

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-5500-N-30]****Notice of Funding Availability (NOFA) for HUD's Fiscal Year 2011****Sustainable Communities Regional Planning Grant Program**

AGENCY: Office of Sustainable Housing and Communities, Office of the Deputy Secretary, U.S. Department of Housing and Urban Development, (HUD).

ACTION: Notice of Funding Availability (NOFA) for the FY2011 Sustainable Communities Regional Planning Grant Program.

SUMMARY: The Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10, enacted April 15, 2011) (Appropriations Act), provided a total of \$100,000,000 to HUD for a Sustainable Communities Initiative to improve regional planning efforts that integrate housing and transportation decisions, and increase the capacity of communities to modernize land use and zoning plans. Of that total, \$70,000,000 is available for the Sustainable Communities Regional Planning Grant Program, and \$30,000,000 is available for the Challenge Planning Grant Program.

The Sustainable Communities Regional Planning Grant Program supports metropolitan and multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact. Of the \$70 million available for the Regional Planning Grants program, \$2 million has been reserved for capacity support grants distributed separately. This notice announces the availability of approximately \$67 million for Sustainable Community Regional Planning Grants, of which not less than \$17.5 million shall be awarded to regions with populations of less than 500,000.

HUD thanks the public for the comments and input received prior the development of the FY2011 NOFA.

FOR FURTHER INFORMATION CONTACT: Specific questions regarding Program requirements should be directed to sustainablecommunities@hud.gov or through www.hud.gov/sustainability. Written questions may also be submitted to the Office of Sustainable Housing and Communities, Department of Housing and Urban Development, 451 7th Street, SW, Room 10180, Washington, DC 20410. Hearing or speech challenged persons may call the Federal Information Relay Service at 800-877-8339 (this is a toll-free number).

OVERVIEW INFORMATION

A. Federal Agency Name: U.S. Department of Housing and Urban Development, Office of Sustainable Housing and Communities.

B. Funding Opportunity Title: Sustainable Communities Regional Planning Grant Program.

C. Announcement Type: This announces the availability of the FY2011 Sustainable Communities Regional Planning Grant Program funds.

D. Funding Opportunity Number: The funding opportunity number for the FY2011 Regional Planning Grant NOFA will be FR-5500-N-30. The OMB Approval Number is 2501-0024.

E. Catalog of Federal Domestic Assistance (CFDA) Number: The Catalog of Federal Domestic Assistance (CFDA) Number for the Sustainable Communities Program is 14.703.

F. Dates: The application process for this NOFA is a two-step process: A preliminary application and a full application. The pre-application deadline is **August 25, 2011** at 11:59 p.m. eastern time. The full application deadline will be 30-45 days after the pre-application deadline. A pre-application is required to submit a final application for consideration.

G. Additional Overview Information:

1. Purpose of the Program. The Sustainable Communities Regional Planning Grant Program (Program) supports metropolitan and multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact. The Program places a priority on investing in partnerships, including nontraditional partnerships (e.g., arts and culture, recreation, public health, food systems, regional planning agencies and public education entities) that translate the Livability Principles (Section I.C.1) into strategies that direct long-term development and reinvestment, demonstrate a commitment to addressing issues of regional significance, use data to set and monitor progress toward performance goals, and engage stakeholders and residents in meaningful decision-making roles.

Funding from this Program will support the development and implementation of Regional Plans for Sustainable Development (RPSD) that:

- a.** Identify affordable housing, transportation, water infrastructure, economic development, land use planning, environmental conservation, energy system, open space, and other infrastructure priorities for the region;
- b.** Clearly define a single, integrated plan for regional development that addresses potential population growth or decline over a minimum 20-year time frame, sets appropriate 3- to 5-year benchmark performance targets, and delineates strategies to meet established performance goals;
- c.** Establish performance goals and measures that are, at a minimum, consistent with the Sustainability Partnership's Livability Principles;
- d.** Use geo-coded data sets and other metrics in developing, implementing, monitoring, and assessing the performance goals of various reinvestment scenarios;
- e.** Provide detailed plans, maps, policies, and implementation strategies to be adopted by all participating jurisdictions over time to meet planning goals;
- f.** Prioritize projects that facilitate the implementation of the regional plan and identify responsible implementing entities (public, nonprofit, or private) and funding sources;

g. Show how the proposed plan will establish consistency with HUD, Department of Transportation (DOT), and Environmental Protection Agency (EPA) programs and policies, such as Consolidated Plans, Analysis of Impediments to Fair Housing Choice, Long Range Transportation Plans, Indian Housing Plans, and Asset Management Plans, including strategies to modify existing plans, where appropriate; and

h. Engage residents and other stakeholders substantively and meaningfully in the development of the shared vision and its implementation early and throughout the process, including communities traditionally marginalized from such processes, while accommodating limited English speakers, persons with disabilities, and the elderly.

2. HUD's General Section. Applicants for funding should carefully review the requirements described in this NOFA and HUD's General Section. Unless otherwise stated in this NOFA, the requirements of the General Section apply.

3. Available Funds. \$67 million, from which not less than \$17.5 million shall be awarded to regions with a population of less than 500,000.

4. Funding Categories. HUD recognizes that regions are at different stages of readiness and capacity to engage in efforts to plan for a sustainable and inclusive future. Some are initiating efforts to form multijurisdictional and multi-sector coalitions to envision a sustainable future for their regions; others have adopted broad goals for sustainability and for addressing metropolitan growth based on long-term trends, but have not yet put in place the specific strategies that ensure follow-through and implementation of that vision; and a few regions have the vision and many of the implementation mechanisms in place, but are challenged to demonstrate real progress on the ground, given the current national economic situation. Given this broad spectrum of capacity and needs, HUD will support activities in two distinct categories. See Section II.B for a description of the two funding categories.

Applicants must select only one category when applying. See Section VIII.A for guidance in selecting the appropriate funding category. If HUD receives separate funding requests for each of the two funding categories from the same applicant, both requests will be ineligible for funding consideration.

The application process is a two-step funding process. The first step is a pre-application process. If an applicant successfully fulfills the pre-application phase, they will be invited to submit a full application requesting funding. Details of the pre-application and full application submission requirements, the submission process, and the review process are found in Section IV of this NOFA.

FULL TEXT OF ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION

This notice announces HUD's intention to offer funding through a competition made available as a Notice of Funding Availability (NOFA) under its Sustainable Communities Regional Planning Grant Program (Program). This notice is designed to provide the detailed requirements and process HUD will use to award funds under the FY2011 Sustainable communities Regional Planning Grant Program

A. Program Description. A top priority of the Administration is to build economically competitive, healthy, environmentally sustainable, and opportunity-rich communities. In the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10, enacted April 15, 2011), Congress provided a total of \$100,000,000 in FY2011 to HUD for a Sustainable Communities Initiative. To do this HUD is conducting a grant program to improve regional planning efforts that integrate housing, transportation, economic development, and environmental infrastructure investment decisions, and increase state, regional, and local capacity to incorporate livability, sustainability, and social equity into land use plans and zoning. Of that total, \$70,000,000 is available for the Sustainable Communities Regional Planning Grant Program, of which approximately \$67,000,000 will be distributed through this NOFA to support preparation of Regional Plans for Sustainable Development, with no less than \$17.5 million awarded to regions with a population of less than 500,000. The remaining \$2,000,000 will be reserved for capacity support grants that are being distributed through a separate NOFA.

B. The Sustainable Communities Partnership. The Sustainable Communities Planning Grant Program (Program) is closely coordinated with the U.S. Department of Transportation (DOT)

and the U.S. Environmental Protection Agency (EPA), co-leaders with HUD in the Partnership for Sustainable Communities.

The Partnership for Sustainable Communities (Partnership) was conceived to advance development patterns and infrastructure investment programs that achieve improved economic prosperity and healthy, environmentally sustainable, and opportunity-rich communities. Recognizing the fundamental role that public investment plays in achieving these outcomes, the Administration charged three agencies whose programs most directly impact the physical form of communities—HUD, DOT, and EPA—to lead the way in reshaping the role of the Federal Government in helping communities obtain the capacity to embrace a more sustainable future. As a result, HUD, DOT, and EPA formed the Partnership.

In this interagency partnership, each agency is incorporating the Livability Principles into their policies and funding programs, to the degree possible. In addition, each agency has clear and defined roles: HUD takes the lead in funding, evaluating, and supporting integrated regional planning for sustainable development, and invests in sustainable housing and community development efforts. DOT focuses on building the capacity of transportation agencies to integrate their planning and investments into actions that promote sustainable development, and investing in transportation infrastructure that directly supports sustainable development and livable communities. EPA provides technical assistance to communities and state governments to help them implement sustainable community strategies and develops environmental sustainability metrics and practices.

The three agencies have made a commitment to coordinate activities, integrate funding requirements, and adopt a common set of performance metrics for use by grantees. This Partnership has cultivated tremendous energy and interest from other agencies in identifying how they can complement the work of the Sustainable Communities Initiative. To the extent possible, the efforts, programs, and investments of other federal agencies will be leveraged by the Partnership to realize the full potential of sustainable development in regions.

For this Program, staff representatives from DOT and EPA have joined with HUD in the preparation of this NOFA. Staff from all three agencies and other federal partners will participate in the review of applications.

C. Program Goals. The goals of the Program are the following:

- 1.** Foster the development of sustainable communities throughout the United States that are consistent with the following Livability Principles:
 - a.** *Provide More Transportation Choices.* Develop safe, reliable, and affordable transportation choices to decrease household transportation costs, reduce energy consumption and dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
 - b.** *Promote equitable, affordable housing.* Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.
 - c.** *Enhance Economic Competitiveness.* Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services, and other basic needs by workers, as well as expanded business access to markets.
 - d.** *Support Existing Communities.* Target federal funding toward existing communities—through strategies like transit-oriented, mixed-use development, and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.
 - e.** *Coordinate Policies and Leverage Investment.* Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.
 - f.** *Value Communities and Neighborhoods.* Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.
- 2.** Support multijurisdictional partnerships that commit to adopt integrated plans, strategies, and management tools that allow regions ranging from the most rural to the most densely metropolitan areas to become more sustainable.
- 3.** Facilitate strong alliances of residents and regional interest groups that are able to maintain a long-term vision for a region over time and simultaneously support progress through incremental sustainable development practices.
- 4.** Build greater transparency and accountability into planning and implementation efforts.
- 5.** Expedite implementation of the Livability Principles through changes in local zoning and land use laws and regulations that remove barriers to sustainable development for housing, economic development, transportation, and related water, sewer, and other environmental quality issues.

6. Align local, state, and tribal capital improvement programs with the Livability Principles.
7. Assist all regions to move toward sustainability and livability, and, for the regions that have shown a long-term commitment to sustainability and livability, prepare them for implementation and to demonstrate on-the-ground results.
8. Increase resident access to high quality early learning programs and services, improve the quality of schools within the target region (with particular emphasis on improving low-performing schools), and contribute to significant growth in access to high-quality educational opportunities that increase the number of students that graduate from high school college- and career-ready.

To support participants in the program, the Partnership will identify ways in which it can better support local and regional planning for sustainable outcomes and reduce redundant and conflicting federal requirements.

D. Preferred Sustainability Status. HUD will recognize the commitment of regions to advance the Livability Principles. All applicants selected for funding or achieving a minimum threshold score in their submission for the 2011 round of the Sustainable Communities Regional Planning Grant Program will qualify for Preferred Sustainability Status, which signifies that the region is ready to advance planning that prioritizes sustainability and inclusion as core outcomes of community development. Applicants that meet this criterion will qualify for several benefits, including access to capacity building resources and potential points in a number of funding opportunities managed by HUD and other federal agencies such as DOT and EPA.

E. Program Outcomes. The outcomes of the Sustainable Community Regional Planning Grant Program will be a generation of regional plans that are configured to produce:

1. Creation of shared elements in regional transportation, housing, water, and air quality plans tied to local comprehensive land use and capital investment plans;
2. Aligned federal planning and investment resources that mirror the local and regional strategies for achieving sustainable, inclusive communities;
3. Increased participation and decision-making in developing and implementing a long-range vision for the region by populations traditionally marginalized in public planning processes;

4. Reduced social and economic disparities for low-income populations and communities of color within the target region;
5. Decreased per capita Vehicle Miles Traveled (VMT) and transportation-related emissions for the region;
6. Decreased overall combined housing and transportation costs per household;
7. Increased the share of residential and commercial construction on underutilized infill development sites that encourage revitalization, while minimizing displacement in neighborhoods with significant disadvantaged populations;
8. Increased proportion of low- and very low-income households within a 30-minute transit commute of major employment centers in urban, suburban, and rural settings;
9. Creation of a regional economic development plan that is built upon thoughtful economic analysis, including consideration of the region's comparative economic advantages and its current and emerging economic clusters; and
10. Increased integration of local and regional planning with state-level initiatives that advance sustainable development in line with the Livability Principles.

HUD will work with grantees to establish the performance measures used to track progress toward desired outcomes. Applicants may identify additional outcomes that are priorities for their regional plan (see Section V.A.5).

F. Authority. The program was authorized by Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10, enacted April 15, 2011).

G. Definitions: In this NOFA, the following terms shall have the meanings indicated below.

1. Applicant. The term "applicant" means a consortium that applies for funds under this NOFA.

2. Combined Statistical Area. The term "combined statistical area" has the meaning given that term by the Office of Management and Budget. A Combined Statistical Area may comprise two or more Metropolitan Statistical Areas, a Metropolitan Statistical Area and a Micropolitan Statistical Area, two or more Micropolitan Statistical Areas, or multiple Metropolitan and Micropolitan Statistical Areas that have demonstrated social and economic ties, but at lower levels than are found among counties within Metropolitan and Micropolitan Statistical Areas.

3. Consortium. The term “consortium” means a grouping of units of government, regional planning agencies, nonprofit organizations, tribal entities, and allied public and private sector partners that seek to develop a Regional Plan for Sustainable Development or a Detailed Execution Plan and Program for a Regional Plan for Sustainable Development.

4. Cooperative Agreement. The term “cooperative agreement” means an agreement in which the Federal government provides funding authorized by public statute where substantial involvement is expected between the Federal government and the funding recipient when carrying out the grant activities.

