

USDA-NRCS
OMB No. 0578-0030
Supporting Statement

7 CFR 624, Emergency Watershed Protection Program, (EWPP)

This document represents a request for a continuance, with change, the information collection requirements of 7 CFR 624, Emergency Watershed Protection Program (EWPP) approved under OMB No. 0578-0030. The Emergency Watershed Protection Program regulations at 7 CFR Part 624 set forth the basic policies, program provisions, and eligibility requirements for sponsors to enter into and carry out short and long-term emergency measures with financial and technical assistance under the Emergency Watershed Protection Program.

The forms in this collection are to accommodate the following program: Emergency Watershed Protection Program.

The current EWPP regulations are as follows:

Program	Regulation	Source	Date
Emergency Watershed Protection Program	7 CFR 624	46 FR 53370	November 17, 1981

These regulations, as published, implemented the provisions for EWPP authorized by the following Public Laws:

Emergency Watershed Protection Program	Sec. 216, P.L. 81-516, P.L. 95-334, as amended	33 U.S.C. 701b-1; Sec. 403; 16 U.S.C. 2203; 5 U.S.C. 301.
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Information Reporting Requirements:

The information reporting requirements and burden related to this information collection package includes reporting requirements associated with the following Application for Damage Survey Report forms:

Form	Description
NRCS-PDM-20	Damage Survey Report (DSR)
NRCS-PDM-20A	Sponsor Request for EWP Assistance

Justification:

1. CIRCUMSTANCES MAKING COLLECTION OF INFORMATION NECESSARY:

NRCS is responsible for the administration of EWP Program. EWP assistance is provided to sponsors to undertake emergency measures for runoff retardation and soil erosion prevention to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural disaster occurrence is causing or has caused a sudden impairment of that watershed.

The sponsor’s request is submitted formally as a letter (NRCS-PDM-20A) to the NRCS State Conservationist for consideration. Form NRCS-PDM-20, Damage Survey Report (DSR), is the agency decision making document that includes the economic, social, and environmental evaluation, as well as the engineer’s cost estimate.

This information collection allows the responsible federal official to make EWP eligibility determinations and provide federal cost-share payments to the sponsor. This request is necessary to implement the EWP Program for which NRCS has statutory authority.

2. HOW MUCH, BY WHOM, AND PURPOSE INFORMATION IS TO BE USED:

The EWP Program utilizes the information request and forms included in this collection as described in the following table.

Program	Description
Emergency Watershed Program (EWP) (7 CFR Part 624)	The EWP was initiated in 1950 and is administered by NRCS. It provides technical and financial assistance to local institutions for the removal of storm and flood debris from stream channels and for the restoration of stream channels and levees to reduce the threat to life and property. The program also provides for establishing permanent easements in floodplains with private landowners.

The information collected is in the form of a sponsor’s EWP request for assistance letter and the Damage Survey Form (DSR). The forms are completed manually and electronically for use by NRCS as follows:

Form	Purpose	Program	Form Description	Who Completes	How Completed	Number Submitted Annually
NRCS-PDM-20A	Sponsor EWP Request for Assistance Letter	EWP	The basic document used by program sponsors to request assistance. Used by NRCS to verify the sponsor’s ability to provide cost-share and other sponsor requirement including obtaining necessary permits and property rights.	Program Sponsor	A sponsor must complete and submit a formal request to the State Conservationist for assistance within 60 days of the natural disaster occurrence, or 60 days from the date when access to the sites becomes available. Requests must include a statement that the sponsors understand their responsibilities and are willing to pay its cost-shared percentage as well as information pertaining to the natural disaster, including the nature, location, and scope of the problems and the assistance needed.	210
NRCS-PDM-20	Program Eligibility	EWP	The Damage Survey Report is the agency decision making document that includes the economic, social, and environmental evaluation, and the engineer’s cost estimate.	Executed by the agency, with concurrence and acceptance (signature) of the sponsor.	Completed by hand or electronically at the location where the watershed impairment exist. NRCS or the program sponsor or vendor could complete the form. Except for signatures for certification statements, any field left blank by the client could be provided by NRCS. NRCS will verify that the practices are eligible for EWP assistance. This form will be available to the public in a fillable format at the following NRCS Web site http://forms.sc.egov.usda.gov/eforms/mainervlet	2,625

Other forms associated with the Emergency Watershed Protection Program, have not been listed here because they are associated with multiple programs and have been collected under the information collection package OMB#0578-0013.

