

Supporting Statement A

Water Request, 25 CFR 171

OMB Control Number 1076-0141

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.**

The Bureau of Indian Affairs (BIA) owns, operates, and maintains 15 irrigation projects that provide a service to the end user, pursuant to 25 U.S.C. 381 and implementing regulations at 25 CFR 171. The BIA must collect customer information to identify the individual responsible for paying the government for the costs of delivering the service and bill for those costs. The BIA must also collect information on the location of the service so that it can deliver the service. The Debt Collection Improvement Act of 1996 (DCIA), 31 U.S.C. 3701-3733, requires that certain information be collected from individuals and businesses doing business with the government. This information includes the taxpayer identification number for possible future use to recover delinquent debt.

In addition to these information collections required by law, additional information collections are included to provide additional services requested by the customers. These include providing water for domestic and livestock purposes, approving incentive agreements to farm idle lands, and granting annual assessment waivers. All of these require additional information collections. Previously, we were limited to turning irrigation water on and off for crops.

- 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.

There are several information collections associated with irrigation. The main information collection is the water customer’s request for service, which the BIA collects on a form. The top of the form requests the name, address, and other billing information to allow BIA to bill the appropriate persons. The form also requests beginning and ending dates and times for delivery instructions. This allows us to arrange work schedules. The form requests additional information to identify the land for which irrigation is requested and allow us to know where to make the water delivery. As part of our reporting requirements, we need to know what crops are grown at the irrigation project. (BIA provides the ditch rider’s name on the form).

Customers also provide the information required for the BIA irrigation staff to make an informed decision in certain instances. The following table lists these instances and information collected for each.

25 CFR 171.	Information Collected		BIA Use of Information Collected
200/ 600	Request for irrigation service	(See description above)	(See description above)
225	Subdividing a farm unit	Recorded plat or map of the subdivision showing where the water will be delivered to the irrigable acres. Meet with irrigation project staff to see how the water delivery can be accomplished.	Identify where the water is to be delivered and how to accomplish delivery.
305	Requesting leaching service	Submit a written plan that documents how soil salinity limits the crop production and how leaching service will correct the problem.	Identify whether leaching is appropriate.
310	Requesting water for domestic or stock purposes	Document that this service will not interfere with the normal operations or maintenance of the irrigation facility, will not adversely affect the water supply, and will not cause additional costs to the BIA that the BIA has not approved.	Determine whether approving the request will allow continued operation and maintenance of the facility and water supply without additional cost.
405	Building non-government structures in BIA rights-of-ways	Depending on the structure and how it affects the BIA right-of-way, the requester may need to provide plans of the structure. The requester would probably	Determine whether BIA is protected from cost and potential liability and whether the irrigation project will

		need to meet with irrigation staff. An agreement would be drafted relieving the BIA from any liability or responsibility for the structure, future costs and other issues.	be disrupted.
410	Installing a fence on BIA property or rights-of-ways	Depending on the fence and how it affects the BIA right-of-way, the requester may need to provide plans of the alignment of the fence. An agreement would be drafted relieving the BIA from any liability or responsibility for the fence, future costs and other issues.	Determine whether BIA is protected from cost and potential liability and whether the irrigation project will be disrupted.
550	Requesting Payment Plans on bills	The water user would need to certify that they are unable to pay the bill on time and provide the necessary documentation proving that they cannot pay on time.	Determine whether a basis exists for entering into a payment plan.
605	Establishing a carriage agreement (carrying third party water through our facilities)	The respondent may need to provide information about the third party water source and expected use to allow us to determine whether our facilities have adequate capacity.	Determine whether BIA irrigation facility can support the third party carriage or whether it is in the best interest of the BIA facility to convey our water through third-party facilities.
610/ 615	Negotiating an irrigation incentive lease with the BIA	Written request with detailed plan to improve idle lands including a description of specific improvements, estimated cost of the improvements, time schedule, proposed schedule for delivery, if necessary, and justification for use of irrigation water during the improvement period. This also includes reviewing the terms and conditions of the Incentive Agreement.	Determine whether to enter into an irrigation incentive lease is in the best interest of the facility.
710/715	Requesting	Written request for assessment	Determine whether

	annual assessment waiver or reduction until lands become productive	waiver.	appropriate circumstances exist to allow an assessment waiver.
--	---	---------	--

This information is the minimum required for the Bureau of Indian Affairs to make informed decisions.

