

will receive: (1) New hires (W-4), wage, and unemployment insurance claim data from HHS' NDNH database; and (2) Social Security (SS) and Supplemental Security Income (SSI) benefits data from the SSA. This will allow PHAs and O/As to verify the income of tenants at the time of mandatory annual and/or interim recertifications.

#### A. Income Verification

Any match (*i.e.*, a "hit") will be further reviewed by HUD, the program administrator, or the HUD Office of Inspector General (OIG) to determine whether the income reported by tenants to the program administrator is correct and complies with HUD and program administrator requirements. Specifically, current or prior wage information and other data will be sought directly from employers.

#### B. Administrative or Legal Actions

Regarding the matching described in this notice, HUD anticipates that program administrators will take appropriate action in consultation with tenants to: (1) Resolve income discrepancies between tenant-reported and independent income source data; and (2) use correct income amounts in determining rental assistance, in accordance with Chapter 5, Sections 3 and 4 of the Occupancy Requirements of Subsidized Multifamily Housing Programs, 4350.3 REV-1. Program administrators must compute the rent in full compliance with all applicable occupancy regulations. Program administrators must ensure that they use the correct income and correctly compute the rent. The program administrator may not suspend, terminate, reduce, or make a final denial of any rental assistance to any tenant as a result of information produced by this matching program until: (a) The tenant has received notice from the program administrator of its findings and informing the tenant of the opportunity to contest such findings; and (b) either the notice period provided in applicable regulations of the program, or 30 days, whichever is later, has expired. In most cases, program administrators will resolve income discrepancies in consultation with tenants. Additionally, serious violations, which program administrators, HUD Program staff, or HUD/IG verify, should be referred for full investigation and appropriate civil and/or criminal proceedings.

#### IV. Records To Be Matched

HHS will match HUD-provided tenant SSNs and personal identifiers (such as surnames and dates of birth) in HUD's system of records known as EIV,

amended August 8, 2006, 71 FR 45066 to NDNH records contained in its "Location and Collection System of Records", No. 09-90-0074. HUD will place the resulting matched data into its EIV system. The tenant records (one record for each family member) include these data elements: Full name, SSN, and date of birth. Routine uses of records maintained in the system, including categories of users and purposes of such uses are identified in **Federal Register** Notice Privacy Act of 1974; Amendment to an Existing System of Records, Enterprise Income Verification, HUD/PIH 5 (71 FR 45066).

#### V. Period of the Match

The computer matching program will be conducted according to agreements between HUD and HHS. The computer matching agreement for the planned match will terminate either when the purpose of the computer matching program is accomplished, or 18 months from the date the agreement is signed, whichever comes first. The agreements may be extended for one 12-month period, with the mutual agreement of all involved parties, if the following conditions are met:

(1) Within 3 months of the expiration date, all Data Integrity Boards review the agreement, find that the program will be conducted without change, and find a continued favorable examination of benefit/cost results; and

(2) all parties certify that the program has been conducted in compliance with the agreement.

The agreement may be terminated prior to accomplishment of the computer matching purpose or 18 months from the date the agreement is signed (whichever comes first), by the mutual agreement of all involved parties within 30 days of written notice.

**Authority:** 5 U.S.C. 552a; 88 Stat. 1896; 42 U.S.C. 3535(d).

Dated: August 17, 2007.

**Bajinder Paul,**

*Acting, Chief Information Officer.*

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**BILLING CODE 4210-67-P**

#### DEPARTMENT OF THE INTERIOR

##### Fish and Wildlife Service

##### Construction of a Residential Community in Lake County, FL

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

**ACTION:** Notice: Receipt of application for an incidental take permit; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an Incidental Take Permit (ITP) Application and Habitat Conservation Plan (HCP). Zenodro Homes, Inc. (applicant) requests an ITP for a duration of 10 years under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking approximately 3.5 acres of sand skink (*Neoseps reynoldsi*)—occupied habitat incidental to constructing a 100-unit multi-family development in Lake County, Florida (project). The applicant's HCP describes the mitigation and minimization measures the applicant proposes to address the effects of the project to the sand skink.

**DATES:** We must receive any written comments on the ITP application and HCP on or before October 9, 2007.

**ADDRESSES:** If you wish to review the application and HCP, you may write the Field Supervisor at our Jacksonville Field Office, 6620 Southpoint Drive South, Suite 310, Jacksonville, FL 32216, or make an appointment to visit during normal business hours. If you wish to comment, you may mail or hand deliver comments to the Jacksonville Field Office, or you may e-mail comments to [paula\\_sisson@fws.gov](mailto:paula_sisson@fws.gov). For more information on reviewing documents and public comments and submitting comments, see **SUPPLEMENTARY INFORMATION.**

#### FOR FURTHER INFORMATION CONTACT:

Paula Sisson, Fish and Wildlife Biologist, Jacksonville Field Office (see **ADDRESSES**); telephone: 904/232-2580, ext. 126.

