

Supporting Statement for OMB 0596-NEW
COOPERATIVE WILDLAND FIRE MANAGEMENT AND STAFFORD ACT
RESPONSE AGREEMENTS

Note:

The U.S. Department of Agriculture (USDA) Forest Service is the sponsoring agency for this new information collection request. Department of Interior (DOI) agencies apart and supporting this information request package include Bureau of Land Management, Fish and Wildlife Service, National Park Service, and Bureau of Indian Affairs. This request seeks OMB approval for Cooperative Wildland Fire Management and Stafford Act Response Agreement templates and associated information collections. Proposed agreement templates are necessary to negotiate, create, develop, and administer non-assistance cooperative agreements with “fire organization” which includes state, local, and Tribal government respondents related to wildland fire protection and to respond to emergencies or disasters, ensuring maximum protection of resources.

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.**

Agreement instruments included in this request are necessary to enter into Cooperative Wildland Fire Management and Stafford Act Response Agreements with willing Federal, state, local, and Tribal governments to improve efficiency by facilitating the coordination and exchange of personnel, equipment, supplies, services, and funds among the parties in sustaining wildland fire management activities. In order to perform said work and activities in cooperation with Federal, state, local, and Native American Tribal governments classified as a “fire organization”, Congress passed multiple authorities authorizing such cooperation. (See response to question number 2 for the definition of a “fire organization.”) These authorities cited on the next page encourage authorized agencies and willing cooperators to enter into agreements for the purpose of cooperation during wildfires, emergencies, and/or disasters. This information collection request consolidates multiple Federal agency agreement templates into one template with subcomponents called exhibits allowing for a signal agreement that multiple parties can review, negotiate, draft and sign.

The Paperwork Reduction Act, 44 USC 3512(a)(1), as implemented at 5 CFR 1320.6(a)(1), states that agency-specific agreement forms must be approved by OMB and display the OMB control number to be binding on non-Federal entities. In order to negotiate, create, develop, and administer Cooperative Wildland Fire Management and Stafford Act Response Agreements, whether Federally funded or non-funded, Federal agencies must request and receive permission from OMB to collect information from cooperating non-Federal entities during the pre-agreement negotiations, execution of the agreement, administration and monitoring of the agreement, and close-out of the agreement. There are no structural questions incorporated in this request. Parties to the agreement utilize the template and provide additional language, identify resources, utilize applicable exhibits as necessary, and agree to roles and responsibilities that are

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unique to geographical location where the agreement covers. Burden estimates includes the time to review the agreement and to incorporate language specific to addressing issues affecting geographic area the agreement covers. Burden estimates do not include informal and formal meetings or discussion that often take place between the parties to an agreement.

The scope of the information collection request includes, but not limited to: drafting operating plans, providing principal contact information, detailed information concerning suppression costs, project documentation such as financial plans and statement of works, reimbursable billing and detailed invoices, and cooperator business information. Without the collected information, authorized Federal agencies would not be able to negotiate, create, develop, and administer cooperative agreements with cooperators related to effective cooperation during wildfires, emergencies, and/or disasters. Authorized agencies would be unable to develop or monitor projects, draft statements of work, agree to financial plans, make payments, or identify financial and accounting errors.

Statutory Authorities cited in Cooperative Wildland Fire Management and Stafford Act Response Agreements:

- Reciprocal Fire Protection Act of May 27, 1955, as amended (69 Stat. 66; 42 U.S.C. 1856)
- Disaster Relief Act of May 22, 1974, (42 U.S.C. 5121 as amended)
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288)
- Homeland Security Act of 2002 (H.R. 5005-8)
- Homeland Security Presidential Directive-5 (HSPD-5)
- Post-Katrina Emergency Management Reform Act of 2006. (P.L 109-295, 120 Stat. 1355)
- National Indian Forest Resources Management Act (P.L. 101-630, Title III) (Interior Agencies)
- Service First, Section 330 of the Department of the Interior and Related Agencies Appropriations Act of 2001, Pub. L. 106-291, 114 Stat. 996, 43 U.S.C. sec. 1701 note, as amended (FS,DOI)
- Department of the Interior and Related Agencies Appropriations Act, 1999, as included in P.L. 105-277, section 101(e);
- Federal Land Policy and Management Act of Oct. 21, 1976, (P.L.94 579; 43 U.S.C.)(BLM)
- NPS Organic Act (16 U.S.C.1) (NPS)
- National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd-668ee, 80 Stat. 927, as amended) (FWS)
- National Wildlife Refuge System Improvement Act of 1997 (P.L. 105-57) (FWS)
- National Forest Management Act of 1976 (16 U.S.C. 1600) (FS)

