

counsel or witnesses in the course of civil discovery, litigation, mediation, or settlement negotiations; or in connection with criminal law proceedings; or in response to a subpoena or to a prosecution request when such records to be released are specifically approved by a court provided order.

(b) To appropriate Federal, State, local, tribal, or governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where HUD determines that the information would assist in the enforcement of civil or criminal laws.

(c) To third parties while a law enforcement investigation to the extent necessary to obtain information pertinent to the investigation, provided disclosure is appropriate to the proper performance of the official duties of the officer making the disclosure.

(d) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency that maintains the record, specifying the particular portion desired and the law enforcement activity for which the record is sought.

*(14) Department of Justice for Litigation Disclosure Routine Use:*

To the Department of Justice (DOJ) when seeking legal advice for a HUD initiative or in response to DOJ's request for the information, after either HUD or DOJ determine that such information is relevant to DOJ's representatives of the United States or any other components in legal proceedings before a court or adjudicative body, provided that, in each case, the agency also determines prior to disclosure that disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records. HUD on its own may disclose records in this system of records in legal proceedings before a court or administrative body after determining that the disclosure of the records to the court or administrative body is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

General Records

Records will be stored on a shared drive (J:/Drive) in a restricted folder with restricted access to specific staff. The shared drive is a part of the HUD Local Area Network (LAN).

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Designated OCFO Financial Management staff members will pull records from the restricted shared drive folder (J:/Drive).

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS**

Destroy 6 years after final payment or cancellation, but longer retention is authorized if required for business use.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Users must log into their workstation with their PIV (ID) badge and a PIN number to log into the computer and access the HUD network. The data is stored on the HUD LAN resides at the Stennis and Clarksville Data Centers. Both data centers are managed by the OCIO Infrastructure and Operations Office (IOO) and are secured by security guards with ID badges and cameras. Files are stored on a shared drive folder J:/Drive in a restricted folder with restricted access to specific staff and the files are encrypted at rest. All OCFO staff must complete annual IT Security Awareness/Privacy Awareness Training, and electronically sign the Enterprise Rules of Behavior.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to determine whether this System of Records contains information on themselves should address written inquiries to the Department of Housing Urban and Development 451 7th Street SW, Washington, DC. For verification purposes, individuals should provide full name, current address, and telephone number. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

**CONTESTING RECORD PROCEDURES:**

The HUD rule for accessing, contesting, and appealing agency

determinations by the individual concerned are published in 24 CFR part 16 or may be obtained from the system manager.

**NOTIFICATION PROCEDURES:**

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Department of Housing Urban Development Chief Financial Officer, 451 7th Street SW, Washington, DC 20410-0001. For verification purposes, individuals should provide full name, office or organization where currently assigned, if applicable, and current address and telephone number. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

N/A.

**HISTORY:**

N/A.

**LaDonne L. White,**

*Departmental Privacy Officer.*

[FR Doc. 2021-25109 Filed 11-17-21; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[Docket No. FWS-R4-ES-2021-0121; FXES11140400000-212-FF04EF4000]

**Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Scrub-Jay, Volusia County, FL; Categorical Exclusion**

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

**ACTION:** Notice of availability; request for comment and information.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Maury L. Carter and Associates Inc. (applicant) for an incidental take permit (ITP) under the

Endangered Species Act. The applicant requests the ITP to take the federally listed scrub-jay incidental to construction in Volusia County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

**DATES:** We must receive your written comments on or before December 20, 2021.

**ADDRESSES:**

*Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS-R4-ES-2021-0121 at <http://www.regulations.gov>.

*Submitting Comments:* If you wish to submit comments on any of the documents, you may do so in writing by any of the following methods:

- *Online:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2021-0121.

- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2021-0121; U.S. Fish and Wildlife Service, MS: JAO/1N, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:** Erin M. Gawera, by telephone at 904-731-3121 or via email at [erin\\_gawera@fws.gov](mailto:erin_gawera@fws.gov). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the Fish and Wildlife Service, announce receipt of an application from Maury L. Carter and Associates Inc. (applicant) (Howland Property) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed scrub-jay (*Aphelocoma coerulescens*) incidental to the construction of a mixed-use commercial development (project) in Volusia County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act (NEPA; 42 U.S.C. 4231 *et seq.*). To make this determination, we used our environmental action statement and

low-effect screening form, which are also available for public review.

**Project**

Maury L. Carter and Associates Inc. requests a 10-year ITP to take scrub-jays by converting approximately 2.20 acres of occupied scrub-jay foraging and sheltering habitat incidental to the construction of a mixed-use commercial development located on a 36.69-acre parcel in Section 4, Township 19 South, Range 30 East, Volusia County, Florida. The applicant proposes to mitigate for take of the scrub-jays by the contribution of \$67,438.80 to the Florida Scrub-jay Conservation Fund (Fund) administered by The Nature Conservancy for the purchase of 4.40 acres, twice as much habitat as would be destroyed. The Service would require the applicant to make this contribution to the Fund within 30 days following the issuance of the incidental take permit by the Service and prior to engaging in activities associated with the project.

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment—including your personal identifying information—may be made available to the public. While you may request that we withhold your personal identifying information, we cannot guarantee that we will be able to do so.

**Our Preliminary Determination**

The Service has made a preliminary determination that the applicant's project, including land clearing, infrastructure building, landscaping, and the proposed mitigation measure, would individually and cumulatively have a minor or negligible effect on scrub-jays and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion and the HCP is low effect under our NEPA regulations at 43 CFR 46.205 and 46.210. A low-effect HCP is one that would result in (1) minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) minor or negligible effects on other environmental values or resources; and (3) impacts that, when considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result in significant cumulative effects to environmental values or resources over time.

**Next Steps**

The Service will evaluate the application and the comments received to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding findings, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER0017037 to Maury L. Carter and Associates Inc.

**Authority**

The Service provides this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

**Robert L. Carey,**

*Division Manager, Environmental Review, Florida Ecological Services Field Office.*

[FR Doc. 2021-25119 Filed 11-17-21; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R8-ES-2020-N174;  
FXES1114080000-212-FF08EVEN00]

**Endangered and Threatened Wildlife and Plants; Draft Habitat Conservation Plan and Draft Categorical Exclusion for the Central California Distinct Population Segment of the California Tiger Salamander; Churchill Family Properties Residential Development Project, San Benito County, California**

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of a draft habitat conservation plan (HCP) and draft categorical exclusion for activities associated with an application for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended. The ITP would authorize take of the Central California distinct population segment of the California tiger salamander incidental to activities associated with construction adjacent to the City of Hollister in San Benito County, California. The applicant developed the draft HCP as part of their application for an ITP. The Service