#### SUPPLEMENTARY INFORMATION:

##### Public Availability of Comments

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.

Please reference permit number TE132333-0 for Zenodro Homes, Inc. in all requests or comments. Please include your name and return address in your e-mail message. If you do not receive a confirmation from us that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT.**

## Background

The sand skink is known to occur in Lake County, primarily within the Lake Wales Ridge, and much less frequently within the Mt. Dora Ridge. Although originally thought to inhabit xeric, scrub habitat exclusively, the sand skink is currently being identified in nontraditional areas with sub-marginal habitat, including pine plantation, abandoned citrus groves, and disturbed areas. Sand skinks require soil moisture for thermoregulation, egg incubation, and prey habitat. High activity periods, which have been associated with the breeding season for this species, range from mid-February to early May, with egg-hatching typically occurring from June through July. Due to the reduction in quality and acreage and the rapid development of xeric upland communities, the sand skink is reportedly declining throughout most of its range. However, biological information regarding the sand skink is limited, due to the cryptic nature of the species.

## Applicant's Proposal

The applicant is requesting take of approximately 3.5 ac of occupied sand skink habitat incidental to the project. The 10-acre project is located approximately 1.25 miles northeast of the intersection of U.S. Highway 192 and U.S. Highway 27 within Section 25, Township 24 South, Range 26 East. The project currently includes 100 units (25 buildings with 4 units per building), associated infrastructure, and a stormwater retention pond encompassing 10.0 ac. The applicant proposes to mitigate for 3.5 ac of impacts by purchasing 7.0 ac of occupied sand skink habitat at the Morgan Lake Wales Preserve (Preserve) in Polk County. The Preserve lies within the boundaries of the Lake Wales Ridge and covers approximately 487 ac. The occupied sand skink habitat identified for this project will be protected under a conservation easement and a trust fund has been established for perpetual management.

We have determined that the applicant's proposal, including the proposed mitigation and minimization measures, would have minor or negligible effects on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies for categorical exclusions under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). This preliminary information may be revised based on our review of public

comments that we receive in response to this notice. A low-effect HCP is one involving (1) minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

We will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If we determine that the application meets those requirements, we will issue the ITP for incidental take of the sand skink. We will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in the final analysis to determine whether or not to issue the ITP.

**Authority:** We provide this notice under Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

Dated: August 30, 2007.

**David L. Hankla,**

*Field Supervisor, Jacksonville Field Office.*

[FR Doc. E7-17598 Filed 9-5-07; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Copperbelly Water Snake (*Nerodia erythrogaster neglecta*) Draft Recovery Plan

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

**ACTION:** Notice of document availability for review and comment.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce availability of the draft recovery plan for the Copperbelly Water Snake (*Nerodia erythrogaster neglecta*) for public review and comment. This species is federally listed as threatened under the Endangered Species Act of 1973, as amended (Act). The Copperbelly Water Snake is listed as a Distinct Population Segment in Michigan, Ohio, and Indiana, north of 40 degrees north latitude. The purpose of this plan is to recover this species so that it can be removed from the list of Threatened and Endangered Wildlife. We solicit review and comment from the public on this draft plan.

**DATES:** In order to consider your comments on the draft recovery plan, we must receive them on or before November 5, 2007.

**ADDRESSES:** You may obtain a copy by the following means:

1. *World Wide Web:* <http://midwest.fws.gov/endangered/>; or

2. *U.S. mail or in-person pickup:* Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 2651 Coolidge Road, Suite 101, East Lansing, MI 48823-6316; telephone, (517) 351-2555.

You may submit electronic comments on the recovery plan to this e-mail address: [copperbellyplan@fws.gov](mailto:copperbellyplan@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike DeCapita by U.S. mail, e-mail, or telephone (see **ADDRESSES**). TTY users may contact Mr. DeCapita through the Federal Relay Service at (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

Recovery of endangered or threatened animals or plants is a primary goal of our endangered species program. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for reclassification and delisting, and provide estimates of the time and costs for implementing the recovery measures.

The Act (16 U.S.C. 1531 *et seq.*) requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that public notice and opportunity for public review and comment be provided during recovery plan development. We will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. We and other Federal agencies will also take these comments into consideration in the course of implementing approved recovery plans.

The northern Distinct Population Segment (DPS) of the Copperbelly Water Snake was listed as threatened on January 29, 1997. The northern DPS occurs in Michigan, Indiana, and Ohio, north of 40 degrees north latitude. The current distribution of the Copperbelly Water Snake is limited to only a few small, scattered, and isolated population clusters in south central Michigan, northeastern Indiana, and northwestern Ohio. Surveys have indicated that the species is in decline throughout these areas.

Copperbelly Water Snakes have both wetland and terrestrial habitat requirements. The species is associated with wetland complexes characterized by a preponderance of shallow wetlands, many of which draw down