

Border Protection, 1400 L Street NW., Washington, DC 20229-1143. More information about the annual reporting requirements can be found in Appendix H of the ISA Handbook.

ISA participants will not be subject to any routine or periodic on-site reviews or audits, other than consultations with NAMs for support and compliance improvement purposes. However, a participant may be subject to an on-site audit to address a specific issue related to an identified trade compliance risk.

#### *Procedures for Discontinuance*

An ISA program participant may be subject to discontinuance from participation in the program for any of the following reasons:

- Failure to follow the terms of the MOU;
- Failure to exercise reasonable care in the execution of participant obligations under the program.; or
- Failure to abide by applicable laws and regulations.

If the Executive Director, Trade Policy and Programs (TPP), Office of International Trade believes that there is a basis for discontinuance of ISA program privileges, the ISA program participant will be provided a written notice proposing the discontinuance with a description of the facts or conduct warranting the action. The participant will be offered the opportunity to appeal the Executive Director's decision in writing within ten (10) calendar days of receipt of the written notice. The appeal must be submitted to the Assistant Commissioner, Office of International Trade, U.S. Customs and Border Protection, 1400 L Street NW., Washington, DC 20229. The Assistant Commissioner, Office of International Trade, will issue a decision in writing on the proposed action within thirty (30) working days after receiving a timely filed appeal from the participant. If no timely appeal is received, the proposed notice becomes the final decision of the Agency as of the date that the appeal period expires. A proposed discontinuance of a participant's participation privileges will not take effect unless the appeal process under this paragraph has been concluded with a written decision adverse to the participant.

#### *Procedures for Immediate Discontinuance*

In the case of willfulness or those in which public health, interest, or safety so requires, the Executive Director, Trade Policy and Programs, Office of International Trade may immediately discontinue the participant's

participation privileges upon written notice to the participant. The notice will contain a description of the facts or conduct warranting the immediate action. The participant will be offered the opportunity to appeal the Executive Director's decision within ten (10) calendar days of receipt of the written notice providing for immediate discontinuance. The appeal must be submitted to the Assistant Commissioner, Office of International Trade, U.S. Customs and Border Protection, 1400 L Street NW., Washington, DC 20229. The immediate discontinuance will remain in effect during the appeal period. The Assistant Commissioner, Office of International Trade, will issue a decision in writing on the discontinuance within fifteen (15) working days after receiving a timely filed appeal from the participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

Dated: September 26, 2012.

**Allen Gina,**

*Assistant Commissioner, Office of International Trade.*

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**BILLING CODE P**

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR-5601-N-39]**

### **Federal Property Suitable as Facilities to Assist the Homeless**

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

**FOR FURTHER INFORMATION CONTACT:** Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 402-3970; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has

reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for "off-site use only" recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Ritta, Division of Property Management, Program Support Center, HHS, room 5B-17, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AIR FORCE: Mr. Robert Moore, Air Force Real Property Agency, 143 Billy Mitchell Blvd., San Antonio, TX 78226, (210) 925-3047; (This is not toll-free numbers).

Dated: September 27, 2012.

**Ann Marie Oliva,**

*Deputy Assistant Secretary for Special Needs (Acting).*

**TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 10/05/2012**

**Suitable/Available Properties**

*Building*

Colorado

Building 300

Buckley AFB

Aurora CO 80011

Landholding Agency: Air Force

Property Number: 18201230016

Status: Unutilized

Comments: off-site removal only; 1414 sf.; jet fuel labs; roof has collapse & needs to be replaced; restricted area; contact AF for details on accessibility/removal

Idaho

38 Buildings

Aspen & Lodge Pole

Mountain Home ID 83648

Landholding Agency: Air Force

Property Number: 18201230034

Status: Underutilized

Directions: 5001-5013, 5015, 5019-5023, 5025, 5027, 5029, 5031-5033, 5035-5041, 5043, 5101, 5103, 5105, 5107, 5109

Comments: off-site removal only; sf. varies; military housing; minor repairs/renovations needed; asbestos & lead present; restricted area; contact AF for info. on accessibility/removal reqs.

38 Buildings

Lodge Pole & Cottonwood

Mountain Home ID 83648

Landholding Agency: Air Force

Property Number: 18201230035

Status: Underutilized

Directions: 5110-5121, 5123, 5125, 5127-5132, 5134, 5137, 5139, 5141, 5144-5146, 5150, 5152-5161

Comments: off-site removal only; sf. varies; military housing; minor repairs/renovations needed; asbestos & lead present; restricted area; contact AF for info. on accessibility/removal reqs.

