**Supporting Statement A for**

**Paperwork Reduction Act Submission**

**LAND AND WATER CONSERVATION FUND STATE ASSISTANCE PROGRAM**

**54 U.S.C. §200301 et seq.**

**OMB Control Number 1024-0031**

**Terms of Clearance. None.**

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

The Land and Water Conservation Fund Act of 1965, as amended (LWCF Act) (54 U.S.C. §200305 et. seq.) was enacted to help preserve, develop, and ensure access for the public to outdoor recreation opportunities. Among other programs, the LWCF Act provides funds for and authorizes federal assistance to the States for planning, acquisition, and development of needed land and water areas and facilities for outdoor recreation purposes. In accordance with the LWCF Act, the National Park Service (we, NPS) administers the LWCF State Assistance Program, which provides matching grants to States, and through the States to local units of government. As used in this information collection request, the term “States” includes the 50 States; the Commonwealths of Puerto Rico and the Northern Mariana Islands; the District of Columbia; and the Territories of Guam, the U.S. Virgin Islands, and American Samoa.

LWCF grants are provided to States on a matching basis for up to 50 percent of the total project-related allowable costs. Grants to eligible Insular Areas may be for 100 percent assistance. The LWCF State Assistance Program gives maximum flexibility and responsibility to the States. States establish their own priorities and criteria and allocate their grant money through a competitive selection process based on a Statewide Comprehensive Outdoor Recreation Plan, which is required by the Act to establish program eligibility. Payments for all projects are made to a State agency designated by the Governor or by state statute, which is authorized to accept and administer funds for approved projects on behalf of that State. Local units of government participate in the program as sub-grantees of the State, with the State retaining primary grant compliance responsibility.

**Legal Authorizations:**

* Land and Water Conservation Fund Act of 1965, 54 U.S.C. §2003 (Financial Assistance to States, §200305)
* Land and Water Conservation Fund Program of Assistance to States; Post-Completion Compliance Responsibilities, 36 CFR Part 59
* Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200

**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.**

**LWCF Forms**

The forms listed below are used to collect information to administer the LWCF State Assistance Program:

|  |  |
| --- | --- |
| **Form** | **Function** |
| **NPS Form 10-902A,** Amendment to Project Agreement | NPS Form 10-902A is used to document approval of compliance and stewardship actions. This form is required to alter the Project Agreement. When the amendment is signed by the NPS, it becomes part of the agreement and supersedes it in the specified matters. No changes are proposed for the use of this form. |
| **NPS Form 10-903, “**Description and Notification Form” (DNF) | NPS Form 10-903 provides data describing the project site(s), such as location, acreage(s), and the planned recreation improvements. The State must submit a DNF for each park or other recreation area that will receive grant funds and for replacement sites in conversions.  **Revision:** There was a minor correction to this form to restore Tribal projects as one of the special indices; it was inadvertently dropped in the 2020 form update. |
| **NPS Form 10-904, “**Grant Application and Revision Form” (A&R Form) | NPS Form 10-904 is required from States submitting applications for a new project and to support any requested amendments to the subsequent grant agreement.  **Revision:** This form was revised to: remove a reference to a section that was eliminated and a duplicative question; restore a data element that was inadvertently dropped in the 2020 update, and improve the clarity of a number of questions, including the tables in Section 3.C. |
| **New**  **Standard Form SF-429** | In accordance with DOI’s regulations at 2 CFR 1402, the SF-429 Real Property Status Report Cover Sheet and Attachment B, Request to Acquire, Furnish, or Improve, is required for projects requesting LWCF assistance for land acquisition. For post-grant completion stewardship reporting, the Cover Sheet and Attachment A, General Reporting are required. |
| **Form 10-904A,** “Compliance and Stewardship Form” (C&S Form) | NPS Form 10-904A is required from States for each post-grant completion request seeking approval to convert a property from recreation use or for a non-recreation use of the site.  **Revision:** This form was revised to improve the clarity of questions, including the tables in Section 3.A. |
| **NPS Form 10-905, “**Record of Electronic Payment Form” (REP) | NPS Form 10-905 is required from States when requesting payment on a grant. The form reports the amount being drawn and the timeframe of the expenses being reimbursed, whether it is a partial or final payment, and tracks the overall number of payments on each grant. Payments on multiple grants can be reported on a single REP form. No changes are proposed for the use of this form. |

