

denote identity and citizenship for purposes of entering the United States at land and sea ports of entry from contiguous territory or adjacent islands. CBP's continued acceptance of the tribal card as a WHTI-compliant document is conditional on compliance with the MOA and all related agreements.

Acceptance and use of the WHTI-compliant tribal card is voluntary for tribe members. If an individual is denied a WHTI-compliant tribal card, he or she may still apply for a passport or other WHTI-compliant document.

**Designation**

This notice announces that the Commissioner of CBP designates the tribal card issued by the Kootenai Tribe in accordance with the MOA and all related agreements between the tribe and CBP as an acceptable WHTI-compliant document pursuant to section 7209 of the IRTPA and 8 CFR 235.1(e). In accordance with these provisions, the approved card, if valid and lawfully obtained, may be used to denote identity and U.S. or Canadian citizenship of Kootenai Tribe members who are entering the United States from contiguous territory or adjacent islands at land and sea ports of entry.

Dated: January 25, 2012.

**David V. Aguilar,**

*Acting Commissioner, U.S. Customs and Border Protection.*

[FR Doc. 2012-1962 Filed 1-30-12; 8:45 am]

**BILLING CODE 9111-14-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. 5604-N-01]

**Notice of Revised Information Collection for Public Comment; Consolidated Plan & Annual Performance Report**

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

**ACTION:** Notice of revised information collection for public comment.

**SUMMARY:** The revised information collection requirements for Consolidated Planning for Community Planning and Development (CPD) programs described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**DATES: Comments Due Date:** April 2, 2012.

**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 William Kelleher, Paperwork Reduction Act Officer, Office of Chief Information Officer, Department of Housing and Urban Development, 451 7th Street SW., Room 7233, Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:** Meg Barclay, Office of Community Planning and Development, telephone (202) 402-3669 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The Department will submit the revised information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C Chapter 35 as amended). As required under 5 CFR 1320.8(d)(1), HUD and OMB are seeking comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the revised collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the revised collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated collection techniques (e.g. electronic submission of the Consolidated Plan and annual

performance reports) or other forms of information submission of responses.

*Title of Proposal:* Consolidated Plan & Annual Performance Report.

*OMB Control Number:* 2506-011.

*Agency Form Numbers:* None.

*Description of the Need for the Information and Proposed Uses:* The Department's collection of this information is in compliance with statutory provisions of the Cranston Gonzalez Provisional Affordable Housing Act of 1990 that requires participating jurisdictions to submit a Comprehensive Housing Affordability Strategy (Section 105(b)); the 1974 Housing and Community Development Act, as amended, that requires states and localities to submit a Community Development Plan (Section 104(b)(4) and Section 104(m)); and statutory provisions of these Acts that requires states and localities to submit applications and reports for these formula grant programs. The information is needed to provide HUD with preliminary assessment as to the statutory and regulatory eligibility of proposed grantee projects and for informing citizens of intended uses of program funds.

*Members of the Affected Public:* State and local governments participating in the Community Development Block Grant Program (CDBG), the HOME Investments Partnership (HOME) Program, the Emergency Shelter Grants (ESG) program, or the Housing Opportunities for Persons with AIDS/HIV (HOPWA) program.

*Estimation of the total number of hours to prepare the information collection including number of respondents, frequency of response and hours of response:* The burden of meeting the regulatory requirements of Title I of the National Affordable Housing Act (NAHA) and the Housing and Community Development Act (HCDA) were assessed based on revisions to the previously approved information collection [OMB Control Number 2506-0117]. The paperwork estimates are as follows:

Task	Number of respondents	Frequency of response	Total U.S. burden hrs
Consolidated Plan.			
<i>Localities.</i>			
• Strategic Plan Development .....	1,000	1	154,000
• Action Plan Development .....	1,000	1	56,000
<i>States.</i>			
• Strategic Plan Development .....	50	1	21,150
• Action Plan Development .....	50	1	9,350
Performance Report.			
Localities .....	1,000	1	81,000
States .....	50	1	6,300
* Abbreviated Strategy .....	100	.....	8,200

Task	Number of respondents	Frequency of response	Total U.S. burden hrs
Total .....	1,150	.....	336,000

*Status of the proposed information collection:* Revision of previously approved collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: January 25, 2012.

