

USDA-NRCS

**OMB No. 0578-0013**  
**Supporting Statement**

*7 CFR 630, Long Term Contracting, (LTC)*

This document represents a request for a revision to a currently approved information collection, Long Term Contracting (LTC) approved under OMB No. 0578-0013. The Long Term Contracting regulations at 7 CFR Part 630, and the Conservation Program regulations identified in Table A below set forth the basic policies, program provisions, and eligibility requirements for owners and operators to enter into and carry out long-term conservation program contracts with technical assistance under the various programs. These programs are administered by the Natural Resources Conservation Service (NRCS).

The forms included in this collection are to accommodate the conservation programs identified in Table A below. This supporting statement will identify those programs exempted from the Paperwork Reduction Act of 1995 by the Food, Conservation, and Energy Act of 2008. In addition, it will re-evaluate the burden related to the forms associated with programs without exemption.

**Status of the Rules:**

TABLE A: Identifies the Program and the Associated Regulations in the Current Package

<b>Program</b>	<b>Regulation</b>	<b>Source</b>	<b>Date</b>
Long Term Contracting	7 CFR 630	40 FR 53370	November 18, 1975
Emergency Watershed Protection Program	7 CFR 624	46 FR 56577 70 FR 16926	November 17, 1981 April 4, 2005
Emergency Conservation Program	7 CFR 701	45 FR 49522 69 FR 10302 69 FR 22377 71 FR 30265	July 25, 1980 Mar. 4, 2004 April 26, 2004 May 26, 2006
Agriculture Management Assistance Program	7 CFR 1465	68 FR 17272 74 FR 6459	April 9, 2003 December 8, 2009
Healthy Forest Reserve Program	7 CFR 625	71 FR 28547 75 FR 6539	May 17, 2006 February 10, 2010
Environmental Quality Incentives Program	7 CFR 1466	68 FR 32337 74 FR 25615	May 30, 2003 May 29, 2009
Conservation Security Program	7 CFR 1469 Amendment to Interim Final Rule	70 FR 15201	March 25, 2005
Conservation Stewardship Program	7 CFR 1470	74 FR 37499	July 29, 2009
Wildlife Habitat Incentives Program	7 CFR 636	62 FR 49365 62 FR 48353 74 FR 2786	Sept. 19, 1997 July 24, 2002 January 16, 2009

Wetlands Reserve Program	7 CFR 1467	61 FR 42137 74 FR 2317 74 FR 26281	August 14, 1996 January 15, 2009 June 2, 2009
Farm and Ranch Land Protection Program	7CFR 1491	68 FR 26461 74 FR 1578	May 16, 2003 July 2, 2009
Grassland Reserve Program	7 CFR 1415	71 FR 11139 71 FR 3856	March 6, 2006 January 21, 2009

The regulations listed above implemented the provisions for LTC authorized by the following Public Laws:

