

Paperwork Reduction Act Submission

Please read the instruction before completing this form. For additional forms or assistance in completing this forms, contact your agency's Paperwork Reduction Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 Seventeenth St. NW, Washington, DC 20503.

1. Agency/Subagency Originating Request: U.S. Department of Housing and Urban Development Office of Community Planning and Development Office of Environment and Energy Environmental Review Division	2. OMB Control Number: a. 2506-0177 b. <input type="checkbox"/> None
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3. Type of information collection: (check one) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input checked="" type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change , of previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change , of previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note item A2 of Supporting Statement instructions.	4. Type of review requested: (check one) a. <input checked="" type="checkbox"/> Regular b. <input type="checkbox"/> Emergency - Approval requested by c. <input type="checkbox"/> Delegated 5. Small entities: Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 6. Requested expiration date: a. <input checked="" type="checkbox"/> Three years form approval date b. <input type="checkbox"/> Other (specify)
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7. Title:
24 CFR Part 50 -- Protection and Enhancement of Environmental Quality

8. Agency form number(s): (if applicable)
N.A.

9. Keywords:
Housing, Community Development, Environmental Review

10. Abstract:
The information collection applies to applicants seeking HUD financial assistance for their project proposals and is used by HUD for the performance of the Department's compliance with the National Environmental Policy Act and related federal environmental laws and authorities in accordance with HUD environmental regulations at 24 CFR part 50..

11. Affected public: (mark primary with "P" and all others that apply with "X") a. Individuals or households e. Farms b. P Business or other for-profit f. Federal Government c. X Not-for-profit institutions g. State, Local or Tribal Government	12. Obligation to respond: (mark primary with "P" and all others that apply with "X") a. X Voluntary b. P Required to obtain or retain benefits c. Mandatory
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13. Annual reporting and recordkeeping hour burden: a. Number of respondents 2,600 b. Total annual responses 2,600 Percentage of these responses collected electronically 90% c. Total annual hours requested 5,200 d. Current OMB inventory 0 e. Difference (+,-) f. Explanation of difference: 1. Program change: 2. Adjustment:	14. Annual reporting and recordkeeping cost burden: (in thousands of dollars) a. Total annualized capital/startup costs \$0.00 b. Total annual costs (O&M) c. Total annualized cost requested d. Total annual cost requested e. Current OMB inventory f. Explanation of difference: 1. Program change: 2. Adjustment:
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15. Purpose of Information collection: (mark primary with "P" and all others that apply with "X") a. X Application for benefits e. Program planning or management b. Program evaluation f. Research c. General purpose statistics g. P Regulatory or compliance d. Audit	16. Frequency of recordkeeping or reporting: (check all that apply) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure b. <input checked="" type="checkbox"/> Reporting: 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe)
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17. Statistical methods: Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	18. Agency contact: (person who can best answer questions regarding the content of this submission) Name: Walter Prybyla Phone: (202) 402-4466 [Walter_Prybyla@hud.gov]
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19. Certification for Paperwork Reduction Act Submissions

On behalf of the U.S. Department of Housing and Urban Development, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

Note: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320/8(b)(3), appear at the end of the instructions. The certification is to be made with reference to those regulatory provisions as set forth in the instructions.

The following is a summary of the topics, regarding the proposed collections of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of the information;
 - (iii) burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to collected (see note in item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in item 18 of the Supporting Statement.

Signature of Program Official: X Richard H. Broun, Director, Office of Environment and Energy. sgn.	Date:
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Signature of Senior Officer or Designee: X Lillian L. Deitzer, Departmental Reports Management Officer, Office of the Chief Information Officer	Date:
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Supporting Statement for Paperwork Reduction Act Submissions`

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.

HUD requests its applicants to supply environmental information that is not otherwise available to HUD staff for the environmental review on an applicant's proposal for HUD financial assistance to develop or improve housing or community facilities. HUD itself must perform an environmental review for the purpose of compliance with its environmental regulations found at 24 CFR Part 50 "Protection and Enhancement of Environmental Quality." Part 50 implements the National Environmental Policy Act and implementing procedures of the Council on Environmental Quality, as well as the related federal environmental laws and executive orders. HUD's agencywide provisions -- 24 CFR 50.32 and 50.3(h)[copy attached] -- regulate how individual HUD program staffs are to utilize such collected data when HUD itself prepares the environmental review and compliance.

HUD's sample format [copy attached] illustrates the data collection for the environmental review of the project site. On 08/09/05, the OMB terms of clearance called for HUD to regularize the guidance into a standard form by: (1) giving it a regular HUD form number; and (2) by adding the control number; and (3) by including a statement of the failure to display a valid control number. HUD added the control number and the statement of the failure to display a valid control number to page A-2 of Notice CPD-05-07 (issued 08/30/05) Field Environmental Review Processing for Rural Housing and Economic Development (RHED) Grants. This is the only HUD issuance in which the sample format was used. The future of this program and other infrequently used minor grant programs subject to Part 50 are in question as a sharp decline in appropriations and requests for appropriations in support of such programs is evidence of their limited future. HUD has determined that it is not in the public interest nor it is cost effective to formalize this format into a HUD form at this time, however should circumstances change in the future, HUD would need to reconsider.