5. Equitable Land Use Planning. The term “equitable land use planning” means zoning, land use regulation, master planning, and other land use planning that, at a minimum, furthers the purposes of Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act and are intended to achieve additional objectives for expanding housing choice (e.g., inclusionary zoning for housing designed for underserved populations on the basis of race, ethnicity, or socioeconomic group; incorporation of environmental justice concerns into planning decisions/outcomes; prohibition on the creation or maintenance of racial or ethnic enclaves (unincorporated areas surrounded by incorporated areas, often without access to public services or utilities); affirmative efforts to overcome the effects of segregationist laws and covenants; and coordination of housing development and public transportation to provide access to quality educational and employment opportunities).

6. Indian Tribe. The term “Indian Tribe” has the meaning given that term in 25 U.S.C. 4103(13).

7. Livability. The term “livability” is a measure of integration of the housing, transportation, environmental, and employment amenities accessible to residents. A livable community is one with multiple modes of transportation, different types of housing, and destinations located close to home.

8. Metropolitan Division. The term “metropolitan division” has the meaning given that term by the Office of Management and Budget. A metropolitan division is used to refer to a county or group of counties within a Metropolitan Statistical Area that has a population core of at least 2.5 million. A metropolitan division is a subdivision of a larger Metropolitan Statistical Area; it often functions as a distinct social, economic, and cultural area with the larger region.

9. Metropolitan Planning Organization. The term “Metropolitan Planning Organization” (MPO) has the meaning given that term in 23 U.S.C. 134(b) and 49 U.S.C. 5303(b).

10. Metropolitan Statistical Area. The “metropolitan statistical area” means a county or a group of counties that: (a) is designated by the Office of Management and Budget as a metropolitan statistical area; and (b) has one or more large population centers with a population of not less than 50,000 and adjacent territory with a high level of integration with the core.

11. Micropolitan Statistical Area. The term “micropolitan statistical area” means a county or a group of counties that: (a) is designated by the Office of Management and Budget as a micropolitan statistical area; and (b) has one or more large urban clusters with a population of not less than 10,000 and not more than 50,000.

12. Nonprofit Organization. A nonprofit organization is an organization that does not distribute its surplus funds to owners or shareholders, but instead uses them to help pursue its goals, and is qualified as such under the Internal Revenue Code (26 U.S.C. 501(c)(3)). The nonprofit organizations applying or partnering with an applicant of the Sustainable Communities Regional Planning Grant Program are expected to participate in the regional planning process.

13. Rural Planning Organization. The term “rural planning organization” means a voluntary organization of local or tribal elected officials and representatives of local or tribal transportation systems that:

- a. works in cooperation with the department of transportation (or equivalent entity) of a state government to plan transportation networks and
- b. advises local officials of the state government on transportation planning; and
- c. is located in a rural area—
 - (1) with a population of less than 50,000; *and*
 - (2) that is not located in an area represented by an MPO.

14. Social Equity. The term “social equity” involves the process of identifying structural disparities (poor health outcomes, high unemployment, poor school outcomes) and creating pathways for prosperity: fair and equal access to livelihood (jobs and small business opportunities), quality education (pre-K to college, and new economy job skills), and core amenities (affordable transportation, homes, parks, and fresh food); full participation in the political and cultural life of the community; and self-determination in meeting fundamental needs of individuals, families, and communities.

15. Sustainable Communities. The term “sustainable communities” refers to urban, suburban, and rural places that successfully integrate housing, land use, economic and workforce

development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: 1) economic competitiveness and revitalization; 2) social equity, inclusion, and access to opportunity; 3) energy use and climate change; and 4) public health and environmental impact.

16. *Underserved Populations.* The term “underserved populations” means groups of individuals who fall within one or more of the categories protected under the Fair Housing Act and who are:

- a.** of an immigrant population (especially racial and ethnic minorities who are non-English speaking or have limited English proficiency);
- b.** in rural populations;
- c.** homeless;
- d.** persons with disabilities (e.g., physical or mental) who can be historically documented to have been subject to discriminatory practices not having been the focus of federal, state, or local fair housing enforcement efforts;
- e.** persons in areas that are heavily populated with minorities where there is inadequate protection or ability to provide service from the state or local government or private fair housing organizations, or
- f.** populations that have faced generational economic disadvantage, job dislocation, or other forces that prevent them from achieving individual and family self-sufficiency.

17. *Unit of General Local Government.* The term “unit of general local government” has the meaning given that term in 42 U.S.C. 5302(a)(1).

18. *Water Infrastructure.* The term “water infrastructure” means drinking water treatment plants, sewer lines, drinking water distribution lines, and storage facilities that ensure protection of public health and the environment.

H. Other Program Requirements.

1. Compliance with Fair Housing and Civil Rights Laws.

With the exception of federally recognized Indian tribes and their instrumentalities, applicants and their sub-recipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and the Rehabilitation Act of 1973. HUD will look favorably upon

applicants who prioritize additional measures to advance civil rights, such as Executive Order 11988, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 13166, to Improve Access to Services by Persons with Limited English Proficiency. Federally recognized Indian tribes must comply with the nondiscrimination provisions enumerated at 24 CFR 1000.12, as applicable. See the General Section for further instructions on this requirement.

2. Affirmatively Furthering Fair Housing.

Section 808(e)(5) of the Fair Housing Act imposes a duty on HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. Accordingly, HUD requires recipients of HUD funds, including those awarded and announced under HUD's FY2011 funding notices, to take affirmative steps to further fair housing. Your application must include a discussion of how the proposed plans will affirmatively further fair housing.

Applications that include specific activities and outcomes that address this requirement will be rated higher under Rating sub-factor 3(a)(1) and (3)(b)(1) (see Section V.A.3). Applications from consortia whose members consist only of federally recognized Indian Tribes or and their instrumentalities are not subject to the affirmatively further fair housing application submission requirement. See the General Section for further instructions regarding this requirement.

II. AWARD INFORMATION

A. Funding Available. Approximately \$67 million will be made available through the Sustainable Communities Regional Planning Grant Program NOFA. Not less than \$17.5 million of the funds available shall be awarded to regions with a population of less than 500,000 (see Section II.C. to establish the geography of eligible regions).

B. Funding Categories. Recognizing that areas are in different stages of achieving sustainability, HUD is establishing two funding categories. HUD has provided an evaluation tool to help applicants determine which category is most appropriate for their application. Please see Section VIII.A, Selecting a Grant Category.

1. Category 1: Regional Plans for Sustainable Development.

Funds in this category will support the preparation of Regional Plans for Sustainable Development (RPSD) that address housing, economic development, transportation, education, workforce development, energy, water, and environmental quality in an integrated fashion where such plans do not currently exist or where they exist but need to be significantly revised or enhanced. Funds will: support stakeholder-driven visioning and scenario planning exercises that are intended to address and harmonize critical land use and investment decisions, such as those for the location and the distribution of affordable housing, schools, and employment centers throughout the region; support cost-effective and sustainable transportation and water infrastructure investments; designate lands for conservation and ongoing agricultural use; proactively consider risks from disasters and climate change; and develop sophisticated mapping resources which communities can access to address these and other regional planning issues. Grantees will be expected to work with HUD to identify a set of locally appropriate performance metrics that are consistent with the performance measures developed by the Sustainability Partnership and the Livability Principles that are listed in this NOFA.

2. Category 2: Detailed Execution Plans and Programs.

Funds in this category will support efforts to fine-tune existing regional plans so that they address the full complement of Livability Principles in an integrated fashion, the preparation of

more detailed execution plans and maps for an adopted Regional Plan for Sustainable Development, (RPSD) and limited predevelopment planning activities for a catalytic project (or projects) that is a significant aspect of the regional plan, and that would demonstrate the strength of the efforts of the coalition to achieve sustainability through the regional planning process. An applicant must demonstrate it has an adopted long-range regional plan that is the accepted basis for future action (see Section IV.A). Applicants must also demonstrate that the plan significantly addresses the issues identified in this notice and that the consortium seeking funding support has the strong capacity needed to structure implementation steps, leverage resources, and commit local partners to the tasks required to achieve desired outcomes consistent with the plan.

C. Award Sizes Based Upon Regional Population and Geographic Boundary.

Applicants will be categorized as Large Metropolitan Regions; Medium-Sized Regions; or Small-Sized Regions, Rural Communities, and Small Town Areas based upon the population range within the applicant's region. As shown in the chart below, the minimum and maximum grant amount is determined by the type of applicant.

For the purposes of this FY 2011 NOFA, **a region shall be defined as:**

- 1.** A geographic area that includes, but may be larger or greater than the entire area of:
 - a.** The jurisdiction of a single MPO, or the jurisdictions of two or more adjacent MPOs, as defined at 23 U.S.C. § 134(b), and 49 U.S.C. § 5303(b);
 - b.** A Metropolitan Statistical Area, a Micropolitan Statistical Area, a Metropolitan Division *if* the region is within a Combined Statistical Area with a population exceeding 7,000,000, or a Combined Statistical Area;
 - c.** A region designated under State law or gubernatorial executive order for the purpose of facilitating and coordinating local government planning for land use, transportation, economic development, parks and open space, or other related activities; or
 - d.** An Economic Development District designated by the U.S. Economic Development Administration at 42 U.S.C. § 3171.

In no case shall a region consist of only a portion of a Metropolitan Statistical Area or a Micropolitan Statistical Area unless such region is defined by MPO boundaries under Section II.C.1.a, above, or State-designated planning boundaries under Section II.C.1.c, above.

2. A non-delineated area. A non-delineated area is an area that is entirely outside the boundaries of a Metropolitan Statistical Area or Micropolitan Statistical Area. A consortium that represents a non-delineated area may self-designate the boundaries of its region.

Please see the chart below to determine the appropriate funding range for each geographic category.

Type of Applicant	Population Range	Grant Amount
Large Metropolitan Regions	500,000 or more within the proposed geographic area.	Minimum grant of \$1,000,000 Maximum grant of \$5,000,000
Medium-Sized Regions	Between 200,000 and 499,999 within the proposed geographic area.	Minimum grant of \$600,000 Maximum grant of 3,000,000
Small-Sized Regions, Rural Communities, and Small Town Areas	Less than 200,000 within the proposed geographic area.	Minimum grant of \$400,000 Maximum grant of \$1,500,000

In order to ensure that the population data used to determine the population of a region is the most current available, HUD will provide such data on its website at www.hud.gov/sustainability. Each applicant should use this data to determine the population of its region. Applicants must provide a map that clearly delineates the geography of the targeted region. HUD is providing a web-based application to draw the project boundaries, available at www.hud.gov/sustainability.

Awards will be made in each of the three geographic categories. Applications that contain a score of 75 points or higher will be provided to a final review team comprised of members of the federal Partnership for Sustainable Communities and other federal agencies. Proposals will be selected by score except when necessary to ensure that there is an equitable distribution of grant awards based on geography, a balance in the range of regional population categories being addressed, and to ensure the final cohort of awards reflects the range of activities and impacts covered under the Livability Principles. The review team's rank recommendations along with the original rank order scoring shall be provided to the selecting official.

HUD reserves the right to modify the number of grants made in each type to ensure geographic balance. HUD has the discretion to waive the minimum grant size requirements if the applicant demonstrates the ability to make effective progress toward stated goals with a lesser amount of funds. See Section V.A.3.c for additional budget requirements.

D. Period of Performance. The period of performance shall not exceed 36 months. The period of availability of funds shall be in compliance with 24 CFR 85.23 and 24 CFR 84.28. A grantee must liquidate all obligations incurred under the award not later than 90 days after the end of the period of performance stated in the funding award.

E. Type of Awards. Awards will be made in the form of *Cooperative Agreements*. HUD anticipates having substantial involvement in the work being conducted under this award to ensure that the purposes of the Sustainable Communities Program are being carried out across the region and that entities are following through on their commitments to sustainable regional development as evidenced by plans developed or expanded under this program. This includes making progress in meeting established performance metrics, and ensuring consistency in projects in participating jurisdictions that are funded through other HUD, DOT, and EPA programs, so that they are implemented in a manner consistent with the Livability Principles and the Regional Plan for Sustainable Development. Specific reporting requirements are specified in Section VI.C of this document.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants. In this program, an eligible applicant is a multijurisdictional and multi-sector partnership consisting of a consortium of government entities and non-profit partners. FY2010 Lead applicant recipients of the Sustainable Communities Regional Planning Grant Program are not eligible for awards under the FY2011 program.

An application that covers a geography covered by a FY2010 recipient of the Sustainable Communities Regional Planning Grant Program is ineligible.

HUD will allow an application where the geography overlaps with a FY2010 Sustainable Communities Regional Planning Grant led by a tribal entity. In such instances the new applicant can plan for their region, but cannot plan for the areas under tribal authority.

1. A consortium representing a region that includes the jurisdiction of a MPO or MPOs; a Metropolitan Statistical Area, a Micropolitan Statistical Area, or a Metropolitan Division, must, at a minimum, include the following:

- a. The traditional principal city (or cities if more than one) located within the boundaries of the region if the region is within a Metropolitan Statistical Area;
- b. The city, county, or any other unit of general local government with the largest population located within the region, if different from (a) or if in a Micropolitan Statistical Area;
- c. Additional cities, counties, or units of general local government and Indian Tribes that will ensure that the consortium represents no less than 50 percent of the population residing within the region;
- d. The MPO, or the regional planning agency that facilitates planning and associated management activities for the geography represented by the applicant, or if the region has multiple MPOs, all MPOs that have jurisdiction within the designated region; and,
- e. A nonprofit organization, foundation, or educational institution within the region that has the capacity to engage a diverse representation of the general population, and the ability to work in partnership with the units of general local government and the MPO or MPOs comprising a consortium to advance the program objectives of the Sustainable Communities Planning Grant Program as described in Overview Section G.1, Purpose of the Program.

2. A consortium representing a non-delineated area must, at a minimum, include the following:

- a. Cities, counties, or units of general local government and Indian Tribes representing at least 50 percent of the population residing within the region;
- b. If such an organization exists within the boundaries of the region, a Rural Planning Organization or Council of Governments; and
- c. A non-profit organization, foundation, or educational institution within the region that has the ability to engage a diverse representation of the general population, and the ability to work in partnership with the units of general local government or Tribal Council(s) to advance the program objectives of the Sustainable Communities Planning Grant Program as described in Overview Section G.1, Purpose of the Program.