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- Applicable state, local, or Tribal authority.
- 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.**

In this request, the Forest Service is the lead agency seeking approval for new information collections related to entering into Cooperative Wildland Fire Management and Stafford Act Response Agreements with a “fire organization.” The term “fire organization” means any governmental entity or public or private corporation or association maintaining fire protection facilities within the United States, its Territories and possessions, and any governmental entity or public or private corporation or association which maintains fire protection facilities in any foreign country in the vicinity of any installation of the United States. The Forest Service is charged with the duty of providing fire protection for any property of the United States and is authorized to enter into a reciprocal agreement, with any fire organization maintaining fire protection facilities in the vicinity of such property, for mutual aid in furnishing fire protection for such property and for other property for which such organization normally provides fire protection.

The Cooperative Wildland Fire Management and Stafford Act Response Agreements incorporated in this request will be entered into with willing Federal, state, local, and Native American Tribal governments related to administrative procedures which are required for approval by OMB under the Paperwork Reduction Act of 1995 and OMB’s implementing regulations in 5 CFR 1320 Controlling Paperwork Burdens on the Public. New information collections include the following agreement instrument: the Master Cooperative Wildland Fire Management and Stafford Act Response Agreement template. For the complete list and description of the template and associated administrative collections called exhibits see letter “d” of this question.

Federal agencies incorporated in this information request include:

- USDA, Forest Service;
- DOI, Bureau of Land Management;
- DOI, Fish and Wildlife Service;
- DOI, National Park Service; and
- DOI, Bureau of Indian Affairs

- a. What information will be collected reported or recorded? (If there are pieces of information that are especially burdensome in the collection, a specific explanation should be provided.)**

The Information collected from cooperators includes:

- Cooperator Contact Information: Name, title, address, phone number, and email address;
- Cooperator Business Information: Such as Employer ID Numbers (EINs), Taxpayer Identification Numbers (TIN), Data Universal Numbering System (DUNS) number, & System of Award Management (SAM) number;

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- Operating Plans: Plans include detailed frameworks for Geographic Area Operating Plans; Statewide Operating Plans; Sub-Geographic (Local) Area Operating Plans; and Project Plans.
 - Detailed Invoices: Non-Federal entities must provide as a minimum on each invoice/bill: Agency name, address, phone number, and agency financial contact; Invoice or bill number; Agreement number; Incident name and number; Dates of the incident covered by the billing; Location and jurisdictional unit; Appropriate Firecode or charge code; and Summary cost data for the amount being billed.
 - Cost-Share Information: Cooperators will provide detailed information which includes, but not limited to, name of the fire, origin of the fire, and agencies evolved.
 - Supplemental Projects: Information includes statement of works, such as the total project to be accomplished, methodology, measurable objectives to be accomplished, time frame for completion, anticipated sub-agreement or subcontracting activity, desired results, role and responsibilities, maps, etc. as well as financial plans which include contribution types and amounts, list of contractors/sub recipients, etc.; and
 - Other related administrative and financial information.
- b. From whom will the information be collected? If there are different respondent categories (e.g., loan applicant versus a bank versus an appraiser), each should be described along with the type of collection activity that applies.**

Statutory authorities authorizing the Cooperative Wildland Fire Management and Stafford Act Response Agreement outlines that “fire organizations” may participate in the non-assistance agreement program. The list of authorities can be found under Question 1. Information is collected in this request from Federal, state, local, and Tribal governments. Statutory authorities may also be interpreted to include foreign governments and non-profits organizations, however, the template incorporated in this request is to be enter into with Federal, state, local, and Tribal governments only. There are templates under other information collections that are currently used to enter into agreement with these non-Federal entities (e.g., OMB 0596-0217). Future iterations of this request may include additional non-assistance cooperative agreement templates for other “fire organizations.” Definition of a “fire organization can be found in the response to question 2.

