

**SUPPORTING STATEMENT
MANAGEMENT AND OVERSIGHT OF THE NATIONAL
ESTUARINE RESEARCH RESERVE SYSTEM
OMB CONTROL NO. 0648-0121**

A. JUSTIFICATION

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

This request is for an extension of this information collection.

The National Estuarine Research Reserve System (NERRS) is a partnership between the National Oceanic and Atmospheric Administration (NOAA) and 22 states and Puerto Rico that protects more than 1.3 million coastal and estuarine acres in 28 reserves for long-term research, monitoring, education, and stewardship, established under Section 315 of the Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. 1451), 16 U.S.C. 1461. The NERRS consists of carefully selected estuarine areas of the United States that are designated, preserved, and managed for research and educational purposes. The Reserves are chosen to reflect regional differences and to include a variety of ecosystem types according to the classification scheme of the national program as presented in 15 CFR Part 921. As part of a national system, the Reserves collectively provide a unique opportunity to address research questions and estuarine management issues of national significance. The reserves also serve to enhance public awareness and understanding of estuarine areas and provide suitable opportunities for public education and interpretation. Regulations provide guidance for delineating reserve boundaries and additional guidance for arriving at the most effective and least costly approach to establishing adequate state control of key land and water areas. Any qualified public or private persons, organizations or institutions may compete for research funding to work in research Reserves. In fact, applicants are almost always states.

Subsection 315(e)(1)(B) of the CZMA authorizes the National Ocean Service (NOS) to make grants to, or cooperative agreements with, any coastal state or public or private institution or person for purposes of supporting research within the NERRS. This program is listed in the Catalog of Federal Domestic Assistance under "Coastal Zone Management Estuarine Research Reserve, Number 11.420". Applications for such grants follow the provisions of 2 CFR 200.

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.

There are several types of reporting requirements relating to this program. Those documents submitted include: 1) site designation (nomination) materials including associated National Environmental Policy Act (NEPA) requirements, 2) management plans, 3) site profiles which are ecological characterizations of the reserve, and 4) supporting materials for funding applications.

1) **Site Designation:** Requests by states to approve proposed sites must contain the information detailed at 15 CFR 921.11. The information is necessary to ensure that the site meets national

standards and requirements for a reserve, to obtain a complete description of the area being proposed, to ensure that the best available site was chosen, and to ensure proper participation by the public and state's Governor.

A coastal state may apply for financial assistance for the purpose of site selection, preparation of a management plan and environmental impact statement, and for conducting limited characterization studies. The requirements are described at 15 CFR 921.13. The management plan is a detailed document outlining goals, objectives and strategies for the reserve and serves as a framework for establishing and managing a reserve. The plan must contain sub-plans for administration, research, education, public access, construction, land acquisition and resource protection to ensure the appropriate use and protection of reserve resources. This information is needed to ensure that the reserve will meet the objectives the law established for reserves.

The state must also submit the data necessary for NOAA to prepare an Environmental Impact Statement. Since the state has to gather much of this information or similar information for other purposes, it can obtain it efficiently. The state also receives Federal funds to provide this information.

2) **Management Plan:** It is required that management plans be revised every five years 921.33(c). As stated above, management plans outline the major goals, objectives and strategies that the reserve will undertake in a five year period and contains plans for administration, research, education, public access, construction, land acquisition and resource protection. The management plan provides a vision and framework to guide reserve activities during the five year period, enables the reserves and NOAA to track progress and realize opportunities for growth, guides program evaluations under Section 312 of the Coastal Zone Management Act, and enables the reserves to acquire facilities construction and land acquisition funds.

3) **Site Profile:** According to the 15 CFR Subpart I, section 921.60 (1) and (2), monitoring funds are used to support major phases of a monitoring program: (1) studies necessary to collect data for a comprehensive site description/characterization; and (2) development of a site profile. The site profile is a synthesis of information gathered during Phase I, the Environmental Characterization Phase, which is conducted as a combination of literature and field (optional) research that provides an overall picture of the Reserve in terms of its resources, issues, management constraints, and research needs. The site profile will help Reserve management find important information gaps in the resources and identify the aspects of monitoring to be initiated during a later monitoring phase (resource monitoring).

4) **Funding Application:** States apply for Federal funds to assist the state in operation and management of the reserve including the management of research, monitoring, education and interpretive programs (15 CFR 921.32) Applications (SF 424s and supporting documentation required by 2 CFR 200 are required by NOAA to determine if the proposal for funding meets the standards of the Act and implementing regulations, and applicable laws and regulations.

Applications for acquisition and development awards must include a categorical exclusion check list, Certification of Federal Consistency, and State Historical Preservation Office (SHPO) comments. Before the funds for construction are expended, the categorical exclusion checklist, which is a part of the grant application package for construction and development projects, is submitted to NOS for

approval. The National Historic Preservation Act requires that NOAA obtain the state comments to ensure the Federal government is not funding a project that will harm a site of historical significance.

NOAA will 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 will 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.

Extensive effort has been made to establish an electronic system for grant applications. The federal government now uses grants.gov to obtain competitive and non-competitive award applications. Within NOAA's National Ocean Service, an electronic system called Coastal and Marine Management Program (CAMMP) assists NERRS and other applicant in creating the narrative and associated budget portions of the award application. CAMMP serves to facilitate the collection, access, analysis, and dissemination of coastal grant operations data and information at a national level and alleviates the need for paper copies or other programs to create award applications. CAMMP streamlines the application process, improves state and federal data collection and analysis capabilities, serves as a national database for related information on NERR programs and improves accessibility to coastal resource information. All NERRs are using the CAMMP Grant Application and Reporting System. Upon receipt of an award, NOAA recipients use the NOAA Grants Online System to submit progress reports, financial reports and post-award actions deleting the need for paper submissions. The entire grant award process is accomplished electronically.