B. The Role of the Consortium. The consortium is intended collectively to have the capacity and experience to carry out the proposed activities in the target geography and to enter into an agreement to submit a single application for the Sustainable Communities Planning Grant Program funding. HUD considers the interdependence of the participating partners an asset in the grant application process. In its application, a consortium shall designate a lead applicant. A lead applicant may be any one of the required component entities forming the consortium, as described above. The lead applicant shall have responsibility for submitting the application to HUD, and, if the consortium is selected for funding, the lead applicant shall execute the cooperative agreement with HUD and assume fiscal responsibility for the grant on behalf of the consortium and ensure compliance with all HUD and program requirements.

A partnership agreement, memorandum of understanding, or other proof of commitment to work together must be submitted with the full application, and must be executed by all consortium members. The agreement will require the members to cooperatively carry out the Program in the approved application, and must authorize one member (lead applicant) to act in the representative capacity with HUD on behalf of all members of the consortium and to assume administrative responsibility for ensuring that the consortium's program is carried out in compliance with all HUD requirements. While the lead applicant holds fiscal and administrative responsibility for regular interaction with HUD, this does not restrict the consortium from developing a governance structure that reflects the diversity of its partners and allows for maximum participation in strategy development, decision-making, and plan implementation. Inclusion and participation in these aspects of the process are core priorities of this grant program, and applicants will be rated and their performance monitored based on their ability to build representative governance not only at the time of application but during the life of the award (see Section V.A.1).

The partnership agreement must state that a formal consortium agreement will be executed no later than 120 days after the effective start date of the cooperative agreement. The consortium agreement must describe each consortium member's specific activities under the Program, including timetables for completion. The lead applicant will enter into memorandums of understanding with any partners receiving funding from the grant to ensure delivery of the required activities. HUD reserves the right to terminate the grant if a consortium agreement has not been executed within these 120 days.

No entity may be a lead applicant under more than one Sustainable Communities Regional Planning Grant proposal (see Section III.F).

C. Additional Partners. A consortium may also include a state government or an entity established by a state government, a Council of Governments, a rural planning organization, one or more local or regional transportation agencies, special districts (e.g. a utility district), unified school districts, economic development districts, one or more Indian Tribes, or a multi-tribal organization that has been delegated authority by member Indian Tribes to conduct planning and associated management activities on behalf of the member tribes, additional nonprofit organizations, foundations, and educational institutions, or any other public authorities, districts, business leadership groups, or regional governmental organizations. Private and for-profit entities may be participants in the consortium. Successful applicants will be required to reach out, in writing, to the Public Housing Authorities (PHAs) in the geographic region, seeking their partnership, in order to ensure their participation when developing housing plans.

D. Cost Sharing or Match. Applicants must provide 20 percent of the requested funding amount in **match** in the form of cash and/or verified in-kind contributions or a combination of these sources. Successful applicants must have the required amount of match (20 percent) at the time of signing the cooperative agreement. In-kind contributions may be in the form of staff time, donated materials, or services. See Section III.G for a list of possible in-kind contributions. All assistance provided to meet this requirement must be identified by their dollar equivalent based upon accepted salary or regional dollar values. Cash contributions may come from any combination of local, state, and/or private and philanthropic contributions dedicated to the express purposes of this proposal. Federal funds are generally not allowed unless otherwise permitted by that program's authorizing statute. If an applicant does not include the minimum 20 percent match with appropriate supporting documentation, that application will be considered ineligible (see Section III.F).

E. Eligible Activities. Eligible activities include tasks necessary to develop a comprehensive Regional Plan for Sustainable Development (RPSD), to align investments with this plan, to improve the management capability to implement the plan, and to develop relevant policy,

planning, and evaluation capacity. Applicants are not limited to the activities described below and are not required to address all of the activities but shall address those necessary to develop a comprehensive RPSD as is appropriate to their local context. All eligible activities are applicable to Category 1 and Category 2 applicants, unless otherwise stated. Applicants shall undertake activities necessary to:

1. Establish coordinated intergovernmental planning and secure agreements among jurisdictions, regional planning units, state government, public authorities, special districts, and related public and private entities to support the goals of the Sustainable Communities Program;

2. Develop a comprehensive Regional Plan for Sustainable Development, which serves as a guide for local, regional, and state governmental policies and investments that will integrate existing or emerging land use plans, such as consolidated plans; comprehensive plans, asset management plans; long range transportation plans, sewer, water, storm water, coastal protection, and air and water quality plans; open space plans; food production and distribution plans; environmental conservation elements, pre-disaster mitigation plans; climate change impact assessments; energy reduction strategies; economic development plans; school district capital improvement and construction plans; and long-range housing plans. Each applicant will evaluate the extent to which each of the various plans can or should be integrated to the benefit of the region. At a minimum, the RPSD should explain how the consortium will:

a. Adopt a housing plan that ensures that the full range of existing and projected housing need by type and tenure that is affordable to all ranges of family income is identified throughout the region, including an assessment of the need for affordable housing that is accessible to persons with disabilities. Such plans shall be developed in consultation with the PHAs in the region. Plans shall identify existing locations of public, assisted, low- and moderate-income housing and the relationship between that housing and current and future employment, education, workforce development, and transportation infrastructure investments. Activities may include: (a) developing local housing plans that conform to the Livability Principles, and which together form a regional housing plan including plans for permanent affordability, (b) making necessary conforming changes to local growth and development plans and codes to address accessibility requirements for persons with disabilities, which incorporate results of the regional housing plan,

(c) developing a viable financing plan to implement the housing plan, and (d) implementing strategies to eliminate the effects of discriminatory housing patterns and to further the goals of the Fair Housing Act.

b. *Incorporate equity and fair housing analysis into regional planning* through the development of a regional analysis of impediments to fair housing choice. To be eligible for meeting HUD's requirement for application submittals, a regional analysis of impediments must encompass the geographic area covered by the Regional Planning Grant and address the ability of residents to take advantage of housing opportunities throughout the area without discrimination because of race, color, national origin, sex, religion, disability, or familial status. For information on possible contents of and analytical methods used in analyses of impediments, see HUD's Fair Housing Planning Guide at <http://www.hud.gov/offices/fheo/images/fhpg.pdf>. The analysis should assess impediments to fair housing choice and link transportation, employment, and housing resources in order to promote fair housing and affordable housing in high opportunity areas, and adhere to and promote fair housing law as described in the General Section, including ensuring maximum choice in housing without discrimination because of race, color, religion, sex, national origin, familial status, and disability. Areas of high opportunity are those that provide employment, educational, recreational, public health, and service opportunities in the area or that are accessible via public transportation systems.

c. *Advance regional transportation planning* and the development of transportation networks including the expansion of transportation choices, including quality bus service, street cars, light rail, regional rail, ridesharing, express bus lanes, shuttle services, complete streets, bicycle and pedestrian pathways, and programs that offer alternatives to driving alone, such as rideshare or public transit incentives. Transportation plans should also address needed investments in street, highway, and transit infrastructure to support and complement those transportation choices with state-of-good-repair priorities. Activities should be designed to ensure improved air quality, reduced per capita greenhouse gas and particulate emissions, reduced travel times, greater transit supportive development (incorporating, to the degree possible, the full range of housing affordable to all ranges of family income), reduced runoff from roads, improved service for historically marginalized populations, and viable alternatives to automobile ownership.

Transportation investments that have the potential to increase land values and ultimately elevate housing prices should demonstrate intentional strategies to prevent residential and small business

displacement. Activities should prioritize access for the elderly and persons with disabilities to public transportation and other travel modes, as well as planning for the creation/expansion of appropriate par transit services.

d. *Advance water infrastructure planning* to ensure that investments in drinking water, wastewater, and stormwater systems support the sustainability of the community and can be sustained by the community over the long term. Activities may include: evaluation of water infrastructure needs and attendant long-term cost burdens that are associated with strategies for investment in other sectors (e.g., transportation and housing); asset management or capital finance planning within water sector utilities or across infrastructure sectors to coordinate investments in pursuit of sustainability goals, cost efficiency, and livable communities; assessment and implementation of programs and practices to improve water use efficiency or appropriately reuse water, including promotion of practices and devices endorsed by EPA's WaterSense program; and alternatives analyses that evaluate the surface water quality impacts of water, transportation, and housing infrastructure solutions, including environmental requirements under HUD regulations at 24 CFR parts 50 and 58.

e. *Perform environmental planning* that includes environmental review systems to evaluate the impact of land use decisions; strategies to avoid adverse environmental impacts on neighborhoods through the careful planning and siting of housing and community facilities; methods to prevent undue damage, unwise use, or unwarranted consumption of natural resources; strategies to mimic natural systems within the built environment so as to minimize environmental impacts; strategies to equalize access to environmental amenities and minimize burdens resulting from development; specific actions to redress persistent environmental justice concerns in communities; tactics for sustainable water, wastewater, and materials management; measures for advanced energy planning and conservation; protection of natural areas (estuaries, coastal zones, etc.); and measures to meet National Environmental Policy Act (NEPA) and related requirements.

f. *Plan for economic development activities* that capitalize on the location efficiency of places by connecting housing, jobs, amenities and other quality of life resources and stimulate the regional economy and create jobs, including the creation or expansion of existing commercial and industrial centers; the reuse of existing areas such as brownfields; utilization of structures for new economic development ventures; creative reuse of vacant property; the designation of

underutilized commercial and industrial space to accommodate arts-related enterprises; the establishments of cultural districts or other opportunities for the creative sector to partner with business, civic, and diverse community leaders; the creation of microenterprises and small business incubators; the inclusion of underrepresented populations in economic sectors; the range of development strategies to improve the quality of life and the global economic competitiveness of a region; full utilization of existing programs to advance economic opportunity, such as the HUD Section 3 program; innovative project financing; training to support the full range of workforce and worker needs in the region; and other local, state and federal programs that strengthen regional economies, industry clusters, and job creation.

g. *Conduct scenario planning* that allows the RPSD to project a variety of economic growth possibilities and anticipate responses to each of them and includes maps to show current and project land uses and infrastructure investments.

h. *Conduct comprehensive climate change impacts assessments* to guide regional planning and implementation strategies. Assessments may comprehensively evaluate a range of likely climate change impacts or may focus on an impact area of special concern in the region (e.g., sea level rise or reduced water availability). Findings from climate impact assessments should be used as a basis for defining adaptation actions to be implemented in appropriate plans and strategies.

i. *Support energy efficiency and green building plans* aimed at reducing building energy consumption through a range of community-scale energy strategies, including but not limited to: mapping current energy use in the region by building type (residential, commercial, industrial, institutional), use, and age; identifying short, medium, and long-term energy reduction targets and appropriate strategies for achieving these targets; and assessing the cost and potential energy savings and related carbon reductions associated with each of these strategies. Community energy plans may include strategies for maximizing energy efficiency of existing buildings; strengthening energy and/or green building standards for new buildings; federal, state, local, and private financing tools that support energy efficiency and renewable energy investments, at the individual building or municipal scale; innovative ownership, financing, or leasing mechanisms for renewable energy systems; and community-scale energy systems (e.g., district heating and cooling or geothermal). The plan may also identify community-scale interventions that will result in significant market penetration in one or more communities, as well as strategies for engaging residents in energy reduction strategies.

3. Identify immediate and long-term policies including local land use, state regulation, zoning, building, and energy codes, land acquisition and assembly, infrastructure investment, tax policy, administrative procedures, private capital leverage and availability and legislative proposals that influence where growth and development take place, including the type, intensity, and timing of economic and housing development, environmental protection, and investment in transportation and water facilities and services.

4. Align infrastructure investment to ensure equitable land use planning consistent with the RPSD. States, counties, localities, councils of governments, metropolitan/rural planning organizations, and other relevant entities should identify the appropriate programming of capital improvements, financing plans, and other major expenditures for public facilities, utilities, open spaces, recreational areas, transportation infrastructure, energy management infrastructure, waterways, and water infrastructure.

5. Ensure public decision-making and meaningful resident participation throughout the visioning, development, and implementation of the RPSD, including, but not limited to, public hearings, meetings, websites, forums, charrettes, and other communication that will provide all aspects of the policy and development plans and alternative options to residents in sufficient time for them to review, react, and make informed decisions on how proposed plans and policies will impact their daily lives. Activities should prioritize ways to engage communities traditionally marginalized from planning processes, such as low-income individuals and families, limited English speakers, persons with disabilities, and the elderly. For assistance in ensuring meaningful access for persons with limited English proficiency, applicants may consult HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (HUD's LEP Guidance) published in the Federal Register on January 22, 2007 (72 FR 2732). Additional information is also available at www.hud.gov/fheo/promotingfh/lep.cfm. Pursuant to Section 508 of the Rehabilitation Act, HUD encourages its recipients to employ accessible means of technology to ensure that persons with disabilities can access information on the planning process, plans, and other information.

6. Identify measures to track the progress toward creating sustainable communities by employing statistical and qualitative analysis of specific indicators developed in partnership with the appropriate federal, state, regional, and local agencies.

7. Strengthen management and decision-making capacities of applicable government units, tribal entities, planning organizations, nonprofit institutions, and other partners to execute the aforementioned elements of sustainable regional planning.

8. Engage in site-specific planning and design of capital projects or programs to be included in the RPSD and of clear regional significance associated with implementing the RPSD as specifically allowable, per the terms of successful applications to the Program. These costs could include architectural, engineering, and urban design work; environmental impact assessment; legal fees; and site control, including potential acquisition. Applicants can budget up to 40 percent of their planned expenses to these planning costs, and must demonstrate that the contribution will leverage the eventual completion of the project. As the priority of this FY2011 Notice is to create successful Regional Plans for Sustainable Development, HUD reserves the right to require budget adjustments to successful applications that it deems necessary to ensure that the investment to a project of regional significance does not compromise the integrity of the proposed plan. **This is only an eligible activity for Category 2 applicants.**

9. Preparation of administrative and regulatory measures for the region, metropolitan planning organization, or jurisdictions participating in the RPSD, including studies and research on the legal authority to explore revisions in state statutes or local government charters or regulations that govern or control local government operations so that the RPSD can be enabled, financed, and implemented.

