

Homeownership Act of 1990 ("LIHPRHA") (see, in particular, section 222(a)(2)(G)(i) of LIHPRHA, 12 U.S.C. 4112 (a)(2)(G)) and the regulations at 24 CFR 248.145(a)(9) requires that future rent adjustments for LIHPRHA projects be made by applying an annual factor to be determined by the Secretary to the portion of project rent attributable to operating expenses for the project and, where the owner is a priority purchaser, to the portion of project rent attributable to project oversight costs.

### III. Findings and Certifications

#### *Environmental Impact*

This issuance sets forth rate determinations and related external administrative requirements and procedures that do not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 24 CFR 50.19(c)(6), this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

#### *Executive Order 13132, Federalism*

This notice does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt State law within the meaning of Executive Order 13132 (entitled "Federalism").

#### *Catalog of Federal Domestic Assistance Number*

The Catalog of Federal Domestic Assistance Number for this program is 14.187.

Dated: October 6, 2005.

**Frank L. Davis,**

*General Deputy Assistant Secretary for Housing.*

### APPENDIX

#### **Operating Cost Adjustment Factors for 2006 (percent)**

ALABAMA—3.3  
ALASKA—5.0  
ARIZONA—3.9  
ARKANSAS—3.6  
CALIFORNIA—3.0  
COLORADO—5.2  
CONNECTICUT—4.4  
DELAWARE—5.9  
DIST. OF COLUMBIA—3.6  
FLORIDA—3.6  
GEORGIA—3.9  
HAWAII—3.8  
IDAHO—3.8  
ILLINOIS—4.0  
INDIANA—4.0  
IOWA—5.5  
KANSAS—4.2  
KENTUCKY—4.2  
LOUISIANA—3.4

MAINE—3.9  
MARYLAND—4.1  
MASSACHUSETTS—5.2  
MICHIGAN—4.4  
MINNESOTA—4.2  
MISSISSIPPI—3.4  
MISSOURI—3.6  
MONTANA—5.4  
NEBRASKA—3.9  
NEVADA—3.8  
NEW HAMPSHIRE—5.7  
NEW JERSEY—4.1  
NEW MEXICO—3.5  
NEW YORK—4.5  
N. CAROLINA—3.4  
N. DAKOTA—3.9  
OHIO—3.9  
OKLAHOMA—3.7  
OREGON—3.5  
PENNSYLVANIA—4.2  
RHODE ISLAND—3.4  
S. CAROLINA—3.6  
S. DAKOTA—4.2  
TENNESSEE—3.4  
TEXAS—4.1  
UTAH—3.6  
VERMONT—4.0  
VIRGINIA—3.6  
WASHINGTON—3.5  
W. VIRGINIA—3.8  
WISCONSIN—4.2  
WYOMING—4.2  
PACIFIC ISLANDS—3.4  
PUERTO RICO—2.9  
VIRGIN ISLANDS—3.6  
U.S. AVERAGE—4.0  
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### DEPARTMENT OF THE INTERIOR

#### **Fish and Wildlife Service**

#### **Endangered Species Recovery Permits and Applications**

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

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

**SUMMARY:** The following applicant has applied for a permit to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). This notice is provided pursuant to section 10(c) of the Act.

**DATES:** Written data or comments must be received November 21, 2005.

**ADDRESSES:** Written data or comments should be submitted to the Assistant Regional Director-Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225-0486.

**SUPPLEMENTARY INFORMATION:** Permit Application Number—TE-105504. Applicant—Montana Department of Fish, Wildlife and Parks. The applicant requests a permit to take the gray wolf

(*Canis lupus*) throughout locations in northern Montana where the species is listed as endangered. The applicant proposes to conduct research and monitoring of wolf populations, implement proactive strategies, and conduct, or direct, non-lethal and lethal control actions to reduce or resolve wolf-livestock and dog conflicts and human safety concerns, as is currently conducted by the U.S. Fish and Wildlife Service (Service) and in accordance with the 1999 Interim Wolf Control Plan. If the permit is issued, the applicant would assume responsibility from the Service for managing wolves in northwestern Montana. Take for control purposes would be consistent with the State Management Plan for wolves and the 1999 Interim Wolf Control Plan, which provide conditions on when wolf control is appropriate, including the following requirements—clear evidence that wolves were responsible for the livestock injury or death; reason to believe that additional losses would occur if the problem wolf or wolves were not controlled; that livestock grazing on Federal lands be in compliance with approved management plans and annual operating plans for allotments; and, that lethal control be authorized in writing prior to its implementation when possible. Non-lethal control would involve harassing wolves by using rubber bullets, projectile bean bags, or other scare tactics. These activities are aimed at enhancement of survival for the species in the wild. The Service has determined that a practical, responsive management program including control is essential to the wolf recovery effort (Service 1999). If issued, the permit would not affect ongoing wolf management in the remainder of the State of Montana conducted in accordance with the non-essential experimental population regulations found at 50 CFR 17.40(n). Additional information about wolf recovery and conservation in the northwestern United States, including control of problem wolves, can be found in various reports at <http://westerngraywolf.fws.gov/>.

**Availability of Documents:** Documents and other information submitted with this permit are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552), by any party who submits a written request for a copy of such documents within 20 days of the date of publication of this notice to Kris Olsen, by mail (see **ADDRESSES**) or by telephone at 303-236-4256. A copy of the application is available for public

inspection at the Service's Regional Web site at <http://westerngraywolf.fws.gov>. All comments received from individuals become part of the official public record. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's National Environmental Protection Act regulations [40 CFR 1506.6(f)]. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. If a respondent wishes us to withhold his/her name and/or address, this must be stated prominently at the beginning of the comment.

