

Supporting Statement A for Paperwork Reduction Act Submission

OMB Control Number 1024-0048

Urban Park and Recovery Program Conversion of Use Provisions

36 CFR 72

July 30, 2010

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

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

The Urban Park and Recreation Recovery (UPARR) Act (16 U.S.C. 2501 et seq.) was passed as Title X of the National Parks and Recreation Act of 1978. The UPARR Act authorized the Secretary of the Interior to establish a grant program to help physically and economically distressed urban areas improve recreation opportunities for their residents.

The UPARR program is administered by the National Park Service (we, NPS) in accordance with regulations at 36 CFR 72. These regulations (1) explain the policies to be followed for awarding grants; (2) list the requirements and criteria to be met for each type of grant and discretionary eligibility; (3) discuss fundable uses and limitations; (4) explain how proposals will be selected and funding; and (5) describe the application process and administrative procedures for awarding grants. The three types of grants available under the program are:

- Rehabilitation - renovate or redesign existing close-to-home recreation facilities.
- Innovation - specific activities that either increase recreation programs or improve the efficiency of the local government to operating existing programs.
- Planning - development of a Recovery Action Program plan.

In accordance with Section 1010 of the UPARR Act and as codified in 36 CFR 72.72, no property improved or developed with UPARR assistance can be converted to other than public recreation uses without the approval of the NPS. A conversion will only be approved if it is found to be in accord with the current local park and recreation Recovery Action Program and/or equivalent recreation plans and only upon such conditions as deemed necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness

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.

All recipients of funds for renovation and rehabilitation projects are obligated by the terms of the grant agreement to continually maintain the site or facility for public recreation use regardless of the percent of UPARR funds expended relative to the project and the facility as a whole. Grant recipients (urban cities and counties) submit a Conversion of Use Provisions request to the appropriate NPS Regional Office to request approval to convert UPARR-assisted properties to other than public recreation uses. No form is involved in the request; however, the request must be supported by sufficient documentation that:

- All alternatives to the conversion have been evaluated and rejected on a sound basis;
- Required replacement land being offered as a substitute is of reasonably equivalent location and recreational usefulness as the assisted site proposed for conversion; and
- The property for substitution meets the eligibility requirements for UPARR assistance.

Documentation must include maps identifying the assisted sites, the area to be converted, and the proposed replacement property.

We use this information to determine if the requirements of Section 1010 of the UPARR Act would be met if the proposed conversion were implemented.

3. Describe whether, and to what extent, the collection of information 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 decisions 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.].

The Conversion of Use Provisions request may be submitted by hard copy via mail or electronically through email. There are no forms available for this collection.

4. Describe efforts to identify duplication.

There is no duplication of the information because it is project specific to this unique grant program.

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

The collection of information does not impact small businesses or other small entities. All recipients are urban governments which are traditionally cities with populations greater than 50,000.

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 data collection occurs strictly on a project-by-project basis at the request of the recipient/respondent to convert UPARR assisted properties in whole or in part to other than public recreation uses. The NPS is required to collect information to review for the conversion to occur and the information is not available elsewhere.

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

None of the listed circumstances above apply.

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 those 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 name, titles, addresses, and phone numbers of persons contacted.]

A notice announcing the extension of the collection and requesting public comments was published in the Federal Register on April 21, 2010 (75 FR 20857) for a 60-day period. The comment period ended on June 21, 2010. The NPS did not receive any comments in response to the Federal Register notice.

No individuals outside NPS were consulted since there has not been any submittal for this request in the past 3 years. This may be due to the lack of funding of the program since Fiscal Year (FY) 2002. No new grants for the UPARR program have been awarded since that time. It is possible that the program may be funded again in the future.

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

There are no payments or gifts to respondents.

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

There are no assurances of confidentiality provided to respondents.

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

No sensitive questions are asked.

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

We are estimating 1 annual response and 25 burden hours for this collection. NPS estimates that it will take approximately 25 hours for a city or county Local Recreation Grant Officer to complete the UPARR Conversion of Use Provisions request. This includes time to compile data on converted property and replacement land and to comply with the National Environmental Policy Act. Although the UPARR program has not been funded since FY 2002, we could still receive a request for conversion of lands funded with UPARR grants through FY 2002.

We estimate the dollar value of the annual burden hours to be \$1,582 (rounded) (\$63.26 X 25 hours). The mean hourly wage is approximately \$42.17, based on the Bureau of Labor Statistics, Occupational Employment and Wages, May 2008 (<http://www.bls.gov/oes/2008/may/oes111021.htm>). A multiplier of 1.5 was added for benefits for State/local/tribal governments in accordance with BLS news release USDL 10-0774, June 9, 2010 (<http://www.bls.gov/news.release/pdf/ecec.pdf>) resulting in an hourly wage of \$63.26.

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

There are no nonhour costs.

14. Provide estimates of annualized costs to the Federal Government.

The annual cost to the Federal Government is \$589 (rounded) (\$49.10 X 12 hours). The NPS estimates 12 hours for an Outdoor Recreation Planner to review and process each request. The hourly rate for a GS-12/step 5 is \$32.73, based on the Office of Personnel Management Salary Table 2010-GS

(<http://www.opm.gov/oca/10tables/pdf/gsh.pdf>). A multiplier of 1.5 was added for benefits in accordance with BLS news release USDL 10-0774, June 9, 2010 (<http://www.bls.gov/news.release/pdf/eccec.pdf>), resulting in an hourly wage of \$49.10.

15. Explain the reason for any program changes or adjustments.

We are reporting 1 annual response and 25 burden hours for this collection, which is an adjusted decrease of 2 responses and 50 burden hours. While the UPARR program has not been funded since FY 2002, we could still receive Conversion of Use Provisions requests. However, we did not receive any requests during the last renewal period.

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

We do not publish this information.

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.

We will display the OMB control number and expiration date on appropriate materials.

18. Certification

There are no exceptions to the certification statement.