

Contributions Contracts, notices of funding availability under which the PHA has received funds, and the applicable requirements listed in the MTW Operations Notice (collectively, "the Requirements"), as they may be amended or implemented in the future. Accordingly, if any Requirement, other than the provisions of the Act and its implementing regulatory requirements or subregulatory guidance exempted pursuant to this MTW ACC Amendment and the MTW Operations Notice, conflicts with any exemption or authorization granted by this MTW ACC Amendment, the MTW Agency remains subject to that Requirement.

Section 6. At least one year prior to expiration of this MTW ACC Amendment,<sup>1</sup> the PHA shall submit a transition plan to HUD. It is the PHA's responsibility to be able to end all MTW activities that it has implemented through its MTW Supplement to the PHA Plan upon expiration of this MTW ACC Amendment. The transition plan shall describe plans for phasing out such activities. The plan may also include any proposals of authorizations/features of the ACC Amendment and the MTW Operations Notice that the PHA wishes to continue beyond the expiration of the MTW ACC Amendment. The PHA shall specify the proposed duration and shall provide justification for extension of such authorization/features. HUD will review and respond to timely-submitted transition plans from the PHA in writing within 75-days or they are deemed approved. Only authorizations/features specifically approved for extension shall continue beyond the term of the MTW ACC Amendment. The extended features shall remain in effect only for the duration and in the manner specified in the approved transition plan and be subject to any necessary ACC Amendments as required by HUD.

Section 7. Termination and Default.

(A) If the PHA violates or fails to comply with any requirement or provision of the ACC, including this amendment, HUD is authorized to take any corrective or remedial action described in this Section 7 for PHA default or any other right or remedy existing under applicable law, or available at equity. HUD will give the PHA written notice of any default, which shall identify with specificity the measures, which the PHA must take to cure the default and provide a specific time frame for the PHA to cure the

default, taking into consideration the nature of the default. The PHA will have the opportunity to cure such default within the specified period after the date of said notice, or to demonstrate within 10 days after the date of said notice, by submitting substantial evidence satisfactory to HUD, that it is not in default. However, in cases involving clear and apparent fraud, serious criminal behavior, or emergency conditions that pose an imminent threat to life, health, or safety, if HUD, in its sole discretion, determines that immediate action is necessary it may institute the remedies under Section 7(B) of this MTW ACC Amendment without giving the PHA the opportunity to cure.

(B) If the PHA is in default of this MTW ACC Amendment and/or the MTW Operations Notice and the default has not been cured, HUD may, undertake any one or all remedies available by law, including but not limited to the following:

- i. Require additional reporting by the PHA on the deficient areas and the steps being taken to address the deficiencies;
- ii. Require the PHA to prepare and follow a HUD-approved schedule of actions and/or a management plan for properly completing the activities approved under this MTW ACC Amendment;
- iii. Suspend the MTW waiver authorization for the affected activities;
- iv. Require reimbursement by the PHA to HUD for amounts used in violation of this MTW ACC Amendment;
- v. Terminate this MTW ACC Amendment and require the PHA to transition out of MTW;
- vi. Restrict a PHA's ability to use its MTW funding flexibly; and/or
- vii. Take any other corrective or remedial action legally available.

(C) The PHA may choose to terminate this MTW ACC Amendment at any time. Upon HUD's receipt of written notification from the PHA and a copy of a resolution approving termination from its governing board, termination will be effective. The PHA will then begin to transition out of MTW and will work with HUD to establish an orderly phase-out of MTW activities, consistent with Section 6 of this MTW ACC Amendment.

(D) Nothing contained in this ACC Amendment shall prohibit or limit HUD from the exercise of any other right or remedy existing under any ACC or available under applicable law. HUD's exercise or non-exercise of any right or remedy under this amendment shall not be construed as a waiver of HUD's right

to exercise that or any other right or remedy at any time.

