DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5711–N–03]

Notice of Regulatory Waiver Requests Granted for the Third Quarter of Calendar Year 2013

AGENCY: Office of the General Counsel, HUD.

ACTION: Notice.

SUMMARY: Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (the HUD Reform Act) requires HUD to publish quarterly Federal Register notices of all regulatory waivers that HUD has approved. Each notice covers the quarterly period since the previous Federal Register notice. The purpose of this notice is to comply with the requirements of section 106 of the HUD Reform Act. This notice contains a list of regulatory waivers granted by HUD during the period beginning on July 1, 2013, and ending on September 30, 2013.

FOR FURTHER INFORMATION CONTACT: For general information about this notice, contact Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, 451 7th Street SW., Room 10282, Washington, DC 20410–0500, telephone 202–708–1793 (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. For information concerning a particular waiver that was granted and for which public notice is provided in this document, contact the person whose name and address follow the description of the waiver granted in the accompanying list of waivers that have been granted in the third quarter of calendar year 2013.

SUPPLEMENTARY INFORMATION: Section 106 of the HUD Reform Act added a new section 7(q) to the Department of Housing and Urban Development Act (42 U.S.C. 3535(q)), which provides that:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;
2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary or equivalent rank, and the person to whom authority to waive is delegated must also have authority to issue the particular regulation to be waived;
3. Not less than quarterly, the Secretary must notify the public of all waivers of regulations that HUD has approved, by publishing a notice in the Federal Register. These notices (each covering the period since the most recent previous notification) shall:
   a. Identify the project, activity, or undertaking involved;
   b. Describe the nature of the provision waived and the designation of the provision;
   c. Indicate the name and title of the person who granted the waiver request;
   d. Describe briefly the grounds for approval of the request; and
   e. State how additional information about a particular waiver may be obtained.

Section 106 of the HUD Reform Act also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purpose of this notice.

This notice follows procedures provided in HUD's Statement of Policy on Waiver of Regulations and Directives issued on April 22, 1991 (56 FR 16337). In accordance with those procedures and with the requirements of section 106 of the HUD Reform Act, waivers of regulations are granted by the Assistant Secretary with jurisdiction over the regulations for which a waiver was requested. In those cases in which a General Deputy Assistant Secretary granted the waiver, the General Deputy Assistant Secretary was serving in the absence of the Assistant Secretary in accordance with the office's Order of Succession.

This notice covers waivers of regulations granted by HUD from July 1, 2013 through September 30, 2013. For ease of reference, the waivers granted by HUD are listed by HUD program office (for example, the Office of Community Planning and Development, the Office of Fair Housing and Equal Opportunity, the Office of Housing, and the Office of Public and Indian Housing, etc.). Within each program office grouping, the waivers are listed sequentially by the regulatory section of title 24 of the Code of Federal Regulations (CFR) that is being waived. For example, a waiver of a provision in 24 CFR part 58 would be listed before a waiver of a provision in 24 CFR part 570.

Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement that appears in 24 CFR and that is being waived. For example, a waiver of both § 58.73 and § 58.74 would appear sequentially in the listing under § 58.73.

Waiver of regulations that involve the same initial regulatory citation are in

Sandra B. Henriquez,
Assistant Secretary for Public and Indian Housing.

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time sequence beginning with the earliest-dated regulatory waiver.

Should HUD receive additional information about waivers granted during the period covered by this report (the third quarter of calendar year 2013) before the next report is published (the fourth quarter of calendar year 2013), HUD will include any additional waivers granted for the third quarter in the next report.

Accordingly, information about approved waiver requests pertaining to HUD regulations is provided in the Appendix that follows this notice.

Dated: December 9, 2013.

Helen R. Kanovsky,
General Counsel.

Appendix

Listing of Waivers of Regulatory Requirements Granted by Offices of the Department of Housing and Urban Development July 1, 2013 Through September 30, 2013

Note to Reader: More information about the granting of these waivers, including a copy of the waiver request and approval, may be obtained by contacting the person whose name is listed as the contact person directly after each set of regulatory waivers granted.

The regulatory waivers granted appear in the following order:
I. Regulatory waivers granted by the Office of Community Planning and Development.
II. Regulatory waivers granted by the Office of Housing.
III. Regulatory waivers granted by the Office of Public and Indian Housing.

