

authority as the responsible entity for compliance with the National Environmental Policy Act (NEPA) and in accordance with 42 U.S.C. 1437x and HUD regulations at 24 CFR 58.4, and under its authority as lead agency in accordance with the New York State Environmental Quality Review Act (SEQRA).

The EIS will be a joint NEPA and SEQRA document. The EIS will satisfy requirements of SEQRA 6NYCRR part 617, which requires that all State and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. Because Federal HOPE VI funds would be used, the proposed action is also subject to NEPA. The EIS and NEPA process will also be used to address historic preservation and cultural resource issues under section 106 of the National Historic Preservation Act, 16 U.S.C. 470f. This notice is given in accordance with the Council on Environmental Quality regulations at 40 CFR parts 1500–1508. All interested Federal, State, and local agencies, Indian tribes, groups, and the public are invited to comment on the scope of the EIS. Federal agencies with jurisdiction by law, special expertise, or other special interest should report their willingness to participate in the EIS process as a Cooperating Agency.

**FOR FURTHER INFORMATION CONTACT:** Inquiries concerning the Proposed Action and this notice should be made to the Lead Agency care of Steven Whetstone, Commissioner of Planning and Development, City of Yonkers, 87 Nepperhan Avenue, 3rd Floor, Yonkers NY 10701-3874, (914) 377-6565 ([steve.whetstone@cityofyonkers.com](mailto:steve.whetstone@cityofyonkers.com)).

**SUPPLEMENTARY INFORMATION:** The Proposed Action consists of two parts: (1) An Urban Renewal Plan and Master Plan for the entire Ashburton Avenue Urban Renewal Area (URA) and (2) the redevelopment of Mulford Gardens and related development sites located within the URA, financed, in part, by a HOPE VI grant to the Municipal Housing Authority for the City of Yonkers.

The URA is located on the west side of Yonkers, north of the downtown and west of the Saw Mill River Parkway. The area encompasses approximately 44 acres with approximately 600 parcels along and near Ashburton Avenue, between Warburton Avenue and Yonkers Avenue.

The area was selected by the City as a potential URA to tie into the redevelopment of Mulford Gardens, the City's oldest public housing complex,

which is located on 12 acres within the boundaries of the proposed URA. Due to its age and substandard housing condition of its 552 units, Mulford Gardens is slated for demolition. The City's Municipal Housing Authority was awarded a HOPE VI grant to demolish and reconstruct housing on and around the existing Mulford Gardens site. Proposed HOPE VI residential development will occur on the existing 12 acre Mulford Gardens site, with additional residential, community facility and retail development to occur on eight surrounding sites within the Ashburton Avenue URA.

The Urban Renewal Plan will be used as a revitalization strategy to improve the residential character of the area, expand business opportunities and improve the transportation network. The Master Plan for the URA will include: the provision of a range of housing opportunities; mixed use development along Ashburton Avenue; and transportation improvements, including street widenings along Ashburton Avenue, to improve east-west access between the Saw Mill River Parkway and the Downtown Waterfront District, allow on-street parking, reduce traffic congestion and allow for an upgraded sidewalk and streetscape plan.

**Alternatives:** The alternatives to be considered by the Lead Agency will include a no action alternative and may include: alternatives with selected roadway improvements that would not require widening Ashburton Avenue; an alternative that assumes the Ashburton Avenue parking garage is not demolished; residential development alternatives including different building types and/or densities. Alternatives to be examined in the EIS will be finalized after the scoping meeting.

**Need for the EIS:** Insofar as the Proposed Action includes a residential component, it is subject to the Yonkers Affordable Housing Ordinance, Article XV of the Code of the City of Yonkers. The Decision of the United States District Court in *D'Agnillo v. United States Department of Housing and Urban Development*, 1999 WL 350870 (S.D.N.Y. 1999), requires environmental review under NEPA of all housing projects which are subject to the Affordable Housing Ordinance. The City of Yonkers has determined that the Proposed Action constitutes an action which has the potential to affect the quality of the human environment and therefore requires the preparation of an EIS in accordance with NEPA.