10. Technical planning studies concerning local development issues, priorities, or suggested new approaches to housing, economic development, capital improvement programming, or community relations to further the integration of local objectives with broader regional concerns consistent with the Livability Principles.

F. Threshold Requirements. HUD will be conducting this competition as a two-step process.

1. Pre-application. All applicants are required to submit a pre-application in order to be able to be considered for a full application. **Any applicant failing to meet the pre-application deadline of August 25, 2011 will be ineligible for further consideration.** The purpose of the pre-application is to permit HUD to determine if an applicant meets the criteria for Category 1 or Category 2 funding and also to determine if geographic coverage and consortium structure depicted in the pre-application meets the criteria contained in this NOFA. In addition, the pre-application process allows HUD to determine if an applicant has federal debt or has violated any of the civil rights threshold requirements identified in the General Section to this NOFA. If there are findings of violations, HUD will inform the applicant so that they can enter into a payment agreement with IRS for any federal debt or a compliance agreement with HUD to address any civil rights violations prior to the full application being due. Applicants may apply for only one category of funding.

2. Full application. If invited to submit a full application, the submission must meet the following threshold requirements:

- a.** Applicants must meet all threshold requirements contained in HUD's Fiscal Year (FY) 2011 Notice of Funding Availability (NOFA) Policy Requirements and the General Section to HUD's FY2011 NOFAs for Discretionary Programs (General Section) posted on Grants.gov on April 4, 2011. Applications that do not meet all the threshold requirements will not be eligible for funding from this program.
- b.** Applicants are required to provide a minimum of 20 percent in matching funds or in-kind contributions of the total grant funds requested.
- c.** Applicant consortiums must meet the eligibility requirements set forth in Section III.A.
- d.** Applicant consortiums must submit proof of partnerships. These formal arrangements could be made through a formal contract, memorandum of understanding, memorandum of agreement, or letter of commitment to provide services or in-kind donations to the initiative.
- e.** An applicant consortium must identify itself as applying in one of the three size applicant types (Large Metropolitan Regions, Medium-Sized Regions, or Small-Sized Regions, Rural Communities, and Small Town Areas) and shall use data provided by HUD on its website at

www.hud.gov/sustainability or comparable alternative data to verify their applicant type, as well as provide a map of the proposed geography.

g. An application that requests greater than the maximum funding amount allowed in its population category will be considered ineligible. See Section II.C for funding breakdown.

h. Applicant consortia must represent a region that meets all geographic requirements for this Notice. For details please see Section III. A.

i. Applicants are required to select **only one funding category**. An applicant consortium that submits applications for both funding categories (Category 1 and Category 2, as described in Section II.B) will be considered ineligible for funding consideration.

j. No one entity may be lead applicant under more than one Sustainable Communities Regional Planning Grant proposal; if so received; all applications will be considered ineligible.

k. A completed budget summary must accompany the application. Applicants shall use the HUD424CBW or an Excel-based equivalent to provide the budget as explained in Section V.A.3.c.

l. Applicants seeking permission to apply for Category 2 funds must provide a copy of the working regional plan for sustainability that is the basis for the proposed work and that has been accepted within the region as the framing document for regional planning (see Section II.B.2). The plan should include land use and infrastructure maps of the region. The plan must be the framing document for any detailed sector or future planning work. The actual planning document must have been submitted as part of the pre-application process and accepted by HUD as part of that process. If an applicant fails to provide a copy of their working regional plan for sustainability during the pre-application phase, that applicant will automatically be considered a Category 1 applicant and reviewed as such during the full review.

G. In-Kind Contributions. In-kind contributions can include physical items such as office supplies, computer equipment and supplies, materials for projects, and flyers and other marketing materials. They can also be in the form of office and meeting space, including allowed use of computers, the phones, fax and copy machines, or the use of a vehicle, construction equipment, and other project related items. In-kind contribution can also be contribution of professional time. When an individual donates his/her time in a professional capacity to supervise members, train or engage in member development, provide technical assistance on a

project, evaluate a project, oversee project quality, or provide pro bono work as a member of the nonprofit organization on a permanent or temporary basis, the time involved is an in-kind contribution.

H. Additional Requirements as stated in HUD's General Section.

The following sections of the General Section are of particular significance for this FY2011 NOFA, and applicants should confirm their adherence to their conditions.

1. Resolution of Outstanding Civil Rights Matters. If the lead applicant or any member of its consortium:

(1) have received a charge from HUD concerning a systemic violation of the Fair Housing Act or has received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;

(2) are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising and issue of general public interest pursuant to 42 U.S.C. 3614(a); 21

(3) have received a letter of findings identifying systemic noncompliance under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or Section 109 of the Housing and Community Development Act of 1974;

(4) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on sexual orientation or gender identity; or

(5) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a state or local law proscribing discrimination in housing based on lawful source of income; and

(a) The charge, cause determination, lawsuit, or letter of findings referenced in subparagraphs (1),(2), (3), (4), or (5) above has not been resolved to HUD's satisfaction before the application deadline, then you, the applicant, are ineligible for funding. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the deadline are sufficient to resolve the matter.

(b) Examples of actions that would normally be considered sufficient to resolve the matter include, but are not limited to:

- (i) Current compliance with a voluntary compliance agreement signed by all the parties;
- (ii) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (iii) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- (iv) Current compliance with a consent order or consent decree; or
- (v) Current compliance with a final judicial ruling or administrative ruling or decision.

2. Code of Conduct. Prior to entering into a cooperative agreement with HUD, applicants will be required to submit a copy of their organization's Code of Conduct and describe the methods they will use to ensure that all officers, employees, and agents of the organization are aware of its Code of Conduct. See the General Section for more information.

3. Pre-Award Accounting System Surveys. HUD may arrange for a pre-award survey of the applicant's financial management system if the recommended applicant has no prior federal support, if HUD's program officials have reason to question whether the applicant's financial management system meets federal financial management standards, or if the applicant is considered high-risk based upon past performance or financial management findings. HUD will not disburse funds to any applicant that does not have a financial management system that meets federal standards. (Institutions of higher education, hospitals, or other nonprofit organizations should review 24 CFR 84.21. States, local governments, or Indian tribes should review 24 CFR 85.20. See the General Section for further instructions to this threshold requirement.

4. Compliance with Fair Housing and Civil Rights Laws. With the exception of federally recognized Indian tribes and their instrumentalities, applicants and their sub-recipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and the Rehabilitation Act of 1973. HUD will look favorably upon applicants who prioritize additional measures to advance civil rights, such as Executive Order 11988, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 13166, to Improve Access to Services by Persons with Limited English

Proficiency. Federally recognized Indian tribes must comply with the nondiscrimination provisions enumerated at 24 CFR 1000.12, as applicable. See the General Section for further instructions on this requirement.

5. Affirmatively Furthering Fair Housing. Section 808(e)(5) of the Fair Housing Act imposes a duty on HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. Accordingly, HUD requires recipients of HUD funds, including those awarded and announced under HUD's FY 2010 funding notices, to take affirmative steps to further fair housing. Your application must include a discussion of how the proposed plan will affirmatively further fair housing. Applications that include specific activities and outcomes that address this requirement will be rated higher under Rating sub-factor 3(a)(1) and (3)(b)(1) (see Section V.A.3). Applications from consortia whose members consist only of federally recognized Indian Tribes or and their instrumentalities are not subject to the affirmatively further fair housing application submission requirement. See the General Section for further instructions regarding this requirement.

IV. APPLICATION AND SUBMISSION INFORMATION

A. Pre-application. In addition to the application forms found in the application package and download instructions on grants.gov, all applicants shall submit a statement of the amount of HUD funds requested, a map of the project geography, a declaration of its population range for application purposes, and a list of intended core consortium partners. Applicants intending to apply for a **Category 2 grant** must include a copy of the working Regional Plan for Sustainability that is the basis for the proposed work and that has been accepted within the region as the framing document for regional planning.

B. Deadline Date for Pre-Applications. Pre-applications must be received by Grants.gov no later than by 11:59:59 pm eastern time on **August 25, 2011**. Please carefully read the Notice of HUD's Fiscal Year (FY) 2011 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2011 NOFAs for Discretionary Programs, posted on Grants.gov on April 4, 2011 which provides detailed instructions on what to do if your application is rejected and HUD's grace period policy. Applicants need to be aware that following receipt, applications

go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. **Applicants who fail to meet the pre-application timely receipt requirements are not eligible to submit a full application, and cannot apply to the full competition.**

C. Address to Request Pre-Application Package. *The pre-application will be available on the federal website www.Grants.gov.* When posted, to find this funding opportunity at the www.Grants.gov website, go to http://www.grants.gov/applicants/find_grant_opportunities.jsp. There you can search by agency to find this funding opportunity or you can click on Basic Search and then, under the box provided for the CFDA number, you can enter the number 14.703. See the General Section for a description on how to download the application and accompanying instructions package. Please carefully read the instructions in the General Section regarding how to find and apply for funding opportunities using the Grants.gov system. Carefully following the instructions can make the difference in having the application received or rejected by the system.

If you have difficulty accessing the information you may receive customer support from Grants.gov by calling their Support Desk at (800) 518-GRANTS (TTY: 1-800-877-8339) or sending an email to support@grants.gov. The customer support center is open twenty-four hours a day, seven days per week, except federal holidays. The customer service representatives will assist applicants in accessing the information and addressing technology issues, including accessibility problems, in accordance with Section 508 of the Rehabilitation Act (see paragraph 4(h), Accessible Technology). Applicants should ask for a Grants.gov call center ticket number if not provided one by the call center customer service representative. In case of issues, HUD relies on Grants.gov and CCR call center ticket logs as part of the review of records.

D. Pre-Application Content.

All pre-applications for Category 1 funding must include the following items:

1. SF424_Application_for_Federal_Financial_Assistance;
2. A map of the project geography,
3. A narrative statement identifying the amount of HUD funds requested,

4. A declaration of the population size for the purpose of HUD being able to determine the appropriate funding amount of the grant award based upon the population to be covered (see funding chart based upon funding category and size in Section II.C; and
 5. A list of intended core consortium partners (note: items c., d. and e. can be included in the same narrative statement.
2. All pre-applications for Category 2 funding must contain all of the above items plus a copy of the working Regional Plan for Sustainability that is the basis for the proposed work and that has been accepted within the region as the framing document for regional planning.
6. No additional information is required for the pre-application phase; other information that is included with the pre-application submission will not be reviewed.

E. Threshold Requirements for the Pre-Application.

1. The application must be received by the deadline date and time in accordance with the timely receipt requirements. See the General Section for Timely Receipt requirements and HUD's grace period policy for electronic applications.
2. The applicant must meet the definition of Eligible Applicant in Section III.A.

F. Evaluation of Pre-Application. HUD will evaluate the pre-application information of all applicants to determine the category of funding and the size of the award an applicant may request. HUD will also use your DUNS and IRS Employer or Tax Identification Number (EIN/TIN) to determine if the applicant has federal debt that is not under a repayment plan with the IRS, or has been found to have civil rights violations and is not under a compliance agreement with HUD or the Department of Justice.

HUD staff will base their assessment of the eligibility for an applicant interested in using an existing plan as the basis for a Category 2 application on several factors, including but not limited to: the degree that the plan reflects the federal Livability Principles; the effectiveness with which the plan coordinates housing and transportation planning and investments; evidence of targeted areas of economic development, public infrastructure, and community development investment that advances sustainability; a range of enforceable priority areas for conservation of land, open space, energy, and water resources; a thorough set of scenario analyses that form the basis for planning decisions, including maps of current and projected land use and infrastructure

investments; an analysis of impediments to fair housing and economic opportunity; a comprehensive strategy to increase the supply of housing affordable to people of all income ranges throughout the region; and where applicable, a commitment to deepen the use of public transportation.

G. Notification of Pre-Application Results. HUD expects that decisions related to pre-application review and results will be completed by approximately September 6, 2011. HUD intends to inform applicants of the result of the pre-application process by email at this time. The notification will identify the funding category the applicant can apply for and if an applicant has failed to meet a threshold requirement concerning Federal Debt or Civil Rights requirements.

If HUD has found that the application has a civil rights violation that is not under a compliance agreement with HUD or the Department of Justice, or the applicant has federal debt that is not under a payment agreement with the Internal Revenue Service (IRS), HUD will identify those threshold compliance requirements and invite the applicant to pursue compliance agreements prior to the full application deadline date. Failure to address these issues or enter into compliance agreements on these matters will result in an application failing the full application Threshold Requirements and render the application ineligible for funding consideration. If HUD is aware of any violations of these requirements for proposed participating members of a consortium, HUD will also notify the lead applicant of those violations so steps can be taken to rectify the issues.

Pursuant to the requirements of the HUD Reform Act, HUD will not provide specific coaching or assistance to applicants about how to address any incomplete program requirements. At the time of the notification, HUD will also alert applicants whether they are eligible to apply for a Category 2 grant. Only applicants who receive direct verification from HUD that they are eligible to apply for a Category 2 award will be able to receive funding consideration under that category. Applicants who are designated as Category 1 that apply for a Category 2 grant will be rated based on the Category 1 review and will lose substantial points in their evaluation.

HUD will post the forms relating to the full application for funding from this grant program on Grants.gov as soon as the pre-application review is completed. ***The full application will be posted as a new competition and applicants will be required to pull down a new application. Reuse of the pre-application package during the full application phase of this***

competition will result in an application being rejected by Grants.gov as the pre-application phase of the competition will have closed.

The full application deadline will be 30-45 days after the pre-application deadline. The deadline date will be established when the Full Application is posted to Grants.gov. HUD is placing all the requirements for the full application in this Notice so that applicants can understand the requirements for the full application prior to it being posted and available. Applicants are encouraged to use the information provided in this Notice to develop their full application to the maximum extent possible while awaiting confirmation and notification of the funding category they are eligible to apply for during the full application phase. Applicants invited to submit an application for funding under the full application competition must meet all of the threshold requirements and program requirements identified in this NOFA.

D. Content and Form of Full Application Submission.

Applicants eligible to apply under this NOFA are to follow the submission requirements described below when submitting their full application.