I. Regulatory Waivers Granted by the Office of Community Planning and Development

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

<table>
<thead>
<tr>
<th>Date Granted</th>
<th>Request for Release of Funds (RROF)</th>
<th>Nature of Requirement:</th>
<th>Project/Activity:</th>
<th>Regulation:</th>
<th>Contact:</th>
<th>Granted By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 9, 2013</td>
<td>The city of Somerville, MA</td>
<td>Limitations on activities pending clearance</td>
<td>The city of Somerville, MA requested a waiver for the acquisition and development of Ladd Hall, an affordable 27-unit multifamily project in Waterbury, VT. The applicant, Central Vermont Community Land Trust (CVCLT), signed a conditional Purchase and Sales (P&amp;S) Agreement for Ladd Hall prior to approval of the environmental review and Request for Release of Funds (RROF). A waiver was needed because the applicant, CVCLT, committed non-HUD funds to enter into a Purchase &amp; Sales Agreement for the property before approval of the environmental review and the submission and HUD approval of the Request for Release of Funds (RROF). No renovation, demolition, or new construction work on the property had begun.</td>
<td>Section 58.22 of HUD’s regulations entitled “Limitations on activities pending clearance” provides that neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in 24 CFR 58.1(b) on an activity or project until HUD or the state has approved the recipient’s RROF and the related certification from the responsible entity. In addition, until the RROF and the related certification have been approved, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in 24 CFR 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.</td>
<td>24 CFR 58.22(a).</td>
<td>Mark Johnston, Deputy Assistant Secretary for Special Needs.</td>
</tr>
<tr>
<td>September 30, 2013</td>
<td>The city of Tuscaloosa, AL</td>
<td>Limitations on activities pending clearance</td>
<td>The city of Tuscaloosa, AL, requested a waiver to shorten its citizen comment period so that it could quickly reallocate CDBG funds to assist residents and businesses and facilitate its recovery efforts resulting from a disaster declaration.</td>
<td>Section 58.22 of HUD’s regulations entitled “Limitations on activities pending clearance” provides that neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in 24 CFR 58.1(b) on an activity or project until HUD or the state has approved the recipient’s RROF and the related certification from the responsible entity. In addition, until the RROF and the related certification have been approved, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in 24 CFR 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.</td>
<td>24 CFR 58.22(a).</td>
<td>Mark Johnston, Deputy Assistant Secretary for Special Needs.</td>
</tr>
</tbody>
</table>

II. Regulatory Waivers Granted by the Office of Housing

<table>
<thead>
<tr>
<th>Date Granted</th>
<th>Project/Activity:</th>
<th>Nature of Requirement:</th>
<th>Project/Activity:</th>
<th>Regulation:</th>
<th>Contact:</th>
<th>Granted By:</th>
</tr>
</thead>
</table>

III. Regulatory Waivers Granted by the Office of Public and Indian Housing

Nature of Requirements: HUD’s HOME Investment Partnership Program (HOME) regulations at 24 CFR 92.503(b)(3), which requires funds expended for ineligible activities or costs to be repaid to the account from which they were disbursed.

<table>
<thead>
<tr>
<th>Date Granted</th>
<th>Project/Activity:</th>
<th>Nature of Requirement:</th>
<th>Project/Activity:</th>
<th>Regulation:</th>
<th>Contact:</th>
<th>Granted By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 30, 2013</td>
<td>The State of Minnesota</td>
<td>Regulatory waivers granted for the third quarter in (July 1, 2013 through September 30, 2013), before the next report is published (the fourth quarter of calendar year 2013), HUD will include any additional waivers granted for the third quarter in the next report. Accordingly, information about approved waiver requests pertaining to HUD regulations is provided in the Appendix that follows this notice.</td>
<td>The State of Minnesota, Office of Housing and Urban Development, Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410, telephone (202) 708–1577.</td>
<td>24 CFR 92.503(b)(3).</td>
<td>Gloria Coates, Office of Block Grant Assistance, Entitlement Communities Division, Office of Community Planning and Development, 451 7th Street SW., Room 7282, Washington, DC 20410, telephone (202) 708–1577.</td>
<td>Gloria Coates, Office of Block Grant Assistance, Entitlement Communities Division, Office of Community Planning and Development, 451 7th Street SW., Room 7282, Washington, DC 20410, telephone (202) 708–1577.</td>
</tr>
</tbody>
</table>
received by HUD but recaptured by the United States Treasury. As a result, the repaid funds would have no longer been available for the State’s use in eligible affordable housing activities. Title II of the Cranston-Gonzalez National Affordable Housing Act [42 U.S.C. 12721 et seq.], as amended, states that such repaid funds shall be made available immediately to the participating jurisdiction for investment in eligible affordable housing activities. In this case, the regulation makes it impossible to meet the City’s August 23, 2013, deadline. The waiver was granted to permit the state to repay its local HOME Investment Trust Fund accounts instead of its HOME Investment Trust Treasury account.

**Granted By:** Mark Johnston, Deputy Assistant Secretary for Special Needs.

**Date Granted:** July 25, 2013.

**Reasons Waived:** Waiver was granted to permit the State to repay funds make the repaid funds available for eligible HOME projects.

