

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660 - 0010

Title: Implementation of Coastal Barrier Legislation

Form Number(s): None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, 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 in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 or the OMB Form 83-I is checked “Yes”, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information. Provide a detailed description of the nature and source of the information to be collected.

Section II of the Coastal Barrier Resources Act (P.L. 97-348) prohibits the sale of National Flood Insurance Program (NFIP) policies for buildings that have been newly constructed or substantially improved on undeveloped coastal barriers on or after October 1, 1983. FEMA Regulation Title 44 of the Code of Federal Regulations, Section 71.4, requires documentation indicating that a building is neither new construction nor substantial improvement. The Coastal Barrier Resources Act of 1990 (P.L. 101-591) expands the areas encompassed by the Coastal Barrier Resource System (CBRS).

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. Provide a detailed description of:

how the information will be shared, if applicable, and for what programmatic purpose.

When an application for flood insurance is submitted for buildings located in CBRS and/or Otherwise Protected Area (OPA) communities, the following types of documentation must be submitted as evidence of eligibility by the applicant's insurance agent writing through the NFIP Direct Servicing Agent (DSA):

- 1) **FEMA Flood Insurance Rate Map (FIRM)** - For buildings built on or after the date the insurance prohibition became effective, a legible copy of the current FEMA Flood Insurance Rate Map (FIRM) panel showing that the building is not located in a CBRS area or OPA.
- 2) **Legally Valid Building Permit** - For buildings in CBRS areas and OPAs, a permit is needed, or, if the building permit was lost or destroyed, a written statement to this effect signed by the community official responsible for the building permits will be accepted in lieu of the building permit; and
- 3) **Written and Signed Statement from a Community Official** - A statement by a responsible community official that is written and signed and states that:
 1. The walls and roof of the building were in place (1982 Act) or the start of construction took place (1990 Act), before the date the insurance prohibition became effective, and
 2. The building was not substantially improved or substantially damaged on or after the date the insurance prohibition became effective.
 3. For structures in OPAs only this also involves written certification from the governmental body overseeing the area indicating that a building in an OPA is used in a manner consistent with the purpose for which the area is protected may be submitted in lieu of the above documentation.

All of these documents are submitted to the NFIP Bureau for tracking and transmittal purposes. The Bureau sends the packet to the appropriate US Fish & Wildlife Field Office (F&WS) for an official determination. Issuance of the policy (eligibility for coverage) is based on the US F&WS determination.

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.

This is a 100% paper based collection activity. No documents used in this process can be processed without first being obtained in printed (hard copy) format. These paper documents (such as letters/statements from officials) often need to be signed.

The insurance agent writing business through the NFIP DSA submits the documents in conjunction with the application for flood insurance either in hard copy through the mail, electronically by scanning and uploading the documents through the DSA's web based system. The URL for the insurance agent's portal is <https://www.nfipservices.com/>. The agent will use this portal to sign in and submit insurance applications and related documents – such as the scanned copies of coastal barrier legislation documents – electronically

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.

Information on each building is unique and not available from sources other than the property owner.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.

This information collection places no greater burden on small business or either small entities than that which is required of any other applicant who applies for NFIP coverage, for a building located in a coastal barrier community.

6. Describe the consequence to Federal/FEMA program or policy activities if the collection of information is not conducted, or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

This information collection is conducted only as necessary for the issuance of an NFIP policy. The information collection for a particular building is only required one time at the time of application for NFIP coverage, or before a claim payment can be made and could, therefore, not be collected less frequently.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

(a) Requiring respondents to report information to the agency more often than quarterly.

No special circumstances requiring information more than one time is anticipated.

(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

There is no time limit requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it. However, a claim against an NFIP Flood Insurance Policy cannot be paid until it is determined that the policy is valid.

If an application for NFIP coverage is received and the required information is not submitted, then the policy cannot be renewed, nor can a claim be paid.

(c) Requiring respondents to submit more than an original and two copies of any document.

There are no requirements, now, for more than an original and two copies, and FEMA does not anticipate any need for more copies under any circumstances.

(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.

FEMA does not require retention of CBRS records, by property owners, for more than three years. FEMA foresees no circumstances under which this may become required.

(e) 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.

FEMA does not anticipate requiring any statistical survey that is not designed to produce valid and reliable results, now, or at any time in the future.

(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.

FEMA does not require the use of statistical classifications that have not been reviewed and approved by OMB, now, and does not foresee any circumstances that would require the use of an OMB not approved classification in the future.

(g) 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.

FEMA anticipates no circumstances that would include a pledge of confidentiality not supported by authority established in statute or regulation and/or not supported by disclosure and data security policies that are, or are not, consistent with the pledge. Nor does FEMA anticipate any circumstances that would unnecessarily impede sharing of data with other agencies for compatible or incompatible confidential use.

(h) 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.

Respondents are not asked to submit, or in any way share, proprietary trade secrets or other confidential information, now, nor does FEMA expect to require such information at any other time under any other circumstances. FEMA is always mindful of the need to protect information confidentiality as is required by law. There is no foreseen reason that would circumvent the need to continue to demonstrate the observance of, and compliance with, the law.

