nor a substantial improvement, and is, therefore, eligible for NFIP coverage. If the information is not collected, then invalid NFIP Flood Insurance Policies may be inadvertently written.

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, through its NFIP Bureau & Statistical Agent contract is using FEMA's Q3 data and a Geographical Information System (GIS) to review NFIP Flood Insurance Policies to determine whether they may be situated in CBRS areas.

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.

Information on each building is unique and not available from sources other than the property owner.

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 places no greater burden on small business or either small entities than that which is required of any other applicant who applies for NFIP coverage, for a building located on a coastal barrier.

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.

This information collection is conducted only as necessary for the issuance of an NFIP policy. The information collection for a particular building is only required one time at the time of application for NFIP coverage, or before a claim payment can be made and could, therefore, not be collected less frequently.

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.

No special circumstances requiring information more than one time is anticipated.

(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 time limit for receipt of the information. However, a claim against an NFIP Flood Insurance Policy cannot be paid until it is determined that the policy is valid. If an application for NFIP coverage is received and the required information is not submitted, then the policy cannot be renewed, nor can a claim be paid.

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

There are no requirements, now, for more than an original and two copies, and FEMA does not anticipate any need for more copies under any circumstances.

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

FEMA does not require retention of CBRS records, by property owners, for more than three years. FEMA foresees no circumstances under which this may become required.

(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.

FEMA does not anticipate requiring any statistical survey that is not designed to produce valid and reliable results, now, or at any time in the future.

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

FEMA does not require the use of statistical classifications that have not been reviewed and approved by OMB, now, and does not foresee any circumstances that would require the use of an OMB not approved classification in the future.

(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.

FEMA anticipates no circumstances that would include a pledge of confidentiality not supported by authority established in statute or regulation and/or not supported by disclosure and data security policies that are, or are not, consistent with the pledge. Nor does FEMA anticipate any circumstances that would unnecessarily impede sharing of data with other agencies for compatible or incompatible confidential use.

(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.

Respondents are not asked to submit, or in any way share, proprietary trade secrets or other confidential information, now, nor does FEMA expect to require such information at any other time under any other circumstances. FEMA is always mindful of the need to protect information confidentiality as is required by law. There is no foreseen reason that would circumvent the need to continue to demonstrate the observance of, and compliance with, the law.

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 November 21st, 2007, Volume 72, Number 224, Pages 65584-65585. 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.

There has been no recent consultation outside the agency specifically on this information collection; however the Flood Insurance Producers National Committee (FIPNC), and the Institute for Business & Home Safety (IBHS) which are made up of non-government professionals involved with the NFIP, meet regularly with government officials from FEMA to discuss any aspects of the NFIP that are of concern to them. This information collection is open to FIPNC, and IBHS, as a subject of discussion, if they so choose.

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.

No consultation has been conducted with respondents. The documentation required by this information collection is submitted along with, and as part of, an application for flood insurance. However, most, if not all, of the information required by the Implementation of the Coastal Barrier Resources Act, which is submitted in conjunction with the NFIP application, is a matter of public record.

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

There have not been any decisions to provide any payments or gifts to respondents in exchange for the property location/date of construction information pertaining to a particular building, with relation to CBRS boundaries. This information is required to determine eligibility for NFIP coverage only. Therefore, if a property owner wishes to purchase NFIP insurance and if the subject property is in close proximity to the CBRS boundary, then they must provide the information so that the NFIP may determine eligibility for coverage.

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

Confidentiality is provided under the provisions of the Privacy Act as so stated on the NFIP Flood Insurance Application form. Since, this information is required to determine eligibility for NFIP flood insurance coverage, it is mandatory for the applicant to provide the information if they wish to obtain a policy.

A respondent may withdraw an application for flood insurance coverage, if they choose not to consent to use of the required information. The respondent will need to only notify his insurance agent, or the NFIP Write Your Own (WYO) Insurance Company that they would like to withdraw their application for coverage.

At FEMA's direction, the information is added to an electronic database that is maintained by the NFIP Bureau & Statistical Agent (BSA). The information is stored in a secured site that is accessible only to those who are privy to the information as is set forth under the routine use provisions of the Privacy Act.

Only property addresses are available to WYO Insurance Companies for eligibility determinations. FEMA's database, which is for internal use by FEMA only, provides the names and addresses of the owners of the properties.

Tracking, by FEMA, is limited to the property addresses that are identified as being inside the Coastal Barrier Resources System (CBRS) and that information is only used to identify invalid policies. No attempts are made to identify individual respondents, unless

their properties are insured through the NFIP. If an active policy is found through systematic review of addresses, FEMA will notify the WYO Insurance Company or NFIP Direct Servicing Agent, to explain to the Insured that their policy will be cancelled and the premium refunded.