**Contact:** Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW., Room 7164, Washington, DC 20410, telephone (202) 708–2684.

### Regulations

- **Regulations:** 24 CFR § 92.2(2)(i).

**Project/Activity:** The City of Alexandria, VA, requested a waiver of definition of “commitment” at 24 CFR § 92.2(2)(i) of the HOME Final Rule for the Lynnhaven Apartments project.

### Nature of Requirements:

- **Nature of Requirement:** Section 92.212(ii) was amended effective August 23, 2013 to require that a HOME participating jurisdiction ensure that all necessary financing to complete a project has been secured before HOME funds are committed to the project. The City requested the waiver to permit it to commit HOME funds that would otherwise be lost to a September 30, 2013, deadline. The City stated that it did not anticipate the change in definition of “commitment” that was made effective in the new Final Rule because the definition change was not part of the HOME proposed rule published on December 11, 2011. The short time between the publication of the HOME final rule and the City’s September 30, 2013, deadline was insufficient to enable the City identify another project to which it could quickly commit its HOME funds.

**Granted By:** Mark Johnston, Deputy Assistant Secretary for Special Needs.

**Date Granted:** September 25, 2013.

**Reasons Waived:** The waiver was granted based upon the abbreviated period of time the City had between the publication of the new regulation and its commitment deadline to identify an alternate project to which to commit its HOME funds. The waiver, which permits the City to commit HOME funds to the Lynnhaven rehabilitation project while its application for finan for Low-Income Tax Credits (LIHTC) are pending, is conditioned on the project securing this financing based upon the submission submitted to HUD.

**Contact:** Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW., Room 7164, Washington, DC 20410, telephone (202) 708–2684.

- **Regulations:** 24 CFR § 92.252(e) and 24 CFR § 92.254(a)(4).

**Project/Activity:** The City of New Orleans, LA, requested that HUD waive the affordability period set forth in 24 CFR § 92.252(e) and 92.254(a)(4) for 31 HOME-assisted projects that were destroyed during Hurricanes Katrina and Rita in 2005, and Gustav in 2008.

### Nature of Requirements:

- **Nature of Requirement:** The HOME regulations at 24 CFR § 92.252(e) and 92.254(a)(4) set forth the minimum required affordability period for HOME-assisted rental projects and homebuyer projects, respectively. The City invested a total of $1,422,742.72 of HOME funds in 31 rental and homebuyer projects that were destroyed or irreparably damaged as a result of three Presidentially-declared major disasters. Consequently, they did not meet the required affordability periods due to circumstances beyond the City’s control.

**Granted By:** Mark Johnston, Deputy Assistant Secretary for Special Needs.

**Date Granted:** September 13, 2013.

**Reasons Waived:** The waiver was granted to reduce the affordability periods under § 92.252(e) and 92.254(a)(4) to the useful life of these projects which ended when the properties were destroyed or severely damaged by Hurricanes Katrina, and Rita in 2005, and Gustav, in 2008.

**Contact:** Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW., Room 7164, Washington, DC 20410, telephone (202) 708–2684.

- **Regulation:** Neighborhood Stabilization Program 3 Notice, published on October 9, 2010, at 75 FR 64333 (II.H.3.f) in accordance with Title XII of Division A under the heading Community Planning and Development: Community Development Fund of the Recovery and Reinvestment Act of 2009.

**Project/Activity:** Clark County, NV, requested a waiver of the 10 percent demolition cap under the Neighborhood Stabilization Program which restricts grantees from spending more than 10 percent of total grant funds on demolition activities. Clark County requested a waiver to spend $3,540,526.00 or approximately seventeen and one-half percent of its NSP3 allocation of $20,253,261.00 on the demolition of asbestos infected structures.

### Nature of Requirement:

- **Nature of Requirement:** Section II.H.3.f of the NSP3 Notice provides that a grantee may not use more than ten percent of its grant for demolition activities.

**Granted By:** Mark Johnston, Deputy Assistant Secretary for Special Needs.

**Date Granted:** September 1, 2013.

**Reasons Waived:** Clark County requested a waiver to spend $3,540,526.00 or approximately seventeen and one-half percent of its NSP3 allocation of $20,253,261.00 on the demolition of asbestos infected structures. Clark County provided statistical data supporting the presence of asbestos in many units which caused demolition costs to be significantly higher than initially expected. Consequently, Clark County was granted a waiver of the expenditure of funds for demolition.

### Nature of Requirements:

- **Nature of Requirement:** Demolition activities target NSP3 investment neighborhoods and remove safety hazards and the destabilizing influence of blighted properties.

**Contact:** Jessie Handforth Kome, Deputy Director, Office of Block Grant Assistance, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW., Room 7286, Washington, DC 20410, telephone (202) 402–5539.

