

**Supporting Statement A for  
Paperwork Reduction Act Submission**

**OMB Control Number 1024-0026**

**Special Park Use Applications  
10-930, 10-931, and 10-932  
Portions of 36 CFR 1-7, 13, 20, 34  
March 11, 2010**

Terms of Clearance: OMB approved this information collection on March 8, 2007 with the following terms of clearance: None

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

*General Discussion*

The legislative mandate of the National Park Service (NPS), found at 16 U.S.C. 1, is to preserve America's natural wonders unimpaired for future generations, while also making them available for the enjoyment of the visitor. Meeting this mandate requires the NPS to balance preservation with use. Maintaining a good balance requires both information and limits.

The information requested will allow the park manager to evaluate requests for a special park use permit. A special park use is an activity that takes place on park land or waters and meets the following criteria:

- Provides a benefit to an individual, group, or organization, rather than the public at large,
- Requires written authorization and some degree of NPS management to protect park resources and the public interest,
- Is not prohibited by law or regulation,
- Is not initiated, sponsored, or conducted by the NPS,
- Is not managed under a concession contract, and
- Is not managed through a lease.

*Legal Authorities governing special park uses.*

*16 U.S.C. 1 The Organic Act*

"The Service thus established shall . . . conserve the scenery and the natural and historic objects and wildlife there-in . . . in such manner and by such means and as will leave them unimpaired for the enjoyment of future generations." [emphasis added]

*16 U.S.C. 1a General Authorities Act of 1970 as amended*

". . . The authorization of activities shall be construed and the protection, management and administration of these areas shall be conducted in light of the high public value and integrity of

the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established . . . “

*16 U.S.C. 3 Rules and Regulations of National Parks*

“The Secretary of the Interior shall make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments and reservations under the jurisdiction of the National Park Service . . . “

*16 U.S.C. 3a Recovery of Cost Associated with Special Use Permits*

“Notwithstanding any other provision of law, the National Park Service may ... recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time.”

*16 U.S.C. 460l-6d Recovery of Costs Associated with Commercial Filming and Still Photography Permits*

“The Secretary of the Interior ... shall require a permit and shall establish a reasonable fee for commercial filming activities ... on Federal lands ... (and) shall also collect any costs incurred...”

*Regulations resulting in information collection*

36 CFR 1.6 Permits

36 CFR 2.5 Collection permits for Scientific research specimens

Included under this collection are the following sections of Part 7 of 36 CFR which provide specific requirements for this activity in the listed parks:

- 7.36 Permit for remote exploration of cave at Mammoth Cave NP
- 7.39 Permit for remote exploration of cliff dwelling at Mesa Verde NP
- 7.47 Permit for remote exploration of cave at Carlsbad Caverns

36 CFR 2.10 Camping and Food Storage

36 CFR 2.12 Operation of power saw or power motor

36 CFR 2.17 Permit for delivery of persons by aircraft.

Included under this collection are the following sections of Part 7 of 36 CFR which provide specific requirements for this activity in the listed parks:

- 7.12(a)(4) Gulf Islands NS
- 7.15(b) Shenandoah NP
- 7.16(c) Yosemite NP
- 7.57(d) Lake Meredith NRA
- 7.71(f) Delaware Water Gap
- 7.80(a) Sleeping Bear Dunes NL
- 7.81(a) Point Reyes NS
- 7.88(b) Indiana Dunes NL
- 7.97(b) Golden Gate NRA
- 7.100(c) Appalachian National Scenic Trail

36 CFR 2.37 Permit for Noncommercial Solicitation

36 CFR 2.38 Permit to possess or use explosives.

36 CFR 2.50 Permit to conduct special events.

36 CFR 2.51 Permit to conduct public assemblies and meetings.

36 CFR 2.52 Permit for sale or distribution of printed matter.

36 CFR 2.60 Permit to graze livestock.

Included under this collection are the following sections of Part 7 of 36 CFR that provide specific requirements for this activity in the listed parks.

