

**RECORD SOURCE CATEGORIES:**

Mortgagors, appraisers, inspectors, builders, mortgagee staff appraisers, mortgagee staff underwriters, and HUD employees.

**EXEMPTIONS FOR CERTAIN PROVISIONS OF THE ACT:**

None.

[FR Doc. 2010-32688 Filed 12-27-10; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Ocean Energy Management, Regulation and Enforcement****Commercial Lease for the Cape Wind Energy Project**

**AGENCY:** Bureau of Ocean Energy Management, Regulation and Enforcement, Interior.

**ACTION:** Notice of Availability ("NOA") of a Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf ("OCS") for the Cape Wind Energy Project.

**SUMMARY:** Pursuant to its authority under the Outer Continental Shelf Lands Act ("OCSLA"), 43 U.S.C. 1331 *et seq.*, as amended; and the Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf Rules, 30 CFR part 285 ("Rule"), BOEMRE has issued a Commercial Lease ("Lease") for an area of approximately 46 square miles on the OCS in Nantucket Sound off the coast of Cape Cod, Massachusetts. This NOA is being published to announce the availability of the Lease in accordance with the requirements of 30 CFR 285.231. The Lease is for the Cape Wind Energy Project ("Project") which grants Cape Wind Associates, LLC, ("CWA") the exclusive right to conduct certain activities within the leased area, subject to the terms and conditions of the Lease, and applicable laws and regulations. The Lease requires CWA to pay \$88,278 in annual rent prior to production, and a two to seven percent operating fee rate following the start of production during the 33-year lease (a 5-year site assessment term and a 28-year commercial operations term). The rent and operating fee are based on the requirements set forth in 30 CFR part 285, subpart E. The Project plan calls for 130 wind turbines capable of generating a maximum electric output of 468 megawatts with an anticipated average output of 183 megawatts. Construction and operation of the Project cannot begin until BOEMRE reviews and approves plans submitted by CWA that

detail construction and operation of the Project in accordance with the Rule.

**Authority:** The NOA of the Lease issuance is published pursuant to 30 CFR 285.231.

**SUPPLEMENTARY INFORMATION:****Cape Wind Energy Project Description**

The Energy Policy Act of 2005 ("EPAct") and amendments to the OCSLA gave the Secretary of the Department of the Interior the authority to issue leases, easements, and rights-of-way for renewable energy activities on the OCS. The Secretary delegated this authority to BOEMRE, formerly the Minerals Management Service. Following passage of EPAct in 2005, CWA submitted an application for Project to BOEMRE. In 2009, BOEMRE finalized the Rule that governed the issuance of leases, easements, and rights-of-way and the regulation of offshore renewable energy activities.

The Project plan calls for 130 3.6 megawatt wind turbine generators, each with a maximum blade height of 440 feet, to be arranged in a grid pattern on the OCS in Nantucket Sound. The transmission cables for the Project, if approved, would pass through Massachusetts' submerged lands. With a maximum electric output of 468 megawatts and an average anticipated output of 183 megawatts, the Project is expected to generate electricity equivalent to three-quarters of the Cape and nearby islands' electricity needs. Each of the 130 wind turbine generators would generate electricity independently. Solid dielectric submarine inner-array cables from each wind turbine generator would interconnect within the array and terminate on an electrical service platform ("ESP"), which would serve as the common interconnection point for all of the wind turbines. The Project plan calls for a submarine transmission cable system approximately 12.5 miles in length from the ESP to a landfall location in Yarmouth, Massachusetts (7.6 miles of which would fall within the state of Massachusetts' jurisdiction).

**Availability of the Lease:**

To obtain a single printed copy of the Lease, you may contact BOEMRE, Office of Offshore Alternative Energy Programs (Mail Stop 4090), 381 Elden Street, Herndon, Virginia 20170-4817. An electronic copy of the Lease is available at BOEMRE's Web site at: <http://www.boemre.gov/offshore/RenewableEnergy/CapeWind.htm>.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Ocean Energy Management, Regulation and Enforcement, Ms. Maureen A. Bornholdt, Program

Manager, Office of Offshore Alternative Energy Programs, MS 4090, 381 Elden Street, Herndon, Virginia 20170-4817, (703) 787-1300.

