

June 23, 2023

## **Supporting Statement for Paperwork Reduction Act Submissions**

**OMB Control Number: 1660-0004**

**Title: Application for Participation in the National Flood Insurance Program (NFIP)**

**Form Number(s): FEMA Form FF-206-FY-22-160 (formerly 086-0-30),  
Application for Participation in the National Flood Insurance Program**

### **General Instructions**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(1)(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.**

The National Flood Insurance Program (NFIP), codified at 42 U.S.C. § 4001, et seq., sets forth requirements for all flood prone communities throughout the country who wish to apply for participation in the NFIP. If a community does not participate in the NFIP they are not eligible for certain types of federal and federally-related financial assistance in

their floodplains. Title 44 of the Code of Federal Regulations (CFR) section 59.2 authorizes that previously unavailable flood insurance protection to property owners in flood-prone areas is now available and 44 CFR 59.22 identifies the information that communities are required to submit to FEMA for application into the program. Title 44 CFR sections 59.22 and 59.24 identify the information a community is required to submit to FEMA for continued participation in the program.

**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.**

**FEMA Form FF-206-FY-22-160 (formerly 086-0-30), Application for Participation in the National Flood Insurance Program** and supporting documentation collects the information necessary to allow communities to participate in the NFIP in accordance with 44 CFR 59.22. The information collected on the NFIP Application pertains to two general categories of information. The first category of information pertains to community contact information, such as the names of local officials and addresses and phone numbers that will be used for future contact. The second category of information pertains to demographic characteristics such as the number of structures in the community and the number of structures in the floodplain. This information is used to provide basic background information about the community's risk to flooding. Furthermore, supporting documentation may also include additional materials including copies of legislative and executive actions indicating a local need for flood insurance and an explicit desire to participate in the NFIP; citations to state and local statutes and ordinances authorizing actions regulating land use and copies of the local laws and regulations cited; a copy of the flood plain management regulations the community has adopted to meet the requirements of 44 CFR sections 60.3, 60.4, 60.5 and/or section 60.6. This submission shall include copies of any zoning, building, and subdivision regulations, health codes, special purpose ordinances (such as a flood plain ordinance, grading ordinance, or flood-related erosion control ordinance), and any other corrective and preventive measures enacted to reduce or prevent flood, mudslide (i.e., mudflow) or flood-related erosion damage; a list of the incorporated communities within the applicant's boundaries; estimates relating to the community as a whole and to the flood, mudslide (i.e., mudflow) and flood-related erosion prone areas. FEMA uses this information to enroll the community in the NFIP, which allows residents in the community to qualify for flood insurance in accordance with 44 CFR 59.22. FEMA also uses this information, in accordance with 44 CFR 59.24 to determine whether a participating community should be suspended from the program or put on probation or when a community desires to withdraw from the program.

**Floodplain Development Documentation** – To qualify for the NFIP, a participating community must adopt certain minimum standards in accordance with FEMA’s regulations at 44 CFR sections 60.3, 60.4, and 60.5. To verify whether communities maintain such standards, the NFIP requires participating communities to retain documentation on development taking place in the flood hazard areas within the community. See 44 CFR 59.22. This documentation includes, but is not limited to, applications, floodplain development permits issued, certificates of flood proofing, information on the elevation of the lowest floor of all new or substantially improved structures, any variance actions including justification for their issuance, demographic changes within the flood-prone areas of communities provided by participating property owners and project proponents, and other documentation of compliance with the standards set out in 44 CFR 60.3. Such information will be made available to FEMA upon request. This information assists FEMA to evaluate the effectiveness of a community’s floodplain management program and participating property owners’ eligibility for flood insurance.

Usability testing has been conducted on this collection. As a result, an increase of 4,344 burden hours has been recognized and included as an update to this collection.

FEMA does not share this information.

**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.**

Since the NFIP Application serves as a cover sheet containing information about a community joining the NFIP and it is viewed by several parties and is a one-time action, there is minimal value in making it available for completion through electronic formats. The blank application form itself is available on URL <http://www.fema.gov/library/viewRecord.do?id=2557>, to be downloaded and can be completed by hand. FEMA Form FF-206-FY-22-160 (formerly 086-0-30) is returned via e-mail to [FEMA-NFIP-ENROLLMENT@fema.dhs.gov](mailto:FEMA-NFIP-ENROLLMENT@fema.dhs.gov) with the required supporting documentation included as attachments. While 95 percent of respondents email their forms to FEMA, 5 percent mail them. Due to the limited number of respondents on an annual basis, the cost to develop a system that would allow for the online completion and submission of the form and supporting documentation is prohibitive.