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.

No questions of a sensitive nature are included 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.

Annual Hour Burden

Data Collection Activity/Instrument	No. of Respondents	Frequency of Responses	Hour Burden Per Response	Annual Responses	Total Annual Burden Hours
	(A)	(B)	(C)	(D) = (AxB)	(CxD)
Documentation: 44 CFR Section 71.4	60	1	1.5	60	90
TOTAL	60	1	1.5	60	90

The annual burden hours, per respondent, are estimated to be 1.5 hours, the time necessary to obtain the required documentation from local officials. This time estimate includes the time to make phone calls, prepare and submit a written request for the document, and/or make a trip to a local office to obtain the document.

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.

Annual Cost to Respondents for Hour Burden

Respondent's Occupational Category	Total Annual Burden Hours	Mean Hour Rate (\$)	Average Cost per Respondent (\$)	Total Annual Cost Burden (\$)
NFIP/CBRS	90	\$17.45	\$10.00	\$1570.50
Total	90	\$17.45	\$10.00	\$1570.50

1) and 2) The mean is the average hourly rate for occupations per the Bureau of Labor Statistics (BLS), as of July 2007.

There are 60 respondents* 1.5 (burden hours) * 17.45 (mean-hourly rate) = \$1,570.05 (total annual cost burden).

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.)

The cost to the respondent, i.e., the applicant for flood insurance, is the cost, if any, to obtain the required documentation from local officials (ex. documentation from the building permit office). Fees charged, if any, to the applicants are nominal, i.e., the cost of photocopying the public record. Generally, information of this type is provided upon request, free of any charge, by the community as a public service.

The average cost to the respondent is estimated to be \$10, the cost to make phone calls, mail a written request, or make a trip to a local office to obtain the document, and includes any copying fees, which may be charged by the local office. Estimated Total Cost to Respondents: 60 respondents x \$10 per respondent = \$600 per respondent.

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.

There are no operation and maintenance cost for this information collection.

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.

There is no capital and Start-up cost for this information collection.

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.

The dollar cost to the Federal Government is minimal, to process, analyze, and maintain the information that is submitted by an applicant along with his application to have a Flood Insurance Policy through the National Flood Insurance Program.

The information required under this information collection is processed in conjunction with an application for NFIP insurance. The government pays the NFIP Direct Servicing contractor an annual average figure of \$2.36 per new Flood Insurance Policy [Reference Contract Number EMW-2003-CO-0458, Option 3- (\$2.36 = the average of the three classes of new Flood Insurance Policies: \$2.18 Standard Flood Insurance Policy (SFIP), \$2.62 Group Flood Insurance Policy (GFIP) and \$2.29 Repetitive Loss Target Group (RLTG)]. The dollar cost to the government to process the documentation required by this information collection is estimated to be .47¢ arrived at by allocating 20% of the amount paid to the NFIP Direct Servicing Agent to process a new flood insurance application.

Estimated Total Cost to the Government: 60 responses x .47¢ per response = \$28.20.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs [Describe]	\$28.20
Staff Salaries [_#_ of GS __ employees spending approximately ____ % of time annually (description)..... for this data collection]	0
Facilities [cost for renting, overhead, etc. for data collection activity]	0
Computer Hardware and Software [cost of equipment annual lifecycle]	0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	0
Travel	0
Printing [number of data collection instruments annually]	0

Postage [annual number of data collection instruments x postage]	0
Other	0
Total	\$28.20

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.

A "Program increase" is an additional burden resulting from a federal government regulatory action or directive. (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).

"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 changes in the methods used to estimate burden or correction of errors in burden estimates.

There is no change in burden hours for this data collection.

Itemized Change in Annual Cost Burden

Data Collection Activity/Instrument	Program Change (Old Cost Burden)	Program Change (New)	Adjustment Old Cost Burden	Adjustment (New)
Documentation: 44 CFR Section 71.4	0	\$600	0	0
Difference		+\$600		
Total(s)		+\$600		

Explain: During the previous OMB submission the program office did not report cost to respondents. The average cost to the respondent is estimated to be \$10 per respondent to make phone calls, mail a written request, or make a trip to a local office to obtain the document, and includes any copying fees, which may be charged by the local office. Estimated Total Cost to Respondents: 60 respondents x \$10 per respondent = \$600 per respondent.

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 collection results will no be published for outline plans for tabulation and publication.

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

This collection is not seeking to not display the expiration date for OMB approval.

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

No exceptions to the certification are planned.

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.