

Supporting Statement: Annual Reporting for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program

Introduction: This is a new information collection (IC) request to cover Annual Reporting for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

Part A. Justification

1. Circumstances that make collection of information necessary:

Legislation establishing the CMAQ program at 23 USC 149 provides that eligible transportation projects must be in air quality nonattainment or maintenance areas and must contribute to the attainment or maintenance of air quality standards. In addition, these contributions must be measured by the projected emissions reduction for each candidate CMAQ project. Information regarding these eligibility factors must be clearly established by State and local sponsors of projects prior to approval by the FHWA division office.

The information described above will support the research and development of a study—required by Congress—that delves into the performance of the CMAQ program. Section 1808 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users calls for an Evaluation and Assessment of CMAQ projects. The statute calls for the identification and analysis of a representative sample of CMAQ projects and the establishment and maintenance of an automated database that describes the impacts of the program both on traffic congestion levels and regional air quality. Given the CMAQ program’s direct focus on mobile source emissions reduction and traffic congestion mitigation, this collection effort is tied to DOT Strategic Goals in Mobility and the Human and Natural Environment.

2. How, by whom, and for what purpose is the information used:

The information will be supplied by the State DOTs and other contributing elements of local government. It will be furnished via an automated system provided by the Federal Highway Administration, specifically developed to streamline the reporting process for the CMAQ program and reduce the reporting burden associated with hard-copy paper reports. In conjunction with EPA, FHWA staff will use the project data provided by the States to generate the Evaluation and Assessment mandated by Congress in Section 1808 of the SAFETEA-LU.

3. Extent of automated information collection:

State DOTs will gather the information required for the annual reports and enter it via FHWA’s automated system. The system is menu-driven and follows a step-by-step progression that allows the entry of individual project information and the subsequent summation of program level data by State program. The information provided by States is approved by both FHWA Division Offices and FHWA Headquarters prior to final

acceptance into the database. The electronic reporting system is available to all 50 States and the District of Columbia.

4. Efforts to identify duplication:

No similar information is available for the CMAQ program

5. Efforts to minimize the burden on small businesses:

No burden is expected on small business

6. Impact of less frequent collection of information:

Annual collection appears to be the minimal timeframe to accomplish the statutory goals of Section 1808 of SAFETEA-LU. Without adequate population of the database, there would be no basis for the Evaluation and Assessment program called for in the statute.

7. Special circumstances:

No special circumstances.

8. Compliance with 5 CFR 1320.8:

Published in the *Federal Register*, November 21, 2006, pgs. 67420-67421; and January 30, 2007, pgs 4321-4322.

One comment was submitted to the docket:
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Response: The FHWA has evaluated the commenter's issue covering our estimate of the number of respondents and the burden of response. Consequently, we have increased our estimate for burden of response for each State to 125 hours, largely to reflect the number of sub-respondents that the commenter outlined. Similarly, the commenter took issue with the February 1 due date for annual reports. We suggest that the commenter work with the California FHWA division office to set a mutually agreeable due date. The commenter takes issue with the necessity of the collection and the nature of a representative sample. The FHWA is requiring annual reporting covering all CMAQ projects for the prior fiscal year to enable the identification of a truly representative sample. Without adequate population of the required database, such a sample would not be statistically valid. The remainder of the commenter's issues and suggestions are technical with respect to the automated system. We have forwarded these to our information and technology staff for further assessment and possible modification of the tracking system. We appreciate these ideas and suggestions.

9. Payments or gifts to respondents:

Does not apply.

10. Assurance of confidentiality:

Does not apply.

11. Justification for collection of sensitive information:

Such type information is not a part of this collection

12. Estimate of burden hours for information requested:

Each State and the District of Columbia will provide a response for a total of 51 entries. Responses are estimated to require approximately 125 hours each, resulting in a gross annual burden of approximately 6375 hours. Annual labor cost is \$286,875.

13. Estimate of total annual costs to respondents:

None beyond the hour burden reflected accounted in Item 12.

14. Estimate of cost to the Federal government:

Based on a partial utilization rate applied to three full-time equivalencies and contractor support for operation and maintenance, the estimated cost is \$45,000.

15. Explanation of program changes or adjustments:

This is a new request.

16. Publication of results of data collection:

Results of the collection will not be published.

17. Approval for not displaying the expiration date of OMB approval:

Not applicable.

18. Exceptions to certification statement:

Not applicable.