### II. Regulatory Waivers Granted by the Office of Housing—Federal Housing Administration (FHA)

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

**Regulation:** 24 CFR 200.85(b).

**Project/Activity:** North Point II, Fort Smith, Arkansas, Project Number: 082–35441.

### Nature of Requirement:

- **Nature of Requirement:** 24 CFR 200.85(b) of HUD’s regulation provides that “A covenant against repayment of a Commissioner approved inferior lien from mortgage proceeds other than surplus cash or residual receipts, except in the case of an inferior lien created by an operating loss loan insured pursuant to Section 223(d) of the [National Housing] Act, or a supplemental loan insured pursuant to Section 241 of the Act.”

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** July 8, 2013.

**Reason Waived:** The Arkansas Development Finance Authority (ADFA), the state housing allocation agency does not allow HOME loans without required payments of principal and interest. To meet ADFA requirements, the borrower requested the use of operating funds to repay the $400,000 HOME loan. The award of Low-Income Housing Tax Credits (LIHTC) is tied to the allocation HOME funds. If the borrower did not accept the HOME funds, the project would not have qualified LIHTC. This approved waiver for Section 223(a)(7)/221(d)(4) Refinance is the second waiver for the subject property. The first waiver was approved for the subject project on March 24, 2010, when the application was submitted as a Section 221(d)(4) new construction with LIHTC.

**Contact:** Theodore K. Toon, Director, Office of Multifamily Housing Development, HTD, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 402–8386.

Projects prior to May 1, 1996 states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of these actions would typically terminate FHA involvement with the property and the Flexible Subsidy loan would be repaid, in whole, at that time.”

Project/Activity: Villanova Apartments—FHA Project Number 117–35219, Lawton, Oklahoma. The owner is requesting to defer repayment of the Flexible Subsidy loans on this project because of the owner’s inability to repay the loan in full or partially upon maturity.

Nature of Requirement: Section 219.220(b) of HUD’s regulations governs the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Projects prior to May 1, 1996 states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of these actions would typically terminate FHA involvement with the property, and the Flexible Subsidy loan would be repaid, in whole, at that time.”

Project/Activity: Denver Metro Village—FHA Project Number 101–44802, Denver, Colorado. The owner is requesting to defer repayment of the Flexible Subsidy loans on this project because of the owner’s inability to repay the loans in full or partially upon maturity.

Nature of Requirement: Section 219.220(b) of HUD’s regulations govern the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Projects prior to May 1, 1996 states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of these actions would typically terminate FHA involvement with the property, and the Flexible Subsidy loan would be repaid, in whole, at that time.”

Project/Activity: Springvale Terrace Apartments—FHA Project Number 024–SH017, Silver Spring, Maryland. The owner is requesting to defer repayment of the Flexible Subsidy loans on this project because the property does not possess resources to repay the loan upon its maturity.

Nature of Requirement: Section 219.220(b) of HUD’s regulations govern the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Projects prior to May 1, 1996 states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of these actions would typically terminate FHA involvement with the property, and the Flexible Subsidy loan would be repaid, in whole, at that time.”

Project/Activity: Villanova Apartments—FHA Project Number 117–35219, Lawton, Oklahoma. The owner is requesting to defer repayment of the Flexible Subsidy loans on this project because of the owner’s inability to repay the loan in full or partially upon maturity.

Nature of Requirement: Section 219.220(b) of HUD’s regulations governs the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Projects prior to May 1, 1996 states: “Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of these actions would typically terminate FHA involvement with the property, and the Flexible Subsidy loan would be repaid, in whole, at that time.”

Project/Activity: Denver Metro Village—FHA Project Number 101–44802, Denver, Colorado. The owner is requesting to defer
(Whittier) is an acute rehabilitation hospital and a member of Whittier Health Network. Whittier is located in Bradford, MA. **Nature of Requirement:** HUD’s regulation at 24 CFR 242.72 prohibits the leasing of hospitals by proposed mortgagees, effectively requiring that the owner (mortgagor) of the facility and operator of the facility be the same organization.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** September 17, 2013.

**Reason Waived:** The owner and mortgagor lease the Hospital to an operator, BRN Corporation, a member of the Whittier Health Network. Whittier’s current long-term debt is at a variable interest rate and terms require it be paid in full on January 24, 2014. The granting of the waiver would allow Whittier’s current debt to be refinanced at a long-term, fixed rate.

**Contact:** Shelley M. McCracken-Rania, Senior Financial Analyst, Office of Healthcare Programs Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 2237, Washington, DC 20410, telephone (202) 402–5366.