37 Buildings

Cottonwood & Sage

Mountain Home ID 83648

Landholding Agency: Air Force

Property Number: 18201230036

Status: Underutilized

Directions: 5162-5164, 5166, 5168, 5170, 5201-5208, 5210, 5212, 5214-5219, 5221, 5223, 5225-5229, 5231, 5233, 5235-5240

Comments: off-site removal only; sf. varies; military housing; minor repairs/renovations needed; asbestos & lead present; restricted area; contact AF for info. on accessibility/removal reqs.

38 Buildings

Sage, Beech, & Hickory

Mountain Home ID 83648

Landholding Agency: Air Force

Property Number: 18201230037

Status: Underutilized

Directions: 5241, 5243, 5245-5247, 5249, 5251, 5253-5255, 5257, 5259-5261, 5263, 5265, 5268, 5302-5303, 5305-5313, 5315, 5317, 5319-5323, 5323, 5327

Comments: off-site removal only; sf. varies; military housing; minor repairs/renovations needed; asbestos & lead present; restricted area; contact AF for info. on accessibility/removal reqs.

38 Buildings

Hickory & Pinon

Mountain Home ID 83648

Landholding Agency: Air Force

Property Number: 18201230038

Status: Underutilized

Directions: 5329-5333, 5335, 5337, 5339, 5341-5349, 5351, 5353, 5355-5359, 5361, 5363-5367, 5370-5377

Comments: off-site removal only; sf. varies; military housing; minor repairs/renovations needed; asbestos & lead present; restricted area; contact AF for info. on accessibility/removal reqs.

New Jersey

Building 2101

Vandenberg Ave.

Trenton NJ 08641

Landholding Agency: Air Force

Property Number: 18201230007

Status: Underutilized

Comments: off-site removal only; 24,256 sf.; central heating plant; extensive deterioration; major repairs a must to occupy; contamination; remediation needed; schedule appt. w/Real Property Office access

B-5249

South Scott Plaza

Ft. Dix NJ 08640

Landholding Agency: Air Force

Property Number: 18201230011

Status: Unutilized

Comments: off-site removal only; cooling tower; extensive deterioration; major repairs required; restricted area; contact AF for more details on accessibility/removal

B-5252

South Scott Ave.

Ft. Dix NJ 08640

Landholding Agency: Air Force

Property Number: 18201230012

Status: Unutilized

Comments: off-site removal only; 5,693 sf.; heat plant; extensive deterioration; major repairs a must to occupy; restricted area; contact AF for details on accessibility/removal

New Mexico

7 Buildings

Cannon AFB

Cannon NM 88103

Landholding Agency: Air Force

Property Number: 18201230020

Status: Underutilized

Directions: 88, 389, 2280, 2282, 2284, 86,87

Comments: off-site removal only; sf. varies; repairs needed; restricted area; contact AF for more details on accessibility/removal

**Unsuitable Properties**

*Building*

Alabama

6 Buildings

Varies Locations

Maxwell AFB AL 36112

Landholding Agency: Air Force

Property Number: 18201230025

Status: Excess

Directions: 1417, 1418, 1419, 1422, 1468, 1470

Comments: located w/in restricted area; public access denied & no alternative method to gain access w/out compromising nat'l security

Reasons: Secured Area

Bldg. 31

450 Cedar St.

Maxwell AFB AL 36112

Landholding Agency: Air Force

Property Number: 18201230026

Status: Unutilized

Comments: located w/in restricted area; public access denied & no alternative method to gain access w/out compromising nat'l security

Reasons: Secured Area

California

3 Buildings

Edwards AFB

Edwards AFB CA 93524

Landholding Agency: Air Force

Property Number: 18201230032

Status: Unutilized

Directions: 1412, 4203, 7020

Comments: located w/in restricted area where public access denied & no alternative method to gain access w/out compromising nat'l security

