

USCIS a Form I-829, "Petition by Entrepreneur to Remove Conditions." 8 CFR 216.6(a)(1). Failure to timely submit Form I-829 or to obtain a removal of conditions may result in termination of conditional resident status and USCIS taking action to place the alien and accompanying dependents in removal proceedings. 8 CFR 216.6(a)(5).

#### B. Filing Locations

The regulations provide that EB-5 petitions (Forms I-526 and I-829) must be filed with the service center having jurisdiction over the area in which the new commercial enterprise is or will be principally doing business. 8 CFR 204.6(b); 8 CFR 216.6(a)(2). Currently, the Texas and California Service Centers have jurisdiction to adjudicate EB-5 I-526 and I-829 petitions. 63 FR 67135 (Dec. 4, 1998). EB-5-related Forms I-485 must be filed at Texas Service Center (TSC), regardless of where the alien resides. See Instructions to Form I-485, p. 6.

For proposals submitted by regional centers under the Immigrant Investor Pilot Program, the regulations provide that proposals must be submitted to the "Assistant Commissioner for Adjudications," a position held at the Headquarters of the former Immigration and Naturalization Service (INS). However, this position was rendered obsolete following the abolishment of INS in March 2003. See 6 U.S.C. 291; Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135 (Nov. 25, 2002). No parallel position is present in USCIS. In the absence of further guidance, regional centers wishing to participate in the Immigrant Investor Pilot Program have been submitting their proposals to the Chief of Service Center Operations.

In an effort to improve the consistency and timeliness of EB-5-related adjudications, USCIS has determined that it is necessary to consolidate such adjudications under the jurisdiction of the CSC. USCIS has established a unit at the CSC comprised of specially-trained adjudicators dedicated to EB-5 adjudications. The deciding official will be the Director of the CSC. By consolidating adjudications at the CSC, USCIS believes that it will be able to reduce overall processing times and better monitor EB-5-related adjudications.

#### II. Filing Location Change

Beginning on January 26, 2009, Forms I-526, I-829, and I-485 (EB-5-related only), and regional center proposals under the Immigrant Investor Pilot

Program must be filed at the following address:

##### For Direct Mail:

U.S. Citizenship and Immigration Services, California Service Center, ATTN: EB-5 Processing Unit, P.O. Box 10526, Laguna Niguel, CA 92607-0526.

For non-United States Postal Service (USPS) deliveries (e.g. private couriers): U.S. Citizenship and Immigration Services, California Service Center, ATTN: EB-5 Processing Unit, 24000 Avila Road, Room, 2nd Floor, Laguna Niguel, CA 92677.

For a 30-day period, until February 9, 2009, Forms I-526, I-829, and I-485 (EB-5-related only) received by the TSC will be considered properly filed, assuming all other filing requirements have been met. The TSC will transfer such forms to the CSC for adjudication. Likewise, for a 30-day period, until February 9, 2009, Immigrant Investor Pilot Program regional center proposals received by USCIS Headquarters will be considered properly filed. Such proposals will be transferred to the CSC for adjudication. After the 30-day transition periods, any Forms I-526, I-829, and I-485 (EB-5-related only) or regional center proposals that are received at a location other than the address specified in this Notice will be rejected and returned with directions to re-file at the appropriate address.

Any Forms I-526, I-829, and I-485 (EB-5-related only) at the TSC for which no adjudicative action has commenced as of January 26, 2009 will be forwarded to the CSC. In addition, any regional center proposals for which no adjudicative action has commenced as of January 26, 2009 will be forwarded to the CSC.

#### III. Paperwork Reduction Act

USCIS is amending the instructions to the Forms I-485, I-526 and I-829 to reflect the new filing location. Accordingly, USCIS has submitted Information Correction Worksheets (OMB 83-C) to the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act. The instruction changes will not impose any new reporting or recordkeeping requirements. The OMB control number for these collections are contained in 8 CFR 299.5, Display of control numbers.

