

The Supporting Statement for OMB 0596-0003
GRAZING PERMIT ADMINISTRATION FORMS

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.**

This information collection is required to allow proper administration of the livestock grazing program on National Forest System (NFS) lands. Domestic livestock grazing occurs on approximately 90 million acres of NFS lands. This grazing is subject to authorization and administrative oversight by the Forest Service. The information is required for the issuance and administration of grazing permits, including fee collections, as authorized by the Federal Land Policy and Management Act (FLPMA) of 1976, as amended, 43 U.S.C. 1700 et seq. and USDA regulations at 36 CFR 222, subparts A and C (see enclosures). This information must be collected on an individual basis and similar information is not available from any other source.

- 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?**
 - 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.**
 - c. What will this information be used for - provide ALL uses?**
 - 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?**
 - e. How frequently will the information be collected?**
 - f. Will the information be shared with any other organizations inside or outside USDA or the government?**
 - g. If this is an ongoing collection, how have the collection requirements changed over time?**

The information collected on these forms is used by the Forest Service in administering the grazing program on NFS lands. This request covers 7 Forest Service nation-wide level forms. Each of these forms is designed to address a unique management circumstance. The forms will be completed by new applicants requesting grazing use, by existing permit holders (permittees) requesting a specific program administration action, or by prior permit holders requesting a new permit. These forms will be obtained from agency offices in person or by mail and will be completed in situations of both face to face settings with agency personnel as well as the applicant completing the forms alone. Frequency of use for each form would be annually or less, unless more frequent application was desired by the

respondent.

FS-2200-1: Refund, Credit, or Transfer Application. This form collects information provided by grazing permittees when requesting a refund, credit, or transfer of any unused portion of previously paid grazing fees. The agency uses the information to determine the appropriate response to the permittee's request as well as determine the amount of refund, credit, or transfer of the grazing fee. Authority for the request of this information is 5 U.S.C. 301, 36 CFR 222.50(i).

FS-2200-2: Application for Temporary Grazing or Livestock Use Permit;

FS-2200-16: Application for Term Grazing Permit; and

FS-2200-17: Application for Term Private Land Grazing Permit. These forms are similar in that much of the same information is requested but each form is specifically designed for a different type of grazing permit as authorized in 5 U.S.C. 301, 36 CFR 222.3(c). Use of a specific form is based on the type of permit being requested. The appropriate forms are completed by the applicant. Information from the completed forms is used to determine qualifications and eligibility of an applicant for a permit, to issue the appropriate permit, and to bill the permittee for grazing fees.

FS-2200-12: Waiver of Term Grazing Permit. This form is completed when a permittee waives his/her grazing privileges back to the United States and also identifies the purchaser of the permitted livestock and/or base property associated with the permit. The Forest Service uses this information to cancel an existing grazing permit, to identify the preferred permit applicant based on the purchase of permitted livestock and/or base property, and to issue subsequent grazing permit. This information is requested under the authority of 5 U.S.C. 301, 36 CFR 222.3(c)(1)(vi)(F).

FS-2200-13: Escrow Waiver of Term Grazing Permit Privileges. This form is completed when a permittee requests the use of permitted livestock or base property associated with a grazing permit as collateral security for a loan. The agency uses this information to identify a lien holder so that in the event of default on the loan, the grazing permit can be transferred to the lien holder. Escrow waiver provisions and procedures are acknowledged in the February 10, 1938 Memorandum of Understanding between the Department of Agriculture and the Farm Credit Administration and subsequent December 21, 1990 Memorandum of Understanding between the Forest Service and the Farm Credit Banks. Authority for requesting this information is 5 U.S.C. 301, 36 CFR 222.3(c)(1)(vi)(F).

FS-2200-25: Ownership Statement by Corporation or Partnership. This information is provided by the permittee and used by the Forest Service to identify the corporate or partnership interest in a grazing permit. This information allows the Forest Service to issue grazing permits in consideration of the permittee's corporate and partnership interests. Authority for this information request is 5 U.S.C. 301, 36 CFR 222.3(c).

- 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.**

Information technology applications are available for this information collection. The forms are available electronically to agency personnel, which decreases burden hours required from the public to provide required information dependent on availability to interact directly with Forest Service personnel.

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 other Forest Service information collection system that provides this information. The Forest Service and Bureau of Land Management (BLM) collect similar information in the administration of their grazing programs. However, a limited number of grazing permittees hold a Forest Service grazing permit and BLM grazing lease. The agencies have reviewed these forms in consideration of opportunities to reduce duplication.

5. If the collection of information impacts small businesses or other small entities¹, describe any methods used to minimize burden.

This collection of information is required from small entities such as small farms, ranches, and commercial recreation operators who wish to graze livestock on NFS lands. The information is requested infrequently, such as when there is a new applicant, following the expiration of existing grazing permits, or when a particular administrative action is requested by the permittee.