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.

Currently, no 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. The program explored the possibility of allowing for electronic submission of information for this collection; however, the program was unable to develop a secure public-facing platform for this purpose because of time and budget constraints. Electronic submission of information is something that the program is interested in pursuing in the future and will reevaluate if circumstances change.

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 information is tied specifically to providing the irrigation services that the public seeks from BIA-owned and operated irrigation projects. No other sources can provide this information, which is needed to provide irrigation services.

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

BIA has ensured that it requires only that information that is essential to providing the requested irrigation serviced. Customers may include farms, individuals, or small businesses. The burden on such entities is minimal and is equivalent to what customers provide other irrigation service providers.

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.

The consequences of non-collection would be lack of irrigation service to the customers,

resulting in harm to their crops and income for individual landowners and leasees, as well as potentially productive land becoming idle which would harm the Tribe's crop yields and resultant income.

- 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 will apply to this collection. The only confidential information respondents must submit is a Taxpayer ID number, as required by the Debt Collection Improvement Act. BIA maintains the records containing this information in accordance with its Privacy Act system of record notice BIA-34, National Irrigation Information Management System.

- 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.**

A notice providing a 60-day comment period on this information collection was published in the Federal Register on December 14, 2015 (80 FR 77371). No public comments were received in response to this notice.

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.

BIA queried the following individuals, as they work closely with numerous water users, to obtain their views on the availability of forms, frequency of collection, clarity of instructions, and relevance of data elements to be recorded as follows:

- Beatrice Brown-Herder, Secretary at Colorado River Irrigation, 12124 1st Avenue, Parker, AZ 85344 (928) 662-4392
- Georgine Falls Down, Accounting Technician/Office Manager, Weaver Drive, Bldg 2, Crow Agency, MT 59022 (406) 638-2863
- Katie Fixico, Administrative Support Assistant, Bannock Ave, Bldg 2, Fort Hall, ID 83203 (208) 238-1992

Ms. Brown-Herder, Ms. Falls Down, and Ms. Fixico work closely with water users, and they reached out to their respective water users to obtain their views on this information collection. Overall, the water users felt that the Water Request forms are readily available, straightforward, and instructions are clearly spelled out. The water users agreed that requesting irrigation service, leaching service, or water for domestic or stock purposes were within the estimated times to complete the form. Therefore, there are no changes for this information collection. Some water users expressed the desire to electronically submit the forms, which is planned for the future. This is something that the program will look in to in the future and determine whether or not electronic submission of forms is feasible.

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

Respondents will not receive any payment, gift, or other remuneration for providing the information collection requirements.

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

No assurance of confidentiality is provided to respondents; however, BIA maintains files containing their personally identifiable information in accordance with the Privacy Act system of record notice BIA-34, National Irrigation Information Management System.

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.

We do not request any information of 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.”**

We estimate that we service 6,300 individual users and 1,200 business users for a total of 7,500 users per year. This number is based upon the number of bills BIA sends out each year. The water users request irrigation service approximately 4 times each year, so the total number of responses for requesting irrigation service is 25,200 individual responses and 4,800 business responses. In addition, these same respondents may request additional services, resulting in a total of 4,165 individual responses and 740 business responses for a total of 34,905 responses each year. We estimate that the total annual hourly burden is 17,943 or cost equivalent to \$843,514.

We estimate the salary of respondents at \$33.58 per hour.* Including a multiplier of 1.4 for benefits, the total salary of respondents is estimated to be \$47.01 per hour. This results in a total annual cost of \$843,514.

The users mainly request water to be turned on or turned off. Users are not required to maintain records but may do so for business purposes. The information they submit is for the purpose of obtaining or retaining a benefit, namely irrigation water.

Table 12-A shows the estimated annual number of responses, hour burden per response, total annual hour burden, and annual cost burden. The hour burden per response is based on an average of the range shown in Table 12-B.

