

The Supporting Statement for OMB 0596-0022

Locatable Minerals

March 2008

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.**

Pertinent Laws and Regulations

- Organic Act of 1897
- 1872 Mining Law
- 36 CFR 228, Subpart A

The United States General Mining Laws, as amended, govern prospecting for and appropriation of metallic and most nonmetallic minerals on National Forest lands set up by proclamation from the public domain. These laws give individuals the right to search for and extract valuable mineral deposits, and secure title to the lands involved. A prospector may locate a mining claim upon the discovery of a valuable mineral deposit. Recording that claim in the local county courthouse and with the appropriate BLM State Office affords protection to the mining claimant from subsequent locators. A mining claimant is entitled to reasonable access to the claim for further prospecting, mining, or necessary related activities, subject to other applicable laws and regulations. Locatable mineral regulations are specific rules and procedures for use of the surface of National Forest System lands, in connection with mineral operations authorized by the United States mining laws, to minimize adverse environmental impacts to surface resources.

This is a request for renewal of OMB approval for three different information collections that have been an integral part of the regulations since they were first published on August 28, 1974. Two of the information requirements are described in 36 CFR 228.4, Plan of Operations - Notice of Intent - Requirements. The third information collection requirement is described in 36 CFR 228.10, Cessation of Operations, removal of structures and equipment. Current approval for these three information collections expires June 30, 2008.

- 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.**
 - a. What information will be collected - reported or recorded? (If there are pieces of information that are especially burdensome in the collection, a specific explanation should be provided.)**

The information requirements for a Notice of Intent include:

- The information to identify the area involved;

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- The nature of the proposed operations;
- The route to the area of operations; and
- The method of transport.

The information requirements for a Plan of Operations include:

- The name and legal mailing address of the operators. If the claimant and the operator differ, the name and legal mailing address of the lessees, assigns, or designees;
- A map/sketch of the proposed area of operations, existing/proposed roads or access routes, and the approximate location/size of disturbance;
- A description of the type of operations proposed
- A description of how the operation would be conducted
- A description of the type and standard of existing/proposed roads/access routes;
- A description of the means of transportation to be used;
- A description of the period during which the proposed operation will take place; and
- Mitigation and monitoring measures to meet the environmental protection requirements of the following:
 - o Air quality
 - o Water quality
 - o The Federal Water Pollution Control Act;
 - o Solid wastes;
 - o Tailings, dumpage and other waste;
 - o Scenic values;
 - o Fisheries and wildlife habitat;
 - o Roads;
 - o Reclaim disturbed area; and
 - o Removal of structures, equipment and other facilities and site clean-up.

The information requirements for a cessation of operations include:

- Verification to maintain the structures, equipment and other facilities;
- Expected reopening date;
- Estimate of extended duration of operations; and
- Maintenance of the site, structures, equipment and other facilities during non-operating periods.

b. From whom will the information be collected? If there are different respondent categories (e.g., loan applicant versus a bank versus an appraiser), each should be described along with the type of collection

activity that applies.

Forest Service employees collect the required information from either the mineral operator or the mining claimant.

c. What will this information be used for - provide ALL uses?

In order for the Forest Service to determine the appropriate mitigation measures for a given locatable mineral operations, Agency personnel must gather a certain amount of fundamental information in order to evaluate the proposed operation. This gathering of information and the subsequent evaluation prior to occupancy minimizes to the extent practicable, the surface resource impacts and the necessary reclamation performance bond. However, once there is a proposal to modify an approved mining operation, then new additional information has to be submitted. A modification is considered a new plan of operations, and for each operation, the Forest Service only gathers the required information once.

d. How will the information be collected (e.g., forms, non-forms, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?

There is no particular format required for the three different information collections associated with the locatable mineral regulations.

For mineral operations which require a plan of operations, the most common format used is the Plan of Operations form FS-2800-5 developed by the Forest Service. However, the use of this form is optional and the information is collected from the operator in whatever format or type of medium that the operator chooses.