**Scoping:** A public EIS scoping meeting will be held at 6 p.m. on Thursday, May 12, 2005, at the Riverfront Library, 2nd Floor

Community Room, 1 Larkin Center, Yonkers, NY 10701. The public is invited to attend and identify the issues that should be addressed in the EIS. The public will have the opportunity to comment on the scope of the EIS orally and in writing. A written comment period during which additional written comments will be accepted by the Lead Agency will be extended through and including June 13, 2005. A scoping document that explains in greater detail the Proposed Action and alternatives identified at this time will be sent to the known interested parties in advance of the public scoping meeting. For a copy of the draft Scoping Document contact: Steven Whetstone, Commissioner of Planning and Development, City of Yonkers, 87 Nepperhan Avenue, 3rd Floor, Yonkers NY 10701-3874. Telephone: (914) 377-6565. A copy of the draft scoping document can also be viewed at [www.cityofyonkers.com](http://www.cityofyonkers.com).

Questions may be directed to the individuals named in this notice under the heading **FOR FURTHER INFORMATION CONTACT**.

Dated: April 7, 2005.

**Nelson R. Bregón,**

*General Deputy Assistant Secretary for Community Planning and Development.*

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

**[Docket No. FR-4922-N-07]**

### **Privacy Act of 1974; Notice of a Computer Matching Program**

**AGENCY:** Office of the Chief Information Officer, (HUD).

**ACTION:** Notice of a computer matching program—HUD and the Small Business Administration (SBA).

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988, as amended, ((Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (June 19, 1989 at 54 FR 25818), and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management (OMB), Congress and the Public," the Department of Housing and Urban Development (HUD) is issuing a public notice of its intent to conduct a recurring computer matching program with the SBA to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System

(CAIVRS), with SBA's debtor files. In addition to HUD's data, the CAIVRS database includes delinquent debt information from the Departments of Education, Veterans Affairs, Justice and the United States Department of Agriculture. This match will allow prescreening of applicants for debts owed or loans guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal government for HUD or SBA direct or guaranteed loans.

Before rating a loan, the lending agency and/or the authorized lending institution will be able to interrogate the CAIVRS debtor file which contains the Social Security Numbers (SSNs) of HUD's delinquent debtors and defaulters and defaulted debtor records of the SBA and verify that the loan applicant is not in default or delinquent on direct or guaranteed loans of participating Federal programs of either agency. As a result of the information produced by this match, the authorized users may not deny, terminate, or make a final decision of any loan assistance to an applicant or take other adverse action against such applicant, until an officer or employee of such agency has independently verified such information.

**DATES: Effective Date:** Computer matching is expected to begin on May 18, 2005, unless comments are received which will result in a contrary determination, or 40 days from the date a computer matching agreement is signed, whichever is later.

**Comments Due Date:** May 18, 2005.

**ADDRESSES:** Interested persons are invited to submit comments regarding this notice to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-0500. Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address.

**For Privacy Act Information and for Further Information From Recipient Agency Contact:** Jeanette Smith, Departmental Privacy Act Officer, Department of Housing and Urban Development, 451 7th Street, SW., Room P8001, Washington, DC 20410-3000, telephone number (202) 708-2374 or FAX (202) 708-3135. [These are not toll-free numbers.]

**For Further Information From Source Agency Contact:** Walter Intlekfer, Deputy Director, Small Business

Administration, 409 Third Street, SW., Suite 8300, Washington, DC 20416, telephone number (202) 205-7543. [This is not a toll-free number.]

**Reporting of Matching Program:** In accordance with Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, as amended, and Office of Management and Budget Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public;" copies of this notice and report are being provided to the Committee on Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget.

**Authority:** The matching program will be conducted pursuant to Public Law 100-503, "The Computer Matching and Privacy Protection Act of 1988," as amended, and Office of Management and Budget (OMB) Circular A-129 (Revised January 1993), Policies for Federal Credit Programs and Non-Tax Receivables. One of the purposes of all Executive departments and agencies—including HUD—is to implement efficient management practices for Federal credit programs. OMB Circular A-129 was issued under the authority of the Budget and Accounting Act of 1921, as amended; the Budget and Accounting Act of 1950, as amended; the Debt Collection Act of 1982, as amended; and, the Deficit Reduction Act of 1984, as amended.

