

**March 17, 2009**  
**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**Farm Service Agency (FSA)**  
**OMB Number 0560-NEW**  
**2008 Aquaculture Grant Program – Recovery Act**

- 1. Explain the circumstances making 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.**

Section 102(d) of the American Recovery and Reinvestment Act of 2009 (Recovery Act) authorizes \$50 million for a 2008 Aquaculture Grant Program (AGP). Farm Service Agency (FSA) funds will be used to provide block grants to State Departments of Agriculture that agree to provide assistance to eligible aquaculture producers for losses associated with high feed input costs during the 2008 calendar year. The Recovery Act requires that the grant funding be allocated to the States, on a pro rata basis, based on the amount of aquaculture feed used in each State during the 2007 calendar year; therefore the collection of 2007 feed delivery data is necessary. In addition, grant funding to a State is contingent upon execution of a Memorandum of Understanding (MOU) that requires the States to submit a 2008 AGP Work Plan, in addition to several standard grant forms. Furthermore, the Recovery Act requires the States to complete and submit a 2008 AGP Recovery Act Report. FSA will publish a Notice of funds availability.

- 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.**

**Please Note: The collection of information on the standard grant forms, listed in item 2, will be included in a separate information collection package for all Federal Agencies for grant programs authorized in the Recovery Act.**

A memo will be sent to the State Department of Agriculture from FSA with guidance on information that needs to be submitted before getting any grants for the Aquaculture Program. A draft agreement will be enclosed with the memo to request for comments as a condition for receiving grant funding.

The Recovery Act requires that:

- AGP funding be allocated to the States, on a pro rata basis, based on the amount of aquaculture feed used in each State during the 2007 calendar year; therefore, **2007 feed delivery data** must be collected from each State that participates in the program.
- Not later than 60 days after the date of enactment of the Recovery Act, the State Departments of Agriculture in each State will be notified of availability of funds to assist eligible aquaculture producers, including such terms necessary for the equitable treatment of eligible aquaculture producers. Therefore, a MOU must be executed between CCC and the State. The MOU will provide the grant amount and the AGP provisions that must be followed by the State to ensure

equitable treatment of eligible aquaculture producers. The MOU will require the State to submit to FSA the following:

- **2008 AGP Work Plan (Work Plan)** – A Work Plan must describe how the State will implement the program, including program provisions, payment calculations, loss requirements and the State’s methodology for conducting internal reviews of the program. The collection of this information is required by the Recovery Act.
  - **2007 Feed Delivery Data** must be collected from each State that participates in the program.
  - **2008 AGP Recovery Act Report** – As required by the Recovery Act, not later than 30 days after the date on which the State provides assistance to eligible aquaculture producers, the State must submit to CCC a report that describes:
    - The manner in which the State provided assistance;
    - The amount of assistance provided per species of aquaculture; and
    - The process by which the state determined the levels of assistance to eligible aquaculture producers.
  - Form SF-424B, required by OMB Circular A-102 (see note above.)
  - Form SF-LLL, required by 7 CFR Part 3018 (see note above).
  - Certification regarding Lobbying, required by 7 CFR Part 3018 (see note above).
  - SF-1199A, Direct Deposit Form (see note above).
  - Any additional standard grant reports required by the Recovery Act reporting requirements.
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 State Departments of Agriculture have the options to mail, FAX and/or e-mail to CCC the 2007 feed delivery data, 2008 AGP Work Plan, and/or 2008 AGP Recovery Act Report.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in Item 2 above.**

The 2007 feed delivery data, 2008 AGP Work Plan, and 2008 AGP Recovery Report is a new collection as per the Recovery Act; therefore, no similar form exist. This data is a one time request and will only be used for a short period of time.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of**

**OMB Form 83-I), describe any methods used to minimize burden.**

Collection of this information does not impact any small businesses or other small entities. The report entities are States.

