

**SUPPORTING STATEMENT**  
**ENVIRONMENTAL COMPLIANCE QUESTIONNAIRE FOR NATIONAL OCEANIC**  
**AND ATMOSPHERIC ADMINISTRATION NOTICE OF FEDERAL**  
**FINANCIAL ASSISTANCE APPLICANTS OMB CONTROL NO. 0648-0538**

**A. JUSTIFICATION**

This request is for a revision and extension of a currently approved information collection through the *Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Federal Financial Assistance Applicants* (Questionnaire).

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

This Questionnaire is used by the National Oceanic and Atmospheric Administration (NOAA) to collect information about proposed activities for the purpose of complying with the National Environmental Policy Act (“NEPA,” 42 U.S.C. §§4321-4370) and other environmental compliance requirements associated with proposed activities. NEPA requires federal agencies to complete an environmental analysis for all major federal actions, including funding non-federal activities through federal financial assistance awards where federal participation in the funded activity is expected to be significant. The Questionnaire is used in conjunction with NOAA Notices of Funding Opportunity (NOFO).

The NOFO will indicate the specific questions to which an applicant must respond in one of three ways: (1) the applicable questions are inserted directly into the NOFO with reference to the OMB Approval Number (0648-0538) for this form; (2) the NOFO will specify which questions (e.g., 1, 2) an applicant must answer, with the entire OMB-approved Questionnaire attached to the NOFO; or (3) applicants to be recommended for funding will be required to answer relevant questions from the Questionnaire. The federal program officer will determine which questions are relevant to each specific applicant. Answers must be provided before the application can be submitted for final funding approval.

**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.**

The information is collected as part of the application package submitted by applicants requesting Federal financial assistance from NOAA through a NOFO posted on [www.grants.gov](http://www.grants.gov).

The information is used by NOAA Federal Program officers, NOAA NEPA coordinators, NOAA NEPA analysts, DOC attorneys, and NOAA attorneys.

The information is collected to assist NOAA in examining the environmental and historic/cultural resource impacts of a proposed project level by preparing NEPA and other

environmental compliance documents. This Questionnaire has been revised to (1) remove repetitive questions; (2) revise specific questions to use plain language; and (3) add nine new questions that would be helpful to a wider range of NOAA programs.

The Questionnaire has six sections with questions about a proposed activity relevant to the NOFO. The Proposed Activity Information section would be used by NOAA to determine whether any extraordinary circumstances exist that may qualify the proposed activity for a certain type of NEPA document. The Proposed Activity Location section would identify the specific location, as well as the condition of the location of the proposed activity. The Proposed Activity Timeframe section would identify the start date, duration, and schedule of the proposed activity. The Project Partners, Permits, and Consultations section would identify groups involved in or potentially impacted by the proposed activity and requirements for other environmental compliance requirements besides NEPA. The Proposed Activity Details and Impacts section would help NOAA clarify specific details about the proposed activity relative to which program office is providing the funding. Within this section is two new subsections—the first entitled “Aquaculture and Mesocosms” which contains five new questions:

30. Will the proposed activity be conducted in a closed system, mesocosm/aquaculture facility or in open water (coastal or Federal waters)?
31. Will the proposed activity introduce genetically modified organisms, species bred for specific traits (e.g., disease resistant stocks), or non-indigenous species into an area?
32. If using aquaculture gear, describe whether gear would be deployed short-term (1- 2 years) or long-term (2+ years) and describe the number of cages/nets, lines, anchors, etc. that would be used during the course of the study. What type and size of cages/nets, lines, anchors, etc. would be used?
33. What amount (total numbers and/or whole weight in pounds) of fish or invertebrates are proposed to be captured for culture purposes (i.e. broodstock)? What is the target size (weight and length) and age class of each species to be captured for culture purposes?
34. What amount (total numbers and/or whole weight in pounds) of fish or invertebrates are proposed to be cultured? What is the estimated size (weight and length) and age class of each species targeted for harvest at the end of each culture period?

The second new subsection is entitled “Marine Debris” and it contains three new questions:

36. Will the proposed activity identify, determine sources of, assess, prevent, reduce, remove, dispose, or recycle marine debris? If yes, then describe the targeted debris type, debris condition, and why the proposed action is needed in the project area.

37. Describe how the proposed activities would compliment or encourage other similar marine debris removal activities in the area.

