

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate overpayments (Eff. 1–1–99) (percent)
040108	063008	6	6	5
070108	093008	5	5	4
100108	123108	6	6	5
010109	033109	5	5	4
040109	123110	4	4	3
010111	033111	3	3	2
040111	093011	4	4	3
100111	033113	3	3	2

Dated: January 2, 2013.

**Thomas S. Winkowski,**

*Acting Deputy Commissioner, U.S. Customs and Border Protection.*

[FR Doc. 2013–00146 Filed 1–7–13; 8:45 am]

**BILLING CODE 9111–14–P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5667–N–01]

### Supportive Housing for the Elderly; Advance Notice of Senior Preservation Rental Assistance Contracts Award Process

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

**ACTION:** Notice.

**SUMMARY:** The Section 202 Supportive Housing for the Elderly Act of 2010, signed into law in January 2011, authorizes HUD to provide Senior Preservation Rental Assistance Contracts (SPRACs) with 20-year terms to prevent displacement of elderly residents of certain projects assisted under HUD's Section 202 Supportive Housing for the Elderly program in the case of refinancing or recapitalization and to further preserve and maintain affordability of Section 202 Direct Loan projects. In Fiscal Year (FY) 2012, \$16 million was made available for SPRAC funding. This notice advises of HUD's intent to award SPRACs through the proposed application process described in this notice. HUD is soliciting comments on the proposed process for awarding SPRACs and the associated criteria for establishing eligibility to apply for a SPRAC.

**DATES:** *Comment Due Date: March 11, 2013.*

**ADDRESSES:** Interested persons are invited to submit comments regarding this notice to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410–0500. Communications must refer to the above

docket number and title. There are two methods for submitting public comments. All submissions must refer to the above docket number and title.

#### 1. Submission of Comments by Mail.

Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410–0500.

#### 2. Electronic Submission of Comments.

Interested persons may submit comments electronically through the Federal eRulemaking Portal at [www.regulations.gov](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 [www.regulations.gov](http://www.regulations.gov) Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

**Note:** To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the notice.

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

**Public Inspection of Public Comments.** All properly submitted comments and communications submitted to HUD will be available 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 appointment to review the public comments must be scheduled in advance by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 800–877–8339. Copies of all comments submitted

are available for inspection and downloading at [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Margaret Salazar, Deputy Director of the Office of Affordable Housing Development, Office of Multifamily Housing Programs, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6112, Washington, DC 20410; telephone number 202–708–2495 (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

The Section 202 Supportive Housing for the Elderly Act of 2010 (Pub. L. 111–372, approved January 4, 2011) (Section 202 of 2010 Act) authorizes HUD to provide SPRACs with 20-year terms to prevent displacement of elderly residents of certain projects assisted under HUD's Section 202 Supportive Housing for the Elderly program (Section 202 program) in the case of refinancing or recapitalization and to further preserve and maintain affordability of Section 202 Direct Loan projects. General authority for a Section 202 Direct Loan is provided by Section 811 of the American Homeownership and Economic Opportunity (AHEO) Act of 2000, as amended by the Section 202 of 2010 Act (12 U.S.C. 1701q note). Pursuant to this authority, SPRAC assistance may be provided to Section 202 properties with original interest rates of 6 percent or less (financed prior to 1974), when the property is refinanced to make capital repairs and the owner does not anticipate debt service savings from the refinance. In FY 2012, \$16 million was made available for SPRAC funding.

##### II. This Notice—Solicitation of Comment

This notice advises of HUD's intent to award SPRACs through the proposed application process described in this notice. HUD is soliciting comments on

the proposed process for awarding SPRACs and the associated criteria for establishing eligibility to apply for a SPRAC. Specifically, HUD requests comment on the following sections of this notice:

#### *Eligibility Criteria*

1. Are any additional eligibility criteria necessary to ensure those elderly residents most at risk of displacement receive SPRAC assistance?
2. Should any of the eligibility criteria be removed or modified?
3. Is eligibility criterion six—a seven percent or below vacancy rate—realistic for Section 202 properties with interest rates of 6 percent or less financed prior to 1974? If not, why not (please provide any data you have supporting your comments)?

#### *Award Process*

1. Is the SPRAC award process an effective and efficient means of providing rental assistance to elderly residents at risk of displacement? Should HUD modify the award process? If so, how?
2. Is separating qualified Owner-applicants into two pools based on willingness to target very low income elderly tenants an effective means of serving the population most in need? If so, how? If not, why (please provide any data or information you have supporting your comments)?

HUD will take all comments into consideration and issue a final notice that will provide threshold criteria for Owner-applicant eligibility and final details of the FY 2012 SPRAC award process.

### **III. Proposed SPRAC Application and Award Process**

#### *Purpose of the Program*

The Section 202 Supportive Housing for the Elderly Act of 2010 (Pub. L. 111–372, approved January 4, 2011) (Section 202 of 2010 Act) authorizes HUD to provide SPRACs to unassisted Section 202 units. The SPRAC contracts will have 20-year terms, with funding subject to annual appropriations. The purpose of SPRACs is to prevent displacement of income-eligible elderly residents of Section 202 Direct Loan properties with original interest rates of 6 percent or less, when the property is refinanced and the Owner does not anticipate debt service savings from the refinance. General authority for a Section 202 Direct Loan is provided by Section 811 of the American Homeownership and Economic Opportunity (AHEO) Act of 2000, as amended by the Section 202 of 2010 Act

(12 U.S.C. 1701q note). In order to be income-eligible to receive SPRAC assistance, household income must be 80 percent or below area median income (AMI).

In addition to protecting elderly residents from displacement, SPRAC assistance is also intended to further preservation and affordability of these pre-1974 Section 202 Direct Loan projects. The mortgages on these properties, originally for 40 or 50-year terms, are reaching their maturity dates. When mortgages mature, the use and affordability restrictions of these properties expire, putting the long term affordability of this senior housing at risk. Very low-income elderly tenants of maturing mortgage properties are at the most immediate risk of displacement. The award process described in this notice will target these maturing mortgage properties by ranking qualified applications received by mortgage maturity date. Properties with mortgage maturity dates that predate the SPRAC application deadline, and properties with maturity dates sooner than 60 days following the SPRAC application deadline will not be eligible for SPRAC awards.

HUD oversees a portfolio of 209 Section 202 properties with original interest rates of six percent or less. All were financed prior to 1974. Many pre-1974 Section 202 Direct Loan properties have never completed a rehabilitation effort and are in need of significant capital repairs. Owners may wish to prepay the existing Section 202 Direct Loan in order to obtain new financing to address the physical needs of the project. Even in a time of historically low interest rates, however, it is unlikely that the refinancing of an eligible Section 202 Direct Loan would result in a reduction in debt service.

The anticipated increase in debt service from the Section 202 refinance places unassisted elderly residents in danger of displacement. Tenants may be at risk as Owners seek additional income to pay the increased debt service. The majority of pre-1974 Direct Loan projects are “partially assisted,” meaning that some, but not all units receive Section 8 Project Based Rental assistance. Under AHEO, as amended, the Owner may qualify to receive a Section 8 rent adjustment on the Section 8 units, which could bring additional income to cover the increased debt service requirement. However, it is unlikely that this income will be sufficient to pay the increased debt service. The Owner may look to the unassisted households of the project to pay a rent increase to cover the costs of the new loan. The imposition of a rent

increase places unassisted elderly residents at risk of possible displacement. SPRAC assistance will provide rental assistance on previously unassisted units. In addition, this assistance may provide revenue that could offset the cost of a service coordinator or other operating costs. This assistance eliminates the need for Owners to impose rent increases on these vulnerable households.

The provision of SPRACs is contingent on HUD approval of the Section 202 Direct Loan prepayment. As a matter of policy, HUD has determined that the amount of proposed repairs must rise to the level of substantial rehabilitation as defined in the HUD *Multifamily Accelerated Processing (MAP) Guide, 4430–G, Rev-1*. Otherwise, the transaction could have the effect of merely trading low interest debt for higher interest debt.<sup>1</sup> The substantial rehabilitation must be in compliance with the Section 504 accessibility requirements described in 24 CFR part 8. HUD applies the Uniform Federal Accessibility Standards (UFAS) through its regulations under part 8. The prepayment, in conjunction with the substantial rehabilitation of the project and the provision of SPRAC, will facilitate the improvement of the project and the long-term preservation of the project as housing affordable to current and future elderly households.

The HUD Section 202 Direct Loan portfolio includes 18,600 unassisted units. To receive SPRAC assistance for these unassisted units, the project Owner must meet all SPRAC Notice requirements, and all prepayment requirements of AHEO. Over the next decade, an average of 2,000 unassisted units per year risk losing affordability due to maturing Section 202 loans.

The Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55, approved November 18, 2011) makes funds available to fund the first year of assistance for 20-year project-based rental assistance contracts for unassisted units in qualifying Section 202 projects. The precise number of units/households to receive assistance will be determined based on the availability of funds.

SPRACs are not Section 8 project based rental assistance Housing Assistance Payment (HAP) contracts. However, pursuant to the Section 202 of 2010 Act, HUD will administer SPRACs under the same requirements governing project-based rental assistance made

<sup>1</sup> The MAP Guide may be accessed at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/guidebooks/hsg-GB4430](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/hsg-GB4430).

available under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1473f), and implemented through the regulations at 24 CFR part 883. To be eligible for SPRAC assistance, residents must be income-eligible (at-or-below 80 percent of AMI). SPRAC assistance will only be provided to units occupied by income-eligible households at the time the SPRAC is executed. Initial SPRAC rents will be established based on market comparables. Over the 20-year term of the SPRAC, contracts will be administered using the processes described in the HUD *Section 8 Renewal Policy Guidebook*, under Option 1: Mark up to Market. Rents will be adjusted annually using the Operating Cost Adjustment Factor (OCAF) described in the *Section 8 Renewal Policy Guidebook*. An updated Rent Comparability Study (RCS) will be required every five (5) years. At the end of the 20-year term, subject to the availability of appropriations, HUD may renew the SPRAC for an additional 20-year term. Please note that though SPRACs will be administered under Section 8 guidance, this does not mean that SPRACs are a form of Section 8 rental assistance. SPRACs will be administered in accordance with the current Section 8 regulations until HUD publishes regulations to govern SPRACs in the near future.

### I. Available Funds

HUD is making \$16 million in FY 2012 funds available to fund the initial year of SPRAC units for selected properties. HUD anticipates this could fund up to 2,000 unassisted units. Funding for future contract years are subject to appropriations. HUD may make new SPRAC contract awards in future funding rounds if and when appropriations are available for this purpose.

#### Award Process

The proposal is to award SPRAC requests through an application process, open to those projects electing to prepay and refinance the Section 202 Direct Loan under the terms of AHEO and HUD guidance provided in Housing Notice 12-08 for Section 202 Direct Loan prepayment requirements.<sup>2</sup>

Section 202 projects that apply and meet eligibility criteria will be separated into two pools:

(1) Pool One—those Owner-applicants that commit to use SPRAC assistance for existing low income and very low income tenants residing at the property

at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of AMI) upon unit turnover; and

(2) Pool Two—those Owner-applicants that do not commit to use SPRAC assistance exclusively for low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of AMI) upon unit turnover, but rather for tenants at or below 80 percent of AMI.

All qualified Owner-applicants and the respective properties in both Pool One and Pool Two will be ranked by mortgage maturity date. Beginning with those in Pool One, SPRAC awards will be made based on the mortgage maturity date of each property. HUD will select the property with the earliest chronological maturity date first, the property with the second earliest maturity date second, and so forth, until funding is exhausted. If there are not enough qualified Owner-applicants in Pool One to exhaust available SPRAC funding, those qualified Owner-applicants in Pool Two will become eligible for SPRAC awards. The process for award will be identical to that for Pool Two and will be based on mortgage maturity date. Properties with mortgage maturity dates that predate the SPRAC application deadline will not be eligible for SPRAC awards.<sup>3</sup> There is no maximum award ceiling per project.

HUD will not make partial awards. HUD will only select projects that can be fully funded with available SPRAC funds. For example, if the next eligible project on the list (ranked by mortgage maturity date) includes 100 unassisted income-eligible units, HUD will only select this project for funding if there are sufficient SPRAC resources to fund all 100 income-eligible units. If resources are not sufficient, HUD will select the next eligible project that can be fully funded or will close the award process until further notice. (Following public comment on this notice and incorporation of these comments, a SPRAC Housing Notice will establish minimum basic eligibility criteria for Owner-applicants to apply by a certain deadline, which will be provided in the final notice that follows and takes into consideration public comment on this notice.)

<sup>3</sup> Pursuant to AHEO, SPRAC awards must be linked to a qualifying mortgage prepayment, not a mortgage maturity. Therefore a property will not receive SPRAC if the mortgage matures before the Direct Loan prepayment is completed.

#### Eligibility Criteria

Eligible Owner-applicants will own properties that meet the following criteria:

1. Their property must be a Section 202 property with an original interest rate of six percent or less (funded prior to 1974) and with unassisted units.
2. Their most recent Real Estate Assessment Center (REAC) score at the property must be 60 or above, and the property must have no open Exigent Health and Safety findings.
3. Their most recent Management and Occupancy Review score at the property must be satisfactory or higher.
4. Their property must have no open referrals to the Departmental Enforcement Center.
5. The Owner-applicant must intend to refinance under the terms and conditions of AHEO, as amended, with no anticipated debt service savings from the refinance. A purchase/acquisition transaction is also eligible if the project will not experience debt service savings as a result of the transaction. (In the case of an acquisition, the current Owner must submit the SPRAC request but may provide evidence in the form of a purchase/sale agreement that the prepayment will include an acquisition.) The Owner-applicant must demonstrate that without SPRAC the rents for unassisted elderly tenants will be raised to compensate for the increased debt service costs resulting from prepayment at a higher interest rate. Rent increases will place unassisted elderly tenants at high risk of displacement.
6. Their property vacancy rate must be seven percent or lower for the 24 month period prior to application or the Owner-applicant must intend to convert efficiency units to one-bedroom units in accordance with Housing Notice 2011-03.<sup>4</sup> In order to convert efficiency units to one-bedroom units, the Owner-applicant must demonstrate an average vacancy rate in the efficiency units of at least 25 percent for at least 24 months or documentation must be shown that supports that the proposed conversion units are functionally obsolete.
7. Their property is proximate to the amenities and services needed by elderly residents.
8. The Owner-applicant is not eligible to request assistance if such owner:
  - i. Has been charged with a systemic violation of the Fair Housing Act or received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially

<sup>2</sup> See [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/notices/hsg](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/hsg).