1. Forms:

- a.** SF424_Application_for_Federal_Financial_Assistance. In block 8.d of the form, you must include a 9 digit number for your organization's zip code (zip plus 4);
- b.** HUD2010, Rating Factor Response Form;
- c.** HUD2880, Applicant/Recipient Disclosure/Update Report ("HUD Applicant Recipient Disclosure Report" on Grants.gov);
- d.** HUD424CBW, HUD Detailed Budget Worksheet, (Include Total Budget (Federal Share and Matching));
- e.** Form SFLLL, Disclosure of Lobbying Activities (if applicable);
- f.** Form HUD96011; and
- g.** Form SF424_Supplement_Survey_on_Equal_Opportunity_for_Applicants ("Faith Based EEO survey (SF424 SUPP)" on Grants.gov) (optional submission);

2. Other Required Elements and Narratives.

a. *Application Abstract.* An abstract with a summary of the objectives and expected results (two-page maximum) must be included in the proposal. The abstract should also include the following clarifying information:

- (1) Project Name;
- (2) Lead Applicant;
- (3) Point of Contact, including Telephone Number with Area Code and Email Address;
- (4) Population Level (Large, Medium, Small/Rural), Total Population associated to the Category of Funding and Size Chart in Section II.C;
- (5) Category of Application: 1–Regional Plans for Sustainable Development, or 2–Detailed Execution Plans and Programs);
- (6) Total Budget, including the HUD Requested amount and Applicant Match, (these should match any funding amounts placed on your SF424 and the budget sheets submitted with the application);
- (7) Locations included as part of the Consortium (list of independent cities/counties/parishes/other jurisdictions (or Tribal areas) included and their localities; and
- (8) Congressional Districts Covered.

(Note: items a(1)-(8) can be placed in a table so that there is room for additional descriptive information within the space allowed).

Information contained in the abstract will not be considered in the evaluation and scoring of your application. Any information you wish to be considered should be provided under the appropriate rating factor response. The application abstract will not count towards the 25-page limit of the proposal narrative nor the maximum of 10-page limit of appendices.

b. *Application Narrative Responding to Each of the Rating Factors.* The application narrative response to the Rating Factors is limited to a maximum of 25 pages (excluding appendices and worksheets) of size 8½ x 11” using a 12-point (minimum) font with not less than ¾” margins on all sides. HUD will not refer to websites for information pertinent to the narrative response. Any materials that the applicant intends to have included in the formal review should be incorporated in the 25-page limit of the proposal narrative.

c. Supporting documentation of the 20 percent required match, additional leveraged resources, and consortium membership letters of commitment do not count toward the page count of the application or appendices.

d. Appendices. A maximum of 10 pages will be allowed as appendices. Materials provided in the appendices should be referenced and discussed in the narrative response. Photographs, maps, and charts that describe local conditions are encouraged as appendices and will be counted against the appendix page limit. Materials provided in the appendices should directly apply to the specific rating factor narrative. Information that is not referenced or does not directly apply to a specific narrative response may not be evaluated by reviewers. Applicants are strongly urged *not* to submit information that is not required and/or requested by this NOFA or does not directly apply to a specific narrative response.

e. Map of the Proposed Project Area. See Section II. C.

f. Category 2 applicants: A copy of the existing *Regional Plan for Sustainable Development* that is the basis for the Category 2 proposal. Please include a 3-page summary of the core features of the plan and the status of the region in engaging in its implementation (see Section IV.A).

3. Application Checklist. Your application must contain all of the required information noted in this NOFA and the General Section. These items include the standard forms, and the certifications and assurances listed in the General Section that are applicable to this NOFA. The forms required for application submission and instructions can be found in the application at <http://www.grants.gov>. HUD requests that you group your materials into three primary documents, and additional federal forms, for submission as described below in the “Checklist and Submission Table of Contents.” Inclusion of this “Checklist and Submission Table of Contents” with your proposal is recommended but not required.

Checklist and Submission Table of Contents

a. First Exhibit (filename: Lead Applicant Name_ Exhibit_One) should consist of:

- (1) Applicant Abstract (limited to a maximum of 2 pages).
- (2) Rating Factor Narrative Response (limited to a maximum of 25 narrative pages)

b. Second Exhibit (filename: Lead Applicant Name_ Exhibit_Two) should consist of:

- (1) HUD2010 Rating Factor Response Forms
 - (a) Capacity of the Applicant and Relevant Organizational Experience - Factor 1 Form;
 - (b) Needs/Extent of the Problem - Factor 2 Form;
 - (c) Leveraging and Matching Resources - Factor 4 Form; and
 - (d) Achieving Results and Program Evaluation - Factor 5 Form;

c. Third Exhibit (filename: Lead Applicant Name_ Exhibit_Three) should consist of:

- (1) Map of Project Area (does not count toward the page limit);
- (2) Proof of partnerships, consortium membership, and matching resources (does not count toward the page limit);
- (3) Existing Regional Plan that is the basis for Category 2 application (Category 2 applicants only) (does not count toward the page limit);
- (4) A 3-page summary of existing regional plan that is the basis for Category 2 application and potential issues to be addressed (does not count toward the page limit); and
- (5) Other materials in support of rating factors. Organizational chart, bios, or resumes for key personnel (limited to a maximum of 10 pages).

d. Other Federal Forms (submitted individually)

- (1) Required and Recommended Federal Forms (saved separately)
 - (a) Form SF424_Application_for_Federal_Assistance – in block 8.d of the form, you must include a 9 digit number for your organization’s zip code (zip plus 4);
 - (b) Form SF424_Supplement_Survey_on_Equal_Opportunity_for_Applicants (“Faith Based EEO survey (SF424 SUPP)” on Grants.gov) (optional submission);
 - (c) HUD424CBW, HUD Detailed Budget Worksheet, (Include Total Budget (Federal Share and Matching)
 - (d) Budget Justification Narrative;
 - (e) Form HUD2880, Applicant/Recipient Disclosure/Update Report (“HUD Applicant Recipient Disclosure Report” on Grants.gov);
 - (f) Form SFLLL, Disclosure of Lobbying Activities (if applicable); and
 - (g) Form HUD96011, Third Party Documentation Facsimile Transmittal (“Facsimile Transmittal Form” on Grants.gov) (used as the cover page to transmit third party documents and

other information designed for each specific application for tracking purposes. HUD will not read faxes that do not use the HUD96011 as the cover page to the fax).

E. Receipt Dates and Times. All applications must be received and validated by http://www.grants.gov/applicants/apply_for_grants.jsp no later than 11:59:59 p.m. eastern time on the application deadline date. Following receipt the application will go through a validation process. If the application fails the Grants.gov validation process it will be rejected. Please see the 2011 General Section for instructions for timely receipt, including actions to take if the application is rejected. Applicants should carefully read the section titled “INSTRUCTIONS ON HOW TO DOWNLOAD AND APPLICATION PACKAGE AND APPLICATION INSTRUCTIONS” in the 2011 General Section. This section contains information on using Adobe Reader, HUD’s timely receipt policies, and other application information.

F. Intergovernmental Review. Not required.

G. Funding Restrictions. You may not use funds for the following ineligible activities:

1. Ineligible administrative activities under OMB Circular A-102, Grants and Cooperative Agreements with States and Local Governments or OMB Circular A-110 Uniform Administrative Requirements for Grants and Cooperative Agreement with Institutions of Higher Education, Hospitals and other Non-Profit Organizations.
2. Ineligible costs under OMB Circular A-87 (2 CFR 225), Cost Principles for State and Local and Indian Tribal Governments; and OMB Circular A-122, Cost Principles for Non-Profit Organizations.
3. HUD will not fund duplicative activities that have been approved in a previously awarded planning grant.
4. HUD will not fund activities which are funded or are planned to be funded through an existing formula or other award by a federal agency.
5. Developing plans that would assist business or industry to relocate to an area to the detriment of communities where the business or industry is currently located. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) protects business

displacements and relocation assistance required under law is eligible by statute (see the General Section).

6. Substitution of Sustainable Communities funds for funding already pledged to support community development, housing, watershed, air and water quality, transportation planning, food production and distribution planning, and other planning activities eligible under this Program.

H. Electronic application waiver.

Applicants are required to submit applications electronically via the website: http://www.grants.gov/applicants/apply_for_grants.jsp. **Applicants requesting a waiver of electronic application requirements** must submit their electronic application waiver requests in writing by email, mail, or fax no later than 15 days prior to the application deadline date.

Requests for waivers may be submitted by mail to:

Office of Sustainable Housing and Communities
Attn: Zuleika K. Morales-Romero,
Office of Sustainable Housing and Communities,
U.S. Department of Housing and Urban Development,
451 Seventh Street, SW, Room 10180, Washington DC 20410;
or by email to: Zuleika.K.Morales@hud.gov
or FAX to (202) 708-0465.

If an electronic submission waiver is granted, the application must be submitted in paper format and received by HUD no later than 4:00 p.m. eastern time on the application deadline date to permit the application to be scanned by HUD Security. The electronic submission waiver approval notification will provide further information on where and how to send the application and the number of copies to be provided. Applicants are reminded that HUD mail is irradiated and sending the application by regular mail can cause a delay in the receipt of the application due to the procedure, which may result in the application not meeting the deadline date and time requirements. There is no grace period for paper application submissions.

V. APPLICATION REVIEW INFORMATION

A. Criteria

1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (15 points).

This factor addresses the consortium's capacity to successfully implement the proposed activities in a timely manner. Rating under this factor evaluates the organizational structure of the consortium undertaking the program. The rating of the "applicant" or the "applicant's staff" for technical merit, unless otherwise specified, includes subcontractors, consultants, sub-recipients, community-based organizations, and members of consortia that are firmly committed to your project. In rating this factor, HUD will consider:

a. Organizational Capacity and Qualification (8 points).

All applicants shall provide a narrative explaining how the consortium is organized and how it will function. It shall include a description of the leadership responsibilities, member responsibilities, and procedures for allocating resources, setting goals, and settling disputes among the member organizations. It shall include an explanation of the capacity and relevant, recent (within the last 3 years) experience of each partner organization. (For organizations that do not have three years of experience, provide an explanation of the capacity of the partner organizations committed to work on the project and their history of previous collaborations.) Applicants should explain how each member of the consortium will support the project. HUD is particularly interested in the consortium's experience in preparing and implementing regional housing, transportation, and related infrastructure plans.

Applicants must provide an organizational chart and evidence of a memorandum of agreement or other proof of commitment to work together. The organizational chart must delineate responsibilities of all the consortium members (lead applicant, as well as partners).

The applicant shall provide evidence of the experience and accomplishment of members in developing and implementing regional, multijurisdictional, or other large-scale efforts in the areas of housing, transportation, community development, economic development, education and human development, environment, water infrastructure, and energy in a comprehensive and coordinated fashion. This should include experience in outreach efforts involving low-income

persons, particularly those living in revitalization areas where funds are proposed to be used; residents of public housing, minorities, limited English and non-English speaking persons, and persons with disabilities.

Category 2 applicants with an existing partnership or consortium must describe challenges they have faced in executing the partnership and how they implemented strategies to overcome them; identify the existing and anticipated political changes; and clarify how they have addressed constituent stakeholder concerns to date.

b. Capability and Qualification of Key Personnel (4 points).

Applicants shall demonstrate that they either have sufficient personnel or the ability to procure qualified experts or professionals with the requisite knowledge, skills, and abilities in preparing and coordinating regional plans, including housing, transportation, land use, and infrastructure plans. Applicants should be prepared to initiate eligible activities within 90 days of the effective date of the grant award. HUD reserves the right to terminate the grant if sufficient personnel or qualified experts are not retained within these 90 days. This includes the number and type of staff to be dedicated to the project from any of the firmly committed partner organizations.

In rating sections a. and b. of this rating factor, HUD will consider the extent to which the application demonstrates that the consortium has an adequate number of key staff or the ability to procure individuals with the knowledge and recent experience (within the last 3 years) of integrated multifaceted regional planning, including community outreach. The applicant must describe the knowledge and experience of the current or proposed overall project director and day-to-day program manager in managing large and complex planning activities, especially involving land use, transportation, economic development, water infrastructure planning, and environment. Include bios or resumes for key personnel or position descriptions for those key personnel to be hired in the appendix. Please do not include social security numbers in bios or commitment letters from proposed personnel or consultants.

c. Capacity to Address Economic and Social Disparities (3 points).

Reducing the disparities that exist within regions across a wide range of social and economic indicators is fundamental to advancing regional development that is sustainable. The applicant shall demonstrate their ability to perform the analysis, planning, community engagement, leadership development, and strategy development that directly confronts these

dynamics in the region, or identify the partners that will be secured to make this a central element of the proposed RPSD. The applicant should point to previous experience that they (or proposed partners) have in accomplishing these objectives, or detail the specific approach they think that will do so if this is the first attempt to address such disparities.

In evaluating Rating Factor 1, HUD will consider the demonstrated capacity of applicant to advance sophisticated planning initiatives, the knowledge and abilities of key personnel that are committed (or can be secured) to lead the process, and their use of approaches that prioritize the resolution of economic and social disparities that destabilize the region.

2. Rating Factor 2: Needs/Extent of the Problem (10 points).

This factor addresses the extent to which there is a need for the proposed program to address documented challenges that relate to the core purpose of the grant program - in this case, deleterious impacts that result from the absence of fully effective regional planning for sustainability in the geography of the applying consortium. An applicant will be scored in this rating factor based on their documented need as evidenced by thorough, credible, and appropriate data and information.

In evaluating this rating factor, HUD will consider the evidence that the applicant provides that elaborates on the need for a regional plan for sustainability and the conditions that could be improved through its implementation. The evaluation will be conducted in two parts, via a compilation of data sources for statistical analysis and a qualitative narrative that supplements this initial data.

a. Rating Factor 2 Form (4 points).

To help HUD develop a deeper understanding of the conditions that will be targeted through implementation of the grant, the applicant must use Rating Factor 2 Office of Sustainable Housing and Communities (OSHC) Form 2010 to provide quantitative and qualitative data for the ten (10) specified, readily-collectible data points to submit with this proposal. The form provides instructions and recommended locations of where to collect the data.

(1) Housing Costs. Applicants are required to provide the following:

(a) Document median regional housing costs relative to regional household income.

(b) The proportion of the regional population paying more than 45 percent of income to housing and transportation expenses.