Floodplain Easement forms listed below are associated with the EWP program, however, since they are multi-program forms, they have been collected as part of the Long-Term Agreement (LTC) Information Collection Package OMB #0578-0013. The forms are:

AD-1153-Application, AD-1154-Contract or Agreement,AD-1155-Schedule of Practice/Costs, AD-1155A-Schedule Signature Sheet, AD-1156-Schedule Modification, NRCS-LTP-13-Status/Contract Review, NRCS-LTP-20-Warranty Easement Deed, AD-1157-Option to Purchase Easement, AD-1157A-Option to Purchase Amendment, AD-1158-Subordination Agreement and Limited Lien Waiver, AD-1159-Notice of Intent to Continue, AD-1160-Compatible Use Application, and AD-1161-Application for Payment

Respondents need to identify the following information needed to process any application for program payment: State, County, Disaster Type and Name, Damage Survey Number and Project Number, Environmental, Social, Economic, Engineering, and Extraordinary Circumstances Impacted by the project, Type of Local Contribution, Names of persons, buildings, emergency services impacted, and other information that may be deemed applicable, including any land rights, permits, mitigation agreements, easements, or permissions needed to fully implement the recovery procedures. NRCS employees generally assist the sponsor with completion of the DSR, and other forms, including a review and recommendation to the State Conservationist regarding the viability of the application in context and compliance with the statutory and regulatory authorities.

3. USE OF IMPROVED INFORMATION TECHNOLOGY:

NRCS is actively participating in the Departmental Electronic Forms Initiative, including the Freedom to E-File Initiative. NRCS has automated the NRCS-PDM-20 and the form can be completed electronically, and some States have included the ability for sponsors to sign electronically. The sponsor EWP assistance request letter can be mailed, faxed or received via e-mail.

The following is an estimate of forms to be filed electronically in this collection:

Forms	Total Responses	Percent Filed via Internet/Email or Fax	Total Forms Electronic
DSR	2625	97	2,546
Sponsor request letter	210	97	204
TOTAL	2,835	97	2,750

4. EFFORTS TO IDENTIFY DUPLICATION:

The EWP Program forms listed here for information requirements do not duplicate any other NRCS or USDA forms.

5. METHODS TO MINIMIZE BURDEN OF SMALL BUSINESS ENTITIES:

The collection of information does not involve small businesses and small entities.

6. CONSEQUENCE IF INFORMATION COLLECTION WERE LESS FREQUENT:

The sponsor request letter is a one-time requirement after a natural disaster and the DSR is a one-time form for each site or group of similar sites to determine program eligibility. Without this information, NRCS would not be able to perform its responsibilities in administering the Emergency Watershed Protection program activities.

7. SPECIAL CIRCUMSTANCES:

The information collection and the forms utilized for the EWP Program are not conducted in a manner consistent with the special circumstances identified in this section.

8. FEDERAL REGISTER NOTICE, SUMMARIZATION OF COMMENTS, AND CONSULTATION WITH PERSONS OUTSIDE THE AGENCY:

A notice for information collection was published August 12, 2011 in the Federal Register with a 60-day comment period, (72 FR 222). The general public was provided 60 days in which to comment on the need, accuracy, and clarity of any proposed changes, or the need for consolidation or reduction in the information collection. One comment has been received; however, no action or response was needed.

9. PAYMENT OF GIFTS TO RESPONDENTS:

Emergency Watershed Protection Program payments are only disbursed to participants or third parties who earned the payments by complying with the terms and conditions of the program. Payments are for the construction of EWP recovery measures and not a form of benefit payment.

10. CONFIDENTIALLY PROVIDED TO RESPONDENTS:

These forms are handled according to established NRCS 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 sensitive questions regarding sexual behavior and attitudes, religious beliefs, and other matters which are commonly considered private are asked on the forms.

12. ESTIMATE OF BURDEN AND COST TO RESPONDENTS:

The following table illustrates how the burden estimate for this information collection package was developed.