8. Federal Register Notice:

a. Provide a copy and identify the date and page number of publication in the Federal Register of the agency’s notice soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A 60-day Federal Register Notice inviting public comments was published on March 6, 2014, 79 FR 12699. One comment related to stopping taxpayer subsidization of “people who live near the sea” and building structures to standards that will enable them to “stand up to the coming climate change horror” was received. The comment did not address components related to the Implementation of Coastal Barrier Legislation. Because the comment does address the topic of this information collection, it is not applicable.

A 30-day Federal Register Notice inviting public comments was published on July 2, 2014, 79 FR 37757. No comments were received.

b. 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.

The Flood Insurance Producers National Committee (FIPNC), and the Institute for Business & Home Safety (IBHS) which are made up of non-government professionals involved with the NFIP, meet regularly with government officials from FEMA to discuss any aspects of the NFIP that are of concern to them. This information collection is open to FIPNC, and IBHS, as a subject of discussion, if they so choose.

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

No consultation has been conducted directly with respondents (applicants for flood insurance). The building permits, written statements, and signed statements required by this information collection are submitted along with, and as part of, an application for

flood insurance. Most, if not all, of the information required by the Implementation of the Coastal Barrier Resources Act, which is submitted in conjunction with the NFIP application, is a matter of public record. A respondent needing information regarding CBRA/OPA documentation consults his insurance agent.

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

FEMA does not provide payments or gifts to respondents in exchange for a benefit sought.

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

A Privacy Threshold Analysis (PTA) was approved on (insert date). A PIA for this collection was not determined to be needed and has been forwarded to the FEMA Privacy Office for review.

Confidentiality is provided under the provisions of the Privacy Act as so stated on the NFIP Flood Insurance Application form. Since, this information is required to determine eligibility for NFIP flood insurance coverage, it is mandatory for the applicant to provide the information if they wish to obtain a policy.

A respondent may withdraw an application for flood insurance coverage, if they choose not to consent to use of the required information. The respondent will need to only notify his insurance agent, or the NFIP DSA that they would like to withdraw their application for coverage.

At FEMA's direction, the information is added to an electronic database that is maintained by the NFIP Bureau. The information is stored in a secured site that is accessible only to those who are privy to the information as is set forth under the routine use provisions of the Privacy Act.

FEMA's database, which is for internal use by FEMA only, contains the names of the property owners and the property addresses. However, only property addresses are available to the DSA and Write Your Own (WYO) Insurance Companies for eligibility determinations.

Tracking, by FEMA, is limited to the property addresses that are identified as being inside CBRS areas or OPAs and that information is only used to identify invalid policies. No attempts are made to identify individual respondents unless an active NFIP policy that is ineligible for flood insurance is discovered through systematic review of addresses. In these cases, FEMA notifies the NFIP DSA or WYO Insurance Company with instructions to explain to the insured that their policy is ineligible for NFIP coverage and will be cancelled and the premium refunded.

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

No questions of a sensitive nature are included in this collection.

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

a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated for each collection instrument (separately list each instrument and describe information as requested). 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 desired. 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.

It is anticipated that 1600 respondents will complete the needed documentation. Each respondent will only submit the forms needed once and each response will require .25 (15 minutes) hours to complete on average. The total annual hour burden is 1600 x .25 hours = 400 annual hours.

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

c. Provide an estimate of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. NOTE: The wage-rate category for each respondent must be multiplied by 1.4 and this total should be entered in the cell for “Avg. Hourly Wage Rate”. The cost to the respondents of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.

Estimated Annualized Burden Hours and Costs								
Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals	- FEMA Flood	1540	1	1540	.25 hours	385	\$31.26	\$12,035.10

or households	Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official							
Business or other for-profit	- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official	40	1	40	.25 hours	10	\$78.13	\$781.30
Not-for-profit institutions	- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official	12	1	12	.25 hours	3	\$78.13	\$234.39
Farms	- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official	4	1	4	.25 hours	1	\$48.28	\$49.28
State, Local or Tribal Government	- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official	4	1	4	.25 hours	1	\$78.13	\$78.13
Total		1600		1600		400		\$13,178.20

- Note: The “Avg. Hourly Wage Rate” for each respondent includes a 1.4 multiplier to reflect a fully-loaded wage rate.
- “Type of Respondent” should be entered exactly as chosen in Question 3 of the OMB Form 83-I

Instruction for Wage-rate category multiplier: Take each non-loaded “Avg. Hourly Wage Rate” from the BLS website table and multiply that number by 1.4. For example, a non-loaded BLS table wage rate of \$42.51 would be multiplied by 1.4, and the entry for the “Avg. Hourly Wage Rate” would be \$59.51.