The following information is collected to administer the LWCF State Assistance Program:

**Application (Forms 10-903 and 10-904).** States may seek financial assistance for acquisition, development, or planning projects to be conducted under the LWCF Act. To receive a grant, States must submit an application to NPS for review and approval. We use the information provided in applications to determine eligibility under the authorizing legislation and to select those projects that will provide the highest return on federal investment. In addition to the above forms and the SF-424 series of grant application forms, applications for LWCF grants comprise:

* **Budget Narrative.** Project sponsors must explain and provide estimates for the cost(s) of the proposed grant project.
* **Pre-award Onsite Inspection Report**. The State must physically inspect proposed project sites and report on the findings prior to selecting the project for award of grant funds. The inspection must be conducted in accordance with the onsite inspection agreement between the State and NPS. See additional information under Reports, below.
* **Maps and other supporting documentation.** Applicants must develop and submit two maps: one depicting the general location of the park as well as the entrance area; the other delineating the specific boundary of the outdoor recreation area that will be protected for outdoor recreation purposes and subject to the conversion provisions at 54 U.S.C. 200305(f)(3). Applicants should submit other documentation that has a significant bearing on the project, such as a site plan or the results of environmental and cultural resources reviews.

**NEW REQUIREMENT - Standard Form SF-429**. In accordance with DOI’s regulations at 2 CFR 1402, the SF-429 Cover Sheet and Attachment B, Request to Acquire, Furnish, or Improve, is required for projects requesting LWCF assistance for land acquisition.

* Additionally, for applications submitted for Outdoor Recreation Legacy Partnership Program grants, further narrative beyond Form 10-904 is needed to relate the project to the competition purposes and review criteria. Other information supporting the need for the project, such as photos of existing site conditions and letters of support from the public and partners, is encouraged but not required, unless the letter from the partner is documenting a contribution intended to serve as a grant match.

**Grant Amendment (Forms 10-903 and 10-904)**. After the initial award and over the course of the award performance period, a State or project sponsor may seek to amend the agreed-upon terms (e.g., award end date, scope of work, or budget). NPS must review and approve such changes. To describe the reasons the change(s) is/are needed and the impact(s) to the overall project, States must submit an amendment request on behalf of themselves or the local sponsor, which depending on the nature of the change could comprise the following elements:

1. Request and recommendation letter from the State Liaison Officer (SLO)

2. Revised SF-424 forms and budget narrative

3. Revised boundary map

4. Revised 10-903, DNF

5. Section 4 only of 10-904

**Conversion of Use and Other Post-Award Stewardship Issues (Forms 10-902A, 10-903, 10-904A).** In accordance with the LWCF Act (54 U.S.C. 200305(f)(3)) and implementing regulations found codified in 36 CFR 59, no property acquired or developed with LWCF funds can be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior. Certain kinds of public uses may not trigger a conversion if it can be shown that the use will support the outdoor recreation or will not diminish it (see additional stewardship actions below). For conversions, States must submit a formal request to the appropriate NPS Regional Office to substantiate that:

(a) All alternatives to the conversion have been evaluated and rejected on a sound basis;

(b) Required replacement land being offered as a substitute is of reasonably equivalent location and recreational usefulness as the assisted site proposed for conversion;

(c) The property proposed for substitution meets the eligibility requirements for LWCF assistance; and

(d) Replacement property is of at least equal fair market value as established by an appraisal developed in accordance with federal appraisal standards.

* **Maps and Other Supporting Documentation.** In addition to the noted forms, project sponsors must prepare (1) maps showing the existing protected recreation area and delineating the area(s) to be converted, as well as the proposed replacement property or properties; (2) a property appraisal validating that the proposed replacement property meets the equal fair market value; and if needed (3) documentation of environmental and cultural resources reviews.

**Request for a Public Facility (Form 10-904A)**. Except for certain kinds of recreation-supporting facilities (e.g., restrooms, visitor information centers), project sponsors must seek NPS approval when constructing an indoor structure on a property that has received LWCF assistance. In most cases, the development of an indoor structure would constitute a conversion, in certain cases, NPS may approve them where it can be shown that they will enhance the outdoor recreation uses of a park and there will be a net gain in benefits to the outdoor recreating public using that park. The request describes the nature of the facility, how it will support and enhance the outdoor recreation use of the site, and ownership and management; as well as a copy of a revised boundary map indicating the location of the proposed facility.

