

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Supporting Statement
Emergency Conservation Program and Certain Related Programs (7 CFR Part 701)
OMB Number 0560-0082

This is a request to obtain OMB clearance on a revision of a currently approved information collection.

Justification

1. Circumstances Making Collection of Information Necessary.

The Farm Service Agency (FSA), in cooperation with the Natural Resources Conservation Service (NRCS), the Forest Service (FS), and other agencies and organizations, provides eligible producers and landowners cost-share incentives and technical assistance through several conservation and environmental programs to help farmers, ranchers, and other eligible landowners and operators conserve soil, improve water quality, develop forests, and rehabilitate farmland severely damaged by natural disasters.

The Emergency Conservation Program (ECP), authorized by the Agricultural Credit Act of 1978 (16 U.S.C. 2201-2205), provides emergency funds for sharing with agricultural producers the cost of rehabilitating farmland damaged by natural disaster, and for carrying out emergency water conservation measures during periods of severe drought. Financial assistance for ECP measures may be made available in any State or area which has experienced a natural disaster of such magnitude that emergency measures, as determined by the local FSA county committee are required.

2. How and by Whom, and for What Purposes is This Information Used.

Form AD-245 is used to request assistance and certify completion to receive cost-share payments for the CRP and ECP. The FSA county committee receives the information collected on the AD-245 to determine if the person, land, and practices are eligible for participation in the respective program and to receive cost-share assistance. The AD-245 is also used by the FSA county committee to document actions taken on eligible requests which fall within the established goals and priorities identified by the FSA county committee, for addressing the problems in the county within available funds. Eligible participants are required to report performance on the AD-245 and supply or have available certain receipts and/or sales documents to substantiate the actual cost incurred for performing the work. County FSA offices compute cost-share payments earned by participants based on the information reported by the applicant that is substantiated by the receipts and/or sales documents. Instructions for completing AD-245 are self explanatory but assistance in filling out the form is available at the FSA County Office.

Form FSA-848 and the FSA-848-1 continuation sheet will be used in a similar manner to the AD-245 for accepting cost share requests and will also provide the functionality for completing needs determinations that is currently on the AD-862. This form will be more efficient by collecting this information for multiple farms and tracts and multiple practices all on a single form. This form will also include a disaster identification number that will help automate limits on payments to producers for specific disasters. Additionally, the form will collect information on the type and extent of damage to crops and livestock where practices will be implemented.

Similarly, Form FSA-848A and the FSA-848A-1 continuation sheet will clearly serve as the agreement for cost share assistance rather than including this on the same form as the application.

The FSA-848B and the FSA-848B-1 will collect information for performance certifications and payments that was previously collected on the AD-245 and AD-862. This form will also serve as the participant's agreement to complete an uncompleted practice and no longer require the FSA-18.

FSA-18 is an applicants' agreement to complete an uncompleted practice. The applicant completes the form, using data from the AD-245, page 2, to agree in writing to complete a practice. The form is used primarily when an applicant receives a partial payment for an uncompleted practice. This form is not needed in conjunction with the FSA-848 form series.

CCC-901 is required to apply direct attribution for all entities named on FSA-848. If a minor is a participant or member of entity on FSA-848, a CCC-902I is also necessary to collect information to aid in direct attribution of payments. (The CCC-901 and CCC-902I are required for Emergency Conservation Program only so they are not exempted from PRA as indicated in the Paperwork Statement in the form.)

The ACP-153 and ACP-153A will continue to serve as the pooling agreement and pooling agreement worksheet in special circumstances where practices on multiple producers' land are cost-shared under the same agreement.

The 40,000 respondents reflects both the current producers on file with FSA and new producers who are not yet captured in the FSA system, who would be required to complete the form.

The recordkeeping requirements associated with receiving cost-share payments would be maintained as normal business practices, have no burden impact, and have been previously approved under OMB No. 0560-0082.

3. Use of Improved Information Technology

The FSA-18, CCC-901 and CCC902I are available at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home> for the public to electronically submit forms to FSA by following the instructions provided. The ACP-153/153A will be also available at eForm site upon OMB approval.

To help the FSA County Office assist the producer in completing form AD-245, the FSA System 36 has already automated the AD-245, which simplifies the preparation of the form with computer supplied data. FSA has also automated aspects of its conservation programs to aid in the monitoring of funds and to produce monthly administrative status reports.

The new web-based cost share system will have enhanced functionality for calculations and form generation, including the FSA-848, FSA-848A and FSA-848B as well as continuation sheets.

4. Efforts to Identify Duplication.

The information collected on the forms used in the ECP are not duplicated by any other collection methods. The information relates specifically to practices and practice components that are designed specifically to the intentions on the individual programs.

5. Methods to Minimize Burden on Small Business or Other Small Entities.

The information collected does not adversely impact small businesses or other small entities.

