

Supporting Statement A

Onshore Oil and Gas Geophysical Exploration (43 CFR Part 3150 and 36 CFR Parts 228 and 251)

OMB Control Number 1004-0162

Terms of Clearance: None

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question "Does this ICR contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

Affected Federal Lands

This information collection pertains to onshore oil and gas geophysical exploration within oil and gas leases, communitized areas, and unitized areas on Federal lands. Surface-disturbing activities associated with such exploration generally are regulated by the Bureau of Land Management (BLM) or by the U.S. Forest Service (FS or Forest Service), depending on which agency manages the surface estate.

This information collection request includes permits for oil and gas geophysical exploration on Federal lands other than those managed by the BLM or the Forest Service when:

- an agency of the Department of Defense refers an application for exploration to the BLM. (see 43 CFR 3153.1); or
- in accordance with an interagency agreement between the Bureau of Reclamation (BOR) and the BLM, an application is received for a project that would cross BOR lands (see BLM Manual 3150.5).

Within the National Wildlife Refuge System, which is managed by the U.S. Fish and Wildlife Service (FWS), federally owned mineral rights generally are not available for oil and gas exploration and production. Department of the Interior regulations also prohibit leasing federal minerals underlying refuges outside of Alaska, except in cases where federal minerals are being drained by operations on property adjacent to the refuge. However, these prohibitions do not extend to private parties that own mineral rights underlying refuge lands. Consequently, it is quite rare for the BLM to authorize oil and gas geophysical exploration operations on lands managed by the FWS.

Why the Information is Needed

The BLM and the FS collect geophysical-exploration information from those who wish to participate in the exploration, development, production, and utilization of oil and gas operations, in accordance with the following authorities:

- (1) The Mineral Leasing Act of 1920, as amended by the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 181 *et seq.*);
- (2) The Act of August 7, 1947 (Mineral Leasing Act for Acquired Lands) (30 U.S.C. 351-359);
- (3) The Federal Land Policy and Management Act (43 U.S.C. 1701 – 1785);
- (4) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 – 4347);
- (5) Regulations at 43 CFR Part 3150 (BLM); and
- (6) Regulations at 36 CFR Part 228, Subpart E and 36 CFR Part 251, Subpart B (FS).

The BLM and FS need the information in order to manage surface operations that are under their respective jurisdictions.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.**

Overview

An “operator,” within the meaning of this information collection request (ICR), is any entity that has stated in writing to the BLM or the FS that it is responsible for geophysical exploration operations, that is, surface-disturbing activities conducted for the purpose of exploration for oil and gas resources under the terms of a Federal oil and gas lease. This ICR covers the following requirements:

1. An operator must submit a Notice of Intent and Authorization to Conduct Oil and Gas Geophysical Exploration Operations (BLM Form 3150-4/FS Form 2800-16) to the BLM before conducting operations on BLM administered lands, to the FS for operations on National Forest System lands, and to both agencies for operations that overlap lands managed by both agencies. This form includes standard terms and conditions. In addition, the BLM

and/or the FS may attach additional terms and conditions.

The surface-management agency usually conducts a pre-work field conference before approving geophysical exploration. The conference provides a means for the operator and the Federal Government to reach a consensus about the conditions under which operations may be conducted, thus alleviating the need for additional telephone calls and letters. If a pre-work conference is held, the Notice of Intent is completed and signed at the conference.

2. An operator must submit a Notice of Completion of Geophysical Exploration Operations (BLM 3150-5/FS 2800-16a) upon completion of operations, including any required reclamation.
3. An operator who has conducted geophysical exploration in Alaska must submit to the BLM all data and information obtained in carrying out the Terms and Conditions for exploration that the operator reviewed and signed at the prework conference mentioned above.

Geophysical operations that are conducted for a lessee entirely within the lessee's Federal oil and gas lease are considered lease operations that may be permitted either by Sundry Notice (approved under OMB control number 1004-0137) or by the Notice of Intent described above. The appropriate agency or agencies apprise operators of practices and procedures to be followed prior to commencing operations on BLM or FS lands.

Where minerals are federally owned and the surface is owned privately or by a State, no authorization is necessary from the Federal Government to conduct geophysical operations. However, in these cases, operators must work with surface owners to obtain access to their lands.

The BLM and the FS use the information to ensure a thorough, accurate, and timely review of the proposed geophysical activity to:

- (17824) Determine that geophysical operations activities are conducted in a manner consistent with the regulations, local land use plans, and environmental assessments;
- (17825) Maintain an accurate account of geophysical operations on jurisdictional lands;
- (17826) Identify operational points of contact; and
- (17827) Identify who is to be held accountable if there is environmental and/or surface resource damage.