To negotiate, execute, and administer an agreement template under this information collection, authorized agencies must collect specific information from willing cooperators from the pre-agreement negotiations to the closeout administration of the agreement. Parties to the agreement must collaborate in the drafting of the agreement and its exhibits. To allow for flexibility in identifying resources and in clarifying roles and responsibilities that are unique to geographical location, agreement templates incorporate collaborative elements allowing for incorporating additional language

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mutually agreed to and necessary to effectively cooperate in performing the objectives of the cooperative relationship.

c. What will this information be used for provide ALL uses?

The Cooperative Wildland Fire Management and Stafford Act Agreement and its exhibits allow the parties to the agreement to improve efficiency by facilitating the coordination and exchange of personnel, equipment, supplies, services, and funds among the parties in sustaining wildland fire management activities, such as prevention, preparedness, communication and education, fuels treatment and hazard mitigation, fire planning, response strategies, tactics and alternatives, suppression and post-fire rehabilitation and restoration. The information collection also allows the parties to coordinate on other incidents as well. The collection of information assists parties to the agreement to properly draft and execute agreements from the pre-award to the close-out stage. The information collected by willing cooperators will be used to negotiate agreements by clarifying roles and responsibilities, to identify resources, to draft specific language related to the unique geographical location where the agreement covers, to develop operating plans, to reimburse cooperators for allowable costs, to structure, monitor and administer projects, and to close-out agreements.

d. How will the information be collected (e.g., forms, non-forms, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?

Respondents have multiple options for responding, including forms, templates, electronic documents, in person, telephone, and email. Parties to the agreement may provide the information electronically, in person, over the phone, and over the internet. Typically, the information will be collected via phone calls, e-mails, postal mail, and in person meetings. Electronic responses are encouraged. There are no structural questions incorporated in this request. Parties to the agreement collaborate, negotiate, and agree to language, exhibits, and documents that are necessary to be incorporated into the agreement. Additional language incorporated in the template includes, but not limited to, identifying resources and clarifying roles and responsibilities that are unique to geographical location where the agreement covers. Burden estimates includes the time to review and draft the agreement. Burden estimates do not include informal and formal meetings or discussion that often take place between the parties to an agreement.

The following lists the Cooperative Wildland Fire Management and Stafford Act Response Agreement including its supplemental parts called exhibits:

Master Cooperative Wildland Fire Management and Stafford Act Response Agreement - Template:

Description: The purpose of this Master Cooperative Wildland Fire Management and Stafford Act Agreement and its exhibits are to be used to document the commitment of the parties signatory to the agreement to improve efficiency by facilitating the coordination and exchange of personnel,

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equipment, supplies, services, and funds among the parties in sustaining wildland fire management activities, such as prevention, preparedness, communication and education, fuels treatment and hazard mitigation, fire planning, response strategies, tactics and alternatives, suppression and post-fire rehabilitation and restoration.

In addition to improving efficiency in addressing wildland fire management activities, the template facilitates improved coordination regarding other incidents. The National Response Framework (NRF) applies to all Federal departments and agencies that may be requested to provide assistance or conduct operations during all-hazard events. However, the agreement template ONLY covers all-hazard events that are, or may become, declared as emergencies or major disasters that occur under the auspices of a Presidential Declaration of Emergency or Major Disaster under the Stafford Act, which may include wildland fire management and non-wildland emergencies or major disasters. These events also require a coordinated response by an appropriate combination of State and Tribal entities, along with the Federal Agencies.

The template allows parties both non-Federal and Federal to document the commitment of these entities to provide cooperation, resources, and support to the Secretary of Homeland Security and Administrator of the Federal Emergency Management Agency (FEMA) in the implementation of the NRF, as appropriate and consistent with their own authorities and responsibilities.