**Objectives to be Met by the Matching Program:** The matching program will allow SBA access to a system which permits prescreening of applicants for loans owed or guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Government. In addition, HUD will be provided access to SBA debtor data for prescreening purposes.

**Records to be Matched:** HUD will utilize its system of records entitled HUD/DEPT-2,

**Accounting Records.** The debtor files for HUD programs involved are included in this system of records. HUD's debtor files contain information on borrowers and co-borrowers who are currently in default (at least 90 days delinquent on their loans); or who have any outstanding claims paid during the last three years on Title II insured or guaranteed home mortgage loans; or individuals who have defaulted on Section 312 rehabilitation loans; or individuals who have had a claim paid in the last three years on a Title I loan. For the CAIVRS match, HUD/DEPT-2,

System of Records, receives its program inputs from HUD/DEPT-28, Property Improvement and Manufactured (Mobile) Home Loans—Default; HUD/DEPT-32, Delinquent/Default/Assigned Temporary Mortgage Assistance Payments (TMAP) Program; and HUD/CPD-1, Rehabilitation Loans—Delinquent/Default. The SBA will provide HUD with debtor files contained in its system of records entitled, Loan Case File, SBA 075. HUD is maintaining SBA's records only as a ministerial action on behalf of SBA, not as a part of HUD's HUD/DEPT-2 system of records. SBA's data contain information on individuals who have defaulted on their guaranteed loans. The SBA will retain ownership and responsibility for their system of records that they place with HUD. HUD serves only as a record location and routine use recipient for SBA's data.

**Notice Procedures:** HUD and the SBA will notify individuals at the time of application (ensuring that routine use appears on the application form) for guaranteed or direct loans that their records will be matched to determine whether they are delinquent or in default on a federal debt. HUD and the SBA will also publish notices concerning routine use disclosures in the **Federal Register** to inform individuals that a computer match may be performed to determine a loan applicant's credit status with the federal government.

**Categories of Records/Individuals Involved:** The debtor records include these data elements: SSN, claim number, program code, and indication of indebtedness. Categories of records include: records of claims and defaults, repayment agreements, credit reports, financial statements, and records of foreclosures. Categories of individuals include: former mortgagors and purchasers of HUD-owned properties, manufactured (mobile) home and home improvement loan debtors who are delinquent or in default on their loans, and rehabilitation loan debtors who are delinquent or in default on their loans.

**Period of the Match:** Matching is expected to begin at least 40 days from the date copies of the signed (by both Data Integrity Boards) computer matching agreement are sent to both Houses of Congress or at least 30 days from the date this notice is published in the **Federal Register**, whichever is later, providing no comments are received which would result in a contrary determination. The matching program will be in effect and continue for 18 months with an option to renew for 12 additional months unless one of the parties to the agreement advises the

other in writing to terminate or modify the agreement.

Dated: April 8, 2005.

**Lisa Schlosser,**

*Chief Information Officer.*

[FR Doc. E5-1800 Filed 4-15-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Safe Harbor Agreement and Receipt of Application for an Enhancement of Survival Permit Associated With the Restoration of Habitat and Reintroduction of Utah Prairie Dogs on a Ranch in Garfield County, UT**

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

**ACTION:** Notice of availability.

**SUMMARY:** Mr. Allen Henrie (Applicant) has applied to the Fish and Wildlife Service (Service) for an Enhancement of Survival Permit (ESP) for the Utah prairie dog pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). This permit application includes a Safe Harbor Agreement (SHA) between the Applicant, the Utah Division of Wildlife Resources (UDWR), and the Service. The proposed SHA and permit would become effective upon signature of the SHA and issuance of the permit and would remain in effect for 40 years. We have made the determination that the proposed activities described in the application and SHA will improve prairie dog habitat and potentially establish a colony of prairie dogs on private land and that, therefore, it is categorically excluded under 516 DM 8.5 C. (1) of the Department of the Interior's Manual. This notice is provided pursuant to the National Environmental Policy Act (NEPA) and section 10 of the Act and the Service's Safe Harbor Policy (64 FR 32717). The Service requests information, views, and opinions from the public via this notice. Further, the Service is soliciting information regarding the adequacy of the SHA as measured against the Service's Safe Harbor Policy and the regulations that implement it.

