

**SUPPORTING STATEMENT**  
**ENVIRONMENTAL COMPLIANCE QUESTIONNAIRE FOR NATIONAL OCEANIC**  
**AND ATMOSPHERIC ADMINISTRATION FEDERAL**  
**FINANCIAL ASSISTANCE APPLICANTS OMB CONTROL NO. 0648-0538**

**A. JUSTIFICATION**

This request is for revision and extension and revision of this information collection.

**1. Explain the circumstances that make the collection of information necessary.**

This information collection addresses information requirements specific to compliance with the National Environmental Policy Act (“NEPA”; 42 U.S.C. §§4321-4370). NEPA requires federal agencies to complete an environmental analysis for all major federal actions, including funding non-federal projects through federal financial assistance awards where Federal participation in the funded activity is expected to be significant.

Each fiscal year, NOAA publishes Federal Funding Opportunity Announcements (FOA) in the Federal Register inviting applications from persons who are interested in financial assistance to carry out a wide variety of projects. The FOA contains a description of the funding opportunity, along with evaluation criteria and weights. Applications for federal financial assistance are submitted through [www.grants.gov](http://www.grants.gov). It is critical to ensure that an adequate level of detail is provided in every financial assistance award application to allow the agency to evaluate the environmental impacts, as required by NEPA, of activities conducted through the support of NOAA funds.

The information collection tool (Questionnaire) was developed to collect all relevant project information required to comply with NEPA and expedite both the NEPA and award processes.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

The information is collected as part of the application package submitted by applicants requesting Federal financial assistance from NOAA through an Announcement of Federal Funding Opportunity posted on [www.grants.gov](http://www.grants.gov).

The information is used by NOAA Federal Program officers, NOAA NEPA coordinators, NOAA NEPA analysts, DOC attorneys, and NOAA attorneys.

The information is collected to determine the level of NEPA analysis required for proposed awards, and for the preparation of NEPA compliance documents. This Questionnaire has been revised to (1) remove repetitive questions; (2) revise specific questions to use plain language instead of NEPA-specific language; and (3) add questions that would be helpful to a wider range of NOAA programs. The revision reduced the overall number of questions by 22.

The Questionnaire has five sections with questions about a proposed activity relevant to the FOA. The Project Information section would be used by NOAA to determine whether any extraordinary circumstances exist that may qualify the proposed activity for a certain type of NEPA document. The Project Location section would identify the specific location, as well as the condition of the location of the proposed activity. The Project Timeframe section would identify the start date, duration, and schedule of the proposed activity. The Project Partners, Permits, and Consultations section would identify requirements for other environmental compliance requirements besides NEPA. The Project Details section would help NOAA clarify specific details about the proposed activity relative to which program office is providing the funding.

NOAA would retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA decide to disseminate the information, it would be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The Questionnaire is used in conjunction with NOAA Funding Opportunity Announcements (FOA), which are advertised on [www.grants.gov](http://www.grants.gov). Applicants are only required to provide the information from this Questionnaire that is specified in the FOA to which they are applying. The FOA can present these questions in one of two ways: (1) The applicable questions can be inserted directly into the FOA with reference to the OMB Control Number 0648-0538 for this form; or (2) The FOA can specify which questions (e.g. 1, 2) an applicant must answer, with the entire OMB-approved Questionnaire attached to the FOA. The Questionnaire is available at [www.nepa.noaa.gov/questionnaire.pdf](http://www.nepa.noaa.gov/questionnaire.pdf). Electronic submission of the information to be collected is encouraged but not required. No other type of information technology is necessary to collect the information that is requested.

**4. Describe efforts to identify duplication.**

There are no other collections that gather similar information. The information requested is unique to each NOAA Funding Opportunity Announcement (FOA). The questions NOAA has developed are specific to the trust resources managed under NOAA's mission and authorities (i.e., National Marine Sanctuary Act, Magnuson-Steven Fishery Conservation and Management Act, Coastal Zone Management Act, Endangered Species Act, and Marine Mammal Protection Act). No duplication of effort exists with other Federal Government information collection efforts.

Some of the questions may overlap with material provided in other parts of the FOA application. This overlap occurs because the answers to the Questionnaire are provided to NOAA staff who do not review the other parts of the application. If appropriate, the applicant may copy the information from other parts of the application and paste it into the answers to the Questionnaire.