<sup>4</sup> See <http://portal.hud.gov/hudportal/documents/huddoc?id=11-03hsgn.pdf>.

equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;

ii. Is a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public interest pursuant to 42 U.S.C. 3614(a);

iii. Has received a letter of findings identifying systemic noncompliance under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or Section 109 of the Housing and Community Development Act of 1974;

iv. Has received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on sexual orientation or gender identity; or

v. Has received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a state or local law proscribing discrimination in housing based on lawful source of income; and

vi. If applicable, has not resolved to HUD's satisfaction, the charge, lawsuit, letter of findings or cause determination referenced in subparagraphs (i), (ii), (iii), (iv) or (v) and/or is not in current compliance with any agreement or consent order resolving the matter.

#### Award Process

Funding for SPRAC awards is extremely limited and a significant number of equally worthy projects are expected to compete for SPRAC funding. To allocate these scarce resources effectively, HUD proposes to make SPRAC awards using an application process where applications are separated into two pools:

(1) Pool One—those Owner-applicants that commit to use SPRAC assistance for existing low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of Area Media Income) upon unit turnover; and

(2) Pool Two—those Owner-applicants that do not commit to use SPRAC assistance exclusively for low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of AMI) upon unit turnover, but rather for tenants at or below 80 percent of AMI.

Both Pools will be ranked by mortgage maturity date, and beginning with Pool One, projects will be awarded SPRAC in chronological order until funding is exhausted. If funding is not exhausted from Pool One, awards will be made in chronological order of mortgage maturity date for Pool Two. HUD believes all pre-1974 Section 202 properties that meet the eligibility requirements are in need of preservation, and all unassisted residents of these properties are potentially vulnerable to rent increases or displacement. Elderly tenants of properties with imminent mortgage maturity dates are at greatest risk of displacement because those properties are closer to terminating their relationship with HUD. As the mortgage matures, the property is no longer obligated to operate as housing affordable to very low, low, and/or moderate-income elderly households.

HUD's top priority is protecting very low income unassisted elderly tenants from displacement and providing assistance to this population in the future. Therefore, HUD will give priority to those qualified Owner-applicants that commit to target 100 percent of SPRAC assistance to very low-income and low income elderly residents residing in the project at the time of the Direct Loan prepayment, and exclusively to very low income tenants at unit turnover. These projects will go into Pool One for SPRAC awards. Households that currently reside in unassisted units at the Section 202 Direct Loan project, and that meet the low income eligibility criteria (at or below 80 percent of AMI) will be eligible to receive SPRAC assistance. However, upon unit turnover, the Owner-applicants will commit to make the vacant units available exclusively to very low income households.

To determine very low income thresholds, the Owner-applicant should determine annual income by following the income verification process described in HUD Handbook 4350.3, *Occupancy Requirements of Subsidized Multifamily Housing Programs*.<sup>5</sup> The Owner-applicant must compare the household's annual income with HUD's current FY low income limits. For this comparison, Owner-applicants must know the size of the household (e.g., 1 person household). Owner-applicants may find HUD's low income limits by visiting [http://www.huduser.org/portal/datasets/il/il12/index\\_il2012.html](http://www.huduser.org/portal/datasets/il/il12/index_il2012.html). At this site, Owner-applicants click "Click

<sup>5</sup> See [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/handbooks/hsg/4350.3](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/hsg/4350.3).

Here for FY 2012 IL Documentation." The Owner-applicant then selects the state and county in which the property is located, and clicks "Next Screen." The relevant information is located in the row labeled "Very Low (50%) Income Limits." If the household's annual income is greater than the very low-income limit found in this row, the household does not qualify as a very low income household for the purposes of SPRAC eligibility.

Qualified Owner-applicants in Pool One will be ranked by project mortgage maturity date, and those projects will be funded based on chronological maturity date, with the earliest maturity date selected first, until all SPRAC funds are exhausted. Properties with mortgage maturity dates that predate the SPRAC application deadline will not be eligible for SPRAC awards. This approach allows HUD to target those properties with imminent maturing mortgages to meet the statutory intent to protect unassisted elderly residents from displacement.

If two properties have the same mortgage maturity date, projects in low-vacancy areas<sup>6</sup> will be given priority, because residents in these areas would have the most difficulty securing affordable housing if they did not have access to rental assistance. To determine if a project is in a low-vacancy area, please see Attachment 1. If none of the projects with the same mortgage maturity date are in a low-vacancy area, the project with the greatest number of unassisted units will be funded within the limitation of available funds, in order to reach the greatest number of impacted elderly residents.

If there are not enough qualified Owner-applicants in Pool One to utilize all available SPRAC funding, qualified Owner-applicants that meet the threshold criteria but do not commit to use SPRAC assistance for existing low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of AMI) upon unit turnover, but rather tenants at or below 80 percent of AMI (Pool Two) will become eligible. The award process for Pool Two Owner-

<sup>6</sup> "Low-vacancy area" was defined for the purposes of this assistance as a county that currently and historically demonstrates a moderate to tight rental housing market for low-income renters. HUD determined this definition with two thresholds. First, the county must be below the national vacancy rate for units affordable to low-income household in 2000, which is 7.3 percent. Second, the county must be below the 80th percentile vacancy rate for low-income renters as estimated by the 2005–2009 American Community Survey 5 year estimates, which is 8.7 percent. A list of low-vacancy areas is included in Attachment 1.

applicants will be identical to that for Pool One.

Properties selected via the outlined application process will receive a preliminary notification of SPRAC award. Final SPRAC awards will be contingent on the property successfully receiving HUD approval to prepay the Section 202 Direct Loan under the requirements of AHEO and any standing or subsequent HUD guidance related to Section 202 Direct Loan prepayments.

HUD is proposing a six-stage process for the award of SPRACs:

(1) Submission by the Owner-applicant of an Expression of Interest Letter (*an Expression of Interest is not being solicited at this time*);

(2) Separation of qualified Owner-Applicants into Pool One and Pool Two based on Owner-applicant commitment to target very low income elderly residents;

(3) Ranking of Applications by Mortgage Maturity Date;

(4) Notification to Proceed;

(5) Completion of Prepayment Request and Approval; and

(6) Fund Reservation and Obligation.

Stage 1: Owner Submits an Expression of Interest Letter

An Owner-applicant must first determine that the 202 Direct Loan property meets the above basic eligibility criteria for SPRAC award. An interested and eligible Owner-applicant will then submit an Expression of Interest Letter for SPRAC award to HUD. HUD proposes the following information should be included in or with the Expression of Interest Letter:

1. Project name and FHA number.

2. Statement that the Owner-applicant plans to refinance and does not anticipate debt service savings from the refinance, and must plan repairs that rise to the level of substantial rehabilitation.

3. Statement that the Owner-applicant will commit to target SPRAC assistance exclusively for existing low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of Area Media Income) upon unit turnover (if applicable).

4. Rent rolls from the 3 months preceding the Letter of Intent, verifying that the property has a vacancy rate of seven percent or lower.

or

The Owner-applicant must include a statement of intent to convert efficiency units to one-bedroom units in accordance with Housing Notice 2011-03. In order to convert efficiency units

to one-bedroom units, the property rent roll must demonstrate that average vacancy rate in the efficiency units is at least 25 percent for at least 24 months or the Owner-applicant must provide a letter from a licensed appraiser or a licensed architect indicating that the efficiency units proposed for conversion are functionally obsolete.

5. Rent Comparability Study (RCS), commissioned by the Owner, to estimate the approximate amount of SPRAC funding needed to provide assistance at market rent levels for the unassisted units. The RCS must be completed in accordance with Chapter 9 of the *Section 8 Renewal Policy Guidebook* ([http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_14528.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14528.pdf)). If the property has a Section 8 HAP contract and the Owner has commissioned an RCS within the last five years, the RCS may be used per the guidelines of Chapter 9 of the *Section 8 Renewal Policy Guidebook*. HUD will use the RCS to approximate the SPRAC contract rents based on comparable market rents.<sup>7</sup>

6. The Owner-Applicant must submit one of the following to demonstrate the property is proximate to amenities and services needed by the elderly residents:

A. Submit a letter, signed by the Housing, Planning, or Community Development office of the local municipality verifying that:

(i) This Section 202 property is proximate to social, recreational, educational, commercial, and health facilities and services, and other municipal facilities and services; or

(ii) If the Section 202 property is not currently proximate to social, recreational, educational, commercial, and health facilities or services, the preservation of this Section 202 property is an integral part of a concerted community revitalization plan.

B. Provide a certification from the Designated Point of Contact for the designated Preferred Sustainability Status Community where the property is located, using form HUD2995. A list of Preferred Sustainability Status Communities and the corresponding points of contact can be found here:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/](http://portal.hud.gov/hudportal/HUD?src=/program_offices/)

<sup>7</sup> At this stage, HUD will use the RCS to forecast the potential SPRAC rent levels and cost of providing assistance to the unassisted units at the property. The RCS will not be interpreted as the final rent or assistance level, which will be determined at a later stage of the process. The Owner is not required to provide an assessment or calculation of assistance at this stage.

*administration/grants/nofa11/pssccontacts*. The form will certify the nexus between the proposed preservation of the Section 202 property by the owner applicant and the Livability Principles as they are being advanced in the Preferred Sustainability Status Community. This certification must be signed and dated anytime from the date of the publication of the SPRAC Final Notice to the deadline date of the SPRAC funding opportunity. Any certifications signed before or after those dates will not be acceptable.

8. Statement certifying that the Owner-applicant is in compliance with the civil rights threshold requirements set forth under "Eligibility Criteria" in this Notice.

**Note:** HUD will remove the application from the pool and notify those Owner-applicants who do not meet the qualifications for a SPRAC award.

Stage 2: Separation of Applications by Very low Income Targeting into Pool One and Pool Two

Those qualified Owner-Applicants that include a statement of commitment to use SPRAC assistance for existing low income and very low income tenants residing at the property at the time of the 202 Direct Loan prepayment, and for new very low income tenants (50 percent of AMI) upon unit turnover will be placed in Pool One and those qualified Owner-applicants that do not include a statement of commitment will be placed in Pool Two. Once all qualified Owner-applicants in Pool One have received SPRAC assistance, awards will begin for Pool Two.

Stage 3: Ranking of Applications by Mortgage Maturity Date

Upon the submission deadline for the Expression of Interest Letter and the separation of qualified Owner-applicants into Pool One and Pool Two, HUD will rank the qualified Owner-applicants and corresponding projects by mortgage maturity date. If two or more qualified applicants have the same mortgage maturity date, the project(s) in low-vacancy areas listed in the appendix to this Notice will be given priority. If none of the projects with the same mortgage maturity date are in low-vacancy areas, the project with the most unassisted units will be selected within limitations of funding.

Beginning with Pool One, HUD will allocate SPRAC funding in chronological order of mortgage maturity date, using the RCS, the number of unassisted units, and contract cost information in comparable properties to estimate needed funding,

until all SPRAC funds are exhausted. HUD will not make partial awards. HUD will only select projects that can be fully funded with available SPRAC funds. For example, if the next project on the list includes 100 unassisted units HUD will only select this project for funding if there are sufficient SPRAC resources to fund all 100 units under the contract. If resources are not sufficient, HUD will select the next eligible project that can be fully funded or will close the award process until further notice.

Once all qualified Owner-applicants in Pool One have been funded, HUD will award SPRAC to those qualified Owner-applicants in Pool Two chronologically by mortgage maturity date. Awards made to Pool Two Owner-applicants will follow the same procedures outlined above for Pool One.

#### Stage 4: Notification to Proceed

Upon selection, the Owner-applicant will receive a Notification to Proceed letter confirming the project was selected to receive a SPRAC award. This Notification will specify that SPRAC assistance will only be provided for unassisted units occupied by income-eligible residents (at or below 80 percent of AMI) at the time of execution of the SPRAC. The Notification to Proceed letter will not guarantee funding, as the Owner-applicant will need to meet all criteria and complete the Section 202 prepayment process successfully before receiving funds. The Notification to Proceed letter will include an estimated dollar amount for potential SPRAC assistance, determined by the required RCS submitted by the Owner-applicant. This amount is subject to change based on the determination of the number of income-eligible unassisted units at the property and market comparable rents using the RCS. The Owner-applicant will be required to verify tenant incomes to determine the number of income-eligible households (at 80 percent AMI or below) residing in unassisted units at the time the SPRAC is executed.

The Notification to Proceed letter will be conditioned on HUD approval of a prepayment request and the closing of the proposed refinance. The Owner-applicant must submit a *complete* prepayment request to the Multifamily Hub/PC office within 60 days of the date of receipt of the Notification to Proceed letter. The prepayment request must include all information required by Housing Notice 12–08. Failure to submit the prepayment request within 60 days of the date of receipt of the Notification to Proceed letter will nullify the Notification to Proceed and the Owner-applicant's eligibility for SPRAC for this

round of funding. The Notification to Proceed letter will be valid for no more than 180 days (six months). During this 180 day period, the Owner-applicant will finalize and submit the prepayment request and secure the refinance loan. If the prepayment approval is not granted in that time, and/or if the Owner-applicant does not close the refinancing in this time period, the project's selection in the lottery will be cancelled and the corresponding funds released.