Notice of Intent and Authorization to Conduct Geophysical Exploration Operations

The BLM and the FS require operators to submit the following information:

Identify the Project Name - The BLM and the FS use the Project Name to distinguish different jobs. One operator may be employed by several different companies and use a title

for each exploration program.

Submit Bond Information - The BLM and the FS need bond information to determine that the applicant is conducting operations under a bond (its own bond or the bond of another entity).

Identify the crew chief - The BLM and the FS must be able to determine the person with whom to communicate locally.

Identify crew number - The crew number ties to the Project Name, and the BLM and the FS use it as an additional method of tracking the operation.

Identify the contractor/client - The BLM and the FS use this information to determine if the entity is operating under another company's bond.

Include a map at a scale comparable with BLM or FS maps - BLM or FS must be able to identify, for environmental purposes, the exact location of the proposed activity.

Identify the Date of Commencement of Operations - The BLM and the FS require the date to determine when the operations will start. BLM or FS can then begin to plan compliance checks.

Identify the type of operation by technique and method - The BLM and the FS use this information to complete environmental analyses, which is required by law. The BLM and the FS must anticipate any environmental impacts that can be identified. The operator already has the information available as part of the specifications for the work that is scheduled to be performed.

Identify the type and amount of explosive; shotpoint pattern; shothole depth; number of source points per mile and provide a diagram if the charge is a multi-hole pattern - The BLM and the FS require this information to determine any anticipated environmental impacts the operations cause, as NEPA requires. The operator already has the information as part of the specifications.

Notice of Completion of Geophysical Exploration Operations

In accordance with 43 CFR 3151.2 and 3152.7, the BLM and the FS use the information on the form (BLM 3150-5/FS 2800-16a) to determine when oil and gas exploration operations are completed and to determine that mitigating measures are performed to protect the environment as required under the provisions of NEPA. The company name and address, BLM Case No., Crew Number, and Crew Chief are necessary to connect the form to the Application of Intent to Conduct Geophysical Exploration Operations.

The BLM and the FS require the operator to:

Identify the number of miles of line completed on public land - The BLM and the FS use this information to determine the size of the project for planning purposes so that inspections are performed expeditiously to determine that the operator is in compliance with the terms and conditions of the notice to conduct operations. The information is also necessary to determine if the BLM and the FS can release the bond.

Attach maps indicating exact location of geophysical line and shot point - The BLM and the FS use this information to make on-the-ground inspections to identify the exact location of the project performed by a specific company to ensure compliance with NEPA requirements. This information is readily available, since the operator surveys and stakes the actual location of the line on the ground.

Describe the hole plugging process used - This information is necessary only if a hole is drilled.

Include copy of Hole Plugging Log - The BLM and the FS require the log only if BLM requests it and uses it for State compliance purposes and Federal coordination. The log is sometimes part of local agreements if the geophysical line crosses different types of ownership boundaries (private or state lands in addition to public lands).

In addition to the information submitted on these forms, 43 CFR 3152.6 requires, for operations in Alaska, respondents to report all data and information obtained in carrying out the exploration plan. The BLM and the FS use the data to process and approve the plan of development and to ensure that production is accomplished for maximum recovery.

- 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.**

These forms are electronically available to the public in fillable, printable format on BLM's Forms Web site at <http://www.blm.gov/noc/st/en/business/eForms.html>. In the electronic format, respondents may complete the application portion of BLM Form 3150-4 / FS Form 2800-16 (Notice of Intent and Authorization to Conduct Oil and Gas Geophysical Exploration Operations), and the totality of BLM Form 3150-5 / FS Form 2800-16a (Notice of Completion of Oil and Gas Geophysical Exploration Operations). If the respondents choose to submit their forms electronically, they may do so by scanning and then emailing them to the appropriate agency office. The requested information is unique to each applicant/operator and to each specific operation because respondents are operators who apply to conduct geophysical activities on an as-needed basis.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item**

2 above.

The BLM and the FS have combined their Notices of Intent into one form. They have also combined their Notices of Completion into one form. Combining the BLM and FS individual forms into BLM/FS forms helps to ensure consistent management of geophysical operations whether on BLM or FS lands. It also facilitates authorizing projects that extend over lands under both jurisdictions, since the BLM and the FS use the same information and process.

