

January 22, 2021

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660 - 0026

**Title: Administrative Plan for the Hazard Mitigation Grant
Program**

Form Number(s): None

General Instructions

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

Specific Instructions

A. Justification

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

FEMA regulations in 44 CFR Part 206.437, accessible in the electronic Code of Federal Regulations (e-CFR) at <http://www.ecfr.gov>, require development and update of the Administrative Plan by Recipients (changed from “Grantees” to “Recipients” per 2 CFR 200) as a condition of receiving Hazard Mitigation Grant Program (HMGP) funding under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act), 42 U.S.C. 5170c. The Stafford Act defines a “state” as any state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the commonwealth of the Northern Mariana Islands. “Recipient”, as provided in 2 CFR 200, means a non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program. A Recipient can be any “state”, as defined by the Stafford Act, or an Indian tribal government that chooses to

act as an Applicant rather than apply through a state as a subapplicant, and then act as a Recipient rather than as a subrecipient. The term “Indian tribal government” is defined in the Stafford Act as the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994. In addition, the Sandy Recovery Improvement Act of 2013 (P. L. 113-2) amended the Stafford Act to provide for The Chief Executive of a federally recognized Indian tribe to make a direct request to the President of the United States for a major disaster or emergency declaration.

DHS adopted in its entirety the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) on December 26, 2014, at 2 CFR Part 3002, Federal Register Volume 79, No. 244, Page 75867, No. 244 (Dec. 19, 2014). This rule eliminates overlapping and duplicative requirements for stakeholders, including states, territories and Indian tribal governments, by using general terms such as “recipient” or “pass-through entity.” FEMA is also avoiding unnecessary duplication, overlap and the demand for maintenance of requirements under HMGP in two documents, the State Administrative Plan and the Tribal Administrative Plan. FEMA instead is offering and referring to one common set of requirements in an “Administrative Plan.” The term “State Administrative Plan” is now changed to “Administrative Plan for the Hazard Mitigation Grant Program”.

A State is defined in 2 CFR Part 200 as any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any agency or instrumentality of a State thereof exclusive of local governments. Section 404 mandates FEMA approval of the Administrative Plan before awarding any project grant assistance to a community or State applicant. The regulations for the Administrative Plan are codified in 44 CFR 206.437, implementing the provisions to the Stafford Act. At its minimum, the Administrative Plan will include the designated State agency or Indian tribal government that will act as the Recipient, identify the State Hazard Mitigation Officer or Tribal Hazard Mitigation Officer, identify staffing requirements, and establish a guide for implementation activities and procedures to account for non-Federal cost sharing. Additional information requirements are guided by the type of mitigation activities being pursued.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Provide a detailed description of: how the information will be shared, if applicable, and for what programmatic purpose.

The Administrative Plan is a procedural guide that details how the State or Indian tribal government will administer the HMGP. The State or Indian tribal government must have a current administrative plan approved by the appropriate FEMA Regional Director before receiving HMGP funds. The administrative plan may take any form including a chapter within a comprehensive State or Tribal mitigation program strategy. The State or Indian tribal government may forward an administrative plan to FEMA for approval at

any time prior to or immediately after the request for a disaster declaration. An approved plan is a prerequisite of receiving HMGP funds and is used by FEMA in determining approval for and the amount of each grant.

In the Administrative Plan, the State or Indian tribal government must establish procedures to guide the following 13 activities, and FEMA will review the information provided to ensure proper documentation of each activity:

1. Identify and notify potential subapplicants of the availability of HMGP funding.
2. Provide, as applicable, potential subapplicants with information on the application process, program eligibility, and deadlines.
3. Determine subapplicant eligibility, as applicable.
4. Provide information for EHP and floodplain management reviews in conformance with 44 CFR Parts 9 and 10 (or FD 108-1).
5. Process requests for advances of funds and reimbursements.
6. Monitor and evaluate the progress and completion of funded mitigation activities.
7. Review and approve cost overruns.
8. Process appeals.
9. Provide technical assistance as required to subrecipients, as applicable.
10. Comply with the administrative requirements of 44 CFR Part 206 and 2 CFR Part 200.
11. Comply with audit requirements of 2 CFR Part 200 Subpart F.
12. Provide quarterly progress reports to FEMA on funded mitigation activities.