7.22(c) Grand Teton NP

7.63(b) Dinosaur NM

7.85(f) Big Thicket NP

36 CFR 2.61 Permit to reside on park areas.

Included under this collection are the following sections of 36 CFR which provide specific requirements for this activity in the listed parks:

13.17 Alaska parks

20.2 Isle Royal NP

36 CFR 2.62 Permit for installation of a memorial, tablet etc.

36 CFR 3.3 Permit for use of a vessel in otherwise closed areas.

Included under this collection is the following section of Part 7 of 36 CFR which provides specific requirements for this activity in the listed parks:

7.13 Yellowstone NP

36 CFR 4.10 Permit for operating a motor vehicle off established roadways.

Included under this collection are the following sections of Part 7 of 36 CFR which provide specific requirements for this activity in the listed parks:

7.12(b) Gulf Islands NS

7.20(a) Fire Island NS

7.29 (b) Gateway NRA

7.65(b) Assateague Island NS

7.67(a) Cape Code NS

36 CFR 4.11 Permit for overweight or overwidth vehicle.

36 CFR 5.1 Permit for commercial advertisements.

36 CFR 5.2 Permit for sale of alcoholic beverages.

36 CFR 5.5 Permit to engage in commercial photography.

36 CFR 5.6 Permit for commercial vehicles in parks.

Included under this collection are the following sections of Part 7 of 36 CFR which provide specific requirements for this activity in the listed parks.

7.7(b) Rocky Mountain NP

7.13 (a) Yellowstone NP

7.16(m) Yosemite NP

7.23 Badlands NP

36 CFR 5.7 Permit to construct facilities.

Included under this collection are the following sections of Part 7 of 36 CFR which provide specific requirements for this activity in the listed parks and the forms specified in the individual sections:

7.8(d) Sequoia and Kings Canyon NPS

7.26(a) Death Valley NP

7.28(e) Olympic NP

36 CFR 7.83 SCUBA diving in Ozark National Scenic Riverways.

36 CFR 7.85 (c) Hunting and Trapping Permits

36 CFR 7.96 Special Regulations for the National Capital Region

36 CFR 7.97(a) Private Boat Landing at Alcatraz

36 CFR 13.21 Permit for commercial fishing in Alaska parks.

36 CFR 13.65 Permit for boats in Glacier Bay NP.

43 CFR 5.1 Making Pictures, Television Productions or Sound Tracks on Certain Areas Under the Jurisdiction of the Department of the Interior

**2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.**

The information is collected from respondents using Form 10-930, 10-931, or 10-932 (Application for Special Use Permit [General], Application for Photography/Filming Permit [Short], and Application for Photography/Filming Permit [Long]). Each form is customized for each unit of the National Park system by the addition of the park's name, address and the amount of the application fee. The likely respondents to this information collection are individuals; nonprofit organizations; commercial entities, such as commercial filming companies; and State, local, and tribal governments.

Much of the information required is logistical, technical or professional in nature. Many 10-930 applications for special park uses are submitted by individuals or representatives for private sector organizations for small events, such as races, family gatherings and weddings, usually numbering less than 100 people, though other larger events numbering in the thousands are also requested. Applications for other activities, such as grazing or agricultural use, or vehicle access, may be submitted by individuals or the private sector.

Applications from Federal, State or local governments are generally for the use of park lands. Commercial filming applications are generally submitted by a location manager or representatives working for the commercial filming company. The size and scope of most filming in the National Park Service involves filming crews of less than 20 people, though permits involving crews of over 150 people are approved occasionally, generally less than 10 times a year. The amount of information submitted and the amount of time required to complete the application increases with the complexity of the proposed activity. A still photography permit is required when the activity is using models, sets or props, entering an area closed to the general public or requires management on the part of the NPS. Applications for still photography may be submitted by individuals and the private sector.

Special park uses covers a wide range of activities including, but not limited to, special events, First Amendment activities, grazing and agricultural use, commercial filming, still photography, construction and vehicle access. Permits are issued for varying amounts of time based on the requested use. A new application must be submitted in order to request the renewal of an existing permit.

Applicants are instructed to submit one of the forms to request the use of park lands. Most applications are submitted in a paper format, either through the mail, e-mail attachment or fax. Forms are available on some park web sites, and a new Director's Order issued in February 2010 suggests that all parks post the applications on their park web site. Currently some parks also accept electronic payment of cost recovery charges and fees.

Park managers use the information to determine if the requested use is consistent with the laws and NPS regulations referenced above and with the public interest. The park manager must also determine, based on the information received, that the requested activity will not cause unacceptable impacts to park resources and values. The information collected is not disseminated in any form to the general public.