**6. Describe the consequences 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.**

Failure to timely collect 2007 feed delivery data will result in failure to accurately allocate the grant funding to the States as required by the Recovery Act. Failure to collect 2008 AGP Work Plans from the States will result in inequitable treatment of aquaculture producers and noncompliance with requirements of the Recovery Act. Failure to timely collect and maintain 2008 Recovery Act Report will result in noncompliance with Recovery Act Reporting Requirements.

There are no technical obstacles to reducing burden.

**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;

**This is a one-time collection of information that must be submitted by 120 days after the enactment of the Recovery Act (February 17, 2009).**

- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

**The State Departments of Agriculture may be required to respond to the collection of the 2007 feed delivery data in fewer than 30 days after receipt of it in order for CCC to meet the Recovery Act requirement, specific to AGP to notify each State of the availability of funds, including such terms as determined to be necessary for the equitable treatment of eligible aquaculture producers no later than 60 days after the date of enactment of the Recovery Act .**

- requiring respondents to submit more than an original and two copies of any document; **No**
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **No**
- 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; **No**
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; **No**
- 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 **No**
- 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. **No**

- 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.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

This is a new information collection package.

We are requesting **EMERGENCY CLEARANCE** because of the Recovery Act requirements. There is not adequate time to solicit public comment. However, there is a plan to publish the emergency request submission and 60-day Federal Register Notice as soon as possible as required by Recovery Act.

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

No payments or gifts are provided to respondents.

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

All information collected is treated as confidential. Agency policy prohibits the giving out of individual information. This information is handled according to the Privacy Act and Freedom of Information Act.

- 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.**

No questions of a sensitive or personal nature are collected. All collections of information are required for compliance with Recovery Act requirements.

- 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.**

USDA estimates that approximately 30 State Departments of Agriculture will participate in the grant program. This estimate is based on aquaculture data provided by the National Agricultural Statistics Service.

This is a one-time collection of data that only runs through September 17, 2009.

See the FSA-85-1, Reporting and Recordkeeping Requirements.

Providing the 2007 feed delivery data is estimated to take **30** minutes per response. Some State Departments of Agriculture have aquaculture departments that have this data readily available. However, some State Departments of Agriculture may need to contact the feed mills in their State to collect the data. The annual burden for providing the information is **15** hours. This was calculated by multiplying the estimated number of responses by the estimated response time ( $30 \times 30 \div 60 = 15$  hours).

Providing the 2008 AGP Work Plan is estimated to take **120** minutes per response. The annual burden for providing the information is **60** hours. This was calculated by multiplying the estimated number of responses by the estimated response time ( $30 \times 120 \div 60 = 60$  hours).

Providing the 2008 AGP Recovery Act Report is estimated to take 45 minutes per response. This report must be provided by species; therefore, some tabulation will be required. The annual burden for providing the information is **22.5** hours. This was calculated by multiplying the estimated number of responses by the estimated response time ( $30 \times 45 \div 60 = 22.5$  hours).

The annual burden for this information collection package is **97.5 hours**. This was calculated by adding the annual burden hours determined for 2007 feed deliveries, 2008 AGP Work Plan, and 2008 AGP Recovery Act Report ( $15 + 60 + 22.5 = 97.5$  hours).

The estimated average hourly wage of Agricultural state employee from Virginia State Human Resource is \$21.79. The estimated cost is \$2125 ( $\$21.79 \times 97.5$ ).

- 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 of its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There is no capital, startup or ongoing operation/maintenance costs associated with this information collection to respondents or record keepers.

- 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.**

There is no annual cost to the Federal government. This collection of information occurs at the State Departments of Agriculture.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.**

This is a request for new information collection.

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

The 2008 AGP Recovery Act Report will be reported by CCC to Congress as required by the Recovery Act. Furthermore, the data provided in the report will be published to a Recovery Act web site as required by the Recovery Act.

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

We are seeking approval to not display the OMB expiration date on the forms associated with this information collection since we are using the forms outside of USDA.

**18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act.”**

USDA is able to certify compliance with all provision under Item 19 of OMB Form 83-1.

**19. How is this information collection related to the Customer County Office? Will this information be part of their one-stop shopping?**

This information collection does not relate to the Customer County Office.