SOURCE. The data submitted to HUD regarding regional housing prices will be verified using data available from the Federal Housing Finance Agency (FHFA) and will be made available at the HUD Sustainability website (www.hud.gov/sustainability); the data for combined housing transportation expenses will be verified using the Housing + Transportation Affordability Index developed by the Center for Neighborhood Technology and its research partners, available at <http://htaindex.cnt.org>.

(2) ***Environmental Quality.*** Applicants are required to provide the following:

- (a) Documented change in urbanized land per capita by decade (1990-2010).
- (b) Total miles of distribution of water infrastructure per population served by decade (1990-2010).

SOURCE. The data submitted to HUD on urbanized land area will be verified using data available from the U.S. Census-based land area data that has been statistically adjusted for definitional changes and is available on the HUD Sustainability website; data on the water distribution infrastructure should be obtained by applicants through the local utility companies.

(3) ***Transportation Access.*** Applicants are required to provide the following:

- (a) Per capita vehicle miles traveled in the region.
- (b) The share of regional trips performed by automobile, transit, walking, and bicycling.

SOURCE. Both data may be obtained by visiting www.hud.gov/sustainability.

(4) ***Socioeconomic Inequity.*** Applicants are required to document measures of segregation and school poverty by participating community and by region (2009).

SOURCE. Data may be obtained by visiting www.hud.gov/sustainability. Instructions on how to assemble the data, if needed, are available at the HUD Sustainability website.

(5) ***Economic Opportunity.*** Applicants are required to document the availability of subsidized housing within 2 miles of the region's five largest employment centers.

SOURCE. The data submitted to HUD should be compiled from local economic development departments and offices of housing. Recommendations on how best to assemble this information are available at www.hud.gov/sustainability.

(6) *Fresh Food Access.* Applicants should document the proportion of the regional population isolated from fresh, quality food options, as measured by the proximity of full-service grocery stores for low-income and auto-dependent households.

SOURCE. Data may be obtained by visiting the U.S. Department of Agriculture's Food Environment Atlas website at <http://www.ers.usda.gov/foodatlas>.

(7) *Healthy Communities.* Prevalence of preventable disease (e.g., childhood obesity, diabetes, asthma, heart disease, birth outcomes, lead poisoning by ethnicity and income groupings for each county participating in the consortium).

SOURCE. Data may be obtained from local, county, and state public health agencies.

b. Narrative Statement of Need (5 points).

To complement these consistently provided data, applicants shall also provide a brief narrative that describes the context in which the proposed effort will be placed. The narrative can introduce additional information that further delineates regional conditions in the target area. HUD has provided a list of optional data points that can be used to underscore the narrative. The qualitative description will help HUD build a deeper understanding of the complexities of the applicant region and its current and future challenges. The applicant should describe the current conditions that characterize the target area of the grant application, with an emphasis on the issues that elements of the Regional Plan for Sustainable Development can address. Additional quantitative measures that will clarify the regional context are encouraged, but not required. Those measures could include other data that will help explain unique characteristics of a historically marginalized population (i.e., Native American experience in a community) or a community (i.e., specific rural conditions or impact of foreclosure epidemic on the local housing market). The development of the narrative statement should be illustrative of the kind of economic and social barriers that make a sustainable regional plan of the highest priority. Explanations for data not available for the Rating Factor form should be provided, and alternative descriptive information is encouraged, particularly in rural communities or other places where the data is not practically available.

Additional measures to consider using in the narrative include, but are not limited to:

(1) supply of affordable housing (including both rental and homeownership units) within 1/2 mile of high capacity transit service;

- (2) the cost burden of housing for the region's very low-income and extremely low income populations;
- (3) estimated homeless population and existing infrastructure that responds to the issue (e.g., shelters, service centers, faith community response, etc.);
- (4) disparities in educational attainment by geography/population;
- (5) number of brownfields in region per capita, with their current status (active, remediated, redeveloped)/impaired waters in the regional watershed;
- (6) threats to the environment, human health, or property associated with expected climate changes (e.g., sea level rise and storm surge, lack of water supply, more intense rainfall events resulting in water pollution impacts);
- (7) share of new residential and commercial construction on previously developed land;
- (8) disproportionate access of transit alternatives to different populations/communities;
- (9) percentage of new homes built within 1/2 mile of high-capacity transit service;
- (10) age and condition of existing transportation infrastructure;
- (11) regional status in nonattainment/maintenance for 8-hour ozone and/or particulate matter PM-2.5 (2006 standards);
- (12) concentration of poverty in communities, by race/ethnicity/community;
- (13) persistent unemployment in regions/by population;
- (14) current distributions of employment opportunities by sector;
- (15) existing regional economic assets and how they contribute to the current community condition;
- (16) displacement of low-income residents and small neighborhood serving businesses from areas undergoing revitalization;
- (17) impacts of economic contraction (particularly for older core communities);
- (18) percent of employment within 1/4 mile of high-capacity transit;
- (19) percentage of working age population with access to neither convenient, affordable public transit nor private automobile use;
- (20) commute time for residents earning less than 200 percent of poverty according to U.S. Department of Health and Human Services guidelines;
- (21) Acres of public recreation and park land per capita; with data provided for a regional total as well as by county;

(22) occurrence of childhood obesity by ZIP code;

(23) the cost burden of water/wastewater infrastructure and operations and maintenance costs of proposed targeted growth areas relative a business as usual approach; and

(24) disproportionate concentration of environmental or human health hazards in low-income communities or neighborhoods where predominantly historically marginalized populations reside.

In evaluating this rating factor, HUD will consider the evidence that the applicant provides that elaborates on the need for a regional plan for sustainability and the conditions that could be improved through its implementation.

c. Area of Severe Economic Distress (1 point).

HUD will provide one point for regions: (1) experiencing a poverty rate exceeding 12.5 percent; (2) with median household income at 75 percent or less of the national average; and (3) featuring an unemployment rate at 1.2 times the national average.

3. Rating Factor 3: Soundness of Approach (50 points).

This factor addresses the quality and cost effectiveness of the applicant's proposed work plan. Applicants should develop a work plan that includes specific, measurable, and time-phased objectives for each major activity. Points will be awarded based on how the applicant documents that their proposed program will address the purposes of the Program (Overview Information) and Program Goals (Section I.C).

a. Category 1 Applications:

The product of a Category 1 visioning and planning exercise should be a Regional Plan for Sustainable Development (RPSD) that addresses and harmonizes existing plans and creates a new regional plan and vision of where future housing development (including affordable housing and fair housing choice), employment and education centers, transportation infrastructure, water infrastructure, and other investments should be made or located with the goal of promoting a more sustainable future for the region where housing, jobs, educational, cultural, and recreational opportunities are easily accessible to most residents of the region without having to drive to them. The planning horizon for a RPSD should be at least 20 years.

(1) General Description of Proposed Regional Plan for Sustainable Development (8 points).

Describe the general contents of the plan, including, but not limited to, housing, land use, economic and workforce development, transportation, and water supply and infrastructure plans, that the consortium hopes to produce as a result of its regional visioning and planning process. The plan will be evaluated based on the degree to which it answers the following questions:

- (a) How will this plan advance sustainable development in the region?
- (b) How will the consortium use scenario planning to sharpen the regional visioning process? Please describe any prior experience of members of the consortium in using scenario planning that will contribute to the current effort.
- (c) How will the consortium incorporate the six Livability Principles into its regional planning exercise?
- (d) How does the plan respond to the needs demonstrated under Rating Factor 2?
- (e) How will the plan leverage critical regional economic assets to advance sustainability?
- (f) How will the plan build inclusive communities free from discrimination, and advance access to economic opportunity for all segments of the population?

(2) Process to Develop a Regional Plan for Sustainable Development (15 points).

(a) Describe how the consortium plans to engage a broad cross-section of local communities in the regional visioning process, including low-income, minority, and economically disadvantaged communities, and what efforts will be made to ensure that such communities will have an effective role in developing the regional vision, and in participating in a sustained manner throughout implementation.

(b) Describe how the consortium will assess existing conditions and projected trends in the region with respect to the location of transportation, water, and other infrastructure investments, regional employment centers, hazardous land uses, and housing choices, including affordable and accessible housing choices.

(c) Describe the data the consortium will use in developing its regional vision and what role the data described under Rating Factor 2 will play in developing that vision.

(d) Illustrate the relationship between the engagement activities anticipated through the planning process and the populations that face social, economic, and health disparities identified

in Rating Factor 2, and how the outcomes of the engagement will be reflected in the final plan.(e) Describe how the consortium will formulate a strategy to address the barriers to sustainability identified as a result of the regional visioning process. Include strategies for beginning to align any existing plans, both local and at the regional level, such as plans for land use (including zoning ordinances), transportation, air quality, water infrastructure, water quality, housing (including affordable and fair housing), economic development, open space, and recreation (including linking arts and cultural destinations to the regional transportation system).

(f) Describe how the region plans to deal with residential and small business displacement that could result from infrastructure investments that will increase land costs and property values. If the grantee identifies demolition or the conversion of any low- or moderate-income dwelling units as a viable strategy for redevelopment, the grantee must: (i) address why it has determined to demolish rather than to preserve those properties, (ii) identify the number of those properties that are reasonably expected to be demolished or converted, and (iii) address relocation assistance to residential and nonresidential displacements.

(g) Describe how the consortium will achieve regional consensus in support of the RPSD. Detail strategies for solidifying the participation of local independent jurisdictions in coordinated activities while acknowledging local autonomy, where appropriate. Explain how other public agencies and special districts will be engaged to advance elements of the Regional Plan. Describe plans to engage private sector and business interests that play significant roles in regional economic growth.

(h) Explain how other public agencies, including state agencies and special districts, will be engaged to advance elements of the RPSD.

(i) Describe how the consortium plans to implement the resulting regional vision.

(j) Describe how the consortium will establish and track metrics that gauge and guide the progress of plan implementation.

(3) Governance and Management (15 points).

(a) Detail the formal structure of the consortium, including its decision-making mechanisms and specific strategies to ensure that the perspectives of diverse and traditionally underrepresented populations directly influence the development and implementation of the RPSD. HUD will reserve five of the rating points for this item (*5 points*).

(b) Describe the role each consortium member will play in the regional visioning and planning process.

(c) Describe the commitment of each partner, the strategy for incorporating any additional potential partners who may not currently be part of the consortium, and, where appropriate, a list of additional partners the consortium intends to pursue.

(d) Describe the budget resources that will be dedicated to ensuring that organizations that can deepen the diversity of participation in the planning process have the capacity to fulfill this aspect of outreach and engagement.

(e) Describe the data management plan, including how information will be collected and shared amongst participating agencies to ensure that decisions are well-informed and communicated across jurisdictions.

(f) Explain how the consortium will ensure the implementation of the RPSD, including, if possible, the identification of future funding commitments.

(4) Project Implementation Schedule (4 points).

(a) Describe the timeline for developing the RPSD, including start and end dates for each activity, milestones for the critical actions you will take, and the expected metrics you will use to track progress towards achieving results.

(b) Detail the mechanisms that will be used to advance economic opportunity for populations performing below the regional median, including and not limited to community monitoring agreements, employment development strategies, targeted neighborhood plans, and activities that affirmatively further fair housing.

In evaluating this rating factor, HUD will consider how the proposed approach incorporates all of the requested elements and builds a comprehensive strategy for creating a regional plan for sustainable development. Applications that show a clear connection between the need that they have identified within their regions (Rating Factor 2), the proposed approach to address those conditions (Rating Factor 3), and the outcomes they anticipate the plan will produce (Rating Factor 5) will receive greater points than those that do not make these connections in the narrative provided.

b. Category 2 Applications:

The product of a Category 2 exercise should be a Detailed Execution Plan and Program for a Regional Plan for Sustainable Development. An applicant for a Category 2 grant will have already conducted an exercise similar to the type of exercise that may be funded under Category 1 and produced a regional plan or commensurate plans. The plan or plans may have gaps that need to be filled or plans to be updated and may not have incorporated all six Livability Principles. Even if an existing regional plan already addresses all six of the Livability Principles, there may be key portions of it that have not been implemented.

(1) General Description of Proposed Detailed Execution Plan and Program for a Regional Plan for Sustainable Development (8 points).

(a) Describe the contents of the existing regional plan or vision and how the consortium plans to improve, advance, and/or execute this plan so that it becomes a complete RPSD. If a coherent regional plan does not exist, please explain why the consortium believes existing housing, transportation, environment, economic development, and other plans comprise the necessary components of a RPSD.

(b) Identify any gaps in the existing RPSD that need to be addressed and describe how you plan to address them.

(c) Describe how the existing regional plan or vision addresses the six Livability Principles, and, if it does not, describe how the consortium intends to incorporate them into the plan.

(d) Describe how the plan will leverage critical regional economic assets to advance sustainability.

(e) Describe how the plan will build inclusive communities free from discrimination, and advance access to economic opportunity for all segments of the population.

(2) Process to Improve or Further Develop Your Existing Sustainable Regional Plan or Vision (15 points).

(a) Describe how the consortium plans to engage a broad cross section of local communities, including low-income, minority, and economically disadvantaged communities, and what efforts will be made to ensure that such communities will have an effective role in the planning process and participate in a sustained manner throughout implementation. Describe plans to engage private sector and business interests that play significant roles in regional

economic growth. Discuss previous challenges experienced in getting to the current level of cooperation in regional planning, how participating communities have implemented mechanisms and processes to overcome them, and existing and anticipated political challenges.

(b) Identify any gaps in the existing regional plan or vision that need to be addressed and describe how the consortium plans to address them. These may include subject-matter gaps, such as affordable housing, fair housing, transportation, water infrastructure, climate change impact assessments, environmental justice, etc., or process gaps, such as use of scenario planning methods or broad-based and extensive community involvement. Describe what opportunities support from the grant program will make possible.

(c) Describe what you have learned from assessments of existing conditions, plans, and policies in your region and how the consortium will use that information to further develop the existing plan. If such assessments are not complete, describe what work remains and how it will be accomplished.

(d) Describe the specific steps that will be required to move from plan to action, including: changes to local zoning, building and energy codes, land use, financing, and development policies; work with MPOs and state agencies to realign transportation investments; solidifying regional agreements for water, waste, and natural resource management; launching employment initiatives that support regional workforce needs and programs targeting hard-to-reach populations that create a better jobs/housing balance; identifying capital improvement costs and financing strategies for specific area, transit corridor, water/wastewater service, or regional affordable housing plans; measures specifically identified to remediate longstanding environmental justice concerns, and/or conducting negotiations that formalize multijurisdictional agreements to implement elements of a RPSD. Be certain to identify challenges that are distinctive or defining in your region.

