

**OMB 0710-0014**  
**SUPPORTING STATEMENT**  
**Estuary Habitat Restoration Program**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

The U.S. Army Corps of Engineers is soliciting this information on behalf of the interagency Estuary Habitat Restoration Council. This information collection is needed to implement Section 104 of the Estuary Restoration Act of 2000, as amended by the Water Resources Development Act of 2007. The Estuary Restoration Act (ERA) of 2000 was signed into law in November 2000 and makes restoring our nation's estuaries a national priority. The Act promotes the restoration of one million acres of estuarine habitat by 2010 by leveraging limited federal resources with state, local, and private funding. Section 104 of the ERA, as amended, authorizes the U.S. Army Corps of Engineers (Corps), the Environmental Protection Agency, US Fish and Wildlife Service, Natural Resources Conservation Service, and National Oceanic and Atmospheric Administration to carry out estuary habitat restoration projects in cooperation with non-federal entities. These projects are to be competitively selected based on factors such as scientific merit, technical feasibility, cost-effectiveness, and promotion of partnerships. Requested information will include proposed project location, types and acreage of habitat to be restored, and project description including restoration techniques, project goals and expected benefits, monitoring plan, and other supporting information. This information collection is a requirement only for those parties requesting assistance under the Section 104 of the Estuary Restoration Act, known as the Estuary Habitat Restoration Program. The Secretary of the Army has the lead but can delegate projects to one of the other agencies to implement. The U. S. Army Corps of Engineers will be responsible for soliciting proposals under this program no matter which agency funds a project.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used.**

This information is needed to select projects for funding under Section 104 of the Estuary Restoration Act, as amended. The information collected by the proposal solicitation will be used by the Corps, in cooperation with the other agencies represented on the Estuary Habitat Restoration Council – the Environmental Protection Agency, US Fish and Wildlife Service, Natural Resources Conservation Service, and National Oceanic and Atmospheric Administration – to evaluate the proposed projects and produce a prioritized list of projects for consideration for funding, including a recommendation as to which agency fund specific projects. A request for proposals will continue to be conducted annually under this program, given continued funding. There may be rare occasions when solicitations will be issued more than once within a 12 month period. However, information is only required if an organization or agency wishes to submit an application for project funding.

The information collection by the request for proposals will consist of:

- (a) General Information – Basic project information such as name and type of nonfederal sponsor, project title, project location, a brief project abstract describing the project, and habitat types and acreage to be restored.

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- (b) Required Attachments – Letter of assurance from the nonfederal sponsor certifying that it has adequate personnel, funding/support and authority to meet its obligations for the proposed project; brief resumes for key personnel; a map showing the proposed project site and location of key project features; description of compliance activities (e.g., NEPA, ESA) accomplished to date; and certification that the proposed project would be carried out in compliance with all federal statutes and regulations, and would not constitute mitigation or compensation for natural resource injuries required under any federal or state law.
- (c) Funding and Partners – Names and types of other organizations supporting the project, including contribution value and type, and any portion of each contribution that originates from a federal funding source or was already used to match other federal dollars. A table to provide budget information for various project related activities.
- (d) Project Description –Detailed description of the proposed project with background about the site, impacts to the site, restoration methods, project goals and expected benefits, and project management.
- (e) Monitoring Plan – Monitoring parameters and success criteria for all habitat types to be restored, monitoring frequency, evaluation methods, how success criteria are linked to project goals, information on reference site selection, evaluation of baseline conditions, and indicators to determine if corrective actions are needed.
- (f) Project Readiness – Steps that must be taken prior to initiation of on-the-ground restoration activity, and any potential delays to project initiation.
- (g) Restoration Plans – Basic information on existing federal, state and/or regional restoration plans that the project would support.
- (h) – Status of Total Project Funding – This asks if funds are being requested from other sources and if yes the status of the request(s), the source or potential source and ability for the project to proceed if those funds are not provided. This is required in part to ensure the portion of the total project costs from Federal sources does not exceed the limits established in the ERA.
- (i) Other Information – Other information in support of the proposal, including (1) indication as to whether the project occurs in a watershed in which a program is being carried out to address sources of pollution and other activities that would otherwise impair the restored habitat, and a brief description of such program; (2) indication as to whether the project includes pilot testing or demonstration of an innovative technology, and a description as to how such technology would be likely to achieve better restoration results than other available technologies, or comparable results at lower cost in terms of energy, economics, or environmental impacts; (3) indication as to whether a formal agreement exists between/among some or all of the partners as part of the project, and a list of entities involved and the date of such agreement; and (4) indication as to whether the tribe, state or territory in which the project will occur has a dedicated funding source to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

