

lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

4. Authority of jurisdiction. The jurisdiction certifies that the consolidated plan is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

5. Consistency with plan. The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan.

6. Acquisition and relocation. The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.

7. Section 3. The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

8. Citizen participation. The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

9. Following a plan. The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

10. Use of funds. The jurisdiction certifies that it will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008, as amended, by using all of its grant funds within 18 months of receipt of the grant.

11. The jurisdiction certifies:

a. That all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and

b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such

public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

12. Excessive force. The jurisdiction certifies that it has adopted and is enforcing:

a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

13. Compliance with anti-discrimination laws. The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations.

14. Compliance with lead-based paint procedures. The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

15. Compliance with laws. The jurisdiction certifies that it will comply with applicable laws.

#### **Note on Statutory Limitation on Distribution of Funds**

Section 2304 of HERA states that none of the funds made available under this Title or title IV shall be distributed to an organization that has been indicted for a violation under Federal law relating to an election for Federal office; or an organization that employs applicable individuals. Section 2304 defines applicable individuals.

#### **Information Collection Approval**

HUD has approval from the Office of Management and Budget (OMB) for information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–

3520). OMB approval is under OMB control number 2506–0165. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor and a person is not required to respond to, a collection of information, unless the collection displays a valid control number.

#### **Duration of Funding**

The appropriation accounting provisions in 31 U.S.C. 1551–1557, added by section 1405 of the National Defense Authorization Act for Fiscal Year 1991 (Pub. L. 101–510), limit the availability of certain appropriations for expenditure. Such a limitation may not be waived. The appropriations acts for NSP grants direct that these funds be available until expended. However, the Department is imposing a shorter deadline on the expenditure of NSP funds in this notice.

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

The Catalog of Federal Domestic Assistance numbers for grants made under NSP1 are as follows: 14.218; 14.225; and 14.228.

#### **Finding of No Significant Impact**

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)(2)). The Finding of No Significant Impact is available for public inspection between 8 a.m. and 5 p.m. weekdays in the Office of the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 10276, Washington, DC 20410–0500.

Dated: August 23, 2010.

**Mercedes M. Márquez,**

*Assistant Secretary for Community Planning and Development.*

[FR Doc. 2010–21402 Filed 8–26–10; 8:45 am]

BILLING CODE 4210–67–P

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[CACA 048649, LLCAD06000, L51010000, FX0000, LVRWB09B2490]

#### **Notice of Availability of the Draft Environmental Impact Statement for the Desert Sunlight Holdings, LLC Desert Sunlight Solar Farm Project and Possible California Desert Conservation Area Plan Amendment**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (EIS) and Draft California Desert Conservation Area (CDCA) Plan Amendment for the Desert Sunlight Holdings, LLC Desert Sunlight Solar Farm (DSSF) Project, Riverside County, California, and by this notice, is announcing the opening of a 90-day public comment period.

**DATES:** To ensure that comments will be considered, the BLM must receive written comments on the Draft EIS within 90 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

**ADDRESSES:** You may submit comments related to the Desert Sunlight Holdings DSSF project by any of the following methods:

- *Web site:* <http://www.blm.gov/ca/st/en/fo/palmsprings.html>.
- *E-mail:* [CAPSSolarFirstSolarDesertSunlight@blm.gov](mailto:CAPSSolarFirstSolarDesertSunlight@blm.gov).
- *Fax:* (760) 833-7199.
- *Mail or other delivery service:*

Allison Shaffer, Project Manager, BLM Palm Springs-South Coast Field Office, 1201 Bird Center Drive, Palm Springs, California 92262.

Copies of the DSSF Draft EIS are available from the Palm Springs-South Coast Field Office at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Allison Shaffer, BLM Project Manager, telephone (760) 833-7100. *See also* **ADDRESSES** section.

**SUPPLEMENTARY INFORMATION:** Desert Sunlight Holdings, LLC has requested a 19,516-acre right-of-way (ROW) to construct and operate the DSSF 550-megawatt (MW) solar photovoltaic (PV) facility and associated 220-kilovolt (kV) generation interconnection line (gen-tie line), and to facilitate the construction and operation by Southern California Edison (SCE) of a new 500- to 220-kV Red Bluff Substation where the project would interconnect with the SCE regional transmission system.

