

where the action's direct and indirect emissions have the potential to emit one or more of the criteria pollutants or precursors, in the case of ozone and PM_{2.5}, at emission rates equal to or exceeding the prescribed rates at 40 CFR 93.153(b), or where the action encompasses 10 percent or more of a NAA or maintenance area's total emissions inventory for that pollutant. In the case of New York County, the prescribed annual rates are 50 tons of VOCs and 100 tons of NO_x (ozone precursors in moderate 8-hour ozone NAA and PM_{2.5} precursors in PM_{2.5} NAA), 100 tons of CO (CO maintenance area), 100 tons of PM₁₀ (moderate PM₁₀ NAA), 100 tons of PM_{2.5} (PM_{2.5} NAA), and 100 tons of SO₂ (PM_{2.5} precursor in PM_{2.5} NAA).

LMDC has determined that the total annual direct and indirect emissions of all such criteria pollutants from the Selected Project are less than the *de minimis* rates prescribed in 40 CFR 93.153(b), as currently in effect, that would trigger the requirement to conduct a general conformity determination. Therefore, a general conformity determination is not necessarily required by current federal regulations. Nonetheless, temporarily, during construction, annual NO_x emissions are predicted to exceed the threshold of 25 tons per year that would apply to a severe ozone non-attainment area under the former 1-hour ozone NAAQS. Accordingly, LMDC prepared a Conformity Determination to demonstrate the Selected Project's conformity with the ozone SIP.

B. Requirements of the Conformity Determination

The purpose of the conformity analysis is to establish that the Selected Project will conform to the New York ozone SIP, thereby demonstrating that total direct and indirect emissions of the ozone precursors, in this case NO_x, from the Selected Project, will not:

- Cause or contribute to any new violation of any standard in the area,
 - Interfere with provisions in the applicable SIP for maintenance of any standard,
 - Increase the frequency or severity of any existing violation of any standard in any area, or
 - Delay timely attainment of any standard or any required interim emission reductions or other milestones in the SIP for purposes of—
 1. A demonstration of reasonably further progress (RFP),
 2. A demonstration of attainment, or
 3. A maintenance plan.
- For the purposes of a general conformity determination, direct and

indirect emissions are defined as follows (40 CFR 93.152):

- **Direct Emissions:** Those emissions of a criteria pollutant or its precursors that are caused or initiated by the Federal action and occur at the same time and place as the action;

- **Indirect Emissions:** Those emissions of a criteria pollutant or its precursors that—

1. Are caused by the federal action, but may occur later in time and/or may be further removed in distance from the action itself but are still reasonably foreseeable; and

2. The federal agency can practicably control and will maintain control over due to a continuing program responsibility of the federal agency.

LMDC has determined that the predicted emissions due to the Selected Project during construction that should be subject to its general conformity review include direct emissions from (1) non-road engines operating on-site during construction, (2) marine vessels carrying materials to and from the site and conducting other work along the waterfront, and (3) emissions from construction-related vehicles traveling to and from the site.

C. Presumption of Conformity

The Selected Project will be located in an area previously designated as a severe ozone non-attainment area under the 1-hour ozone NAAQS. The NO_x emissions during two years of construction were predicted to potentially exceed the prescribed level for severe ozone non-attainment areas (25 tons per year). Therefore, LMDC has determined the following:

- The methods for estimating direct and indirect emissions from the Selected Project meet the requirements of 40 CFR 93.159.
 - The Selected Project was predicted to result in the emission of up to 70.5 tons and 31.2 tons of NO_x per year in 2008 and 2009, respectively.
 - All construction-related NO_x emissions, including those from the Selected Project, are included in the emissions budget specified in the New York State Implementation Plan for Ozone—Phase II Alternative Attainment Demonstration.
 - The Selected Project does not cause or contribute to any new violation, or increase the frequency or severity of any existing violation, of the standards for the pollutants addressed in 40 CFR 93.158.
 - The Selected Project does not violate any requirements or milestones in the ozone SIP.
- Based on these determinations, the Selected Project is presumed to conform

to the ozone SIP for the project area. The activities that are presumed to conform include all construction-related activities that will receive federal funding for the East River Waterfront Esplanade and Piers Project.