There is no specific form for either a Notice of Intent or a Cessation of Operations, but the operator is still required to furnish the information identified in the regulations.

e. How frequently will the information be collected?

On average, the information is collected once annually for each of the following:

- Plan of Operations
- Notice of Intent
- Cessation of Operations

f. Will the information be shared with any other organizations inside or outside USDA or the government?

The information will be shared with several western states.

g. If this is an ongoing collection, how have the collection requirements changed over time?

The collection requirements have not changed since the last renewal of this information collection. A proposed rule to modify 36 CFR 228, Subpart A has been published in the Federal Register and submitted to OMB as a new

information collection. This rule, if made final, would add an additional information collection to this package. The title of the proposed information collection is "Bonded Notice" and details regarding this collection have been included in the package submitted to OMB for the proposed rule.

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.

The operator/claimant has the option to choose the method/form most convenient for them when submitting the required information. Most choose to submit a paper copy of FS-2800-5 provided by the Forest Service. However, sometimes, the operator and the Forest Service use the Fax machine to send copies back and forth when it is not convenient to use the regular mail system or when a face-to-face meeting cannot be arranged.

As previously indicated, generally respondents chose to submit all required documentation on paper via USPS, FedEx, UPS, or by Fax.

FS-2800-5

The Forest service has replaced the operating system and the software package that was previously being used when the last information justification statement was prepared. The current software package being used by the Forest Service is Microsoft Office 2000 and 2003, and it is compatible with most of the Microsoft software being used by other Federal and State agencies, as well as public sector that the Agency deals with on a continual basis. A copy of the Plan of Operations form (FS-2800-5) is posted on the World Wide Web. The paper and electronic versions of the form are identical.

Submitters follow these instructions to get a copy of the Plan of Operations Form FS-2800-5:

- a. Go to the Internet.
- b. Type http://www.fs.fed.us/geology/mgm_locatable.html into the address box and left click once. This will take you to the USDA, Forest Service Minerals and Geology, Locatable Minerals and Mining Claims section of the website.
- c. In the **Forest Service Information** box, select **Plan of Operations Form** and left click once on the GO button. This will bring up the current Plan of Operations form.

Currently, respondents are not able to submit the FS-2800-5 electronically. The Forest Service is working to get the form converted so that a submitter can fill out the web form and mail it electronically to the appropriate Forest Service office. As part of this submission, the Forest Service requests approval to move forward and initiate this option.

4. Describe efforts to identify duplication. Show specifically why any sim-

ilar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The Forest Service has signed Memorandums of Understanding with Idaho, Washington, Wyoming, Montana, Utah, Colorado, South Dakota, Nevada, Oregon, and California. The intent of these memos is to reduce the amount of administrative duplication between the states and the Forest Service, and achieve a more efficient use of personnel and appropriations, and eliminate duplicate requirements to the operator/claimant.

To avoid duplication of effort, the Forest Service works closely with county and state officials to ensure, as practicable, that conditions required of operators in minimizing adverse environmental impacts conform to applicable local, state, and federal regulations. The Forest Service may accept functional equivalents to its requirements of documents relating to operating plans, reclamation plans, and environmental studies, when such plans and studies meet or exceed the minimum standards set by USDA requirements.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The regulations at 36 CFR Part 228, Subpart A, provide the Forest Service and the mining community with the means of meeting mutual environmental responsibilities to protect the surface resources of National Forest System lands. One passage from the regulations at 228.4(b) states: "any person conducting operations on the effective date of these regulations that would have been required to submit a plan of operations under 228.4(a) may continue operations..." Nothing in the mineral regulations suggests that small business entities should be able to conduct mineral operations under different environmental standards than large corporations. A plan of operations is evaluated on its own merits, and the required mitigation measures are based on the projected disturbance to surface resources. Whether the operator is a large corporation or a small business, and whether the proposed plan of operations is for a routine operation or for a complex one, the evaluation is based on the merits of the specific plan that was submitted.

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.