Table 12-A. Public Burden				
Service	Annual No. of Responses	Hour Burden per Response	Total Annual Hour Burden	Annual Cost Burden (@ \$47.01/hr)
Requesting irrigation service (Individual)	25,200	0.5	12,600	592,326
Subdividing a farm unit (Individual)	85	4	340	15,983
Requesting leaching service (Individual)	510	1	510	23,975
Requesting water for domestic or stock purposes (Individual)	3,221	0.3	966	45,426
Building non-government structures in BIA rights-of-ways (Individual)	57	3	171	8,039
Installing a fence on BIA property or rights-of-ways (Individual)	44	1.5	66	3,103
Requesting Payment Plans on bills (Individual)	107	2	214	10,060
Establishing a carriage agreement (carrying third party water through our facilities) (Individual)	1	1	1	47
Negotiating an irrigation incentive lease with the BIA (Individual)	18	6	108	5,077
Requesting annual assessment waiver (Individual)	123	1	123	5,782
Requesting irrigation service (Business)	4,800	0.5	2400	112,824
Subdividing a farm unit (Business)	15	4	60	2,821
Requesting leaching service (Business)	90	1	90	4,231
Requesting water for domestic or stock purposes (Business)	570	0.3	171	8,039
Building non-government structures in BIA rights-of-ways (Business)	10	3	30	1,410
Installing a fence on BIA property or rights-of-ways (Business)	8	1.5	12	564
Requesting Payment Plans on bills (Business)	19	2	38	1,786
Establishing a carriage agreement (carrying third party water through our facilities) (Business)	3	1	3	141
Negotiating an irrigation incentive lease with the BIA (Business)	3	6	18	846

Requesting annual assessment waiver (Business)	22	1	22	1,034
Annual Totals	34906		17943	\$843,514

Table 12-B shows the hourly burden range associated with each information collection, and estimated average based on that range. This table also shows the number of responses associated with each.

Table 12-B. Hour Ranges and Responses			
Service	Hour Burden Range	Estimated Average Hour Burden (used in Table 12-A)	Annual No. of Responses**
Requesting irrigation service	Form only takes 0.16 (10 minutes)– 0.25 (15 minutes). Increased average upward to account for the need to deliver the form to the mailbox, fax, or BIA irrigation project office.	0.5	7,500 (7,500 x 4 = 30,000)
Requesting irrigation service to a subdivided a farm unit	4	4	This activity is rare. 1 request
Requesting leaching service	1 – 1.5	1	600 requests
Requesting water for domestic or stock purposes	0.2 (12 minutes) – 0.5	0.3	3,900 requests
Requesting permission to build non-government structures in BIA rights-of-ways	1 – 12	3	67 requests
Requesting permission to install a fence on BIA property or rights-of-ways	1 - 2	1.5	52 requests
Requesting Payment Plans on bills	0.3 (18 minutes) - 6	2	126 requests
Requesting to establish a carriage agreement (carrying third party water through our facilities to your lands)	1	1	This activity is rare. 3 requests
Negotiating an irrigation incentive lease with the BIA	2 - 16	6	21 requests
Requesting annual assessment waiver	0.2 (12 minutes) - 2	1	135 requests

* BLS news release USDL: 16-0463, Employer Costs for Employee Compensation – December 2015 (Table 1,

All Workers – Total Compensation): <http://www.bls.gov/news.release/ecec.toc.htm>.

** These estimates are based on the input of BIA Irrigation Staff.

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.**

There is no non-hour cost burden associated with this information collection.

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.

The cost to the Federal government assumes the collecting, recording and filing of information is performed by a GS-4 assistant. It is estimated that the assistant will be a GS 4, Step 5, with an hourly salary of \$13.72*. Including a multiplier of 1.5 for benefits results in a total salary cost of \$20.58. By law, the cost of providing this service by the federal government is recovered in the rates charged the consumers.

Federal Government Burden

Responses	Minutes per response	Total Minutes	Equivalent Hours (Total Minutes/60)	Cost per hour	Total cost burden (Equivalent Hours x Cost per Hour)
34906	5	174530	2,909	\$20.58*	\$59,867 (2,909 x \$20.58)

Note: Time to turn water deliveries on and off is part of the daily operation and maintenance activities of the projects; therefore, costs are already included in the seasonal assessments for irrigation water service.

*Salary Table 2016 – GS, Effective January 2016. <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2016/general-schedule/>.

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

The amount of respondents for this collection increased because the number of customers applying for water services increased.

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.

No results will be published.

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.

We will display the OMB Control Number and expiration date.

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

No exceptions are necessary to the certification statement.

No exceptions are necessary to the certification statement.