Authorized Activities: Allowable activities include Federal agencies entering to agreement with other with “fire organization” which includes state, local, and Tribal government respondents to provide wildland fire protection, to perform approved severity activities, and to respond to presidentially declared emergencies or disasters. The list of authorities can be found under Question 1.

Information Collected: 1) Contact information; 2) Employer ID Numbers (EINs), Taxpayer Identification Numbers (TIN), Data Universal Numbering System (DUNS), & System of Award Management (SAM); and 3) Other related administrative information. Agreements must be signed by the cooperating parties’ designated signing official.

Master Agreement Subcomponents: “Exhibit A” through “Exhibit I”

- **Exhibit A: Glossary**

Description: The Glossary establishes and defines words and phrases as used throughout the agreement. As there may be different meanings or interpretations for different readers for words and phrases used, the Glossary defines common words and phrases by a hierarchy of terminology: 1) definitions found in statute or regulation, 2) those defined in policy, 3) those defined in this template, and 4) those in other agency and interagency documentation. In the event of a conflict, the applicable definitions for the response type, wildland fire vs Stafford Act responses will take precedence. For wildland fire, that is the NWCG Glossary of Wildland Fire Terminology, found on the

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“Publications” page of the National Wildfire Coordinating Group web-page (www.nwccg.gov/pms/pubs/glossary/index.htm), and Stafford Act Response terminology corresponds to the FEMA NIMS glossary, available at in the NIMS document (www.fema.gov/pdf/emergency/nims/NIMS_core.pdf).

- **Exhibit B: Principle Contacts**

Description: Exhibit provides the opportunity for parties to the agreement to identify their principle contacts for the agreement. Information collect from non-Federal entities include name, title, business address, phone number, fax number, and email address. Points of contact will be reviewed annually and revised as necessary due to changes in the Federal and non-Federal entities personnel.

- **Exhibit C: Operating Plans (Geographic Area Operating Plans; Statewide Operating Plans; Sub-Geographic (Local) Area Operating Plans; and Project Plans)**

Description: Under the Mater agreement, parties may develop operating plans which include: Geographic Area Operating Plans; Statewide Operating Plans; Sub-Geographic (Local) Area Operating Plans; and Project Plans. These subcomponents allows for the flexibility to provide localized frameworks for state, local, and Tribal governments to cooperate during wildfires, emergencies, and/or disasters with participating Federal agencies.

Geographic Area Operating Plans (if applicable): Geographic Area Operating Plans will address issues affecting Geographic Area-wide cooperation. Plans will be approved by the signatory state, Tribal, and Federal member agencies.

Statewide Operating Plans: For statewide operating plans, Federal agencies will coordinate with state and Tribal governments regarding issues affecting statewide cooperation. The Statewide Mobilization Guides will be identified and considered part of the Statewide Operating Plans.

Sub-Geographic (Local) Area Operating Plans (if applicable): For local operating plans, Federal agencies will coordinate with state, local, and Tribal governments. Sub-geographic area operating plans will be developed that outline the details of the agreement for sub-geographical areas. Unit Administrators will have the responsibility for developing and approving sub-geographic area operating plans. Unless superseded by the Geographic Area or Statewide Operating Plans, sub-geographic area operating plans will apply.

Project Plans (if applicable): Project plans are developed for specific non-suppression, fire related projects or activities.

- **Exhibit D: Reimbursable Billings and Payments**

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Description: Exhibit provides parties to the agreement with the framework and the procedures necessary to properly administer reimbursable bills and how to request for payments. Information is not collected under the exhibit and is collected when parties to the agreement submit invoice request for reimbursable payments. Non-Federal Entities must provide as a minimum on each invoice/bill: Agency name, address, phone number, and agency financial contact; Invoice or bill number; Agreement number; Incident name and number; Dates of the incident covered by the billing; Location and jurisdictional unit; Appropriate Firecode or charge code; and Summary cost data for the amount being billed. Summary data may include but is not limited to, a list of personnel, travel, and equipment expenses; and a listing by vendor name and amount spent for supplies and services procured. Generally, cost source documents will not be required unless summary cost data is disputed, there is a Fire Management Assistance Grant (FMAG), or unless specific agency regulations require cost source documents.