Without prior notification, and without an established procedure for joint Forest Service and operator planning, serious, long-lasting, and avoidable adverse impacts on surface resources could become a common occurrence. Access roads improperly located and constructed would most likely result in aesthetic damage, soil loss, and water pollution. Soil loss, water pollution, and adverse impacts to plants and animals and their habitat will also probably occur with the unplanned disposal of waste rock and mill tailings, inadequate water drainage controls in disturbed areas, ill conceived or careless bulldozer prospecting, and the failure to reclaim disturbed areas after operations are completed. Public safety to national forest users would also be a major concern if operators were allowed to leave

shafts, cuts, and adits uncovered, unfenced, or unmarked.

Forest managers collect this information to ensure that:

- The mineral operations are conducted in an environmentally sensitive manner;
- Mineral operations are integrated with the planning and management of other resources;
- Lands disturbed by mineral operations are reclaimed using the best scientific knowledge and principles;
- Lands disturbed by mineral operations are reclaimed and returned to other productive uses;
- The mineral operations are in accordance with our legal and regulatory authority; and
- Mineral operations conducted in congressionally designated or other withdrawn areas are supported by valid existing rights.

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 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.**

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If an operator is required to submit proprietary data such as trade secrets because of the potential surface disturbance, then that information would be locked up for security reasons, and it would be immediately returned to the operator when no longer needed. This is further described in answer #10 regarding the treatment of information under the Freedom of Information Act.

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

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

The Forest Service published a notice in the Federal Register on December 10, 2007, in Volume 72, page 69643 and invited public comments on the extension of the information collection for locatable mineral operations. The 60-day comment period ended on February 8, 2008 and no relevant comments were received.

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 record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

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 following locatable mineral operators were contacted and asked for their views on the availability of data, frequency of collection, the clarity of instructions, record keeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported to the Forest Service authorized officer. The miners interviewed represent a wide geographic range. The first part of the table below contains mineral operator comments regarding optional use of Plan of Operations form; the second part of the table contains comments from mineral operators on the information collection for a Notice of Intent.

Plan of Operations (operator comments)

Bob Routa 327 Canal St. Crawfordville, FL 32326 (850) 926-6300	Took Bob 2 hours to fill out the form. He finds 2 hours a lot of time and suggests a shorter form for small scale operations since some items not applicable. He is ok that the minimum amount of information is requested to
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	review disturbance and mitigation.
Tracy Fortner PO Box 592 Townsend, MT 59644 (406) 459-3404	Tracy spent 2-3 hours filling out the form the first time. He comments on the form and information requested was that they should not have to supply any of this information to the government.
Rich DeLong Enviroscientists, Inc. 4600 Kietzke Lane Suite C 129 Reno, NV 89502	Rich is a consultant who works with mining companies in Nevada. He said it takes 40 hours to prepare a plan of operation for an exploration project and a "couple of months" for a mining project.
Kenneth Brasel Eastern Oregon Mining and Prospectors, Inc (541) 524-7657	Took 10 hours to fill out his plan of operation. Other comment was the form and information was pretty good to work with. The hardest part was making a map.
Jan Alexander Eastern Oregon Mining Assoc. PO Box 153 Unity, OR (541) 446-3413	Took her 4-5 hours to fill out for new plan of operation. She said the FS should add some language that lets miners know that they should contact the FS if operations cease. She thought it was a wonderful form that outlines the needed information and is very helpful. The BLM should follow suit.
Mark Robinson, Project Mngr. Zaremba Minerals Exploration PO Box 1348 Wrangell, AK 99929	It took him two man weeks to prepare their plan of operation. He had no problem with the instructions for the plan of operations and thought the data elements to be reported were reasonable.
Bill Oelklaus, Mine Env. Mngr. Greens Creek Mining Co. PO Box 32199 Juneau, AK 99803-2199 (907) 789-8170	It took his company 16 man weeks to prepare their annual supplement to their general plan of operation. He thought the information required was reasonable and easy to find.

