

## **The Supporting Statement A for OMB 0596-0254**

Infrastructure Investment and Jobs Act Financial Assistance to Facilities that Purchase and Process Byproducts for Ecosystem Restoration (CFDA 10.725) Wood Products Infrastructure Assistance (WPIA)

### **Terms of Clearance**

#### **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.**

USDA Forest Service is delivering the Wood Products Infrastructure Assistance (WPIA) as part of the Bipartisan Infrastructure Law. Section 40804(b)3 of the Infrastructure Investment and Jobs Act Pub. L. 117-58 (11/15/2021) directs the USDA Forest Service to provide financial assistance to an entity seeking to establish, reopen, expand, or improve a sawmill or other wood processing facility in close proximity to a unit of federal or Indian land that has been identified as high or very high priority for ecological restoration. According to 2 CFR Part 200 and Forest Service Handbook 1509.11, Chapter 20, there is certain narrative and budget information required for the Agency to determine if the project meets the legislative requirements and if the costs are reasonable, allocable, allowable, and necessary for the project. In particular, collection of information is necessary to ascertain if applicants seeking financial assistance do in fact operate facilities in close proximity to a unit of federal or Indian land that has been identified as high or very high priority for ecological restoration.

- 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.**

- a. What information will be collected - reported or recorded? (If there are pieces of information that are especially burdensome in the collection, a specific explanation should be provided.)**

Eligible applicants are for-profit entities; state, local governments; Indian Tribes; school districts; community, not-for-profit organizations; institutions of higher education; and special purpose districts (e.g., public utilities districts, fire districts, conservation districts, and ports).

Applications will be submitted to Regional Wood Innovations Coordinators in a pdf format through email by the date and time as listed in the Notice of Funding Opportunity (NOFO) at [Grants.gov](https://www.grants.gov); searchable and identifiable by the catalog of domestic federal assistance (CFDA) number 10.725.

#### **USDA Forest Service Regional Contact**

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The Forest Service State & Private Forestry will receive, review, and track all applications.

Within the project narrative, applicants will be asked to provide the following information.

1. Project Title
2. Project Length
3. Project Facility Type
4. Legal business name.
5. Physical location of current or proposed project facility.
6. USDA Forest Service funding request.
7. Amount of non-federal dollars that the applicant plans to put toward the project.
8. Contact information of individuals that will be responsible for financial and project reporting if applicant is awarded funding.
9. Identify the primary purpose for the financial request i.e., establish, reopen, expand, or improve a facility.
10. Current status of the project facility.
11. What percentage of raw materials used at the project facility are currently or will be byproducts (logs, woody biomass, etc.) from ecosystem restoration projects on federal or Indian lands.
12. Does the project facility utilize wood waste from other facilities and if so what percentage of material supplied by upstream companies originates from federal or Indian lands.
13. At current operating status, list the volumes and types of raw materials, on an annual basis, that are procured for the project facility.
14. Of this amount, identify the volumes and types of materials that originate from federal or Indian lands.
15. How much additional forest material from federal or Indian lands is projected to be utilized because of the financial assistance? List the additional quantities (volumes, tons, or CCF – hundred cubic feet) and types of raw materials, on an annual basis, that would be procured for the project facility under this financial assistance request. Please provide justification for the projection.
16. Identify any ecosystem restoration projects that the project facility is current or planning to collaborate with. Identify if the ecosystem restoration project is primarily occurring on federal, Indian, state,

private lands, or a combination.

17. What is the furthest distance the byproducts travel to the project facility from the ecosystem restoration projects?
18. Identify any federal or Tribal forestland or rangeland that the project facility currently has under contract with that allows for the removal and utilization of merchantable or unmerchantable wood products and/or woody biomass.
19. Using the CDC/ATSDR Social Vulnerability Index, please report the 2018 SVI score for the county or counties where the byproducts will be sourced or where they will be used. Enter the county name and the 2018 SVI score.
20. Provide additional comments and sources on how this project will support disadvantaged communities.

These questions are able to be answered by multiple choice or by fill-in-the-blank type answers. The purpose of these questions is to have applicants directly respond to direct questions, which we believe helps reduce the burden on applicants to address these questions in a project narrative. While the application for financial assistance does have a project narrative section, we encourage applicants to clearly and concisely describe how the financial assistance will be utilized at the project facility.