38. Describe the disposal technique and the extent to which recycling, reuse, or other sustainable disposal alternatives were considered.

Finally, the Data, Risk, and Mitigation section would collect information concerning the proposed activity's sampling, collecting, or observation protocols and operational procedures, equipment that will be used to sample, collect, etc., mitigation and monitoring measures and protocols, processing methods and untested scientific technology or methods, cataloging of data acquired, information pertaining to safety concerns originating from the proposed activity, the proposed activity's resource use and potential to impact air and water quality, and information pertaining to impacts of the proposed activity on transportation infrastructure and whether the proposed activity would require use a previously scheduled flight or sea voyage or require a special trip. It includes the following new question:

48. Will the proposed activity require the cataloging and compiling of sources of socioeconomic data? If yes, then please explain.

NOAA would 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 would 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.**

The Questionnaire is used in conjunction with NOAA Notices of Funding Opportunity (NOFO), which are advertised on [www.grants.gov](http://www.grants.gov). Applicants are only required to provide the information from this Questionnaire that is specified in the NOFO to which they are applying. The NOFO can present these questions in one of three ways: (1) The applicable questions can be inserted directly into the NOFO with reference to the OMB Control Number 0648-0538 for this form; (2) The NOFO will specify which questions (e.g. 1, 2) an applicant must answer, with the entire OMB-approved Questionnaire attached to the NOFO; and 3) Applicants to be recommended for funding will be required to answer relevant questions from the Questionnaire. The Federal program officer will determine which questions are relevant to each specific

applicant. Answers must be provided before the application can be submitted for final funding approval. The Questionnaire is available at [www.nepa.noaa.gov](http://www.nepa.noaa.gov). Electronic submission of the information to be collected is required. No other type of information technology is necessary to collect the information that is requested.

**4. Describe efforts to identify duplication.**

There are no other collections that gather similar information. The information requested is unique to each NOAA Notices of Funding Opportunity (NOFO). The questions NOAA has developed are specific to the trust resources managed under NOAA's mission and authorities (i.e., National Marine Sanctuary Act, Magnuson-Steven Fishery Conservation and Management Act, Coastal Zone Management Act, Endangered Species Act, and Marine Mammal Protection Act). No duplication of effort exists with other Federal Government information collection efforts.

Some of the questions may overlap with material provided in other parts of the NOFO application. This overlap occurs because the answers to the Questionnaire are provided to NOAA staff who do not review the other parts of the application. If appropriate, the applicant may copy the information from other parts of the application and paste it into the answers to the Questionnaire.

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

The information to be collected is very basic in its nature and should not be a hardship or burden for small entities that request NOAA funds to produce this information. Furthermore, the applicant should already have this information available as part of the research or project plan.

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

Detailed project information must be collected for every unique financial assistance award application for the purpose of complying with the NEPA and other environmental compliance requirements associated with proposed activities. If project specific information is not collected upfront from the applicant, NOAA staff must request and wait for additional information from the federal financial assistance applicants in order to fully implement NEPA and other environmental compliance requirements. This may cause several weeks of delays in awarding and distributing federal financial assistance awards. If proper NEPA and other environmental compliance documentation cannot be completed for a particular activity, project or program, NOAA is not authorized to award or release any funds to the project or program applicant.

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

The proposed collection of information would be conducted in a manner that is consistent with OMB guidelines.

**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 July 17, 2018 (83 FR 33211) soliciting public comments. No comments were received.

Although this Questionnaire is very similar to that previously approved by OMB, NOAA did seek 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 (if any), and on the data elements to be recorded, disclosed, or reported. As a result of this outreach, NOAA received comments from nine individuals. Of those that responded, only one commenter provided a response of “no comments.” The other eight individuals provided comments and those are summarized below along with NOAA’s responses to them.

Comment: One commenter found a few questions in the Questionnaire to be unreasonable. First, this commenter noted that question #16 that asks for the weight and size of fish and invertebrates expected to be caught was untenable as it would be impossible to provide this information for certain species such as dragonfly larvae that the researcher expects to catch. The commenter also asked whether this question would pertain to freshwater species. Second, the commenter also raised the same concerns for question #17 that asks for the number of fish and invertebrates to be released. Finally, the commenter wasn’t clear what question #46 requesting processing methods used to conduct research meant.

