

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

[Docket No. FR-4163-C-02]

**NOFA for Emergency Shelter Grants
Set-Aside for Indian Tribes and
Alaskan Native Villages; Correction**

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of funding availability; correction.

SUMMARY: This notice corrects information that was provided in the notice of funding availability (NOFA) for Emergency Shelter Grants (ESG) Set-Aside for Indian Tribes and Alaskan Native Villages for fiscal year 1997, published in the **Federal Register** on April 11, 1997 (62 FR 17970). This notice clarifies that new construction is not an eligible activity under the ESG program.

DATES: This notice does not affect the deadline date provided in the April 11, 1997 NOFA. Applications must still be received by the appropriate HUD Office of Native American Programs (ONAP) by no later than 3 p.m. local time (i.e., the time in the office to which the application is submitted) on May 23, 1997.

ADDRESSES: This notice does not affect the application submission information provided in the April 11, 1997 NOFA. Application packages are available from the HUD Offices of Native American Programs (ONAPs) listed in Appendix 1 to the NOFA.

FOR FURTHER INFORMATION CONTACT: Applicants may contact the appropriate Office of Native American Programs (ONAPs), listed in Appendix 1 to the April 11, 1997 NOFA, for further information.

SUPPLEMENTARY INFORMATION: On April 11, 1997 (62 FR 17970), HUD published in the **Federal Register** the Notice of Funding Availability (NOFA) for the Emergency Shelter Grants (ESG) Set-Aside for Indian Tribes and Alaskan Native Villages for fiscal year (FY) 1997. The April 11, 1997 NOFA provided, in section III.B.(2), that the selection process for the ESG program for Indian tribes includes a preliminary threshold review (62 FR 17971). The NOFA further provided in paragraph (d) of that section that HUD will review each application proposing new construction to determine whether all proposed buildings are in compliance with section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA).

The provision regarding new construction mistakenly implies that new construction is an eligible activity under the ESG program. In accordance with the provisions of 24 CFR 576.21 of the ESG program regulations, however, emergency shelter grant amounts may not be used for new construction. Therefore, the provision regarding new construction in the April 11, 1997 NOFA should be removed. As provided in § 576.57(a), however, grantees must comply with nondiscrimination and equal opportunity requirements, as applicable, when conducting the eligible activities listed in § 576.21.

Accordingly, FR Doc. 97-9305, the NOFA for Emergency Shelter Grants Set-Aside for Indian Tribes and Alaskan Native Villages, published in the **Federal Register** on April 11, 1997 (62 FR 17970), is amended on page 17971, column 2, by correcting section III.B.(2) (a), (b), and (c) to read as follows:

III. Application Process

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**B. Eligibility and Threshold
Requirements**

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(2) *Thresholds.* The selection process for the Indian tribe set-aside program includes a preliminary threshold review. The applicant must clearly demonstrate and HUD will review each application to determine whether:

- (a) The application is adequate in form, time, and completeness;
- (b) The applicant is eligible; and
- (c) The proposed activities and persons to be served are eligible for assistance under the program.

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Dated: May 6, 1997.

Kevin Emanuel Marchman,

Acting Assistant Secretary for Public and Indian Housing.

[FR Doc. 97-12453 Filed 5-12-97; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
**Notice of Availability of an Application
Submitted by Friendfield Plantation for
an Incidental Take Permit for Red-
cockaded Woodpeckers in Association
With the Sale of the White Oak Bay
Tract in Georgetown County, South
Carolina**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Friendfield Plantation (Applicant) has applied to the U.S. Fish

and Wildlife Service (Service) for an incidental take permit (ITP) pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The proposed ITP would authorize the incidental take of a federally endangered species, the red-cockaded woodpecker *Picoides borealis* (RCW) known to occur on property owned by the Applicant in Georgetown County, South Carolina. The Applicant is requesting an ITP associated with the sale of the White Oak Bay tract. The White Oak Bay Tract consists of 792 acres and the extant RCW population currently consists of one group. The proposed ITP would authorize incidental take of one group of RCWs at the White Oak Bay Tract; the expectation of the Applicant is to sell or otherwise develop the parcel for economic reasons incompatible to RCW conservation on-site. The proposed ITP would authorize incidental take in exchange for mitigation elsewhere as described further in the **SUPPLEMENTARY INFORMATION** Section below. The mitigation and minimization strategy in the HCP involves creating two new recruitment clusters on Friendfield Plantation tract, and relocating the one RCW group from the White Oak Bay Tract to Friendfield Plantation. The Friendfield Plantation tract is also owned by the Applicant. (See the **SUPPLEMENTARY INFORMATION** Section below.) By consolidating the two populations in two separate tracts onto one tract, the Applicant will increase the stability of the extant population.

The Service also announces the availability of the Applicant's habitat conservation plan (HCP) for the incidental take application. Copies of the HCP may be obtained by making a request to the Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. The Service specifically requests comment on the appropriateness of the "No Surprises" assurances should the Service determine that an ITP will be granted and based upon the submitted HCP. Although not explicitly stated in the HCP, the Service has, since August 1994, announced its intention to honor a "No Surprises" Policy for applicants seeking ITPs. Copies of the Service's "No Surprises" Policy may be obtained by making a written request to the Regional Office (see **ADDRESSES**). The Service has considered this a Categorical Exclusion on the action under the National Environmental Policy Act (see **SUPPLEMENTARY INFORMATION**). The Service is soliciting public comments and review the