<b>Program</b>	<b>Authority</b>	<b>Statute</b>
Long Term Contracting	Public Law 75-430	49 Stat. 1151 (16 U.S.C. 590d
Watershed Prevention & Flood Protection Program	Public Law 83-566	68 Stat. 666 as amended (16 U.S.C. 1001, <i>et seq.</i>
Flood Control Act of 1941	Public Law 78-534	58 Stat. 889 (33 U.S.C. 701b-1)
Conservation Technical Assistance	Section 403, Public Law 95-334; The Soil Conservation and Domestic Allotment Act is amended by the Food, Conservation and Energy Act of 2008 Section 2802 PL 110-246	(16 U.S.C. 2203, 5 U.S.C. 301) 16 U.S. C. 590a <i>et. seq.</i>
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.
Healthy Forests Reserve Program	Public Law 108-148, Title V, Secs. 501-508 Public Law 110-246 , Title VIII Sec. 8205	Title V, Healthy Forests Restoration Act of 2003, 16 U.S.C. 6571-6578.
Conservation Security Program	Subtitle D of title XII of the Food Security Act of 1985 as amended by Public Law 107-171, Title II Subtitle A	Food Security Act of 1985: 16 U.S.C. 3801-3862 as amended by Farm Security and Rural Investment Act of 2002: 7 U.S.C. 7901
Conservation Stewardship Program	Public Law 110-246; Food, Conservation, and Energy Act of 2008 Section 2301	16 U.S.C. 3838d
Environmental Quality Incentives Program (including Agricultural Water Enhancement Program (AWEP) and Chesapeake Bay Watershed Initiative (CBWI))	Food Security Act of 1985, Public Law 99-198, Title XII, as amended by Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127 and the Farm Security and Rural Investment Act of 2002, Public Law 107-171 and Food, Conservation, and Energy Act of 2008, Public Law 110-246 Section 2501	16 U.S.C. 3801 <i>et seq.</i> Food Security Act of 1985 is amended by Food, Conservation and Energy Act of 2008: 16 U.S.C 3839aa .
Wildlife Habitat Incentives Program	Section 2502 of the Farm Security and Rural Investment Act of 2002 (the 2002 Act), Public Law 107-171, repealed the original WHIP statute and amended Title XII of the Food Security Act of 1985 to add a new section 1240N and amended again in the Food Conservation and Energy Act of 2008 PL110-246 Section 2602	16 U.S.C. 3839bb-1 is amended by the Food, Conservation and Energy Act of 2008 Section 2602.

Wetlands Reserve Program	Department of Agriculture Reorganization Act of 1994, Public Law 103-354. Section 1237 of the Food Security Act of 1985 is amended by the Food, Conservation and Energy Act of 2008 Section 2201-2208 PL 110-246	16 U.S.C. 3837 is amended by the Food, Conservation and Energy Act of 2008.
Emergency Conservation Program	Pub. L. 95–334, 92 Stat. 420, 16 U.S.C. 2201–2205; Pub. L. 109–148, Division B, sec. 101; and Pub. L. 110–28, secs. 9003–9004	16 U.S.C. 2201–2205
Agriculture Management Assistance Program	Agricultural Risk Protection Act of 2000, Title I, Section 133 (Public Law 106-224) which amended the Federal Crop Insurance Act (7 U.S.C. 1501 et.seq.) by adding Section 524(b). Section 524(b) was further amended by the Farm Security and Rural Investment Act of 2002 (Farm Bill), Public Law 107-171, May 13, 2002 and further amended by the Food, Conservation and Energy Act of 2008 Section 2801 PL 110-246	7 U.S.C. 1501 et.seq. 7 U.S.C. 1524
Grassland Reserve Program	Section 2401 of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) amended the Food Security Act of 1985 and it was amended again by the Food, Conservation and Energy Act of 2008 Section 2403. PL 110-246	16 U.S.C. 3838 et. seq.
Farm and Ranch Land Protection Program	The Farmland Protection Policy Act of 1981 (Public Law 97-98). The Food Security Act of 1985 is amended by the Food, Conservation, and Energy Act of 2008 Section 2401. PL110-246	16 U.S.C. 3838h–3838i
Resource Conservation and Development Program	The Soil Conservation and Domestic Allotment Act, (16 U.S.C. 590a-590F), the Bankhead-Jones Farm Tenant Act, (16 U.S.C. 1010 and 1011), and the Food and Agriculture Act of 1962, and is authorized under subtitle H, title XV of the Agriculture and Food Act of 1981, (16 U.S.C. 3451-3461), as amended. The Food Security and Rural Investment Act of 2002 permanently authorized the program. Section 1528 of the Agriculture and Food Act of 1981 is amended by the Food, Conservation, and Energy Act of 2008 Section 2805; PL 110-246	16 U.S.C. 590a-590F 16 U.S.C. 1010 and 1011 16 U.S.C. 3451-3461

**Changes to the Information Collections since last submission:**

The existing authority to collect information under the Long Term Contracting regulations is valid until May 31, 2012. This submission removes forms exempted by the Farm Bill as detailed below:

The Food, Conservation, and Energy Act of 2008, Section 2904 provided for the exemption of Conservation Programs under Title II of the Act from Chapter 35 of title 44, U.S. C. (Paperwork Reduction Act). Those programs are as follows:

Agriculture Management Assistance Program  
Agricultural Water Enhancement Program  
Environmental Quality Incentives Program  
Chesapeake Bay Watershed Program  
Conservation Security Program  
Conservation Stewardship Program  
Farm and Ranch Land Protection Program  
Grassland Reserve Program  
Wetlands Reserve Program  
Wildlife Habitat Incentives Program

This supporting statement will identify the reduced burden associated with the exempted status of these programs and their associated forms.

In addition, in an effort toward streamlining, several forms have been consolidated as noted in the list below (i.e. AD-1158 – formerly NRCS-LTP-21, CCC-1256). This will lessen the confusion of having forms with the same name but different form numbers.

**Information Reporting Requirements:**

The information reporting requirements and burden related to this clearance request package includes reporting requirements associated with the following Long Term Contracting items:

TABLE B: Identifies the current forms and provides a brief description

<b>Form</b>	<b>Description</b>
<b>AD-1153</b> (formerly NRCS-LTP-001 and CCC-1250); Note: NRCS-LTP-156 is associated only with the Rural Abandoned Mine Program which is no longer an active program.	Application
<b>AD-1154</b> (Formerly NRCS-LTP-002 and CCC-1251); Note: The NRCS-LTP-150 form is associated only with the Rural Abandoned Mine Program which is no longer an active program.	Long-Term Contract/Agreement for NRCS Financial Assistance Programs
<b>AD-1155</b> (Formerly NRCS-LTP-11, NRCS-LTP-11A, LTP-11B, NRCS-LTP-011E and CCC-1252, 1252A and 1252B)	Conservation Plan and Schedule of Operations
<b>AD-1156</b> (Formerly NRCS-LTP-12 , NRCS-LTP-12E and CCC-1253)	Modification of Conservation Plan and Schedule of Operations
<b>NRCS-LTP-013</b>	Status/Contract Reviews
<b>NRCS-LTP-020; NRCS-CPA-260;</b> (Formerly CCC 1255)	Warranty Easement Deed, Conservation Easement Deed
<b>AD-1157</b> (Formerly NRCS-LTP-020A, CCC-1255A)	Option Agreement to Purchase
<b>AD-1157A</b> (Formerly NRCS-LTP-20B)	Option Agreement to Purchase, Amendment
<b>AD-1158</b> (formerly NRCS-LTP-21, CCC-1256)	Subordination Agreement and Limited Lien Waiver
<b>AD-1159</b> (formerly NRCS-LTP-024, CCC-1257)	Notification of Intent to Continue
<b>AD-1160</b> (formerly NRCS-LTP-25, CCC-1258)	Compatible Use Agreement
<b>NRCS-LTP-151</b>	Notice of Agreement or Contract Violation
<b>NRCS-LTP-152</b>	Transfer Agreement

<b>NRCS-LTP-153</b>	Agreement Covering Non-Compliance with Provisions of the Contract
<b>AD-1161</b>	Practice Approval and Payment Application
<b>NRCS-CPA-38</b>	Request for Certified Wetland Determination or Delineation
<b>NRCS-CPA-68</b>	Conservation Plan
<b>NRCS-FNM-140</b>	Authorization for Material or Services

**Justification:**

**1. CIRCUMSTANCES MAKING COLLECTION OF INFORMATION NECESSARY:**

This program authorizes federal technical and financial long term cost-sharing assistance for conservation treatment with eligible land users and entities. Under the terms of the agreement, the participant agrees to apply, or arrange to apply, the conservation treatment specified in the conservation plan. In return for this agreement, federal financial assistance payments are made to the land user, or third party, upon successful application of the conservation treatment.