**Request for Temporary Non-Conforming Use (Form 10-904A).** Project sponsors must seek NPS approval for the temporary (up to 6 months) use of an LWCF-assisted site for purposes that do not conform to the public outdoor recreation requirements. Besides the noted form, the State’s proposal to NPS must include:

1. Request and recommendation letter from the SLO, and
2. Acknowledgement by the SLO that a full conversion will result if the temporary use has not ceased after 6 months.

**Request for Significant Change of Use (Form 10-904A).** Project sponsors must seek NPS approval to change the use of an assisted site from one eligible use to another when the proposed use significantly contravenes the plans or intent for the area as they were outlined in the original LWCF application for federal assistance; e.g., changing a site’s use from passive to active recreation.

**Request to Shelter Facilities (Form 10-904A).** Project sponsors must seek NPS approval to construct a new outdoor recreation facility, or partially or fully enclose an existing facility, such as a pool or ice rink, to shelter them from severe climatic conditions and thereby increase the recreational opportunities. This approval is required whether seeking to use LWCF grant funds for this purpose or not.

**Extension of the 3-year Limit for Delayed Outdoor Recreation Development**. Project sponsors must seek NPS approval to continue a non-recreation use beyond the 3-year limit for acquisition projects that were previously approved with delayed outdoor recreation development. The State must submit a written request and justification for such an extension to NPS before the end of the initial 3-year period. This request must include:

1. A full description of the property's current public outdoor recreation resources and the public’s current ability to use the property; and
2. An update of the project sponsor's plans and schedule for developing outdoor recreation facilities on the property.

**Statewide Comprehensive Outdoor Recreation Plan (SCORP)**. The LWCF Act requires that to be eligible for LWCF financial assistance, each State must prepare and submit a SCORP to the NPS for approval. The NPS requires a new or updated SCORP at least once every 5 years. Per the LWCF Act, the SCORP must include:

1. The name of the State agency that will have the authority to represent and act for the State.
2. An evaluation of the demand for and supply of outdoor recreation resources and facilities in the State.
3. A program for the implementation of the plan.
4. Certification by the Governor that ample opportunity for public participation has taken place in plan development.

**Open Project Selection Process (OPSP)**.Each State must develop an OPSP that provides objective criteria and standards for grant selection that are explicitly based on each State’s priority needs for the acquisition and development of outdoor recreation resources as identified in the SCORP. The OPSP is the connection between the SCORP and the use of LWCF grants to assist State efforts in meeting high-priority outdoor recreation resource needs. To ensure continuing close ties between the SCORP and the OPSP, States must review project selection criteria each time that a new or amended SCORP is approved by the NPS. States must submit to the NPS a revised set of OPSP criteria that conform to any changes in SCORP priorities or submit an appropriate certification that no such revisions are necessary.

**Reports.** We use this information provided in reports to ensure that the grantee is accomplishing the work on schedule and to identify any problems that the grantee may be experiencing in accomplishing that work.

* **Onsite Inspection Reports.** States must administer a regular and continuing program of onsite inspections of projects. Onsite inspection reports are prepared for all inspections conducted and are included in the official project files maintained by the State. If a state conducts onsite project inspections during the grant project, an inspection progress report would be prepared. Such reviews may coincide with annual performance reporting or when reimbursement is requested. Final onsite inspection reports must be submitted to the NPS within 90 days after the date of completing a project and prior to final reimbursement and administrative closeout. Post-completion onsite inspection reports must be completed within 5 years after the final project reimbursement and every 5 years thereafter. If there are problems, the report should include a description of the discrepancy and the corrective action to be taken. Only reports indicating problems are forwarded to the NPS for review and necessary action; all other reports are maintained in State files. However, within this 3-year collection window, we anticipate the Department of the Interior will implement a requirement for regular reporting on sites that were originally acquired with federal financial assistance, including LWCF, regardless of whether there is a problem. The SF-429 will be used for this purpose instead of individual state reports.
* **Financial and Program Performance Reports.** In accordance with 2 CFR 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), grantees must monitor grant and subgrant-supported activities to ensure compliance with applicable federal requirements and to ensure performance goals are being achieved. On an annual basis, States must submit reports that describe project performance to the NPS, on behalf of themselves or local sponsors. Similarly, the SF-425 is used to describe financial status.
* **NEW REQUIREMENT - Standard Form SF-429**. In accordance with DOI’s regulations at 2 CFR 1402, the SF-429 Real Property Status Report Cover Sheet and Attachment A, is required for sites that received LWCF assistance for land acquisition. The forms are required within one year of grant expiration and at 5-year intervals.