Dated: December 20, 2010.

**L. Renee Orr,**

*Acting Associate Director for Offshore Energy and Minerals Management.*

[FR Doc. 2010-32672 Filed 12-27-10; 8:45 am]

**BILLING CODE 4310-MR-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[FWS-R4-ES-2010-N247; 40120-1113-0000-C2]

**Endangered and Threatened Wildlife and Plants; Notice of Availability of the St. Andrew Beach Mouse Recovery Plan**

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

**ACTION:** Notice of document availability.

**SUMMARY:** We, the Fish and Wildlife Service, announce the availability of the recovery plan for the St. Andrew beach mouse (*Peromyscus polionotus peninsularis*). The recovery plan includes specific recovery objectives and criteria to be met in order to reclassify this species to threatened status and delist it under the Endangered Species Act of 1973, as amended (Act).

**ADDRESSES:** You can obtain copies of the St. Andrew beach mouse recovery plan by contacting the Panama City Field Office, U.S. Fish and Wildlife Service, 1601 Balboa Avenue, Panama City, FL 32405 (telephone (850) 769-0552) or by visiting our Web site at <http://endangered.fws.gov/recovery/index.html#plans> or <http://fws.gov/panamacity/>.

**FOR FURTHER INFORMATION CONTACT:** Ben Frater at the above address (telephone 850/769-0552, ext. 248; TTY users may contact Mr. Frater through the Federal Relay Service at (800) 877-8339).

**SUPPLEMENTARY INFORMATION:****Background**

The St. Andrew beach mouse was listed as endangered on December 18, 1998 (63 FR 70053). The endangered St. Andrew beach mouse is now found in two populations: East Crooked Island, Bay County, Florida, and St. Joseph Peninsula, Gulf County, Florida.

The St. Andrew beach mouse inhabits the frontal dunes (which are composed of the primary and secondary dunes) and adjacent inland scrub dunes within the coastal ecosystem. Beach mice

require well-developed dune systems in which to live out their life cycle. They dig their burrows into the face of the dunes near vegetative cover. Their diet is comprised primarily of the seeds and fruits of plants within their dune habitat, with insects providing seasonal supplements.

Threats to the St. Andrew beach mouse include habitat loss/alteration from land development and associated human use, hurricanes and other tropical storm events, nonnative predators, and recreational activities associated with development and tourism that weaken and encroach on the dune ecosystem. Availability of suitable habitat may be a limiting factor during periods of population expansion or following catastrophic weather events. Due to the species' limited range and fragmentation of its habitat, these threats combined continue to present a threat to the species' existence.

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of our endangered species program. To help guide the recovery effort, we are preparing recovery plans for most listed species. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for downlisting or delisting, and estimate time and cost for implementing recovery measures.

The Act (16 U.S.C. 1533 *et seq.*) requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires us to provide a public notice and an opportunity for public review and comment during recovery plan development. We made the draft St. Andrew beach mouse recovery plan available for public comment from April 22, 2009 through June 22, 2009 (74 FR 18403). We considered information we received during the public comment period and information from peer reviewers in our preparation of this final recovery plan. We will forward substantive comments to other Federal agencies so that each agency can consider these comments in implementing approved recovery plans.

#### Recovery Plan Components

The objective of this plan is to provide a framework for the recovery of the St. Andrew beach mouse, so that protection under the Act is no longer necessary. The plan presents criteria for reclassifying and delisting the beach mouse. As these criteria are met, the status of the species will be reviewed

and it will be considered for reclassification or removal from the Federal List of Endangered and Threatened Wildlife.

The St. Andrew beach mouse will be considered for downlisting to threatened status when the following criteria are achieved:

1. Stable or increasing population trends are maintained at St. Joseph Peninsula State Park and East Crooked Island on Tyndall Air Force Base over a 10-year period based on data obtained from accepted standardized monitoring methods.