If the Owner-applicant is planning to use FHA financing, HUD will extend the Notification to Proceed to accommodate the timeline for FHA application reviews, provided that the Owner-applicant submits evidence of submission of an FHA insured loan application. HUD may also consider extending the Notification to Proceed if the Owner-applicants pursues Low Income Housing Tax Credits (LIHTCs), either in the form of 9 percent or 4 percent LIHTCs. The Owner-applicant must submit evidence of tax credit application in order to receive an extension. If the project is selected and issued a Notification to Proceed and the Owner-applicant proposes to use 9 percent tax credits, the Owner-Applicant will have one opportunity to apply for the 9 percent tax credits in the next scheduled application round administered by the state or local issuing agency. If 9 percent tax credits cannot be secured during that first application cycle, the Notification to Proceed will be cancelled unless the Owner can demonstrate feasibility to meet Section 202 prepayment requirements without tax credits.

#### Stage 5: Prepayment Request and Approval

1. *Submission of Prepayment request to Hub/PC within 60 days of receipt of the Notification to Proceed letter.* The Owner-applicant will submit a Section 202 Direct Loan prepayment request to the Hub/PC. The Hub/PC will screen, review and process the application to ensure it meets the requirements of Housing Notice 12–08 and any subsequent guidance on Section 202 Direct Loan prepayments.<sup>8</sup> The review will ensure compliance with all applicable statutes, regulations and policies. The review will include an environmental review by HUD Multifamily Development staff pursuant to the requirements at 24 CFR Part 50. Guidance for completion of this review may be found in Chapter 9 of the

<sup>8</sup> **Note:** HUD intends to issue an update to Housing Notice 12–08 in the near future to clarify prepayment processing and requirements, including environmental review requirements.

*Multifamily Accelerated Processing (MAP) Guide.* The review will include an assessment to verify the proposed repairs rise to the level of substantial rehabilitation and the proposed refinance will result in an increase in debt service, placing unassisted elderly residents at risk of increased rents and concomitantly displacement. If there is no anticipated increase in debt service, the project will not be eligible for SPRAC and the Notification to Proceed will be revoked. The Hub/PC Director will forward recommendations for Direct Loan prepayment approval to HUD Headquarters Office of Asset Management. Upon receipt of the Hub/PC recommendation, the Office of Asset Management will review the prepayment request and, within 30 days of the date of receipt of the Hub/PC recommendation, will make a determination of prepayment approval and notify the Hub/PC and the Owner-applicant.

2. *Rent Comparability Study and Contract Request.*<sup>9</sup> After receiving the Notification to Proceed letter, and while the prepayment application is completed, the Owner-applicant will be required to submit a copy of the Rent Comparability Study submitted with their Letter of Intent, that meets the requirements of the *Section 8 Renewal Policy Guidebook*. The Owner-applicant should also submit income verification information and a Contract Renewal Request Form (HUD Form 9264)<sup>10</sup> requesting a 20-year contract under Option 1: Mark up to Market. The Hub/PC will determine the rents for the project for the units occupied by income-eligible residents (those at or below 80 percent of AMI), and prepare the SPRAC for execution.

#### Stage 6: Fund Reservation and Obligation

Upon approval of the prepayment request by HUD headquarters Office of Asset Management, HUD will issue an official fund reservation for the final SPRAC funding amount for that project. Once the fund reservation is complete, HUD will execute the SPRAC.

On the date of closing, the owner will execute the required Use Agreement and other loan documents as well as the SPRAC. Upon closing, HUD will obligate the SPRAC funds. Following

<sup>9</sup> The SPRAC Notification to Proceed will provide the maximum number of units that may be assisted under the SPRAC. The lender should be advised of the possibility that the number of SPRAC-assisted units on the contract could decrease if residents are found to be over-income. The lender would rely on the RCS for "market" rents on which to underwrite the loan.

<sup>10</sup> ([http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_14523.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14523.pdf))

the closing, the SPRAC will be administered under the rules and terms of the *Section 8 Renewal Policy Guidebook* by the PBCA and the HUD field office staff.

*Environmental Impact*

An Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) with respect to the environment has been made for this Advance Notice in accordance with

HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The EA and FONSI is available for public inspection between 8 a.m. and 5 p.m. weekdays in the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10276, Washington DC 20410-0500. Due to

security measures at this HUD Headquarters Building, an advance appointment to review the EA and FONSI must be scheduled by calling the Regulations Division at 202-708-3055 (not a toll free number).

Dated: January 2, 2013.

**Carol J. Galante,**

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

**BILLING CODE 4210-67-P**

**Table of Stages**

**Stage 1: Submit Expression of Interest Letter and Rent Comparability Study.**

- ✓ Section 202 property with an original interest rate of 6 percent or less, financed prior to 1974, with unassisted units.
- ✓ REAC 60 or above
- ✓ MOR satisfactory or higher
- ✓ No open DEC referrals
- ✓ Meets the Civil Rights Threshold set forth under "Eligibility Criteria"
- ✓ Intends to refinance under the terms and conditions of AHEO (as amended) with no anticipated debt service savings.
- ✓ Rents for unassisted elderly residents will be raised to compensate for the increased debt service costs.
- ✓ Rent rolls for the past three months demonstrating vacancy rate of 7 percent or lower OR if planning to convert efficiencies, 25 percent or lower for 24 months or documentation showing the proposed conversion units are functionally obsolete.
- ✓ Letter from the local municipality that the property is near needed amenities or part of a neighborhood-wide preservation/restoration strategy OR verification that the preservation of the property is integral to meeting the Livability Standards in a Preferred Sustainability Status Community.

HUD notifies those who do meet the Eligibility Criteria.

**Stage 2: Separation of Applications by Very low Income Targeting into Pool One and Pool Two**

**Stage 3: SPRAC applications are ranked by mortgage maturity date and Pool One applications are selected chronologically until funds are exhausted.**

HUD notifies those who are not selected.

If SPRAC funds are not exhausted by Pool One Owner-applicants, Pool Two Owner-applicants will be selected using the same process.

**Stage 4: Selected owners are sent Notification to Proceed.**

**Stage 5: Selected owners submit prepayment request to Hub/Program Center Office and a copy of the RCS completed in Stage 1 of the process.**

- ✓ Hub/Program Center reviews prepayment request.
- ✓ Hub/PC approves prepayment and forwards to headquarters
- ✓ Headquarters approves prepayment request.

No submission in 60 days will nullify Notification to Proceed.

Owner submits evidence of FHA Financing or LIHTC Application to extend the Notification to Proceed.

**Stage 6: Fund Reservation and Obligation.**



## ATTACHMENT 1—LOW VACANCY AREAS

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
01007	Bibb County; Birmingham-Hoover, AL Metro Area; Alabama	0.6	6.2
01063	Greene County; Tuscaloosa, AL Metro Area; Alabama	0.4	3.4
01065	Hale County; Tuscaloosa, AL Metro Area; Alabama	0.9	2.6
01085	Lowndes County; Montgomery, AL Metro Area; Alabama	3.9	6.6
01091	Marengo County, Alabama	3.3	7.1
01107	Pickens County, Alabama	5.7	5.9
01131	Wilcox County, Alabama	3.6	5.4
02020	Anchorage Municipality; Anchorage, AK Metro Area; Alaska	4.8	5.4
02050	Bethel Census Area, Alaska	2.6	6.8
02110	Juneau City and Borough; Juneau, AK Micro Area; Alaska	1.8	6.2
02188	Northwest Arctic Borough, Alaska	2.6	4.9
02195	Petersburg Census Area, Alaska	6.8	N/A
02220	Sitka City and Borough, Alaska	1.3	5.1
02270	Wade Hampton Census Area, Alaska	1.0	5.0
04005	Coconino County; Flagstaff, AZ Metro Area; Arizona	6.8	7.2
05041	Desha County, Arkansas	6.2	7.1
05057	Hempstead County; Hope, AR Micro Area; Arkansas	3.2	5.4
05079	Lincoln County; Pine Bluff, AR Metro Area; Arkansas	6.8	7.1
05085	Lonoke County; Little Rock-North Little Rock-Conway, AR Metro Area; Arkansas	3.0	6.2
05099	Nevada County; Hope, AR Micro Area; Arkansas	2.4	4.7
06001	Alameda County; San Francisco-Oakland-Fremont, CA Metro Area; California	6.7	2.5
06007	Butte County; Chico, CA Metro Area; California	4.7	5.9
06009	Calaveras County, California	6.2	5.8
06011	Colusa County, California	2.8	2.9
06013	Contra Costa County; San Francisco-Oakland-Fremont, CA Metro Area; California	7.6	3.0
06019	Fresno County; Fresno, CA Metro Area; California	4.9	6.9
06023	Humboldt County; Eureka-Arcata-Fortuna, CA Micro Area; California	6.3	5.8
06025	Imperial County; El Centro, CA Metro Area; California	5.6	5.5
06027	Inyo County; Bishop, CA Micro Area; California	3.4	7.2
06031	Kings County; Hanford-Corcoran, CA Metro Area; California	3.7	6.7
06037	Los Angeles County; Los Angeles-Long Beach-Santa Ana, CA Metro Area; California	2.4	4.2
06039	Madera County; Madera-Chowchilla, CA Metro Area; California	3.8	6.2
06041	Marin County; San Francisco-Oakland-Fremont, CA Metro Area; California	2.6	1.8
06045	Mendocino County; Ukiah, CA Micro Area; California	5.0	3.5
06047	Merced County; Merced, CA Metro Area; California	6.3	4.7
06053	Monterey County; Salinas, CA Metro Area; California	5.7	2.4
06055	Napa County; Napa, CA Metro Area; California	5.1	2.0
06057	Nevada County; Truckee-Grass Valley, CA Micro Area; California	6.7	3.2
06059	Orange County; Los Angeles-Long Beach-Santa Ana, CA Metro Area; California	2.7	2.7
06061	Placer County; Sacramento—Arden-Arcade—Roseville, CA Metro Area; California	7.5	4.3
06067	Sacramento County; Sacramento—Arden-Arcade—Roseville, CA Metro Area; California	7.6	5.2
06069	San Benito County; San Jose-Sunnyvale-Santa Clara, CA Metro Area; California	3.4	2.6
06073	San Diego County; San Diego-Carlsbad-San Marcos, CA Metro Area; California	4.7	3.0
06075	San Francisco County; San Francisco-Oakland-Fremont, CA Metro Area; California	4.2	2.3
06077	San Joaquin County; Stockton, CA Metro Area; California	6.3	4.5
06079	San Luis Obispo County; San Luis Obispo-Paso Robles, CA Metro Area; California	3.4	3.0
06081	San Mateo County; San Francisco-Oakland-Fremont, CA Metro Area; California	4.0	1.6
06083	Santa Barbara County; Santa Barbara-Santa Maria-Goleta, CA Metro Area; California	3.7	2.8
06085	Santa Clara County; San Jose-Sunnyvale-Santa Clara, CA Metro Area; California	3.3	1.6
06087	Santa Cruz County; Santa Cruz-Watsonville, CA Metro Area; California	3.4	2.1
06089	Shasta County; Redding, CA Metro Area; California	6.5	7.0
06091	Sierra County, California	1.4	6.9
06095	Solano County; Vallejo-Fairfield, CA Metro Area; California	7.1	4.0
06097	Sonoma County; Santa Rosa-Petaluma, CA Metro Area; California	5.3	1.8
06099	Stanislaus County; Modesto, CA Metro Area; California	6.6	4.1
06101	Sutter County; Yuba City, CA Metro Area; California	7.1	5.5
06107	Tulare County; Visalia-Porterville, CA Metro Area; California	3.3	6.6
06109	Tuolumne County; Phoenix Lake-Cedar Ridge, CA Micro Area; California	5.5	6.9
06111	Ventura County; Oxnard-Thousand Oaks-Ventura, CA Metro Area; California	3.2	2.8
06113	Yolo County; Sacramento—Arden-Arcade—Roseville, CA Metro Area; California	3.9	3.1
08005	Arapahoe County; Denver-Aurora-Broomfield, CO Metro Area; Colorado	8.5	4.3
08013	Boulder County; Boulder, CO Metro Area; Colorado	4.8	3.6
08014	Broomfield County; Denver-Aurora-Broomfield, CO Metro Area; Colorado	6.5	N/A
08021	Conejos County, Colorado	7.5	5.7
08045	Garfield County, Colorado	2.6	3.7
08059	Jefferson County; Denver-Aurora-Broomfield, CO Metro Area; Colorado	5.6	4.0
08069	Larimer County; Fort Collins-Loveland, CO Metro Area; Colorado	5.3	4.3