The BLM and the FS collect and use the information to maintain an accurate account of operations conducted on public lands and reference for accountability if there is damage to the lands. Geophysical operations are unique events, and each proposed operation is different, varying by location, equipment, or operator, for example. No duplication of information occurs, and there is no similar information already available to assess a new proposal. The information can only be supplied by the entity proposing to conduct geophysical exploration operations on the lands involved and is not available from any other data source.

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

The collection will not have a significant impact on small entities. The forms are simple to complete, and the BLM's State and Field Offices provide maps and land descriptions for use by small businesses and individuals. Each State Office and District Office has a public room set aside that is equipped with computers, copying facilities, and land plats for the use of those who wish to verify land descriptions. The information the BLM and the FS require is limited to the minimum necessary to maintain a record of who conducts operations on the lands. For the FS, individual operators and companies have the option of completing a Notice when identifying their proposed geophysical operations, or they may supply the information in a different format, such as a letter. However, use of the standardized interagency forms reduces the paperwork and procedural burdens on individual operators and companies.

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.

Failure to collect the information would leave the BLM and the FS with no knowledge of exactly who is conducting geophysical exploration operations on public lands or where, and therefore would not be able to determine the identity of the responsible party if environmental damage occurs.

The BLM and the FS developed the forms in this collection for the convenience of applicants and to facilitate processing the information by the BLM and the FS. The applicant determines the frequency of when to submit the form or information. Uniform, case-by-case data submission and recordation may help identify unnecessary government requirements and permit better forecasting of future workloads.

Use of the interagency forms facilitates orderly and consistent respondent information. Through standardization of the data that the BLM and the FS collect utilizing these forms, the applicants will better understand FS and BLM requirements for permit review and approval. Also, the agencies will be able to better track and administer the geophysical permits and activities the BLM and the FS authorize. Use of the forms produces an improved data base inventory that provides current and reliable public information. Finally, it provides better information for planning and formulating budgets.

- 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 that require this collection to be conducted in a manner inconsistent with the guidelines. The BLM and the FS do not exceed the guidelines in 5 CFR 1320.5.

- 8. If applicable, provide a copy and identify 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 and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The required 60-day notice was published in the Federal Register on December 13, 2011 (76 FR 77550). The comment period closed on February 13, 2012. The BLM received no comments in response to the notice.

During the approval period, the BLM consulted with the following respondents to solicit comments on the burden hour and cost estimates, availability of data, frequency of collection, and clarity of instructions. Based on this outreach, the burden estimates in Item 12 reflect their input.

Marty Hall
Geologist, Seismic Data Acquisition
Geokinetics, Inc.
7765 Windwood Way
P.O. Box 549
Parker, CO 80134
720-851-6152

DeWitt Morris
Manager, Geophysical Exploration Operations
Green River Energy Resources
P.O. Box 27740
Las Vegas, NV 89126
406-892-3368

Sassan Salehipour
Petroleum Engineer
Geotechnical Engineers, Inc.
Pasadena, CA 91104
626-345-1819

David Colbaugh
Geologic Engineer
Evans, Colbaugh & Associates, Inc.
2453 Impala Dr.
Carlsbad, CA 92008
310-207-5048

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

The BLM and the FS do not provide payments or gifts to the respondents.

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

The BLM and the FS protect the applicant's confidentiality to the extent consistent with the Freedom of Information Act (5 U.S.C. 552). The BLM and the FS maintain confidentiality for one year after the Notice of Completion is filed, if requested by the operator.

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The BLM and the FS do not ask respondents questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- * **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under "Annual Cost to Federal Government."**

Table 12-1, below, shows our estimate of the hourly cost burdens for respondents. The mean hourly wages for Table 12-1 were determined using national Bureau of Labor Statistics data at: http://www.bls.gov/oes/current/oes_nat.htm.

The benefits multiplier of 1.4 is supported by information at

<http://www.bls.gov/news.release/ecec.nr0.htm>.

