

Supporting Statement
Importation of Pine Shoot Beetle Host Material from Canada
0579-0257

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Department of Agriculture (USDA) is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – 7772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States.

APHIS' regulations in 7 CFR part 319 prohibit or restrict the importation of certain plants and plant products into the United States to prevent the introduction of plant pests. Subpart-Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products (7 CFR 319.37) through 319.37-14) restricts, among other things, the importation of living plants, plant parts, and seeds for propagation; and Subpart-Logs, Lumber, and Other Unmanufactured Wood Articles (7 CFR 319.40-1 through 319.40-11) governs the importation of various logs, lumber, and other unmanufactured wood products into the United States. The regulations in both subparts help prevent the introduction and spread of pine shoot beetle, a pest of pine trees, into noninfested areas of the United States and contain several information collection requirements, including additional declarations on certificates and phytosanitary certificates, written statements of origin, and compliance agreements.

APHIS' foreign quarantine regulations restrict the importation of pine shoot beetle (PSB) host material into the United States from Canada. This action was necessary to prevent the introduction and spread of PSB into noninfested areas of the United States.

PSB (*tomicus piniperda*) is a pest of pine trees. It can cause damage in weak and dying trees, where reproductive and immature stages of PSB occur, and in the new growth of healthy trees. During "maturation feeding," young beetles tunnel into the center of pine shoots (usually in the current year's growth), causing stunted and distorted growth in host trees. PSB also acts as a vector of several diseases of pine trees. Adult PSB can fly at least 1 kilometer. In addition, infested trees and pine products are often transported long distances, which can result in the establishment of PSB populations far from the location of the original host tree. PSB can damage urban ornamental trees and can cause economic losses to the timber, Christmas tree, and nursery industries.

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.

APHIS uses the following information activities to restrict the importation of PSB host material into the United States from Canada

7 CFR § 319.37-5. Canadian Phytosanitary Certificate with an Additional Declaration (foreign federal government)(business)

The accompanying phytosanitary certificate with an additional declaration must specify the Canadian province where the restricted articles originated, and, if applicable, the province(s) the restricted articles were moved through if different from the province of origin and the United States destination. The province(s) must be plainly indicated on the restricted articles, or, if applicable, on the outer covering, packaging, or container.

7 CFR § 319.40-3(a). Importer Document (written statement) (business)

Commercial shipments allowed in paragraph (a)(1) of this section are subject to the inspection and other requirements in §319.40-9 and must be accompanied by an importer document stating that they are derived from trees harvested in Canada adjacent to the United States border.

Noncommercial shipments allowed in paragraph (a)(1) of this section are subject to inspection and other requirements of §319.40-9 and must be accompanied by an importer document or oral declaration stating that they are derived from trees harvested in Canada adjacent to the United States border.

7 CFR § 319.40-8. Compliance Agreement (PPQ 519) (business)

The Compliance Agreement is provided for the convenience of persons who are involved in the growing, handling, or moving of regulated articles from quarantined areas. A person may enter into a compliance agreement when an inspector has determined that the person requesting the compliance agreement is knowledgeable regarding the requirements of the regulations and the person has agreed to comply with those requirements and the provisions of the compliance agreement.

7 CFR § 319.40-8(b). Appeal of Compliance Agreement (business)

Any person whose compliance agreement has been canceled may appeal the decision in writing to the Administrator within 10 days after receiving written notification of the cancellation. The appeal shall state all of the facts and reasons upon which the person relies to show that the compliance agreement was wrongfully canceled. The Administrator shall grant or deny the appeal, in writing, stating the reasons for granting or denying the appeal, as promptly as circumstances permit.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.

For trade partners who have fully automated systems, we will be accepting computer extracts of electronic health certification health certification data. These certificates are included in the governmentwide utilization of the International Trade Data System (ITDS) via the Automated Commercial Environment (ACE) to improve business operations and further Agency missions.

Compliance Agreement (PPQ Form 519) is automated and posted at <http://www.aphis.usda.gov/library/forms/pdf/ppq519.pdf>

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information APHIS collects is exclusive to its mission to prevent the introduction of plant pests and plant diseases into the United States. The information is not available from any other source.

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

The information APHIS collects is the minimum needed to protect the United States from the introduction of PSB and other plant diseases. APHIS has determined 90 percent of the respondents are small entities.

6. Describe the consequences 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.

If APHIS did not collect this information or if APHIS collected this information less frequently, PSB could damage urban ornamental trees and cause economic losses to the timber, Christmas trees, and nursery industries.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

An appeal process has been created for any person whose compliance agreement has been canceled. In these cases the person has a right to appeal the decision in writing to the Administrator within 10 days after receiving written notification of the cancellation. This process will allow the Administrator to provide closure of the appeal in a reasonable time frame.

- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade 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 associated with this information collection.

8. 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 form, and on the data elements to be recorded, disclosed, or reported. If applicable, 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.

APHIS consulted with the following individuals concerning the information collection activities associated with this program:

Oregon Association of Nurseries
Jeff Stone, President
29751 SW Town Center Loop W.
Wilsonville, OR 97070
(800) 342-6401

Pacific Northwest Christmas Tree Association
Phil Hunter, President
P.O. Box 3366
Salem, Oregon 97302
(503) 364-2942

Sun Hill Tree Farms
Garth Herring
P.O. Box 128
Cheshire, OR 97419

(541) 998-1085

On Friday, October 13, 2017, pages 47689-47690, Volume 82, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year approval of this collection of information.

One comment was received from a concerned citizen about their perception of the immensity of greenhouse gas emissions from California wildfires. It had no relevance to the purpose of the collection.

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

This information collection activity involves no payments or gifts to respondents.

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

No additional assurance of confidentiality is provided with this information collection. Any and all information obtained in this collection shall not be disclosed except in accordance with 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and others that are 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.

This information collection activity asks no questions of a personal or sensitive nature.

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.

. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.

See APHIS Form 71 for hour burden estimates.

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

APHIS estimates the total annualized cost to these respondents to be \$2,843.50 APHIS arrived at this figure by multiplying the average hourly wage (\$30.25) by the number of burden hours (94).

\$30.25 is the hourly wage derived from the U.S. Department of Labor; Bureau of Labor Statistics May 2016 Report – Occupational Employment and Wages in the United States. See <http://www.bls.gov/oes/current/999101.htm>.

13. Provide estimates of the total annual cost burden to respondents or recordkeepers 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 is zero annual cost burden associated with capital and start-up, operation and maintenance, and purchase of services in connection with this program.

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 estimated cost to the Federal Government is \$2,885.00. (See APHIS Form 79)

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

ICR Summary of Burden:

N	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	2,402	0	+62	0	0	2,340
Annual Time Burden (Hr)	91	0	-3	0	0	94

The importer document (written statement) burden input as 2,200 for the number of respondents was a clerical error. This line item has a new total of 20 respondents, however the number of responses per respondent is 110, making the total annual response remain at 2,200 for this renewal package. In addition, an appeal process for the compliance agreement was erroneously omitted from the previous information collection which has also been added. Overall, these adjustments have caused an program increase of 62 annual responses (from 2,340 to 2,402) with a decrease of 3 total burden hours (from 94 to 91).

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

APHIS has no plans to tabulate or publish the information it collects.

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.

The PPQ Form 519 is used in multiple information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on this form.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act.”

APHIS is able to certify compliance with all the provisions in the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.