

## Annual Right-of-Way Statistics Acquisition Data

### The Supporting Statement

Introduction: This a new request for clearance for information collection regarding the state's general residential and non-residential acquisition and relocation information through the Appendix B to Part 24—Statistical Report Form of Title 49 of the Code of Federal Regulations, part 24 (49 CFR 24).

#### Part A. Justification.

##### 1. Circumstances that make collection of information necessary:

The Federal Highway Administration (FHWA) Office of Real Estate Services (HEPR) develops and implements regulations, polices and guidance that help to ensure that right-of-way needed for transportation infrastructure construction and improvements is made available in a timely fashion and in compliance with applicable laws and regulations. One of the Office's primary functions is to ensure that right-of-way acquired for federally funded projects and programs is acquired in a manner that complies with the requirements of The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). The Office also serves as Lead Agency for the government-wide promulgation and implementation of Uniform Act rules and policies. These Uniform Act requirements apply to the real estate acquisition and relocation assistance programs and projects of 18 Federal Agencies.

In accordance with 49 CFR 24.9(c), the Federal Agency providing funding for a project may require the receiving Agency (grantee) to submit a report of its real property acquisition and displacement activities. This report may only be required every three years, except where good cause is shown to increase the frequency, or as provided by the Uniform Act. The format of the report is found in Appendix B to Part 24. Many State Highway and Transportation Departments voluntarily provide this information on an annual basis.

The primary focus of this information collection is to obtain accurate information for more effective implementation monitoring of the Uniform Act. The information provided by the State Agencies will be published to the FHWA website as a source for residential and non-residential acquisition and relocation information featuring summary reports and a searchable database of historic acquisition and relocation statistics.

This information collection supports the FHWA Strategic Goals of National Leadership and Program Delivery. This information collection meets the Advance Innovation objective of the National Leadership Goal by collecting

meaningful data with a focus on customer service and business results. This information collection will accomplish the through proven technologies that capture and display costs in a manner that will assist Agency leadership in identifying real estate related risks and costs to improve system performance in program delivery. This information collection also meets the Program Delivery Goal by improving data sharing as well as providing another means of accountability of the Federal-Aid Highway program.

2. How, by whom, and for what purpose is the information used:

**How**

The information will be collected electronically, via email, from the State Transportation and Highway Agencies. The State Agency will submit the information to the FHWA Division Office in their state using the Statistical Report Form in 49 CFR Appendix B to Part 24 as a template. Most, if not all, of these agencies utilize computer program management software that automatically captures this information as they carry out their program or project.

**Whom**

The information will be collected by the local and state Federal-Aid Highway program fund recipients. The local public agencies will submit their information to the state agency, the state agency will compile the information and submit it to the FHWA Division Office in their state and the FHWA Division Office will submit the data to the FHWA Office of Real Estate Services in Washington, DC for publication to the Right of Way Statistics Searchable Database.

**Purpose**

The primary purpose of this information collection is to report the real property acquisition and relocation activities under Federal or federally-assisted programs or projects subject to the Uniform Act. This information assists the FHWA in fulfilling its designated lead agency role to monitor the implementation and enforcement of the Uniform Act and “report to Congress, as appropriate, on any major issues or problems with respect to any policy or other provision of this Act” as codified in 42 USC 61 §4633(a)(5).

3. Extent of automated information collection:

The public agencies will collect the information using the Statistical Report Form. Agencies will utilize computer software management software that captures this information.

4. Efforts to identify duplication:

No similar information is available.

5. Efforts to minimize the burden on small businesses:

There is no burden on small businesses. The information will be collected from state and local public agencies that acquire real property and provide relocation assistance under the Federal-Aid Highway Program.

6. Impact of less frequent collection of information:

The collection allows FHWA to fulfill its lead agency role as required under 49 CFR 24.9(c). This will not be possible with less frequent collections.

7. Special circumstances:

Not applicable. There are no “special circumstances”.

8. Compliance with 5 CFR 1320.8:

This data collection is in compliance with 5 CFR 1320.8. The FHWA published a Federal Register notice on July 19, 2018. The document citation is 83 FR 34282. There were no comments received.

9. Payments or gifts to respondents:

Not applicable. There are no “payments or gifts”.

10. Assurance of confidentiality:

Not applicable. No confidential information will be collected.

11. Justification for collection of sensitive information:

No sensitive information will be collected.

12. Estimate of burden hours for information requested:

*Respondents:* Each of the 52 state DOT’s will be asked to send an annual report to the FHWA division office which outlines state-specific acquisition data. (The 52 = 50 States plus the Puerto Rico, and the District of Columbia.)

*Frequency:* Every October FHWA Office of Real Estate, HQ will request this data.

*Estimated Average Burden per Response:* Approximately 5 hours per response

*Estimated Total Annual Burden Hours: Approximately 260 hours total.  
Note: This collection is done every 3 years. For ROCIS entry we divided the burden hours by 3.*

Total annual costs to respondents is listed below:  
Wage rate is \$53.85 per hour which includes benefits.  
Annual cost is \$4,684.95 (87 x 53.85). Source is OPM salary scale.

13. Estimate of total annual costs to respondents:

Total annual costs to respondents is \$0.

14. Estimate of cost to the Federal government:

The minimal Federal personnel (salary GS13, step 5) cost in reviewing and commenting on the final reports is \$4160 (approximately 104 hours @\$40/hr. = \$4160). Each report will require 2 hours to process.

NOTE: The estimated \$40/hr. rate for Federal personnel is derived from information on the U.S. Bureau of Labor Statistics website. The data on that site indicates a “mean hourly wage” for a group of realty professionals, whose knowledge and experience is considered to be analogous to the Federal personnel who will be involved with this survey.

15. Explanation of program changes or adjustments:

This is a “new IC”. There are no adjustments.

16. Publication of results of data collection:

Information will be published to the Right-of-Way Statistics Searchable Database on the FHWA Office of Real Estate Services website.

17. Approval for not displaying the expiration date of OMB approval:

Not applicable.

18. Exceptions to certification statement:

Not applicable.