Table 12-1 – Hourly Cost Calculation

A. Occupational Category	B. Mean Hourly Wage	C. Total Mean Hourly Wage (B x 1.4)
Mining and Geological Engineers, Including Mining Safety Engineers 17-2151	\$41.99	\$58.79

The estimated annual reporting burdens for this collection are shown below in Table 12-2:

Table 12-2 - Estimates of Hour and Cost Burdens

A. Type of Response	B. Number of Responses	C. Time Per Response	D. Total Hours (Column B x Column C)	E. Annual Cost (Column D x \$58.79)
Notice of Intent and Request to Conduct Geophysical Exploration Operations / Outside Alaska 43 CFR 3151.1 BLM Form 3150-4 / FS Form 2800-16	622 (597 to BLM and 25 to FS)	1 hour	622	\$36,567
Notice of Intent and Request to Conduct Geophysical Exploration Operations / Alaska 43 CFR 3152.1, 3152.3, 3152.4, and 3152.5 BLM Form 3150-4	3	1 hour	3	\$176
Notice of Completion of Geophysical Exploration	625 (600 to BLM	20 minutes	208	\$12,228

Operations 43 CFR 3151.2 and 3152.7 BLM Form 3150-5 / FS Form 2800-16a	and 25 to FS)			
Data and Information Obtained in Carrying Out Exploration Plan (Alaska only) 43 CFR 3152.6	3	1 hour	3	\$176
Totals	1,253		836	\$49,147

The costs to respondents are for time spent compiling data, researching information, and completing the information collection. Geophysical contractors generally maintain the required information in their own records, are familiar with geophysical field work, and are familiar with the applicable regulations and statutes.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or

(4) as part of customary and usual business or private practices.

Respondents are not required to purchase additional computer hardware or software to comply with these information requirements. Regulations at 43 CFR 3000.12, 3152.1, and 3152.3 require a \$25 filing fee for applications for geophysical permits in Alaska. That fee is the only non-hour cost associated with this information collection. We estimate that three such applications are filed annually, and respondents incur a total of \$75 in non-hour costs annually.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Table 14 -1 — Hourly Cost Calculations

The hourly cost to the Federal Government is based on the U.S. Office of Personnel Management Salary Table 2012-RUS at http://www.opm.gov/oca/12tables/html/RUS_h.asp. The benefits multiplier of 1.5 is implied by information at <http://www.bls.gov/news.release/ecec.nr0.htm>.

A. Position	B. Pay Grade	C. Hourly Pay Rate (\$/hour)	D. Hourly Rate with Benefits (Column C x 1.5)	E. Percent of the Information Collection Completed by Each Occupation	F. Weighted Avg. (\$/hour) (Column D x Column E)
Manager	GS-14, Step 1	\$40.58	\$72.72	30	\$21.81
Supervisor, Petroleum Engineer, and / or Geologist	GS-13, Step 1	\$34.34	\$51.51	40	\$20.60
Surface Use Specialist	GS-12, Step 1	\$28.88	\$43.43	30	\$13.03
Total Weighted Average: \$55.44					

The Table below shows the annualized Federal costs for each aspect of the collection. The estimated processing time is based on the BLM's experience and includes conducting field inspections; on-the ground environmental analyses, which include monitoring endangered

species sites and archeological sites; conducting archeological surveys; and determining reclamation measures. The weighted average hourly wage is shown at Table 14-1, above.

Table 14-2 — Estimated Annual Cost to the Government

A. Type of Response	B. Number of Responses	C. Time Per Response	D. Total Hours (B x C)	E. Total Wage Cost (D x \$55.44)
Notice of Intent and Request to Conduct Geophysical Exploration Operations / Outside Alaska 43 CFR 3151.1 BLM Form 3150-4 / FS Form 2800-16	622 (597 to BLM and 25 to FS)	9	5,598	\$310,353
Notice of Intent and Request to Conduct Geophysical Exploration Operations / Alaska 43 CFR 3152.1, 3152.3, 3152.4, and 3152.5 BLM Form 3150-4	3	9	27	\$1,497
Notice of Completion of Geophysical Exploration Operations 43 CFR 3151.2 and 3152.7 BLM Form 3150-5 / FS Form 2800-16a	625 (600 to BLM and 25 to FS)	9	5,625	\$311,850
Data and Information Obtained in Carrying Out Exploration Plan (Alaska only) 43 CFR 3152.6	3	9	27	\$1,497

Totals	1,253		11,277	\$625,197
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15. Explain the reasons for any program changes or adjustments in hour or cost burden.

We have separated the “Notice of Intent and Request to Conduct Geophysical Exploration Operations” into two categories: one for Alaska and one for locations outside Alaska. The reason for this program change is the non-hour costs that apply to the “Notice of Intent” only in Alaska.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The data the BLM and the FS collect as a result of this information collection will not be published for statistical use. The NEPA process will make information in each form available to the public. For the FS, the Management Attainment Reporting will include information from the forms.

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 .

BLM will display the expiration date of the OMB approval.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.