**Request for Reimbursement/Record of Electronic Payment (Form 10-905).** States use the Automated Standard Application for Payments (ASAP) system for drawing funds on approved grants. For planning grants, States must submit to NPS a progress report and request for reimbursement before they may request payments. Payments on acquisition and development projects do not require prior approval, but upon completion of an electronic payment on a given date the State must concurrently (within 24 hours) submit a completed NPS Form 10-905, “Record of Electronic Payment” to the LWCF Program offices in Washington, DC and applicable NPS Region.

**Recordkeeping.** To comply with the grant requirements of 2 CFR 200, States must maintain financial records, supporting documents, statistical records, and all other records pertinent to a grant program for a period of 3 years after final payment on a project. The records must be retained beyond the 3-year period if audit findings have not been resolved. However, to comply with the LWCF Act perpetuity requirements, States must maintain sufficient records to allow them to keep track of parks and other recreation areas that have been assisted.

**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.**

The LWCF-specific forms are available on the program’s website while the Standard Forms are available on Grants.gov, in a fillable format. As required by DOI, grant applications are submitted via the Grants.gov application portal; reports and amendments are submitted to GrantSolutions.gov (a federal grant management platform that DOI uses); and responses to other requirements may be submitted electronically by email or in hard copy. Based on new DOI requirements and previous experience administering this collection, we estimate that 100 percent of respondents will submit grant applications, grant amendments, and associated progress and financial reporting electronically. For compliance and stewardship requests we anticipate that on average about 60% will be submitted electronically.

**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.**

There is no duplication. All information collected is project specific for the LWCF State Assistance Program. There may be some duplication of data within this collection when there are grant amendments and Conversion of Use requests. However, this is necessary to ensure up-to-date information on the project.

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

This collection does not affect small businesses or other small entities.

**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.**

We collect this data to record each project, support the decision to provide funding, monitor project progress, and establish how funds are used, in accordance with OMB requirements. Without this data, NPS would be unable to be accountable for how LWCF dollars are expended, and would not have sufficient overall LWCF program information to quickly report on inquiries or analyze trends in assistance. We only collect the data at the onset of a project, at yearly (active grants) or 5-year (closed grants) intervals, or when changes are made to the project; therefore, we could not collect the data less frequently.

**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.**

There are no special circumstances that would cause 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 September 12, 2022, we published in the Federal Register (87 FR 55843) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on November 14, 2022. We received written comments from Washington State Recreation and Conservation Office and Oregon Parks and Recreation Department.

We received the following comments:

| **Affiliation** | **Title** |
| --- | --- |
| 1. Washington State Recreation and Conservation Office | Senior Outdoor Grants Manager |

**Respondents’ comment(s):**

It would be most helpful if NPS revised and expanded A&R questions to clarify the information sought. In our experience, incomplete information provided on this form (often due to misunderstanding what is required) creates additional work, expense and time lags for RCO’s subgrantees as well as NPS. We all share the same goal of wanting to provide a complete accurate initial application, within reason of what information that an applicant would have without promise of any grant funding. The commenter also provided specific feedback on ways to provide clarity to the instructions in each section.

**NPS Response/ Action Taken:** The comments and suggestions for rewording to improve the clarity and to remove duplication of questions were accepted. To accommodate the request proposing additional instructions for questions the NPS will create annotated versions of the A&R and C&S forms to provide additional guidance.

| **Affiliation** | **Title** |
| --- | --- |
| Oregon Parks and Recreation Department | LWCF Grant Program Coordinator |

**Respondents’ comment(s):**

The comments from this respondent were mainly technical in nature, addressing the wording of some questions on both the A&R and C&S Forms, as well as describing issues with formatting on these forms that make the forms more difficult for applicants to use, including “an unnecessary amount of time to correct.” The respondent also noted that Section 3.0, Subsection C. Environmental Resources Survey should be improved. The respondent recommended that Tables 1 and 2 have a column added to indicate neutral impacts (impacts that are neither positive or negative) and a Not Applicable column (resource does not exist).