To meet the criteria for selecting projects for funding, as described in Section 40804(b)3 of the Infrastructure Investment and Jobs Act Pub. L. 117-58 (11/15/2021), we do ask an additional four questions that collectively help to identify if the project area could be characterized as a high or very high priority for ecological restoration. The four questions that identify the need for ecological restoration are:

1. Identify if the raw material sourcing areas for the project facility are located within one of the Top 10 USDA Forest Service designated fireheds.
2. Identify if the raw material sourcing areas for the project facility will include materials from within boundaries of the Initial Landscape Investments areas.
3. Identify the wildfire likelihood, by county, where the main source of raw material for the project facility will be taken from.
4. Identify the proportion of Treed Area at Risk for the area that will supply raw materials to the project facility, using the National Insect & Disease Risk Map.

In total, responses to the above listed questions along with the following will be requested from applicants.

1. Description of Project and Financial Plan
2. Budget Tables and Justification
3. Cooperator Funding Table
4. Resumes of project team members and highly relevant partners
5. If applicable, a list of all other funds (federal, state, private) received, that are closely related to this financial request within the last 5 years (include agency, program name, and dollar amount).

6. Letters of financial support specifying financial commitment of non-federal funding contributions (cash or in-kind) to the project.
7. Screenshot of SAM.gov registration or evidence that the SAM.gov registration process has been initiated.

This information will be used to determine eligibility and need for financial assistance of applicants.

Optional items to submit are:

1. Copies of current contracts for the removal, disposal, or purchase of wood products from federal, tribal, state, county, city, or private lands.
2. Cost quotes from equipment manufacturers or firms for items or services directly related to the financial request for assistance.
3. Feedstock supply studies.
4. Letters of support for the project from land management agencies, tribal governments, or private landowners.

To comply with federal grant requirements, the USDA Forest Service will also require applicants complete the following standard forms when applying for financial assistance.

- a. FS-1500-0049: Wood Products Infrastructure Assistance Application
- b. SF-424: Application for Federal Assistance (OMB 4040-0005)
- c. SF-424A: Budget Information for Non-Construction Programs (OMB 4040-0006)
- d. SF-424B: Assurances for Non-Construction Programs (OMB 4040-0007)
- e. FS-1500-35: Certificate Regarding Lobbying Activities (OMB 0596-0217)
- f. FS-1500-22: Financial Capability Questionnaire (OMB 0596-0217)
- g. FS-1500-23: Optional Project Performance Report (OMB 0596-0217)

**b. From whom will the information be collected? If there are different respondent categories (e.g., loan applicant versus a bank versus an appraiser), each should be described along with the type of collection activity that applies.**

Information Collected	Description	Information Provided to:	Prepared by
Individual	FS-1500-0049: Wood Products Infrastructure Assistance Application	USDA Forest Service	Public, Tribal and State
Individual	SF-424: Application for Federal Assistance (OMB 4040-0005)	USDA Forest Service	Public, Tribal and State
Individual	SF-424A: Budget Information for Non-Construction Programs (OMB 4040-0006)	USDA Forest Service	Public, Tribal and State
Individual	SF-424B: Assurances for Non-Construction Programs (OMB 4040-0007)	USDA Forest Service	Public, Tribal and State
Individual	FS-1500-35: Certificate Regarding Lobbying Activities (OMB 0596-0217)	USDA Forest Service	Public, Tribal and State
Individual	FS-1500-22: Financial Capability Questionnaire (OMB 0596-0217)	USDA Forest Service	Public, Tribal and State
Individual	FS-1500-23: Optional Project Performance Report (OMB 0596-0217)	USDA Forest Service	Public, Tribal and State

**c. What will this information be used for - provide ALL uses?**

Information will be used to evaluate eligibility and financial assistance need of applicants. In addition, the information collection will be used to produce maps illustrating where the projects will be implemented.

**d. How will the information be collected (e.g., forms, non-forms, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?**

Information will be collected using electronic forms submitted by email to Regional Wood Innovation Coordinators. No other forms of submitting applications for financial assistance will be accepted.

**e. How frequently will the information be collected?**

The information will be collected each time a notice of funding opportunity is issued, which is scheduled to be once every federal fiscal year from 2022 to 2026.