2. An additional viable or self-sustaining population is reestablished at St. Joe Beach that shows a stable or increasing trend, after the initial repopulation of unoccupied habitat, over a 10-year period based on data obtained from accepted standardized monitoring methods.

3. At least 87 percent of designated St. Andrew beach mouse critical habitat is protected and under a management plan that addresses conservation of beach mice. The plans, at a minimum, address the following:

(a) Impact of commercial/residential development and recreational use, including that of pedestrians and motorized vehicles, to beach mouse habitat.

(b) Impact of shoreline erosion to beach mouse habitat.

(c) Impact of artificial lighting on beach mouse habitat.

(d) Control of feral cats and hogs in beach mouse habitat.

4. In areas with known populations of beach mice (Tyndall Air Force Base's property at East Crooked Island, St. Joseph Peninsula State Park, and their respective adjacent private lands), non-native predators, including free roaming cats and cat colonies, are controlled at levels in which they do not pose a threat to beach mice.

5. County or local government, within the range of the St. Andrew beach mouse, have regulations or other protection mechanisms that:

(a) Minimize impacts to dunes in beach mouse habitat due to recreational use.

(b) Prohibit free-roaming cats and cat colonies.

(c) Minimize impacts of commercial and residential developments in primary, secondary, and scrub dunes. Measures include minimizing footprints; preserving connectivity between primary, secondary and scrub dunes; using native landscaping; and constructing boardwalks over dunes for beach access.

(d) Minimize impacts of artificial lighting in beach mouse habitat by

requiring sea turtle lighting, in areas visible from the beach and wildlife lighting, in areas not visible from the beach.

6. An emergency response plan is prepared to prevent extirpation of any population of St. Andrew beach mice from tropical storms/hurricanes and other disasters.

7. If determined to be necessary, an Action Plan is prepared to address the potential threat of cross-breeding with Choctawhatchee beach mice from West Crooked Island.

8. House mice are controlled in areas with known populations of beach mice at levels in which they do not pose a threat to the population(s).

The St. Andrew beach mouse will be considered for removal from the Federal List of Endangered and Threatened Wildlife when the following criteria are achieved:

1. Stable or increasing population trends are maintained at St. Joseph Peninsula State Park, East Crooked Island on Tyndall Air Force Base, and St. Joe Beach over a 20-year period based on data obtained from accepted standardized monitoring methods.

2. An additional viable population is reestablished at Cape San Blas, Eglin Air Force Base, and has a stable or increasing population trend over a 10-year period based on data obtained from standardized monitoring methods.

3. All designated St. Andrew beach mouse critical habitat on public land is protected and under a management plan that addresses conservation of beach mice, priority is given to those lands that provide connectivity. The plans, at a minimum, manage for the following:

(a) Impact of commercial/residential development and recreational use, including that of pedestrians and motorized vehicles, to beach mouse habitat.

(b) Impact of shoreline erosion to beach mouse habitat.

(c) Impact of artificial lighting on beach mouse habitat.

(d) Control of feral cats and hogs, including free ranging cats in beach mouse habitat.

4. Within all critical habitat that is protected and under a management plan, non-native predators, including free roaming cats and cat colonies, are controlled at levels in which they do not pose a threat to beach mice.

5. County or local government regulations or other protection mechanisms as set forth in the downlisting criteria have adequate compliance and enforcement.

6. House mice continue to be deemed a minimal or no threat to St. Andrew beach mouse populations.

**Authority**

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: October 25, 2010.

**Mark J. Musaus,**

*Acting Regional Director, Southeast Region.*

[FR Doc. 2010-32666 Filed 12-27-10; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Renewal of Agency Information Collection for No Child Left Behind Act Implementation; Request for Comments**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of submission to the Office of Management and Budget.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Education (BIE or Bureau) is submitting to the Office of Management and Budget (OMB) for renewal the collection of information for implementation of certain regulations implementing the No Child Left Behind Act. The information collection is currently authorized by OMB Control Number 1076-0163, which expires December 31, 2010.

