

application for tax-exempt bond financing for Project D is filed with the bond-issuing agency on October 30, 2017. Bonds are issued for Project D on April 30, 2019, but Project D is not placed in service until January 30, 2020. Project D is eligible for the increase in basis available to projects located in 2017 DDAs because: (1) One of the two events necessary for triggering the effective date for buildings described in Section 42(h)(4)(B) of the IRC (the two events being bonds issued and buildings placed in service) took place on April 30, 2019, within the 730-day period after a complete application for tax-exempt bond financing was filed, (2) the application was filed during a time when the location of Project D was in a DDA, and (3) both the issuance of the bonds and placement in service of Project D occurred after the application was submitted.

(Case E) Project E is a multiphase project located in a 2017 DDA that is NOT a designated DDA or QCT in 2018. The first phase of Project E received an allocation of credits in 2017, pursuant to an application filed March 15, 2017, which describes the multiphase composition of the project. An application for tax credits for the second phase of Project E is filed with the allocating agency by the same entity on March 15, 2018. The second phase of Project E is located on a contiguous site. Credits are allocated to the second phase of Project E on October 30, 2018. The aggregate amount of credits allocated to the two phases of Project E exceeds the amount of credits that may be allocated to an applicant in one year under the allocating agency's QAP and is the reason that applications were made in multiple phases. The second phase of Project E is, therefore, eligible for the increase in basis accorded a project in a 2017 DDA, because it meets all of the conditions to be a part of a multiphase project.

(Case F) Project F is a multiphase project located in a 2017 DDA that is NOT a designated DDA in 2018 or 2019. The first phase of Project F received an allocation of credits in 2017, pursuant to an application filed March 15, 2017, which does not describe the multiphase composition of the project. An application for tax credits for the second phase of Project F is filed with the allocating agency by the same entity on March 15, 2019. Credits are allocated to the second phase of Project F on October 30, 2019. The aggregate amount of credits allocated to the two phases of Project F exceeds the amount of credits that may be allocated to an applicant in one year under the allocating agency's QAP. The second phase of Project F is,

therefore, NOT eligible for the increase in basis accorded a project in a 2017 DDA, since it does not meet all of the conditions for a multiphase project, as defined in this notice. The original application for credits for the first phase did not describe the multiphase composition of the project. Also, the application for credits for the second phase of Project F was not made in the year immediately following the first phase application year.

#### Findings and Certifications

##### *Environmental Impact*

This notice involves the establishment of fiscal requirements or procedures that are related to rate and cost determinations and do not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.19(c)(6) of HUD's regulations, this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

##### *Federalism Impact*

Executive Order 13132 (entitled "Federalism") prohibits an agency from publishing any policy document that has federalism implications if the document either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the document preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the executive order. This notice merely designates DDAs and QCTs as required under IRC Section 42, as amended, for the use by political subdivisions of the states in allocating the LIHTC. This notice also details the technical methods used in making such designations. As a result, this notice is not subject to review under the order.

Dated: October 5, 2016.

**Katherine M. O'Regan,**

*Assistant Secretary for Policy Development and Research.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

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### Proposed New Information Collection: OMB Control Number 1094-ONEW, Indian Water Rights Settlements: Economic Analysis

**AGENCY:** Secretary's Indian Water Rights Office, Office of the Secretary, Department of the Interior.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Secretary's Indian Water Rights Office, Department of the Interior announces the proposed creation of a new public information collection and seeks public comments on the provisions thereof.

**DATES:** Consideration will be given to all comments received by *December 16, 2016*.

**ADDRESSES:** Direct all written comments to Rachel Brown, U.S. Department of the Interior, 1849 C Street NW., MS 7069-MIB, Washington, DC 20240, fax 202-208-6970, or by electronic mail to [Rebrown@usbr.gov](mailto:Rebrown@usbr.gov). Please mention that your comments concern the Indian Water Rights Settlements: Economic Analysis, OMB Control Number 1093-ONEW.

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, any explanatory information and related forms, see the contact information provided in the **ADDRESSES** section above.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This notice is for a new information collection.

The Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*, require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)).