- **Exhibit E: Cost Share Agreement Instructions**

Description: Exhibit provides parties to the agreement with the framework and the procedures necessary to properly administer the Cost Share Agreement Template. Information is not collected under this exhibit. The document provides for information and knowledge sharing only.

- **Exhibit F: Cost Share Agreement Template**

Description: Non-obligating subcomponent to the master agreement and linked to the operating plan which outlines the distribution of costs for specific fire suppression. Information collection includes, but not limited to, name of the fire, origin of the fire, and agencies evolved. Federal agencies or non-Federal entities may enter information into the template and parties must sign the instrument. The template allows for flexibility to incorporate large, medium, and small fires under the master agreement. Cost-Share Agreement will coordinate with state, local, and Tribal governments.

- **Exhibit G: Supplemental Fire Department Resources Template**

Description: There are situations when additional support personnel are necessary for national mobilization and the need can be filled by supplemental personnel available to the fire district. When this situation arises, resources will be mobilized via the process outlined in this exhibit. Information collected from non-Federal entities include the time to review the mandatory provisions and sign the agreement template.

- **Exhibit H: Use and Reimbursement for Stafford Act Shared Resources**

Description: There are situations when Use and Reimbursement for Stafford Act Shared Resources agreements are necessary national

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mobilization as authorized by the Disaster Relief Act, 42 U.S.C. § 5147. Information collected from non-Federal entities include the time to review the mandatory provisions, states/Tribes billing information, and signing the agreement template by designated officials

- **Exhibit I: Supplemental Project Agreement (SPA) Template**

Description: Obligating subcomponent under the master agreement incorporating specific project roles and responsibilities, statement of work(s), financial plan(s), reporting requirements, payment provisions, and other conditional provisions necessary to complete collaborative work between the parties. The agreement template allows for flexibility to incorporate large, medium, and small projects under the master agreement. For SPAs, Federal agencies will coordinate with state, local, and Tribal governments.

e. How frequently will the information be collected?

Cooperators voluntarily enter into agreements under this information request. Any party may initiate conversations to enter into cooperative agreements at any time. The performance period for these agreements begin from the date of the last signature and are in effect for five years. Once an agreement is established, both parties will communicate frequently in the performance of the agreement. At any time, modifications to the agreement may be initiated by either party which will increase the amount of information collected based on the number of modifications entered into and the degree of change to the scope of the existing agreement. Master agreements are anticipated to be replaced and renewed once every 5 years. Operating Plans are anticipated to be executed, revised, or reviewed annually. SPAs may be executed at any time and may vary in the period of performance.

Several of the exhibits are intended to be used as templates and as such completion and/or execution of those exhibits do not require formal modification. Also, as necessary, the parties may introduce new or revised exhibits at the geographic, statewide, or sub-geographic areas as a component of the Operating Plans without necessitating a formal modification to the signed agreement, so long as they do not conflict with the provisions of the signed Agreement.

f. Will the information be shared with any other organizations inside or outside USDA or the government?

The information will not be shared with other Federal and non-Federal organizations that are not signatory to the agreement except as required under Freedom of Information Act and the Federal Accountability and Transparency Act or as agreed to jointly by the Cooperator and the Forest Service, in writing.

g. If this is an ongoing collection, how have the collection requirements changed over time?

This is a new information collection request.

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- 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.**

Cooperator respondents to a Federal agency's request for information collection may respond to information collection requests by either: handwritten or manually typed documentation submitted via any mail delivery service; electronic documentation submitted via internet, including emails; by electronic submission via fax; by voice over telephonic device, such as a telephone or voice over internet provider, or in person discussions with the Federal agency; or any other commonly used means of communication available to both parties. Forms may be located on a National office or region Forest Service/Department of Interior websites.

- 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.**

This information collection request consolidates multiple Federal agency agreement templates into one template allowing for a National template to be used with state, Tribal, and local governments who desire to enter into cooperative agreements with Federal agencies for wildfires, emergencies, and/or disasters activities. One standard template that can be used by multiple Federal agencies reduces duplication of agreements for non-Federal respondents and allows multiple parties to sign one agreement instead of signing individual agreements with each Federal agency.