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
08071	Las Animas County, Colorado	8.3	5.7
08077	Mesa County; Grand Junction, CO Metro Area; Colorado	2.7	6.1
08079	Mineral County, Colorado	N/A	6.2
08087	Morgan County; Fort Morgan, CO Micro Area; Colorado	8.4	6.0
08097	Pitkin County, Colorado	4.7	6.2
09001	Fairfield County; Bridgeport-Stamford-Norwalk, CT Metro Area; Connecticut	7.5	4.4
09003	Hartford County; Hartford-West Hartford-East Hartford, CT Metro Area; Connecticut	7.5	6.6
09005	Litchfield County; Torrington, CT Micro Area; Connecticut	7.5	4.6
09007	Middlesex County; Hartford-West Hartford-East Hartford, CT Metro Area; Connecticut	5.9	5.0
09009	New Haven County; New Haven-Milford, CT Metro Area; Connecticut	7.3	6.7
09011	New London County; Norwich-New London, CT Metro Area; Connecticut	5.6	6.7
09013	Tolland County; Hartford-West Hartford-East Hartford, CT Metro Area; Connecticut	6.2	3.9
09015	Windham County; Willimantic, CT Micro Area; Connecticut	4.3	5.2
11001	District of Columbia; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; District of Columbia	5.8	6.6
12003	Baker County; Jacksonville, FL Metro Area; Florida	1.5	7.1
12086	Miami-Dade County; Miami-Fort Lauderdale-Pompano Beach, FL Metro Area; Florida	7.8	7.1
13007	Baker County; Albany, GA Metro Area; Georgia	7.2	1.1
13013	Barrow County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	8.6	5.6
13035	Butts County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	4.0	5.9
13043	Candler County, Georgia	2.6	6.2
13079	Crawford County; Macon, GA Metro Area; Georgia	7.0	6.6
13083	Dade County; Chattanooga, TN-GA Metro Area; Georgia	8.6	6.4
13085	Dawson County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	3.5	3.6
13105	Elbert County, Georgia	7.5	7.1
13117	Forsyth County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	6.5	4.5
13129	Gordon County; Calhoun, GA Micro Area; Georgia	8.4	6.4
13133	Greene County, Georgia	7.3	3.4
13139	Hall County; Gainesville, GA Metro Area; Georgia	7.3	5.9
13159	Jasper County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	3.7	3.2
13171	Lamar County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	4.6	6.9
13181	Lincoln County, Georgia	2.2	4.7
13197	Marion County; Columbus, GA-AL Metro Area; Georgia	8.3	3.7
13199	Meriwether County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	4.9	6.2
13205	Mitchell County, Georgia	2.2	3.4
13211	Morgan County, Georgia	3.1	3.8
13217	Newton County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	7.7	6.6
13231	Pike County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	8.1	4.2
13237	Putnam County, Georgia	1.0	4.3
13249	Schley County; Americus, GA Micro Area; Georgia	3.2	6.4
13293	Upson County; Thomaston, GA Micro Area; Georgia	2.7	7.0
13297	Walton County; Atlanta-Sandy Springs-Marietta, GA Metro Area; Georgia	4.0	5.5
13301	Warren County, Georgia	1.2	4.7
13307	Webster County, Georgia	N/A	N/A
15005	Kalawao County, Hawaii	N/A	N/A
16001	Ada County; Boise City-Nampa, ID Metro Area; Idaho	6.6	5.6
16017	Bonner County, Idaho	5.0	7.0
16027	Canyon County; Boise City-Nampa, ID Metro Area; Idaho	7.8	7.1
16041	Franklin County; Logan, UT-ID Metro Area; Idaho	1.1	3.0
16045	Gem County; Boise City-Nampa, ID Metro Area; Idaho	N/A	6.1
16047	Gooding County, Idaho	4.7	4.0
16053	Jerome County; Twin Falls, ID Micro Area; Idaho	4.1	6.9
16057	Latah County; Moscow, ID Micro Area; Idaho	5.8	5.3
16065	Madison County; Rexburg, ID Micro Area; Idaho	3.0	6.3
16069	Nez Perce County; Lewiston, ID-WA Metro Area; Idaho	3.3	4.3
16071	Oneida County, Idaho	5.3	6.3
16077	Power County; Pocatello, ID Metro Area; Idaho	3.8	4.9
16087	Washington County, Idaho	3.8	6.4
17007	Boone County; Rockford, IL Metro Area; Illinois	6.8	6.5
17009	Brown County, Illinois	2.4	6.4
17013	Calhoun County; St. Louis, MO-IL Metro Area; Illinois	4.1	7.1
17019	Champaign County; Champaign-Urbana, IL Metro Area; Illinois	8.5	7.1
17027	Clinton County; St. Louis, MO-IL Metro Area; Illinois	3.5	4.4
17031	Cook County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	8.0	6.1
17037	DeKalb County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	4.5	3.8
17043	DuPage County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	8.3	5.2
17053	Ford County; Champaign-Urbana, IL Metro Area; Illinois	2.5	5.0
17055	Franklin County, Illinois	6.8	6.7

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
17057	Fulton County; Canton, IL Micro Area; Illinois	5.2	4.4
17061	Greene County, Illinois	5.0	5.6
17071	Henderson County; Burlington, IA-IL Micro Area; Illinois	1.0	7.0
17073	Henry County; Davenport-Moline-Rock Island, IA-IL Metro Area; Illinois	8.0	5.5
17075	Iroquois County, Illinois	6.7	6.6
17083	Jersey County; St. Louis, MO-IL Metro Area; Illinois	4.8	5.2
17087	Johnson County, Illinois	1.3	3.4
17089	Kane County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	7.2	5.1
17091	Kankakee County; Kankakee-Bradley, IL Metro Area; Illinois	7.2	6.4
17097	Lake County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	8.2	5.5
17109	McDonough County; Macomb, IL Micro Area; Illinois	3.4	6.9
17111	McHenry County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	7.1	4.0
17125	Mason County, Illinois	3.6	5.8
17131	Mercer County; Davenport-Moline-Rock Island, IA-IL Metro Area; Illinois	4.9	5.2
17139	Moultrie County, Illinois	8.0	5.2
17141	Ogle County; Rochelle, IL Micro Area; Illinois	5.8	6.0
17147	Piatt County; Champaign-Urbana, IL Metro Area; Illinois	5.7	4.8
17149	Pike County, Illinois	4.6	6.6
17153	Pulaski County, Illinois	5.2	6.6
17161	Rock Island County; Davenport-Moline-Rock Island, IA-IL Metro Area; Illinois	7.0	7.1
17169	Schuyler County, Illinois	N/A	6.3
17171	Scott County; Jacksonville, IL Micro Area; Illinois	4.1	6.8
17173	Shelby County, Illinois	3.9	6.7
17181	Union County, Illinois	1.8	4.4
17195	Whiteside County; Sterling, IL Micro Area; Illinois	3.6	7.0
17197	Will County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Illinois	8.0	6.5
17203	Woodford County; Peoria, IL Metro Area; Illinois	4.4	6.7
18001	Adams County; Decatur, IN Micro Area; Indiana	8.0	6.2
18007	Benton County; Lafayette, IN Metro Area; Indiana	4.3	6.8
18015	Carroll County; Lafayette, IN Metro Area; Indiana	4.2	4.5
18029	Dearborn County; Cincinnati-Middletown, OH-KY-IN Metro Area; Indiana	8.6	7.0
18031	Decatur County; Greensburg, IN Micro Area; Indiana	1.7	6.4
18037	Dubois County; Jasper, IN Micro Area; Indiana	6.1	3.8
18073	Jasper County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Indiana	5.1	5.2
18085	Kosciusko County; Warsaw, IN Micro Area; Indiana	3.0	6.4
18087	LaGrange County, Indiana	5.7	6.4
18089	Lake County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Indiana	7.8	7.0
18105	Monroe County; Bloomington, IN Metro Area; Indiana	8.5	6.4
18111	Newton County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Indiana	5.9	6.7
18119	Owen County; Bloomington, IN Metro Area; Indiana	4.6	5.5
18121	Parke County, Indiana	7.5	5.5
18127	Porter County; Chicago-Naperville-Joliet, IL-IN-WI Metro Area; Indiana	7.1	7.1
18137	Ripley County, Indiana	6.0	4.7
18149	Starke County, Indiana	3.9	4.5
18157	Tippecanoe County; Lafayette, IN Metro Area; Indiana	6.6	5.2
18159	Tipton County; Kokomo, IN Metro Area; Indiana	1.8	6.3
18161	Union County, Indiana	5.7	6.2
18165	Vermillion County; Terre Haute, IN Metro Area; Indiana	7.5	5.4
18171	Warren County, Indiana	6.4	5.8
18175	Washington County; Louisville-Jefferson County, KY-IN Metro Area; Indiana	6.3	6.5
18181	White County, Indiana	8.5	6.6
18183	Whitley County; Fort Wayne, IN Metro Area; Indiana	6.7	7.3
19003	Adams County, Iowa	4.5	6.9
19005	Allamakee County, Iowa	7.4	6.2
19009	Audubon County, Iowa	4.3	6.3
19011	Benton County; Cedar Rapids, IA Metro Area; Iowa	3.8	6.7
19013	Black Hawk County; Waterloo-Cedar Falls, IA Metro Area; Iowa	4.8	4.9
19015	Boone County; Boone, IA Micro Area; Iowa	2.9	7.2
19017	Bremer County; Waterloo-Cedar Falls, IA Metro Area; Iowa	3.0	5.4
19021	Buena Vista County; Storm Lake, IA Micro Area; Iowa	1.8	5.7
19023	Butler County, Iowa	2.5	4.7
19031	Cedar County, Iowa	0.9	5.3
19033	Cerro Gordo County; Mason City, IA Micro Area; Iowa	8.0	5.4
19037	Chickasaw County, Iowa	3.4	6.8
19041	Clay County; Spencer, IA Micro Area; Iowa	7.3	4.2
19049	Dallas County; Des Moines-West Des Moines, IA Metro Area; Iowa	4.5	6.3
19073	Greene County, Iowa	4.7	6.3
19075	Grundy County; Waterloo-Cedar Falls, IA Metro Area; Iowa	5.0	4.7

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
19079	Hamilton County, Iowa	6.4	5.0
19081	Hancock County, Iowa	5.3	5.6
19085	Harrison County; Omaha-Council Bluffs, NE-IA Metro Area; Iowa	5.5	7.0
19091	Humboldt County, Iowa	5.3	5.7
19097	Jackson County, Iowa	6.0	5.2
19103	Johnson County; Iowa City, IA Metro Area; Iowa	5.3	3.4
19105	Jones County; Cedar Rapids, IA Metro Area; Iowa	6.5	5.1
19113	Linn County; Cedar Rapids, IA Metro Area; Iowa	6.9	5.9
19121	Madison County; Des Moines-West Des Moines, IA Metro Area; Iowa	4.4	7.2
19131	Mitchell County, Iowa	N/A	6.9
19135	Monroe County, Iowa	N/A	6.8
19139	Muscatine County; Muscatine, IA Micro Area; Iowa	5.1	6.3
19153	Polk County; Des Moines-West Des Moines, IA Metro Area; Iowa	5.7	6.5
19159	Ringgold County, Iowa	1.0	5.3
19163	Scott County; Davenport-Moline-Rock Island, IA-IL Metro Area; Iowa	8.0	7.2
19169	Story County; Ames, IA Metro Area; Iowa	4.2	4.8
19177	Van Buren County, Iowa	7.0	5.9
19179	Wapello County; Ottumwa, IA Micro Area; Iowa	7.4	7.0
19181	Warren County; Des Moines-West Des Moines, IA Metro Area; Iowa	2.8	7.2
19185	Wayne County, Iowa	2.2	6.9
19187	Webster County; Fort Dodge, IA Micro Area; Iowa	4.6	7.3
19191	Winneshiek County, Iowa	7.0	5.9
19197	Wright County, Iowa	6.7	7.1
20017	Chase County; Emporia, KS Micro Area; Kansas	N/A	4.8
20023	Cheyenne County, Kansas	5.8	7.1
20045	Douglas County; Lawrence, KS Metro Area; Kansas	6.3	3.7
20049	Elk County, Kansas	N/A	7.3
20059	Franklin County; Kansas City, MO-KS Metro Area; Kansas	6.5	5.4
20073	Greenwood County, Kansas	3.7	6.2
20079	Harvey County; Wichita, KS Metro Area; Kansas	8.7	7.0
20087	Jefferson County; Topeka, KS Metro Area; Kansas	4.9	4.8
20091	Johnson County; Kansas City, MO-KS Metro Area; Kansas	7.6	7.2
20107	Linn County; Kansas City, MO-KS Metro Area; Kansas	4.7	6.2
20121	Miami County; Kansas City, MO-KS Metro Area; Kansas	2.9	5.9
20131	Nemaha County, Kansas	4.7	6.3
20133	Neosho County, Kansas	3.3	7.3
20161	Riley County; Manhattan, KS Metro Area; Kansas	4.3	3.7
20183	Smith County, Kansas	6.3	4.4
20199	Wallace County, Kansas	4.8	7.1
21017	Bourbon County; Lexington-Fayette, KY Metro Area; Kentucky	4.7	7.0
21023	Bracken County; Cincinnati-Middletown, OH-KY-IN Metro Area; Kentucky	6.1	3.5
21025	Breathitt County, Kentucky	2.4	7.0
21029	Bullitt County; Louisville-Jefferson County, KY-IN Metro Area; Kentucky	6.1	7.0
21031	Butler County, Kentucky	7.3	7.0
21045	Casey County, Kentucky	2.1	6.3
21051	Clay County, Kentucky	4.0	5.2
21069	Fleming County, Kentucky	4.5	6.9
21097	Harrison County, Kentucky	7.3	6.2
21101	Henderson County; Evansville, IN-KY Metro Area; Kentucky	6.7	6.4
21103	Henry County; Louisville-Jefferson County, KY-IN Metro Area; Kentucky	1.8	6.3
21105	Hickman County, Kentucky	N/A	4.5
21109	Jackson County, Kentucky	4.7	4.9
21113	Jessamine County; Lexington-Fayette, KY Metro Area; Kentucky	5.6	5.4
21129	Lee County, Kentucky	5.9	6.9
21153	Magoffin County, Kentucky	8.3	6.6
21185	Oldham County; Louisville-Jefferson County, KY-IN Metro Area; Kentucky	5.7	4.8
21189	Owsley County, Kentucky	1.1	6.4
21197	Powell County, Kentucky	3.1	7.2
21211	Shelby County; Louisville-Jefferson County, KY-IN Metro Area; Kentucky	7.1	5.0
21221	Trigg County; Clarksville, TN-KY Metro Area; Kentucky	7.6	4.6
21229	Washington County, Kentucky	6.3	1.9
21239	Woodford County; Lexington-Fayette, KY Metro Area; Kentucky	3.2	6.0
22007	Assumption Parish; Pierre Part, LA Micro Area; Louisiana	6.0	4.5
22009	Avoyelles Parish, Louisiana	6.1	4.9
22025	Catahoula Parish, Louisiana	2.9	6.2
22029	Concordia Parish; Natchez, MS-LA Micro Area; Louisiana	5.6	5.8
22037	East Feliciana Parish; Baton Rouge, LA Metro Area; Louisiana	1.2	6.9
22039	Evangeline Parish, Louisiana	8.5	6.4