The DSSF power generation site would encompass 4,245 acres. The power generation site would consist of several components: A main generation area which includes PV arrays,

combining switchgear, overhead lines, and access corridors; an operations and maintenance facility; a solar energy visitor center; an on-site substation where the voltage of the generated electricity would be stepped up to 220 kV to match that of the transmission line; and site security and fencing.

The transmission line from the project would transmit the electricity to the regional transmission system through the Red Bluff Substation where the power would feed into SCE's existing Devers-Palo Verde 1 (DPV1) 500-kV transmission line. The length of the transmission line would be 12.2 miles long involving 236 acres.

The Red Bluff Substation would consist of a 500/220 kV substation on approximately 90 acres, with an additional 20 to 30 acres for related features including access roads and drainage control. Substation features include: Connection of the project transmission line into the substation; transmission lines to connect the substation to the DPV1 line; modification of DPV1 towers near the substation; construction of an electric distribution line for substation light and power; and installation of telecommunications facilities.

The DSSF project would be located approximately six miles north of Interstate Highway 10 and the rural community of Desert Center in Riverside County. The project area is within two miles of Joshua Tree National Park. The Draft EIS analyzes the direct, indirect, and cumulative impacts to the environment. Three action alternatives and three no project alternatives are analyzed in the Draft EIS. Alternatives include:

- The proposed action;
- A modified proposed action with an alternative transmission line route and substation location;
- A modified proposed action with a reduced project footprint (3,045 acres) and reduced output (413 MW);
- No action with no plan amendment to the CDCA plan;
- No project approval with a plan amendment to the CDCA plan to make the project area unsuitable for solar energy projects; and
- No project approval with a plan amendment to the CDCA plan to make the project area suitable for other solar energy projects.

The BLM's purpose and need for the DSSF project is to respond to Desert Sunlight Holdings' application under Title V of FLPMA (43 U.S.C. 1761) for a ROW grant to construct, operate, and decommission a solar PV facility on public lands in compliance with

FLPMA, NEPA, BLM ROW and land use planning regulations, and other applicable laws and regulations. The BLM will decide whether to approve, approve with modification, or deny a ROW grant to Desert Sunlight Holdings for the proposed DSSF project. The BLM will also consider amending the CDCA Plan to make the project area (or portions) either available or unavailable to future solar development. The CDCA Plan (1980, as amended), while recognizing the potential compatibility of solar generation facilities with other uses on public lands, requires that all sites proposed for power generation or transmission not already identified in the plan be considered through the plan amendment process. If the BLM decides to grant a ROW, the BLM would amend the CDCA Plan as required based on guidance in the BLM Land Use Planning Handbook (H 1601-1). The inventory for wilderness characteristics was updated and the project area was found to lack wilderness characteristics.

A Notice of Intent to prepare an EIS and possible CDCA plan amendment for the DSSF was published in the **Federal Register** on January 13, 2010 (75 FR 1801). This was followed by a 30-day public scoping period which ended February 13, 2010. Scoping meetings were held on January 28, 2010, in Palm Desert, California. Numerous public scoping comments were received.

The main concerns identified during scoping included potential impacts to biological, visual, water, and air resources, wilderness characteristics and cumulative impacts resulting from the potential development of the Interstate Highway 10 corridor. The issues and concerns identified in the scoping comments were addressed in the Draft EIS.

Please note that public comments and information submitted including names, street addresses, and e-mail addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays, and at the following Web site: <http://www.blm.gov/ca>.

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.

**Authority:** 40 CFR 1506.6 and 1506.10 and 43 CFR 1610.2

**Thomas Pogacnik,**

*Deputy State Director, California.*

[FR Doc. 2010-21276 Filed 8-26-10; 8:45 am]

**BILLING CODE 4310-40-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R5-ES-2010-N182; 50120-1113-0000-F2]

#### **Preparation of an Environmental Impact Statement for Issuance of an Incidental Take Permit Associated With a Habitat Conservation Plan for the Beech Ridge Wind Energy Project, Greenbrier and Nicholas Counties, West Virginia; Re-opening and Extension of Comment Period**

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

**ACTION:** Notice; re-opening of comment period; extension of comment period.

**SUMMARY:** In response to substantial public interest and requests to extend the comment period, we, the U.S. Fish and Wildlife Service, extend the scoping period on a notice of intent to gather information necessary to prepare an Environmental Impact Statement (EIS) on the proposed issuance of an Endangered Species Act (ESA) permit (incidental take permit and associated Habitat Conservation Plan) for the Beech Ridge Wind Energy Project (HCP). Pursuant to the National Environmental Policy Act (NEPA), we seek suggestions and information from the public on the scope of issues and alternatives to be included in the EIS. Comments previously submitted need not be resubmitted as they have been incorporated into the public record and will be fully considered in the final decision on the permit application.

