

Date: July 21, 2017.

Inez C. Downs,

Department Reports Management Officer,
Office of the Chief Information Officer.

[FR Doc. 2017-16047 Filed 7-28-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5997-N-40]

30-Day Notice of Proposed Information Collection: Section 8 Renewal Policy Guide

AGENCY: Office of the Chief Information
Officer, HUD.

ACTION: Notice.

SUMMARY: HUD submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, in accordance with the Paperwork Reduction Act. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* August 30, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806, Email: OIRA.Submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Inez C. Downs, Reports Management Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Inez.C.Downs@hud.gov, or telephone 202-402-8046. This is not a toll-free number. Person with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

Copies of available documents submitted to OMB may be obtained from Ms. Downs.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on May 11, 2017 at 82 FR 22015.

A. Overview of Information Collection

Title of Information Collection:
Section 8 Renewal Policy Guide.

OMB Approval Number: 2502-0587.

Type of Request: Extension of currently approved collection.

Form Number: HUD-9624, HUD-9625, HUD-9626, HUD-9627, HUD-9629, HUD-9630, HUD-9631, HUD-9632, HUD-9634, HUD-9635, HUD-9636, HUD-9637, HUD-9639, HUD-9640, HUD-9641, HUD-9642, HUD-9643, HUD-9644, HUD-9646, HUD-9648A, HUD-9648D, HUD-9649, HUD-9651, HUD-93181, HUD-93182, and HUD-93184.

Description of the need for the information and proposed use: The modifications of the Section 8 renewal policy and recent legislation are implemented to address the essential requirement to preserving low income rental housing affordability and availability. The Section 8 Renewal Policy Guide will include recent legislation modifications for renewing of expiring Section 8 policy(ies) Guidebook, as authorized by the 24 CFR part 401 and 24 CFR part 402. The Multifamily Housing Reform and Affordability Act of 1997 (MAHRA) for Fiscal Year 1998 (Pub. L. 105-65, enacted on October 27, 1997), required that expiring Section 8 project-based assistance contracts be renewed under MAHRA. Established in the MAHRA policies renewal of Section 8 project-based contracts rent is based on market rents instead of the Fair Market Rent (FMR) standard.

MAHRA renewals submission should include a Rent Comparability Study (RCS). If the RCS indicated rents were at or below comparable market rents, the contract was renewed at current rents adjusted by Operating Cost Adjustment Factor (OCAF), unless the Owner submitted documentation justifying a budget-based rent increase or participation in Mark-Up-To-Market. The case is that no renewal rents could exceed comparable market rents. If the RCS indicated rents were above comparable market rents, the contract was referred to the Office of Affordable Housing Preservation (OAHP) for debt restructuring and/or rent reduction. The Preserving Affordable Housing for Senior Citizens and Families in to the 21st Century Act of 1999 (public law 106-74, enacted on October 20, 1999), modified MAHRA.

The Section 8 Renewal Policy Guide sets forth six renewal options from which a project owner may choose when renewing their expiring Section 8 contract: Option One—Mark-Up-To-Market, Option Two—Other Contract Renewal with Current Rents at or Below Comparable Market Rents, Option Three—Referral to the Office of Affordable Preservation (OAHP), Option

Four—Renewal of Projects Exempted From OMHAR, Option Five—Renewal of Portfolio Reengineering Demonstration or Preservation Projects, and Option Six—Opt Outs. Owners should select one of six options which are applicable to their project and should submit contract renewal on an annual basis to renew contract.

The Section 8 Renewal Guide sets forth six renewal options from which a project owner may choose when renewing their expiring Section 8 contracts. Option One (Mark-Up-To-Market), Option Two (Other Contract Renewals with Current Rents at or Below Comparable Market Rents), Option Three (Referral to the Office of Multifamily Housing Assistant Restructuring—OHAP), Option Four (Renewal of Projects Exempted from OHAP), Option Five (Renewal of Portfolio Reengineering Demonstration or Preservation Projects), and Option Six (Opt-Outs).

Respondents: (i.e. affected public) Business or other for profit and nonprofit.

Estimated Number of Respondents: 25,439.

Estimated Number of Responses: 25,439.

Frequency of Response: On occasion.

Average Hours per Response: 1 hour.

Total Estimated Burden: 24,680.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond: Including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Date: July 11, 2017.