Reasons: Secured Area

Colorado

4 Buildings

Buckley AFB

Aurora CO 80011

Landholding Agency: Air Force  
 Property Number: 18201230017  
 Status: Underutilized  
 Directions: B1504, B1503, B1502, B1501  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 San Latrine Shower  
 1093 Ferl Rd.  
 USAF Academy CO 80840  
 Landholding Agency: Air Force  
 Property Number: 18201230033  
 Status: Underutilized  
 Comments: located w/in secured area; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Delaware  
 2 Buildings  
 Dover AFB  
 Dover DE 19902  
 Landholding Agency: Air Force  
 Property Number: 18201230018  
 Status: Underutilized  
 Directions: 3499, 899  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Florida  
 3 Buildings  
 MacDill AFB  
 MacDill FL 33621  
 Landholding Agency: Air Force  
 Property Number: 18201230009  
 Status: Unutilized  
 Directions: 1205, 1149, 1135  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 10 Buildings  
 Samuel C. Phillips Pkwy  
 Cape Canaveral AFB FL 32925  
 Landholding Agency: Air Force  
 Property Number: 18201230014  
 Status: Excess  
 Directions: 84922, 84920, 67900, 60535, 60534, 1361, 40906, 56623, 36004, 17705  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Facility 49800  
 15030 Samuel C. Phillips Pkwy  
 Cape Canaveral FL 32925  
 Landholding Agency: Air Force  
 Property Number: 18201230019  
 Status: Excess  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Bldg. 1132  
 Transmitter Rd.  
 MacDill AFB FL 33621  
 Landholding Agency: Air Force  
 Property Number: 18201230021  
 Status: Unutilized  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Illinois  
 B1508  
 107 Bucher St.  
 Scott AFB IL 62225  
 Landholding Agency: Air Force  
 Property Number: 18201230023  
 Status: Excess  
 Comments: authorized access only; restricted area; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 New Jersey  
 3 Buildings  
 Joint Base McGuire Dix Lakehurst  
 Ft. Dix NJ 08640  
 Landholding Agency: Air Force  
 Property Number: 18201230008  
 Status: Unutilized  
 Directions: 9725, 9055, 9404  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Facility 9418  
 Joint Base McGuire Dix Lakehurst  
 Ft. Dix NJ 08640  
 Landholding Agency: Air Force  
 Property Number: 18201230013  
 Status: Unutilized  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Ohio  
 Facility 20167  
 2310 Eighth St.  
 WPAFB OH 43433  
 Landholding Agency: Air Force  
 Property Number: 18201230031  
 Status: Unutilized  
 Comments: located w/in controlled fenced perimeter of military installation; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Oklahoma  
 Facility 47  
 Altus AFB  
 AGGN OK 73523  
 Landholding Agency: Air Force  
 Property Number: 18201230030  
 Status: Excess  
 Comments: public access denied due to anti-terrorism/force protection & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Tennessee  
 ACFT DY RSCH TEST  
 675 Second St.  
 Arnold AFB TN 37389  
 Landholding Agency: Air Force  
 Property Number: 18201230039  
 Status: Underutilized  
 Comments: located in secured restricted area; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 4 Buildings  
 2219 Sixth St.  
 Arnold AFB TN 37389  
 Landholding Agency: Air Force  
 Property Number: 18201230040  
 Status: Underutilized  
 Directions: 2220, 2221, 2222, 2223  
 Comments: located in secured restricted area; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Texas  
 5 Buildings  
 Goodfellow AFB  
 Goodfellow TX 76908  
 Landholding Agency: Air Force  
 Property Number: 18201230027  
 Status: Excess  
 Directions: 104, 508, 538, 707, 3070  
 Comments: anti-terrorism & force protection; located w/in restricted area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 B-6283  
 4810 Camp Bullis  
 Camp Bullis TX 78257  
 Landholding Agency: Air Force  
 Property Number: 18201230028  
 Status: Unutilized  
 Comments: located w/in secured area; public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 7 Buildings  
 4810 Camp Bullis  
 Camp Bullis TX 78257  
 Landholding Agency: Air Force  
 Property Number: 18201230029  
 Status: Unutilized  
 Directions: B5288, 5289, 5290, 5291, 5292, 5293, 5294  
 Comments: located w/in secured area where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Washington  
 4 Buildings  
 South Taxiway Rd.  
 Fairchild AFB WA 99011  
 Landholding Agency: Air Force  
 Property Number: 18201230010  
 Status: Underutilized  
 Directions: 1024, 1023, 1026, 1021  
 Comments: located w/in the boundary of an active AF installation where public access denied & no alternative method to gain access w/out compromising nat'l security  
 Reasons: Secured Area  
 Hanger 1025  
 200 S. Taxiway I Rd.  
 Fairchild AFB WA 99011  
 Landholding Agency: Air Force

Property Number: 18201230024

Status: Underutilized

Comments: located w/in controlled active installation; public access denied & no alternative method w/out compromising nat'l security

Reasons: Secured Area

[FR Doc. 2012-24268 Filed 10-4-12; 8:45 am]

BILLING CODE 4210-67-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R1-ES-2012-N230;  
FXES1112010000F2-123-FF01E00000]

#### Draft Habitat Conservation Plan and Application for an Incidental Take Permit, Yamhill County, OR

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

**ACTION:** Notice of availability; receipt of application.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received an application from Yamhill County (County) for an incidental take permit (permit) pursuant to the Endangered Species Act of 1973, as amended (ESA). The County's application requests a 30-year permit that would authorize "take" of the endangered Fender's blue butterfly incidental to otherwise lawful activities associated with county road maintenance and prairie habitat management activities. The application includes the County's draft habitat conservation plan (HCP), which describes the actions the County will implement to minimize and mitigate the impacts of incidental take of the Fender's blue butterfly caused by covered activities. We invite public comment on the application and draft HCP, and the Service's draft environmental action statement (EAS) and preliminary determination that the draft HCP qualifies for a categorical exclusion under the National Environmental Policy Act (NEPA).