The authorizations listed above, direct the Secretary of Agriculture to formulate and carry out conservation program long term contracting activities. These forms are needed to administer NRCS long-term contracting programs as authorized. NRCS regulations listed above in Table A, require the collection of information on these forms to ensure proper utilization of program funds.

The Food, Conservation, and Energy Act of 2008 Section 2904 has now provided for the exemption of Conservation Programs under Title II of the Act from Chapter 35 of title 44, U.S. C. (Paperwork Reduction Act). Those programs were identified above. This request excludes the use of the forms associated exclusively with these programs and identifies the reduction in burden by removing these forms from the current information collection package.

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

The Conservation Programs that utilize the forms included in this collection are described in the following table. This also serves as a key to the program abbreviations used in other areas of this package.

TABLE C: Conservation Programs subject to the requirements of the Paperwork Reduction Act.

<b>Program</b>	<b>Description</b>

<b>Program</b>	<b>Description</b>
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.
Watershed Protection and Flood Prevention Program (WPFPP) (7 CFR Part 622)	The WPFPP, otherwise know as P.L. 566, was initiated in 1954, and is administered by the NRCS. It assists State and local units of government in flood prevention, watershed protection, and water management. Part of this effort involves the establishment of conservation practices on private lands to reduce erosion, sedimentation, and runoff.
Healthy Forests Reserve Program (HFRP) (7 CFR 625)	HFRP is a voluntary program established for the purpose of restoring and enhancing forest ecosystems to: 1) promote the recovery of threatened and endangered species, 2) improve biodiversity; and 3) enhance carbon sequestration. The HFRP was signed into law as part of the Healthy Forests Restoration Act of 2003. Amended by the Food, Conservation and Energy Act of 2008 authorized to be carried out from 2009 through 2012
Wetland Conservation (WC or Swampbuster) (7 CFR 12)	The Wetland Conservation Provisions are part of the Food Security Act of 1985, as amended by the Food, Agriculture, Conservation, and Trade Act of 1990, and the Federal Agriculture Improvement and Reform Act of 1996. The WC or Swampbuster provisions condition receipt of USDA benefits on landowners and operators not converting wetlands for agricultural production purposes or to make possible the production of an agricultural commodity. All the programs in this collection except WHIP are subject to compliance with these provisions. Additionally, many of the programs in this collection condition eligibility for certain practices on the type of wetlands present on the farm or ranch, thereby needing a certified wetland determination completed per the regulation in 7 CFR Part 12, Subparts A and C.

TABLE D: The following conservation programs are exempt from the Paperwork Reduction Act.

Wetlands Reserve Program (WRP)	WRP is a voluntary program established to assist owners of eligible lands in restoring and protecting wetlands. It is the goal of the WRP to maximize wildlife habitat benefits on every acre enrolled in the program particularly for migratory birds and other wetland dependent wildlife.
Farm and Ranch Lands Protection Program (FRPP)	FRPP was reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to protect working agricultural land from conversion to nonagricultural uses. The Farm and Ranch Lands Protection Program (FRPP) is a voluntary program that helps farmers and ranchers keep their land in agriculture. The program provides matching funds to State, Tribal, or local governments and non-governmental organizations with existing farm and ranch land protection programs to purchase conservation easements.
Agricultural Water Enhancement Program (AWEP)	The Agricultural Water Enhancement Program (AWEP) is a voluntary conservation initiative that provides financial and technical assistance to agricultural producers to implement agricultural water enhancement activities on agricultural land to conserve surface and ground water and improve water quality.
Chesapeake Bay Watershed Program (CBWI)	As part of the Chesapeake Bay Watershed Initiative, NRCS and its conservation partners are continuing to help agricultural producers do their part to improve natural resource conditions in the watershed. NRCS is