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Notice of Intent (operator comments)

Bob Routa 327 Canal St. Crawfordville, FL 32326	He thought the information requested was fine and appropriate for the amount of disturbance.
Gene Cook PO Box 111 Townsend, MT 59644 (406) 266-3871	Gene spent 1-2 hours filling out the information including making an appointment and visiting the office to get help with the form. His comments on the form; not too bad, needs someone in the office to ask questions. He uses the same NOI and updates each year, not too bad of a burden.

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

The Forest Service does not provide any kind of payment or gift to the respondents or grantees regarding information collection requirements of 36 CFR Part 228, Subpart A, for locatable mineral operations.

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

Evaluation of impacts on surface resources from Plans of Operations may, in some cases, require obtaining data considered proprietary by operators, and as such, may affect their competitive interests if it is released. Such data are usually not requested. However, when requested, it is not released only with the operator's consent. When the data is kept, it is Forest Service practice to keep such data secured in locked storage. When the requested data is not retained, the information is usually examined and immediately returned to the operator.

All information and data submitted by an operator pursuant to the regulations at 36 CFR Part 228, Subpart A, shall be available for examination by the public at the office of the District Ranger in accordance with the provisions of the Freedom of Information Act and the Privacy Act. We have included the specific wording found in Section 228.6 of the locatable mineral regulations that pertains to the confidentiality of the information provided by respondents. It is as follows:

“Except as provided herein, all information and data submitted by an operator pursuant to the regulations in this part shall be available for examination by the public at the Office of the District Ranger in accordance with the provisions of 7 CFR 1.1-1.6 and 36 CFR 200.5-200.10. Specifically identified information and data submitted by the operator as confidential concerning trade secrets or privileged commercial or financial information will not be available for public examination. Information and data to be withheld from public examination may include, but is not limited to, known or estimated outline of the mineral deposits and their location, attitude, extent, outcrops, and content, and the known or planned location of exploration pits, drill holes, excavations pertaining to location and entry

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pursuant to the United States mining laws, and other commercial information which relates to competitive rights of the operator."

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.

This kind of information is not required from the mining claimant/operator.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form.**

- a) **Description of the collection activity**
- b) **Corresponding form number (if applicable)**
- c) **Number of respondents**
- d) **Number of responses annually per respondent,**
- e) **Total annual responses (columns c x d)**
- f) **Estimated hours per response**
- g) **Total annual burden hours (columns e x f)**

Table #1 – Burden Estimate

DESCRIPTION OF COLLECTION ACTIVITY	FORM NUMBER	ANNUAL NUMBER OF RESPONDENTS	NUMBER OF RESPONSES ANNUALLY PER RESPONDENT	TOTAL ANNUAL RESPONSES	ESTIMATED HOURS PER RESPONSE	TOTAL ANNUAL BURDEN HOURS
Plan of Operations	FS-2800-5 (optional)	319	1	319	12	3,828
Notice of Intent	None	415	1	415	2	830
Cessation of Operations	None	3	1	3	1	3
Totals	---	737	---	737	---	4,661

Each year, the Forest Service gathers information from field offices to determine how many Plans of Operation and Notices of Intent were received during the

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previous year. The latest figures indicate that 320 Plans of Operations and 415 Notices of Intent were received in 2007.

- **Record keeping burden should be addressed separately and should include columns for:**
 - a) **Description of record keeping activity:** None
 - b) **Number of record keepers:** None
 - c) **Annual hours per record keeper:** None
 - d) **Total annual record keeping hours (columns b x c):** Zero
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The United States Geological Survey (USGS) published earnings information pertaining to locatable mineral operations. That information can be found in the Mineral Commodity Summaries 2007. The USGS disclosed that the estimated "Average weekly earnings of production workers" for metal mining in 2006 was \$979. Based on 40 hours a week and on an 8-hour workday, the average hourly salary in the locatable mineral arena is about \$24.48. The total annual cost to respondents is \$114,101.