**NPS Response/ Action Taken:**

* We will revisit the forms to try to address the issues the commenter identified, such as possibly placing form fields in the document for responses so that applicants don’t feel the need to enter their responses in colored text. We note that some of the issues the commenter described can be caused by how these documents are saved and shared for use, which may erase formatting.
* The tables in Section 3.C were revised to remove the response indicating more research is needed and to restore a “not present or N/A” option in Table 1. (Conforming changes were made to the same tables in Section 3.A of the C&S Form.)
* To accommodate the request proposing additional instructions for questions the NPS will create annotated versions of the forms to provide additional guidance.

In addition to the Federal Register notice, we solicited and received comments from four state grantee representatives familiar with this collection. The following table includes the titles and organizations of the individuals providing feedback to our request.

| **Position** | **Affiliation** |
| --- | --- |
| LWCF Supervisor | California Department of Parks and Recreation |
| Project Officer | California Department of Parks and Recreation |
| Land Conservation and Stewardship Chief | Pennsylvania Department of Conservation and Natural Resources |
| State Grantee Representative | Oregon Department of Natural Resources and Conservation |

We asked for feedback on the following:

***“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.”***

**Respondents’ comment(s):**

CA and PA staff requested that the NPS not use several OMB-controlled forms, particularly the Project Abstract (but also the SF-LLL) as well as Form 10-903 (DNF), in favor of incorporating these questions into the A&R Form, as having multiple forms increases the burden generally and for some information seems redundant. In addition, CA staff proposed changes to specific questions on the A&R form for clarity, which were similar to what OR and WA had proposed. PA commented about the budget form submissions, noting that needing to include figures in multiple documents increases the risk of errors. They made several suggestions for the SF-424C, including the need for the cost share percentage field to be fixed to accept decimal places, and the use of a standardized budget form that has a way to show cost sharing for budget costs and also rounds so that costs are in whole numbers.

**NPS Response/Action Taken:**

*OMB requires the use of the Project Abstract Form specifically, and for the SF-LLL we should not use an alternate method to collect information when there is an approved form for collection. We can evaluate the proposal to fold the DNF into the A&R Form for future updates, although the A&R Form is already lengthy. As noted above, the A&R Form was revised to reflect many of the commenters’ suggestions. Regarding the budget comments, we agree about the SF-424C match percentage issue and have made this comment in the past, but unfortunately, it is not a form we control. Regarding the use of whole numbers, this NPS supports this, but note it is something the state can do itself in its application preparation.*

***“What is your estimate of the amount of time it takes to complete each form in order to verify the accuracy of our estimate of the burden for this collection of information?”***

**Respondents’ comment(s):**

CA felt the estimate for applications was low, if also factoring in the back and forth between state and the local applicant, such as review and editing, and answering questions. Section 3.C was noted as a particular challenge (and they made suggestions about it). PA similarly made a comment about the additional time of passing an application back and forth but did not offer an alternate estimate vs just an overall time period for application development.

**NPS Response/Action Taken:**

*NPS clarified that the estimate is meant to represent an average; depending on the complexity of the project and the site, it could take applicants far less time or far more. Given that Section 3.C was revised in response to their and the other states’ comments, hopefully better guidance will help reduce the incidence of questions and revisions.*

***“Do you have any suggestions for us on ways to enhance the quality, utility, and clarity of the information to be collected?”***

**Respondents’ comment(s):**

CA propose an additional question or two as well as more instructions for a variety of questions. This extended to the Budget Narrative – more guidance was requested for eligible costs. Finally, they requested training on the forms once they are finalized and approved. PA also commented on the method of application submission, particularly the use of a SharePoint site for the review of drafts. They proposed using Grants.gov for this purpose. In addition, they commented on NPS forms being in Adobe Acrobat, suggesting MS Word would be easier.

**NPS Response/Action Taken:**

*As noted above, we plan to develop an annotated version of the A&R and C&S forms to serve as guidance. Project cost guidance probably would be something for our LWCF Manual, but we can look for alternate ways to provide guidance for other application materials. Regarding application methods, the use of Grants.gov is not feasible for draft review because it is only a one-way submission; any revisions or corrections would require the applicant to submit a brand-new form. Regarding the form software, NPS is not sure about this comment as all the NPS-controlled forms are in Word or Excel. The Standard Forms are in Adobe, but these are not NPS forms.*

*The comments and suggestions for rewording to improve the clarity of questions were accepted, including a suggestion to split one question into two. The tables in Section 3. C was revised to remove the response indicating more research is needed and to restore a “not present or N/A” option in Table 1. (Conforming changes were made to the same tables in Section 3. A of Form 10-904A C&S Form.)*

***“Any ideas you might suggest which would minimize the burden of the collection of information on respondents?”***

**Respondents’ comment(s):**

CA requested that current forms be posted on the LWCF website.