	providing technical assistance to farmers in the watershed to plan and apply conservation practices for improving water quality, restoring wetlands and enhancing wildlife habitat.
Conservation Security Program (CSP)	CSP is administered by USDA's Natural Resources Conservation Service (NRCS). CSP is a voluntary program that provides financial and technical assistance to promote the conservation and improvement of soil, water, air, energy, plant and animal life, and other conservation purposes on Tribal and private working lands. The program is available in all 50 States, the Caribbean Area and the Pacific Basin area. The program provides equitable access to benefits to all producers, regardless of size of operation, crops produced, or geographic location.
Conservation Stewardship Program (CSP)	The Food, Conservation, and Energy Act of 2008 (PL110-246) amended the Food Security Act of 1985 to authorize the Conservation Stewardship Program. CSP is administered by NRCS. It is a voluntary program that provides financial and technical assistance to promote the conservation and improvement of soil, water, air, energy, plants and animals. It is mentioned here to clearly indicate this program as exempt from the Paperwork Reduction Act and has never been under its confines.
Grassland Reserve Program	GRP is a voluntary program established for the purpose of allowing native grasslands and pastures to be protected from conversion to non-agricultural uses. GRP helps landowners and operators restore and protect grassland, including rangeland and pastureland, and certain other lands, while maintaining the areas as grazing lands. The program emphasizes support for grazing operations, plant and animal biodiversity, and grasslands under the greatest threat of conversion.
Wildlife Habitat Incentives Program	WHIP is a voluntary program that provides technical and financial assistance to enable eligible participants protect, restore, develop or enhance habitat for upland wildlife, wetland wildlife, threatened and endangered species, fish and other types of wildlife in an environmentally beneficial and cost effective manner. The purpose of the program is to develop high quality wildlife habitats that support wildlife populations of local, state, and national significance.
Agricultural Management Assistance (AMA)	AMA provides cost share assistance to agricultural producers to voluntarily address issues such as water management, water quality, and erosion control by incorporating conservation into their farming operations. AMA is available only in 15 states where participation in the Federal Crop Insurance Program is historically low. Producers may construct or improve water management structures or irrigation structures; plant trees for windbreaks or to improve water quality; and mitigate risk through production diversification or resource conservation practices, including soil erosion control, integrated pest management, or transition to organic farming.
Environmental Quality Incentives Program (EQIP)	EQIP was reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to provide a voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals. EQIP offers financial and technical help to assist eligible participants install or implement structural and management practices on eligible agricultural land.

This table shows only the burden for those programs that are subject to the requirements of the Paperwork Reduction Act. The burden associated with those programs now exempt from the Paperwork Reduction Act (as identified in the table above) has been removed. The conservation programs, now exempt from the Paperwork Reduction Act, accounted for a majority of the forms submitted and completed annually. Removing these programs, results in a significant reduction in burden hours. This reduction will be quantified in later in this document. The information collected on LTC forms is obtained from conservation program participants manually and electronically for use by NRCS, other USDA agencies, and local conservation districts as follows: \*The Number Submitted Annually provides the number of forms completed by respondents and the approximate number of hours to complete each form. The response time is taken from the forms themselves as identified in the OMB Disclosure Statement where available.

TABLE E

<b>Form</b>	<b>Purpose</b>	<b>Program(s)</b>	<b>Form Description</b>	<b>Who Completes</b>	<b>*Number Submitted Annually</b>
AD-1153	Application	EWP, WPFPP, HFRP	The basic document used by program participants to request assistance through the local USDA Service Centers (7 CFR Parts 622.20, 624.9, and 625.5.) Used by NRCS to evaluate and prioritize application and to verify eligibility.	Program Applicants with assistance from agency personnel.	750 Estimated time per participant is .69 per response
AD-1154	Contract or Agreement	EWP, WPFPP, HFRP	Document is used by NRCS to enter into a contract or agreement with the program participant (7 CFR Parts 622.3, 624.10, and 625,10. Includes Special Contract/Agreement Provisions.	Executed by the agency, with concurrence and acceptance (signature) of the participant.	150 Estimated time per participant .69 per response.

