

**1 Supporting Statement A for
Paperwork Reduction Act Submission**

**Reporting and Recordkeeping for Snowcoaches and Snowmobiles,
Yellowstone National Park**

OMB Control Number 1024-0266

Terms of Clearance: None.

Justification

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

The National Park Service (NPS) is authorized by regulations codified in 36 CFR 7.13(l), Special Regulations; Areas of the National Park System; Yellowstone National Park; Winter Use, to establish a management framework that allows the public to experience the unique winter resources and values at Yellowstone National Park (YELL). Access to most of the park in the winter, is limited by distance and the harsh winter environment, which presents challenges to safety and park operations. In response, the NPS provides opportunities for park visitors to experience Yellowstone in the winter via over-snow vehicles (snowmobiles and snowcoaches, collectively OSVs).

OSV use within the park is a form of off-road vehicle use governed by Executive Order 11644, Use of Off-road Vehicles on Public Lands, as amended by Executive Order 11989.

Implementing regulations are published at 36 CFR 2.18, 36 CFR Part 13, and 43 CFR Part 36. Routes and areas may be designated for OSV use only by special regulation after it has first been determined through park planning to be an appropriate use that will meet the requirements of 36 CFR 2.18 and not otherwise result in unacceptable impacts. These regulations require all OSVs operating in the park to meet air and sound emission requirements and be accompanied by a guide. Commercial OSV operators that qualify to operate within the park are required to provide a monthly use report and maintain certain records.

The final rule includes provisions that allow greater flexibility for commercial tour operators, provide mechanisms to make the park cleaner and quieter during the winter seasons, reward over-snow vehicle innovations and technologies, and allow increases in visitation. It also

requires all OSVs operating in the park to meet air and sound emission requirements and be accompanied by a guide. The park does not provide wintertime OSV tours directly, but currently authorizes OSV tours through concessions contracts for snowcoach tours and commercial use authorizations for snowmobile tours with local businesses to provide transportation to visitors as authorized by Title IV, Section 403 of the National Parks Omnibus Management Act of 1998, P.L. 105-391. Ten-year concession contracts were awarded for all OSVs operating in the park in December 2014 under CC-YELL500-523-14.

Legal Authorizations:

- 54 U.S.C. 100101, The NPS Organic Act of 1916-- "*. . . The authorization of activities shall be construed and the protection, management and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established.*
- 54 U.S.C.100504 Study and planning of park, parkway, and recreational-area facilities "*The Secretary of the Interior shall make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments and reservations under the jurisdiction of the National Park Service.*

- 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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.**

The NPS will use the information collected to ensure that OSVs meet NPS emission standards to operate in the park. The completed forms are used to evaluate commercial tour operators' compliance with allocated transportation events and daily and seasonal OSV group size limits and to ensure that established daily transportation event limits for the park are not exceeded. The NPS will confirm that commercial tour operators do not run out of authorizations before the end of the season and create a gap when prospective visitors cannot be accommodated, and guarantee compliance with applicable laws and regulations.

Responsible commercial tour operators should already be compiling much of this information to minimize liabilities, maintain business records for tax and other purposes, obtain financial

backing, and ensure a safe, efficient, and well-planned operation. Commercial tour operators must adhere to the following standards and complete the *OSV Monthly Use Report* (Form 10-650) mentioned below:

1). Emission and Sound Standards (§7.13(l)(4)(vii) and (5)). Only OSVs that meet NPS emission and sound standards may operate in the park. Before the start of each winter season:

- a) Snowcoach manufacturers or commercial tour operators must demonstrate, by means acceptable to the Superintendent, that their snowcoaches meet the emission and sound standards.
- b) Snowmobile manufacturers must demonstrate, by means acceptable to the Superintendent, that their snowmobiles meet the emission and sound standards.

2. Enhanced Emission Standards (§7.13(l)(11)(iv)). To qualify for the increased average size of snowmobile transportation events or increased maximum size of snowcoach transportation events, each commercial tour operator must:

- a) Before the start of each winter season, demonstrate, by means acceptable to the Superintendent, that his or her snowmobiles or snowcoaches meet the enhanced emission standards; and
- b) Maintain separate records for snowmobiles and snowcoaches that meet enhanced emission standards and those that do not.