<b>Form 10-930 ( Special Use Permit) We ask for ...</b>	<b>So that we can ...</b>
Name of applicant, organization, address, phone number, fax number, and e-mail address	Contact the applicant during the application process or after issuing a permit.
Social Security or tax identification number	Process payment of fee and charges in accordance with the Debt Reduction Act.
Description of the proposed activity	Determine if an activity is legally authorized and whether the activity would cause unacceptable impacts to park resources and values.
Requested location	Determine if the area is available, and if the proposed activity is appropriate for that area.
Requested dates and times of the proposed activity	Determine if the area is available, and if the proposed activity is appropriate for that area.
Maximum number of participants and vehicles	Determine if the area is appropriate for the

	activity and plan park staff to manage the activity.
List of support equipment	Determine is the area can support the equipment associated with the planned activity.
List of support personnel (i.e. contractors) and contact information	Determine if the area can accommodate the activity and we can contact personnel about services they are providing, schedules of arrival and departure, any damage that might occur during the activity.
Contact information of the individual in charge of the permitted activity	Have immediate contact during a permitted activity to the individual charged with making decisions for the permittee.
Signature and Date	The signature certifies that the information given on the application is correct.
The following are Yes/No check off boxes:	
Is this an exercise of First Amendment Rights?	Determine the amount of fees and charges.
Are you familiar with the area...?	Determine whether we need to request an on site visit with the applicant.
Have you obtained a permit from the NPS in the past?	Check the administrative records for past permits to determine the size of past events, staffing levels, and any successes or problems experienced.
Do you plan to advertise or issue a press release...?	Estimate the number of individuals that may attend.
Will you distribute literature?	Advise the applicant that we do not allow commercial advertising or literature and that the activity may require a separate permit.
Is there any reason to believe there will be attempts to disrupt, protest or prevent your event?	Plan for necessary staffing and security messages to facilitate the permitted event while protecting park resources and other visitors.
Do you intend to solicit donations or offer items for sale?	Advise the applicant that additional permits may be necessary.

<b>Forms 10-931 &amp; 10-932 ( Commercial Filming/Still Photography)</b> <b>We ask for ...</b>	<b>So that we can ...</b>
<b>Form 10-932 asks for more extensive information about the proposed activity and is used for larger projects or projects for which we do not know the scope.</b>	
Name of applicant, organization, address, phone number, fax number, and e-mail address	Contact the applicant during the application process or after issuing a permit.
Project name, Location manager. telephone number and cell phone number	Contact the local representative for the applicant during the application process.
Name of producer, photographer, director, caterer and telephone number of set	Have names and contact information for the responsible officials on site if the permit is approved.
Type of project (form 10-932) check of boxes	Start to gauge the size of the activity and its potential for impact on park resources and the

	visitor experience.
Do you intend to utilize talent (form 10-932) including names and description of activity	Gauge the size of the activity and its potential for impact on park resources and the visitor experience. Knowledge of talent helps determine staffing requirements from the NPS.
Summary of activities and scenes	Determine if an activity is legally authorized and whether the activity would cause unacceptable impacts to park resources and values.
Schedule by location including times, type of activity and number of cast and crew	Determine if the area is available, and if the proposed activity is appropriate for that area.
Description of equipment.	Gauge the size of the activity and its potential for impact on park resources and the visitor experience. Also specialized equipment requires special permit terms and conditions and could require special staffing from the NPS.
Proposed road usage (form 10-932)	Evaluate the need for traffic restrictions or road closures.
Vehicle information including numbers and types as well as vehicle make, model and license number.	Determine whether there is adequate parking. Arrange for easy entrance into park for vehicles associated with activity.
Catering information including contact information for on-site manager, food license number and equipment.	Ensure that caterer is licensed to serve food safely, avoiding food borne illnesses. Catering services may require special permit terms and conditions. Contact the on-site catering manager if necessary.
Information on children on set, animals on set, aircraft, special effects, stunts or other hazardous activities and the person and contact information for each activity.	Whether activities require special permit terms and conditions. Requesting information about certification helps ensure that the activity is conducted safely, according to industry standards.
Signature and Date	The signature certifies that the information given on the application is correct.
The following are Yes/No check off boxes:	
Are you familiar with the area...?	Determine whether we need to request an on site visit with the applicant.
Have you obtained a permit from the NPS in the past?	So we may check the administrative records for past permits to determine the size of past events, staffing levels, and any successes or problems experienced.
Do you plan to advertise or issue a press release...?	Estimate the number of individuals that may attend and try to determine whether members of the public may come to the park to watch the permitted activity.

**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 [and specifically how this collection meets GPEA requirements].**

Currently most special park use applications are submitted to the park as a paper format by either submitting the form in person, by post, or by fax. Forms may also be submitted as an e-mail attachment. Parks are moving towards putting both Word format and PDF files of the application on their web sites and encouraging applicants to submit the form electronically, most often as an attached file to an e-mail. The NPS is in the process of expanding the number of parks that make their applications available on the park's web site.

