

available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Nancy M. Casper, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of New Mexico have been designated as adversely affected by this major disaster:

Lincoln and Sandoval Counties and the Santa Clara Pueblo for Public Assistance.

All counties and Indian Tribes in the State of New Mexico are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.)

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5617-N-01]

RIN 2502-ZA13

Notice of Intent To Conduct Affirmatively Furthering Fair Housing Demonstration in Baltimore, MD, Standard Metropolitan Statistical Area (SMSA)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of Intent To Conduct Affirmatively Furthering Fair Housing Demonstration in Baltimore, Maryland, SMSA.

SUMMARY: Through this proposed demonstration, HUD seeks to encourage developers and owners of multifamily housing properties in “communities of opportunity”—as defined by *Thompson v. HUD*—in the Baltimore, Maryland, SMSA to make units in these properties affordable to low-income persons. HUD seeks to determine if, as proposed in this notice, providing developers with financial incentives, to create such housing can help reduce segregation in the Baltimore SMSA.

DATES: *Comments Due Date:* November 5, 2012.

ADDRESSES: Interested persons are invited to submit comments regarding HUD’s Affirmatively Furthering Fair Housing demonstration, as announced in this notice, to the Office of General Counsel, Rules Docket Clerk, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0001. Communications should refer to the above docket number and title and should contain the information specified in the “Request for Comments” of this notice.

Submission of Hard Copy Comments. To ensure that the information is fully considered by all of the reviewers, each commenter submitting hard copy comments, by mail or hand delivery, should submit comments or requests to the address above. Due to security measures at all federal agencies, submission of comments or requests by mail often result in delayed delivery. To ensure timely receipt of comments, HUD recommends that any comments submitted by mail be submitted at least 2 weeks in advance of the public comment deadline.

Electronic Submission of Comments. Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. HUD strongly

encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the <http://www.regulations.gov> Web site can be viewed by interested members of the public. Commenters should follow instructions provided on that site to submit comments electronically.

No Facsimile Comments. Facsimile (FAX) comments are not acceptable.

Public Inspection of Comments. All comments submitted to HUD regarding this notice will be available, without charge, for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the documents must be scheduled by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Copies of all documents submitted are available for inspection and downloading at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Mary Ann Henderson, Office of Housing, U.S. Department of Housing and Urban Development, City Crescent Building, 10 South Howard Street, Fifth Floor, Baltimore, Maryland 21201-2505, telephone number 410-209-6545 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION

I. Background

Section 808(e) of the Fair Housing Act (42 U.S.C. 3608(e)) requires HUD to administer its programs relating to housing and urban development in a manner to affirmatively further fair housing (AFFH). HUD carries out this obligation by requiring its program participants to affirmatively further fair housing. AFFH means undertaking affirmative efforts to overcome barriers to fair housing choice and reduce segregation of persons on the basis of race, national origin, and other protected classifications. HUD has funded a number of voucher mobility programs, for example, which pair Housing Choice Vouchers with mobility counseling to facilitate greater housing choice and overcome the effects of historic patterns of segregation. One such regional voucher mobility program

was established in the Baltimore SMSA in 1996.

Multifamily housing assisted by or with financing insured by HUD is subject to the Fair Housing Act's AFFH requirement. Through this proposed demonstration, HUD seeks to encourage investment in multifamily housing and promote the availability of affordable housing units in a manner that reduces racial segregation and increases geographic and economic mobility in the Baltimore SMSA. For its multifamily housing programs that insure financing for multifamily housing development, HUD will offer incentives to make more affordable housing available in mixed-income, integrated communities. In addition, HUD will require that this new affordable housing is made available to Housing Choice Voucher holders, expanding housing options for these families.

II. Proposed Demonstration

HUD proposes to make available incentives for Federal Housing Administration (FHA) insured financing to developers in order to encourage the production and availability of more affordable housing units in areas identified as communities of opportunity in the Baltimore SMSA. Eligible areas are those in which the regional mobility program, established under the *Thompson v. HUD* settlement, operates, and which are identified as "communities of opportunities" in the *Thompson v. HUD* settlement. HUD believes that the proposed incentives will contribute to reducing racial segregation and increasing opportunities for low-income families to live in areas identified as communities of opportunity throughout the Baltimore SMSA.

This demonstration would be open to multifamily owners and developers pursuing FHA mortgage insurance under the section 221(d)(4) program or other FHA multifamily finance programs for properties to be developed in eligible areas in the Baltimore SMSA. For such owners and developers who agree to set aside a percentage of newly constructed or rehabilitated two- or three-bedroom units for nonelderly families holding Housing Choice Vouchers, either under a project-based voucher contract or offered at rents less than or equal to the Fair Market Rent (FMR) for the Baltimore SMSA, and in order to encourage the construction of more affordable housing for these voucher holders, HUD proposes to offer one or a combination of the following incentives:

- Lowering the mortgage insurance premium (MIP);

- Lowering the occupancy/vacancy rate when establishing the project's anticipated budget; or
- Establishing a procedure that results in greater or more frequent surplus cash distributions for projects containing a specified number of affordable units. The incentives offered would be subject to any constraints of current and future program and budget authorities and would be commensurate with the number of affordable units set aside in the property, which in no case would be less than 10 percent of the newly constructed or rehabilitated units in that property. HUD will provide, in the notice soliciting applications, which incentives will be available based on the percentage of affordable units that are set aside.