3. OSV Monthly Use Report (Form 10-650) To maintain accurate and complete records on the number of snowmobiles and snowcoaches commercial tour operators bring into the park on a daily basis. These records must be made available for inspection by the park upon request. NPS uses this form to collect the following information for transportation events:

- Report Month/Year
- Concessioner/Sub Contractor Contract Number
- Departure Date
- Duration of Trip (in days)
- Transportation event type (snowmobile or snowcoach)
- Number of vehicles
- Best Available Technology and Enhanced Best Available Technology

- Number of visitors and guides
- Route and primary destination
- Administrative or guest services trip
- If the transportation event allocation was from another commercial tour operator
- Miscellaneous comments
- Transportation event group size

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 and specifically how this collection meets GPEA requirements.

All of our respondents submit the reports via email. We provide respondents a downloadable and fillable form available on the park website which all respondents use to provide responses.

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.

No other offices of the NPS or other federal agencies collect this type of information. Because the information requested will be specific to each respondent, duplication of effort and information will not occur.

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

The information required is the minimum necessary to meet the NPS responsibilities under the laws and regulations listed above to ensure protection of park resources and ensure consistency and compliance with the final Winter Use Plan/Supplemental Environmental Impact Statement and final implementing regulation. We encourage all respondents to submit all requested data electronically, and we are exploring opportunities for web-based reporting by operators to lessen burden to the extent possible. At minimum, we will provide a fillable form to respondents with predetermined fields to simplify data entry.

6. Describe the consequence 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 the NPS did not collect this information or collected it less frequently, we would:

- (1) be unable to ensure that OSV commercial operators are in compliance with regulatory requirements including daily and seasonal average group size limits; and
- (2) fail to carry out our statutory mandates to preserve and protect the park and manage concessions.

As a result, OSV use could degrade park resources and jeopardize visitor safety. By closely monitoring this information, we can also ensure that commercial tour operators do not run out of authorizations before the end of the season and create a gap when prospective visitors cannot be accommodated.

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

- * **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;**
- * **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 secrets, 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.**

Because the public winter use season only lasts 3 months (December 15 to March 15) and there are daily limits for total number of OSVs per transportation event as well as seasonal average group size limits, the final rule requires OSV commercial operators to submit a monthly use report. We may require the report more frequently, if it becomes necessary to monitor activities to protect natural and cultural resources in the park.

There are no other circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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.

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

On June 5, 2019, we published in the Federal Register (84 FR 26153) a notice of our intent to request that OMB renew approval for this information collection. In that notice, we solicited comments for 60 days, ending on August 5, 2019. We did not receive any comments in response to the notice.

In addition to the Federal Register Notice, we contacted nine (9) commercial tour operators familiar with this collection and asked for comments on:

- whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary.
- the accuracy of our estimate of the burden for this collection of information;
- ways to enhance the quality, utility, and clarity of the information to be collected; and
- ways to minimize the burden of the collection of information on respondents.

Organization
Teton Valley Adventures
Yellowstone Vacation Tours
Yellowstone National Park Lodges (Xanterra)
Teton Science Schools
Old Faithful Tours
Scenic Safaris
See Yellowstone/Alpen Guides
Yellowstone Year Round Safaris
Two Top Snowmobile

1. Is the collection of information necessary?

Comment From	Operator Response	NPS Response
Xanterra	This question should be answered by the NPS.	None.
Teton Science Schools	No, We access information through our own report.	NPS will provide additional guidance on the requirements for completing the Monthly Use Report to ensure the program is compliance with the regulation.

2. Does the information have practical utility?

Comment From	Operator Response	NPS Response
Xanterra	This question should be answered by the NPS	None.
Old Faithful Tours	Yes, it helps us to calculate our numbers to assure our compliance with contract	None.

3. What is the estimate of time it takes to complete each form?

Comment From	Operator Response	NPS Response
Xanterra	Up to 30 minutes a day at two locations.	We have taken this information into account when calculating the burden for this collection.
Old Faithful Tours	5 minutes per day	We have taken this information into account when calculating the burden for this collection.
Teton Science Schools	45 minutes per month	We have taken this information into account when calculating the burden for this collection.
See Yellowstone	We spend approximately 45 minutes per day on park paperwork, averaged over 6 contracts.	We have taken this information into account when calculating the burden for this collection.