<b>Form</b>	<b>Purpose</b>	<b>Program(s)</b>	<b>Form Description</b>	<b>Who Completes</b>	<b>*Number Submitted Annually</b>
AD-1155/1155 A	Schedule of Practices/Costs and signature sheet	EWP, WPFPP, HFRP	Practices to be installed are described, scheduled for year of installation, and cost outlays are presented. (7 CFR Parts 622.3(c); 624.3(b); 624.10; 632.21; 634.23; 625.10 701.16; 701.40; 633; and 1410.22.) Summary of schedule and cost outlays included in the schedule of practices and costs with signature blocks. (7 CFR Parts 622.3(c); 624.3(b); 632.21; 634.23; 636.7; 701.16; 701.40; 633; and 1410.22.)	Developed by the agency. Participant must read and agree to the terms. Agency, Conservation District Official, and participant must sign.	300 Estimated time per participant .75 per response.
AD-1156	Schedule Modification	EWP, WPFPP, HFRP	Document is used by the agency to modify, as needed, a participant's schedule of practices and costs. (7 CFR Parts 622.3(c); 624.3(b); 624.10; 632.21; 634.23; 625.10; 701.16; 701.40; 633; and 1410.22.)	Developed by the agency. Participant must read and agree to the terms. Agency, Conservation District Official, and Participant must sign.	25 Estimated time per participant .60 per response.
NRCS-LTP-13	Status/Contract Review	EWP, WPFPP, HFRP	Participant progress in contract or agreement implementation is recorded. (7 CFR Parts 622.3; 624.4; 632.24; 634.27(i); 625.10; 701.24; 701.43; 633; and 1410.55.)	NRCS employees conduct a review. Participant may or may not participate in the documentation process. Final review must be signed by the participant.	250 Estimated time per participant .69 per response.
NRCS-LTP-20 NRCS-CPA-260,	Warranty Easement Deed Conservation Easement Deed	EWP, HFRP	Form used by the program participant to grant and convey NRCS and easement with appurtenant rights of access to the easement area(s). (7 CFR Parts 624 and 625).	Developed by the agency. Participant must read and agree to the terms through signature.	150 Estimated time per participant .69 per response.

<b>Form</b>	<b>Purpose</b>	<b>Program(s)</b>	<b>Form Description</b>	<b>Who Completes</b>	<b>*Number Submitted Annually</b>
AD-1157	Option to Purchase Easement	EWP, HFRP	Form is used by program participants as the equivalent of a real estate option to purchase. (7 CFR Part 624 and 625).	Developed by the agency. Participant must read and agree to the terms through signature.	165 Estimated time per participant .69 per response.
AD-1157A	Option to Purchase, Amendment	EWP; HFRP	Form is used by program participants as the equivalent of a real estate option to purchase. (7 CFR Parts 624 and 625).	Developed by the agency. Participant must read and agree to the terms through signature.	120 Estimated time per participant .69 per response.
AD-1158	Subordination Agreement and Limited Lien Waiver	EWP, HFRP	Form is used by program participants to subordinate mortgages and obtain limited lien waivers, when applicable, to the United States with respect to any and all interests of the subordinating party in, or related to the easement area. (7 CFR Parts 624 and 625).	Developed by the agency. Participant must read and agree to the terms through signature.	100 Estimated time per participant .69 per response.
AD-1159	Notice of Intent to Continue	Not used by any non-exempt program	Used by program participants who have been notified of tentative acceptance into the program to indicated NRCS their intent to continue in the program. (7 CFR Part 624).	Developed by the agency. Participant must read and agree to the terms through signature.	
AD-1160	Compatible Use Application	EWP, HFRP	Used by the program participants to request authorization from NRCS to use the easement area for specified purposes. Informs the participant that the authorization does not vest any right of any kind with the landowner. This agreement includes a plan developed by NRCS describing the compatible use of the land, frequency, timing, intensity, and duration of the use. (7 CFR Parts 624 and 625).	Developed by the agency. Participant must read and agree to the terms through signature.	200 Estimated time per participant .66 per response