**DATES:** Written comments on the HCP and categorical exclusion determination must be received from interested parties no later than November 5, 2012.

**ADDRESSES:** You may download copies of the draft HCP and EAS and obtain additional information on the Internet at <http://www.fws.gov/oregonfwo/ToolsForLandowners/HabitatConservationPlans/>. You may submit comments and requests for documents or more information by any of the following methods.

- **Email:** [OFWocomment@fws.gov](mailto:OFWocomment@fws.gov). Include "Yamhill County HCP" in the subject line of the message.

- **U.S. Mail:** State Supervisor, U.S. Fish and Wildlife Service, 2600 SE 98th Avenue, Suite 100, Portland, OR 97266.

- **In-Person Drop-off, Viewing, or Pickup:** Call 503-231-6179 to make an appointment (necessary for view/pickup only) during regular business hours at the above address. Comments and materials received will also be available for public inspection by appointment.

**FOR FURTHER INFORMATION CONTACT:** Richard Szlemp, U.S. Fish and Wildlife Service, 2600 SE 98th Avenue, Suite 100, Portland, OR 97266; telephone: 503-231-6179; facsimile: 503-231-6195.

#### SUPPLEMENTARY INFORMATION:

##### Background Information

Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. Under the ESA (16 U.S.C. 1531 *et seq.*), the term "take" means to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" is defined by the Service to include significant habitat modification or degradation that results in death or injury of listed species by significantly impairing their essential behavioral patterns, including breeding, feeding, and sheltering.

The Service may issue permits, under limited circumstances, to take listed species when such taking is incidental to, and not the purpose of, otherwise lawful activities. Service regulations governing permits for endangered species are found in 50 CFR 17.22, and regulations governing permits for threatened species are found in 50 CFR 17.32. Section 10(a)(1)(B) of the ESA contains provisions for issuing such incidental take permits to non-Federal entities for the take of endangered and threatened species, provided the following criteria are met: (1) The taking will be incidental; (2) the applicant will, to the maximum extent practicable, minimize and mitigate the impact of such taking; (3) the applicant will develop a proposed HCP and ensure that adequate funding for the plan will be provided; (4) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (5) the applicant will carry out any other measures that the Service may require as being necessary or appropriate for the purposes of the HCP.

Although take of listed plant species is not prohibited under the ESA, and therefore an incidental take permit to authorize such take is not required, listed and non-listed plant species, as well as non-listed animal species, may

be included on a permit if they are treated as if they are listed for purposes of meeting the issuance criteria for an incidental take permit should the species become listed or the ESA is amended to prohibit the take of plants. All listed species included in the incidental take permit for which the HCP meets the issuance criteria would receive assurances under our "No Surprises" regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

#### Proposed Action

If all of the issuance criteria described above for an incidental take permit are met, the Service will issue a permit with a 30-year term to Yamhill County that would authorize incidental take and provide regulatory assurances for potential impacts on the Fender's blue butterfly (*Icaricia icarioides fenderi*), which is federally listed as endangered. The permit would also provide regulatory assurances to the County for impacts caused by HCP-covered activities to the butterfly's larval host plant, the Kincaid's lupine (*Lupinus oreganus*), which is federally listed as threatened, should the ESA be amended to include take prohibitions for listed plants during the 30-year proposed term of the permit and HCP, provided the County's HCP provisions for the lupine meet the issuance criteria for a permit. The butterfly and the lupine represent the covered species under this HCP. The area that would be covered under the permit consists of all rights-of-way (approximately 4,943 acres) currently managed by the County and County-owned Deer Creek Park (30 acres) in Yamhill County, Oregon. Activities that would be covered under the HCP include: (1) Work within county road rights-of-way; (2) habitat restoration, enhancement, and management (including monitoring and plant material collection) activities; and (3) emergency response activities.

In the HCP, the county road right-of-way is divided into two sections for the purposes of impact analysis: (1) The "potential impact zone," which consists of the first 5 feet from the shoulder of the road; and (2) the "no impact zone," which typically consists of the next remaining 15-foot portion of the right-of-way. While referred to as the "no impact zone," there will be some impact to the covered species in this area, although they are identified as being mostly positive.

Road maintenance activities will occur along 1.02 miles, or 4.90 acres, of Fender's blue butterfly critical habitat, in units FBB-1 and FBB-2. Road maintenance activities will occur along 1.03 miles, or 5.31 acres, of Kincaid's