Owners, developers, and lenders seeking to participate in the demonstration described in this notice must:¹

- Certify that they meet all other requirements for FHA-insured financing, comply with the terms of the demonstration, and comply with HUD's nondiscrimination and equal opportunity requirements;
- Submit an affirmative fair housing marketing plan satisfactory to HUD for both the market-rate units and the units that will be affordable to Housing Choice Voucher holders in Baltimore City and throughout the Baltimore SMSA (a satisfactory affirmative fair housing marketing plan must include marketing of affordable units to Housing Choice Voucher holders in Baltimore City through the *Thompson* regional mobility program);
- Agree to not establish local residency preferences for properties that receive incentives pursuant to this demonstration; and
- Maintain statistics on the race and ethnicity of applicants and occupants for both the affordable and market rate units

HUD has estimated that a total of 1,200 to 1,500 units in multifamily housing properties may be made available per year in the Baltimore SMSA. If 10 percent of those units were set aside as affordable and available for vouchers holders under HUD's Housing Choice Voucher program, the demonstration would yield approximately 120 to 150 affordable units per year. HUD will offer the above incentives for not more than 300 affordable units per year, and will carefully monitor the demonstration to

¹Published elsewhere in today's **Federal Register** is HUD's 60-day notice soliciting comment on the burden hours of the proposed information collection requirements as set forth in this section.

determine whether it is succeeding in increasing available affordable housing units in *Thompson v. HUD* settlement communities of opportunity in the Baltimore SMSA. If, in any year during this demonstration fewer than 300 affordable units are created through the demonstration, the unused allocation of units would roll over and be available in subsequent years, not to exceed 500 units created through these incentives in any given year. To enable it to evaluate the success of the demonstration, HUD proposes to operate the program for a minimum of 7 years, as long as continued operation of the demonstration is consistent with prudent fiscal management of the FHA insurance fund. If the demonstration indicates that it is succeeding in increasing the number of affordable housing units in areas identified as communities of opportunity in the Baltimore SMSA, HUD will consider if the demonstration should be expanded to other SMSAs.

III. Evaluating the Demonstration

One of the principal purposes of the demonstration is to determine whether the incentives that HUD is proposing to provide developers and owners of multifamily housing properties results in the availability of more affordable housing to low-income persons in a manner that reduces racial segregation and increases geographic and economic mobility. HUD will, therefore, undertake an evaluation of the demonstration to determine whether the demonstration could serve as a model that could be successful nationwide or, alternatively, whether modifications to the demonstration are needed.

IV. Solicitation of Public Comment

In accordance with section 470 of the Housing and Urban-Rural Recovery Act of 1983 (42 U.S.C. 3542), HUD is seeking comment on the demonstration for a period of 60 days, before commencing the demonstration. After the close of the public comment period, and following full consideration of comments submitted, HUD will publish another notice that will advise of the commencement of the demonstration, the specific incentives that HUD would offer multifamily housing owners and developers for properties to be developed in communities of opportunity in the Baltimore SMSA, as identified for the *Thompson* regional mobility program, and other features or requirements of the demonstration that HUD may prescribe.

During the comment period, HUD invites comment on all aspects of the demonstration, but specifically solicits

comment on the incentives, and the criteria for receiving them, that are proposed to be offered to multifamily owners and developers under the demonstration, and seeks suggestions on specific parameters for these incentives and additional incentives that may be helpful to HUD in achieving the goals of the demonstration.

Dated: August 28, 2012.

Carol J. Galante,

*Acting Assistant Secretary for Housing—
Federal Housing Commissioner.*

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BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-HQ-IA-2012-N216;
FXIA1671090000P5-123-FF09A30000]

Endangered Species; Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless Federal authorization is acquired that allows such activities.

DATES: We must receive comments or requests for documents on or before October 5, 2012.

ADDRESSES: Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358-2280; or email DMAFR@fws.gov.

FOR FURTHER INFORMATION CONTACT:

Brenda Tapia, (703) 358-2104 (telephone); (703) 358-2280 (fax); DMAFR@fws.gov (email).

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I request copies of applications or comment on submitted applications?

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will

not consider requests or comments sent to an email or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

B. May I review comments submitted by others?

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, email address, or other personal identifying information in your comment, 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.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), along with Executive Order 13576, “Delivering an Efficient, Effective, and Accountable Government,” and the President’s Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009—Transparency and Open Government (74 FR 4685; January 26, 2009), which call on all Federal agencies to promote openness and transparency in Government by

disclosing information to the public, we invite public comment on these permit applications before final action is taken.

III. Permit Applications

A. Endangered Species

Applicant: Big Game Studio, Bronte, TX; PRT-82880A

The applicant requests a permit to export sport hunted trophies of one male addax (*Addax nasomaculatus*), one male Dama gazelle (*Nanger dama*), one male Eld’s deer (*Rucervus eldii*), two male scimitar-horned oryx (*Oryx dammah*), and one male lechwe (*Kobus leche*) culled from captive herds in the United States for the purpose of enhancement to the survival of the species.

Applicant: Corinne Zawacki, Tulane University, New Orleans, LA; PRT-80058A

The applicant requests a permit to import biological samples of Panamanian golden frogs (*Atelopus zeteki*) from Panama for the purpose of enhancement of the species through scientific research. This notification covers activities conducted by the applicant over a 5-year period.

Applicant: Cedars-Sinai Medical Center Research Institute, Los Angeles, CA; PRT-68962A

The applicant requests a permit to import biological samples of Western gorilla (*Gorilla gorilla*) from Canada for the purpose of enhancement of the species through scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Jim Beck, Shavano Park, TX; PRT 81901A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the scimitar-horned oryx (*Oryx dammah*) to enhance the species’ propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Jim Beck, Shavano Park, TX; PRT 81902A

The applicant requests a permit authorizing interstate and foreign commerce, export, and cull of excess scimitar-horned oryx (*Oryx dammah*) from the captive herd maintained at their facility, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.