4. Do you have any suggestions for way to enhance quality, utility, and clarity of info collected?

Comment From	Operator Response	NPS Response
Xanterra	Ensure report works properly prior to distribution.	The NPS will ensure that all formulas and functions are functional before the issue of the new year's report.
Teton Science Schools	It would be easier if we could enter three in the snowcoach column to keep from having to do an extra entry which takes more time.	The form keeps track of over-snow events, and the maximum that could be is two snowcoaches. This gives an accurate total since the over-snow events total is the information we wish to document.

5. Are there any ideas you might suggest which would minimize the burden of collection?		
Comment From	Operator Response	NPS Response
See Yellowstone	Would like the reporting to be easier, but doesn't have any idea how to do that with the information that needs to be gathered.	We will continue to explore ways to reduce the burden on form users.

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

No payments or gifts will be provided to respondents.

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

We do not provide any assurance of confidentiality. Information is collected and protected in accordance with the Freedom of Information Act (5 U.S.C. 552).

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. 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.

We do not ask questions of a sensitive nature.

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

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 desirable. 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.
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

Based our experience with the existing collection, we estimate that there will be approximately

64 annual respondents. Given these estimates, NPS anticipates a budget of 100 hours per year for this collections. We estimate that 17 respondents (15 commercial tour operators and 2 manufacturers) will submit 64 responses per year totaling 100 annual burden hours.

Table 12.1. Total Estimated Annualized Burden

Activity	Estimated No. of Annual Responses	Completion Time per Response (Hours)	Estimated Total Annual Burden Hours
Meet Emission/Sound Standards—Snowcoaches (7.13(l)(4)(vi))	12	.5	6
Meet Emission/Sound Standards—Snowmobiles (7.13(l)(5))	2	.5	1
Report and Recordkeeping (7.13(l)(11)(i)-(iii))	45	2	90
Meet Enhanced Emission Standards (7.13(l)(11)(iv))	5	.5	3
Total	64		100

We estimate the total dollar value of the annual burden hours will be \$3,661 (100 hours X \$36.61). We used the Bureau of Labor Statistics news release USDL-19-1649, Employer Costs for Employee Compensation— June 2019 published on September 17th, 2019, (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to calculate the total annual burden. Table 1 of the bulletin lists the hourly wage plus benefits for all civilian workers as \$ 36.61.

Table 12.2. Annualized Cost to Respondents for the hour burdens

Respondents	Annual Responses	Total Annual Hours*	Hourly Rate Incl. Benefits	\$ Value Of Annual Burden Hours
OSV Commercial Operators	64	100	\$36.61	\$3,661

13. Provide an estimate of the total annual non-hour cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

* The cost estimate 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. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). 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. Capital and start-up costs include, among other items, preparations for

collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

We have not identified any nonhour cost burden.

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 not have been incurred without this collection of information.

We estimate that the total annual cost to the Federal Government to administer this information collection will be \$2,596 (\$54.08/hr x 48 hours, rounded). This cost estimate figure is based on staff time (GS-11/step 5) to review and process monthly reports and review emission documentation.

To determine average hourly rates, we used Office of Personnel Management Salary Table 2019-RUS (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/RUS_h.pdf) as an average nationwide rate. The benefits rate was calculated from Bureau of Labor Statistics news release USDL-19-1649, Employer Costs for Employee Compensation— June 2019, published on September 17, 2019, (<http://www.bls.gov/news.release/pdf/ecec.pdf>). We multiplied hourly rates by 1.6 to account for benefits, in accordance with USDL-19-1649.

14.1. Federal Salaries

Action	Grade/ Step	Hourly Rate	Hourly Rate w/ Benefits	Total Responses	Time per Response	Total Annual Hours	Total Annual Cost
Review Process	11/05	\$33.80	\$54.08	64	45 minutes	48	\$2,596

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

There are no program changes or adjustments to report.

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.

We do not publish the results of this information collection.

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.

We will display the OMB control number and expiration date on the monthly use report form and other appropriate materials.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.