<b>Form</b>	<b>Purpose</b>	<b>Program(s)</b>	<b>Form Description</b>	<b>Who Completes</b>	<b>*Number Submitted Annually</b>
AD-1161	Application for Payment	EWP, HFRP	Used by program participants to transmit bills and certify completion of the contracted item.	Developed by the agency. Participant must read and agree to the terms through signature.	200 Estimated time per participant .58 per response.
NRCS-LTP-151	Contract Violation Notification	HFRP, EWP	Used by the agency to notify a program participant of the indication of a contract or agreement violation. (7 CFR Parts; 632.42(b) (1, 2); 634.29; 625.16 and 633).	This form is completed by the NRCS.	20 Estimated time per participant .69 per response.
NRCS-LTP-152	Transfer Agreement	HFRP, EWP	Used by the agency and participant when the program participant loses control of all or part of the right and interest in the land. (7 CFR Parts; 624.10; 625.15; 632.22(f); and 633)	Completed jointly by NRCS and the participant.	5 Estimated time per participant 1.0 hours per response.
NRCS-LTP-153	Agreement Covering Non-Compliance With Provisions of the Contract.	HFRP, EWP	This form is used to indicate non-compliance with the contract or agreement. (7 CFR Parts; 624.10; 625.16; 632.41; 634.29; and 633).	Completed by NRCS employee.	10 Estimated time per participant .69 per response.
NRCS-CPA-38	Request for Certified Wetland Determination or Delineation	WC	This form is used by the producer to request assistance from NRCS in making an official wetland determination and delineation.	Completed by producer and the agency	5,000 Estimated time per participant .83 per response.
NRCS-CPA-68	Conservation Plan	CTA, HFRP	Practices planned are described and scheduled for the year of installation. The conservation is developed whether there is financial assistance provided or not.	Developed by the agency. Participant must read and agree and sign.	2700 Estimated time per participant .69 per response.

**3. USE OF IMPROVED INFORMATION TECHNOLOGY:**

The LTC conservation program forms are not all currently being processed using automated methods. Certain information will still need to be collected manually such as the participant’s personally identifiable information and signature. NRCS is actively participating in the Departmental eForms Initiative. Program participants will soon be able to access the forms, instructions, and the program special provisions; complete the appropriate form, and submit to the agency for consideration electronically. All forms will be made available through the e-Forms Website.

In summary, NRCS has been working diligently to develop and utilize the capabilities of electronic communications and digital formats in collecting information needed to implement its conservation programs. The following is a summary of the NRCS electronic initiative:

<b>Item</b>	<b>Number</b>	<b>% of Collection</b>
Total Forms in the LTC Collection	31	100.0
Total LTC Forms Available in all Electronic formats	27	87.0

**4. EFFORTS TO IDENTIFY DUPLICATION:**

The forms included in this request for approval reflect the current forms to be used by NRCS in implementing the conservation programs that are non-exempt. NRCS has made every effort to combine forms and eliminate duplication where possible.

**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:**

Generally, contracting forms are filed one time unless the participant takes action, either voluntarily, or involuntarily, or when a revision of the information included in the application or contract is required. NRCS reviews contract forms with the participant annually to ensure contract compliance and to determine if changes are needed through the annual status review procedure (NRCS-LTP-013.) Participants do not report based on these forms. If the information is not reviewed, NRCS would not be able to perform its responsibilities in administering the conservation program Long Term Contracting Activities.

**7. SPECIAL CIRCUMSTANCES:**

Information collection on all forms utilized for Long Term Contracting are not conducted in a manner consistent with any special circumstances identified in this section.

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

The 60 days Federal Register Notice was published in the June 10, 2011 Federal Register (76 FR 34046). The Agency received one comment which expressed general concern over federal expenditures to agricultural landowners, but did not respond to the proposed changes to the information collection or recommend any changes to the forms themselves.

Many of the forms in this collection represent legal obligations for acquisition of permanent or 30-year easements. These forms, for the most part, are completed by NRCS employees. The only burden requirement of the producer is much as would be expected in a real estate transaction, concurrence and signature of agreement with the terms included.