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
22041	Franklin Parish, Louisiana	1.8	5.4
22045	Iberia Parish; New Iberia, LA Micro Area; Louisiana	4.0	5.9
22065	Madison Parish; Tallulah, LA Micro Area; Louisiana	3.7	5.7
22075	Plaquemines Parish; New Orleans-Metairie-Kenner, LA Metro Area; Louisiana	2.6	5.0
22081	Red River Parish, Louisiana	2.9	7.1
22083	Richland Parish, Louisiana	5.4	6.6
22087	St. Bernard Parish; New Orleans-Metairie-Kenner, LA Metro Area; Louisiana	4.4	6.0
22091	St. Helena Parish; Baton Rouge, LA Metro Area; Louisiana	N/A	4.6
22125	West Feliciana Parish; Baton Rouge, LA Metro Area; Louisiana	2.5	7.1
23005	Cumberland County; Portland-South Portland-Biddeford, ME Metro Area; Maine	5.7	3.7
23009	Hancock County, Maine	8.1	4.9
23013	Knox County; Rockland, ME Micro Area; Maine	7.3	5.1
23019	Penobscot County; Bangor, ME Metro Area; Maine	5.9	6.2
23023	Sagadahoc County; Portland-South Portland-Biddeford, ME Metro Area; Maine	7.5	6.2
24003	Anne Arundel County; Baltimore-Towson, MD Metro Area; Maryland	6.3	4.7
24005	Baltimore County; Baltimore-Towson, MD Metro Area; Maryland	6.2	6.0
24009	Calvert County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Maryland	3.9	7.2
24011	Caroline County, Maryland	4.5	7.1
24013	Carroll County; Baltimore-Towson, MD Metro Area; Maryland	6.0	4.9
24017	Charles County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Maryland	5.4	4.4
24019	Dorchester County; Cambridge, MD Micro Area; Maryland	4.7	7.1
24021	Frederick County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Maryland	5.5	4.8
24025	Harford County; Baltimore-Towson, MD Metro Area; Maryland	6.0	5.9
24031	Montgomery County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Maryland	5.3	3.1
24033	Prince George's County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Maryland	8.1	5.4
24035	Queen Anne's County; Baltimore-Towson, MD Metro Area; Maryland	4.9	5.2
24041	Talbot County; Easton, MD Micro Area; Maryland	3.1	5.9
24043	Washington County; Hagerstown-Martinsburg, MD-WV Metro Area; Maryland	7.4	5.7
24045	Wicomico County; Salisbury, MD Metro Area; Maryland	5.6	5.2
25001	Barnstable County; Barnstable Town, MA Metro Area; Massachusetts	6.5	5.8
25005	Bristol County; Providence-New Bedford-Fall River, RI-MA Metro Area; Massachusetts	5.1	5.6
25007	Dukes County, Massachusetts	6.6	4.3
25009	Essex County; Boston-Cambridge-Quincy, MA-NH Metro Area; Massachusetts	6.3	3.4
25011	Franklin County; Springfield, MA Metro Area; Massachusetts	2.3	2.9
25013	Hampden County; Springfield, MA Metro Area; Massachusetts	5.0	5.5
25015	Hampshire County; Springfield, MA Metro Area; Massachusetts	4.8	2.4
25017	Middlesex County; Boston-Cambridge-Quincy, MA-NH Metro Area; Massachusetts	5.8	2.4
25021	Norfolk County; Boston-Cambridge-Quincy, MA-NH Metro Area; Massachusetts	3.8	2.8
25023	Plymouth County; Boston-Cambridge-Quincy, MA-NH Metro Area; Massachusetts	4.4	3.4
25025	Suffolk County; Boston-Cambridge-Quincy, MA-NH Metro Area; Massachusetts	5.5	3.4
25027	Worcester County; Worcester, MA Metro Area; Massachusetts	7.8	4.5
26005	Allegan County; Allegan, MI Micro Area; Michigan	6.5	7.1
26007	Alpena County; Alpena, MI Micro Area; Michigan	6.8	5.5
26015	Barry County; Grand Rapids-Wyoming, MI Metro Area; Michigan	7.6	6.6
26027	Cass County; South Bend-Mishawaka, IN-MI Metro Area; Michigan	8.5	6.3
26029	Charlevoix County, Michigan	5.9	5.4
26031	Cheboygan County, Michigan	8.0	6.3
26045	Eaton County; Lansing-East Lansing, MI Metro Area; Michigan	8.0	5.2
26051	Gladwin County, Michigan	6.8	5.9
26055	Grand Traverse County; Traverse City, MI Micro Area; Michigan	8.3	5.0
26061	Houghton County; Houghton, MI Micro Area; Michigan	4.4	6.7
26063	Huron County, Michigan	8.2	6.7
26067	Ionia County; Grand Rapids-Wyoming, MI Metro Area; Michigan	6.3	6.5
26077	Kalamazoo County; Kalamazoo-Portage, MI Metro Area; Michigan	8.6	6.8
26081	Kent County; Grand Rapids-Wyoming, MI Metro Area; Michigan	7.8	6.2
26087	Lapeer County; Detroit-Warren-Livonia, MI Metro Area; Michigan	7.2	7.2
26091	Lenawee County; Adrian, MI Micro Area; Michigan	6.8	7.0
26099	Macomb County; Detroit-Warren-Livonia, MI Metro Area; Michigan	7.2	5.1
26111	Midland County; Midland, MI Micro Area; Michigan	6.0	6.7
26115	Monroe County; Monroe, MI Metro Area; Michigan	8.0	6.6
26119	Montmorency County, Michigan	4.2	5.0
26123	Newaygo County; Grand Rapids-Wyoming, MI Metro Area; Michigan	6.2	6.4
26129	Ogemaw County, Michigan	4.8	4.5

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
26145	Saginaw County; Saginaw-Saginaw Township North, MI Metro Area; Michigan	8.7	7.0
26165	Wexford County; Cadillac, MI Micro Area; Michigan	5.4	6.5
27003	Anoka County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	7.6	2.1
27005	Becker County, Minnesota	1.7	5.7
27007	Beltrami County; Bemidji, MN Micro Area; Minnesota	6.2	4.0
27013	Blue Earth County; Mankato-North Mankato, MN Metro Area; Minnesota	5.6	3.4
27017	Carlton County; Duluth, MN-WI Metro Area; Minnesota	2.5	4.3
27019	Carver County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	4.3	2.8
27021	Cass County; Brainerd, MN Micro Area; Minnesota	4.6	4.1
27025	Chisago County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	5.3	2.2
27029	Clearwater County, Minnesota	5.5	5.3
27031	Cook County, Minnesota	4.9	6.3
27035	Crow Wing County; Brainerd, MN Micro Area; Minnesota	4.6	2.6
27037	Dakota County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	8.2	2.5
27041	Douglas County; Alexandria, MN Micro Area; Minnesota	2.3	6.5
27049	Goodhue County; Red Wing, MN Micro Area; Minnesota	6.0	4.7
27053	Hennepin County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	6.5	2.7
27059	Isanti County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	8.7	6.0
27061	Itasca County, Minnesota	4.5	4.2
27065	Kanabec County, Minnesota	3.1	5.0
27087	Mahnomen County, Minnesota	5.9	6.8
27093	Meeker County, Minnesota	7.4	4.3
27095	Mille Lacs County, Minnesota	3.4	3.3
27097	Morrison County, Minnesota	3.0	4.0
27099	Mower County; Austin, MN Micro Area; Minnesota	5.1	6.2
27103	Nicollet County; Mankato-North Mankato, MN Metro Area; Minnesota	2.3	6.4
27105	Nobles County; Worthington, MN Micro Area; Minnesota	2.4	7.1
27111	Otter Tail County; Fergus Falls, MN Micro Area; Minnesota	6.1	6.0
27115	Pine County, Minnesota	3.9	4.2
27121	Pope County, Minnesota	4.2	4.0
27123	Ramsey County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	6.6	2.6
27137	St. Louis County; Duluth, MN-WI Metro Area; Minnesota	5.2	6.1
27139	Scott County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	6.7	4.7
27143	Sibley County, Minnesota	7.9	5.7
27145	Stearns County; St. Cloud, MN Metro Area; Minnesota	6.8	3.4
27149	Stevens County, Minnesota	7.2	6.8
27157	Wabasha County; Rochester, MN Metro Area; Minnesota	7.4	5.2
27159	Wadena County, Minnesota	7.0	6.4
27163	Washington County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	6.7	5.0
27169	Winona County; Winona, MN Micro Area; Minnesota	4.8	5.1
27171	Wright County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Minnesota	3.9	2.5
28005	Amite County; McComb, MS Micro Area; Mississippi	4.7	4.0
28011	Bolivar County; Cleveland, MS Micro Area; Mississippi	6.2	6.5
28013	Calhoun County, Mississippi	2.7	6.5
28021	Claiborne County, Mississippi	8.7	7.1
28027	Coahoma County; Clarksdale, MS Micro Area; Mississippi	5.9	5.1
28051	Holmes County, Mississippi	2.6	4.7
28053	Humphreys County, Mississippi	N/A	3.5
28061	Jasper County; Laurel, MS Micro Area; Mississippi	3.2	4.5
28069	Kemper County; Meridian, MS Micro Area; Mississippi	1.2	2.4
28089	Madison County; Jackson, MS Metro Area; Mississippi	6.8	5.3
28093	Marshall County; Memphis, TN-MS-AR Metro Area; Mississippi	5.6	7.0
28103	Noxubee County, Mississippi	2.3	7.2
28119	Quitman County, Mississippi	8.2	3.7
28123	Scott County, Mississippi	6.8	7.0
28125	Sharkey County, Mississippi	6.5	6.7
28133	Sunflower County; Indianola, MS Micro Area; Mississippi	3.4	6.3
28135	Tallahatchie County, Mississippi	7.8	4.0
28137	Tate County; Memphis, TN-MS-AR Metro Area; Mississippi	7.1	4.6
28145	Union County, Mississippi	7.6	5.8
28147	Walthall County, Mississippi	3.5	4.9
28155	Webster County, Mississippi	2.3	4.4
28157	Wilkinson County, Mississippi	2.2	1.3
29003	Andrew County; St. Joseph, MO-KS Metro Area; Missouri	N/A	6.3
29013	Bates County; Kansas City, MO-KS Metro Area; Missouri	4.9	6.3
29017	Bollinger County; Cape Girardeau-Jackson, MO-IL Metro Area; Missouri	5.9	6.4
29019	Boone County; Columbia, MO Metro Area; Missouri	6.6	7.3
29037	Cass County; Kansas City, MO-KS Metro Area; Missouri	6.5	7.1

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
29045	Clark County; Fort Madison-Keokuk, IA-MO Micro Area; Missouri	6.3	7.2
29049	Clinton County; Kansas City, MO-KS Metro Area; Missouri	6.2	7.2
29051	Cole County; Jefferson City, MO Metro Area; Missouri	6.0	7.0
29093	Iron County, Missouri	3.9	7.1
29183	St. Charles County; St. Louis, MO-IL Metro Area; Missouri	6.8	5.8
29186	Ste. Genevieve County, Missouri	6.6	5.8
29189	St. Louis County; St. Louis, MO-IL Metro Area; Missouri	6.7	7.0
29219	Warren County; St. Louis, MO-IL Metro Area; Missouri	1.9	6.7
29227	Worth County, Missouri	8.6	6.1
30005	Blaine County, Montana	5.5	7.0
30013	Cascade County; Great Falls, MT Metro Area; Montana	5.3	6.5
30029	Flathead County; Kalispell, MT Micro Area; Montana	7.0	6.3
30031	Gallatin County; Bozeman, MT Micro Area; Montana	4.5	6.0
30049	Lewis and Clark County; Helena, MT Micro Area; Montana	5.3	5.6
30063	Missoula County; Missoula, MT Metro Area; Montana	6.0	4.6
30081	Ravalli County, Montana	8.1	6.2
30095	Stillwater County, Montana	3.4	5.6
30099	Teton County, Montana	1.5	6.1
30103	Treasure County, Montana	3.8	6.9
30105	Valley County, Montana	7.8	7.3
30111	Yellowstone County; Billings, MT Metro Area; Montana	4.0	5.4
31005	Arthur County, Nebraska	N/A	5.3
31007	Banner County; Scottsbluff, NE Micro Area; Nebraska	2.7	N/A
31019	Buffalo County; Kearney, NE Micro Area; Nebraska	7.2	5.9
31021	Burt County, Nebraska	5.0	6.3
31039	Cuming County, Nebraska	0.8	5.3
31051	Dixon County; Sioux City, IA-NE-SD Metro Area; Nebraska	5.6	6.4
31059	Fillmore County, Nebraska	1.4	7.2
31061	Franklin County, Nebraska	8.2	5.6
31109	Lancaster County; Lincoln, NE Metro Area; Nebraska	7.5	6.6
31117	McPherson County; North Platte, NE Micro Area; Nebraska	4.5	6.2
31121	Merrick County; Grand Island, NE Micro Area; Nebraska	4.6	6.1
31149	Rock County, Nebraska	6.7	6.9
31153	Sarpy County; Omaha-Council Bluffs, NE-IA Metro Area; Nebraska	6.9	5.1
31159	Seward County; Lincoln, NE Metro Area; Nebraska	5.3	6.9
31165	Sioux County, Nebraska	6.9	5.7
31167	Stanton County; Norfolk, NE Micro Area; Nebraska	N/A	6.1
31173	Thurston County, Nebraska	7.0	4.1
31177	Washington County; Omaha-Council Bluffs, NE-IA Metro Area; Nebraska	5.8	6.9
31179	Wayne County, Nebraska	7.1	6.0
33001	Belknap County; Laconia, NH Micro Area; New Hampshire	4.7	6.3
33005	Cheshire County; Keene, NH Micro Area; New Hampshire	4.9	3.4
33009	Grafton County; Lebanon, NH-VT Micro Area; New Hampshire	7.6	3.8
33011	Hillsborough County; Manchester-Nashua, NH Metro Area; New Hampshire	6.9	2.5
33013	Merrimack County; Concord, NH Micro Area; New Hampshire	4.5	3.1
33015	Rockingham County; Boston-Cambridge-Quincy, MA-NH Metro Area; New Hampshire	7.4	3.0
33017	Strafford County; Boston-Cambridge-Quincy, MA-NH Metro Area; New Hampshire	4.7	2.6
33019	Sullivan County; Claremont, NH Micro Area; New Hampshire	3.9	6.5
34003	Bergen County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	3.8	2.8
34005	Burlington County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; New Jersey	6.1	5.9
34007	Camden County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; New Jersey	5.5	7.2
34011	Cumberland County; Vineland-Millville-Bridgeton, NJ Metro Area; New Jersey	8.1	6.1
34013	Essex County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	7.1	5.8
34015	Gloucester County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; New Jersey	7.7	6.7
34017	Hudson County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	6.2	3.5
34019	Hunterdon County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	2.2	4.4
34021	Mercer County; Trenton-Ewing, NJ Metro Area; New Jersey	7.7	6.0
34023	Middlesex County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	5.3	3.0
34025	Monmouth County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey	5.6	4.5

