

HUD an administrative payment in the amount of \$48,000.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Homewide: Failed to implement and maintain a Quality Control Plan in compliance with HUD/FHA requirements (repeat finding); submitted false and/or conflicting income and employment documentation to originate HUD/FHA-insured loans; allowed real estate agents to hand-carry Verification of Employment in violation of HUD/FHA requirements; violated HUD/FHA third party origination restrictions; and submitted false gift or budget documentation to originate HUD/FHA-insured loans.

**10. Moreland Financial Corporation, Fort Washington, PA [Docket No. 04-4433-MR]**

**Action:** On January 17, 2007, the Board issued a letter to Moreland Financial Corporation (Moreland) withdrawing Moreland's FHA-approval.

**Cause:** The Board took this action because Moreland failed to pay a civil money penalty in the amount of \$22,000 previously imposed by the Board.

**11. Shore Financial Services, Incorporated, Birmingham, MI [Docket No. 06-6017 MR]**

**Action:** Settlement Agreement signed January 24, 2007. Without admitting liability or fault, Shore Financial Services, Incorporated (Shore) agreed to pay HUD a civil money penalty in the amount of \$29,500. Shore also agreed to indemnify HUD for any losses on four loans.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Shore: Failed to ensure that loans that went into default within the first six months were reviewed as part of its Quality Control procedure; failed to document the source of Earnest Money Deposit funds, or funds to close; failed to document a stable two-year employment history for the borrowers; failed to ensure that borrower met the minimum credit requirements; and failed to reconcile incongruities in appraisals prior to submission to HUD, and/or accepted incomplete appraisal reports that did not support the final value consideration.

**12. Towne Mortgage and Realty, Sterling Heights, MI [Docket No. 06-6033-MR]**

**Action:** Settlement Agreement signed February 1, 2007. Without admitting

liability or fault, Towne Mortgage (Towne) agreed to pay HUD an administrative payment of \$26,601.37 (\$20,601.37 as indemnification for two loans and \$6,000 as an administrative payment).

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements in the origination of HUD/FHA-insured loans where Towne: Failed to ensure borrowers met minimum credit requirements; and failed to properly verify borrower's income and/or stability of income.

**13. USA Home Loans, Incorporated, Towson, MD [Docket No. 06-6029-MR]**

**Action:** On January 17, 2007, the Board issued a letter of reprimand to USA Home Loans, Incorporated (USA Home). The Board also imposed a civil money penalty in the amount of \$2,000.

**Cause:** The Board took this action because USA Home used misleading advertising regarding the FHA Single Family Mortgage Insurance Premium refund program.

Dated: June 14, 2007.

**Brian D. Montgomery,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

[FR Doc. E7-12374 Filed 6-26-07; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of an Application for an Incidental Take Permit for Construction of Residential Units in Palm Beach County, FL

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

**ACTION:** Notice.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) and Habitat Conservation Plan (HCP). Tierra del Sol at Jupiter, LLC (Applicant) request an ITP pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant anticipates taking about 0.54 acre of foraging and sheltering habitat occupied by the threatened Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) incidental to partial land clearing of their 4.07-acre lot and subsequent commercial and residential construction and supporting infrastructure in Palm Beach County, Florida (Project). The Applicant's HCP describes the mitigation and minimization measures proposed to

address the effects of the Project on the Florida scrub-jay.

**DATES:** We must receive your written comments on the ITP application and HCP on or before July 27, 2007.

**ADDRESSES:** See the **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing to: South Florida Ecological Services Field Office, Attn: Permit number TE154813-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960-3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the South Florida Ecological Services Office at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**), telephone: 772-562-3909, ext. 232.

**SUPPLEMENTARY INFORMATION:** If you wish to comment on the ITP application and HCP, you may submit comments by any one of several methods. Please reference permit number TE154813-0 in such comments. You may mail comments to the Service's South Florida Ecological Services Office (see **ADDRESSES**). You may also e-mail your comments to [trish\\_adams@fws.gov](mailto:trish_adams@fws.gov). If you do not receive a confirmation from us that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. Finally, you may hand deliver comments to the South Florida Ecological Service Office (see **ADDRESSES**).