Response: NOAA notes that questions #16 and #17 apply to any (fresh- or saltwater) fish and invertebrate species concerning the weight and size of fish and invertebrates expected to be caught (question #16) or the number of fish and invertebrates to be released (question #17). If an applicant had a question as to the applicability of these questions to them and/or the impossibility of complying with these questions, such applicant should inquire of the line office (listed in the NOFO) to which they are applying as to whether or not, and to what extent, they should answer questions #16 and #17.

Question #46 pertains to the data processing methods that the applicant proposes to use to conduct the research. NOAA notes the commenter's concern regarding the clarity of this question and will add the word "data" in front of "processing methods" to clarify the information that NOAA wishes to gather from question #46.

Comment: One commenter had no specific comments and noted that while the Questionnaire is comprehensive, if NOAA only requires a subset of it to be completed as part of the NOFO, then this new format should be less burdensome than the previous Questionnaire.

Response: NOAA typically requires an applicant to fill out only certain questions contained within the Questionnaire per the NOFO. Through this process, NOAA seeks to reduce the burden placed on an applicant when completing the Questionnaire. NOAA desires to collect only the information that it absolutely needs to fully assess the impact to the human environment of an applicant's proposed project.

Comment: One commenter noted that the National Sea Grant Office has provided the regional Sea Grant programs with an abbreviated NEPA questionnaire that focuses on areas specific to Sea Grant activities, and this commenter suggested that the National Sea Grant Office continue to do so.

Response: As noted above, NOAA only collects information that it absolutely needs to fully assess an applicant's proposed project by asking applicants to complete select questions within the Questionnaire.

Comment: One commenter provided a technical edit to question #5 (striking the text "previously undisturbed") and a technical edit to question #7, bullet 3 (striking the text "within the 100 year flood plain"). The commenter provided no rationale for the proposed text changes.

Response: NOAA declines to accept the first technical edit as the question was written to assess the impacts (if any) to a previously undisturbed area. NOAA also declines to accept the second technical edit as accepting it would deprive NOAA of vital information concerning the impact of a proposed project to areas that could be inundated by water during non-normal time periods such as areas within a 100 year flood plain.

Comment: One commenter noted that the Questionnaire contained repetitive questions, but stated that such repetition should not increase the burden for an applicant provided that NOAA allows applicants to "cut and paste" responses from one question to another. This commenter also noted that a lot of the questions within the Questionnaire do not apply to the projects that they would submit for funding and that, as a result, it should not burden the applicant because the applicant would not have to answer the non-pertinent questions. This commenter noted that the Questionnaire's instructions are clearly written. Finally, the commenter noted that NOAA's burden hour estimate for completing the Questionnaire (3 hours) is low. The commenter stated

that when completing questions within the Questionnaire for a grant application it took at least double NOAA's estimate of three hours per applicant per Questionnaire.

Response: NOAA requests that applicants complete each required question fully and accurately. If an applicant is able to do so by replicating a response(s) from other questions, then such applicant will provide NOAA with the information that it needs to fully evaluate the applicant's project impact on the human environment.

NOAA carefully considered the commenter's response concerning the burden hours imposed on applicants. NOAA determined that its burden hour estimate of three hours per application is accurate considering that each NOFO requests the completion of a different number of questions and, on average, NOAA expects applicants to take approximately 3 hours to complete the application.

Comment: One commenter stated that the Questionnaire contained a lot of the questions that were repetitive from the grant narrative itself. The commenter also stated that the information that was collected from the Questionnaire was not used by the commenter other than for the application itself. Finally, the commenter stated that the instructions for the Questionnaire were clear.

Response: NOAA requests that applicants complete each required question fully and accurately so that NOAA receives the information that it needs to complete its environmental and historic/cultural impact analyses. In selecting which questions NOAA requires applicants to complete, NOAA seeks to avoid having an applicant answer questions that are repetitive. Although the information the NOAA collects may not be useful to an applicant completing the Questionnaire, it is useful to NOAA for completing its environmental and historic/cultural impact analyses required by law. NOAA appreciates the feedback concerning the clarity of the instructions contained within the Questionnaire.