NRCS has made a concerted effort to collect only the information needed for program administration and implementation. The agency has been taking steps to reduce these problems by clarifying and streamlining the instructions, re-estimating the time it takes to complete a form; reducing the amount of information that is collected; and making the forms easier to complete. Additionally, the agency has included round trip travel time in the burden estimate for those forms that cannot be executed electronically via the internet.

While the agency has not solved all of the problems associated with the forms used in this collection to provide program information, a significant improvement has been made in the amount of information collected, and in simplification and clarity of information collected.

The information recorded is based upon decisions made and provided voluntarily by owners and operators, and the collection is conducted in a manner consistent with guidelines in 5 CFR 1320.6.

## **9. PAYMENTS OR GIFTS TO RESPONDENTS:**

Long Term Contracting payments are only disbursed to participants or third parties who earned the payments by complying with the terms and conditions of the conservation program Long Term Contract.

## **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:**

NRCS anticipates the total number of respondents will be 10,145. (Previously 37,504). NRCS estimates that the total burden hours will be 7,661 hours (Previously 25,291) hours. The estimated burden per response depends upon the specific form. This burden amount is identified by form in Table E and ranges from .58 of an hour to 1 hour per respondent.

NRCS employees generally complete the remainder of the forms in the collection and review the documents with the program participant for concurrence and acceptance.

The burden was estimated based on a projected average of documents to be filed annually based on the funding level for the authorized conservation programs.

The burden hours have been significantly reduced from the previous submission due to the exemption of Conservation Programs under Title II of the 2008 Act from Chapter 35 of title 44, U.S. C. (Paperwork Reduction Act). The number of respondents was averaged from 2008 through 2010.

Total annual cost to the respondents is \$91,932. This figure is computed based on 7,661 burden hours times a wage of \$12.00 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 \$244,535.08. This amount is estimated as follows:

<b>Cost Item</b>	<b>Total Responses No.</b>	<b>Cost Factor/Form (\$)</b>	<b>Total Cost (\$)</b>
Cost of the Forms	10,145	0.07	\$710.15
Development and Storage	10,145	0.034	\$344.93
Workhour Costs	10,145	24.00	\$243,480.00
Total Costs			0

Workhour costs associated with NRCS employees is an estimate that employees may spend an average of 60 minutes per response, collecting, filing, and processing data on the form. The average hourly wage of an NRCS employee is \$24.00.

**15. REASONS FOR CHANGES IN BURDEN:**

The previous inventory represented 25,291 burden hours. When the burden hours for the exempted conservation programs and the associated forms being removed from the package are subtracted, there is a reduction in burden hours of 17,630. The estimation for the forms remaining in the inventory is 7,661 burden hours.

The programs that are not exempt from the requirements of the Paperwork Reduction Act and have forms that remain as part of this inventory have significantly fewer respondents and responses than the programs that are exempted. The number of contracts entered into for the programs that are remaining as part of the inventory should remain roughly unchanged from year to year and therefore, the information collection needs should remain somewhat static over the next several years.

Previous Burden Hours	25,291
Burden Reduction due to exemption of Title II Conservation programs from the 2008 Farm Bill	17,630
Proposed Burden Hours	7,661

The result of these actions is an approximate 69.7 percent decrease in burden both internally and externally.

**16. TABULATION, ANALYSIS AND PUBLICATION PLAN:**

The information collected through conservation program long term contracting allows the Agency to evaluate performance of the Agency’s functions in administering the program, and will not 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 at 7.034 cents per form, any funds expended on this should remain available for use in any future long term contracting opportunities. Therefore, the Agency is requesting approval to not be required to display the expiration date for OMB approval.

**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 USDA program participant. While some of the information collected for one program may not be applicable to another program, the majority of the forms included in the information collection are non-program specific. Some forms, however, remain program-specific, especially those dealing with conservation easements.

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. The Agency plans to utilize shared databases to obtain common data elements and eliminate requests for duplicative information. Many of the forms each of the agencies currently use have been redesigned for similarity.