The collection includes a master agreement template with subcomponents called exhibits which permits the overarching agreement to be established between a cooperator and the Federal agency(ies). Under this overarching agreement, units from both parties may execute Operating Plans, provide Principal Contact information, provide accurate billing information and associated payments, Cost Share Agreements, Supplemental Fire Department Resources instruments, Use and Reimbursement for Stafford Act Shared Resources instruments, and Supplemental Project Agreements which decreases duplication of information and increases consistency of response implementation. As the information collected is unique due to a number of factors, including but not limited to geographical area and jurisdictional boundaries, the information collected is not available from any other source.

The USDA Forest Service and DOI agencies part of this information request have carefully reviewed the collection for duplication. The Cooperative Wildland Fire Management and Stafford Act Response Agreement, including its exhibits, is unique to its authorizing statutes which require the development of a new template which combines and consolidates other instruments and templates. Current Federal Financial Assistance award letters and Partnership Agreement templates incorporated under OMB 0596-0217 cannot accommodate the

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requirements of the statutes as well as the flexibility necessary to accomplish collective emergency response while at the same time ensure the Federal agencies maintain proper fiscal stewardship over tax payer dollars. The regulations governing Federal financial assistance relationships are not applicable to agreement templates under this information collection request.

In regards to Federal Financial Assistance award letters, regulations governing Federal financial assistance relationships are not applicable to agreement templates under this information collection request. The regulations in 2 CFR 200 set forth the general rules that are applicable to all grants and cooperative agreements made by the USDA and DOI. Because the Federal Government's use of Cooperative Wildland Fire Management and Stafford Act Response Agreements entered into under cited Federal statutes are not financial assistance for the benefit of the recipient but instead are entered into for the mutual benefit of the Federal government and the non-Federal cooperators, the assistance regulations in 2 CFR 200, as adopted and supplemented by the USDA and DOI, are not applicable to such agreements. For this reason, the template incorporated in this information request was created to accommodate the unique elements, laws, and regulations necessary to enter into these agreements.

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

The USDA Forest Service and DOI agencies part of this information request will minimize the burden to cooperators by materially assisting in the drafting of the agreements, after both informal and formal discussions. Additionally, Federal agencies will not request the same information twice, unless a problem arises related to any previous request. Furthermore, Federal agencies will only seek information required to carry out the basic administrative functions and to document working relationships, financial arrangements, and joint activities necessary to respond to wildland fires and perform other authorized responses and projects.

The USDA Forest Service and DOI agencies part of this information request provide a number of customer service products available to assist the cooperator, such as comprehensive websites, which provide regulatory and policy information, forms, procedural information, etc.; points of contact with the agency, including the name, address, email, and phone number for the agreements specialist, the program manager, and other relevant project contacts; and, a toll free telephone number to the agency's budget and finance centers finance related issues. The majority of small business partners who work with the USDA Forest Service and DOI agencies will work under contracts and procurement instruments and not directly under a Cooperative Wildland Fire Management and Stafford Act Response Agreement.

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.

Without the ability to collect the information from cooperators, the USDA Forest Service and DOI agencies would not be able to conduct any of the activities

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authorized under the authorities and instruments listed in Question 2, letter D. Agencies to this request would not be able to develop projects, make payment, monitor projects, identify financial and accounting errors, agree to roles and responsibilities, etc. There are no technical or legal obstacles to reducing burden.

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;**

Respondents are asked to report more often than quarterly when substantive changes occur to their information, timely provide information as agreed to by both parties in an agreement, and mutually agree with the agency to enter into a modification to the original agreement.

- **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;**

Financial records, supporting documents, and all other records pertinent to a Cooperative Wildland Fire Management and Stafford Act Response Agreement must be retained for a period of three years from the date of submission of the final expenditure report or, for agreements that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, as authorized by the Federal awarding agency. The only exceptions are the following.