Section 8. Notwithstanding any provision set forth in this MTW ACC Amendment, any future law that conflicts with any provision of this ACC Amendment, as determined by HUD, shall not be deemed to be a breach of this ACC Amendment. Nor shall HUD's execution of any future law be deemed a breach of this ACC Amendment. Any future laws affecting the PHA's funding, even if that future law causes a decrease in the PHA's funding, shall not be deemed a breach of this ACC Amendment. No future law or HUD's execution thereof shall serve as a basis for a breach of contract claim in any court.

Section 9. If any clause, or portion of a clause, in this Agreement is considered invalid under the rule of law, it shall be regarded as stricken while the remainder of this Agreement shall continue to be in full effect.

In consideration of the foregoing covenants, the parties do hereby execute this MTW ACC Amendment:

PHA

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

United States Department of Housing and Urban Development

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

[FR Doc. 2023-14594 Filed 7-10-23; 8:45 am]  
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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-7070-N-38; OMB No.: 2577-0075]

**30-Day Notice of Proposed Information Collection: Public Housing Inventory Removals Application, General Depository Agreement, and Notification of Public Housing Closeout or Future Development**

**AGENCY:** Office of Policy Development and Research, Chief Data Officer, HUD.  
**ACTION:** Notice.

**SUMMARY:** HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice

<sup>1</sup> Should the PHA receive an extension(s) of its MTW participation (e.g. by extension or replacement of its MTW ACC Amendment) the transition plan will be due one year prior to the end of the extension(s).

is to allow for an additional 30 days of public comment. Information collections from PHAs assure compliance with all Federal program requirements.

**DATES:** *Comments Due Date:* August 10, 2023.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Clearance Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410–5000; email [PaperworkReductionActOffice@hud.gov](mailto:PaperworkReductionActOffice@hud.gov).

**FOR FURTHER INFORMATION CONTACT:** Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 7th Street SW, Room 8210, Washington, DC 20410; email Colette Pollard at [Colette.Pollard@hud.gov](mailto:Colette.Pollard@hud.gov) or telephone 202–402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that HUD is seeking approval from OMB for the

information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on April 17, 2023 at 88 FR 23452.

**A. Overview of Information Collection**

*Title of Information Collection:* Public Housing Inventory Removal Application, General Depository Agreement, and Notification of Future Public Housing Development.

*OMB Approval Number:* 2577–0075.

*Type of Request:* Revision of a currently approved collection.

*Form Number:* HUD–51999; HUD 52860, HUD 52860–A, HUD 52860–B, HUD 52860–C; HUD 52860–D; HUD 52860–E, HUD 52860–F, HUD–52860–G, and HUD–5837.

*Description of the need for the information and proposed use:* This collection covers the paperwork and HUD 52860 form requirements that PHAs must use when they request HUD approval to remove public housing real property (including units) from their public housing program through the following sections of the United States Housing Act of 1937 Section 18 (demolition/disposition), Section 22 (voluntary conversion), Section 33 (required conversion) and Section 32 (homeownership conveyance) as well as through settlement agreements in lieu of court proceedings for proposed eminent domain takings of public housing property and retention requirements under 2 CFR 200.311. Note that HUD approval of a removal action does not automatically or necessarily result in actual removal; rather, the PHA must complete the actual removal and comply with the applicable HUD reporting requirements to document the actual removal.

The collection is a renewal and is also a request to change the collection name to: Public Housing Inventory Removals Application, General Depository Agreement, and Notification of Public Housing Closeout or Future Development from: Public Housing

Annual Contributions Contract and Inventory Removal Application

This collection covers the paperwork and HUD–51999 (General Depository Agreement) (GDA) form that PHAs must use when they receive restricted funds and program income, by requiring such funds to be deposited into interest-bearing accounts at financial institutions whose deposits or accounts are insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Share Insurance Fund (NCUSIF) and if the insurance limits are exceeded, then to be fully and continuously collateralized with HUD approved investments.

This collection covers the paperwork and HUD–5837 (Notification of Future Development) form information that PHAs must provide when they are submitting applications that remove all their public housing units about their plans for potential new public housing development or closeout of their public housing program. The HUD–5837 is used by HUD to monitor the federal public housing inventory and PHA status as an entity with which HUD has a valid and ongoing Annual Contributions Contract (ACC).