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[FR Doc. 2017-16045 Filed 7-28-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2017-N075;
FXES11140200000-178-FF02ENEH00]

Intent To Prepare a Draft National Environmental Policy Act Analysis and Associated Documents for LCRA Transmission Services Corporation's Proposed Habitat Conservation Plan, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent; announcement of public scoping meetings; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, advise the public that we intend to evaluate the impacts of, and alternatives to, the proposed issuance of an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended, to LCRA Transmission Services Corporation (LCRA TSC; applicant) for incidental take of approximately 35 federally listed species for construction, operation, upgrade, decommissioning, and maintenance of the applicant's facilities within the proposed plan area (approximately 241 counties). LCRA TSC proposes to draft a Habitat Conservation Plan in support of the ITP. We also announce plans for public scoping meetings and the opening of a public comment period under the National Environmental Policy Act of 1969, as amended (NEPA).

DATES: Written comments on alternatives and issues to be addressed must be received by close of business on or before August 30, 2017. Four public scoping meetings will be held throughout the proposed plan area. Exact meeting locations and times will be announced in local newspapers and on the Service's Austin Ecological Services Office Web site, <https://www.fws.gov/southwest/es/AustinTexas/>, at least 2 weeks prior to each meeting.

ADDRESSES: To request further information or submit written comments, use one of the following methods, and note that your information request or comment is in reference to the LCRA TSC NEPA analysis:

- *Email:* FW2_AUES_Consult@fws.gov;
- *U.S. Mail:* Field Supervisor, Austin Ecological Services Field Office, 10711 Burnet Road, Ste. 200, Austin, Texas 78758;
- *Fax:* (512) 490-0974; or
- *Telephone:* (512) 490-0057.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), advise the public that we intend to evaluate the impacts of, and alternatives to, the proposed issuance of an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (16 U.S.C 1531 *et seq.*; ESA), to LCRA Transmission Services Corporation (LCRA TSC; applicant) for incidental take of approximately 35 federally listed species during construction, operation, upgrade, decommissioning, and maintenance of the applicant's facilities within the proposed plan area (approximately 241 Texas counties). LCRA TSC proposes to draft a Habitat Conservation Plan (HCP) in support of the ITP. We also announce plans for public scoping meetings and the opening of a public comment period.

We publish this notice in compliance with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321, *et seq.*; NEPA), and its implementing regulations (40 CFR 1501.7, 1506.6, and 1508.22), and section 10(c) of the ESA. We will use and coordinate the NEPA process to fulfill our obligations under the National Historic Preservation Act (Pub. L. 89-665, as amended by Pub. L. 96-515, and as provided in 36 CFR 800.2(d)(3) and 800.8(c)). We intend to gather the information necessary to determine impacts and alternatives to support a decision regarding the potential issuance of an ITP to LCRA TSC under the ESA.

The applicant proposes to develop an HCP as part of their application for an ITP. The proposed HCP will describe, among other things, the measures necessary to minimize and mitigate the impacts, to the maximum extent practicable, of potential proposed taking of federally listed species and the habitats upon which they depend, resulting from operations, maintenance, upgrade, decommissioning, and construction of LCRA TSC facilities. At this time, we intend to evaluate the impacts of, and alternatives to, the proposed issuance of an ITP under the Act to LCRA TSC.

National Environmental Policy Act Process

Upon completion of the public scoping process and completion of our

review of the applicant's proposed HCP, we will determine whether an environmental assessment (EA) or Environmental Impact Statement is the appropriate NEPA analysis to support potential issuance of the ITP.

Background

Section 9 of the ESA and its implementing regulations prohibit "take" of fish and wildlife species listed as endangered or threatened under the ESA. The ESA defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct" (16 U.S.C. 1533). The term "harm" is defined in the regulations as significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). However, the Service may, under specified circumstances, issue permits that allow the take of federally listed species, provided that the take is incidental to, but not the purpose of, otherwise lawful activity. Regulations governing ITPs for endangered and threatened species are at 50 CFR 17.22 and 17.32, respectively.

Section 10(a)(1)(B) of the ESA contains provisions for issuing such ITPs to non-Federal entities for the take of endangered and threatened species, provided the following criteria are met: (1) The taking will be incidental; (2) the applicant will, to the maximum extent practicable, minimize and mitigate the impact of such taking; (3) the applicant will develop a conservation plan and ensure that adequate funding for the plan will be provided; (4) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (5) the applicant will carry out any other measures that we may require as being necessary or appropriate for the purposes of the HCP (16 U.S.C. 1539(a)(1)(B) and 1539(a)(2)(A)).

Thus, the purpose of issuing an ITP is to authorize take associated with the proposed activities while conserving covered species and their habitats. Implementation of a comprehensive multispecies HCP, rather than a project-by-project approach, will maximize the benefits of conservation measures for the covered species and eliminate expensive and time-consuming efforts associated with processing individual ITPs for each project the applicant undertakes. We expect that the applicant will request ITP coverage for a period of 30 years.