Dated: November 30, 2007.

Nelson R. Bregón,

General Deputy Assistant Secretary for Community Planning and Development.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5130-N-17]

Privacy Act of 1974; Notice of a Computer Matching Program Between the Department of Housing and Urban Development (HUD) and the United States Department of Agriculture (USDA)

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice of a computer matching program between the HUD and the USDA.

SUMMARY: In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (June 19, 1989, 54 FR 25818), and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," HUD is issuing a public notice of its intent to conduct a recurring computer matching program with the USDA to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System (CAIVRS), with the USDA's debtor files. Additionally, the record to be matched section was updated to reflect HUD's new Privacy Act Systems of Records involved in the CAIVRS matching program. This update does not change the authority and the objectives of the existing HUD and USDA computer matching program.

DATES: *Effective Date:* The effective date of the matching program shall begin *January 9, 2008* or 40 days from the date copies of the signed (by both HUD and USDA's Data Integrity Boards (DIBs)) computer matching agreement is sent to both Housing of Congress and the Office of Management and Budget (OMB), whichever is later, providing no

comments are received which will result in a contrary determination.

Comments Due Date: January 9, 2008.

ADDRESSES: Interested persons are invited to submit comments regarding this notice to the Rules Docket Clerk, Office of General Counsel, HUD, 451 Seventh Street, SW., Room 10276, Washington, DC 20410.

Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address.

FOR FURTHER INFORMATION CONTACT: From the "Recipient Agency" contact the Departmental Privacy Act Officer, HUD, 451 Seventh Street, SW., Room 4156, Washington, DC 20410, telephone number (202) 619-9057. From the "Source Agency" contact Joyce Baumgartner, Debt/Credit Management Coordinator, USDA, 14th and Independence Avenue, SW., Washington, DC 20250, telephone number (202) 720-9984. (These are not toll-free numbers.) A telecommunication device for hearing- and speech-impaired individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: HUD's data in the CAIVRS database includes delinquent debt information from the Department of Education, Veterans Affairs, Justice, and the Small Business Administration. This match will allow prescreening of applicants for debts owed or loans guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the federal government for HUD or USDA direct or guaranteed loans. Before granting a loan, the lending agency and/or the authorized lending institution will be able to interrogate the CAIVRS debtor files which contains the Social Security Numbers (SSNs) of HUD's delinquent debtors and defaulters and defaulted debtor records of the USDA and verify that the loan applicant is not in default or delinquent on a direct or guaranteed loans of participating federal programs of either agency. As a result of the information produced by this match, the authorized users may not deny, terminate, or make a final decision of any loan assistance to an applicant or take other adverse action against such applicant, until an officer or employee of such agency has independently verified such information.

Reporting of a Matching Program

In accordance with the Computer Matching and Privacy Protection Act of

1988 (Pub. L. 100-503), as amended, and Office of Management and Budget (OMB), Congress and the Public;" copies of this notice and report are being provided to the Office of Management and Budget (OMB), the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Oversight and Government Reform.

Authority

The matching program will be conducted pursuant to "The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503)," as amended, and OMB Circular A-129 (Revised January 1993), Policies for Federal Credit Program and Non-Tax Receivables. One of the purposes of all Executive departments and agencies—including HUD—is to implement efficient management practices for Federal credit programs. OMB Circular A-129 was issued under the authority of the Budget and Accounting Act of 1921, as amended; the Budget and Accounting Act of 1950, as amended; the Debt Collection Act of 1982, as amended; and, the Deficit Reduction Act of 1984, as amended.