1. If any litigation, claim, or audit is started before the expiration of the 3-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.
2. Records for real property and equipment acquired with Federal funds shall be retained for 3 years after final disposition.
3. When records are transferred to or maintained by the Federal awarding agency, the 3-year retention requirement is not applicable to the recipient.
4. Indirect cost rate proposals, cost allocations plans, etc. as specified.

- **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**

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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 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.**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

The Federal Register 60-day Notice for this new information collection was published on August 5, 2016, Vol. 81, No. 151, page 51845 - 51846. The Forest Service did not receive comments from the public.

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 record keeping, 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 3 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.

a. Template Working Group: Over the past few years, Federal agencies apart of this information collection have worked collectively with stakeholders on drafting the universal template. Multiple meetings, stakeholder working groups, leadership briefings, and general counsel/solicitor reviews occurred leading to the draft agreement proposed in this request. Every attempt was made to ensure that the proposed information collection is clear, concise, and flexible to allow for activities to be performed seamlessly by parties to the agreement.

b. U.S. Forest Service Website: The U.S. Forest Service created an outward facing webpage providing the public information regarding the Cooperative Wildland Fire Management and Stafford Act Response Agreement which allows the USDA Forest Service and DOI Agencies to enter into cooperative agreements with other Federal agencies, state, local, and Tribal governments to provide wildland fire protection, to perform approved

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severity activities, and to respond to presidentially declared emergencies or disasters.

Link: www.fs.fed.us/managing-land/fire/master-agreement-template.

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

No financial incentive, payment or gift, will be provided to respondents.

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

All other assurances of confidentiality, found in agency related agreement provisions, are standardized and based on the Freedom of Information Act (5 U.S.C. § 552, as amended by Public Law No. 104-231, 110 Stat. 3048) and FSM 1580, et. al.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.

There are no questions of a sensitive nature, such as those pertaining to sexual behavior, attitudes, religious beliefs, or other matters commonly considered private.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

Table 1: Estimated Reporting

BURDEN ESTIMATE	NUMBER OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL NUMBER OF RESPONSES	AVERAGE HOURS PER RESPONSE *	TOTAL ANNUAL BURDEN HOURS
State, local, and Native American Tribal Governments: Creating/developing, maintaining/processing, reviewing, and closing-out physical/electronic file(s), including all related administrative actions associated with the project(s)	320	3	960	49	47,040
Totals:	320	---	960	--	47,040

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*Includes development of operating plans, reviewing and providing language to the agreement and applicable exhibits, signing the agreement and exhibits, providing detailed invoices for reimbursement, and project specific information such as statement of works and financial plans. Please see attached Appendix A, Burden Estimate and Form Descriptions for the estimate of public burden. Figures may not calculate due to rounding.

- **Record keeping burden should be addressed separately and should include columns for:**
 - a) **Description of record keeping activity:** See [table entry](#)
 - b) **Number of record keepers:** See [table entry](#)
 - c) **Annual hours per record keeper:** See [table entry](#)
 - d) **Total annual record keeping hours (columns b x c):** See [table entry](#)

Table 2: Estimated Recording Keeping Activity (Based on 70 Master Cooperative Wildland Fire Management and Stafford Act Response Agreements signed).

DESCRIPTION OF RECORD KEEPING ACTIVITY	NUMBER OF RECORD KEEPERS	NUMBER OF RESPONSES PER RECORD KEEPER	TOTAL NUMBER OF RESPONSES	ANNUAL HOURS PER RECORD KEEPER	TOTAL ANNUAL RECORD KEEPING HOURS
State, local, and Native American Tribal Governments: Creating/developing, maintaining/processing, reviewing, and closing-out physical/electronic file(s), including all related administrative actions associated with the project(s)	320	1	320	1.00	320
Totals:	320	---	320	--	320

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

Table 3: Estimated Annualized Cost to Respondents.