(e) Identify the kinds of catalytic projects that the consortium hopes will directly result from the execution of the RPSD. If the consortium has identified a specific project that it would like to explore further as a part of this planning grant, please describe its regional significance and relation to the other elements of the envisioned plan, local support for the project, project feasibility and design of the project, and how it will further enable adoption of this aspect of the regional plan when it is eventually built. In addition, applicants must provide a cost-benefit analysis of the specified project for which the applicant would like to invest resources from the

grant. The cost-benefit analysis shall cover, at the minimum, the following: cash benefits (e.g., reduction of energy consumption, reduction of waste disposal costs); non-cash benefits (e.g., reduction of green house gas emissions, improved accessibility to affordable housing); and costs (capital costs and associated maintenance costs). Applicants must also provide a description of how the catalytic project addresses the disparities identified in Rating Factor 2.

(f) Explain how other public agencies, including state agencies and special districts, will be engaged to advance elements of the Regional Plan.

(3) Governance and Management (15 points).

(a) Describe the rationale for the selection of the partners applying for the Program, the commitment of each partner, and the strategy for incorporating any additional potential partners who may not currently be part of the consortium.

(b) Describe the role each consortium member will play in executing your regional plan implementation process and the adjustments that need to be made to the existing structure and why these changes are necessary.

(c) Detail the formal structure of the consortium, including its decision-making mechanisms and specific strategies to ensure that the perspectives of diverse and traditionally underrepresented populations directly influence the development and implementation of the Regional Plan for Sustainable Development. HUD will reserve five of the rating points for Governance and Management for this item (*5 points*).

(d) Describe the budget resources that will be dedicated to ensuring that organizations that can deepen the diversity of participation in the planning process have the capacity to fulfill this aspect of outreach and engagement.

(e) Describe the data management plan, including how information will be collected and shared amongst participating agencies to ensure that decisions are well-informed and communicated across jurisdictions.

(f) Explain how you will ensure the implementation of the RPSD, including, if applicable, the identification of existing and future funding commitments.

(4) Project Completion Schedule (4 points).

(a) Describe the implementation schedule, including regular milestones necessary to achieve the critical actions, start and end dates for each activity, and expected metrics and results.

(b) Describe how the consortium will link elements of the existing RPSD to specific outcomes to be achieved in the next 18 to 36 months that resolve challenges identified in Factor 2 of this NOFA.

(c) Detail the mechanisms that will be used to advance economic opportunity for populations performing below the regional median, including and not limited to community monitoring agreements, employment development strategies, targeted neighborhood plans, and activities that affirmatively further fair housing.

In evaluating this rating factor, HUD will consider how the proposed approach incorporates all of the requested elements and builds a comprehensive strategy for creating a regional plan for sustainable development. Applications that show a clear connection between the need that they have identified within their regions (Rating Factor 2), the proposed approach to address those conditions, the way in which the plan will stage the region for specific implementation activities, (Rating Factor 3), and the outcomes they anticipate the plan will produce (Rating Factor 5) will receive greater points than those applicants that fail to make these connections.

c. Category 1 and Category 2 Applications - Budget Proposal (4 points).

(1) The applicant's budget proposal should thoroughly estimate all applicable costs (direct, indirect, and administrative), and be presented in a clear and coherent format in accordance with the requirements listed in the General Section. HUD is not required to approve or fund all proposed activities. The applicant must thoroughly document and justify all budget categories and costs (Form HUD424CBW) and all major tasks for the applicant, subrecipients, joint venture participants, or others contributing resources to the project. A separate budget form must be provided for partners who are proposed to receive 10 percent or more of the HUD budget request. The applicant's application will be evaluated on the extent to which resources are appropriate for the scope of the proposed project.

When developing your budget, include under “Travel” expenses within the HUD424CBW for the cost of three trips to Washington DC for two people for a three night stay, in addition to any other planned travel. Make sure to use current per-diem rates (<http://www.gsa.gov/portal/category/21287>).

If your program will contract work, include the budgeted expenses under the “Consultant” category within the HUD424CBW. List all consortium partners that will receive funds and/or provide match funds under the “Sub-grantee” category within the HUD424CBW.

(2) No less than 10 percent of the budget request should be committed to activities that specifically support the goals of this NOFA to deepen the engagement, participation, and governance of populations traditionally marginalized in regional planning processes. These resources can be targeted in a number of ways to fit the diversity of local circumstances experienced across the country, including but not limited to dedicated staff to work on these issues, commitment of resources to a community partner with the expertise to execute these activities, or the establishment of a resource pool that allows neighborhood and community-based organizations to devote substantive energy to outreach, engagement, and training activities. Applicants should clearly illustrate what resources are being dedicated to these purposes through their budget narrative. Applicants that dedicate greater than 10 percent of their budget to these purposes will receive additional points.

(3) The applicant’s budget justification narrative associated with these budgeted costs should be submitted as part of the Total Budget (Federal Share and Match/Leveraging), but is not included in the page limit for this submission. The applicant should submit separate justification narratives for partners that are submitting separate budgets. The applicant’s proposed budget should clearly identify the funding or cash equivalent amounts being provided as match and leveraged resources. These funds should reflect the numbers and contributions provided in response to Rating Factor 4, Match, Leveraging Resources, and Integrating Resources. Applicants should carefully review their budget submissions to ensure that all numbers provided throughout the application match each other, avoiding inconsistencies.

d. HUD’s Departmental Policy Priorities (4 Points).

Applicants should indicate if, and describe how, they will address the following HUD policy priorities applicable to the Sustainable Communities Regional Planning Grant Program NOFA:

(1) Capacity Building and Knowledge Sharing; and (2) Expand Cross-Cutting Policy Knowledge. Applicants will receive points for each of the applicable FY 2011 policy priorities that are adequately addressed in your application and incorporated into work plan activities showing outputs and outcomes.

(1) Capacity Building and Knowledge Sharing

HUD recognizes that successful program implementation can only occur in partnership with effectively prepared grantees. It is therefore critical to strengthen the capacity of each consortium by developing partnerships that will advance the objectives of proposed programs. HUD's Strategic Plan emphasizes the importance of strengthening the capacity of state and local partners to implement HUD programs, participate in decision-making and planning processes, and coordinate on cross-programmatic, place-based approaches through grantmaking and technical assistance. To receive policy priority points, applicants are expected to describe how they will achieve the following outcomes:

(a) Increase the skills and technical expertise of partner organizations to integrate regional transportation, housing, water, and other infrastructure plans, align federal planning and investment, increase participation and decision-making in developing and implementing a long-range planning vision, and reduce social and economic disparities for the low-income and communities of color within the target region. The applicant must describe the methods that will be used to achieve this outcome. Examples include in-service training, online information provision (e.g., webinars, podcasts, etc.), and structured observation of best practices. According to the proposed methods, the applicant should identify the anticipated outputs (e.g., number of people trained, number of training events, number of agencies equipped to engage in sustainable regional planning, volume of easily accessible training materials for targeted capacities, etc.) during the 3-year period of performance.

(b) Share knowledge among partners so that key personnel responsible for grant implementation coordinate cross-programmatic, place-based approaches. The applicant must describe the outreach methods that will be used to achieve this outcome. Examples include establishing regular partner dialogues, conducting occasional cross-regional briefings, and structured peer exchange. According to the proposed methods, the applicant should establish and specify the anticipated outputs (e.g., number of meetings, web postings, number of participating partners, total staff exposed to new learning and promising practice, number of briefings,

issuance of monthly fact sheets) during the 3-year period of performance. HUD will work with grantees to support knowledge sharing and innovation by disseminating best practices, encouraging peer learning, publishing data analysis and research, and helping to incubate and test new ideas.

(2) Expand Cross-Cutting Policy Knowledge

Broadening the use of successful models to other communities requires definitive evidence of which policies work and how, and a plan for public dissemination of this information. To achieve full points, the applicant must indicate what data they and/or partner organizations will collect on outcomes for the defined target area (e.g., changes in commuting time, improved health outcomes, VMT measures - for a more comprehensive listing of outcomes that could be measured for cross-cutting policy knowledge, see Section I.E). The grantee must document a plan to engage credible policy researchers to assist in the analysis of that data in order to measure policy impact, and clarify the extent of data that will be made available to those researchers through a data-sharing agreement.

(a) For household-level data, this may be an agreement with a university or other policy research group that regularly produces peer-reviewed research publications.

(b) For parcel-related data, this agreement may be with a regional planning, nonprofit, or government agency that provides consolidated local data on a regular basis to the public for free. The applicant should specifically describe how they intend to disseminate policy lessons learned during the planning process to a diverse range of potential audience, including policymakers, other regional consortia, and interested community leadership. The collection method and specific data elements will not be prescribed by HUD, but may be determined by the applicant. The applicant must establish and provide the anticipated outputs within the period of performance. Examples include number of policy publications, number of research studies, anticipated distribution of findings, etc.

4. Rating Factor 4: Match, Leveraging Resources, and Program Integration (7 points).

This factor addresses the ability to obtain other community, public sector, private sector, and other resources that can be combined with HUD's program resources to achieve program objectives. Resources may include cash or in-kind contributions of services, equipment, or supplies allocated to the proposed program. In evaluating this factor, HUD will consider the

extent to which the applicant has established working partnerships with other entities to get additional resources or commitments to increase the effectiveness of the proposed program activities. Applicant must use Rating Factor 4 OSHC Form found in the Instructions download portion of the application package posted to www.Grants.gov. Resources may be provided by governmental entities, public or private organizations, and other entities. Other resources from the private sector or other sources committed to the program that exceed the required 20 percent match will provide points for this rating factor. Federal dollars will not count toward leverage unless otherwise permitted by that program's authorizing statute, but applicants that demonstrate that they will integrate activities supported by other HUD programs, Partnership agencies (EPA and DOT), and other federal agencies for the specific planning efforts supported by this grant will receive a greater rating (*up to 2 points*) (e.g., federally mandated long-range transportation planning, Economic Development Administration Comprehensive Economic Development Strategy CEDS Planning, EPA State Revolving Fund plans).

HUD will provide up to 2 points for applicants who demonstrate that their planning efforts will align with state government initiatives that prioritize sustainable planning and development that reinforce the Federal Partnership for Sustainable Communities' Livability Principles.

For demonstration of the integration of the proposed planning with other federal initiatives, a clear statement of how the projects will reinforce one another is required. Demonstration of alignment with state-based sustainability initiatives must be documented by a letter from an authorized state agency representative committing to work with the applicant region to advance common objectives.

For all matched or leveraged resources, the applicant must support each source of contributions, cash or in-kind, both for the required minimum and additional amounts, by a letter of commitment from the contributing entity, whether a public or private source. Such supporting documentation must be provided in the form of letters of firm commitment, memorandums of understanding, or other signed agreements to participate from those entities identified as partners in your application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, the proposed level of commitment, and the responsibilities as they relate to your proposed program. The commitment must be signed and dated by an official of the organization legally able to make commitments on behalf of the

organization. If you do not provide letters from contributors specifying details and the amount of the actual contributions, those contributions will not be counted. Also, please describe the role of other community-based organizations in specific program activities. Applicants will not receive full points under this rating factor if they do not submit evidence of a firm commitment and the appropriate use of leveraged resources under the grant program.

Documented Match and Leveraged Resources and Other Contributions (of the amount requested under this NOFA)	Points Awarded
20 percent (required match)	0 points
more than 20 up to 35 percent	1 point
more than 35 up to 50 percent	2 points
more than 50 percent	3 points
integration of state planning activities	Up to 2 points
integration of other federal planning activities	Up to 2 points

5. Rating Factor 5: Achieving Results and Program Evaluation (18 points)

This factor emphasizes HUD's commitment to ensuring that applicants achieve the goals outlined in their work plan and other benchmark standards and assess their performance to ensure performance goals are met. The applicant is required to clearly identify the benefits or outcomes of their proposed program. Because this application seeks support to develop and implement a long-range plan for the region, all of those outcomes will not be realized during the duration of the grant period. Rather, applicants will be evaluated on their ability to identify the outcomes they seek to achieve, the clarity with which they articulate the elements of the RPSD that will help achieve those outcomes, and the specificity of the benchmarks that they establish to measure progress toward a completed product that guides all of the necessary work.

HUD recognizes that diverse regional experiences exist across the country. As such, the agency is allowing significant latitude to the applicant to set the parameters for the desired outcomes resulting from adoption of a RPSD. HUD has identified eight outcomes, listed below, that it expects all regions to incorporate as central to achieving sustainability. Applicants should supplement those core expectations with whichever additional outcomes they hope to achieve and complete the Rating Factor 5 form (*8 points*). The table within the form describes the issues

that are being targeted to be addressed, the long-term outcome desired for the region, and the element of the regional plan that will attempt to address that issue. It further allows the applicant to specify to benchmarks toward completion of each element of the plan at 6-, 12-, and 24-month intervals. The form should be reinforced by a narrative in the proposal (**10 points**) that describes the vision of the applicant detailing how it anticipates that the mandatory outcomes (and additional optional outcomes selected) will be addressed and what the impact will be of these outcomes being the focus of the proposed planning process. Together, these data should develop a clear framework for evaluation of applications for grant resources, and will provide a consistent basis for measuring the progress of awardees. These benchmarks will be incorporated within HUD's Logic Model during negotiations.

a. Mandatory Outcomes from the Creation of a Regional Plan for Sustainable Development

(1) Creation of regional transportation, housing, water, and air quality plans that are deeply aligned and tied to local comprehensive land use and capital investment plans.

(2) Aligned federal planning and investment resources that mirror the local and regional strategies for achieving sustainable communities.

(3) Increased participation and decision-making in developing and implementing a long range vision for the region by populations traditionally marginalized in public planning processes.

(4) Reduced social and economic disparities for the low-income, minority communities, and other disadvantaged populations within the target region.

(5) Decrease in per capita VMT and transportation-related emissions for the region.

(6) Decrease in overall combined housing and transportation costs per household.