**f. Will the information be shared with any other organizations inside or outside USDA or the government?**

The information will be shared inside the USDA. Locations of the funded projects, funding award, and an abstract of the project will be shared with the public by two public facing USDA interactive project maps: [USDA Energy Investment Map](#) and the [Wood Innovations Project Data Map](#).

**g. If this is an ongoing collection, how have the collection requirements changed over time?**

In response to increased participation in the program using the FS-1500-0049 (0596-0254), we have changed the application submission process for emailed application material to be sent to Regional Coordinators, which will divide the workload across the Regional Coordinators. In the emergency collection, we had included an Interim Project Progress Report form. It has been removed from this submission and the program is using FS-1500-23 Optional Project Performance Report, which is an approved form under OMB 0596-0217.

**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.**

The information is collected through electronic submission of the application form using email to [Regional](#) Wood Innovation Coordinators.

**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.**

Information collected for this NOFO is separate and not replicated in other USDA Forest Service NOFOs since this NOFO originates directly from the Bipartisan Infrastructure Law.

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

Efforts to minimize impact to small businesses and other small entities include using questions that require multiple choice answers or simple fill-in-the blank answers.

**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.**

Per 2 CFR Part 200 and Forest Service Handbook 1509.11, Chapter 20, if the collection is not conducted then federal funding from the USDA Forest Service cannot be awarded to recipients.

**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;**

Quarterly financial and project reporting is required as part of this NOFO as stipulated in the Infrastructure Investment and Jobs Act Pub. L. 117-58 Section 40804(b)3 (11/15/2021).

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **Requiring respondents to submit more than an original and two copies of any document;**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **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;**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **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**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- **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.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

This collection package is being submitted as a revision. The Forest Service published a 60-day notice with the revision ICR request notice. The Federal Register notice appeared December 22, 2022, at 87 FR 78633. There were no comments.

**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 record keeping, 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 3 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.**

Public consultation on the Wood Products Infrastructure Assistance was conducted with organizations that included the U.S. Endowment for Forestry and Communities (Michael Goergen). Intertribal Timber Council (Cody Desautel), National Association of State Foresters (Rick Cantrell).

Within government, the program consultation included the Department of the Interior (Christian Crowley) and the Bureau of Indian Affairs (Peter Wakeland). Feedback from this group included guidance on using various assessment tools to support the determination of high-risk restoration and the potential size of the funding maximum per applicant. Further, the guidance on the application and instructions helped the Agency determine appropriate reporting requirements and use of funds for equipment. The instructions were deemed appropriate length and requesting information that could be used to accurately assess applications.

A formal Tribal Consultation by USDA Forest Service was completed in April 2022 and information from that consultation was used to include eligibility for mobile equipment by Indian Tribes.

Consultations will occur every three years, with the next consultation to occur during FY 2025.

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

No payment or gifts are provided.

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

The following confidentiality statement appears on the form and is provided in the Instructions for the Notice Of Funding Opportunity (NOFO), posted on grants.gov.

A System of Records Notice (SORN) should not be necessary for this collection. According to the Privacy Act of 1974, while records containing PII are maintained by the Agency, records related to this collection are not retrieved using a personal identifier. The system of records to be used for this collection is internal only and neither governmentwide nor central. The records for this collection will be stored in a secure cloud-based content storage system. Files stored in this system are not accessible via indexing and cannot be retrieved by name or other personally unique identifier. The Privacy Impact Assessment for Pinyon, Section 6.1 states that a SORN is not required if records are stored using this system.

“Confidentiality: Materials submitted to the Forest Service, such as grant applications and progress reports, are subject to the Freedom of Information Act (FOIA). Upon request, the Forest Service may be obligated to disclose such records. However, documents or portions of documents will be protected if they satisfy the requirements of one or more FOIA exemptions. FOIA Exemption 4 protects commercial and financial information that constitutes a trade secret, or whose release would cause competitive harm to the organization that provided the information. FOIA Exemption 6 protects information whose release “would reasonably be expected to constitute an unwarranted invasion of personal privacy.

In the event that the Forest Service receives a FOIA request seeking information provided by your organization, Executive Order 12600 requires the Forest Service to consult with you regarding the potential release of this information. When assembling your Application, you may wish to highlight any information that constitutes a trade secret, whose release would cause you competitive harm, or whose release would impact personal privacy. For more information about the FOIA and its exemptions, please consult the Department of Justice Guide to the Freedom of Information Act.”