DESCRIPTION OF ACTIVITY	ESTIMATED TOTAL RESPONSES	ESTIMATED TOTAL ANNUAL BURDEN ON RESPONDENTS (HRS)	ESTIMATED AVERAGE COST PER HOUR*	ESTIMATED COST TO RESPONDENTS**
State, local, and Native American Tribal	320	1,280	\$48.00	\$61,440

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Governments: Creating/developing, maintaining/processing, reviewing, and closing-out physical/electronic file(s), including all related administrative actions associated with the project(s)				
Totals:	320	1,280	\$48	\$61,440

* Department of Labor, Occupational Employment and Wages, May 2014 (Business Operations Specialist, mean hourly wage \$35.10). Reference Link: <http://www.bls.gov/oes/current/oes131199.htm>.

** Mean \$35.10 / hr wage is multiplied by 36.25% per OMB Memorandum M-08-13 for a total hourly wage of \$47.83 rounded to \$48. A total of 1,280 hours multiplied by \$48/hr. = \$61,440.

*** Note that the estimated costs to the recipient are typically allowable cost to the agreement authorized by the applicable cost principle and charged either as an indirect or a direct cost.

13. Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information, (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) 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.

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The response to this question covers the actual costs the agency will incur as a result of implementing the information collection. The estimate should cover the entire life cycle of the collection and include costs, if applicable, for:

- Employee labor and materials for developing, printing, storing forms
- Employee labor and materials for developing computer systems, screens, or reports to support the collection
- Employee travel costs
- Cost of contractor services or other reimbursements to individuals or organizations assisting in the collection of information
- Employee labor and materials for collecting the information

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- **Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information**

Table - 4: Estimates of Annualized Cost to the Federal Government

Cost Category	Estimated Costs	Methodology
Employee labor and materials for developing, printing, storing forms	\$6,156.00	50 people x \$38.00/hr ² x 3 hrs work/person x 1.08 ³ indirect rate= \$3,078.00
Employee labor and materials for collecting the information	\$9,234.00	150 program managers/grants & agreements specialists (avg. of one person/instrument)x \$38.00/hr ² x 1.5 hrs/instrument = \$8,550.00 Subtotal x 1.08% ³ burden rate= \$9,234.00 Total
Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information	\$15,390.00	150 program managers/grants & agreements specialists (avg. of one person/instrument) x \$38.00/hr ² x 2.5 hours/instrument = \$14,250.00 Subtotal x 1.08 ³ burden rate=

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		\$15,390.00 Total
Totals⁴:	\$30,780.00	<i>Figures may not calculate due to rounding.</i>

¹ This amount covers the entire life cycle; however, these costs are the initial startup costs. Other cumulative costs and materials are included in the agency burden rate (2016) of 8% associated with routine employee labor costs.

² GS-11, Step 1, average position, based on OPM 2015 GS Pay Scale based on the OMB Memorandum M-08-13, hr. wage with benefits = \$38.23/hr rounded to \$38.

³ Forest Service national burden rate of 8% (2016).

⁴ The computer system already existed for Federal Financial Assistance and Non-Assistant Cooperative Agreements. Additional costs and materials are included in the agency burden rate (2016) of 8% associated with routine employee labor costs.

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of OMB form 83-I.

This is a new information collection.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

Results of this information 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 that display would be inappropriate.

Paperwork Reduction Act, 44 USC 3512(a)(1), as implemented at 5 CFR 1320.6(a)(1) states that agency-specific forms must be approved by OMB and display the OMB control number to be binding on our partners. Since Forest Service specific agreements are signed and expired in 5 years, the Forest Service and DOI agencies apart and supporting this information collection requests that the expiration date not be included on OMB approved the Cooperative Wildland Fire Management and Stafford Act Response Agreement template. Agencies are concerned that its state, local, and Tribal cooperators may believe that signed agreements are no longer binding on both parties beyond the OMB expiration date which could lead to serious complications and responses to all-hazard events. Alternatively, if the OMB expiration date must be included on all of the agency-specific agreements, we suggest that modifying all Agency-specific agreements with our partners upon renewal of this information collection may be excessively burdensome on non-Federal parties to the agreement.

18. Explain each exception to the certification statement identified in item 19, "Certification Requirement for Paperwork Reduction Act."

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There are no exceptions to the certification statement.

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APPENDIX A

See Supporting Documents for Annual Burden and Reporting Estimates.