6. Consequences if Information Collection Were Less Frequent.

If this information is collected less frequently, FSA will not be able to make eligibility determinations and compute payments in a timely manner.

7. Special Circumstances

1. Requiring respondents to report information to the agency more often than quarterly; **The respondents are not required to report more often than quarterly.**
2. Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; **The respondents are not required to write response to this information collection.**
3. Requiring respondents to submit more than an original and two copies of any document; **The respondents are not required to submit more than an original and two copies of documents. .**
4. Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **The**

respondents are not required to retain records more than three years.

5. 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; **This information collection does not contain any statistical survey.**

6. Requiring the use of a statistical data classification that has not been reviewed and approved by OMB; **This information collection does not contain any statistical survey.**

7. 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 **This information collection does not contain any statistical survey to meet the pledge of confidentiality.**

8. 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. **The respondents are not submitting any proprietary trade secret or other confidential information.**

8. Federal Register Notice, Summarization of Comments, and Consultation with Persons Outside the Agency.

A Federal Register Notice and request for comment was published on August 3, 2010 at 75 FR 45600. No comments were received.

The agency previously contacted the following persons for consultation on the use of all the forms in this collection. The names and addresses of those producers are:

Hollis A. Gilfillian Jr.
P.O. Box 1
Stowell, TX 77661-0001

David Durr
45532 Crow Rd
Halfway, OR

Randy Pendleton
1974 150th St
Red Oak, Iowa 51566 5021

9. Explain Any Decision to Provide Any Payment or Gift to Respondents.

There are no plans to provide any payment or gift to respondents.

10. Confidentiality Provided to Respondents.

ECP requests are handled according to established FSA procedures implementing the Privacy and Freedom of Information Act of 1974, and OMB Circular A-130, Responsibilities for the Maintenance of Records about Individuals by Federal Agencies.

11. Questions of a Sensitive Nature.

No data is collected on these forms that may be considered sensitive or personal in nature.

12. Estimates of Burden.

During the transition from the DOS-Based system that supports the AD-245 to the web-based system that will support the FSA-848 form series which we anticipate 40,000 respondents for program participation. 10,000 of these respondents will complete one AD-245 annually. Each response on the AD-245 will average 15 minutes for a total public burden of 2,500 hours.

30,000 respondents will complete one FSA-848 annually 10,000 of those respondents will also complete one FSA-848-1 (continuation page) annually. Each response on the FSA-848 will average 4 minutes for a total public burden of 2,000 hours. Each response on the FSA-848-1 will average 2 minutes for a total public burden 333 hours.

There will be 10,000 respondents for the CCC-901. Each respondent will complete one CCC-901 annually for a total of 10,000 responses. Each response will average 60 minutes for a total public burden of 10,000 hours.

There will be 500 respondents for the CCC-902I. Each respondent will complete one CCC-902I annually for a total of 500 responses. Each response will average 5 minutes for a total public burden of 42 hours.

30,000 respondents will complete one FSA-848A annually 10,000 of those respondents will also complete one FSA-848A-1 (continuation page) annually. Each response on the FSA-848A will average 3 minutes for a total public burden of 1,500 hours. Each response on the FSA-848A-1 will average 1 minutes for a total public burden 167 hours.

30,000 respondents will complete one FSA-848B annually 10,000 of those respondents will also complete one FSA-848B-1 (continuation page) annually. Each response on the FSA-848B will average 3 minutes for a total public burden of 1,500 hours. Each response on the FSA-848B-1 will average 2 minutes for a total public burden 333 hours. There will be 10,000 respondents for the AD-245B. Each respondent will complete one AD-245B annually for a total of 10,000 responses. Each response will average 2 minutes for a total public burden of 333 hours.

There will be 300 respondents for the FSA-18. Each respondent will complete one Fsa-18 annually for a total of 300 responses. Each response will average 10 minutes for a total public burden of 50 hours.

20 respondents will complete one ACP-153 and ACP-153A annually. Each response on the ACP-153 and ACP-153A will 60 minutes (1 hour) for a total public burden of 20 hours.

There is a burden of travel time for respondents who come into the FSA county office to request cost-share assistance under the ECP. It is estimated that approximately 40,000 of the respondents will have travel time to and from the county office. Each trip is estimated to take 45 minutes for a total public burden hours of 30,000.

Total burden hours are 48,788.

The average hourly rate for the respondents is \$15.50. The respondent's annual cost burden associated with this information collection is \$756,214 (48,788 x \$15.50).

13. Total Annual Cost Burden to Respondents or Record Keepers.

There are no start-up or capital investment costs associated with this information collection.