**Authority:** 16 U.S.C. 1539(c).

Dated: September 22, 2005.

**Mary G. Henry,**

*Regional Director, Denver, Colorado.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[UT-080-05-1310-DB]

#### **Notice of Availability of the Final Environmental Impact Statement and Record of Decision for the Castle Peak and Eight Mile Flat Oil and Gas Expansion Project, Newfield Rocky Mountains, Inc.**

**AGENCY:** Bureau of Land Management.

**ACTION:** Notice of Availability of Final Environmental Impact Statement and Record of Decision for the Castle Peak and Eight Mile Flat Oil and Gas Expansion Project, Newfield Rocky Mountains, Inc., Uintah and Duchesne Counties, Utah, and Notice of 30-day appeal period for the Record of Decision.

**SUMMARY:** Under the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act of 1976 (FLPMA) and associated regulations, the Bureau of Land Management (BLM) announces the availability of a Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Castle Peak and Eight Mile Flat oil and gas expansion project proposed by Newfield Rocky Mountains, Inc., formerly Inland Resources, Inc. This FEIS and ROD are being announced concurrently per 40 CFR part 1506 (b) (2).

**DATES:** Vernal Field Manager William Stringer signed the ROD on August 24, 2005. The Decision will become final within 30 days after the Environmental Protection Agency publishes the filing notice for this FEIS and ROD in the **Federal Register**, pending any appeals to the Interior Board of Land Appeals as per 43 CFR 4.21.

**ADDRESSES:** A copy of the FEIS and ROD has been sent to the affected Federal, State, and local government agencies, Native American Tribes and to interested parties. Copies of the FEIS and ROD are available for public inspection at the following BLM office locations: Bureau of Land Management, Utah State Office Public Room, 440 West 200 South, Suite 500, Salt Lake City, Utah 84101-1345 and the Bureau of Land Management, Vernal Field Office, 170 South 500 East, Vernal, UT 84078.

**FOR FURTHER INFORMATION CONTACT:** Jean Nitschke-Sinclear, Project Manager, BLM Vernal Field Office, 170 South 500 East, Vernal, UT 84078. Ms. Nitschke-Sinclear may also be reached at 435-781-4400.

**SUPPLEMENTARY INFORMATION:** On May 8, 2002 the BLM published a Notice of Intent (NOI) in the **Federal Register** announcing the preparation of an Environmental Impact Statement (EIS) in response to a proposal submitted by Inland Resources, Inc. Inland Resources proposed to expand its existing waterflood oil recovery in the project area, located about 25 miles southwest of Vernal, Utah. The expansion would involve about 64,000 acres in Uintah and Duchesne counties. As proposed, drilling would involve about 973 additional wells to fully develop the resource base. The proposed wells would be drilled on 40-acre spacing, drilling about 50% of the wells as producing wells and 50% as water injection wells.

The Draft EIS (DEIS) was made available to the public for a 45-day review period during October-November 2004. The BLM held a public meeting to receive oral comments on November 4, 2004. A total of 94 written comments on the DEIS were received during the comment period.

Based on the information contained in the DEIS, public comments received on the DEIS, consultation with 13 Native American Tribes having historical and/or ethnological ties to the Uinta Basin, and information received from the U.S. Fish and Wildlife Services, the BLM has approved the agency-preferred alternative (Alternative A). This alternative allows oil and gas wells and associated ancillary facilities located on

BLM-administered public lands located outside the existing Pariette Wetlands Area of Critical Environmental Concern (ACEC). The BLM has decided to defer approval of new wells and ancillary facilities located on BLM-administered public lands within the Pariette Wetlands ACEC until a comprehensive population inventory has been completed for the federally listed Uinta Basin hookless cactus (*Sclerocactus glaucus*) within suitable habitat on BLM lands within the Pariette Wash watershed. Future authorization of all or a portion of the wells on BLM-administered public lands within the ACEC will depend upon the location and size of cactus populations within the ACEC, and the results of site-specific NEPA analysis on oil and gas development proposals within the ACEC boundary, including consultation with the Service.

The decision to approve the agency-preferred alternative, with modifications, recognizes that oil and gas development has been ongoing within the area for over 50 years, and that nearly the entire project area has been leased. These leases represent valid existing rights. The decision also acknowledges that there are important natural and cultural resources within the area, including listed threatened species, and existing BLM Areas of Critical Environmental Concern (Pariette Wetlands, Lower Green River). This decision balances the rights to develop oil and gas, while protecting surface resources over the long term. It also acknowledges an unresolved conflict between oil and gas development, and protection and recovery of the Uinta Basin hookless cactus, a listed threatened species. By acquiring additional information about the location and condition of populations of this species within the ACEC and adjacent areas, the BLM will make better-informed decisions about where and how to place future oil and gas facilities.

The decision provides the BLM approval to permit the following project components on BLM-administered lands within the Castle Peak and Eight Mile Flat Expansion Area: 778 oil and gas well locations; 261 miles of new and existing access roads, with adjacent parallel utility corridors for buried water and buried and/or surface natural gas gathering pipelines; 2 water filtration/injection plants and an associated 6.9 mile 12 kV electrical powerline; 3 to 5 new water wells installed in the Green River alluvium, connected to a centralized pump station; and 7.5 miles of buried water pipeline connecting the Green River