Objectives To Be Met by the Matching Program

The matching program will allow USDA access to a system which permits prescreening of applicants for loans owed or guaranteed by the federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Government. In addition, HUD will be provided access to USDA debtor data for prescreening purposes.

Records To Be Matched

HUD will use records from its systems of records entitled, Single Family Insurance System CLAIMS Subsystem (HUD/SFH-02); Single Family Default Monitoring System (HUD/SFH-03); Single Family Mortgage Notes (HUD/HS-57); and Debt Collection Asset Management System (HUD/HS-55). The debtor files for programs involved are included in these systems of records. HUD's debtor files contain information on borrowers and co-borrowers who are currently in default (at least 90 days delinquent on their loans) or who have had their partial claim subordinate mortgage called due and payable and it has not been repaid in full or who have any outstanding claims paid during the last three years on a Title I insured or guaranteed home mortgage loan. The USDA will provide HUD with debtors files contained in its system of records entitled, Applicant/Borrower of Grantee

File (USDA/FmHA1). HUD is maintaining USDA's records only as a ministerial action on behalf of USDA, not as a part of HUD's systems of records noted above. USDA's data contain information on individuals who have defaulted on their guaranteed loans. The USDA will retain ownership and responsibility for their system of records that they place with HUD. HUD serves only as a record location and routine use recipient for USDA's data.

Notice Procedures

HUD and the USDA will notify individuals at the time of application (ensuring that routine use appears on the application form) for guaranteed or direct loans that their records will be matched to determine whether they are delinquent or in default on a federal debt. HUD and USDA will also publish notices concerning routine use disclosures in the **Federal Register** to inform individuals that a computer match may be performed to determine a loan applicant's credit status with the federal government.

Categories of Records/Individuals Involved

The debtor records include these data elements: SSN, claim number, program code, and indication of indebtedness. Categories of records include: Records of claims and defaults, repayment agreements, credit reports, financial statements, and records of foreclosures. Categories of individuals include: Former mortgagors and purchasers of HUD-owned and home improvement loan debtors who are delinquent or default on their loans or who have had their partial claim subordinate mortgage called due and payable and it has not been repaid in full.

Period of the Match

Matching is expected to begin at least 40 days from the date copies of the signed (by both HUD and USDA's Data Integrity Boards) computer matching agreement are sent to both Houses of Congress or at least 30 days from the date this notice is published in the **Federal Register**, whichever is later, providing no comments are received which would result in a contrary determination. The matching program will be in effect and continue for 18 months with an option to renew for 12 additional months unless one of the parties to the agreement advises the other in writing to terminate or modify the agreement.

Dated: November 29, 2007.

Walter Harris,

Acting Chief Information Officer.

[FR Doc. E7-23846 Filed 12-7-07; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5130-C-14]

Privacy Act of 1974; Amendment to Existing System of Records, Debt Collection Asset Management System; Correction

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice of an amendment to existing System of Records; correction.

SUMMARY: On November 13, 2007, HUD published notice of its intent to amend an existing Privacy Act System of Records (System of Records), the Debt Collection Asset Management System (DCAMS). HUD inadvertently stated in the "action line" that it would be amending two Systems of Records. This statement was made in error and this notice corrects that error.

FOR FURTHER INFORMATION CONTACT: The Departmental Privacy Act Officer, 451 Seventh St., SW., Room 4156, Washington, DC 20410, telephone number (202) 619-9057. (This is not a toll-free number.) A telecommunication device for hearing- and speech-impaired individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: On November 13, 2007, HUD issued public notice of its intent to amend an existing Privacy Act Systems of Records, the Debt Collection Asset Management System. Subsequent to publication of this notice HUD discovered that the "subject line" of this notice inadvertently stated incorrect information. This notice corrects that information.

In the **Federal Register** on November 13, 2007, in FR Doc. E7-22077, on page 63919, the third column, this notice corrects the "Action" caption to read: Amendment to an Existing Privacy Act System of Records, Debt Collection Management System (DCAMS).