14. Provide Estimates of Annualized Cost to the Federal Government.

The estimated annualized cost to the Federal Government is

Paper, storage, and dissemination of data: \$11,258.
(160,820 forms times \$.07 per form: AD-245 [10,000] and AD-245B [10,000] and FSA-18 [300] and FSA-901 [10,000] and FSA-902I [500] and FSA-848 [30,000] and FSA-848-1 [10,000] and FSA-848A [30,000] and FSA-848A-1 [10,000] and FSA-848B [30,000] and FSA-848B-1 [10,000] and ACP-153/153A [20])

Program administration:

Average PA salary at GS-5 step 5 (\$31,087 or \$14.90/hr) and GS-7 Step 5 (\$47,838 or \$22.92/hr) = \$39,462 or 18.91/hour.

Average CED salary at GS9 Step 5 (\$47,103 or \$22.57/hr) and GS 11 Step 5 (\$56,991 or \$27.31/hr) = \$52,047 or \$24.94/hour.

Average for County Office = \$21.92

To process an AD-245 through all its steps will take 30 minutes.
10,000 AD-245's times 30 minutes times \$21.92 = \$104,050

To process an FSA-848 takes 4 minutes. 30,000 FSA-848's times 4 minutes times \$21.92 = \$41,620

To process an FSA-848-1 takes 2 minutes. 10,000 FSA-848's times 2 minutes times \$21.92 = \$7,307

To process an FSA-848A takes 3 minute. 30,000 FSA-848's times 3 minutes times \$21.92 = \$32,880

To process an FSA-848A-1 takes 1 minute. 10,000 FSA-848's times 1 minutes times \$21.92 = \$3,653

To process an FSA-848B takes 3 minutes. 30,000 FSA-848's times 3 minutes times \$21.92 = \$32,880

To process an FSA-848B-1 takes 2 minutes. 10,000 FSA-848's times 2 minutes times \$21.92 = \$7,307

To process an FSA-18 takes 10 minutes. 300 FSA-18's times 10 minutes times \$21.92 = \$1096

To process an AD-245B takes 2 minutes. 10,000 AD-245B's times 2 minutes times \$21.92 = \$7,307

To process an ACP-153/153A takes 60 minutes (1 hour). 20 ACP-153/153A's times 1 hour (60 minutes) times \$21.92 = \$438.

To process a CCC-901 takes 60 minutes (1 hour). 10,000 CCC-901's times 60 minutes times \$21.92 = \$219,200

To process a CCC-902I takes 5 minutes. 500 CCC-902I's times 5 minutes times \$21.92 = \$877

ECP Program Manager: GS-14 step 5 salary at \$106,331 per year = \$119,238.

Total estimated annualized cost to the Federal Government=\$596,883.

15. Reasons for Change in Burden

A new AD-245 used to be required for each different tract and practice, requiring a separate signature each time at application and payment for each tract and each practice. Now multiple tracts and practices are consolidated on one form, reducing the physical paper utilized and the number of signatures. For example, previously, if the producer had 10 different tracts of land with 4 different practices, the producer would have to sign 40 forms two different times for a total of 80 signatures. Now, for the same tracts and practices, they sign 1 application, (FSA-848), 1 approval acknowledgement (FSA-848A) and 1 performance/payment form (FSA-848B) for a total of 3 signatures.

The total burden hours will decrease by 18,882 burden hours (67,610 hours minus 48,788 hours). The program change is due to consolidation of multiple tracts and practices on new forms, FSA-848, 848A, and FSA-848B, CCC-901 and CCC-902I and continuation sheets; elimination of use of CCC-526 and FSA-849; and reduction in use of AD-245, AD-245B, and FSA-18.

The total annual responses has increased by 60,040 (150820-90,780) because eligibility forms that have (2008 Farm Bill) exemptions under other FSA programs must be listed for ECP, including the CCC-901 and CCC-902-I. Additionally, producers' acknowledgements (FSA-848A) were added after approval to ensure that the producers are aware of differences between amounts requested and amounts approved.

16. Tabulation, Analysis, and Publication Plans.

The number of applications filed and the number of approvals are not tabulated and published as such. However, at the end of each fiscal year, data are compiled which includes the number of farms and participants, practice accomplishments by units completed, and cost-shares earned. The data is published annually and used by managers responsible for the programs. The publication is also furnished to other agencies and others interested in the programs.

17. Reasons Display of Expiration Data of OMB Approval is Inappropriate.

FSA is seeking approval to not display the expiration because forms ACP-153, AD-245, FSA-18, FSA-848, FSA-848-1, FSA-848A, FSA-848A-1, FSA-848B, and FSA-848B-1 are automated, display of expiration date of OMB approval would require FSA to update the software and the form every 3 years.

18. Exceptions to 83-1 Certification Statement.

The FSA is able to certify compliance with all provisions under Item 19 of OMB Form 83- I.

19. How is This Information Collection Related to the Customer Service Center. Will This Information be Part of Their One-Stop Shopping.

The ECP services are available to farmers through FSA County Offices and USDA Service Centers. Also, the electronic form of FSA-18 is available at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home> to the public. The electronic form of FSA-848, FSA-848-1, FSA-848A, FSA-848A-1, FSA-848B, and FSA-848B-1 will also be available to the public at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>.