**DATES:** The public comment period that closed on August 23, 2010, (75 FR 42767) is reopened and extended until September 23, 2010.

**ADDRESSES:** Information, written comments, or questions related to the preparation of the EIS and NEPA process should be submitted to Ms. Laura Hill, Assistant Field Supervisor, U.S. Fish and Wildlife Service, West Virginia Field Office, 694 Beverly Pike, Elkins, West Virginia 26241; FAX 304-636-7824; or [fw5es\\_wvfo@fws.gov](mailto:fw5es_wvfo@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Hill (See **ADDRESSES**) at 304-636-6586, extension 18. Individuals who are hearing-impaired or speech-impaired

may call the Federal Relay Service at 800-877-8337 for TTY assistance.

#### **SUPPLEMENTARY INFORMATION:**

##### **Public Comments Solicited**

On July 22, 2010, we published in the **Federal Register** (75 FR 42767) a notice of intent to prepare an EIS and a notice of a meeting. On August 9, 2010, we held a public meeting in Rupert, West Virginia, to provide information on the proposed action and to solicit comments and suggestions from the public on the scope of issues and alternatives to be addressed in the draft EIS. The scoping comment period closed on August 23, 2010; however, due to substantial public interest in the proposed action and receipt of requests to extend the comment period, we are hereby reopening and extending the comment period until September 23, 2010.

As stated in the July 22, 2010, **Federal Register** notice, we seek comments, in particular, concerning: (1) Biological information concerning the Indiana bat and Virginia big-eared bat, as well as unlisted bats and birds; (2) relevant data concerning wind power and bat and bird interactions; (3) additional information concerning the range, distribution, population size, and population trends of the Indiana bat and Virginia big-eared bat, as well as unlisted bats and birds; (4) current or planned activities in the subject area and their possible impacts on the environment and resources; (5) the presence of facilities within the project area which are eligible to be listed on the National Register of Historic Places or whether other historical, archeological, or traditional cultural properties may be present; (6) the direct, indirect, and cumulative effects that implementation of any reasonable alternatives could have on endangered and threatened species and their habitats, as well as unlisted bats and birds; (7) adequacy and advisability of proposed minimization and mitigation measures for ESA listed species and other wildlife; (8) post-construction monitoring techniques; and (9) identification of any other environmental issues that we should consider with regard to the proposed development and permit action.

We welcome written comments from interested parties to ensure that the full range of issues related to the permit request is identified. Comments will only be accepted in written form. You may submit written comments by regular mail, electronic mail, or facsimile transmission (see **ADDRESSES**).

All comments and materials we receive, including names and addresses, will become part of the administrative

record and may be released to the public. Comments we receive will be available for public inspection, by appointments, during normal business hours (Monday through Friday; 8 a.m. to 4 p.m.) at the West Virginia Field Office (see **ADDRESSES**). 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 may ask us in your comment to withhold personally identifying information from public review, we can not guarantee that we will be able to do so.

#### **Background**

For background information, please refer to the previous **Federal Register** Notice (75 FR 42767) published on July 22, 2010.

#### **Author**

The primary author of this notice is Laura Hill, U.S. Fish and Wildlife Service, West Virginia Field Office.

#### **Authority**

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

Dated: August 23, 2010.

**Anthony D. Léger,**

*Acting Regional Director, Region 5, U.S. Fish and Wildlife Service.*

[FR Doc. 2010-21337 Filed 8-26-10; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF JUSTICE

### **Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on August 24, 2010, a proposed Settlement Agreement in the bankruptcy matter, *In re Chemtura Corp., et al.*, Jointly Administered Case No. 09-11233 (REG), was lodged with the United States Bankruptcy Court for the Southern District of New York. The Settlement Agreement resolves proofs of claim filed by the United States on behalf of the Environmental Protection Agency ("EPA") against debtor Chemtura Corporation and certain of its affiliates (collectively, "Chemtura") for response costs under the Comprehensive Environmental Response, Compensation, and Liability Act