**Regulation:** 24 CFR 242.17(b).

**Project/Activity:** The New York Presbyterian Hospital (NYP) is part of New York Presbyterian Healthcare System, an affiliation of healthcare facilities and providers. NYP is the five-facility, 2,224 bed flagship Hospital of the System. NYP is located in Manhattan, NY.

**Nature of Requirement:** HUD’s regulation at 24 CFR 242.17(b) mandates the commitment will provide for insurance of advances of mortgage funds during construction.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** July 24, 2013.

**Reason Waived:** The waiver was granted and provided that advances would be insured prior to construction. This proposed structure would benefit to NYP in lowering the cost of borrowing and reducing the mortgage amount compared to the traditional approach. NYP concludes a “permanent” financing eliminates the needs for capitalized interest, up to $25 million.

**Contact:** Shelley M. McCracken-Rania, Senior Financial Analyst, Office of Healthcare Programs Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 2237, Washington, DC 20410, telephone (202) 402–5366.

**Regulation:** 24 CFR 242.42.

**Project/Activity:** The New York Presbyterian Hospital (NYP) is part of New York Presbyterian Healthcare System, an affiliation of healthcare facilities and providers. NYP is the five-facility, 2,224 bed flagship Hospital of the System. NYP is located in Manhattan, NY.

**Nature of Requirement:** HUD’s regulation at 24 CFR 242.42 mandates the mortgagor’s Certificate of Actual Cost be submitted upon completion of the physical improvements to the satisfaction of HUD and before final endorsement.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** July 24, 2013.

**Reason Waived:** The waiver was granted and provided that the Mortgagor’s Certificate of Actual Cost would not be submitted until after “Same-Day” endorsement of the loan. This proposed structure would benefit to NYP in lowering the cost of borrowing and reducing the mortgage amount compared to the traditional approach. NYP concludes a “permanent” financing eliminates the needs for capitalized interest, up to $25 million.

**Contact:** Shelley M. McCracken-Rania, Senior Financial Analyst, Office of Healthcare Programs Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 2237, Washington, DC 20410, telephone (202) 402–5366.

**Regulation:** 24 CFR 242.72.

**Project/Activity:** Bradford Rehab Associates d.b.a. Whittier Rehabilitation Hospital Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

**Regulation:** 24 CFR 891.100(d).

**Project/Activity:** Focus Outreach Community Development, Louisville, MS, Project Number: 065–HD945/MS26–Q101–001.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** September 13, 2013.

**Reason Waived:** The project was determined to be economically designed and comparable in cost to similar projects in the area, and the sponsor/owner exhausted all efforts to obtain additional funding from other sources.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

**Regulation:** 24 CFR 891.100(d).

**Project/Activity:** Housing Opportunities II, Shirley, NY, Project Number: 012–HD137/ NY36–Q071–002.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing.

**Granted By:** Carol J. Galante, Acting Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** July 18, 2013.

**Reason Waived:** The project was determined to be economically designed and comparable in cost to similar projects in the area, and the sponsor/owner exhausted all efforts to obtain additional funding from other sources.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

**Regulation:** 24 CFR 891.100(d) and 24 CFR 891.165.

**Project/Activity:** Findley Place Apartments, Pittsfield, IL, Project Number: 072–EE187/ IL06–S101–011.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** The project was determined to be economically designed and comparable in cost to similar projects in the area, and the sponsor/owner exhausted all efforts to obtain additional funding from other sources.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.
efforts to obtain additional funding from other sources. Additional time is needed to achieve an initial closing.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.100(d) and 24 CFR 891.165.
- **Project/Activity:** Share XIV, Medford, NY, Project Number: 012–HD143/NY36–Q091–003.

**Nature of Requirement:** Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing. Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Acting Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** September 11, 2013.

**Reason Waived:** The project was determined to be economically designed and comparable in cost to similar projects in the area, and the sponsor/owner exhausted all efforts to obtain additional funding from other sources. Additional time is needed to achieve an initial closing.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** George Gervin Retirement Apartments, San Antonio, TX, Project Number: 115–HD052/TX59–Q091–002.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** Additional time was needed for the project to achieve an initial closing.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** Kenyon Terrace Apartments, Pawtucket, RI, Project Number: 016–HD063/R143–Q091–006.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** Additional time was needed for the project to achieve an initial closing and to begin the start of construction.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** Jubilee Station, Charleston, WV, Project Number: 045–HD045/WV15–Q091–002.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** Additional time was needed for the project to reach an initial closing and start construction.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** Barringer Gardens, Charlotte, NC, Project Number: 053–EE199/NC19–S091–012.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** Additional time was needed to process the new firm commitment application and initially close the project.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** Orange Tree Senior Apartments, Oroville, Butte County, CA, Project Number: 136–EE087/CA30–S101–008.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.