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.

Frequency is already minimal and could not be reduced without elimination of the information collection. Elimination would make it impossible for the Forest Service to administer the grazing program in accordance with statutes and regulations. It is essential that the agency have the requested information to determine the applicant's qualifications for the permit, to ensure a permittee's compliance with applicable laws and regulations, and for other administrative actions within the grazing program.

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;**

1

- **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.**

There are no 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.**

A notice of request for comments for this information system was published in the Federal Register on November 28, 2008, Vol. 73, No. 230, pages 72442-72443. Forest Service field units (Regional and Forest range program managers) which routinely use these forms were consulted for any comments received from applicants and users of these forms. No comments were received on the content of these forms or the current information collection process. In addition, the following livestock industry organizations were contacted about the grazing permit administration forms and request for comments.

National Cattlemen's Beef Association/Public Lands Council
1301 Pennsylvania Ave. NW
Suite 300
Washington DC 20004
202-347-0228

American Sheep Industry Association
9785 Maroon Circle
Suite 360
Centennial, CO 80112
303 971-3580

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

Payments or gifts will not be made to respondents of this information collection.

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

The information collected is not considered confidential. Information provided by applicants

is on a voluntary basis and is so indicated on the forms.

- 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.**

Information of a sensitive nature is not requested. Any information that is requested concerning financial circumstances, livestock ownership, or agricultural production and utilization is necessary for the Forest Service to determine respondent's eligibility for a grazing permit.

- 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.**

The following summary provides respondent time burden and cost estimates for the entire information collection (all 7 forms) as well as estimates for each separate form being processed for this information collection. Time estimates are based on observations of past use of these forms at field offices and reflect agency-wide use. Cost estimates consider an average hourly income (\$20.00/hour) for respondents agency-wide.

Entire grazing permit administration information collection system:

Number of respondents: 5,400 annually, each with one response
Frequency: once per year
Annual time burden: 10 - 30 minutes per response
Total time for all respondents: 2,045 hours
Annual respondent cost: \$40,800

Collection data by separate form:

Form FS-2200-1: Refund, Credit or Transfer Application.

Number of respondents: 750 annually
Frequency: once per year
Annual time burden: 20 minutes per response
Total time for all respondents: 250 hours
Annual respondent cost: \$5,000

Form FS_2200-2: Application for Temporary Grazing or Livestock Use Permit.

Number of respondents: 1,500 annually
Frequency: once per year
Annual time burden: 20 minutes per response
Total time for all respondents: 500 hours
Annual respondent cost: \$10,000

Form FS-2200-12: Waiver of Term Grazing Permit Privileges.

Number of respondents: 600 annually

Frequency: once per year

Annual time burden: 30 minutes per response

Total time for all respondents: 300 hours

Annual respondent cost: \$6,000

Form FS-2200-13: Escrow Waiver of Term Grazing Permit Privileges.

Number of respondents: 150 annually

Frequency: once per year

Annual time burden: 20 minutes per response

Total time for all respondents: 50 hours

Annual respondent cost: \$1,000

Form FS-2200-16: Application for Term Grazing Permit.

Number of respondents: 1,600 annually

Frequency: once per year

Annual time burden: 30 minutes per response

Total time for all respondents: 800 hours

Annual respondent cost: \$16,000

Form FS-2200-17: Application for Term Private Land Grazing Permit.

Number of respondents: 100 annually

Frequency: once per year

Annual time burden: 20 minutes per response

Total time for all respondents: 33 hours

Annual respondent cost: \$600

Form FS-2200-25: Ownership Statement by Corporation or Partnership.

Number of respondents: 700 annually

Frequency: once per year

Annual time burden: 10 minutes per response

Total time for all respondents: 112 hours

Annual respondent cost: \$2,200

- 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.**

Collection of this information from respondents requires no specialized process or equipment. Therefore, no additional expenses to those listed in Item 12 above will be incurred.

- 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.

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

Total cost to the Federal government for this information collection system is estimated to be \$56,970 annually. This system will annually generate an estimated 5,400 completed forms agency-wide. Costs considered include individual form printing, processing, filing, overhead, and storage, which are estimated to be \$.55/form. Due to the similar processing requirements for each form, an average time burden was used which allowed 30 minutes per form. Forest Service personnel involved in the processing and filing of each form would have an average cost of \$20.00/hour.

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 135 hours due to a reduction in the total number of respondents from 5,720 to 5,400. The reduction in number of respondents is due to a reduction in the average number of grazing permit transactions handled annually over the last three years.

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

This information collection is not planned for use in a publication.

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.

There is no request being made to not display an expiration date.

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

No exceptions are noted. However, the use of statistical survey methodology as indicated in item (i) is not planned. Individual responses are necessary to determine individual respondent eligibility and status.