

Supporting Statement for Paperwork Reduction Act Submissions
24 CFR Part 50 – Protection and Enhancement of Environmental Quality
OMB# 2506-0177

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.

The US Department of Housing and Urban Development (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 agency-wide provisions -- 24 CFR 50.3(h)(1) and 50.32 -- regulate how individual HUD program staffs are to utilize such collected data when HUD itself prepares the environmental review and compliance. Separately, individual HUD programs each have their own regulations and guidance implementing environmental and related collection responsibilities. For the next three years, this approved collection will continue under this OMB control number to assure adequate coverage for all HUD programs subject to Part 50.

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 must depend on applicants to collect and supply HUD with the requisite data to perform environmental reviews, 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 (i.e. information regarding the site being reviewed). 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.

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 format used to collect this information varies, as HUD program offices may adopt their own required formats and procedures. Most HUD programs encourage applicants to use the HUD Environmental Review Online System (HEROS) (see OMB Control Number 2506-0202) to submit this information to HUD. HEROS was designed to reduce the burden on applicants and recipients by eliminating repetitive and unnecessary requirements, tailoring formats to the specifics of each environmental review record, and autofilling information where feasible to avoid repetitive or

unnecessary data entry. This option has become increasingly common in recent years. Applicants without access to HEROS may utilize sample worksheets provided at <https://www.hudexchange.info/resource/5119/environmental-review-record-related-federal-laws-and-authorities-partner-worksheets/> to submit information.

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 similar information already available. Environmental reviews must be completed for each project individually. However, there are tools to avoid duplicative or unnecessary environmental reviews. Where project sponsors propose more than one property for a project, project sponsors are encouraged to aggregate properties into a single group (or even a neighborhood area) to facilitate a single evaluation. HUD may perform tiered or programmatic environmental reviews for simple, repetitive activities to avoid unnecessary analysis on simple projects. Where an environmental review was already performed for the same or a very similar project, HUD may adopt that review in whole or part.

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

This collection of information does not impact small businesses or 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.

HUD is required to collect this information by the National Environmental Policy Act (NEPA), the regulations of the Council on Environmental Quality, related federal environmental laws, executive orders, and authorities, and 24 CFR Parts 50 and 58. If HUD does not collect this information, it would be in violation of these laws.

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; **None**
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; **None**
- requiring respondents to submit more than an original and two copies of any document; **None**
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **None**
- 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; **None**
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; **None**
- 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 **None**

- 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. **None**

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.

This information collection was announced in the Federal Register, Volume 86, Page 33333, on June 24, 2021

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.

Environmental reviews are public documents that must be made available upon request to any member of the public, and therefore HUD provides no assurance of confidentiality under its environmental review procedures. The Privacy act of 1974 provides privacy protection to respondents. There is no promise 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.

This is not applicable, because the information collected for environmental review does not relate 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.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
Total to respondents	128	1	128	3	384.00	\$46.72	\$ 17,940.48
Total to Federal govt.*	1,572	1	1,572	3	4,716.00	\$46.72	\$ 220,331.52
Total*	1,700	1	1,700	3	5,100	\$46.72	\$ 238,272.00

*For 92.5% of projects – roughly 1,572 per year – there is zero cost to the respondent

Number of responses per annum was based on a combination of data and estimates. Most, but not all, HUD programs require HUD staff to complete their Part 50 environmental reviews using the HUD Environmental Review Online System (HEROS). Based on data collected in HEROS, there were 1,614 Part 50 environmental reviews completed in HEROS in calendar year 2020. HUD estimates that, with the additional Part 50 environmental reviews completed outside of HEROS, roughly 1,700 Part 50 environmental reviews were completed overall in 2020.

There is no costs to the applicants if their proposal is accepted by HUD. HUD estimates that between 5% and 10% of projects, or approximately 128 proposals per year, are rejected after this collection is completed, meaning that the costs are not covered by HUD. The estimate of the annualized cost is \$238,272.00, of which roughly \$17,940.48 of the annualized costs are to those applicants who submit proposals that are rejected by HUD. This estimate assumes that 7.5% of projects (approximately 128 per year) are rejected after submission, and the costs of these submission go to the applicant.

The amount of time required to complete this collection will vary depending on the scope and scale of the proposed HUD-assisted project, but on average requires approximately 3 hours. This average is based on the approximate average time to complete environmental reviews at various levels of reviews. Most projects require only a very short review, and it requires only a few minutes to prepare the submission. A smaller number of projects require a longer review, for which the submission can take several hours to prepare.

HUD grants cover all eligible costs including staff work. Hourly cost per response based was on hourly mean wage of environmental engineers working in technical consulting services (Bureau of Labor Statistics, <https://www.bls.gov/oes/current/oes172081.htm>). Based on BLS data, this hourly wage increased by \$5.98 as compared to the last time this collection was renewed.

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.

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 require 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.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
Total to respondents	128	1	128	3	384.00	\$46.72	\$ 17,940.48
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Total	1,700	1	1,700	3	5,100	\$46.72	\$ 238,272.00

Number of responses per annum was based on a combination of data and estimates. Most, but not all, HUD programs require HUD staff to complete their Part 50 environmental reviews using HEROS. There were 1,614 Part 50 environmental reviews completed in HEROS in calendar year 2020. HUD estimates that, with the additional Part 50 environmental reviews completed outside of HEROS, roughly 1,700 Part 50 environmental reviews were completed overall in 2020.

As stated in Item 12, there is no costs to HUD applicants for proposals that are accepted by HUD, because this cost is considered a project expenditure chargeable to HUD grants. HUD estimates that between 5% and 10% of projects, or approximately 128 proposals per year, are rejected after this collection is completed, meaning that the costs are not covered by HUD. The estimate of the annualized cost is \$238,272.00, of which roughly \$220,331.52 are to the Federal government. This estimate assumes that 7.5% of projects are rejected after the submission, and HUD funds cover the submission the remaining 92.5% or approximately 1,572 per year.

The amount of time required to complete this collection will vary depending on the scope and scale of the proposed HUD-assisted project, but on average requires approximately 3 hours.

HUD grants cover all eligible costs including staff work. Hourly cost per response based was on hourly mean wage of environmental engineers working in technical consulting services (Bureau of Labor Statistics, <https://www.bls.gov/oes/current/oes172081.htm>).

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 revision. The number of collections per year and hourly cost per response were adjusted based on the latest data available to HUD.

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.

The results 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.

The expiration date will be displayed.

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

No exceptions were identified.

B. Collections of Information Employing Statistical Methods