**Reason Waived:** Additional time was needed for this CAUC project to complete construction and reach initial closing.

**Contact:** Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- **Regulation:** 24 CFR 891.165.
- **Project/Activity:** Rosa Parks II Senior Housing, San Francisco, CA, Project Number: 121–EE225/CA39–S101–002.

**Nature of Requirement:** Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

**Granted By:** Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

**Date Granted:** August 8, 2013.
Reason Waived: Additional time was needed to achieve an initial closing and to begin the start of construction.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- Regulation: 24 CFR 891.165.
- Project/Activity: COMM 22 Seniors, San Diego, CA; Project Number: 129–EE036/C/CA3–S101–001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: September 26, 2013.

Reason Waived: Additional time was needed for this project to reach initial closing.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- Regulation: 24 CFR 891.165.
- Project/Activity: Fairfield Commons I, Stamford, CT; Project Number: 017–HD042/CT76–C091–001.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: August 23, 2013.

Reason Waived: Additional time was needed to achieve an initial closing and to start construction.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- Regulation: 24 CFR 891.165.
- Project/Activity: Fairthorne Housing, Philadelphia, PA; Project Number: 034–EE185/PA26–S101–010.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: September 26, 2013.

Reason Waived: Additional time was needed to coordinate various funding sources and to negotiate the loan documents for the project to reach initial closing.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410–8000, telephone (202) 708–3000.

- Regulation: 24 CFR 891.165.
- Project/Activity: Ken Crest PA 2010, Spring City, PA; Project Number: 034–HD117/PA26– Q101–004.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18 months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Carol J. Galante, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: September 26, 2013.

Reason Waived: Additional time was needed for this project to reach initial closing.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- Regulation: 24 CFR 902.20.
- Project/Activity: New York City Housing Authority, (NY005) New York, NY.

Nature of Requirement: The objective of this regulation is to determine whether a housing authority (HA) is meeting the standard of decent, safe, sanitary, and in good repair. The Real Estate Assessment Center (REAC) provides for an independent physical inspection of a HA’s property of properties that includes a statistically valid sample of 25% of the properties.

Granted By: Catherine M. Brennan, Director, Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: September 26, 2013.

Reason Waived: Additional time was needed to achieve an initial closing.

Contact: Catherine M. Brennan, Director, Office of Housing Assistance and Grant Administration, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6134, Washington, DC 20410, telephone (202) 708–3000.

- Regulation: 24 CFR 982.505(d).
- Project/Activity: Chicago Housing Authority (CHA), Chicago, IL; Dorchester Artist Housing Mixed-Finance transaction.

Nature of Requirement: This regulatory provision requires that “if a partner and/or owner entity (or any other entity with and identity of interest with such parties) wants to serve as the general contractor for the project or development, it may award itself the construction contract only if it can demonstrate to HUD’s satisfaction that its bid is the lowest bid submitted in response to a public request for bids.”

Granted By: Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

Date Granted: August 22, 2013.

Reason Waived: The Housing Authority of the City of Augusta submitted an independent cost estimate. HUD reviewed the Mixed-Finance proposal and confirmed that the construction costs for the project were below the independent cost review prepared. HUD also performed a fee analysis that showed all of the construction fees were at or below HUD’s Cost Control and Safe Harbor Standards (revised April 9, 2003). On this basis, it was determined that good cause existed to grant the waiver so that the affiliate could serve as the general contractor.

Contact: Dominique Blom, Deputy Assistant Secretary for the Office of Public Housing Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4130, Washington, DC 20410, telephone (202) 402–4181.

- Regulation: 24 CFR 941.606[n][i][ii][B].
- Project/Activity: Artist Housing Mixed-Finance transaction.

Nature of Requirement: HUD reviewed the Mixed-Finance proposal and confirmed that the construction costs for the project were below the independent cost review prepared by Construction Cost System submitted by CHA. HUD also performed a fee analysis that showed all of the construction fees were at or below HUD’s Cost Control and Safe Harbor Standards (revised April 9, 2003). On this basis, it was determined that good cause existed to grant the waiver so that OVC BCM JV with BCM owned by Brinshore Development, LLC, a member of the development team for the Project, could serve as the general contractor.

Contact: Dominique Blom, Deputy Assistant Secretary for the Office of Public Housing Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4130, Washington, DC 20410, telephone (202) 402–4181.

- Regulation: 24 CFR 982.505(d).
- Project/Activity: San Diego Housing Commission (SDHC), San Diego, CA.

Nature of Requirement: HUD’s regulation at 24 CFR 982.505(d) states that a public housing agency may only approve a higher
payment standard for a family as a reasonable accommodation if the higher payment standard is within the basic range of 90 to 110 percent of the fair market rent (FMR) for the unit size.