Dated: November 29, 2007.

Walter Harris,

Acting Chief Information Officer.

[FR Doc. E7-23833 Filed 12-7-07; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Final Comprehensive Conservation Plan for Souris River Basin National Wildlife Refuges, North Dakota

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces that the final Comprehensive Conservation Plan (CCP) and Environmental Assessment (EA) for the Souris River basin national wildlife refuges (Refuges) is available. This final CCP/EA describes how the Service intends to manage the refuges for the next 15 years.

ADDRESSES: Please provide written comments to Toni Griffin, Planning Team Leader, Division of Refuge Planning, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225, or electronically to toni_griffin@fws.gov. A copy of the CCP may be obtained by writing to U.S. Fish and Wildlife Service, Division of Refuge Planning, 134 Union Boulevard, Suite 300, Lakewood, Colorado 80228; or by download from <http://mountain-prairie.fws.gov/planning>.

FOR FURTHER INFORMATION CONTACT: Toni Griffin, 303-236-4378 (phone); 303-236-4792 (fax); or toni_griffin@fws.gov (e-mail).

SUPPLEMENTARY INFORMATION: The Souris River Basin is home to three national wildlife refuges, known collectively as the "Souris River basin refuges:"

- Des Lacs National Wildlife Refuge, along 28 miles of the Des Lacs River.
- J. Clark Salyer National Wildlife Refuge, along 50 miles of the Souris River.
- Upper Souris National Wildlife Refuge, along 35 miles of the upper Souris River.

The Souris River basin refuges were established by executive order in 1935; the purpose of each refuge is for a "refuge and breeding ground for migratory birds and other wildlife."

The Souris River basin refuges are located in a critical area of the Central Flyway, providing nesting and breeding habitat for migrating and nesting waterfowl. The J. Clark Salyer National Wildlife Refuge, in particular, has developed into one of the most important duck production areas in the United States.

The American Bird Conservancy recognizes all three refuges as "Globally Important Bird Areas." In addition, J. Clark Salyer National Wildlife Refuge is

designated as a regional shorebird site in the "Western Hemisphere Shorebird Reserve Network." Lake Darling at Upper Souris National Wildlife Refuge is designated critical habitat for the federally threatened piping plover.

Representing a comprehensive collection of all North Dakota plant communities, these refuges could contain the only remaining representatives of drift plain prairie, considered a threatened resource.

The draft CCP/EA was made available to the public for a 30-day review and comment period following the announcement in the **Federal Register** on February 2, 2007 (72 FR 5080-5081). The draft CCP/EA identified and evaluated four alternatives for managing the refuges for the next 15 years.

Alternative A, the No Action alternative, reflects the current management of the Souris River basin refuges. It provides the baseline against which to compare the other alternatives. Refuge habitats would continue to be managed on an opportunistic schedule that may maintain—or most likely would result in further decline in—the diversity of vegetation and wildlife species. Des Lacs National Wildlife Refuge and J. Clark Salyer National Wildlife Refuge would continue to perform only limited research and would monitor only long-term vegetation change. Upper Souris National Wildlife Refuge would continue to perform no scientific research or monitoring. Outreach, partnerships, and priority public uses (fishing, hunting, wildlife observation, wildlife photography, environmental education, and interpretation) would continue at present levels.

Alternative B is the Service's proposed action and basis for the CCP. This alternative will prioritize habitats with high probability of restoration for management. Other habitats may only be partially restored or minimally managed. Research and monitoring will increase and scientific knowledge required to restore upland and wetland plant and animal communities will be shared (with the public and other resource managers). Some visitor services are expected to decrease as some staff and funding shifts to habitat restoration. Environmental education will increase.

In Alternative C, waterfowl habitat management and waterfowl production would be emphasized over other refuge programs. Research and monitoring would focus on actions that enhance waterfowl habitat, increase waterfowl nest densities, and increase nest and brood survival. Visitor service programs that use or enhance waterfowl-related