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

The information to be collected is very basic in its nature and should not be a hardship or burden for small entities that request NOAA funds to produce this information. Furthermore, the applicant should already have this information available as part of the research or project plan.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Detailed project information must be collected for every unique financial assistance award application in order to determine NEPA compliance requirements and to prepare the subsequent NEPA analysis. If project specific information is not collected upfront from the applicant, NOAA staff must request and wait for additional information from the federal financial assistance applicants in order to fully implement NEPA. This may cause several weeks of delays in awarding and distributing federal financial assistance awards. If proper NEPA documentation cannot be completed for a particular activity, project or program, NOAA is not authorized to award or release any funds to the project or program applicant.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The proposed collection of information would be conducted in a manner that is consistent with OMB guidelines.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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.**

A Federal Register Notice published on May 13, 2015 ([80 FR 27291](#)) solicited public comments. No comments were received.

An informal request for feedback from non-NOAA staff on the accuracy of the expected burden, clarity of instructions, and usefulness of the information was sent on July 22, 2015. Two responses were received.

One respondent expected the revised Questionnaire would take approximately 30 minutes to complete, because based on their project types, most of the answers would be “no” or “N/A”. This respondent stated that they understood the instructions, and that they would like to see a question at the beginning of the Questionnaire asking whether they had any on-the-ground impacts, and if not they could avoid answering more questions on on-the-ground impacts.

Response: NOAA has addressed this issue with the revised Questionnaire by allowing NOAA Federal Program Officers (FPO) to select a subset of questions from the Questionnaire that would be relevant to their FOA; therefore, respondents would only need to answer questions the FPO’s dictate are relevant to the proposed projects.

The second respondent expected the revised Questionnaire would take approximately one to two hours to complete. They understood the instructions, and would like to avoid answering questions that are not applicable to their project. They also thought some of the questions were duplicative of information required in their project proposal for the FOA. Similar to the first respondent’s concerns, NOAA has addressed these issues in the revised Questionnaire by allowing NOAA FPOs to select and use only those questions from the Questionnaire that would be relevant to their FOA.

Although these respondents were asked to evaluate the entire revised Questionnaire, for purposed of the PRA approval process, it is likely that future respondents will only be asked a very small subset of the questions in the Questionnaire that are relevant to their project and not duplicative of the proposal requested in the FOA. The selection of the questions included in the FOA would be up to the FPO when they are preparing the announcement.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts would be provided to any of the respondents.

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

The information collection would not request any proprietary or confidential information. No confidentiality would be provided.

**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.**

No information of a sensitive nature would be collected.

**12. Provide an estimate in hours of the burden of the collection of information.**

It is estimated that 1,000 financial assistance applicants would complete the Questionnaire. Depending on the number of questions the respondent is asked to answer, it is estimated to take the respondent 1 to 3 hours to complete the Questionnaire. The maximum total annual estimated burden hours would be 3,000.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

If the information is submitted electronically, as most currently are, this collection would incur no cost burden on respondents beyond the cost of response time (assuming the respondent has a computer). If respondents decide to copy or print the questionnaire it is estimated to cost \$0.05 per page, or \$1.30. Mailing would cost of \$0.49 for postage for standard mailing. If all respondents chose to copy and mail the questionnaire, the estimated maximum cost would be \$1.79 per respondent, for a total annual cost of \$1,790.00. However, it is assumed that most respondents would submit the information electronically.

**14. Provide estimates of annualized cost to the Federal government.**

It is estimated that reviewing the information provided in the Questionnaire would require a maximum of 3 hours of NOAA staff time per application reviewed. With an annual average salary of \$24.00 an hour per employee, it is estimated that each application reviewed would cost the government \$72.00 for a total of \$72,000 annually.

**15. Explain the reasons for any program changes or adjustments.**

**Program Change:**

Our goals for this revision/renewal were to:

1. remove any questions that ask the applicant to do the NEPA analysis;
2. define or clarify uncommon terminology (add a glossary if necessary);
3. shorten the form, to the extent practicable;
4. include questions that would be helpful to all interested program offices

We obtained considerable input from line and staff office experts who use this form on a regular basis. We also solicited comments from users/applicants outside of the agency. We successfully removed or rephrased any questions that were asking applicants to perform NEPA analysis. Most unclear terminology was removed during the first step, but uncommon words or concepts that could not be removed were defined directly within the questions; therefore eliminating the need for a separate glossary, which we thought would add unnecessary length to the form. Examples were also included within questions to provide further explanations for unclear terminology or concepts. We did end up shortening the form overall by 22 questions. The form should also be considered more consolidated because we rephrased the instructions to allow FPOs to use a subset of the questions applicable to their program, rather than have to attach the entire form to their announcements. The form is shorter, even in light of the additional questions added to help different programs with questions that were not previously available to them.

**Adjustment:**

There is an adjustment to postage costs from \$1,750 to \$1,790, due to increased postage rates.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The results of this collection will not be published.

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

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

The information collection does not employ statistical methods.