**Reason Waived:** The participant, who is a person with disabilities, required an exception payment standard to move to a unit that meets the needs of her family. To provide this reasonable accommodation so that the client could move to a new unit and pay no more than 40 percent of her adjusted income toward the family share, the SDHC was allowed to approve an exception payment standard that exceeded the basic range of 90 to 110 percent of the FMR.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4216, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 983.51.

**Project/Activity:** San Diego Housing Commission (SDHC), San Diego, CA.

**Nature of Requirement:** HUD’s regulation at 24 CFR 982.505(d) states that a public housing agency may only approve a higher payment standard for a family as a reasonable accommodation if the higher payment standard is within the basic range of 90 to 110 percent of the fair market rent (FMR) for the unit size.

**Granted By:** Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

**Date Granted:** August 26, 2013.

**Reason Waived:** The participant, who is a person with disabilities, required an exception payment standard to move to a unit that meets his needs. To provide this reasonable accommodation so the client could move to a new unit and pay no more than 40 percent of his adjusted income toward the family share, the KCDC was allowed to approve an exception payment standard that exceeded the basic range of 90 to 110 percent of the FMR.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4216, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 982.505(d).

**Project/Activity:** Knoxville Community Development Corporation (KCDC), Knoxville, TN.

**Nature of Requirement:** HUD’s regulation at 24 CFR 982.505(d) states that a public housing agency may only approve a higher payment standard for a family as a reasonable accommodation if the higher payment standard is within the basic range of 90 to 110 percent of the fair market rent (FMR) for the unit size.

**Granted By:** Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

**Date Granted:** August 22, 2013.

**Reason Waived:** The participant, whose daughter is a person with disabilities, required an exception payment standard to remain in her current unit that met the needs of his daughter. To provide this reasonable accommodation so the client could remain in his unit and pay no more than 40 percent of his adjusted income toward the family share, the KCDC was allowed to approve an exception payment standard that exceeded the basic range of 90 to 110 percent of the FMR.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4216, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 982.505(d).

**Project/Activity:** Sawyer County Housing Authority (SCHA), Sawyer County, WI.

**Nature of Requirement:** HUD’s regulation at 24 CFR 982.505(d) states that a public housing agency may only approve a higher payment standard for a family as a reasonable accommodation if the higher payment standard is within the basic range of 90 to 110 percent of the fair market rent (FMR) for the unit size.

**Granted By:** Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

**Date Granted:** September 13, 2013.

**Reason Waived:** The applicant, who is a person with disabilities, required an exception payment standard to move to a unit that meets the needs of her family. To provide this reasonable accommodation so the client could move to a new unit and pay no more than 40 percent of her adjusted income toward the family share, the OHA was allowed to approve an exception payment standard that exceeded the basic range of 90 to 110 percent of the FMR. The participant, who is a person with disabilities, required an exception payment standard to move to a new unit and pay no more than 40 percent of his adjusted income toward the family share, the KCDC was allowed to approve an exception payment standard that exceeded the basic range of 90 to 110 percent of the FMR.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4216, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 983.51.

**Project/Activity:** Sawyer County Housing Authority (SCHA), Sawyer County, WI.

**Project/Activity:** Galveston Housing Authority (GHA), Galveston, TX.

**Nature of Requirement:** HUD’s regulation at 24 CFR 983.51(a) requires the owner proposal selection procedures. These procedures require a current or previous competitive selection.

**Granted By:** Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

**Date Granted:** September 3, 2013.

**Reason Waived:** This regulation was waived in order to finalize and expedite the redevelopment of public housing that was destroyed due to Hurricane Ike and to address critical housing needs on Galveston Island that would otherwise remain unaddressed.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4210, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 983.51(b), 983.55(b) and 983.153(a).

**Project/Activity:** Norfolk Redevelopment and Housing Authority (NRHA), Norfolk, VA.

**Project/Activity:** Norfolk Redevelopment and Housing Authority (NRHA), Norfolk, VA.

**Nature of Requirement:** The first regulation provides that a PHA must select PBV proposals by either of two methods requiring competitive selection. The second regulation provides that a PHA may not enter into an Agreement to enter into a Housing Assistance Payments Contract (AHAP) until HUD or an independent entity approved by HUD has conducted a required subsidy layering review (SLR) and determined that the PBV assistance is in accordance with the HUD SLR requirements. The third regulation provides that the PHA may not enter the AHAP with the owner until the SLR is completed.

**Granted By:** Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

**Date Granted:** August 14, 2013.

**Reason Waived:** These regulations were waived based on the unique collaborative effort of five communities to provide critical housing for the homeless (including veterans and the disabled and the multitude of funding sources committed to Heron’s Landing.

