

**EFFECTIVE DATE:** September 5, 2005.

**FOR FURTHER INFORMATION CONTACT:** Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2705.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated September 5, 2005, the President declared an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act), as follows:

I have determined that the emergency conditions in the State of West Virginia resulting from the influx of evacuees from states impacted by Hurricane Katrina beginning on August 29, 2005, and continuing, is of sufficient severity and magnitude to warrant an emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act). Therefore, I declare that such an emergency exists in the State of West Virginia.

You are authorized to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act to save lives and protect public health and safety, or to lessen or avert the threat of a catastrophe in the designated areas. Specifically, you are authorized to provide emergency protective measures (Category B), including direct Federal assistance, under the Public Assistance program, at 100 percent Federal funding. This assistance excludes regular time costs for subgrantees' regular employees. In addition, you are authorized to provide such other forms of assistance under Title V of the Stafford Act as you may deem appropriate.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal emergency assistance and administrative expenses.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, Patricia G. Arcuri, of FEMA is appointed to act as the Federal Coordinating Officer for this declared emergency.

I do hereby determine the following areas of the State of West Virginia to have been affected adversely by this declared emergency:

All 55 counties in the State of West Virginia for Public Assistance Category B (emergency protective measures), including direct Federal assistance, at 100 percent Federal funding.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030,

Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs; 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program)

**Michael D. Brown,**

*Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.*

[FR Doc. 05-18104 Filed 9-12-05; 8:45 am]

**BILLING CODE 9110-10-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4950-C-03A]

### Notice of HUD's Fiscal Year (FY) 2005 Notice of Funding Availability Policy Requirements and General Section to SuperNOFA for HUD's Discretionary Grant Programs; Community Development Technical Assistance NOFA; Competition Reopening Announcement

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Super Notice of Funding Availability (SuperNOFA) for HUD Discretionary Grant Programs; Community Development Technical Assistance (CD-TA) NOFA; competition reopening announcement.

**SUMMARY:** On March 21, 2005, HUD published its Fiscal Year (FY) 2005, Notice of Funding Availability (NOFA) Policy Requirements and General Section to the SuperNOFA for HUD's Discretionary Grant Programs. The CD-TA NOFA competition, which was included in the SuperNOFA, closed on June 1, 2005. This document announces the reopening of the CD-TA NOFA competition.

**DATES:** The new application submission date for the CD-TA is October 13, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ms. Phyllis Shanks, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7218, Washington, DC 20410-7000; telephone 202-708-3176, extension 4626 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** On March 21, 2005 (70 FR 13575), HUD published its FY2005 SuperNOFA. The CD-TA, which was included in the SuperNOFA, made available approximately \$30.1 million in HUD assistance. According to the SuperNOFA, the application submission date for the CD-TA NOFA was June 1, 2005. On May 11, 2005 (70 FR 24835), HUD published additional guidance to the General Section, which included a link to Frequently Asked Questions, located at <http://www.grants.gov/ForApplicants#>. Frequently asked questions can also be found on the HUD Web site at <http://www.hud.gov/offices/adm/grants/egrants/grantsgovfaqs.pdf>.

For the FY2005 CD-TA competition, HUD noted a significant decrease from previous funding competitions in the number of CD-TA applications submitted. The decrease also demonstrated a considerable reduction in the geographic diversity of applications. HUD understands that many eligible applicants may have had difficulty submitting their applications. Therefore, in order to give all NOFA applicants sufficient time to submit completed applications and ensure Grants.gov registration is complete, this notice published in today's **Federal Register** reopens the CD-TA NOFA competition. The new application submission date for the CD-TA NOFA competition is October 13, 2005.

### Applicability of SuperNOFA General Section and CD-TA NOFA Requirements to Reopened Competition

Please note that the CD-TA NOFA competition description, application submission information, and application review information were published in the FY2005 SuperNOFA on March 21, 2005 (70 FR 13575). All requirements listed in the SuperNOFA General Section and in the CD-TA NOFA are applicable to this reopened competition except for those requirements explicitly changed by this notice (such as the due date and requirement for electronic submission).

### Submission Instructions

If you have already submitted an application electronically through Grants.gov, you do not need to resubmit another application. If you submitted a paper application, however, without first obtaining a waiver from the electronic submission requirement, you must resubmit your application electronically or by paper submission. For the competition reopening, a waiver will not be required for paper submission, however electronic submissions are the preferred method.