Comment: One commenter stated that the collected information is relevant to what NOAA would want to evaluate about a proposed project, and it is important for the grant applicant to provide that information and have a clear idea of their intentions. The commenter stated that the Questionnaire's instructions were clear. Finally, the commenter was unclear as to whether the three burden hours per response refers to each question or to each grantee's overall proposal? The commenter agreed that it should take no longer than three hours to reply to each individual question. However, the commenter noted that completing all of the required questions in the Questionnaire would take well over three hours. The commenter pointed out that in their experience it normally takes at least 12 total work hours to complete the required questions from the NOFO. The commenter stated that if they had to complete the entire Questionnaire, as opposed to only part of it, then they would spend even more than 12 total work hours.

Response: The information that NOAA collects from the Questionnaire facilitates NOAA's environmental and historic/cultural impact analysis of an applicant's proposed project. Without such information, NOAA would not have a complete understanding of the applicant's project's impact on the environment and historic/cultural resources and an incomplete analysis.

NOAA's estimate of three burden hours refers to NOAA's estimate of the average time it takes applicants to complete the set of questions from the Questionnaire required in the NOFO. Each NOFO requests that an applicant complete different numbers and type of questions and NOAA's average burden hour estimate is based upon this. Moreover, NOAA expects that applicants may copy some responses when answering other questions, thus decreasing the amount of time that the applicant takes to complete the application. Furthermore, NOAA also expects that some applicants will propose similar projects from year-to-year that will necessitate similar responses to questions, thus further decreasing the amount of time expended to complete an application. As such, as discussed above, NOAA believes that the estimate of an average of three hours is accurate.

Comment: One commenter stated that the Questionnaire needs to be updated and made shorter and less time consuming.

Response: NOAA agrees with the commenter that an updated and shorter Questionnaire is preferable. NOAA spent considerable time revising questions contained within the Questionnaire to ensure that they were succinct, clear, and as few in number as possible to lessen the burden on the public. As a result, several questions were re-worded. While NOAA added 9 new questions to the Questionnaire, NOAA did so to capture information that it was not capturing in the previous Questionnaire in emerging areas such as aquaculture and marine debris proposals. This information is vital to NOAA in meeting its legal requirements and in furthering its mission to protect the environment while also funding projects that could lead to scientific advances in furtherance of NOAA's missions. Moreover, as discussed above, for most NOFO's NOAA would only ask applicants to fill out select questions within the Questionnaire that are pertinent to the funded activity rather than the complete set of questions.

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

No payments or gifts would be provided to any of the respondents.

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

The information collection does not request any proprietary or confidential information. No confidentiality is promised or will be 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 information of a sensitive nature will be collected.

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

It is estimated that 736 financial assistance applicants would complete the Questionnaire. Depending on the number of questions the respondent is asked to answer, it is estimated to take the respondent approximately 3 hours to complete the Questionnaire. The maximum total annual estimated burden hours would be 2,208.

**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).**

The information being requested is submitted electronically. As such, this information collection would incur no cost burden on respondents.

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

It is estimated that reviewing the information provided in the Questionnaire would require an approximate average of 3.5 hours of NOAA staff time per application reviewed. With an annual average salary of \$40.00/hour per employee, it is estimated that each application reviewed would cost the government approximately \$140.00 for a total of approximately \$103,040 annually.

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

**Program Change:**

This Questionnaire has been revised to 1) remove repetitive questions; 2) revise specific questions to use plain language; and 3) add nine new questions that will gather additional information to help a wider range of NOAA programs. Its revision was based upon input from line and staff office experts who use this Questionnaire on a regular basis. The Questionnaire now contains questions that are more pointed, easier to understand, and cover areas that were not covered in the previous version of the Question that reflect areas where NOAA continues to receive more applications for funding than in the past. These new, additional questions will ensure that NOAA collects information that it needs to conduct all necessary and appropriate environmental analyses prior to selecting an applicant and awarding funds.

**Adjustment:**

Adjustments include a decrease in the number of anticipated respondents to 736 from an estimated 1,000 in 2015, a decrease in the burden hours to public from an estimated 3,000 in 2015 to an estimated 2,208 because of the decrease in the number of anticipated respondents and the anticipated reduction in time to complete the new question, and a reduction in costs to the public from an estimated \$1,790.00 in 2015 to \$0 as NOAA is requiring all respondents to complete grant applications on-line through Grants.gov, which eliminates costs associated with applying for a grant.

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

The results of this 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 why display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

The information collection does not employ statistical methods.