Table #2 – Cost to Respondents

INFORMATION COLLECTION	TOTAL BURDEN HOURS	COST PER HOUR	TOTAL ANNUALIZED COST TO RESPONDENTS
Plan of Operations	3,828	\$24.48	\$93,709.44
Notice of Intent	830		20,318.40
Cessation of Operations	3		73.44
Total			\$114,101.28 ≈ \$114,101

- 13. Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information, (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates 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.**

There are no capital operation and maintenance costs.

- 14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

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The response to this question covers the actual costs the agency will incur as a result of implementing the information collection. The estimate should cover the entire life cycle of the collection and include costs, if applicable, for:

Employee labor and materials for developing, printing, storing forms

Employee labor and materials for developing computer systems, screens, or reports to support the collection

Employee travel costs

Cost of contractor services or other reimbursements to individuals or organizations assisting in the collection of information

Employee labor and materials for collecting the information

Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information

The following assumptions were used to create tables 3-6:

- Each individual was a Step 5 pay grade; and
- The 2008 General Pay Schedule for the Federal Government was used.
- Cost to the government was calculated by multiplying the salary by 1.3

Table #3 shows how the estimated cost was calculated for the Forest Service to prepare and environmental assessment and then conduct the associated project administration.

Table #3: Est. Cost to Prepare an Environmental Assessment and do Project Administration

ACTION ITEM	PERSONNEL	GS LEVE L	HOURLY RATE*	HOURS	SALARY	COST TO GOVT.
Plan reviewed, questions and deficiencies noted, call(s) to operator, new changes drafted, on-the-ground meeting w/operator scheduled.	Technician	9	\$21.61	2	43.22	56.186
Cultural resource survey conducted	Archaeologist	11	\$26.15	10	261.50	339.95
Meet w/operator in the field	Technician	9	\$21.61	8	172.88	224.744
Meet w/District Ranger to discuss operation and designate ID team	Technician	9	\$21.61	1	21.61	28.093
	District Ranger	13	\$32.27	1	32.27	48.951
Send synopsis of plan to ID team, set up ID team meeting and T&E survey	Technician	9	\$21.61	2	43.22	56.186
ID team meeting in office and field	Technician	9	\$21.61	13	280.93	365.209
	District Ranger	13	\$37.27	4	149.08	193.804
	Ranger	11	\$26.15	8	209.20	271.96
	Hydrologist	11	\$26.15	12	313.80	407.94
	Geologist	11	\$26.15	12	313.80	407.94
	Engineer	11	\$26.15	8	209.20	271.96
	Biologist	11	\$26.15	8	209.20	271.96