**Contact:** Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4210, Washington, DC 20410, telephone (202) 708–0477.

**Regulation:** 24 CFR 983.206(b).

**Project/Activity:** Housing Authority of the City of Milwaukee (HACM), Milwaukee, WI.

**Nature of Requirement:** HUD’s regulation at 24 CFR 983.206(b) provides that at the
discretion of the PHA and provided that the total number of units in a project that will receive project-based voucher (PBV) assistance or other project-based assistance will not exceed 25 percent of the number of dwelling units (assisted or unassisted) in the project and no additional PBV contract units in the same project.

Granted By: Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

Date Granted: September 30, 2013.

Reason Waived: This regulation was waived because the PHA was permitted to submit WHA's certification after the due date.

Date Granted: August 9, 2013.

Reason Waived: This regulation was waived since the executive director was terminated and no one else had entry rights to submit WHA's certification.

Nature of Requirement: This regulation limits extensions of Family Self-Sufficiency (FSS) contracts by a public housing agency to two years beyond the initial five-year term of the FSS contract.

Granted By: Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

Date Granted: August 29, 2013.

Reason Waived: This regulation was waived because failure to complete the contract within the contract term was due to serious health challenges within her family and job market conditions during a severe economic downturn in California.

Contact: Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4210, Washington, DC 20410. telephone (202) 708-0477.

* Regulation: 24 CFR 984.303(d).
  * Project/Activity: San Diego County Housing Authority (SDCHA), San Diego County, CA.

Nature of Requirement: This regulation would ensure the financial stability of the HUD-approved mixed finance project.

Contact: Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4210, Washington, DC 20410. telephone (202) 708-0477.

  * Project/Activity: Chester Housing Authority (CHA), Chester, SC.

Nature of Requirement: HUD’s regulation at 24 CFR 985.101(a) provides that a PHA must submit the HUD-required Section Eight Management Assessment Program (SEMAP) certification form within 60 calendar days after the end of its fiscal year.

Granted By: Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

Date Granted: September 30, 2013.

Reason Waived: This waiver was granted since the executive director resigned in August prior to the due date of the SEMAP certification and no one else had entry rights to submit CHA’s certification. CHA was permitted to submit its SEMAP certification after the due date.

Contact: Laure Rawson, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 4210, Washington, DC 20410. telephone (202) 708-0477.

  * Project/Activity: San Diego Housing Authority (SDCHA), San Diego County, CA.

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service


Patuxent Research Refuge, Prince George’s and Anne Arundel Counties, MD; Final Comprehensive Conservation Plan and Finding of No Significant Impact

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of the final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for Patuxent Research Refuge (Patuxent RR, refuge), located in Prince George’s and Anne Arundel Counties, Maryland. In this final CCP, we describe how we will manage the refuge for the next 15 years.

ADDRESSES: You may view or obtain copies of the final CCP and FONSI by any of the following methods. You may request a hard copy or a CD-ROM.


Email: Send requests to northeastplanning@fws.gov. Include “Patuxent CCP” in the subject line of your email.

Mail: Bill Perry, Natural Resource Planner, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035.

Fax: Attention: Bill Perry, 413–253–8468.

In-Person Viewing or Pickup: Call 301–497–5580 to make an appointment (necessary for view/pickup only) during regular business hours at Patuxent RR, 10901 Scarlet Tanager Loop, Laurel, MD 20708. For more information on locations for viewing or obtaining documents, see “Public Availability of Documents” under SUPPLEMENTARY INFORMATION.

FOR FURTHER INFORMATION CONTACT: Brad Knudsen, Refuge Manager, 301–437–5360 (phone) or Bill Perry, Planning Team Leader, 413–253–8688 (phone); northeastplanning@fws.gov (email).

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we finalize the CCP process for Patuxent RR. We started this process through a notice of intent in the Federal Register (76 FR 12563) on March 16, 2010. We announced the release of the draft CCP and environmental assessment (EA) to the public and requested comments in a notice of availability in the Federal Register (77 FR 24929) on October 10, 2012.

Patuxent RR was established in 1936 by Executive Order by President Franklin D. Roosevelt “to effectuate further the purposes of the Migratory Bird Conservation Act” and “as a wildlife experiment and research refuge.” The total approved acquisition boundary encompasses 12,841 acres between Baltimore, Maryland, and Washington, DC, an area with one of the highest densities of development in the United States. Currently, about 10,000 of Patuxent RR’s 12,841 acres are forest, but the refuge also contains grasslands, freshwater marshes, shrub and early successional forest, and open water. It provides important habitat for a variety of migratory birds of conservation concern. The refuge also offers unique opportunities for environmental education and interpretation in an urban setting. It is home to the U.S. Geological Survey (USGS) Patuxent Wildlife Research Center, a leading international research institute for wildlife and applied environmental research.

We announce our decision and the availability of the FONSI for the final CCP for Patuxent RR in accordance with National Environmental Policy Act