**4. Describe efforts to identify duplication.**

The information requested is not otherwise available in the NPS.

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

The NPS requires information to evaluate the potential impact of the proposed activity on park resources and values. Applications are received from the private sector, particularly for commercial filming. The NPS has developed two information collections for commercial filming, allowing the NPS to collect the minimum information necessary for NPS to make a decision. All forms request basic information, but encourage the applicant to include additional information pertinent to their request for particularly large, complicated, or unusual requests.

**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.**

The NPS legislative mandate is to preserve America's natural wonders unimpaired for future generations, while also making them available for the enjoyment of the visitor. Our latest direction from Congress, expressed in Public Law 106-206 (June 2000) for commercial filming, specifically directs the Secretary to "not permit any filming, still photography or other related activity if the Secretary determines...there is a likelihood of resource damage; there would be an unreasonable disruption of the public's use and enjoyment of the site; or that the activity poses health or safety risks to the public". The information collected provides the park manager with information necessary to evaluate the potential for resource damage or other negative impacts to park operations or visitors and allows the park manager to make an informed decision. Without the information collection that decision would not be possible.

**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 secrets, 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 for this information collection.

8. Provide 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.

**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. [Please list the names, titles, addresses, and phone numbers of persons contacted.]**

A notice was published in the Federal Register (74 FR 57188-57189, Nov. 4, 2009) requesting comments on the three applications used for the special park uses program. The comment period ended on January 4, 2010. The NPS received no comments in response to the *Federal Register* notice.

The National Park Service Special Park Uses Program Manager contacted the special park uses program coordinators at the following parks Independence National Historical Park, Joshua Tree National Park, Jefferson National Expansion Memorial and Delaware Water Gap National Recreation Area. Each coordinator was asked to contact previous permit holders and request the following information:

- whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- the accuracy of our estimate of the burden for this collection of information;
- ways to enhance the quality, utility, and clarity of the information to be collected; and
- ways to minimize the burden of the collection of information on respondents.

Only one substantive comment was received from:

Ms Hannah Allison  
Greenpeace  
2911 McNair Avenue  
St. Louis, MO

Ms Allison felt that the information requested was relevant to the application process and the estimate of time necessary to complete the form was accurate. Ms. Allison did state that a downloadable form that an individual could upload from a link on the website which could be completed online might help minimize the burden of collection.

We agree with the comment and will work towards creating and posting on individual park websites an on-line version of the approved forms to help streamline the collection of information.

Director's Order #53, issued in February 2010 suggests that all parks post copies of the applications on their website.

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

No payments or gifts will be given to respondents.

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

We do not provide any assurance of confidentiality. Under direction of the Treasury Department, the NPS collects social security numbers and/or tax identification numbers. To accomplish this, the information is collected on the face of the forms listed in item 3. Should one or more of the forms be requested under FOIA or some other legal requirement of disclosure, the request would require redaction of the sensitive information prior to release. Park managers are directed in Reference Manual 53 (Chapter 5, page C5-4) (<http://www.nps.gov/policy/DOrders/RM53.pdf>) to maintain lockable metal file cabinets or unlocked cabinets in secured rooms or buildings in either United States government owned or leased facilities in order to protect sensitive information.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No sensitive questions are asked.

**12. Provide estimates of the hour burden of the collection of information.**

The following is a breakdown by form on the total number of respondents per year, time per application to complete, and total hours annually.

	<i>Collection type</i>	<i>No. per year</i>	<i>time per application per hour</i>	<i>Total Hours annually</i>
<b>Form 10-930</b>	Special Use Permit Application Individual	14,250	0.75	10,688
	Special Use Permit Application Private Sector	600	0.75	450
	Special Use Permit Application Government	350	0.75	263
<b>Form 10-931</b>	Commercial Filming/Still Photography, short form, Individual	300	0.5	150
	Commercial Filming/Still Photography, short form, Private Sector	1,700	0.5	850
<b>Form 10-932</b>	Commercial Filming/Still Photography, long form, private sector	200	0.75	150
	<b>TOTALS</b>	17,400		12,551

The following wages obtained from the Bureau of Labor Statistics <http://www.bls.gov/news.release/ecec.t01.htm> were used to calculate the cost of the burden hours for Private and Individual respondents. For state/local/tribal governments, following wages obtained from the Bureau of Labor Statistics <http://www.bls.gov/news.release/ecec.t04.htm> were used. To account for benefits, we multiplied the rate for individuals/households and private sector by 1.4, and multiplied the rate for the State/local/tribal governments by 1.5. We calculated the benefits in accordance with BLS news release USDL 09-1501, <http://www.bls.gov/news.release/pdf/ecec.pdf>.