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
34027 .....	Morris County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey.	6.0	2.8
34031 .....	Passaic County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey.	6.5	3.1
34037 .....	Sussex County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey.	3.5	4.8
34039 .....	Union County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New Jersey.	6.5	3.9
34041 .....	Warren County; Allentown-Bethlehem-Easton, PA-NJ Metro Area; New Jersey .....	7.0	6.5
35033 .....	Mora County, New Mexico .....	7.1	5.6
36001 .....	Albany County; Albany-Schenectady-Troy, NY Metro Area; New York .....	4.8	6.7
36005 .....	Bronx County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	3.7	4.6
36019 .....	Clinton County; Plattsburgh, NY Micro Area; New York .....	5.3	7.0
36021 .....	Columbia County; Hudson, NY Micro Area; New York .....	5.9	5.6
36027 .....	Dutchess County; Poughkeepsie-Newburgh-Middletown, NY Metro Area; New York ....	6.0	4.8
36047 .....	Kings County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	3.7	3.8
36059 .....	Nassau County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	6.3	2.2
36061 .....	New York County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	2.5	3.9
36071 .....	Orange County; Poughkeepsie-Newburgh-Middletown, NY Metro Area; New York .....	4.2	4.7
36079 .....	Putnam County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	5.0	2.7
36081 .....	Queens County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	3.3	2.8
36085 .....	Richmond County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	8.2	4.8
36087 .....	Rockland County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	4.2	3.1
36091 .....	Saratoga County; Albany-Schenectady-Troy, NY Metro Area; New York .....	6.0	5.8
36103 .....	Suffolk County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	6.5	3.7
36109 .....	Tompkins County; Ithaca, NY Metro Area; New York .....	3.3	4.1
36111 .....	Ulster County; Kingston, NY Metro Area; New York .....	4.2	5.6
36119 .....	Westchester County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; New York.	5.2	3.5
36121 .....	Wyoming County, New York .....	5.2	7.0
37005 .....	Alleghany County, North Carolina .....	2.1	5.7
37015 .....	Bertie County, North Carolina .....	4.4	6.9
37023 .....	Burke County; Hickory-Lenoir-Morganton, NC Metro Area; North Carolina .....	8.5	7.1
37029 .....	Camden County; Elizabeth City, NC Micro Area; North Carolina .....	N/A	3.0
37041 .....	Chowan County, North Carolina .....	1.6	6.8
37043 .....	Clay County, North Carolina .....	7.6	5.1
37057 .....	Davidson County; Thomasville-Lexington, NC Micro Area; North Carolina .....	6.1	6.0
37073 .....	Gates County, North Carolina .....	2.0	3.7
37077 .....	Granville County, North Carolina .....	3.6	6.7
37079 .....	Greene County; Greenville, NC Metro Area; North Carolina .....	4.5	6.7
37083 .....	Halifax County; Roanoke Rapids, NC Micro Area; North Carolina .....	6.0	7.0
37091 .....	Hertford County, North Carolina .....	7.2	5.6
37109 .....	Lincoln County; Lincolnton, NC Micro Area; North Carolina .....	4.5	5.6
37111 .....	McDowell County, North Carolina .....	7.5	5.8
37117 .....	Martin County, North Carolina .....	5.6	5.7
37121 .....	Mitchell County, North Carolina .....	1.2	6.6
37123 .....	Montgomery County, North Carolina .....	5.9	5.3
37131 .....	Northampton County; Roanoke Rapids, NC Micro Area; North Carolina .....	1.7	4.9
37143 .....	Perquimans County; Elizabeth City, NC Micro Area; North Carolina .....	2.6	5.3
37145 .....	Person County; Durham-Chapel Hill, NC Metro Area; North Carolina .....	5.5	5.8
37169 .....	Stokes County; Winston-Salem, NC Metro Area; North Carolina .....	7.0	7.1
37175 .....	Transylvania County; Brevard, NC Micro Area; North Carolina .....	4.6	5.6
37177 .....	Tyrell County, North Carolina .....	3.7	5.0
37179 .....	Union County; Charlotte-Gastonia-Concord, NC-SC Metro Area; North Carolina .....	5.5	3.6
37181 .....	Vance County; Henderson, NC Micro Area; North Carolina .....	6.4	5.7
37187 .....	Washington County, North Carolina .....	4.4	6.1
37189 .....	Watauga County; Boone, NC Micro Area; North Carolina .....	6.6	7.0
37195 .....	Wilson County; Wilson, NC Micro Area; North Carolina .....	6.5	5.2
38015 .....	Burleigh County; Bismarck, ND Metro Area; North Dakota .....	5.5	5.3



## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
38017	Cass County; Fargo, ND-MN Metro Area; North Dakota	4.5	5.0
38035	Grand Forks County; Grand Forks, ND-MN Metro Area; North Dakota	6.9	6.2
38079	Rolette County, North Dakota	7.8	7.3
38085	Sioux County, North Dakota	3.5	3.3
38091	Steele County, North Dakota	5.0	5.2
38101	Ward County; Minot, ND Micro Area; North Dakota	3.7	5.3
39001	Adams County, Ohio	8.6	7.0
39005	Ashland County; Ashland, OH Micro Area; Ohio	5.1	6.5
39015	Brown County; Cincinnati-Middletown, OH-KY-IN Metro Area; Ohio	6.3	7.1
39019	Carroll County; Canton-Massillon, OH Metro Area; Ohio	2.9	5.9
39029	Columbiana County; East Liverpool-Salem, OH Micro Area; Ohio	6.2	6.1
39037	Darke County; Greenville, OH Micro Area; Ohio	3.9	5.7
39045	Fairfield County; Columbus, OH Metro Area; Ohio	5.8	6.3
39055	Geauga County; Cleveland-Elyria-Mentor, OH Metro Area; Ohio	7.3	5.9
39057	Greene County; Dayton, OH Metro Area; Ohio	6.1	7.2
39067	Harrison County, Ohio	2.0	7.2
39069	Henry County, Ohio	5.9	6.6
39071	Highland County, Ohio	5.0	7.1
39073	Hocking County, Ohio	6.1	4.3
39075	Holmes County, Ohio	5.0	5.7
39077	Huron County; Norwalk, OH Micro Area; Ohio	7.9	5.8
39083	Knox County; Mount Vernon, OH Micro Area; Ohio	5.5	6.4
39085	Lake County; Cleveland-Elyria-Mentor, OH Metro Area; Ohio	7.4	6.3
39089	Licking County; Columbus, OH Metro Area; Ohio	5.3	6.5
39091	Logan County; Bellefontaine, OH Micro Area; Ohio	2.5	7.3
39097	Madison County; Columbus, OH Metro Area; Ohio	4.3	7.0
39107	Mercer County; Celina, OH Micro Area; Ohio	5.4	6.4
39109	Miami County; Dayton, OH Metro Area; Ohio	8.1	7.1
39117	Morrow County; Columbus, OH Metro Area; Ohio	1.0	4.6
39121	Noble County, Ohio	5.5	3.9
39125	Paulding County, Ohio	8.6	6.5
39129	Pickaway County; Columbus, OH Metro Area; Ohio	6.9	5.9
39135	Preble County; Dayton, OH Metro Area; Ohio	1.7	6.0
39137	Putnam County, Ohio	8.1	5.7
39163	Vinton County, Ohio	4.8	3.7
39169	Wayne County; Wooster, OH Micro Area; Ohio	6.3	7.0
39171	Williams County, Ohio	6.5	5.5
39173	Wood County; Toledo, OH Metro Area; Ohio	7.5	5.4
41027	Hood River County; Hood River, OR Micro Area; Oregon	7.4	2.1
41029	Jackson County; Medford, OR Metro Area; Oregon	3.8	5.7
41033	Josephine County; Grants Pass, OR Micro Area; Oregon	4.0	6.7
41039	Lane County; Eugene-Springfield, OR Metro Area; Oregon	4.4	6.4
41051	Multnomah County; Portland-Vancouver-Beaverton, OR-WA Metro Area; Oregon	5.1	6.8
41053	Polk County; Salem, OR Metro Area; Oregon	7.6	7.1
41067	Washington County; Portland-Vancouver-Beaverton, OR-WA Metro Area; Oregon	5.7	7.1
41071	Yamhill County; Portland-Vancouver-Beaverton, OR-WA Metro Area; Oregon	5.0	5.5
42001	Adams County; Gettysburg, PA Micro Area; Pennsylvania	1.7	3.9
42005	Armstrong County; Pittsburgh, PA Metro Area; Pennsylvania	4.0	6.5
42009	Bedford County, Pennsylvania	3.8	6.7
42011	Berks County; Reading, PA Metro Area; Pennsylvania	6.1	6.7
42013	Blair County; Altoona, PA Metro Area; Pennsylvania	5.8	7.2
42017	Bucks County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; Pennsylvania.	8.2	4.4
42019	Butler County; Pittsburgh, PA Metro Area; Pennsylvania	5.6	6.0
42027	Centre County; State College, PA Metro Area; Pennsylvania	2.4	3.4
42029	Chester County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; Pennsylvania.	5.4	5.0
42031	Clarion County, Pennsylvania	8.2	6.6
42033	Clearfield County; DuBois, PA Micro Area; Pennsylvania	5.5	6.0
42035	Clinton County; Lock Haven, PA Micro Area; Pennsylvania	2.4	5.2
42037	Columbia County; Bloomsburg-Berwick, PA Micro Area; Pennsylvania	5.5	7.1
42041	Cumberland County; Harrisburg-Carlisle, PA Metro Area; Pennsylvania	3.0	6.7
42045	Delaware County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; Pennsylvania.	7.3	6.3
42053	Forest County, Pennsylvania	3.3	7.0
42055	Franklin County; Chambersburg, PA Micro Area; Pennsylvania	4.5	7.1
42057	Fulton County, Pennsylvania	2.0	6.9
42061	Huntingdon County; Huntingdon, PA Micro Area; Pennsylvania	8.1	6.9