**DATES:** Interested persons are invited to submit comments on or before January 27, 2011.

**ADDRESSES:** You may submit comments on the information collection to the Desk Officer for the Department of the Interior at the Office of Management and Budget, by facsimile to (202) 395-5806 or you may send an e-mail to: [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov). Please send a copy of your comments to Brandi Sweet, Program Analyst, Bureau of Indian Education, Mail Stop 3623-MIB, 1849 C Street, NW., Washington, DC 20240; or by e-mail to [Brandi.Sweet@bie.edu](mailto:Brandi.Sweet@bie.edu).

**FOR FURTHER INFORMATION CONTACT:** Brandi Sweet (202) 208-5504.

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The BIE is seeking renewal of the approval for the information collection conducted under 25 CFR parts 30, 37, 39, 42, 44, and 47 under OMB Control Number 1076-0163. This information collection is necessary to implement Public Law 107-110, No Child Left Behind Act of 2001 (NCLB). The NCLB requires all schools, including Bureau-funded schools, to ensure that all

children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging academic achievement standards and assessments. The BIE has promulgated several regulations implementing the NCLB Act. This OMB Control Number addresses the information collected under the following regulations.

- 25 CFR part 30—Adequate Yearly Progress (AYP). Tribes/school boards may request an alternative to the established AYP definition or standards. Tribes/school boards may provide evidence that BIE made an error in identifying the school for improvement. Achievement, attendance and graduation rates are collected from schools to facilitate yearly calculation of AYP.

- 25 CFR part 37—Geographic Boundaries. This part establishes procedures for confirming, establishing, or revising attendance areas for each Bureau-funded school. Tribes and school boards must submit certain information to BIE to propose a change in geographic boundaries.

- 25 CFR part 39—Indian School Equalization Program (ISEP). This part provides for the uniform direct funding of Bureau-operated and tribally operated day schools, boarding schools, and dormitories. Auditors of schools, to ensure accountability in student counts and student transportation, must certify that they meet certain qualifications and have conducted a conflict of interest check. Schools must submit information to BIE to apply for funds in the event of an emergency or unforeseen contingency.

- 25 CFR part 42—Student Rights. The purpose of this part is to govern student rights and due process procedures in disciplinary proceedings in all Bureau-funded schools. This part requires the school to provide notice of disciplinary charges, provide a copy of the hearing of record, and provide a student handbook.

- 25 CFR part 44—Grants under the Tribally Controlled Schools Act. The purpose of this part is to establish who is eligible for a grant and requires tribes to submit information to BIE to retrocede a program to the Secretary.

- 25 CFR part 47—Uniform Direct Funding and Support for Bureau-operated Schools. This part contains the requirements for developing local educational financial plans in order to receive direct funding from the Bureau. This part requires school supervisors to submit quarterly reports to school boards; submit a notice of appeal to the BIE for a decision where agencies disagree over expenditures; make

certain certifications in financial plans; and send the plan and documentation to the BIE or submit a notice of appeal.

**II. Request for Comments**

The BIE requests that you send your comments on this collection to the location listed in the **ADDRESSES** section. Your comments should address: (a) The necessity of the information collection for the proper performance of the agencies, including whether the information will have practical utility; (b) the accuracy of our estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

Please note that an agency may not sponsor or conduct, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section during the hours of 9 a.m.–5 p.m., Eastern Time, Monday through Friday except for legal holidays. Before including your address, phone number, e-mail address or other personally identifiable information, be advised that your entire comment—including your personally identifiable information—may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so.

**III. Data**

*OMB Control Number:* 1076-0163.

*Title:* No Child Left Behind, 25 CFR 30, 37, 39, 42, 44, and 47.

*Brief Description of Collection:* Pursuant to NCLB implementing regulations, Bureau-funded schools must provide certain information if they wish to use alternative AYP standards, change their geographic boundaries, obtain contingency funds, retrocede a program, or obtain direct funding from the Bureau through submission of a local educational financial plan. For these items, a response is required to obtain a benefit (continued supplementary program funding). In addition, all Bureau-funded schools must provide students with written notice of disciplinary charges, a copy of the hearing record, and student