The information collected will not be disseminated to the public, but will be considered in developing a prioritized list of projects for funding, which will be distributed via the Estuary Restoration Act list serve maintained by the Corps, and will be available via the Estuary Restoration Act website, also maintained by the Corps.

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**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

At the time the notice is published in the *Federal Register* that proposals under the Estuary Habitat Restoration Program are being requested, the application form will be available via the Internet or by requesting a paper copy of the application materials by phone or email. Project sponsors will have the option of either submitting their proposals electronically, or by mail or hand delivery in paper format, with an accompanying computer disk containing the electronic file(s). We are also exploring the possibility of creating a fillable PDF version of the form.

**4. Describe efforts to identify duplication.**

The Estuary Habitat Restoration Program, as created by Section 104 of the Estuary Restoration Act of 2000, as amended, is a unique program, and no other proposal solicitations are being conducted under this program.

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

Only entities requesting project funding through the Estuary Restoration Act are required to submit information under this request. The information requested does not represent a significant burden to small business or other small entities, and any burden involved should be offset, in whole or part, by the opportunity to seek assistance with project funding.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the information is not collected it will severely inhibit the ability of the Estuary Habitat Restoration Council and the Corps to successfully carry out Section 104 of the Estuary Restoration Act, as amended. Without an open request for proposals, the Corps cannot be assured that it is selecting the highest quality projects for funding under the Estuary Restoration Act.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The proposed collection of information will be conducted in a manner that is consistent with OMB guidelines.

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**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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.**

A *Federal Register* notice (attached) soliciting public comment on this information collection was published on December 28, 2007, in Volume 72, No. 248, on page 73785. No comments were received in response to this notice. A copy of the notice was also sent to the Estuary Restoration Act list serve.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts will be provided to anyone that applies for project assistance under the Estuary Habitat Restoration Program.

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

The information collection does not request any proprietary or confidential information. No confidentiality is provided.

**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.**

No information of a sensitive nature is collected.

**12. Provide an estimate in hours of the burden of the collection of information.**

Estimated annual burden hours and costs for this collection will be approximately 1,000 hours, assuming no more than 100 parties submit proposals to the Corps for Estuary Habitat Restoration Program projects. It is estimated that each proposal will require no more than 10 hours to complete; this total includes the time for reviewing instructions, searching existing data sources, and gathering and maintaining project information needed to complete the proposal. It is estimated that the annual cost to each respondent would be \$720.00 for 10 hours of effort. The annual cost would vary with the number of respondents.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

No capital or start-up costs are expected to result from this collection by the respondents.

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Operations and maintenance costs are expected to be limited to Internet and computer access for submitting proposals electronically, or computer, paper, and mailing expenses for submitting paper proposals by mail. It is expected that existing computer equipment and Internet connections will be used by respondents at little to no additional cost. Therefore, there is no total annual cost burden to respondents.

**14. Provide estimates of annualized cost to the Federal government.**

It is anticipated that approximately 8 full-time employees (FTEs) will devote no more than 7.5% of their time annually to review project proposals submitted by this request. With an annual average salary and benefits of \$140,000 per FTE at 7.5% time (\$10,500), the annualized cost to the federal government to conduct this information collection is estimated to be \$84,000. No significant equipment, overhead, printing or other costs should be involved with the processing of this information collection.

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

Updated costs to account for inflation since the original form was approved and to more closely reflect the salaries and benefits of the Federal staff involved in the review.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The results of this collection will not be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable. Approval to not display the expiration date for OMB approval is not being requested.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.