

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****[Docket No. FR-5030-C-17A]****Notice of HUD's Fiscal Year (FY) 2006 Notice of Funding Availability, Policy Requirements and General Section to SuperNOFA for HUD's Discretionary Grant Programs; Technical Assistance Areas for the Lead Outreach Program NOFA****AGENCY:** Office of the Assistant Secretary for Administration, HUD.**ACTION:** Notice of HUD's Fiscal Year (FY) 2006 Notice of Funding Availability, Policy Requirements and General Section to SuperNOFA for HUD's Discretionary Grant Programs; Technical Assistance Areas for the Lead Outreach Program NOFA.

**SUMMARY:** On January 20, 2006, HUD published its Fiscal Year (FY) 2006, Notice of Funding Availability Policy Requirements and General Section (General Section) to the SuperNOFA for HUD's Discretionary Programs. On March 8, 2006, HUD published its Fiscal Year (FY) 2006, SuperNOFA, for HUD's Discretionary Grant Programs. Included in the 2006 SuperNOFA Programs is the Lead Outreach Program. This Notice provides additional information on areas in which technical assistance services are potentially needed. It was developed in response to a question asked during the SuperNOFA broadcast for the FY 2006 Lead Outreach NOFA.

**SUPPLEMENTARY INFORMATION:** On April 4, 2006, HUD held its SuperNOFA broadcast for the Lead Outreach Notice of Funding Availability. A question was asked in regard to page 11848, section II, Terms of Award, third column, on the number of lead grantees in each geographic area and the estimated number of lead grantees requiring technical assistance in each geographic area. This table is posted to HUD's Web site at <http://www.hud.gov/offices/adm/grants/nofa06/grplead.cfm>. The table provides applicants for the Technical Assistance activity category of the FY 2006 Lead Outreach NOFA with the number of current lead grantees by area and the estimated number of grantees that a technical assistance provider may be asked to service. In summary, in the Eastern United States (HUD Regions I, II, III and IV), there are currently 105 lead grantees, of which 22 may need technical assistance; in the Central United States and Midwest (HUD Regions V, VI, VII and VIII), there are currently 84 lead grantees, of which 5 may need technical assistance; in the Western United States (HUD Regions IX

and X), there are currently 34 lead grantees, of which 6 may need technical assistance. Nationwide, there are currently 223 lead grantees, of which 33 may need technical assistance.

If you have questions regarding this Notice, please contact Jonnette Hawkins, Office of Healthy Homes and Lead Hazard Control, telephone 202-708-0614, extension 7593 (this is not a toll-free number); or via e-mail at [Jonnette\\_G.\\_Hawkins@hud.gov](mailto:Jonnette_G._Hawkins@hud.gov). If you are a hearing-or speech-impaired person, you may reach the above telephone number through TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

Dated: May 9, 2006.

**Jon L. Gant,***Director for the Office of Healthy Homes and Lead Hazard Control.*

[FR Doc. E6-7354 Filed 5-12-06; 8:45 am]

**BILLING CODE 4210-67-P****DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****[Docket No. FR-4513-N-23]****Credit Watch Termination Initiative****AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.**ACTION:** Notice.

**SUMMARY:** This notice advises of the cause and effect of termination of Origination Approval Agreements taken by HUD's Federal Housing Administration (FHA) against HUD-approved mortgagees through the FHA Credit Watch Termination Initiative. This notice includes a list of mortgagees which have had their Origination Approval Agreements terminated.

**FOR FURTHER INFORMATION CONTACT:** The Quality Assurance Division, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room B133-P3214, Washington, DC 20410-8000; telephone (202) 708-2830 (this is not a toll free number). Persons with hearing or speech impairments may access that number through TTY by calling the Federal Information Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** HUD has the authority to address deficiencies in the performance of lenders' loans as provided in HUD's mortgagee approval regulations at 24 CFR 202.3. On May 17, 1999 (64 FR 26769), HUD published a notice on its procedures for terminating Origination Approval Agreements with FHA lenders and placement of FHA lenders on Credit Watch status (an

evaluation period). In the May 17, 1999, notice, HUD advised that it would publish in the **Federal Register** a list of mortgagees, which have had their Origination Approval Agreements terminated.

**Termination of Origination Approval Agreement:** Approval of a mortgagee by HUD/FHA to participate in FHA mortgage insurance programs includes an Origination Approval Agreement (Agreement) between HUD and the mortgagee. Under the Agreement, the mortgagee is authorized to originate single family mortgage loans and submit them to FHA for insurance endorsement. The Agreement may be terminated on the basis of poor performance of FHA-insured mortgage loans originated by the mortgagee. The termination of a mortgagee's Agreement is separate and apart from any action taken by HUD's Mortgage Review Board under HUD's regulations at 24 CFR part 25.

**Cause:** HUD's regulations permit HUD to terminate the Agreement with any mortgagee having a default and claim rate for loans endorsed within the preceding 24 months that exceeds 200 percent of the default and claim rate within the geographic area served by a HUD field office, and also exceeds the national default and claim rate. For the 25th review period, HUD is terminating the Agreement of mortgagees whose default and claim rate exceeds both the national rate and 200 percent of the field office rate.

**Effect:** Termination of the Agreement precludes that branch(s) of the mortgagee from originating FHA-insured single family mortgages within the area of the HUD field office(s) listed in this notice. Mortgagees authorized to purchase, hold, or service FHA insured mortgages may continue to do so.