An applicant that has already submitted its application does not need to resubmit another application. However, if an applicant chooses to make any changes to an application that has already been submitted, it must download a new application from Grants.gov, complete the application, and resubmit by the new deadline date. For the purpose of rating and ranking, HUD will review the most recent application and disregard any previously submitted application. If an applicant decides to resubmit an application, the newly submitted application must be complete. HUD will not accept partial amendments to applications that were previously submitted.

Applicants are encouraged to submit their applications through Grants.gov as described in the SuperNOFA. In addition, for this FY2005 reopened funding opportunity, an applicant may submit a paper application without requesting a waiver from this requirement. HUD does not intend to accept paper applications in the future without a waiver.

An applicant that chooses to submit a paper application must submit an original and two copies to: HUD Headquarters; Robert C. Weaver Federal Building; 451 Seventh Street, SW., Room 7218; Washington, DC 20410, Attention: CD-TA.

As described in section IV.F.5.b of the General Section, an applicant submitting a paper application must use the United States Postal Service (USPS) to submit its application to HUD. An applicant must take its application to a post office to get a receipt of mailing that provides the date and time the package was submitted to the USPS. USPS rules now require that large packages must be brought to a postal facility for mailing. In many areas, the USPS has made a practice of returning to the sender, large packages that have been dropped in a mail collection box. Paper copy applications submitted to the USPS by the submission date and time and received by HUD no later than 15 days after the established submission date will receive funding consideration. If the USPS does not have a receipt with a digital time stamp, HUD will accept a receipt showing USPS Form 3817, Certificate of Mailing with a dated postmark. The proof of submission receipt provided by the Postal Service must show receipt no later than the application submission deadline. An applicant whose application is determined to be late, that cannot furnish HUD with a receipt from the USPS that verifies the package was submitted to the USPS prior to the

submission due date and time will not receive funding consideration. An applicant may use any type of mail service provided by the USPS to have their application package delivered to HUD in time to meet the submission requirements.

HUD will not accept hand delivery of applications.

Dated: September 6, 2005.

**Pamela H. Patenaude,**

*Assistant Secretary for Community Planning and Development.*

[FR Doc. E5-4971 Filed 9-12-05; 8:45 am]

**BILLING CODE 4210-27-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Final Devils River Minnow Recovery Plan

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

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces the availability of the approved recovery plan for the Devils River Minnow (*Dionda diabolus*). The Devils River minnow is known to occur in streams in Kinney and Val Verde Counties, Texas, and Coahuila, Mexico. The threats facing the species include: Habitat loss due to declining surface water flows from springs, pollution to streams, and impacts from nonnative species. The recovery plan outlines the necessary criteria, objectives and tasks to reduce these threats and accomplish the goal of delisting the Devils River minnow.

**ADDRESSES:** A copy of the final recovery plan may be requested by contacting Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758, or on the Internet at <http://www.fws.gov/endangered/recovery/>.

**FOR FURTHER INFORMATION CONTACT:** Field Supervisor, Austin Ecological Services Field Office, at the above address; telephone (512) 490-0057, facsimile (512) 490-0974.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the

United States. Recovery plans describe actions considered necessary for conservation of species, establish criteria for downlisting or delisting them, and estimate time and cost for implementing the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (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 an opportunity for public review and comment be provided during recovery plan development. The Service considers all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and others also take these comments into account in the course of implementing recovery plans.

The Devils River minnow (*Dionda diabolus*) was listed as threatened on October 20, 1999, under authority of the Act. A draft of the Devils River Minnow Recovery Plan was issued on February 23, 2005, and public comments and peer reviewer comments were received until April 11, 2005 (70 FR 8818). The Service received 10 responses during the comment period from interested parties. Of these, 6 provided substantive comments. We also received comments from 5 peer reviewers. The recovery plan was updated to address many of the comments and specific responses for the most substantive comments are summarized in Appendix D of the final recovery plan.

The recovery plan describes the goals, objectives, criteria, strategies, and specific tasks necessary for achieving recovery of the Devils River minnow. The goal is to improve the status of the species so that it may be removed from the list of species protected under the Act. Generally, the Devils River Minnow Recovery Plan describes the needs for conservation of the existing habitat (including conserving groundwater aquifers and surface water flows and preventing local pollution), control of non-native species, and possibly restoring an additional population within the historic range of Devils River minnow at Las Moras Creek. The recovery plan describes the specific criteria for delisting and the necessary recovery actions to accomplish that goal based on the best available scientific information.

**Authority:** The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).