

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	

Send comments to Rodney Warrn, Floodplain Administrator, Bienville Parish, Post Office Box 479, Arcadia, Louisiana 71001.

**Town of Ringgold, Bienville Parish, Louisiana:**

Maps are available for inspection at 2135 Hall Street, Ringgold, Louisiana.

Send comments to The Honorable Ben Plunkett, Mayor, Town of Ringgold, Post Office Box 565, Ringgold, Louisiana 71068.

◆ North American Vertical Datum of 1988.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: September 26, 2005.

**David I. Maurstad,**

*Acting Director, Mitigation Division, Emergency Preparedness and Response Directorate.*

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**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-P-7903]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed BFEs for each community are available for inspection

at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:**

Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental

Consideration. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

*Regulatory Classification.* This proposed rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 12612, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, flood insurance, reporting and record keeping requirements.

Accordingly, 44 CFR Part 67 is proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for Part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
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Little Cotton Indian Creek: At the confluence with Big Cotton Indian Creek .....	◆ 654	◆ 655	Henry County (Unincorporated Areas).

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Approximately 1,000 feet upstream of the confluence with Big Cotton Indian Creek.	◆ 654	◆ 655	

**Unincorporated Areas of Henry County, Georgia:**

Maps are available for inspection at the Community Map Repository, 140 Henry Parkway, McDonough, Georgia.

Send comments to Mr. Rob Magnaghi, Henry County Manager, 140 Henry Parkway, McDonough, Georgia 30253.

◆ North American Vertical Datum.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: September 26, 2005.

**David I. Maurstad,**

Acting Director, Mitigation Division,  
Emergency Preparedness and Response  
Directorate.

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17****RIN 1018-AG23****Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for 12 Species of Hawaiian Picture-Wings**

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

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), announce the reopening of the comment period on the proposal to list 12 species of Hawaiian picture-wings as endangered to allow peer reviewers and all interested parties another opportunity to submit comments on the rule.

**DATES:** Comments from all interested parties must be received by November 3, 2005.

**ADDRESSES:** If you wish to comment, you may submit your comments and materials concerning the proposal by any one of the following methods:

1. You may submit comments and information to Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office (PIFWO), U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, P.O. Box 50088, Honolulu, HI 96850;

2. You may hand-deliver written comments and information to our

PIFWO at the above address given above;

3. You may also send comments by electronic mail (e-mail) to [12pic\\_species\\_listing@fws.gov](mailto:12pic_species_listing@fws.gov). For directions on how to submit electronic filing of comments, see the "Public Comments Solicited" section; or

4. You may fax your comments to 808/792-9581.

All comments and materials received, as well as supporting documentation used in preparation of the proposed rule, will be available for public inspection, by appointment during normal business hours at our PIFWO at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Patrick Leonard, Field Supervisor, at the above address (telephone 808/792-9400; facsimile 808/792-9581).

**SUPPLEMENTARY INFORMATION:****Background**

On January 17, 2001, we published a proposed rule to list as endangered 12 species of Hawaiian picture-wings: *Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia* (66 FR 3964).

These insect species, known as Hawaiian picture-wings, are part of the intensely studied family, Drosophilidae, found throughout the main islands of the Hawaiian archipelago. Hawaiian picture-wings are known for their elaborate markings on otherwise clear wings. They also have been called the "birds of paradise" of the insect world because of their spectacular courtship displays and defense of their territories.

As many as 1,000 species of Hawaiian picture-wing may exist, each one adapted not only to a particular island, but to a specific habitat type. Individual species have adapted to a wide diversity of ecosystems ranging from desert-like habitats to rain forests and swamplands. In many cases, a species requires a specific native plant host during portions of its breeding cycle.

Each of the 12 Hawaiian picture-wing species in the proposed listing rule is found only on a single island, and each breeds only on a single or a few related species of plants, some of which are also listed as threatened or endangered species. Six of the picture-wing species are found on Oahu, three species on the island of Hawaii (Big Island), and one species on each of the islands of Kauai, Molokai, and Maui. One of the Big Island species was thought to be extinct until an extremely small population was rediscovered in 1993.

Threats to the continued existence of these species include habitat degradation caused by feral animals and nonnative weeds, habitat loss from fire, biological pest control, and predation from alien ants and wasps. Three of the picture-wing species exist in such a small number of populations that naturally occurring events such as hurricanes and landslides could eliminate them.

In our January 17, 2001, proposed rule and associated notifications, we requested that all interested parties submit comments, data, or other information that might contribute to the development of a final rule. A 60-day comment period closed on March 19, 2001. Pursuant to a settlement agreement approved by the United States District Court for the District of Hawaii on August 31, 2005, the Service must make a final listing decision for these 12 Hawaiian picture-wing species by April 17, 2006. If the final listing determination results in the listing of one or more of the 12 species and a critical habitat designation is found to be prudent, the Service must submit to the **Federal Register** a proposed critical habitat determination by September 15, 2006, and final critical habitat determination by April 16, 2007 (*Center for Biological Diversity v. Allen*, CV-05-27400326 JE).

**Public Comments Solicited**

We intend that any final action resulting from the proposal be as accurate and as effective as possible. Therefore, we are reopening the