4. Describe efforts to identify duplication.

The CZMA creates the only state-federal partnership program that establishes a national system of coastal protected areas dedicated to long-term stewardship, research and monitoring, and education. There are no similar programs or duplication.

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

The information collection primarily involves state agencies, with a few (if any) small entities involved each year for research grants. We do provide technical assistance in preparing responses as requested, and this reduces the burden.

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

If this information were not collected, there would not be a national estuarine reserve system, supported by management and awards by the Federal Government.

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

NA.

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 January 9, 2017 (82 FR 2324) solicited public comment on this collection. No comments were received.

Following the 2016 grant cycle, NOAA solicited comments from a number of grant recipients. The questions asked included:

1. Do estimated annual reporting burdens accurately reflect the reporting efforts?
2. Are the methods of data collection appropriate? (i.e., paper vs. electronic)
3. Are there ways to enhance the quality, utility, and clarity of the information collected?
4. Are there ways to minimize the burden of the collection of information?

Responses were received from three recipients. They indicated that the burden estimates are accurate. Respondents overwhelmingly felt that the methods of data collection are appropriate. While they had no specific recommendations, one commenter indicated, and cc'd the others, that site profiles are one-time only documents, and provide a single "snap-shot" of the reserve that may become out of date. Because of the larger burden required to develop full management plans every five years, she did recommend that the program consider moving to a ten-year management plan with minimal updates after five years. The other two commenters agreed with her suggestions. NOAA has begun looking at options for streamlining the management plan update process, including reducing the types of information that will be required to be included, especially if the information is readily available in other media. NOAA will consult with general counsel to ensure that any proposed changes are in conformance with the statute and implementing regulations.

Suggestions on ways to improve reporting through the Coastal and Marine Management Program (CAMMP) were recommended for the last renewal. Suggestions included improvements to user interface and the development of queries or summary reports. NOAA is still in the process of updating CAMMP to include several of the recommendations provided.

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

No payments or gifts to respondents are made.

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

No assurance of confidentiality is 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 sensitive questions are asked.

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

It is anticipated that one new site will be considered for designation within the next five years, bringing the total respondent number to 30 (one was added in the past 3 years), however this is still the preliminary stages, and it is unlikely that this site will affect the estimates. States may have more than one site, and sites may have more than one grant at a time.

Estimated burden is calculated from the following:

Table 1.

| Activity Type | # of Respondents | Time per activity (hours) | Frequency | Total Responses per year | Annual Hours | Change |
|---|------------------|---------------------------|------------------------|--------------------------|--------------|------------------|
| Management Plans | 29 | 1,800 | About every five years | 4 | 7,200 | No Change |
| Site Profile | 1 | 1,800 | Once | 1/3* (1) | 600 | No Change |
| Site designation | 1 | 2,500 | About every five years | 1/5* (1) | 500 | No Change |
| Grant Progress Reporting - comprehensive | 29 | 5 | Twice a year | 58 | 290 | No Change |
| Grant Progress Report – Final non-comprehensive | 29 | 2 | Once a year | 29 | 58 | No Change |
| Grant Application | 29 | 8 | Once a year | 29 | 232 | No Change |
| NEPA and SHPO | 29 | 1 | Once a year | 29 | 29 | No Change |
| Total | | | | 151 | 8,909 | No Change |

*Rounded up to 1 so would not be zero in ROCIS

Reserves submit a revised management plan every five years. Given the number of reserves with updated plans and the time schedule to accommodate future plan updates, the number of plans reviewed per year has been set at four. Site profiles had already been reduced to one, as all except a

newly-designated reserve have completed this task. There are no changes being recommended at this time.

Respondent labor costs total \$267,270, based on estimated burden hours and a pay rate of \$30/hour.

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).

Electronic copies are encouraged for management plan and site profile submission. Printed hard copies are no longer required (although some respondents may choose to submit a hard copy).

Total annual recordkeeping/reporting costs are \$0. This represents a reduction in cost burden from \$1,215. Printing requirements have been eliminated. Completed documents are now made available in electronic format and a large number of printed documents are not necessary. The other items (grant applications, grant reports) can be submitted electronically and/or copies are made by the federal government.

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

The annual Federal cost associated with collecting, processing, and analyzing the information is about \$59,042, based on an average federal salary and fringe of federal employees at \$65/hour.

Table 2.

| Activity Type | Respondents | Time (hours) | Times per year | Annualized Federal Cost |
|---|-------------|--------------|---------------------|-------------------------|
| Management Plan Review and Approval | 4 | 60 | 1 | \$15,600 |
| Site Profile Review and Approval | 1 | 40 | Once in three years | \$867 |
| Site designation | 1 | 520 | Once in five years | \$6,760 |
| Grant Progress Report review and approval - comprehensive | 29 | 4 | 2 | \$15,080 |
| Grant Progress Report review and approval - Final non-comprehensive | 29 | 1 | 1 | \$1,885 |
| Grant Application review | 29 | 6 | 1 | \$11,310 |
| NEPA and SHPO | 29 | 4 | 1 | \$7,540 |
| Total | | | | \$59,042 |

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

There are no changes being proposed for this request. The adjustments made during the previous revision in 2014 appear to be a more accurate representation of the paperwork burden for implementing the NERRS, including preparation of management plans, site profiles, and grant applications.

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

The results 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.

NA.

18. Explain each exception to the certification statement.

NA.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.