Dated: January 5, 2009.

Michael Aytes,

Acting Deputy Director, U.S. Citizenship and Immigration Services.

[FR Doc. E9-231 Filed 1-8-09; 8:45 am]

BILLING CODE 9111-97-P

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5280-N-01]

#### Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

DATES: Effective Date: January 9, 2009.

FOR FURTHER INFORMATION CONTACT: Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7262, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: December 30, 2008.

Mark R. Johnston,

Deputy Assistant Secretary for Special Needs.  
[FR Doc. E8-31391 Filed 1-8-09; 8:45 am]

BILLING CODE 4210-67-P

#### DEPARTMENT OF THE INTERIOR

##### Fish and Wildlife Service

[FWS-R2-ES-2008-N0337; 20124-11130000-C4]

#### Endangered and Threatened Wildlife and Plants; Mexican Wolf (*Canis lupus baileyi*) Conservation Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; draft conservation assessment; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service) announce the

availability of the Draft Mexican Wolf Conservation Assessment (draft assessment) for public review and comment. The draft assessment provides scientific information relevant to the conservation of the Mexican wolf (*Canis lupus baileyi*) in Arizona and New Mexico as a component of the Service's gray wolf (*Canis lupus*) recovery efforts. Not required by the Endangered Species Act (Act), the draft assessment is a non-regulatory document that does not require action by any party. We solicit review and comment from the public on this document.

**DATES:** To ensure consideration, we must receive any comments from interested parties no later than March 10, 2009.

**ADDRESSES:** You may obtain a paper or electronic copy of the draft assessment by contacting John Slown, Biologist, New Mexico Ecological Services Field Office, 2105 Osuna, NE., Albuquerque, NM 87113; telephone: 505/761-4782, facsimile 505/346-2542, e-mail: [John\\_Slown@fws.gov](mailto:John_Slown@fws.gov). The draft assessment is also available online at: <http://www.fws.gov/southwest/es/mexicanwolf/>.

You may submit written comments on the draft assessment by any one of the following means: (1) By U.S. mail to John Slown at the Albuquerque address above; (2) by fax to the number above, or (3) e-mail to [mexwolf@dca@fws.gov](mailto:mexwolf@dca@fws.gov). We must receive comments by the date in **DATES**.

**FOR FURTHER INFORMATION CONTACT:** Direct all questions or requests for more information on the draft assessment to John Slown, Biologist, at the Albuquerque address above; telephone: 505/761-4782.

**SUPPLEMENTARY INFORMATION:** We announce the availability of the Draft Mexican Wolf Conservation Assessment (draft assessment) for public review and comment. The draft assessment provides scientific information relevant to the conservation of the Mexican wolf (*Canis lupus baileyi*) in Arizona and New Mexico as a component of the Service's gray wolf (*Canis lupus*) recovery efforts. Not required by the Endangered Species Act (16 U.S.C. 1531 *et seq.*; Act) the draft assessment is a non-regulatory document that does not require action by any party. We solicit review and comment from the public on this document.

#### Listed Entity

The Mexican wolf was listed as an endangered subspecies of gray wolf in 1976 (41 FR 17736, April 28, 1976). In 1978, the Service listed the gray wolf

species in North America south of Canada as endangered, except in Minnesota where it was listed as threatened (43 FR 9607, March 9, 1978). The 1978 rangewide listing of the gray wolf species subsumed the subspecies listing; however, the preamble to the rule continued to recognize the Mexican wolf as a valid biological subspecies for purposes of research and conservation (43 FR 9607). After the 1978 listing of the gray wolf in the U.S. Code of Federal Regulations (CFR), the 50 CFR 17.11(h) List of Endangered and Threatened Wildlife did not explicitly refer to an entity called the "Mexican wolf." Due to the Mexican wolf's previous listed status as a subspecies, we have continued to refer to the gray wolf in the southwestern United States as the "Mexican wolf." Today, the gray wolf is listed as threatened in the Great Lakes and remains endangered throughout the coterminous United States and Mexico, except where designated as non-essential experimental populations (59 FR 60266, November 22, 1994, and 63 FR 1752, January 12, 1998).