Another reason, the format was not regularized into a HUD form is that the format was not designed nor intended for used by HUD's mortgage insurance programs, although these programs are subject to Part 50 procedures. The directives staff for the Office of Housing requested that this submission reflect their PRA compliance, until within the immediate future, they will be able to determine work burden and related data for submission under ICR control numbers for HUD mortgage insurance programs that perform environmental reviews and request their applicants for data for the environmental review of the project site. The Office of Housing is in a better position to estimate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Transferring the ICR data to on-going current Housing PRA submissions would better serve the Department, affected housing applicants, and the public by more consistent and authoritative reporting by program specialists.

For the next three years, this approved collection will continue unchanged under this OMB control number to assure adequate coverage for all HUD programs subject to Part 50. It is proposed that prior to the end of that period, HUD will reevaluate its progress and determine whether it is still necessary to continue the present coverage of individual HUD mortgage insurance programs that would have achieved their own coverage for reporting environmental review information collection under their currently approved OMB control numbers. It is likely that the work burden will increase for HUD's mortgage insurance programs and that the work burden under OMB control number 2506-0177 will diminish significantly, as recommended, resulting from such a ICR data transfer.

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.

HUD field staff who perform environmental reviews generally lack the travel funds and staff to be able to visit the distant locations of projects proposed for HUD financial assistance. Increasingly, HUD must depend on the applicants themselves to collect and supply HUD with the requisite environmental data, most of which is readily available from qualified data sources. HUD applicants are for-profit and non-profit developers of affordable housing and community facilities. From their own project and local agency data bases, applicants supply HUD with all available, relevant information necessary for HUD to perform its environmental review for each property. Generally, the environmental review must be completed and approved before applicants are allowed to commit or expend HUD and non-HUD funds with respect to any eligible property proposed for the project. The attached format is for illustrative purposes only to show the kind of information utilized by HUD for the environmental review.

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.

HUD makes appropriate use of information technology and does not prescribe the method or technology to be used for this one-time collection of environmental information. Respondents are encouraged to use electronic technology available to the general public. To the extent practicable, the information is submitted by e-mail and/or FAX, by phone, or other means decided by the applicant. HUD does not keep statistics, but currently most applicants generally prefer to submit environmental data by e-mail and/or FAX. We assume, but have no statistics, that some (10% or less is a guess) would continue to prefer, because it is easier and best meets particular conditions, to make submission by postal mail, by UPS or Fedex, or by delivery in person.

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.

Generally, there is no duplication. Each project is an individual case. When other Federal, State, or local agencies have prepared environmental data and analysis that is relevant to a project proposed for HUD financial assistance, this information is requested and used to the extent possible. The collection of data and studies as part of the information contained in the environmental review may be done by the applicant or the applicant's contractor. HUD staff may use any information supplied by the applicant or the applicant's contractor, provided HUD independently evaluates the information, will be responsible for its accuracy, supplements the information, if necessary, to conform to the requirements of 24 CFR Part 50.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.

The collection of information does not impact small businesses and other small entities. Generally, the cost of the information collection for the environmental review for the applicant's proposed project is eligible for HUD funding as a project cost to the extent allowable under the regulations of the HUD program assisting the project..

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.

This is a one-time collection. To prevent delays, both HUD and its applicants cooperate in the spirit of partnership to help each other expedite in the public interest compliance with the National Environmental Policy Act and related federal environmental laws and authorities applicable to the applicant's project proposal. HUD applicants possess much of the site-specific information or have direct access to such information. HUD field staff who perform environmental reviews generally lack the travel funds and staff to be able to visit the distant locations of projects proposed for HUD financial assistance. Increasingly, HUD must depend on the applicants themselves to collect and supply HUD with the requisite environmental data, most of which is readily available from qualified data sources such as (1) project plans and related studies conducted by the applicant or the project consultant in support of the project application to HUD; (2) data submission required by the local planning agency that is to approve land use and building permits for the project; and (3) other Federal, State, or local agencies that have expertise, jurisdiction, and/or are the source for environmental data and analysis for the project or the geographic area in which the project is located. Applicants are encouraged to seek assistance on a remuneration basis (if necessary) from Responsible Entities (RE) and their community development agencies (where they exist) experienced in environmental data collection and analysis for HUD programs subject to 24 CFR Part 58 -- "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities."

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 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 than 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 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 mentioned above that apply to this information collection.

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.
- 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 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 preclude consultation in a specific situation. These circumstances should be explained.

"Notice of Proposed Information Collection; Comment Request, Environmental Reviews" was published for public comment in the Federal Register on June 16, 2008 (73 FR 34033). The due date for comments is August 15, 2008. No comments were received by HUD to date.