(7) Increase in the share of residential and commercial construction on underutilized infill development sites that encourage revitalization, while minimizing displacement in neighborhoods with significant disadvantaged populations.

(8) Increased proportion of low and very low-income households within a 30-minute transit commute of major employment centers.

b. Additional potential outcomes from establishing a Regional Plan for Sustainable Development include, but are not limited to:

(1) Transformation of isolated, opportunity-poor, highly segregated areas into diverse neighborhoods that are open and accessible to good jobs, good schools and good environments;

(2) Increased proportion of homes and rental units affordable to a full range of household incomes close to high-quality transit service in urban areas or within traditional town centers in small towns and rural areas;

(3) Decreased number of neighborhoods with high concentrations of poverty and minority segregation;

(4) Increased proportion of affordable housing units that have high access to quality fresh foods;

(5) Increased proportion of affordable housing units located close to walking trails, parks, green space, and vital amenities such as hospitals and schools;

(6) More equitable distribution of housing that is affordable to all income levels throughout the target region;

(7) Improved public health outcomes that result from creating safer, more walkable neighborhoods;

(8) Decrease in the rate of conversion of undeveloped land into utilization across the region;

(9) Increase in the share of developed land in rural areas that is tied to existing infrastructure systems;

(10) Increased use of compact development as a tool for regional planning, either to accommodate population growth or to adjust to population decline within the target area;

(11) Increased proportion of the local population adequately prepared to participate in the core economic growth sectors of the region; and

(12) Increased access to high quality schools within the target region that improve educational outcomes over time for all residents and ensure that students graduate from high school, college and career-ready.

6. Preferred Sustainability Status (2 bonus points).

Consortia that apply while holding the FY2010 Preferred Sustainability Status will receive 2 bonus points. Please see the General Section for more information on Preferred Sustainability Status and the procedures for certifying that status.

7. RC/EZ/EC-II (2 bonus points).

HUD will award 2 bonus points to each application that includes a completed form HUD2990 certified by person authorized to certify on behalf of the RC/EZ/EC or Chair of the governing body of the RC/EZ/EC, that the proposed activities/projects in the application furthers or supports the strategic plan for an empowerment zone (EZ) that was designated by HUD or the U.S. Department of Agriculture (USDA); the tax incentive utilization plan for an urban or rural renewal community that was designated by HUD (RC); or the strategic plan for an enterprise community that was designated in round II by USDA (EC-II); and that the proposed activities/projects will be conducted within the RC/EZ/EC-II identified above and are intended to serve the residents. For the purposes of receiving bonus points, the applicant organization is not required to set up an office within the RC/EZ/EC, but must conduct specific activities within the RC/EZ/EC and those activities must benefit the residents of the RC/EZ/EC. To receive the points, the form must be signed and dated anytime from the date of the publication of the funding opportunity on Grants.gov to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. For ease of reference in this notice, all of the federally designated areas are collectively referred to as RC/EZ/EC-IIs and residents of any of these federally designated areas as RC/EZ/EC-II residents.

B. Review and Selection Process

1. Rating and Ranking. Please refer to the **General Section**.

- a.** Only those eligible applications that meet the threshold requirements will be rated and ranked (see Section III.F).
- b.** Remaining Funds. Refer to the **General Section** for HUD's procedures if funds remain after all selections have been made within a category.
- c.** The scoring criteria to be used to award the maximum points for this NOFA are how fully and thoroughly the applicant answers each item listed in each rating factor.
- d.** Awards will be made in each of the three geographic categories. Applications that contain a score of 75 points or higher will be provided to a final review team comprised of members of the federal Partnership for Sustainable Communities and other federal agencies. Proposals will be selected by score except when necessary to ensure that there is an equitable distribution of grant

awards based on geography, a balance in the range of regional population categories being addressed, and to ensure the final cohort of awards reflects the range of activities and impacts covered under the Livability Principles. The review team rank recommendations along with the original rank order scoring shall be provided to the selecting official.

2. Factors for Award Used to Rate and Rank Applications.

a. Implementing HUD's Strategic Framework and Demonstrating Results. HUD is committed to ensuring that programs result in the achievement of HUD's strategic mission. To support this effort, grant applications submitted for HUD programs will be rated on how well they tie proposed outcomes to HUD's policy priorities and Annual Goals and Objectives, and the quality of proposed Evaluation and Monitoring Plans.

b. The maximum number of points to be awarded is 104.

c. The factors for rating and ranking eligible grantees under all categories, and the maximum points for each factor as described in Section V.A are summarized below:

Rating Factor	Maximum Points
<i>Rating Factor 1 – Capacity</i>	<i>15 points</i>
a. Organizational Capacity and Qualifications	8
b. Capability and Qualification of Key Personnel	4
c. Capacity to Address Equity Issues	3
<i>Rating Factor 2 – Need/Extent of the Problem</i>	<i>10 points</i>
a. Quantitative Data	4
b. Narrative Statement	5
c. Economic Distress	1
<i>Rating Factor 3 – Soundness of Approach</i>	<i>50 points</i>
a. General Description of Proposed Regional Plan for Sustainable Development or Proposed Detailed Execution Plan and Program for a Regional Plan for Sustainable Development	8
b. Process to Develop or Improve or Further Develop Your Existing Sustainable Regional Plan or Vision	15
c. Governance and Management	15
d. Project Completion Schedule	4
e. Budget Proposal	4
f. HUD’s Departmental Policy Priorities	4
<i>Rating Factor 4 – Leveraging Resources and Program Integration</i>	<i>7 points</i>
<i>Rating Factor 5 – Achieving Results and Program Evaluation</i>	<i>18 points</i>
a. Narrative Statement	8
b. Rating Factor 5 Form	10
<i>RC/EZ/EC-II Bonus Points</i>	<i>2 points</i>
<i>Preferred Sustainability Status Bonus Points</i>	<i>2 points</i>
TOTAL	104

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notice

1. Applicants Selected for Award.

a. Successful applicants will receive a letter from the Office of Sustainable Housing and Communities providing details regarding the effective start date of the cooperative agreement and any additional data and information to be submitted to execute the grant. This letter is not an authorization to begin work or incur costs under the grant.

b. HUD will require selected applicants to participate in negotiations to determine the specific terms of the cooperative agreement, budget, and Logic Model. Should HUD not be able to successfully conclude negotiations with a selected applicant, an award will not be made. If the applicant accepts the terms and conditions of the cooperative agreement, a signed cooperative agreement must be returned by the date specified. Instructions on how to have the cooperative agreement account entered into HUD's Line of Credit Control System (LOCCS) payment system will be provided. Other forms and program requirements will be provided. In accordance with OMB Circular A-133 (Audits of States, Local Governments and Nonprofit Organizations), if an awardee expends \$500,000 in federal funds in a single year, the awardee must follow the requirements of the Single Audit Act and submit its completed audit-reporting package along with the Data Collection Form (SF-SAC) to the Single Audit Clearinghouse. The mailing address can be obtained from the Clearinghouse's website. The SF-SAC can be downloaded at: <http://harvester.census.gov/sac/>.

c. HUD reserves the right to publicly post the top-scoring application in each funding category of competition.

2. Debriefing.

For a period of 120 days, beginning 30 days after the awards for assistance are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF424 or by his or her successor in office, and be submitted to the Grants Division Director for the Office of Sustainable Housing and Communities. Information provided during a debriefing will include, at a minimum, the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment

indicating the basis upon which assistance was provided or denied. Refer to the General Section for additional details.

3. Negotiation.

Refer to the **General Section** for additional details.

4. Adjustments to Funding.

HUD has the discretion to waive the minimum grant size requirements if the applicant demonstrates the ability to make effective progress toward stated goals with a lesser amount of funds. Refer to the **General Section** for additional details.

5. Learning Cohorts.

HUD may use the information contained in the grant applications, from the reviews, and/or emerging from grants management or grantee conversations to determine selected cohorts of grantees that are focused on the same issues, themes, practices, policies and/or who have similar contexts in order for grantees to learn from each other, establish best practices, programs, or policies, pose questions for ongoing research, etc. Initiation, selection, and management of these cohorts will be at the sole discretion of HUD.

B. Administrative and National Policy Requirements

Refer to the **General Section** for additional details regarding the Administrative and National Policy Requirements applicable to HUD Programs, including the procurement of recovered materials requirement.

1. Environmental Requirements.

In accordance with 24 CFR 50.19(b)(1), (8), (9), and (16), most of the activities assisted under this NOFA are categorically excluded from environmental review under the National Environmental Policy Act of 1969 and are not subject to environmental review under the related laws and authorities. However, some activities under Category 2 concerning catalytic projects are subject to HUD environmental review under 24 CFR part 50.

For those applications involving catalytic projects requiring environmental review, HUD's notification of award to a selected applicant will constitute a preliminary approval by HUD subject to the completion of an environmental review of the proposed site(s), and the execution by HUD and the recipient of a Cooperative Agreement. Selection for participation (preliminary approval) does not constitute approval of the proposed site(s). Each proposal will be

subject to a HUD environmental review, in accordance with 24 CFR part 50, and the proposal may be modified or the proposed sites rejected as a result of that review. Submission of an application involving a project requiring an environmental review will constitute an assurance that the applicant shall assist HUD in complying with 24 CFR part 50 and shall:

- a.** Supply HUD with all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50;
- b.** Carry out mitigating measures required by HUD or select alternate eligible property; and
- c.** Not acquire, rehabilitate, demolish, 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 assistance, contact the HUD Environmental Review Officer in the HUD Field Office serving your area.

2. Administrative and Indirect Cost Requirements.

For reference to the Administrative Cost requirements and Indirect cost requirements, please see OMB circulars A-21, A-87, and A-122 as applicable.

C. Reporting.

1. Final Work Plan and Logic Model. Final work plan and completed Logic Model are due 60 days after the effective date of the cooperative agreement. See the General Section for detailed information on the use of the ‘‘Master’’ eLogic Model.

2. Successful applicants will be required to submit biannual and final program and financial reports according to the requirements of the Office of Sustainable Housing and Communities. Your biannual and final report must include a completed Logic Model form HUD-96010, approved and incorporated into your award agreement, showing specific outputs and outcome results against those proposed and accepted as part of your approved cooperative agreement.

VII. AGENCY CONTACTS

For Further Information and Technical Assistance, you may contact Zuleika K. Morales-Romero, Office of Sustainable Housing and Communities, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410-3000, telephone number 202-402-7683 (this is not a toll-free number,) facsimile number 202-708-0465; e-mail address: Zuleika.K.Morales@hud.gov. If you are a hearing- or speech-impaired person, you may reach the above telephone number via TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

VIII. OTHER INFORMATION

A. Selecting a Grant Category

Applicants should carefully consider the grant category in which they intend to apply. During the pre-application, if an applicant seeks to apply for Category 2, they should follow the instructions detailed in Section IV. The pre-application will be reviewed by HUD to determine its eligibility for Category 2 based on the readiness of the existing regional plan and the criteria specific to the selected grant category.

Category 1: Regional Plans for Sustainable Development funds will support preparation of Regional Plans for Sustainable Development (RPSD) in an integrated fashion where such plans do not currently exist or where they exist but need to be significantly revised.

Category 2: Detailed Execution Plans and Programs funds will support efforts to fine-tune an existing Regional Plan for Sustainable Development (RPSD) so that it addresses the full complement of Livability Principles in an integrated fashion, the preparation of more detailed execution plans for an adopted Regional Plan for Sustainable Development, and site-specific planning costs where applicants can demonstrate readiness and significant linkage between an adopted regional plan and a proposed catalytic project forming an important part of that plan.

Because of the potentially overlapping eligible activities and the iterative nature of developing a regional plan, HUD has provided a guide to help applicant regions determine the best fit for their submission. *If the answer to or more of the following questions is yes, then the applicant may consider requesting permission to submit a proposal in Category 2. Otherwise, the applicant should submit their proposal in Category 1.*

Does the applicant intend to use funds from the Sustainable Communities Regional Planning Grant Program to:

1. Make conforming changes to local zoning, land use, financing, and development policies to align them with a RPSD?
2. Work with MPOs and state agencies to realign transportation investments in support of an existing RPSD?
3. Solidify regional agreements for water, waste, and natural resource management?
4. Launch employment initiatives that support regional workforce needs and implement programs targeting hard-to-reach populations?
5. Identify capital improvement costs and financing strategies for specific area, transit corridor, or regional affordable housing plans that support the existing RPSD?
6. Develop a comprehensive implementation schedule to place specific timetables on housing, transportation, environment, and economic development elements of an existing RPSD?
7. Establish a formal body that holds direct influence over the decision-making body for implementation of an existing RPSD and is comprised of diverse representation of the region's residents, including an emphasis on historically marginalized populations?
8. Conduct negotiations that formalize multijurisdictional agreements to implement elements of an existing RPSD?
9. Link elements of an existing RPSD to specific outcomes to be achieved during the next 18 to 36 months that resolve challenges identified in Factor 2 of this NOFA?

B. Paperwork Reduction Act

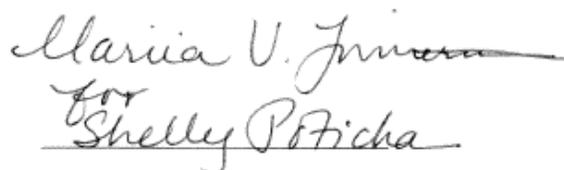
The information collection requirements contained in this document have been approved by the OMB under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2501-0024. In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number. Public reporting burden for the collection of information is estimated to average 80 hours per annum per respondent for the application and 16 hours per annum for grant administration. This includes the time for collecting, reviewing, and reporting the data for the application and other required reporting. The

information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

C. Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made for this notice, in accordance with HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Finding of No Significant Impact is available for public inspection between 8:00 a.m. and 5:00 p.m. eastern time, Monday through Friday, except federal holidays, in the Office of General Counsel, Regulations Division, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 10276, Washington, DC 20410-0500. Due to security measures at the HUD Headquarters building, please schedule an appointment to review the finding by calling the Regulations Division at (202) 708-3055 (this is not a toll-free number).

Dated: July 27, 2011

Handwritten signature of Maria V. Jimenez, with the word "for" written above "Shelley Poticha".

Shelley R. Poticha, Director
Office of Sustainable Housing
and Communities

[FR-5500-N-30]