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
42065	Jefferson County, Pennsylvania	4.2	6.3
42067	Juniata County, Pennsylvania	2.4	5.4
42071	Lancaster County; Lancaster, PA Metro Area; Pennsylvania	4.2	5.1
42075	Lebanon County; Lebanon, PA Metro Area; Pennsylvania	3.6	6.9
42077	Lehigh County; Allentown-Bethlehem-Easton, PA-NJ Metro Area; Pennsylvania	4.9	7.1
42085	Mercer County; Youngstown-Warren-Boardman, OH-PA Metro Area; Pennsylvania	7.9	6.8
42089	Monroe County; East Stroudsburg, PA Micro Area; Pennsylvania	4.9	5.8
42091	Montgomery County; Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area; Pennsylvania	6.4	5.9
42095	Northampton County; Allentown-Bethlehem-Easton, PA-NJ Metro Area; Pennsylvania	5.2	6.2
42103	Pike County; New York-Northern New Jersey-Long Island, NY-NJ-PA Metro Area; Pennsylvania	5.8	5.0
42105	Potter County, Pennsylvania	5.7	6.8
42109	Snyder County; Selinsgrove, PA Micro Area; Pennsylvania	2.0	5.1
42111	Somerset County; Somerset, PA Micro Area; Pennsylvania	5.7	7.1
42115	Susquehanna County, Pennsylvania	2.7	7.0
42117	Tioga County, Pennsylvania	3.6	6.2
42119	Union County; Lewisburg, PA Micro Area; Pennsylvania	3.6	6.4
42121	Venango County; Oil City, PA Micro Area; Pennsylvania	3.7	6.4
42127	Wayne County, Pennsylvania	3.7	7.1
42131	Wyoming County; Scranton-Wilkes-Barre, PA Metro Area; Pennsylvania	1.0	5.2
44001	Bristol County; Providence-New Bedford-Fall River, RI-MA Metro Area; Rhode Island	2.8	4.3
44003	Kent County; Providence-New Bedford-Fall River, RI-MA Metro Area; Rhode Island	5.1	4.8
44005	Newport County; Providence-New Bedford-Fall River, RI-MA Metro Area; Rhode Island	6.4	5.5
44007	Providence County; Providence-New Bedford-Fall River, RI-MA Metro Area; Rhode Island	7.7	5.1
45005	Allendale County, South Carolina	7.4	4.6
45017	Calhoun County; Columbia, SC Metro Area; South Carolina	1.8	4.8
45039	Fairfield County; Columbia, SC Metro Area; South Carolina	7.5	6.5
45065	McCormick County, South Carolina	6.5	7.0
45081	Saluda County; Columbia, SC Metro Area; South Carolina	6.8	5.5
45089	Williamsburg County, South Carolina	2.9	6.6
46011	Brookings County; Brookings, SD Micro Area; South Dakota	4.8	7.0
46015	Brule County, South Dakota	2.7	6.7
46017	Buffalo County, South Dakota	N/A	4.9
46031	Corson County, South Dakota	3.5	4.1
46033	Custer County, South Dakota	8.2	5.1
46049	Faulk County, South Dakota	4.1	5.7
46059	Hand County, South Dakota	3.7	5.1
46067	Hutchinson County, South Dakota	6.0	5.9
46079	Lake County, South Dakota	5.8	3.0
46099	Minnehaha County; Sioux Falls, SD Metro Area; South Dakota	7.7	5.0
46103	Pennington County; Rapid City, SD Metro Area; South Dakota	6.7	5.8
46109	Roberts County, South Dakota	5.2	5.7
46111	Sanborn County, South Dakota	3.2	6.3
46113	Shannon County, South Dakota	1.1	0.6
46121	Todd County, South Dakota	8.1	4.8
47003	Bedford County; Shelbyville, TN Micro Area; Tennessee	4.7	6.1
47021	Cheatham County; Nashville-Davidson—Murfreesboro—Franklin, TN Metro Area; Tennessee	3.9	6.6
47047	Fayette County; Memphis, TN-MS-AR Metro Area; Tennessee	6.4	6.7
47127	Moore County; Tullahoma, TN Micro Area; Tennessee	4.4	3.5
47147	Robertson County; Nashville-Davidson—Murfreesboro—Franklin, TN Metro Area; Tennessee	7.4	5.2
47171	Unicoi County; Johnson City, TN Metro Area; Tennessee	8.1	6.4
47175	Van Buren County, Tennessee	5.9	6.4
48013	Atascosa County; San Antonio, TX Metro Area; Texas	5.7	5.7
48015	Austin County; Houston-Sugar Land-Baytown, TX Metro Area; Texas	8.5	3.6
48033	Borden County, Texas	N/A	N/A
48035	Bosque County, Texas	7.0	6.5
48041	Brazos County; College Station-Bryan, TX Metro Area; Texas	7.7	6.6
48053	Burnet County, Texas	4.9	6.9
48055	Caldwell County; Austin-Round Rock, TX Metro Area; Texas	3.8	4.6
48095	Concho County, Texas	1.7	5.6
48097	Cooke County; Gainesville, TX Micro Area; Texas	5.8	6.0
48119	Delta County; Dallas-Fort Worth-Arlington, TX Metro Area; Texas	1.0	6.1
48123	DeWitt County, Texas	7.1	7.1

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
48137	Edwards County, Texas	2.7	4.3
48139	Ellis County; Dallas-Fort Worth-Arlington, TX Metro Area; Texas	6.9	6.8
48157	Fort Bend County; Houston-Sugar Land-Baytown, TX Metro Area; Texas	7.3	6.4
48171	Gillespie County; Fredericksburg, TX Micro Area; Texas	1.5	3.6
48173	Glasscock County, Texas	N/A	7.0
48205	Hartley County, Texas	1.1	6.8
48209	Hays County; Austin-Round Rock, TX Metro Area; Texas	6.1	4.6
48225	Houston County, Texas	7.3	7.1
48247	Jim Hogg County, Texas	5.9	4.8
48251	Johnson County; Dallas-Fort Worth-Arlington, TX Metro Area; Texas	5.8	6.8
48257	Kaufman County; Dallas-Fort Worth-Arlington, TX Metro Area; Texas	6.7	7.2
48261	Kenedy County; Kingsville, TX Micro Area; Texas	N/A	N/A
48267	Kimble County, Texas	5.1	5.9
48269	King County, Texas	N/A	N/A
48293	Limestone County, Texas	6.0	6.1
48301	Loving County, Texas	N/A	N/A
48305	Lynn County, Texas	N/A	7.3
48307	McCulloch County, Texas	0.5	5.8
48327	Menard County, Texas	3.7	6.5
48397	Rockwall County; Dallas-Fort Worth-Arlington, TX Metro Area; Texas	3.0	6.1
48421	Sherman County, Texas	5.5	6.5
48425	Somervell County; Granbury, TX Micro Area; Texas	N/A	6.6
48453	Travis County; Austin-Round Rock, TX Metro Area; Texas	8.1	3.2
48467	Van Zandt County, Texas	4.2	5.6
48477	Washington County; Brenham, TX Micro Area; Texas	4.0	6.6
48479	Webb County; Laredo, TX Metro Area; Texas	6.4	6.6
48491	Williamson County; Austin-Round Rock, TX Metro Area; Texas	6.3	3.8
48495	Winkler County, Texas	0.8	5.2
49005	Cache County; Logan, UT-ID Metro Area; Utah	4.8	4.7
49009	Daggett County, Utah	3.7	3.3
49011	Davis County; Ogden-Clearfield, UT Metro Area; Utah	6.5	6.2
49021	Iron County; Cedar City, UT Micro Area; Utah	6.8	7.0
49023	Juab County; Provo-Orem, UT Metro Area; Utah	3.4	2.3
49027	Millard County, Utah	4.3	6.9
49031	Piute County, Utah	N/A	4.3
49035	Salt Lake County; Salt Lake City, UT Metro Area; Utah	5.9	6.9
49047	Uintah County; Vernal, UT Micro Area; Utah	5.3	6.7
49049	Utah County; Provo-Orem, UT Metro Area; Utah	5.3	3.4
50001	Addison County, Vermont	8.1	3.4
50003	Bennington County; Bennington, VT Micro Area; Vermont	2.2	4.8
50005	Caledonia County, Vermont	6.9	6.3
50007	Chittenden County; Burlington-South Burlington, VT Metro Area; Vermont	3.8	1.8
50011	Franklin County; Burlington-South Burlington, VT Metro Area; Vermont	5.4	2.7
50013	Grand Isle County; Burlington-South Burlington, VT Metro Area; Vermont	4.6	5.6
50015	Lamoille County, Vermont	4.5	2.9
50021	Rutland County; Rutland, VT Micro Area; Vermont	7.2	4.7
50023	Washington County; Barre, VT Micro Area; Vermont	6.1	3.5
50025	Windham County, Vermont	8.2	5.1
50027	Windsor County; Lebanon, NH-VT Micro Area; Vermont	6.7	5.0
51003	Albemarle County; Charlottesville, VA Metro Area; Virginia	5.5	3.9
51005	Alleghany County, Virginia	3.1	5.3
51007	Amelia County; Richmond, VA Metro Area; Virginia	N/A	4.9
51009	Amherst County; Lynchburg, VA Metro Area; Virginia	2.3	5.0
51013	Arlington County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia.	6.6	2.3
51015	Augusta County; Staunton-Waynesboro, VA Micro Area; Virginia	6.0	5.4
51017	Bath County, Virginia	5.6	2.9
51019	Bedford County; Lynchburg, VA Metro Area; Virginia	6.9	6.3
51021	Bland County, Virginia	3.8	6.7
51025	Brunswick County, Virginia	1.7	1.8
51029	Buckingham County, Virginia	3.5	3.5
51031	Campbell County; Lynchburg, VA Metro Area; Virginia	4.6	6.9
51033	Caroline County; Richmond, VA Metro Area; Virginia	8.1	3.9
51043	Clarke County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia	7.1	3.1
51045	Craig County; Roanoke, VA Metro Area; Virginia	1.1	3.9
51047	Culpeper County; Culpeper, VA Micro Area; Virginia	7.4	2.5
51049	Cumberland County; Richmond, VA Metro Area; Virginia	N/A	3.3
51057	Essex County, Virginia	2.7	3.0

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
51059	Fairfax County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia	5.0	2.3
51063	Floyd County, Virginia	7.8	6.4
51065	Fluvanna County; Charlottesville, VA Metro Area; Virginia	3.8	4.0
51067	Franklin County; Roanoke, VA Metro Area; Virginia	6.4	5.8
51069	Frederick County; Winchester, VA-WV Metro Area; Virginia	6.6	5.5
51073	Gloucester County; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia.	2.5	4.9
51075	Goochland County; Richmond, VA Metro Area; Virginia	6.0	6.9
51079	Greene County; Charlottesville, VA Metro Area; Virginia	1.4	3.0
51081	Greensville County, Virginia	5.7	3.1
51083	Halifax County, Virginia	8.4	7.1
51085	Hanover County; Richmond, VA Metro Area; Virginia	5.2	5.7
51087	Henrico County; Richmond, VA Metro Area; Virginia	6.8	5.2
51093	Isle of Wight County; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia.	3.0	5.1
51097	King and Queen County; Richmond, VA Metro Area; Virginia	2.7	2.6
51101	King William County; Richmond, VA Metro Area; Virginia	3.2	5.0
51103	Lancaster County, Virginia	1.8	7.0
51109	Louisa County; Richmond, VA Metro Area; Virginia	3.9	3.5
51111	Lunenburg County, Virginia	7.4	4.6
51113	Madison County, Virginia	4.7	3.4
51115	Mathews County; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	N/A	4.0
51119	Middlesex County, Virginia	7.8	4.9
51121	Montgomery County; Blacksburg-Christiansburg-Radford, VA Metro Area; Virginia	4.9	3.5
51125	Nelson County; Charlottesville, VA Metro Area; Virginia	7.6	3.2
51127	New Kent County; Richmond, VA Metro Area; Virginia	N/A	2.1
51131	Northampton County, Virginia	3.8	4.6
51133	Northumberland County, Virginia	N/A	3.0
51135	Nottoway County, Virginia	3.0	4.8
51139	Page County, Virginia	3.6	4.2
51149	Prince George County; Richmond, VA Metro Area; Virginia	4.8	4.6
51153	Prince William County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia.	8.3	3.6
51155	Pulaski County; Blacksburg-Christiansburg-Radford, VA Metro Area; Virginia	6.3	6.6
51157	Rappahannock County, Virginia	N/A	3.3
51159	Richmond County, Virginia	2.1	3.6
51161	Roanoke County; Roanoke, VA Metro Area; Virginia	6.4	5.6
51165	Rockingham County; Harrisonburg, VA Metro Area; Virginia	2.3	4.2
51171	Shenandoah County, Virginia	6.3	4.1
51183	Sussex County; Richmond, VA Metro Area; Virginia	1.5	4.4
51187	Warren County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia.	7.9	3.7
51191	Washington County; Kingsport-Bristol-Bristol, TN-VA Metro Area; Virginia	6.1	6.9
51193	Westmoreland County, Virginia	1.2	4.2
51199	York County; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	4.8	3.7
51510	Alexandria city; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia	5.6	2.3
51515	Bedford city; Lynchburg, VA Metro Area; Virginia	N/A	6.2
51530	Buena Vista city, Virginia	2.1	3.6
51540	Charlottesville city; Charlottesville, VA Metro Area; Virginia	6.1	2.9
51550	Chesapeake city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	1.6	4.9
51595	Emporia city, Virginia	5.4	6.4
51600	Fairfax city; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia	N/A	1.6
51610	Falls Church city; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; Virginia.	4.6	3.6
51650	Hampton city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	7.7	6.7
51660	Harrisonburg city; Harrisonburg, VA Metro Area; Virginia	4.0	3.6
51678	Lexington city, Virginia	N/A	3.3
51700	Newport News city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia.	6.6	6.6
51735	Poquoson city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	5.2	0.8
51740	Portsmouth city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	4.6	7.0
51750	Radford city; Blacksburg-Christiansburg-Radford, VA Metro Area; Virginia	2.5	6.1
51760	Richmond city; Richmond, VA Metro Area; Virginia	7.2	6.4
51770	Roanoke city; Roanoke, VA Metro Area; Virginia	5.4	6.4
51800	Suffolk city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	5.0	6.9
51810	Virginia Beach city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia.	5.2	4.6
51820	Waynesboro city; Staunton-Waynesboro, VA Metro Area; Virginia	6.5	5.8