Form	No. Respondents	Collection Frequency	Total Responses	Minutes per Response	Total Minutes	Total Hours
NRCS-PDM-20 (DSR)	210	12.5	2625	120	315,000	5,250
NRCS-PDM-20A	210	1	210	90	18,900	315

Totals	210	13.5	2,835	210	333,900	5,565

NRCS anticipates the total number of respondents will be 210. Generally, respondents will file one request for assistance under the EWP program using Appendix A to the DSR for each event. Additionally, these forms would be accompanied by any number of the form NRCS-PDM-20, Damage Survey Report (DSR) as each segment or section of the area damaged must be independently surveyed. Therefore, the NRCS estimates include a total of 2,835 responses (210 NRCS-PDM-20A's and 2,625 NRCS-PDM-20) to be executed for a total estimated burden of 5,565 hours, with a burden of 118 minutes or 1.97 hours per respondent.

The burden was estimated based on a projected average of documents to be filed annually, based on the previous levels of activity for the program on an annual basis.

The Secretary has the authority to operate the EWPP until Congress rescinds the law. The number of respondents was averaged from 2008 through 2012.

Total annual cost to the respondents is \$83,474.00. This figure is computed based on 5,565 burden hours times an average hourly wage of \$15.00 per hour.

13. TOTAL CAPITAL AND START-UP COSTS AND TOTAL OPERATION AND MAINTENANCE COSTS.

There will not be any capital, start-up, or operation and maintenance costs.

14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT:

The estimated cost to the Federal Government is \$89,245.00. This amount is estimated as follows:

Cost Item	Total Responses No.	Cost Factor/Form (\$)	Total Cost (\$)
Cost of the Forms	2,835	0.10	\$284.00
Development and Storage	2,835	0.040	\$113.00
Work hour Costs	2,835	31.34	\$88,848.00
Total Costs (rounded)			\$89,245.00

Work hour costs associated with NRCS employees has been estimated to account for employees spending an average of 90 minutes per response, collecting, filing, and processing data on the form. The average hourly wage of an NRCS employee is \$31.34.

15. REASONS FOR CHANGES IN BURDEN:

The number of respondents increased from 190 to 210, the number of responses increased from 2,565 to 2,835 a differences of 270 and the burden hours increased from 5,035 to 5,565

a difference of 530 due to an increase in the number of disaster events taking place and an increase in sponsor's participation in the program.

16. TABULATION, ANALYSIS AND PUBLICATION PLAN:

The information collected on the Damage Survey Report (DSR) and Appendix for the Emergency Watershed Protection Program (EWPP) is for the performance of the Agency's functions in administering the program, and is not to be tabulated or published in any way.

17. REASONS DISPLAY OF EXPIRATION DATE OF OMB APPROVAL IS INAPPROPRIATE:

While the cost of developing, printing, distributing, and storing the forms is estimated to only cost 10 cents per form, any funds expended on this should remain available for use in any future long term contracting opportunities. Therefore, approval to not display the expiration date for OMB approval is requested.

18. EXCEPTIONS TO 83-1 CERTIFICATION STATEMENT:

There are no exceptions to the 83-1 certification statement.

19. HOW IS THIS INFORMATION COLLECTION RELATED TO THE CUSTOMER SERVICE CENTER INITIATIVE? WILL THIS INFORMATION BE PART OF THEIR ONE-STOP SHOPPING OBJECTIVE?

Information will be collected at the local USDA Service Center from each project sponsors and/or individual landowners. This package represents all the information needed to process an application for assistance under the provisions of Section 216, Public Law 516. These forms are included in the Department's Freedom to E-File Initiative. These forms are posted on the USDA Common Service Center Website and are available for use. Current versions are available on the NRCS intranet.

The agency has been carefully considering how to reduce the administrative burden on USDA participants, as well as reductions within the agency and the Department. Consideration has been given to shared data resources, common computing platforms, and simplification of processes mandated by the various programs authorized by Congress through the Department. At the present time, shared databases are being used to obtain common data elements. This form utilizes some of the information that is available in other NRCS programs as well as other agency documents. The forms are also being used to record engineering designs, site plans, etc. of the sponsoring local organization, and thus, information sharing is being utilized, and the DSR has been automated for use by level 2 users on the USDA SharePoint Web site.