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.

States or Indian tribal governments may submit the plan to FEMA by e-mailing electronic files(s) containing the plan(s) updates at any time prior to a disaster declaration or immediately after and request approval. The required contents of an Administrative Plan are provided in 44 CFR Part 206.437. Information on mitigation and FEMA mitigation programs is made available to the public through FEMA's web site at: <http://www.fema.gov/hazard-mitigation-assistance> . A Hazard Mitigation Grant Program Desk Reference, which provides program guidance for both the HMGP and the Administrative Plan, and is updated by the HMA Guidance, is available online at: https://www.fema.gov/media-library-data/20130726-1447-20490-9693/fema_345.pdf .

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 is not collected in any form and therefore is not duplicated elsewhere.

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

This information collection does not have an impact on small business or other small entities.

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

The Administrative Plan provides procedural guidance on HMGP administration, and is requisite for States' or Indian tribal governments' requests for HMGP disaster assistance in the event of a major disaster or emergency declaration. Without approval of this information collection for the Administrative Plan, allowing for preparation and FEMA approval of the Administrative Plan, FEMA would not be able to provide disaster assistance for hazard mitigation activities under the HMGP to States, Indian tribal governments and local communities that have been declared under a Presidential Disaster Declaration.

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

The special circumstances contained in item 7(a) thru (h) of the supporting statement are not applicable to this information collection.

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

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

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

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

(e) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

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

(g) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

(h) Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

8. Federal Register Notice:

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

A 60-day Federal Register Notice inviting public comments was published on November 29, 2016, 81 FR 85995. No comments were received for this collection of information.

A 30-day Federal Register Notice inviting public comments was published on 82 FR 14740. **No comments were received.**

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

FEMA's regional offices have discussed the HMGP with our State and Tribal counterparts in annual training sessions and meetings as needed to discuss deficiencies in the program. FEMA actively solicits national participation of State and Tribal representatives to share hazard mitigation related information at events that include hazard mitigation assistance workshops and summits, and has held meetings related to data collection and electronic data processing for FEMA mitigation grant programs; and FEMA meets with National Emergency Management Agency (NEMA) representatives and the Association of Flood Plain Managers (ASFPM) at their annual conferences.

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

FEMA has received input about information collections for the HMGP through meetings between State, Indian tribal governments and local governments and the FEMA Regional Offices, which occur at unscheduled times during the year. The 59 Respondents affected by this data collection are the 59 HMGP Recipients, which are the **states**, and any Indian tribal government choosing to act as a Recipient either indirectly or as a Direct Recipient.

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

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

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

A Privacy Threshold Analysis (PTA) was approved for this collection on December 11, 2014. The Privacy Impact Assessment, Hazard Mitigation Grant Program (HMGP) System, DHS/FEMA/PIA-025 was approved for this collection on June 28, 2012. The HMGP system is covered by existing SORN: DHS/FEMA-009.

11. Provide additional justification for any question of a sensitive nature (such as sexual behavior and attitudes, religious beliefs and other matters that are commonly considered private). This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

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

a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated for each collection instrument (separately list each instrument and describe information as requested). Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

It has been estimated that out of the 56 States and the annual average of 3 Tribal direct Recipients that currently have Administrative Plans in place, 35 States/Indian tribal

governments will update the Administrative Plan in any given year, given potential new Tribal direct Recipients and the past incidence of declared disasters. As of November, 2016, eight direct tribal declaration requests had been made, resulting in eight Tribal direct Recipients of a grant under HMGP since the Stafford Act amendment in 2013. States and Indian tribal governments may submit the updated Administrative Plan to FEMA by e-mailing electronic files at any time prior to a disaster declaration or immediately after and request approval. Since the 59 States/Indian tribal governments already have plans in place, no new plans are expected, only updates. FEMA estimates that it will take an average of eight (8) hours per State to review pre-existing information, and to prepare and submit their updated Administrative Plan to FEMA. Therefore, it is estimated that approximately 35 States/Indian tribal governments will update their plan twice per year, each update will require 8 hours, and the total annual hour burden will be $35 \times 2 \text{ responses} \times 8 \text{ hours} = 560 \text{ hours}$.