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.**

The application will not contain questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.**

FORM		REPORTS					RESPONDENT COST	
Description	Form Number	Number of Respondents	Responses Per Respondent	Total Annual Responses	Hours Per Response	Total Hours	Cost Per Hour	Total Cost
Wood Products Infrastructure Assistance Application	FS-1500-0049	78	1.00	78.00	5.250	409.50	40.90	\$16,748.55

Collection of Information that is captured under other approved OMB Collections:

DESCRIPTION	REPORTS						RESPONDENT COST	
	FORMS NO (S)	NO. OF RESPONDENTS	NO OF RESPONSES PER RESPONDENT	TOTAL ANNUAL RESPONSES (Col. D x E)	HOURS PER RESPONSE	TOTAL HOURS (Col. F x G)	COST PER HOUR	TOTAL COST (Col. H x L)
	(C)	(D)	(E)	(F)	(G)	(H)	(L)	(M)
Application for Federal Assistance (OMB 4040-0005)	SF-424	234	1.00	234.00	0.750	175.50	40.90	\$7,177.95
Budget Information for Non-Construction Programs (OMB 4040-0006)	SF-424A	234	1.00	234.00	1.000	234.00	40.90	\$9,570.60
Assurances for Non-Construction Programs (OMB 4040-0007)	SF-425	234	1.00	234.00	1.000	234.00	40.90	\$9,570.60
Certificate Regarding Lobbying Activities (OMB 0596-0217)	FS-1500-35	234	1.00	234.00	0.250	58.50	40.90	\$2,392.65
Financial Capability Questionnaire (OMB 0596-0217)	FS-1500-22	234	1.00	234.00	0.250	58.50	40.90	\$2,392.65
Optional Project Performance Report (OMB 0596-0217)	FS-1500-23	234	4.00	78.00	0.750	58.50	40.90	\$2,392.65

Cost per hour value for respondent cost is \$40.90. This is based upon Employer Costs for Employee Compensation March 2022 report from the US Department of Labor Bureau of Labor Statistics. Accessed August 1, 2022. <https://www.bls.gov/news.release/pdf/ecec.pdf>.

- 13. Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information, (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) 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.**

There are no capital operation and maintenance costs associated with recordkeeping.

- 14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

GS 13 - 100 hours to manage application process and reviewers x \$63.63 per hour = \$6,363

GS 13 - 150 hours national to support applications and questions x \$63.63 per hour = \$9,544.50

GS 13 - 100 hours of executing agreements x \$63.63 per hour = \$6,363 per hour = \$6,363,

GS 15 - 40 hours grant direction and management x \$88.50 = 3,540

Total = \$25,810.50

Estimates of cost burdens are based on costs associated with implementing similar funding program from Wood Innovations.

Based on the following rates to include salary and benefits from the FY 2023 General Schedule pay scale for "Rest of U.S."

GS15 @ \$65.82/hr + 34.5% benefits ratio = \$88.50

GS13 @ \$47.35/hr + 34.5% benefits ratio = \$63.63

**15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of OMB form 83-I.**

Program previously incorrectly included forms that are not part of 0596-0254, as the burden is accounted for in other collections, including 4040-0005/0006/0007 and 0596-0217. FS-1500-35 Certificate Regarding Lobbying (OMB 0596-0217) with 234 respondents for 176 hours and \$7,178 dollars and was a duplication of burden on collection 0596-0217.

The Interim Project Progress Report form is removed from this submission, and the program will use an approved instrument that will fit the need, FS-1500-0023, Optional Project Performance Report, which is an approved form under OMB Control No. 0596-0217. Reducing the burden of 936 respondents for 702 hours and \$28,712.00 dollars.

An administrative error in costs was made by entering a recordkeeping burden where none exists. Correcting the error in this submission reduces the overall burden costs by \$86,136.00

Overall burden is reduced by 1,170 respondents for 878 hours.

**16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.**

The information will be shared inside the USDA. Locations of the funded projects, funding award, and an abstract of the project will be shared with the public by two public facing USDA interactive project maps: USDA Energy Investment Map and the Wood Innovations Project Data Map.

**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 are not seeking non-display approval and will display the expiration date for OMB approval.

**18. Explain each exception to the certification statement identified in item 19, "Certification Requirement for Paperwork Reduction Act."**

There are no exceptions.