The revision of this collection does two things.

First, it removes the following three forms from this collection:

- Annual Contributions Contract (ACC) (HUD–53012).
- Declaration of Trust/Declaration of Restrictive Covenants (DOT/DORC) (HUD–52190). This form is included in OMB Collection 2577–0275.
- Capital Fund Program (CFP) Amendment to the Annual Contributions Contract (ACC) Office of Public and Indian Housing (HUD–52840–A). This form is being included in its own collection.

Second, it makes formatting, instructional and other changes to the remaining forms to provide clearer direction and to ensure PHAs are fully complying with all applicable statutory and regulatory requirements.

*Respondents:* Public housing agencies.

	HUD-form	Number of responses	Number of responses per response	Total annual responses	Hours per response	Total burden hours	Cost per hour	Total cost
1 .....	Submit Notification of Future Development via HUD–5837.	19	1	19	2	38	\$44.56	\$1,693.28
2 .....	Submit General Depository Agreement (GDA) via form HUD 51999.	2,770	1	2,770	1	2,770	44.56	123,431.20
3 .....	Removal of public housing property from ACC through demolition and/or disposition, including de minimis, via (Section 18) via HUD form 52860, HUD–52860–A, and HUD–52860–B.	200	1	200	10	2,000	47.26	94,520

	HUD-form	Number of responses	Number of responses per response	Total annual responses	Hours per response	Total burden hours	Cost per hour	Total cost
4 .....	Removal of public housing property from ACC through voluntary conversion (Section 22) via HUD form 52860 and HUD-52860-E.	12	1	12	10	120	47.26	5,671.20
5 .....	Removal of public housing property from ACC through required conversion (Section 33) via HUD form 52860 and HUD-52860-D.	0	1	0	0	0	47.26	0
6 .....	Removal of public housing property through homeownership (Section 32) via HUD Form 52860 and HUD-52860-C.	3	1	3	10	30	47.26	1,417.80
7 .....	Removal of public housing property from ACC through eminent domain HUD form 52860) and HUD-52860-F.	1	1	1	10	10	47.26	470.26
8 .....	Removal of public housing property from ACC through retention actions under 2 CFR 200.311 via HUD form 52860 and HUD-52860-G.	2	1	2	10	20	47.26	945.20
	Totals .....	3,007	1	3007	1.66	4,988	.....	235,732.88

**B. Solicitation of Public Comment**

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology

(5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

HUD encourages interested parties to submit comment in response to these questions.

**C. Authority**

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

**Colette Pollard,**

*Department Reports Management Officer, Office of Policy Development and Research, Chief Data Officer.*

[FR Doc. 2023-14558 Filed 7-10-23; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[Docket No. FWS-R4-ES-2023-0104; FXES1114040000-234-FF04EF4000]**

**Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink; Lake County, FL; Categorical Exclusion**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Park Square Enterprises, LLC (Leesburg ROW; applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink (*Neoseps reynoldsi*) incidental to the construction of a roadway in Lake County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations, the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual. To make this preliminary determination, we prepared a draft environmental action statement and low-effect screening form, both of which are also available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

**DATES:** We must receive your written comments on or before August 10, 2023.

**ADDRESSES:**

*Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS-R4-ES-2023-0104 at <https://www.regulations.gov>.

*Submitting Comments:* If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online:* <https://www.regulations.gov>

Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2023-0104; or

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2023-0104; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:**

Zakia Williams, by U.S. mail (see **ADDRESSES**), by telephone at 904-731-3119, or via email at [zakia\\_williams@fws.gov](mailto:zakia_williams@fws.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Park Square Enterprises, LLC (Leesburg ROW; applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed sand skink (*Neoseps reynoldsi*; skink) incidental to the construction and operation of a roadway in Lake County, Florida. We request public comment on the application, which includes the applicant's habitat conservation plan (HCP), and on the