Loans that closed or were approved before the termination became effective may be submitted for insurance endorsement. Approved loans are (1) those already underwritten and approved by a Direct Endorsement (DE) underwriter employed by an unconditionally approved DE lender and (2) cases covered by a firm commitment issued by HUD. Cases at earlier stages of processing cannot be submitted for insurance by the terminated branch; however, they may be transferred for completion of processing and underwriting to another mortgagee or branch authorized to originate FHA insured mortgages in that area. Mortgagees are obligated to continue to pay existing insurance premiums and meet all other obligations associated with insured mortgages.

A terminated mortgagee may apply for a new Origination Approval Agreement if the mortgagee continues to be an approved mortgagee meeting the requirements of 24 CFR 202.5, 202.6, 202.7, 202.8 or 202.10 and 202.12, if there has been no Origination Approval Agreement for at least six months, and if the Secretary determines that the underlying causes for termination have been remedied. To enable the Secretary to ascertain whether the underlying causes for termination have been remedied, a mortgagee applying for a new Origination Approval Agreement must obtain an independent review of

the terminated office's operations as well as its mortgage production, specifically including the FHA-insured mortgages cited in its termination notice. This independent analysis shall identify the underlying cause for the mortgagee's high default and claim rate. The review must be conducted and issued by an independent Certified Public Accountant (CPA) qualified to perform audits under Government Auditing Standards as provided by the General Accounting Office. The mortgagee must also submit a written corrective action plan to address each of the issues identified in the CPA's report,

along with evidence that the plan has been implemented. The application for a new Agreement should be in the form of a letter, accompanied by the CPA's report and corrective action plan. The request should be sent to the Director, Office of Lender Activities and Program Compliance, 451 Seventh Street, SW., Room B133-P3214, Washington, DC 20410-8000 or by courier to 490 L'Enfant Plaza, East, SW., Suite 3214, Washington, DC 20024-8000.

**Action:** The following mortgagees have had their agreements terminated by HUD:

Mortgagee name	Mortgagee branch address	HUD office jurisdictions	Termination effective date	Homeownership centers
AMS Mortgage .....	482 Notch Road, West Paterson, NJ 07424 .....	Newark, New Jersey ....	1/5/2006	Philadelphia.
Hilton Mortgage Corporation II.	4800 B Armour Road, Suite D, Columbus, GA 31904.	Atlanta, GA .....	1/5/2006	Atlanta, GA.
Mercury Financial .....	24400 Northwestern Highway, Suite 210, Southfield, MI 48075.	Detroit, MI .....	1/5/2006	Philadelphia.
Willard Hodge Mortgage Co. LLC.	31514 Nichols Sawmill Road, Suite B, Magnolia, TX 77355.	Houston, TX .....	10/21/2005	Denver.

Dated: April 26, 2006.

**Brian D. Montgomery,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Draft Environmental Assessment, Draft Habitat Conservation Plan, and Receipt of Application for Incidental Take Permits for Cedar City and the Paiute Tribe for the Cedar City Golf Course and Paiute Tribal Lands, Utah**

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

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** Cedar City and the Paiute Tribe of Utah (Applicants) have applied to the U.S. Fish and Wildlife Service (Service) for incidental take permits pursuant to section 10(a)(1)(B) of the Endangered Species Act (ESA) of 1973, as amended. The requested permits, which are for a period of 20 years, would authorize incidental take of the Utah prairie dog (UPD) (*Cynomys parvidens*), a species federally-listed as threatened. The proposed take would occur as a result of maintenance of the Cedar City Golf Course and Paiute Tribal recreational grounds in Cedar City, Utah.

We also announce the availability of a draft Environmental Assessment (EA) and a draft Habitat Conservation Plan (HCP) for public review and comment. The Service requests comments from the public on the permit application, EA, and HCP. The permit application includes the proposed HCP and associated draft Implementation Agreement. The HCP describes the proposed action and the measures the Applicants will undertake to minimize and mitigate to the maximum extent practicable the take of UDP. All comments on the EA, HCP, and permit application will become part of the administrative record and will be available to the public. A determination of whether jeopardy to the species will occur, a Finding of No Significant Impact, and/or issuance of the incidental take permits, will not be made before 60 days from the date of publication of this notice. This notice is provided pursuant to section 10(c) of the ESA and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application, EA, and HCP must be received on or before July 14, 2006.

**ADDRESSES:** Comments regarding the permit application, EA, and HCP should be addressed to Henry Maddux, Field Supervisor, U.S. Fish and Wildlife Service, 2369 West Orton Circle #50, West Valley City, Utah 84119. Comments also may be submitted by facsimile to (801) 975-3331. Persons wishing to review the permit application, EA, or HCP may obtain a

copy by writing to the above office. Documents will be available for public inspection by written request, or by appointment only, during business hours (8 a.m. to 4:30 p.m.) at the above address. The EA and HCP also will be posted on the Internet at <http://mountainprairie.fws.gov/species/mammals/utprairiedog/>.

#### **FOR FURTHER INFORMATION CONTACT:**

Henry Maddux, Field Supervisor, at the above address or telephone (801) 975-3330.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 9 of the ESA and Federal regulations prohibit the "take" of a species listed as endangered or threatened. Take is defined under the ESA, in part, as to kill, harm, or harass a federally-listed species. However, the Service may issue permits to authorize "incidental take" of listed species under limited circumstances. Incidental take is defined under the ESA as take of a listed species that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity under limited circumstances. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32.

The Applicants have submitted an application to the Service for permits to incidentally take UPDs, pursuant to section 10(a)(1)(B) of the ESA, in association with maintenance of the Golf Course and Tribal recreational lands. The permits would allow the Cedar City Golf Course and the Paiute