**DATES:** Written comments on the permit application must be received on or before July 18, 2005.

**ADDRESSES:** Persons wishing to review the SHA and the ESP application may obtain a copy by writing the Service's Mountain-Prairie Regional Office, Denver, Colorado. Documents also will be available for public inspection during

normal business hours at the Regional Office, 134 Union Boulevard, Denver Colorado 80228-1807, or the Utah Field Office, U.S. Fish and Wildlife Service, 2369 West Orton Circle, West Valley City, Utah 84119. Written data or comments concerning the SHA or ESP application should be submitted to the Regional Office and must be in writing to be processed. Comments must be submitted in writing to be adequately considered in the Service's decision-making process. Please reference permit number TE098809-0 in your comments, or in the request for the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Pat Mehlhop, Regional Safe Harbor Coordinator (see **ADDRESSES**), telephone, 303-236-4215, or Henry Maddux, Utah Field Supervisor (see **ADDRESSES**), telephone 801-975-3330.

**SUPPLEMENTARY INFORMATION:** The Utah prairie dog (UPD) is the westernmost member of the genus *Cynomys*. The species' range, which is limited to the southwestern quarter of Utah, is the most restricted of all prairie dog species in the United States. Distribution of the UPD has been greatly reduced due to disease (plague), poisoning, drought, and human-related habitat alteration. Protection of this species and enhancement of its habitat on private land will benefit recovery efforts.

The primary objective of this SHA is to encourage voluntary conservation measures and translocation efforts to benefit the species and the landowner. Through this agreement, the landowner will receive relief from any additional section 9 liability under the Act beyond that which exists at the time the agreement is signed ("regulatory baseline"). To benefit the UPD, foraging and visual surveillance habitat will be enhanced by thinning decadent stands of brush and by increasing forage quantity and quality using mechanical and herbicidal treatments and reseeding native grasses and forbs. In cooperation with the UDWR, UPDs will be released on the property after the habitat improvements have been completed. The habitat improvements will be maintained throughout the term of the permit through managed grazing, additional brush treatments if necessary, and to some degree by the UPDs themselves. The Cooperator will receive an ESP that authorizes implementation of the conservation actions and other provisions of this Agreement and authorizes incidental take and limited direct take of the covered species above the Cooperator's baseline responsibilities, as defined in the SHA.

The Service has evaluated the impacts of this action under NEPA and determined that it warrants categorical exclusion as described in 516 DM 8.5 C.(1). The Service will evaluate whether the issuance of the ESP complies with section 7 of the Act by conducting an intra-Service section 7 consultation on the issuance of the permit. The result of the biological opinion, in combination with the above finding and any public comments will be used in the final analysis to determine whether or not to issue the requested ESP, pursuant to the regulations that guide issuance of the type of permit.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: March 25, 2005.

**Elliott Sutta,**

*Acting Regional Director, Denver, Colorado.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Endangered Species Recovery Permit Applications**

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

**ACTION:** Notice of receipt of permit applications.

**SUMMARY:** The following applicants have applied for a scientific research permit to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*). The U.S. Fish and Wildlife Service ("we") solicits review and comment from local, State, and Federal agencies, and the public on the following permit requests.

**DATES:** Comments on these permit applications must be received on or before May 18, 2005.

**ADDRESSES:** Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Chief, Endangered Species, Ecological Services, 911 NE, 11th Avenue, Portland, Oregon 97232-4181 (fax: 503-231-6243). Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**FOR FURTHER INFORMATION CONTACT:** Documents and other information submitted with these applications are available for review, subject to the