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ACTION ITEM	PERSONNEL	GS LEVE L	HOURLY RATE*	HOURS	SALARY	COST TO GOVT.
	Soil Scientist	11	\$26.15	44	1150.60	1495.78
	Botanist	11	\$26.15	8	209.20	271.96
	Forester	11	\$26.15	40	1046.00	1359.80
	Fisheries Bio	11	\$26.15	40	1046.00	1359.80
	IDT Leader	13	\$37.27	2	74.54	96.902
Public scoping letters	Technician	9	\$21.61	5	108.05	140.465
	Clerical	4	\$12.37	4	49.48	64.324
Fisheries/wildlife/botany surveys conducted and report prepared	Biologist	11	\$26.15	18	470.70	611.91
Make changes based on issues/concerns from field visit, discuss with operator	Technician	9	\$21.61	8	172.88	224.744
	Geologist	11	\$26.15	8	209.20	271.96
Make copies, send Plan to ID team and interested parties.	Geologist	11	\$26.15	1	26.15	33.995
	Clerical	4	\$12.37	1	12.37	16.081
	Technician	9	\$21.61	2	43.22	56.186
Compile public scoping and ID team comments, develop changes, calculate reclamation bond.	Technician	9	\$21.61	4	86.44	112.372
	Engineer	11	\$26.15	1	26.15	33.995
Office/on-site ID team meeting with operator, discuss changes, explain bonding, discuss surface disturbance	Technician	9	\$21.61	10	216.10	280.93
	Geologist	11	\$26.15	8	209.20	271.96
	Engineer	11	\$26.15	8	209.20	271.96
	Hydrologist	11	\$26.15	4	104.60	135.98
	Biologist	11	\$26.15	4	104.60	135.98
	Forester	11	\$26.15	4	104.60	135.98
	Soil Scientist	11	\$26.15	4	104.60	135.98
	Botanist	11	\$26.15	4	104.60	135.98
Prepare cultural resource survey report	Archeologist	11	\$26.15	4	104.60	135.98
Prepare draft Environmental Assessment	Technician	9	\$21.61	12	259.32	337.116
Hold public meeting	Technician	9	\$21.61	4	86.44	112.372
	District	13	\$37.27	1	37.27	48.451
	Ranger	11	\$26.15	1	26.15	33.995
Consultation with specialists, Environmental Assessment finalized	Technician	9	\$21.61	16	345.76	449.488
	Clerical	4	\$12.37	4	50.80	64.324
	Geologist	11	\$26.15	1	26.15	33.995
Respond to comments received, specialists review the Environmental Assessment, minor changes made, Environmental Assessment finalized, news release prepared, District Ranger signs authorization, operator notified when to begin work, publish notice in the local newspaper.	Technician	9	\$21.61	26	561.86	730.418
	Hydrologist	11	\$26.15	1	26.15	33.995
	Geologist	11	\$26.15	2	52.30	67.99
	Engineer	11	\$26.15	1	26.15	33.995
	Biologist	11	\$26.15	1	26.15	33.995
	Forester	11	\$26.15	1	26.15	33.995
	District	11	\$26.15	1	26.15	33.995
	Ranger	13	\$37.27	1	37.27	48.451
Cost Estimate to Prepare Environmental Assessment					\$9,840	\$12,791.467
Project administration	Technician	9	\$21.61	60	1296.60	1685.58
	Hydrologist	11	\$26.15	4	104.60	135.98

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ACTION ITEM	PERSONNEL	GS LEVEL	HOURLY RATE*	HOURS	SALARY	COST TO GOVT.
	Geologist	11	\$26.15	8	209.20	271.96
	Engineer	11	\$26.15	24	627.60	815.88
	Biologist	11	\$26.15	4	104.60	135.98
	Forester	11	\$26.15	4	104.60	135.98
Cost Estimate to Conduct Project Administration					\$2,447	\$3,181.36
Total Cost to Process/Administer a Plan of Operations					\$12,287	\$15,972.827

Table #4 shows calculations for the estimated cost to the Forest Service to process a Notice of Intent.

Table #4: Estimated Cost to Process a Notice of Intent

ACTION ITEM	PERSONNEL	GS LEVEL	HOURLY RATE*	HOURS	SALARY	COST TO GOVT.
Specialist Input	Geologist	11	\$26.15	0.5	13.08	16.9975
	Biologist	11	\$26.15	0.5	13.08	16.9975
Review Notice of Intent, prepare response, and one field check.	Technician	7	\$17.76	4.0	71.04	92.352
Review Notice of Intent and sign	District Ranger	13	\$37.27	0.5	18.64	24.2255
Total Cost to Process a Notice of Intent						\$150.5725

Table #5 shows how the estimated cost to process a Cessation of Operations was calculated.

Table #5: Estimated Cost to Process a Cessation of Operations

ACTION ITEM	PERSONNEL	GS LEVEL	HOURLY RATE*	HOURS	SALARY	COST TO GOVT.
Review Cessation of Operations, prepare response, and one field check	Technician	7	\$17.76	4.0	71.04	92.352
Review Cessation of Operations and sign	District Ranger	13	\$37.27	0.5	18.64	24.2255
Total Cost to Process a cessation of operations						116.5775

Table #6 shows how the total estimated cost to deal with the information collection requirements in 36 CFR Part 228, Subpart A, was calculated. The costs do not include:

- Conducting a Surface Use Determination
- Preparation of this justification
- Litigation

Table #6: Total Estimated Cost for Information Collection under 36 CFR Part 228, Subpart A

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INFORMATION COLLECTION	NUMBER OF RESPONDENTS	COST PER ACTION ITEM	TOTAL ESTIMATED COST FOR IC
Plan of Operations	319	\$15,972.827	\$5,095,331.813
Notice of Intent	415	150.5725	62,487.5875
Cessation of Operations	3	116.5775	349.7325
Total Cost			5,158,169.133

The total estimated annual cost to the Government for this Information Collection Request is \$5,158,169.