**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 businesses 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.**

If this collection of information is not conducted, FEMA Form FF-206-FY-22-160 (formerly 086-0-30) would not be able to capture information necessary to approve a new participant or community; thus, such participants or communities would not meet the program requirements and not be able to participate in the NFIP. In addition, without the retention of documentation on development taking place in the flood hazard areas within the community, FEMA would be unable to evaluate the effectiveness of a community's floodplain management program or determine whether a community is complying with the standards set out in 44 CFR 60.3.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner (See 5 CFR 1320.5(d)(2)):**

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

This information collection does not require respondents to report information more than quarterly.

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

This information collection does not require respondents to prepare a written response in fewer than 30 days after receipt of it.

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

This information collection does not require 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.**

Under 44 CFR 59.22, FEMA requires that communities participating in the NFIP maintain records of development taking place in the flood hazard areas within the community for the duration of the community's participation in the program. These records include, but are not limited to, application documentation, floodplain development permits issued, certificates of flood proofing, information on the elevation of the lowest floor of all new or substantially improved structures, any variance actions including justification for their issuance, demographic changes within the flood-prone areas of communities, and other documentation of compliance with the standards set out in 44 CFR 60.3. This information assists FEMA to evaluate the effectiveness of a community's floodplain management program and determine whether a community is complying with the standards set out in 44 CFR 60.3.

**(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.**

This information collection does not include a statistical survey.

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

This information collection does not use 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.**

This information collection does not include a pledge of confidentiality that is not supported by established authorities or policies.

**(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.**

This information collection does not require respondents to submit trade secrets or other confidential information.

**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 March 22, 2023, at 88 FR 17241. No comments were received.

A 30-day Federal Register Notice inviting public comments was published on June 23, 2023, at 88 FR 41114. The public comment period is open until July 24, 2023.

**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.**

The Mitigation Division, Floodplain Management Branch attends the annual National Flood Conference and Association of State Floodplain Managers conferences. The Branch also holds its own conference known as the Floodplain Management Summit, which meets every two years to provide our partners an opportunity to work with us to improve floodplain management as a whole. FEMA obtains feedback on the collection of data at these conferences and events.

**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.**

State NFIP coordinators provide technical assistance to local officials when a community expresses interest in joining the NFIP. They are available at any time to provide assistance as well as to discuss any issues related to the application process. Additionally, the respondents also have continuous access to the FEMA Regional Coordinators and can discuss the information requirements for the program. The Mitigation Division, Floodplain Management Branch attends the annual National Flood Conference and Association of State Floodplain Managers and generally obtains input from the public and the association's members on compilation of NFIP related records.

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

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 draft Privacy Threshold Analysis (PTA) is currently being revised in response to comments received from FEMA's Privacy Branch and will be submitted to the Department of Homeland Security after those revisions are complete.

**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 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.**

**FEMA Form FF-206-FY-22-160 (formerly 086-0-30), Application for Participation in the National Flood Insurance Program (One-Time Response):** is estimated to have 60 Community Officials (respondents) times 1 response per year for 60 total annual responses ( $60 \times 1 = 60$ ) upon initial enrollment. It is estimated that each response will require 4 burden hours to complete, therefore 60 responses times 4 hours equals 240 total annual burden hours ( $60 \times 4 = 240$ ).

**For Floodplain Development Documents (On-going Response):** The time spent on development documentation and obtaining necessary information and permits vary among the 22,600 currently participating communities. Communities must maintain this documentation to be consistent with NFIP requirements. In addition, submission of such information is anticipated to be a onetime collection per development request. FEMA estimates to have 22,600 NFIP communities (respondents) times 4 responses per year for 90,400 total responses ( $22,600 \times 4 = 90,400$ ). It is estimated that each response will require 3 burden hours to complete for the processing, filing, and maintaining of such records, therefore 90,400 responses times 3 hours equals 271,200 total annual burden hours ( $90,400 \times 3 = 271,200$ ).

After conducting usability testing there is an increase of 4,344 burden hours on the OMB inventory.

**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.**

Please see our response to 12a above and 12c below.

**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.**



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, Local, or Tribal Government	Application for Participation in the National Flood Insurance Program / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)	60	1	60	4	240	\$95.10	\$22,824
State, Local, or Tribal Government	Floodplain Development Documentation / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)	22,600	4	90,400	3	271,200	\$95.10	\$25,791,120
<b>Totals</b>		<b>22,660</b>		<b>90,460</b>		<b>271,440</b>		<b>\$25,813,944</b>

**Instruction for Wage-rate category multiplier: Take each non-loaded “Avg. Hourly Wage Rate” from the BLS website table and multiply that number by 1.61. For example, a non-loaded BLS table wage rate of \$42.51 would be multiplied by 1.61, and the entry for the “Avg. Hourly Wage Rate” would be \$68.44<sup>1</sup>.**

According to the U.S. Department of Labor, Bureau of Labor Statistics, the May 2022 Occupational Employment and Wage Estimates wage rate for Community Official (General and Operations Manager) (SOC 11-1021) is \$59.07<sup>2</sup>. Including the wage rate multiplier of 1.61, the fully-loaded wage rate is \$95.10 per hour. Therefore, the burden hour cost is estimated to be \$25,813,944 annually ( $\$25,813,944 \times 271,440 \text{ hours} = \$25,813,944$ ).