The Secretary's Indian Water Rights Office (SIWRO) is tasked with overseeing and coordinating the Federal Government's Indian water rights settlement program and is undertaking a study on the economic outcomes associated with Indian water rights settlements (IWRs). The purpose of the study is to identify and track social and economic changes that occur as a result

of the implementation of enacted settlements. The Office of Indian Water Rights is located within the Secretary's Office. The Office leads, coordinates, and manages the Department's Indian water rights settlement program (109 Departmental Manual 1.3.E(2)).

## II. Data

(1) *Title*: Indian Water Rights Settlements: Economic Analysis.  
*OMB Control Number*: 1093-0NEW.  
*Type of Review*: New Information Collection.

*Affected Entities*: State, Local & Tribal Governments as well as some Private Sector entities.

*Estimated annual number of respondents*: 48.

*Frequency of responses*: One time.

(2) Annual reporting and recordkeeping burden:

*Total annual reporting per response*: 2.73 hours.

*Total number of estimated responses*: 48.

*Total annual reporting*: 131 hours.

(3) Description of the need and use of the information. Indian reserved water rights are vested property rights for which the United States has a trust responsibility, with the United States holding legal title to such water in trust for the benefit of Indian tribes. Federal policy supports the resolution of disputes regarding Indian water rights through negotiated settlements. Settlement of Indian water rights disputes breaks down barriers and helps create conditions that improve water resources management by providing certainty as to the rights of all water users who are parties to the disputes. At a time of increasing competition for Federal funds, it is important to quantify and describe the economic impacts and net benefits of the implementation of enacted Indian water rights settlements.

## III. Request for Comments

The Departments invite comments on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility;

(b) The accuracy of the agencies' estimate of the burden of the collection of information and the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on respondents, including through the use of appropriate automated, electronic, mechanical, or other collection

techniques or other forms of information technology.

"Burden" means the total time, effort, and financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install, and use technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, and to complete and review the collection of information; and to transmit or otherwise disclose the information.

It is our policy to make all comments available to the public for review. Before including Personally Identifiable Information (PII), such as your address, phone number, email address, or other personal information in your comment(s), you should be aware that your entire comment (including PII) may be made available to the public at any time. While you may ask us in your comment to withhold PII from public view, we cannot guarantee that we will be able to do so. If you wish to view any comments received, you may do so by scheduling an appointment with the contact provided in the **ADDRESSES** section above. A valid picture identification is required for entry into the Department of the Interior.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

**David D. Alspach,**

*Information Collection Clearance Officer,  
 Office of the Secretary, Department of the Interior.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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 16XL1109AF; MO#4500091180; MTM  
 108489]

### Notice of Proposed Classification of Public Lands and Minerals for State Indemnity Selection, Montana

**AGENCY**: Bureau of Land Management, Interior.

**ACTION**: Notice.

**SUMMARY**: The Montana Department of Natural Resources and Conservation (State) has filed a petition for classification and application to obtain public lands and mineral estate in lieu of lands to which the State was entitled, but did not receive under its Statehood Act. The State did not receive title because the lands had previously been appropriated. Under Section 7 of the Taylor Grazing Act of 1934, the Bureau of Land Management (BLM) proposes to classify sufficient acreage of public lands/minerals in Montana for title transfer to the State to satisfy this obligation to the State. Of the area proposed for State Indemnity Selection, 10,560 acres are designated as greater sage-grouse General Habitat Management area.

**DATES**: Comments must be received by December 16, 2016.

The BLM will not consider or include comments received after the close of the comment period or comments delivered to an address other than the one listed below. Persons asserting a claim to or interest in the lands or mineral estate described in this notice will find the requirements for filing such claims in the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES**: The public may submit written comments by mail or hand delivery to: State Director, Montana/Dakotas State Office, Bureau of Land Management, Department of the Interior, 5001 Southgate Drive, Billings, MT 59101.

**FOR FURTHER INFORMATION CONTACT**: Jim Ledger, Realty Specialist, Branch of Lands, Realty, and Renewable Energy; telephone (406) 329-3733; email [jledger@blm.gov](mailto:jledger@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION**: Sections 2275 and 2276 of the Revised Statutes,