* Taken from: <http://www.opm.gov/oca/08tables/gs.h.asp>, Cost to Government calculated at hourly wage multiplied by 1.3

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

There is a decrease of 4,038 hours since the last submission. This is a result of a decrease in both the estimated number of respondents and the estimated burden hours. In 2005, this information collection received approval 8,699 burden hours, based on 2,151 respondents. This information collection renewal requests approval for 4,661 burden hours, based on an estimated 737 respondents. This is a decrease of 1,414 respondents and 4,038 burden hours.

As shown on table 4, there is a decreasing trend in the number of mining proposals submitted to the Forest Service. Economic conditions, risk, rate of return of the investment, the timeframe to obtain authorization to conduct operations, and the uncertainty of project approval are more factors that helped attribute to the decline in the number of mineral operations submitted.

The total amount of annual burden hours and associated cost is different from previously approvals due to two fundamental changes:

- Complexity of previously routine operations and
- General cost of living increases.

In the past, many operators were allowed to conduct minor surface disturbing activities without submitting a Plan of Operations or a Notice of Intent. However, the Northwest Plan (President's Plan) now requires Plans of Operations for all locatable mineral operations proposed in Minerals Management 1 areas.

In addition, the ever increasing number of Federally listed threatened and Endangered Species along with the listing of numerous sensitive species by various states has contributed to the complexity of what previously was a routing proposal.

Adding to the complexity of putting together a mineral proposal is that the last administration emphasized the conservation/preservation end of the spectrum,

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which brought about more considerations for withdrawing areas from locatable mineral operations. Many small-scale conservation/preservation organizations and coalitions sprang up overnight, and mineral operations are under a much closer scrutiny than ever before. It is now taking considerably more time to get an operation approved.

Other initiatives, such as the proposed withdrawal of the Siskiyou National forest and the Roadless Rule, will add yet more complexity to the situation. The more complex a mineral proposal becomes, the more time it takes for both the operator and the Forest Service to put together a proposal and complete the analysis and evaluation.

Consequently, it now takes the operator more time to assemble a mining proposal and it takes the Forest Service more time to review and evaluate the mining proposal. This in turn has had the effect of decreasing the number of operations submitted for review and approval, and this is reflected in Table #7 below.

Table #7

INFORMATION COLLECTIONS	YEAR			HOUR BURDEN OF COLLECTION			TOTAL BURDEN HOURS		
	2000	2003	2007	2000	2003	2007	2000	2003	2007
Plan of Operations	793	736	319	8.0	8.0	12.0	6,344	5,888	3,828
Notice of Intent	3,415	1,396	415	2.0	2.0	2.0	6,840	2,792	830
Cessation of Operations	0	19	3	0.5	1.0	1.0	0	19	3
Total Burden							13,184	8,699	4,661

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

There are no plans to publish the results of this information collection.

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.

As in previous renewals, the Forest Service is requesting approval to not display the expiration date on form FS-2800-5.

Displaying the OMB approval expiration date has in the past caused some confusion with many operators and Forest Service personnel, particularly when the expiration date has elapsed and the request for the next information collection cycle has not yet been approved. Operators are reluctant to fill out a form that has expired or will expire in the near future. Many Forest Service employees are confused about that period of time when the expiration date has lapsed and the new information collection is still at OMB waiting approval.

18. Explain each exception to the certification statement identified in item 19, "Certification Requirement for Paperwork Reduction Act."

There are no exceptions to the certification statement identified in item 19 of form 83-I, "Certification Requirement for Paperwork Reduction Act."

B. Collections of Information Employing Statistical Methods

The Forest Service does not employ statistical methods regarding the information collected.