#### Background

The conservation and recovery of species is one of the primary goals of our endangered species program. The Mexican wolf historically inhabited the southwestern United States and portions of Mexico until it was virtually eliminated in the wild by private and governmental predator eradication efforts in the late 1800s and early to mid-1900s. Conservation and recovery efforts to ensure the survival of the Mexican wolf were initially guided by the 1982 Mexican Wolf Recovery Plan (U.S. Fish and Wildlife Service 1982) (recovery plan), which recommended the establishment of a captive breeding program and the reintroduction of Mexican wolves to the wild. Both of these recommendations have been implemented, and today an international captive breeding program houses more than 300 wolves, and a wild population of approximately 52 wolves (as of the official 2007 end-of-year count) inhabits Arizona and New Mexico.

Although the 1982 recovery plan was instrumental in guiding the inception of the Mexican wolf program in the Southwest, the plan requires updating to provide current guidance for the reintroduction and recovery effort. We have initiated revisions to the 1982 plan, but have been unable to finalize a revision due to various logistical constraints. We are working to resolve these constraints to reinstate a full revision of the recovery plan, and are

undertaking this conservation assessment as an interim step.

The draft assessment provides the type of information typically contained in a recovery plan, including the listing history of the Mexican wolf and gray wolf, current species' biology and ecology, an assessment of current threats to the Mexican wolf in the wild, and an overview and assessment of current conservation and recovery efforts. However, the draft assessment is not intended to serve as a revised recovery plan for the Mexican wolf. The assessment does not contain recovery criteria, site-specific management actions, or time and cost estimates, the three statutorily required elements of a recovery plan (16 U.S.C. 1533(f)(1)(B)), nor does it contain recommendations for the future of our Mexican wolf program in the Southwest. Social and economic aspects of wolf conservation are not addressed in the document. It is a non-regulatory document intended solely as a compilation of current scientific information relevant to Mexican wolf conservation that may be used by any interested party. We intend to use the document as one of many information sources guiding our continuing conservation and recovery efforts in the Southwest.

#### Public Comments Solicited

We seek public comments on the draft assessment. General comments in support of or against wolf recovery or reintroduction are not solicited at this time. All comments and information we receive by the date specified in **DATES** will be considered prior to the approval of the final Mexican Wolf Conservation Assessment. Concurrent with public review, the Service is soliciting peer review of the draft assessment from persons with expertise in wolf conservation and related disciplines. All comments, including names and addresses, will become part of the supporting record.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Comments and materials received will be available for public inspection, by appointment, during normal business hours at New Mexico Ecological Services Field Office in Albuquerque, New Mexico (see **ADDRESSES**).

If you wish to provide comments and/or information, you may submit your comments and materials by any one of several methods (*see ADDRESSES*). Comments submitted electronically should be in the body of the e-mail message itself or attached as a text file (ASCII), and should not use special characters or encryption. Please also include "Attn: Draft Conservation Assessment," your full name, and your return address in your e-mail message. If you do not receive a confirmation from the system that we have received your e-mail message, please contact us directly by calling our New Mexico Ecological Services Field Office (*see ADDRESSES*).

#### References

All literature referenced in the draft assessment is available for viewing, by appointment, at New Mexico Ecological Services Field Office during normal business hours (*see ADDRESSES* section).

#### Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: December 30, 2008.

Nancy J. Gloman,

Acting Regional Director, Region 2.