**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**

<sup>1</sup> Bureau of Labor Statistics, Employer Costs for Employee Compensation, Table 1. Available at [https://www.bls.gov/news.release/archives/ecec\\_03172023.pdf](https://www.bls.gov/news.release/archives/ecec_03172023.pdf). Accessed March 20, 2023. The national wage multiplier is calculated by dividing total compensation for all workers of \$42.48 by wages and salaries for all workers of \$29.32 per hour yielding a benefits multiplier of approximately 1.45. For State and local government employees the wage multiplier is calculated by dividing total compensation for State and local government workers of \$57.60 by Wages and salaries for State and local government workers of \$35.69 per hour yielding a benefits multiplier of approximately 1.61

<sup>2</sup> Information on the mean wage rate from the U.S. Department of Labor, Bureau of Labor Statistics is available online at: [https://www.bls.gov/oes/2022/may/oes\\_nat.htm](https://www.bls.gov/oes/2022/may/oes_nat.htm)

**burden estimate. (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. 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.**

There is no operations or maintenance costs associated with this collection.

- 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.**

There is no annual capital or start-up costs associated with this collection.

**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 (\$)
<b>Contract Costs</b> \$0	\$0
<b>HQ Staff Salaries:*</b> Three (3) GS 13, step 5 employees in Washington DC (2023) spending approximately 20% of time annually reviewing documents and making determinations for this data collection (GS 13 step 5 = \$126,949 <sup>1</sup> x 1.45 = \$184,076.05 x 3 employees = \$552,228.15 x 20% = \$110,445.63 (rounded up to \$110,446)	\$110,446
<b>Facilities</b> [cost for renting, overhead, etc. for data collection activity]	\$0
<b>Computer Hardware and Software</b> [cost of equipment annual lifecycle]	\$0
<b>Equipment Maintenance</b> [cost of annual maintenance/service agreements for equipment]	\$0
<b>Travel</b>	\$0
<b>Printing</b> [number of data collection instruments annually]	\$0
<b>Postage</b> [annual number of data collection instruments x postage]	\$0
<b>Other</b>	\$0
<b>Total</b>	<b>\$110,446</b>
<sup>1</sup> Office of Personnel Management 2023 Pay and Leave Tables for the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality. Available online at <a href="https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB.pdf">https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB.pdf</a> . Accessed May 24, 2023. <sup>2</sup> Wage rate includes a 1.45 multiplier to reflect the 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).

An **“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
Application for Participation in the National Flood Insurance Program / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)				288	240	(48)
Floodplain Development Documentation / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)				266,808	271,200	4,392
<b>Total(s)</b>				<b>267,096</b>	<b>271,440</b>	<b>4,344</b>

**Explain:** For FEMA Form FF-206-FY-22-160 (formerly 086-0-30), there has been no program changes; however, FEMA adjusted the annual number of respondents down from 72 to 60 based on the program’s data over the last 5 years, which means there are fewer local communities to enroll every year. This led to an overall decrease of 48 burden hours for the Application.

FEMA also adjusted number of respondents for the Floodplain Development Documentation up from 22,234 to 22,600 as new communities have enrolled in the program. This adjustment led to increases in both the total number of responses and total annual burden hours. This results in a total increase of 4,392 burden hours for the Floodplain Development Documentation and an overall increase of 4,344 burden hours for the collection as a whole.

This update also corrects a small technical error discovered in ROCIS for the 2020 reinstatement where the burden numbers in the Supporting Statement A do not match the numbers in the IC list of ROCIS. If we had discovered this error sooner, we would have submitted a Change Request to make the correction. This Supporting Statement refers to the burden numbers found in the Supporting Statement A of the 2020 reinstatement, which are the correct numbers for 2020.

Itemized Changes in Annual Burden Costs						
Data collection Activity/Instrument	Program Change (Cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New)	Difference
Application for Participation in the National Flood Insurance Program / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)				\$23,161	\$22,824	(\$337)
Floodplain Development Documentation / FEMA Form FF-206-FY-22-160 (formerly 086-0-30)				\$21,456,699	\$25,791,120	\$4,334,421
<b>Total(s)</b>				<b>\$21,479,860</b>	<b>\$25,813,944</b>	<b>\$4,334,084</b>

**Explain:** The burden costs for this collection increased in line with the increase in burden hours and a slight increase in wage rates since the 2020 reinstatement. The fully loaded wage rate increased from \$80.42 to \$95.10.

**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.