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Construction for the Project will take place within Section 8, Township 41 South, Range 43 East, Jupiter, Palm Beach County, Florida. This property is within scrub-jay occupied habitat.

The Applicant will place 0.99 acre of upland habitat, 0.68 acre of which is occupied by scrub-jay, on their 4.07-acre lot in a conservation easement which will be enhanced and managed for scrub-jays. The conservation easement will be deeded to Palm Beach County

and will become part of the Jupiter Ridge Natural Area. In order to minimize take on-site the Applicant proposes to mitigate for the loss of 0.54 acre of scrub-jay habitat by contributing a total of \$94,112.34 to the Florida Scrub-jay Conservation Program Fund administered by The Nature Conservancy. Funds in this account are earmarked for use in the conservation and recovery of scrub-jays and may include habitat acquisition, restoration, and/or management. In addition, the Applicant will contribute \$10,000 to the County's Natural Areas Stewardship Endowment Fund to provide for the perpetual management and maintenance of the preserve.

The Service has determined that the Applicant's proposal, including the proposed mitigation and minimization measures, will have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). This preliminary information may be revised based on our review of public comments that we receive in response to this notice. Low-effect HCPs are those involving (1) Minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If it is determined that those requirements are met, the ITP will be issued for the incidental take of the Florida scrub-jay. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

**Authority:** This notice is provided pursuant to Section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 21, 2007.

**Paul Souza,**

Field Supervisor, South Florida Ecological Services Field Office.

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BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of an Application for an Incidental Take Permit for Construction of a Single-Family Home in Charlotte County, FL

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

**ACTION:** Notice.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) and Habitat Conservation Plan (HCP). Bill Henshaw (Applicant) requests an ITP pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant anticipates taking about 0.25 acre of foraging and sheltering habitat occupied by the threatened Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) incidental to lot preparation for the construction of a single-family home and supporting infrastructure in Charlotte County, Florida (Project). The Applicant's HCP describes the mitigation and minimization measures proposed to address the effects of the Project on the Florida scrub-jay.

**DATES:** We must receive your written comments on the ITP application and HCP on or before July 27, 2007.

**ADDRESSES:** See the **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing to: South Florida Ecological Services Field Office, Attn: Permit number TE154810-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida, 32960-3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the South Florida Ecological Services Office at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**), telephone: 772/562-3909, ext. 232.

**SUPPLEMENTARY INFORMATION:** If you wish to comment on the ITP application and HCP, you may submit comments by any one of several methods. Please reference permit number TE154810-0 in such comments. You may mail comments to the Service's South Florida Ecological Services Office (see **ADDRESSES**). You may also e-mail your comments to [trish\\_adams@fws.gov](mailto:trish_adams@fws.gov). If you do not receive a confirmation from us that we have received your e-mail

message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. Finally, you may hand deliver comments to the South Florida Ecological Services Office (see **ADDRESSES**).

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Residential construction for the Henshaw HCP will take place within Section 11, Township 41, Range 20, Englewood, Charlotte County, Florida, at 10239 Castanet Avenue. This lot is within scrub-jay occupied habitat.

The lot encompasses about 0.25 acre, and the footprint of the home, infrastructure, and landscaping precludes retention of scrub-jay habitat on this lot. In order to minimize take onsite the Applicant proposes to mitigate for the loss of 0.25 acre of scrub-jay habitat by contributing a total of \$18,113 to the Florida Scrub-jay Conservation Fund administered by The Nature Conservancy or a Service approved conservation bank. The Conservation Fund is earmarked for use in the conservation and recovery of scrub-jays and may include habitat acquisition, restoration, and/or management.

The Service has determined that the Applicant's proposal, including the proposed mitigation and minimization measures, will have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). This preliminary information may be revised based on our review of public comments that we receive in response to this notice. Low-effect HCPs are those involving (1) minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If it is determined that those requirements are met, the ITP will be issued for the