[FR Doc. E9-298 Filed 1-8-09; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-R-2008-N0314; 40136-1265-0000-S3]

#### Atchafalaya National Wildlife Refuge, St. Martin and Iberville Parishes, LA

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

**ACTION:** Notice of intent to prepare a comprehensive conservation plan and environmental assessment; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), intend to prepare a comprehensive conservation plan (CCP) and associated National Environmental Policy Act (NEPA) documents for Atchafalaya National Wildlife Refuge (NWR). We provide this notice in compliance with our CCP policy to advise other agencies, tribes, and the public of our intentions, and to obtain suggestions and information on the scope of issues to consider in the planning process.

**DATES:** To ensure consideration, we must receive your written comments by February 23, 2009. A public meeting

will be held during the scoping phase of the CCP development process. The date, time, and place for the meeting will be announced in the local media.

**ADDRESSES:** Comments, questions, and requests for information should be sent to: Tina Chouinard, Natural Resource Planner, Hatchie National Wildlife Refuge, 6772 Highway 76 South, Stanton, Tennessee 38069.

**FOR FURTHER INFORMATION CONTACT:** Tina Chouinard, Natural Resource Planner; Telephone: 731/780-8208; Fax: 731/772-7839; E-mail: [tina\\_chouinard@fws.gov](mailto:tina_chouinard@fws.gov).

#### SUPPLEMENTARY INFORMATION:

##### Introduction

With this notice, we initiate our process for developing a CCP for Atchafalaya NWR in St. Martin and Iberville Parishes, Louisiana.

This notice complies with our CCP policy to (1) advise other Federal and State agencies, Tribes, and the public of our intention to conduct detailed planning on this refuge; and (2) obtain suggestions and information on the scope of issues to consider in the environmental document and during development of the CCP.

##### Background

###### *The CCP Process*

The National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee) (Improvement Act), which amended the National Wildlife Refuge System Administration Act of 1966, requires us to develop a CCP for each national wildlife refuge. The purpose in developing a CCP is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing to the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Improvement Act.

Each unit of the National Wildlife Refuge System is established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each refuge within the National Wildlife Refuge System

mission, and to determine how the public can use each refuge. The planning process is a way for us and the public to evaluate management goals and objectives for the best possible conservation approach to this important wildlife habitat, while providing for wildlife-dependent recreation opportunities that are compatible with the refuge's establishing purposes and the mission of the National Wildlife Refuge System.

Our CCP process provides participation opportunities for State, Tribal, and local governments; agencies; organizations; and the public. At this time we encourage input in the form of issues, concerns, ideas, and suggestions for the future management of Atchafalaya NWR. Special mailings, newspaper articles, and other media outlets will be used to announce opportunities for input throughout the planning process.

We will conduct the environmental assessment in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*); NEPA regulations (40 CFR parts 1500-1508); other appropriate Federal laws and regulations; and our policies and procedures for compliance with those laws and regulations.

Atchafalaya NWR is located in the lower Atchafalaya Floodway in St. Martin and Iberville Parishes, Louisiana. The name originated from its location within the Atchafalaya River Basin. Atchafalaya NWR is bounded on the north by U.S. Highway 190, on the south by Interstate 10, on the west by the Atchafalaya River, and on the east by the East Atchafalaya Protection Levee. Atchafalaya NWR is part of the Southeast Louisiana NWR Complex.

The Atchafalaya River Basin, located in south-central Louisiana, is a natural alluvial flood plain of the Atchafalaya River. The Atchafalaya River headwaters begin at Old River near Simmesport and flow to the Gulf of Mexico 140 miles to the south.

In order to provide for safe passage of major floods in the lower Mississippi River system below Old River, the Army Corps of Engineers (Corps) modified a portion of the natural Atchafalaya River Basin to convey flood water in excess of the capacity of the levied Mississippi River. The Atchafalaya River Basin Floodway was formed by constructing protection levees to the east, west, and parallel to the Atchafalaya River channel. In addition to the Atchafalaya River, two artificial intakes, the Morganza Floodway and the West Atchafalaya Floodway, have been provided to divert excess flood waters of