**NPS Response/Action Taken:**

*NPS will work to get the forms posted.*

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

We do not provide 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.**

We do not provide any assurance of confidentiality.

**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.**

There are a maximum of 56 respondents (States; the Commonwealths of Puerto Rico and the Northern Mariana Islands; the District of Columbia; and the territories of Guam, U.S. Virgin Islands, and American Samoa). We estimate that we will receive **7,797 annual responses totaling 56,249 annual burden** hours.

We used the Bureau of Labor Statistics news release USDL-23-1305, June 16, 2023, Employer Costs for Employee Compensation—March 2023, (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to calculate the total annual burden for this collection. Table 5 of the bulletin lists the hourly wage for management, profession, and related positions as $70.71, including benefits.

The total dollar value of the burden hours is approximately **$3,977,367** (rounded) ($670.71x 56,249 hours). We consulted with a small sample of our state partners to validate previously developed estimates, which for the most part they did except for the completion time to develop new applications. We used the average times to provide the estimates in table 12.1 below.

**Table 12.1** **Estimated Annual Hour Burden**

| **Activity** | **Number of Annual Respondents** | **Number of Responses per Respondent** | **Total Annual Responses** | **Completion Time per Response (hours) \*** | **Total Annual Burden Hours** |
| --- | --- | --- | --- | --- | --- |
| Grant Application | 56 | 10 | 560 | 16 | 8,960 |
| Grant Amendment (not including Conversion of Use) | 50 | 4 | 200 | 5 | 1,000 |
| Conversion of Use | 50 | 1 | 50 | 92.5 | 4,625 |
| Statewide Comprehensive Outdoor Recreation Plan | 11 | 1 | 11 | 600 | 6,600 |
| Open Project Selection Process | 11 | 1 | 11 | 30 | 330 |
| Request for Public Facility | 8 | 1 | 8 | 16 | 128 |
| Request for Temporary Non-Conforming Use | 5 | 1 | 5 | 16 | 80 |
| Request for Significant Change of Use | 2 | 1 | 2 | 16 | 32 |
| Request to Shelter Facilities | 1 | 1 | 1 | 16 | 16 |
| Extension of 3-Year Limit for Delayed Outdoor Recreation Development | 5 | 1 | 5 | 16 | 80 |
| Onsite Inspection Reports | 56 | 95 | 5,320 | 5.75 | 30,590 |
| Financial and Program Performance Reports (per grant) | 56 | 20 | 1,120 | 1 | 1,120 |
| Request for Reimbursement/ Record of Electronic Payment | 56 | 8 | 448 | 1 | 448 |
| Recordkeeping | 56 | 1 | 56 | 40 | 2,240 |
| **TOTALS** | **423** |  | **7,797** |  | **56,249** |

\* Rounded to match ROCIS

**13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers 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.**

There are no non-hour burden costs.

**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 annual cost to the Federal Government to administer this information collection is **$1,288,407** (rounded). To determine average hourly rates, we used Office of Personnel Management Salary Table 2023-RUS (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/RUS\_h.pdf) as an average nationwide rate. The Bureau of Labor Statistics news release USDL-23-1305, June 16, 2023, Employer Costs for Employee Compensation— March 2023, (<http://www.bls.gov/news.release/pdf/ecec.pdf>) was used to calculate benefits.