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

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

Instruction for Wage-rate category multiplier: Take each non-loaded “Avg. Hourly Wage Rate” from the BLS website table and multiply that number by 1.46. For example, a non-loaded BLS table wage rate of \$42.51 would be multiplied by 1.46, and the entry for the “Avg. Hourly Wage Rate” would be \$59.51.

According to the U.S. Department of Labor, Bureau of Labor Statistics website (www.bls.gov) the wage rate category for Urban and Regional Planners with State government is averaged to be \$32.38 per hour (non-loaded). Therefore, the estimated hourly wage rate adjusted by the 1.4 multiplier is \$47.28 per hour, and the estimated cost burden to respondents as itemized below is estimated at \$23,210 annually.

Estimated Annualized Burden Hours and Costs								
Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
State or Indian tribal government	Administrative Plan / No Form	35*	2	70	8	560	\$47.28	\$26,476.80

Total		35		70		560		\$26,476.80
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*** The increase in Respondents accounts for the added current average of three (3) Indian tribal governments acting annually to directly request a Presidential major disaster declaration, and updating an Administrative Plan.**

- Note: The "Avg. Hourly Wage Rate" for each respondent includes a 1.46 multiplier to reflect a fully-loaded wage rate.
- "Type of Respondent" should be entered exactly as chosen in Question 3 of the OMB Form 83-1

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

There are no record keeping, capital start-up or maintenance costs associated with this information collection.

The cost estimates should be split into two components:

a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred.

b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.

Annual Cost Burden to Respondents or Record-keepers

Data Collection Activity/Instrument	*Annual Capital Start-Up Cost (investments in overhead, equipment and other one-time expenditures)	*Annual Operations and Maintenance Cost (such as recordkeeping, technical/professional services, etc.)	Annual Non-Labor Cost (expenditures on training, travel and other resources)	Total Annual Cost to Respondents
Total	0	0	0	0

14. Provide estimates of annualized cost to the federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs [Describe]	
Staff Salaries* 1 GS 12 , step 5 employee spending approximately 13% of time annually reviewing and approving 70 semi-annual revisions of Administrative Plans at 4 hours per plan for this data collection (\$90,350/yr. x 1.46 x 0.13 = \$17,148); 1 Regional Director, Exec. Level III reviewing, approving and giving approval notification to at 30 minutes per plan for this data collection (\$172,100/yr. x 1.46 x 0.02 = \$5,025); Total = (\$17,148 + \$5,025 = \$22,173)	\$22,173
Facilities [cost for renting, overhead, etc. for data collection activity]	
Computer Hardware and Software [cost of equipment annual lifecycle]	
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	
Travel	
Printing [number of data collection instruments annually]	
Postage [annual number of data collection instruments x postage]	
Other	
Total	\$22,173

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

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

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

A "Program decrease", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).

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

Itemized Changes in Annual Burden Hours						
Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
Administrative Plan	512	560	+48			
Total(s)	512	560	+48			

Explain: The amendment of the Stafford Act in 2013 authorized Indian tribal governments to directly request for a Presidential major disaster declaration (independent from a state request) and thereby be required to have an updated Administrative Plan as a Direct Recipient and Information Collections Respondent.

Itemized Changes in Annual Cost Burden						
Data collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New)	Difference
Total(s)						

Explain: No change in Annual Cost Burden. There continues to be no record keeping, capital start-up or maintenance costs associated with this information collection, as documented in Item 14 of OMB Form 83-I.

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.

FEMA does not intend to employ the use of statistics or the publication thereof for this information collection

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

FEMA will display the expiration date for OMB approval of this information collection..

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

FEMA does not request an exception to the certification of this information collection..

B. Collections of Information Employing Statistical Methods.

This collection involves no statistical methods.