

**Certification of Consistency and Nexus Between Activities Proposed by the  
Applicant with Livability Principles Advanced in Preferred Sustainability Status  
Communities  
OMB -2535-0121**

**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 seeks grantees that envision and work toward sustainable communities, and provides a number of strategies to do so. To receive points for this policy priority, applicants must go beyond the basic minimum requirements of the NOFA to which they are applying, and must commit to incorporate into their proposed activities the appropriate Livability Principles described by the Partnership for Sustainable Communities, which includes HUD, the Department of Transportation, and the Environmental Protection Agency. These activities include: metropolitan regional plans, neighborhood plans, infrastructure investments, site plans, or architectural plans, so that resulting development or reuse of property takes into account the impacts of the development on the community and the metropolitan region, consistent with sustainable development as expressed in the Livability Principles, as follows:

- (1) Provide More Transportation Choices.
- (2) Promote equitable, affordable housing.
- (3) Enhance Economic Competitiveness.
- (4) Support Existing Communities.
- (5) Coordinate Policies and Leverage Investment.
- (6) Value Communities and Neighborhoods.

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 will award 2 bonus points to applicants that are working with the Preferred Sustainability Status recipients of the HUD FY2010 Sustainable Communities Regional Planning Grant Program and the FY2010 HUD funded Challenge Grant Program grantees (hereafter referred to as the Preferred Sustainability Status Communities) in the following ways:

- (1) The applicant is engaged in activities, that in consultation with the designated Point of Contact of the HUD designated Preferred Sustainability Status Communities, further the purposes of the regional planning grant program;
  - (2) The applicant's proposed activities either directly reflect the Livability Principles cited and contained in HUD's General Section to the FY2011 NOFAs or will result in the delivery of services that are consistent with the goals of the Livability Principles;
  - (3) The applicant has committed to maintain an on-going relationship with the HUD Preferred Sustainability Status Communities for the purposes of being part of the planning and implementation processes in the designated area.
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To be eligible to receive bonus points, an applicant is required to obtain a certification from the Designated Point of Contact for designated Preferred Sustainability Status Community using form HUD-2995 which verifies that the applicant has met the above criteria. The form will certify the nexus between the proposed activities of the applicant and the Livability Principles as they are being advanced in the Preferred Sustainability Status Communities. It must be signed and dated anytime from the date of the publication of the funding opportunity on [www.Grants.gov](http://www.Grants.gov) to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. If the applicant is from the agency that holds Point of Contact status in a particular Preferred Sustainability Status Community, it must be certified by the appropriate HUD Regional Administrator in consultation with field staff. For ease of reference in this notice, all of these federally designated areas are collectively referred to as PSS communities.

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 form is created as a .PDF fillable savable form. The Sustainable Communities Certification form will be an optional form, allowing grantees who certify the nexus between the proposed activities of the applicant and the Livability Principles as they are being advanced in the Preferred Sustainability Status Communities to receive bonus points in the rating and ranking of there application.

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.

The information is specific to each grantee and is not available elsewhere.

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.

This collection of information does not have an impact on Small Businesses or other entities.

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's FY2010-2015 Strategic Plan highlights sustainability. Recognizing the fundamental role that HUD's investments play in defining the physical form of communities and quality of life for residents, HUD encourages its grantees to help communities embrace a more sustainable future. To HUD, sustainability means ensuring that the land that we build on is clean or will be clean; the investments we make in neighborhoods help residents lead healthy, safe, affordable, and productive lives; the buildings we invest in are energy efficient and healthy; and the regions we support improve their economic strength and provide opportunities for all residents.

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 that require this collection of information to be conducted in a manner that is inconsistent with the guidelines in 5 CFR 1320.6.

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.

HUD published notice describing the PRA Submission in the 60 day Federal Register volume 80 page 23566 on April 28, 2015, and no comments were received.

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

There are no payments or gifts provided to respondents in this collection of information.

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

There are no assurances of confidentiality provided in this collection of information.

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.

There are no questions of a sensitive nature asked in this collection.

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.

Number of Annual Respondents	Annual Frequency of Response	Number of Responses	Estimated Average Response Time	Estimated Burden
143	0.39	56	0.25 hours	13.5 hours

There are many fewer potential annual responses at this point in time. The first time the HUD-2995 form was cleared through PRA, the program assumed it would get more money in subsequent years and so the number of potential annual responses would be the number of places across the country that could apply for funding, win it, and then use the form to certify PSS. The grant programs haven't been funded since 2011 and we don't expect to be funded again; so only current and former grantees can use the form to certify status. This number is 143.

13. Provide an estimate of the total annual cost burden to respondents or record keepers 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.

There is no additional cost burden to respondents; all respondents are recipients of federal funds provided by HUD.

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.

There is no additional cost to the Federal Government.

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

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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.

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 approved OMB number and expiration date will be displayed in the upper right hand corner of the form.

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

There are no exceptions to the certification statement identified in Item 19 of OMB 83-I.

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## **B. Collections of Information Employing Statistical Methods**

This collection of information will not be used for statistical purposes.