According to the U.S. Department of Labor, Bureau of Labor Statistics website (www.bls.gov) the wage rate category for individuals or households consisting of All Occupations (code 00-0000) is estimated to be \$31.26 per hour including the wage rate multiplier; therefore, the estimated burden hour cost to individuals or households of All

Occupations is estimated to be \$12,035.10 annually. The wage rate category for General and Operations Managers (code 11-1021) for Businesses or other for-profits, for Not-for-profit institutions, and for State, Local or Tribal Governments is estimated to be \$78.13 per hour including the wage rate multiplier; therefore, the estimated burden hour cost for General and Operations Managers is estimated to be \$1,093.82 annually. The wage rate category for Farmers, Ranchers, and Other Agricultural Managers (code 11-9013) for Farms is estimated to be \$49.28 per hour including the wage rate multiplier; therefore the estimated burden hour cost for Farms is estimated to be \$49.28 annually. The total burden hour cost for all occupational categories combined for this information collection is estimated to be **\$13,178.20** annually.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost estimates should be split into two components:

- a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. 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.**
- b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.**

Annual Cost Burden to Respondents or Record-keepers

Data Collection Activity/Instrument	*Annual Capital Start-Up Cost (investments in overhead, equipment and other one-time expenditures)	*Annual Operations and Maintenance Cost (such as recordkeeping, technical/professional services, ect.)	Annual Non-Labor Cost (expenditures on training, travel and other resources)	Total Annual Cost to Respondents
- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official			\$1600.00 (1600 respondents x \$1.00 per respondent)	\$1600.00
Total				\$1600.00

The average cost to the respondent is estimated to be \$1.00, the cost to make phone calls, mail or scan a written request, or make a trip to a local office to obtain the document by

choice mode of transportation. This includes any copying fees, which may be charged by the local building permit office in some cases. Some may also need to print out copy a section of the map showing their property is outside of the restricted areas by photocopying. Estimated Total Cost to Respondents: 1600 respondents x an average of \$1.00 per respondent = **\$1600.00** total annual cost to respondents.

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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs: The dollar cost to the government for an NFIP/DSA Underwriter to process the building permits, written statements, and signed statements by local officials is estimated to be \$5.22 per transaction. This cost is based on a time study resulting in 7.5 minutes underwriter time to review CBRA/OPA information, on average per new business transaction. Underwriter cost includes salary and overhead. Underwriting cost at \$5.22 per transaction, times 1600 transactions = \$8,352.	\$8,352.00
Staff Salaries*	
Facilities [cost for renting, overhead, etc. for data collection activity]	
Computer Hardware and Software [cost of equipment annual lifecycle]	
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	
Travel	
Printing [number of data collection instruments annually]	
Postage [annual number of data collection instruments x postage]	
Other	
Total	\$8,352.00

* Note: The "Salary Rate" includes a 1.4 multiplier to reflect a fully-loaded wage rate.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I in a narrative form. Present the itemized changes in hour burden and cost burden according to program changes or adjustments in Table 5. Denote a program increase as a positive number, and a program decrease as a negative number.

A "Program increase" is an additional burden resulting from an federal government regulatory action or directive. (e.g., an increase in sample size or coverage, amount of information, reporting frequency, or expanded use of an existing form). This also includes previously in-use and unapproved information collections discovered during the ICB process, or during the fiscal year, which will be in use during the next fiscal year.

A "Program decrease", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of

sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).

"Adjustment" denotes a change in burden hours due to factors over which the government has no control, such as population growth, or in factors which do not affect what information the government collects or changes in the methods used to estimate burden or correction of errors in burden estimates.

Itemized Changes in Annual Burden Hours						
Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official				672.5	400	-272.5
Total(s)				672.5	400	-272.5

Explain: FEMA Flood Insurance Rate Map, Legally Valid Building Permit, and Written and Signed Statement from a Community Official - The burden hour figures represents all applicants for flood insurance in CBRS communities that submitted CBRA-related documentation either along with their original flood insurance application or in response to a request from the NFIP DSA for additional information. The decrease in the burden hours is the result of fewer applications for flood insurance requiring CBRA/OPA documentation being received in the past 12 months reported. There was no change in the program or the documentation requirements.

Itemized Changes in Annual Cost Burden						
Data collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New)	Difference
- FEMA Flood Insurance Rate Map, - Legally Valid Building Permit, - Written and Signed Statement from a Community Official				\$18,951.13	\$13,178.20	-\$5,772.93
Total(s)				\$18,951.13	\$13,178.20	-\$5,772.93

Explain: FEMA Flood Insurance Rate Map, Legally Valid Building Permit, and Written and Signed Statement from a Community Official - the previously approved cost burden was \$18,951.13. The current estimated annual cost burden is \$13,178.20, resulting in a decrease of \$5,772.93. The change in cost burden results from a decrease

in the number of annual responses, i.e., the number of property owners in CBRA/OPA communities applying for flood insurance who were required to submit CBRA/OPA documentation.

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 information collection results will not be published for outline plans for tabulation and publication.

17. If seeking approval not to display the expiration date for OMB approval of the information collection, explain reasons that display would be inappropriate.

This collection is not seeking to not display the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

No exceptions to the certification are planned. This collection does not seek exception to “Certification for Paperwork Reduction Act Submissions”.

B. Collections of Information Employing Statistical Methods.

When Item 17 on the Form OMB 83-I is checked “Yes”, the following documentation should be included in the Supporting Statement to the extent it applies to the methods proposed:

THERE IS NO STATISTICAL METHODOLOGY INVOLVED IN THIS COLLECTION.