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
51830	Williamsburg city; Virginia Beach-Norfolk-Newport News, VA-NC Metro Area; Virginia	8.6	2.8
53007	Chelan County; Wenatchee-East Wenatchee, WA Metro Area; Washington	7.3	7.1
53011	Clark County; Portland-Vancouver-Beaverton, OR-WA Metro Area; Washington	5.3	7.0
53029	Island County; Oak Harbor, WA Micro Area; Washington	6.1	4.4
53031	Jefferson County, Washington	3.0	5.3
53033	King County; Seattle-Tacoma-Bellevue, WA Metro Area; Washington	4.8	4.2
53035	Kitsap County; Bremerton-Silverdale, WA Metro Area; Washington	6.2	6.9
53037	Kittitas County; Ellensburg, WA Micro Area; Washington	3.7	6.6
53043	Lincoln County, Washington	1.5	6.0
53045	Mason County; Shelton, WA Micro Area; Washington	5.0	6.5
53053	Pierce County; Seattle-Tacoma-Bellevue, WA Metro Area; Washington	6.4	6.8
53055	San Juan County, Washington	5.8	6.9
53057	Skagit County; Mount Vernon-Anacortes, WA Metro Area; Washington	4.2	4.9
53059	Skamania County; Portland-Vancouver-Beaverton, OR-WA Metro Area; Washington	0.4	7.1
53061	Snohomish County; Seattle-Tacoma-Bellevue, WA Metro Area; Washington	4.7	5.8
53065	Stevens County, Washington	6.9	6.4
53067	Thurston County; Olympia, WA Metro Area; Washington	4.1	6.3
53069	Wahkiakum County, Washington	N/A	5.1
53073	Whatcom County; Bellingham, WA Metro Area; Washington	2.7	6.0
54001	Barbour County, West Virginia	5.1	4.8
54003	Berkeley County; Hagerstown-Martinsburg, MD-WV Metro Area; West Virginia	5.8	7.0
54013	Calhoun County, West Virginia	6.5	6.9
54017	Doddridge County; Clarksburg, WV Micro Area; West Virginia	0.9	5.6
54027	Hampshire County; Winchester, VA-WV Metro Area; West Virginia	3.9	6.7
54037	Jefferson County; Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area; West Virginia.	7.1	4.1
54041	Lewis County, West Virginia	3.1	7.2
54043	Lincoln County; Charleston, WV Metro Area; West Virginia	1.9	5.6
54051	Marshall County; Wheeling, WV-OH Metro Area; West Virginia	3.2	5.1
54071	Pendleton County, West Virginia	2.7	5.9
54083	Randolph County, West Virginia	6.4	6.8
54085	Ritchie County, West Virginia	6.0	5.9
54087	Roane County, West Virginia	2.1	6.7
54095	Tyler County, West Virginia	3.9	7.2
54101	Webster County, West Virginia	8.3	6.9
54109	Wyoming County, West Virginia	1.1	6.3
55001	Adams County, Wisconsin	5.7	6.9
55003	Ashland County, Wisconsin	8.0	7.0
55005	Barron County, Wisconsin	4.5	4.6
55007	Bayfield County, Wisconsin	5.0	6.7
55009	Brown County; Green Bay, WI Metro Area; Wisconsin	6.5	4.1
55013	Burnett County, Wisconsin	4.5	5.2
55017	Chippewa County; Eau Claire, WI Metro Area; Wisconsin	4.5	5.2
55019	Clark County, Wisconsin	7.1	6.3
55021	Columbia County; Madison, WI Metro Area; Wisconsin	8.2	6.9
55025	Dane County; Madison, WI Metro Area; Wisconsin	7.0	4.3
55031	Douglas County; Duluth, MN-WI Metro Area; Wisconsin	7.5	6.6
55035	Eau Claire County; Eau Claire, WI Metro Area; Wisconsin	4.0	3.6
55037	Florence County; Iron Mountain, MI-WI Micro Area; Wisconsin	7.7	5.3
55055	Jefferson County; Watertown-Fort Atkinson, WI Micro Area; Wisconsin	6.6	6.0
55061	Kewaunee County; Green Bay, WI Metro Area; Wisconsin	2.6	6.2
55063	La Crosse County; La Crosse, WI-MN Metro Area; Wisconsin	3.1	4.8
55077	Marquette County, Wisconsin	3.1	6.8
55079	Milwaukee County; Milwaukee-Waukesha-West Allis, WI Metro Area; Wisconsin	4.8	5.8
55081	Monroe County, Wisconsin	5.2	6.7
55083	Oconto County; Green Bay, WI Metro Area; Wisconsin	4.9	5.8
55087	Outagamie County; Appleton, WI Metro Area; Wisconsin	5.1	5.0
55089	Ozaukee County; Milwaukee-Waukesha-West Allis, WI Metro Area; Wisconsin	8.3	5.0
55093	Pierce County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Wisconsin	3.5	3.0
55097	Portage County; Stevens Point, WI Micro Area; Wisconsin	4.3	4.1
55101	Racine County; Racine, WI Metro Area; Wisconsin	6.0	7.1
55107	Rusk County, Wisconsin	3.3	6.0
55109	St. Croix County; Minneapolis-St. Paul-Bloomington, MN-WI Metro Area; Wisconsin	4.2	3.3
55113	Sawyer County, Wisconsin	1.6	6.5
55115	Shawano County, Wisconsin	5.9	6.4
55117	Sheboygan County; Sheboygan, WI Metro Area; Wisconsin	6.8	5.6
55119	Taylor County, Wisconsin	6.7	4.9
55123	Vernon County, Wisconsin	6.8	6.8

## ATTACHMENT 1—LOW VACANCY AREAS—Continued

County FIPS code	County name	Vacancy Rate for Units Affordable to 80% of AMI	
		2009 ACS 5 Year average (percent)	2000 Census (percent)
55127	Walworth County; Whitewater, WI Micro Area; Wisconsin	7.9	4.9
55131	Washington County; Milwaukee-Waukesha-West Allis, WI Metro Area; Wisconsin	3.8	5.0
55133	Waukesha County; Milwaukee-Waukesha-West Allis, WI Metro Area; Wisconsin	4.6	5.4
55137	Waushara County, Wisconsin	3.3	6.3
55139	Winnebago County; Oshkosh-Neenah, WI Metro Area; Wisconsin	7.5	6.0
55141	Wood County; Marshfield-Wisconsin Rapids, WI Micro Area; Wisconsin	6.6	6.0
56001	Albany County; Laramie, WY Micro Area; Wyoming	7.4	5.7
56005	Campbell County; Gillette, WY Micro Area; Wyoming	5.3	6.5
56019	Johnson County, Wyoming	1.4	5.0
56033	Sheridan County; Sheridan, WY Micro Area; Wyoming	3.6	5.2
72003	Aguada Municipio; Aguadilla-Isabela-San Sebastián, PR Metro Area; Puerto Rico	N/A	6.7
72005	Aguadilla Municipio; Aguadilla-Isabela-San Sebastián, PR Metro Area; Puerto Rico	4.3	6.5
72007	Aguas Buenas Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.2	6.5
72015	Arroyo Municipio; Guayama, PR Metro Area; Puerto Rico	2.5	3.7
72017	Barceloneta Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.7	5.0
72019	Barranquitas Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	1.0	6.9
72025	Caguas Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.5	5.2
72029	Canovanas Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.1	6.4
72031	Carolina Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.4	7.2
72033	Cataño Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	3.6	5.2
72035	Cayey Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.1	6.3
72037	Ceiba Municipio; Fajardo, PR Metro Area; Puerto Rico	1.6	6.9
72039	Ciales Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	N/A	6.2
72041	Cidra Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	N/A	5.6
72043	Coamo Municipio; Coamo, PR Micro Area; Puerto Rico	N/A	5.7
72047	Corozal Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	1.2	4.8
72057	Guayama Municipio; Guayama, PR Metro Area; Puerto Rico	3.9	5.3
72059	Guayanilla Municipio; Yauco, PR Metro Area; Puerto Rico	2.2	5.4
72061	Guaynabo Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.0	6.6
72063	Gurabo Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	6.7	3.9
72065	Hatillo Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	6.0	4.8
72071	Isabela Municipio; Aguadilla-Isabela-San Sebastián, PR Metro Area; Puerto Rico	2.2	6.8
72073	Jayuya Municipio; Jayuya, PR Micro Area; Puerto Rico	N/A	2.6
72075	Juana Díaz Municipio; Ponce, PR Metro Area; Puerto Rico	1.9	5.1
72077	Juncos Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.6	4.9
72087	Lofza Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	1.3	4.4
72093	Maricao Municipio, Puerto Rico	N/A	4.5
72095	Maunabo Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	N/A	1.7
72101	Morovis Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.3	4.7
72103	Naguabo Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	6.4	6.3
72107	Orocovis Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	0.6	5.1
72111	Peñuelas Municipio; Yauco, PR Metro Area; Puerto Rico	1.9	5.0
72113	Ponce Municipio; Ponce, PR Metro Area; Puerto Rico	2.6	4.7
72115	Quebradillas Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	2.4	4.7
72119	Río Grande Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.0	6.5
72121	Sabana Grande Municipio; San Germán-Cabo Rojo, PR Metro Area; Puerto Rico	1.0	5.1
72123	Salinas Municipio; Coamo, PR Micro Area; Puerto Rico	1.8	2.8
72125	San Germán Municipio; San Germán-Cabo Rojo, PR Metro Area; Puerto Rico	1.9	6.0
72127	San Juan Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	4.5	6.2
72133	Santa Isabel Municipio; Santa Isabel, PR Micro Area; Puerto Rico	N/A	1.6
72143	Vega Alta Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	5.0	4.8
72147	Vieques Municipio, Puerto Rico	8.4	7.0
72149	Villalba Municipio; Ponce, PR Metro Area; Puerto Rico	1.8	4.4
72151	Yabucoa Municipio; San Juan-Caguas-Guaynabo, PR Metro Area; Puerto Rico	3.8	4.8
72153	Yauco Municipio; Yauco, PR Metro Area; Puerto Rico	2.0	6.1

**Note:** A property meets the low-vacancy threshold if it is located in a county that was below the national rental vacancy rate for units affordable to low-income households in 2000 (7.3 percent) and was within the 80th percentile of low-income rental vacancy rates (8.7 percent) as measured by the 2009 5 year ACS (meaning that 80 percent of counties had a vacancy rate below 8.7 percent in the 2009 5 year ACS).

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BILLING CODE 4210-67-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-R-2012-N270;  
FXRS1261080000-134-FF08RSDC00]

#### Otay River Estuary Restoration Project; South San Diego Bay Unit and Sweetwater Marsh Unit of the San Diego Bay National Wildlife Refuge, California; Intent To Prepare an Environmental Impact Statement

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

**ACTION:** Notice of intent; reinitiation of scoping and request for public comment.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are reinitiating scoping with regard to the environmental impact statement (EIS) for the proposed Otay River Estuary Restoration Project. As originally proposed, the project involved the restoration of estuarine and salt marsh (subtidal and intertidal wetlands) habitats within the western terminus of the Otay River and a portion of the salt ponds in the San Diego Bay National Wildlife Refuge-South San Diego Bay Unit. Based on information developed since the original scoping period, the proposed project may now also include the restoration of a portion of the D Street Fill, located within the San Diego Bay National Wildlife Refuge-Sweetwater Marsh Unit. We originally published a notice of intent on November 14, 2011 (76 FR 70480), and scoping comments were accepted through January 12, 2012. Since then, we have expanded the Area of Potential Effect of the restoration project to include the salt ponds and D Street Fill within the San Diego Bay National Wildlife Refuge. This second notice advises the public that we intend to gather additional information through scoping regarding an EIS for the expanded project. We encourage the public and other agencies to participate in the NEPA scoping process by sending written suggestions and information on

the issues and concerns that should be addressed in the draft EIS, including the range of alternatives, appropriate mitigation measures, and the nature and extent of potential environmental impacts. Comments submitted during the earlier scoping period do not need to be resubmitted.

**DATES:** To ensure that we have adequate time to evaluate and incorporate suggestions and other input, we must receive your comments on or before February 8, 2013.

**ADDRESSES:** Send your comments or requests for more information by one of the following methods.

*Email:* Otay NOI@fws.gov. Please include "Otay Estuary NOI" in the subject line of the message

*Fax:* Attn: Brian Collins, (619) 476-9149

*U.S. Mail:* Brian Collins, U.S. Fish and Wildlife Service, San Diego National Wildlife Refuge Complex, P.O. Box 2358, Chula Vista, CA 91912

**FOR FURTHER INFORMATION CONTACT:** Brian Collins, Refuge Manager (619-575-2704, extension 302), or Andrew Yuen, Project Leader (619-476-9150, extension 100).

#### SUPPLEMENTARY INFORMATION:

##### Background

In 2006, we completed a Comprehensive Conservation Plan (CCP) and EIS/Record of Decision (ROD) to guide the management of the San Diego Bay National Wildlife Refuge over a 15-year period (71 FR 64552, November 2, 2006). The wildlife and habitat management goal of the selected management alternative in the CCP for the South San Diego Bay Unit is to "Protect, manage, enhance, and restore \* \* \* coastal wetlands \* \* \* to benefit the native fish, wildlife, and plant species supported within the South San Diego Bay Unit." One of the strategies identified to meet this goal is to restore native habitats in the Otay River floodplain and the salt ponds. The wildlife and habitat management goal of the selected alternative for the Sweetwater Marsh Unit is to "Protect, manage, enhance, and restore coastal wetland and upland habitats to benefit native fish, wildlife, and plant species within the Sweetwater Marsh Unit." The proposed restoration project represents step-down restoration planning for the western portion of the Otay River floodplain, salt ponds, and D Street Fill. The site-specific EIS for this project will tier from the programmatic EIS and ROD prepared for the CCP. Funding for the proposed restoration is being provided by the Poseidon Resources Carlsbad Desalination Project

to fulfill part of their mitigation requirement for the desalination project. On November 15, 2007, the California Coastal Commission (Commission) approved a Coastal Development Permit (CDP No. E-06-013) for the Poseidon desalination facility in Carlsbad, San Diego County. As part of that approval, the Commission required Poseidon to implement a Marine Life Mitigation Plan (MLMP).

In early 2010, Poseidon submitted an initial proposal to the Commission identifying possible mitigation sites. The submittal compared about a dozen potential sites in the Southern California Bight and concluded that the Otay River floodplain portion of the San Diego Bay NWR was most suited to provide the type and amount of mitigation the MLMP required. Commission staff and members of the Commission's Scientific Advisory Panel reviewed Poseidon's analysis and concurred that the Otay River floodplain site was most likely to meet the MLMP requirements and objectives. Final site selection required approval by both the Commission and the San Diego Regional Water Quality Control Board (SDRWQCB). On February 9, 2011, the Commission unanimously approved the Otay River floodplain site, and the site was approved by the SDRWQCB on March 9, 2011. On October 15, 2012, the Commission's Executive Director approved an 18-month extension to Poseidon Resources to submit a Coastal Development Permit application based on the potential additional benefits of restoration or partial restoration of salt ponds as part of the Otay River Estuary Restoration Project. The MLMP requirements and objectives are consistent with the goals and objectives set forth in our CCP for the Otay River floodplain, salt ponds, and D Street Fill.

Prior to implementation of the restoration project, the California Coastal Commission must approve a Coastal Development Permit (CDP) for the proposed restoration. In accordance with the California Environmental Quality Act, the CDP process is exempt from the requirement of preparing an environmental impact report. The Commission's staff report and findings related to the CDP application for the project will be the environmental analysis document prepared under the Commission's certified regulatory program. The Commission will allow sufficient opportunity during the CDP process for public review and comment.

#### Proposed Project

We propose to convert disturbed uplands within the western portion of the Otay River floodplain and salt ponds