**Table 14.1 Estimated Annual Cost to the Federal Government**

| **Activity** | **Grade/**  **Step** | **Hourly Rate** | **Hourly Rate w/ Benefits (x 1.6)** | **Total Responses** | **Time per Response (hours)** | **Total Annual Hours** | **Annual Cost** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Grant Application | 12/05 | $ 44.98 | $ 71.97 | 560 | 13 | 7,280 | $ 523,942 |
| Grant Amendment | 12/05 | $ 44.98 | $ 71.97 | 200 | 3 | 600 | $43,182 |
| Conversion of Use | 12/05 | $ 44.98 | $ 71.97 | 50 | 16 | 800 | $57,576 |
| Statewide Comprehensive Outdoor Recreation Plan | 12/05 | $ 44.98 | $ 71.97 | 11 | 40 | 440 | $31,667 |
| Open Project Selection Process | 12/05 | $ 44.98 | $ 71.97 | 11 | 8 | 88 | $6,333 |
| Request for Public Facility | 12/05 | $ 44.98 | $ 71.97 | 8 | 16 | 128 | $9,212 |
| Request for Temporary Non-Conforming Use | 12/05 | $ 44.98 | $ 71.97 | 5 | 16 | 80 | $5,758 |
| Request for a Significant Change of Use | 12/05 | $ 44.98 | $ 71.97 | 2 | 4 | 8 | $576 |
| Request to Shelter a Facility | 12/05 | $ 44.98 | $ 71.97 | 1 | 4 | 4 | $288 |
| Extension of 3-Year Limit for Delayed Outdoor Recreation Development | 12/05 | $ 44.98 | $ 71.97 | 5 | 2 | 10 | $720 |
| Onsite Inspection Reports | 12/05 | $ 44.98 | $ 71.97 | 5,320 | 1 | 5,320 | $382,880 |
| Financial and Program Performance Reports (per grant) | 12/05 | $ 44.98 | $ 71.97 | 1,120 | 1 | 1,120 | $80,606 |
| Request for Reimbursement/ Record of Electronic Payment | 12/05 | $ 44.98 | $ 71.97 | 448 | .5 | 224 | $16,121 |
| Recordkeeping (per grant) | 12/05 | $ 44.98 | $ 71.97 | 900 | 2 | 1,800 | $129,546 |
| **Total** | | | | | | | **$1,288,407** |

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

We are requesting a net **increase of 692** annual responses and a net **increase of 3,782** total burden hours from our 2019 submission. Since the last renewal, legislation was enacted that resulted in an increase in annual allocations leading to increases in the number of applications for formula and ORLP grants, financial and performance reports, and inspection reports. In addition, DOI published regulations requiring the new use of the SF-429 for applications and reporting when land acquisition was involved. Finally, with the additional grant projects, the number of assisted sites to be monitored, inspected, and reported on post-award continues to increase.

**Table 15.1 Program Changes**

|  | **Anticipated Completed**  **Responses** | | | **Anticipated Respondent Burden (hours)** | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Activity** | **Current**  **Request** | **Previous**  **Request** | **Net Change** | **Current**  **Request** | **Previous**  **Request** | **Net Change** |
| Grant Application | 560 | 448 | +112 | 8,960 | 7,168 | +1,792 |
| Grant Amendment (not including Conversion of Use) | 200 | 180 | +20 | 1,000 | 900 | +100 |
| Conversion of Use | 50 | 50 | 0 | 4,625 | 4,625 | 0 |
| Statewide Comprehensive Outdoor Recreation Plan | 11 | 11 | 0 | 6,600 | 6,600 | 0 |
| Open Project Selection Process | 11 | 11 | 0 | 330 | 330 | 0 |
| Request for a Public Facility | 8 | 8 | 0 | 128 | 128 | 0 |
| Request for Temporary Non-Conforming Use | 5 | 5 | 0 | 80 | 80 | 0 |
| Request for Significant Change of Use | 2 | 2 | 0 | 32 | 32 | 0 |
| Request to Shelter Facilities | 1 | 1 | 0 | 16 | 16 | 0 |
| Extension of 3-Year Limit for Delayed Outdoor Recreation Development | 5 | 5 | 0 | 80 | 80 | 0 |
| Onsite Inspection Reports | 5,320 | 5,040 | +280 | 30,590 | 28,980 | +1,160 |
| Financial and Program Performance Reports (per grant) | 1,120 | 840 | +280 | 1,120 | 840 | +280 |
| Request for Reimbursement/ Record of Electronic Payment | 448 | 448 | **0** | 448 | 448 | 0 |
| Recordkeeping | 56 | 56 | 0 | 2,240 | 2,240 | 0 |
| TOTAL | **7,797** | **7,105** | **+****692** | **56,249** | **52,467** | **+****3,782** |

**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 this information.

**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 forms and other appropriate materials.

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

There are no exceptions to the certification statement.