

be in addition to the above described baseline requirements.

The public may also access Texas' proposed Standard Permits on the TCEQ's Web site. The TCEQ posts its proposed Standard Permits on its Web site at <http://www.tceq.state.tx.us/permitting/air/nav/standard.html>. This Web site includes the public notice of proposed Standard Permits during the comment period, the information on TCEQ's final action on Standard Permits (including TCEQ's response to the comments received from the public, and the text of all existing Standard Permits.

A more detailed discussion of Texas' public notice procedures for proposed Standard Permits is in the Technical Support Document which is in the docket for this proposed action.

For the reasons discussed above and in the Technical Support Document, EPA believes that this revision to section 116.603 continues to ensure that the entire State of Texas is provided with adequate public notice of any proposed Standard Permit with statewide applicability and ensures that citizens in Texas are afforded the opportunity to comment on the proposed Standard Permit.

Section 110(l) of the CAA states that EPA cannot approve a SIP revision if the revision would interfere with any applicable requirements concerning attainment and reasonable further progress towards attainment of the National Ambient Air Quality Standards (NAAQS) or any other applicable requirements of the Act. Based upon our review of the Texas SIP submittals discussed in this notice and the Technical Support Document, we believe indicate that the revisions will not interfere with any applicable requirements concerning attainment and reasonable further progress towards attainment of the NAAQS or any other applicable requirements of the Act.

#### IV. Proposed Action

For the reasons discussed above, EPA is proposing to approve and requests comments on the changes to 30 TAC 116.603 (Public Participation in Issuance of Standard Permits) submitted October 9, 2006, as a revision to the Texas SIP. EPA will evaluate all significant comments in finalizing its decision.

#### V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP

submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et. seq.);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon Monoxide, Hydrocarbons, Intergovernmental relations, Lead, Nitrogen oxides, Ozone, Particulate matter, Reporting and

recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 5, 2008.

**Lawrence E. Starfield,**

*Acting Regional Administrator, Region 6.*

**Authority:** 42 U.S.C. 7401 et seq.

[FR Doc. E8-10924 Filed 5-14-08; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7779]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before August 13, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7779, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed rule meets the applicable standards of Executive Order 12988.

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

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping 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:

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Douglas County, Nevada, and Incorporated Areas</b>				
Airport Tributary Wash .....	Approximately 5,400 feet upstream of Freemont Street	None	+4958	Unincorporated Areas of Douglas County
Airport Wash .....	Approximately 7,445 feet upstream of Freemont Street	None	+5019	Unincorporated Areas of Douglas County.
	Approximately 2,475 feet upstream of East Valley Road.	None	+4902	
Bobwhite Wash .....	Approximately 9,175 feet upstream of East Valley Road.	+5015	+5009	Unincorporated Areas of Douglas County.
	Confluence with Juniper Road Wash .....	+5121	+5123	
Buckbrush Wash .....	Approximately 1,390 feet upstream of confluence with Juniper Road Wash.	+5136	+5135	Unincorporated Areas of Douglas County.
	Approximately 645 feet downstream of Fuller Avenue ..	None	+4786	
Buckeye Creek .....	Approximately 3,320 feet upstream of Lindsay Lane ....	None	+5019	Unincorporated Areas of Douglas County.
	Approximately 4,933 feet downstream of Orbit Way .....	None	+4762	
Calle De Asco Wash .....	Approximately 7,624 feet upstream of Juniper Road ....	+4973	+5008	Unincorporated Areas of Douglas County.
	Confluence with Calle Hermosa Wash .....	None	+5070	
Calle Hermosa Wash .....	Approximately 3,525 feet upstream of confluence with Calle Hermosa Wash.	None	+5114	Unincorporated Areas of Douglas County.
	Approximately 469 feet downstream of Ty Lane .....	+4881	+4884	
Johnson Lane Wash .....	Approximately 1,598 feet upstream of Calle Hermosa Road.	None	+5122	Unincorporated Areas of Douglas County.
	Approximately 3,555 feet downstream of Squires Street.	None	+4782	
	Approximately 2,939 feet upstream of Nye Drive .....	None	+4991	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Juniper Road Wash .....	Approximately 1,935 feet downstream of Coyote Road	+4880	+4881	Unincorporated Areas of Douglas County.
Sunrise Pass Wash .....	Approximately 3,500 feet upstream of Carlson Drive ....	None	+5194	Unincorporated Areas of Douglas County.
	At MacKay Way .....	None	+4907	
	Approximately 3,310 feet upstream of MacKay Way ....	None	+4991	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Unincorporated Areas of Douglas County

Maps are available for inspection at 1615 Eight Street, Minden, NV 89423.