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

This is not applicable, because HUD does not provide any payment or gifts as remuneration for this information collection other than allowing remuneration of costs. Generally, the cost of the information collection for the environmental review for the applicant's proposed project is eligible for HUD funding as a project cost to the extent allowable under the regulations of the HUD program assisting the project.

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

This is not applicable, because all information collected for the environmental review is in the public domain.

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.

This is not applicable, because the information collected for environmental review does not apply to the above-mentioned subjects.

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 covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
- 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. Instead this cost should be included in Item 13.

Estimate of the annualized hours burden is 5,200.

Estimate of respondents is 2,600.

Estimate hours per response is 2.

Frequency of response is one time.

Estimate of hourly cost is \$ 52.

The estimate of the annualized hours burden is 5,200. The estimate is based on 1 frequency of response by about 2,600 respondents multiplied by an approximated 2 hours per response. HUD does not keep statistical data on how long it takes for a respondent to "collect" (not "author") the environmental information needed for HUD to perform the environmental review under Part 50. The 2 hours for the information collection is an approximation and is based on experienced data collector as well as on qualified data sources that respond promptly. The requisite environmental data for the information collection is readily available from basic sources such as: (1) project plans and related studies conducted by the applicant or the project architect or consultant; (2) data submission required of the applicant by the local planning agency that is to approve land use and building permits for the project; (3) data base of the community development agency of local and State governments authorized to assume Federal environmental reviews for certain HUD covered programs such as CDBG and HOME; and (4) other Federal, State, or local agencies that have expertise, jurisdiction, and/or are the on-line source for environmental data and analysis for the project or the geographic area in which the project is located. The actual gathering of the data is fairly routine. For each project proposal, this is a one-time, voluntary (i.e., not an "absolute" requirement, but rather a request to applicants for their cooperation and assistance in) collection to help HUD staff expedite environmental approval. In addition, see the response to #6 above.

Generally, there is no annualized costs to the applicants. The estimate of the annualized costs is \$270,400 which costs are to the Federal government. For an explanation, see item #14 below.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in Items 12 and 14).
- 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 purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. 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.

This is not applicable, because the information collection does not need the purchase or lease of any equipment.

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. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The estimate of the annualized cost to the Federal government is about \$270,400. This figure is determined for an experienced professional by multiplying the annualized hours burden of 5,200 by the hourly cost estimate of \$52 that approximates the hourly (mid-range) salary of a GS-14, step 4 community planner. The collection of information does not impact the applicant, because generally, the cost of the information collection for the environmental review for the applicant's proposed project is eligible for HUD funding as a project cost to the extent allowable under the regulations of the HUD program assisting the project. Applicants can use their project architect or contract with a consultant or with the local government.

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

This is a request for approval of an extension to a currently approved collection. No changes or adjustments are reported in Items 13 and 14 of the OMB Form 83-I..

16. For collection 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.

This is not applicable, because the collection of information will not be published.

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.

This is not applicable, because application is seeking approval not to display the "expiration date" for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in item 19.

This is not applicable, because this application has not stated any exceptions.

B. Collections of Information Employing Statistical Methods

This is not applicable.

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Attachments to Form OMB 83-I:

For item #1: Legal and Administrative Requirements That Necessitate the Information Collection:
24 CFR Part 50 -- "Protection and Enhancement of Environmental Quality." [See §§50.32 and 50.3(h)(1)]

24 CFR 50.32 reads: "The program staff in the HUD office responsible for processing the project application or recommending a policy action is responsible for conducting the compliance finding, EA, or EIS. The collection of data and studies as part of the information contained in the environmental review may be done by an applicant or the applicant's contractor. The HUD program staff may use any information supplied by the applicant or contractor, provided HUD independently evaluates the information, will be responsible for its accuracy, supplements the information, if necessary, to conform to the requirements of this part, and prepares the environmental finding. Assessments for projects over 200 lots/dwelling units or beds shall be sent to the Field Environmental Clearance Officer (FECO) or, in the absence of a FECO, to the Program Environmental Clearance Officer in Headquarters for review and comment."

24 CFR 50.3(h) reads: "For HUD grant programs in which the funding approval for an applicant's program must occur before the applicant's selection of properties, the application shall contain an assurance that the applicant agrees to assist HUD to comply with this part and that the applicant shall:

- (1) Supply HUD with all available, relevant information necessary for HUD to perform for each property any environmental review required by this part;
- (2) Carry out mitigating measures required by HUD or select alternate eligible property; and
- (3) Not acquire, rehabilitate, convert, lease, repair or construct property, nor commit or expend HUD or local funds for these program activities with respect to any eligible property, until HUD approval of the property is received."

For item #8: Federal Register Notice
"Notice of Proposed Information Collection: Comment request, Environmental Reviews"
(73 FR 34033) was published on June 16, 2008.