	Private/ Individual	Government
Salary	\$20.49	\$26.11
Total with Benefits	\$28.69	\$39.17

Form	Respondent hours times rate per hour	Total
Form 10-930	1. 10,688 x \$28.69 = \$306,639 (individual) 2. 450 x \$28.69 = \$12,911 (private) 3. 263 x \$39.17 = \$10,302 (government)	\$329,852
Form 10-931	4. 150 x \$28.69 = \$4,304 (individual) 5. 850 x \$28.69 = \$24,387 (private)	\$28,691
Form 10-932	6. 150 x \$28.69 = \$4,304 (private)	\$4,304
Total		\$362,847

**13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.**

While an application fee of between \$50.00 and \$200 is submitted with most applications to recover the cost of processing the application (16 U.S.C. 3a), we estimate the average fee per application is \$100. Therefore, we estimate that the annual nonhour cost burden associated with this information collection is \$1,740,000. (\$100.00 x 17,400)

**14. Provide estimates of annualized costs to the Federal Government. \$1,217,652.00**

The grade of employees who work with this information collection varies widely. Initial submission may be made to a lower graded employee, while consideration of, and decisions based upon, the information is often performed at a higher level. The amount of time necessary for the NPS to process a request for a special park use permit varies widely, from less than an hour for small routine events (such as a picnic) or a still photography permit to several hours for a request for an

agricultural permit or a moderate sized commercial filming request. If National Environmental Policy Act (NEPA) and National Historic Preservation Act compliance need to be completed for the request the amount of time increases by many hours. The majority of special park use permit requests submitted for considerations qualify for a categorical exclusion or a programmatic environmental assessment under NEPA and requires little or no additional compliance. An average of 2 hours per application was used to determine the cost to the government of processing the permit request based on the following salary breakdown:

Position	Grade	Hourly pay rate (\$/hr est.)***	Hourly rate including benefits (1.5 x hourly rate)	Time spent on collection	Weighted average
Clerical	GS 5 step 3	\$14.02	\$21.03	10 minutes	\$3.51
Park Ranger	GS 9 step 3	\$21.24	\$31.86	1 hour 20 minutes	\$42.48
Supv. Park Ranger	GS 11 Step 1	\$24.10	\$36.15	20 minutes	\$12.05
Park Superintendent	GS 15 step 1	\$47.74	\$71.61	10 minutes	\$11.94
Total cost				<b>Total cost</b>	\$69.98

[17,400 applications x \$69.98 = \$1,217,652.00]

\*\*\*[http://www.opm.gov/oca/10tables/pdf/gs\\_h.pdf](http://www.opm.gov/oca/10tables/pdf/gs_h.pdf) is the source for the hourly pay.

### 15. Explain the reasons for any program changes or adjustments.

We are estimating 17,400 responses and 12,551 annual burden hours for this information collection. This is a decrease of 1,200 responses and an increase of 1,401 burden hours. We made adjustments to our estimates, based on our experience in administering the information collection and our outreach. We:

- Decreased the number of applications received in several categories, including special events, commercial filming and vehicle access.
- Revised completion times for forms 10-930 and 10-932.

In addition, we increased our estimate of the nonhour burden costs from \$930,000 to \$1,740,000. This adjustment is an attempt to more accurately portray the application fees associated with this collection.

(NOTE: All of the above changes are adjustments. In ROCIS, some of the changes are depicted as program changes. We restructured the IC's to accurately reflect the collection. When unnecessary IC's were deleted, ROCIS indicates a program change. However, the burden is reflected in the remaining IC's and is therefore an adjustment.)

### 16. For collections of information whose results will be published, outline plans for tabulation and publication.

NPS may use some of the data from the various applications to assist in measuring resource impact as a function of use. It is important to document how often a specific location is used for a

special park use, i.e. a concert or festival, the length of the event, the amount of equipment and the number of participants to gauge the impact on park resources caused by this permitted activities. This data may then be used while creating management plans for park areas, such as setting visitor use limits. These plans are created through a process that encourages civic engagement and public involvement. However, no large-scale publication of the data is anticipated and no information specific to individual users will be published.

**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.**

The OMB control number and expiration date will be displayed on the forms.

**18. Certification.**

There are no exceptions to the certification statement.