**Mercedes Márquez,**

*Assistant Secretary for Community Planning and Development.*

[FR Doc. 2012-2048 Filed 1-30-12; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R1-MB-2012-N0010;

FXMB1232010000P2-123-FF01M01000]

#### Golden Eagles; Programmatic Take Permit Application; Draft Environmental Assessment; West Butte Wind Project, Crook and Deschutes Counties, OR

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

**ACTION:** Notice of availability; extension of public comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are extending the public comment period on a draft environmental assessment (DEA) for an application for the programmatic take of golden eagles. The DEA evaluates alternatives for the application we have received from West Butte Wind Power, LLC, for programmatic permit for the take of golden eagles. If issued, the permit would be the first programmatic permit issued under our new permitting regulations under the Bald and Golden Eagle Protection Act (BGEPA). We announced receipt of the application and the availability of the DEA in our January 3, 2012, **Federal Register** notice, which also opened the 30-day public comment period. If you have previously submitted comments, please do not resubmit them, because we have already incorporated them in the public records and will fully consider them in our final decision.

**DATES:** To ensure consideration, please send your written comments by February 17, 2012.

**ADDRESSES:** You may download a copy of the DEA on the Internet at <http://www.fws.gov/pacific/migratorybirds/nepa.html>. Alternatively, you may use one of the methods below to request

hard copies or a CD-ROM of the documents. Please specify the "DEA for the West Butte Wind Project" on all correspondence.

**Submitting Comments:** You may submit comments or requests for copies or more information by one of the following methods.

- **Email:** [pacific\\_birds@fws.gov](mailto:pacific_birds@fws.gov). Include "DEA for the West Butte Wind Project" in the subject line of the message.

- **U.S. Mail:** Please address written comments to Michael Green, Acting Chief, Division of Migratory Birds and Habitat Programs, Pacific Region, U.S. Fish and Wildlife Service, 911 NE 11th Ave, Portland, OR 97232.

- **Fax:** Michael Green, Acting Chief, Division of Migratory Birds and Habitat Programs, (503) 231-2019, Attn.: DEA for the West Butte Wind Project.

#### FOR FURTHER INFORMATION CONTACT:

Michael Green, Acting Chief, Division of Migratory Birds and Habitat Programs, U.S. Fish and Wildlife Service, (503) 231-2019 (phone); [pacific\\_birds@fws.gov](mailto:pacific_birds@fws.gov) (email, include "DEA for the West Butte Wind Project" in the subject line of the message). If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Introduction

The U.S. Fish and Wildlife Service is considering an application under the Bald and Golden Eagle Protection Act (16 U.S.C. 668a-d; BGEPA) for a programmatic golden eagle (*Aquila chrysaetos*) take permit from West Butte Wind Power, LLC. The company plans to develop the West Butte wind-power project in central Oregon, and there is a risk of eagle fatalities as a result of the operation of this facility. The application includes an avian and bat protection plan combined with an eagle conservation plan that describes actions taken and proposed future actions to avoid, minimize, and mitigate adverse effects on eagles. The eagle conservation plan was developed in collaboration with the Service.

The Draft Environmental Assessment (DEA) analyzes the alternatives associated with this permit application in light of our BGEPA permitting regulations in the Code of Federal Regulations (CFR) at 50 CFR 22.26. If

the results of this analysis lead us to issue this permit, it will be the first programmatic permit issued under these new regulations, as well as the first eagle take permit issued to a wind-energy company.

#### Background

BGEPA allows us to authorize bald eagle and golden eagle programmatic take (take that is recurring, is not caused solely by indirect effects, and that occurs over the long term or in a location or locations that cannot be specifically identified). Such take must be incidental to actions that are otherwise lawful. BGEPA's implementing regulations define "take" as "to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb individuals, their nests and eggs" (50 CFR 22.3); and "disturb" is further defined as "to agitate or bother a bald or golden eagle to a degree that causes ... injury to an eagle, ... a decrease in its productivity, ... or nest abandonment" (50 CFR 22.3). The West Butte Wind Project potentially will result in one or more recurring eagle mortalities over the life of the project, so the appropriate type of take permit is the programmatic permit under 50 CFR 22.26.

To obtain a programmatic permit under BGEPA and 50 CFR 22.26, the applicant must (1) avoid and minimize take to the maximum extent achievable; (2) conduct adequate monitoring to determine effects; (3) offset through compensatory mitigation any remaining take, such that the net effect on the eagle population is, at a minimum, no change for eagle management populations that cannot sustain additional mortality; and (4) ensure that the direct and indirect effects of the take and required mitigation, together with the cumulative effects of other permitted take and additional factors affecting eagle populations, are compatible with the preservation of bald eagles and golden eagles.

#### Applicant's Proposal

The 104-megawatt (MW) project is to be built in Crook and Deschutes Counties, Oregon. As a result of monitoring studies conducted on the proposed project site, the applicant considers the use of the site by eagles to be low, and has requested in their application a permit for the legal take of