##### Hertford County, North Carolina, and Incorporated Areas

Ahoskie Creek .....	At the confluence with Wiccacon River and Bear Swamp.	None	+11	Unincorporated Areas of Hertford County, Town of Ahoskie.
	Approximately 0.7 mile upstream of the confluence with Ahoskie Creek Tributary 8.	None	+62	
Ahoskie Creek Tributary 1	At the confluence with Ahoskie Creek .....	None	+18	Unincorporated Areas of Hertford County.
	Approximately 1,325 feet upstream of DT Road (State Road 1419).	None	+23	
Ahoskie Creek Tributary 7	At the confluence with Ahoskie Creek .....	None	+52	Unincorporated Areas of Hertford County.
	Approximately 0.5 mile upstream of the confluence with Ahoskie Creek.	None	+57	
Banks Creek .....	At the confluence with Kirby Creek .....	None	+17	Unincorporated Areas of Hertford County.
	Approximately 960 feet upstream of the confluence with Banks Creek Tributary 1.	None	+18	
Banks Creek Tributary 1 ....	At the confluence with Banks Creek .....	None	+17	Unincorporated Areas of Hertford County.
	Approximately 0.9 mile upstream of the confluence with Banks Creek.	None	+25	
Barbeque Swamp .....	At the confluence with Chinkapin Creek and Chinkapin Swamp.	None	+13	Unincorporated Areas of Hertford County.
	At the Hertford/Bertie County boundary .....	None	+19	
Bear Swamp .....	At the confluence with Wiccacon River and Ahoskie Creek.	None	+11	Unincorporated Areas of Hertford County.
	Approximately 1,111 feet upstream of Ahoskie Cofield Road (State Road 1403).	None	+34	
Bells Branch .....	At the confluence with Potecasi Creek .....	None	+19	Unincorporated Areas of Hertford County.
	Approximately 2.9 miles upstream of the confluence with Potecasi Creek.	None	+33	
Bluewater Branch .....	At the confluence with Cutawhiskie Creek .....	None	+28	Unincorporated Areas of Hertford County.
	Approximately 0.5 mile upstream of the confluence with Bluewater Branch Tributary 2.	None	+43	
Bluewater Branch Tributary 1.	At the confluence with Bluewater Branch .....	None	+32	Unincorporated Areas of Hertford County.
	Approximately 0.5 mile upstream of Leweter Farm Road (State Road 1139).	None	+43	
Bluewater Branch Tributary 2.	At the confluence with Bluewater Branch .....	None	+40	Unincorporated Areas of Hertford County.
	Approximately 0.4 mile upstream of the confluence with Bluewater Branch.	None	+49	
Brooks Creek .....	At the confluence with Wiccacon River .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 1.1 miles upstream of Bazemore Road (State Road 1445).	None	+22	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Buckhorn Creek .....	At the confluence with Chowan River .....	None	+12	Unincorporated Areas of Hertford County.
	Approximately 1.1 miles upstream of Buckhorn Church Road (State Road 1316).	None	+59	
Catherine Creek .....	At the confluence with Chowan River .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 1.1 miles upstream of the confluence with Catherine Creek Tributary 1.	None	+20	
Catherine Creek Tributary 1	At the confluence with Catherine Creek .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 0.4 mile upstream of the confluence with Catherine Creek.	None	+11	
Chinkapin Creek .....	At the confluence with Wiccacon River .....	None	+7	Unincorporated Areas of Hertford County.
	At the confluence of Chinkapin Swamp and Barbeque Swamp.	None	+13	
Chinkapin Creek Tributary 1.	At the confluence with Chinkapin Creek .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 0.9 mile upstream of the confluence of Chinkapin Creek Tributary 1A.	None	+17	
Chinkapin Creek Tributary 1A.	At the confluence with Chinkapin Creek Tributary 1 .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 0.6 mile upstream of the confluence with Chinkapin Creek Tributary 1.	None	+17	
Chinkapin Creek Tributary 2.	At the confluence with Chinkapin Creek .....	None	+11	Unincorporated Areas of Hertford County.
	Approximately 1,390 feet upstream of Big Mill Road (State Road 1432).	None	+14	
Chinkapin Creek Tributary 3.	At the confluence with Chinkapin Creek .....	None	+12	Unincorporated Areas of Hertford County.
	Approximately 0.6 mile upstream of the confluence with Chinkapin Creek.	None	+16	
Chinkapin Swamp .....	At the confluence with Barbeque Swamp and Chinkapin Creek.	None	+13	Unincorporated Areas of Hertford County.
	Approximately 0.9 mile upstream of the confluence with Chinkapin Creek and Barbeque Swamp.	None	+14	
Chowan River .....	At the Hertford/Bertie/Chowan County boundary .....	None	+7	Unincorporated Areas of Hertford County, Town of Winton.
	At the Virginia/North Carolina State boundary .....	None	+13	
Chowan River Tributary 1 ..	At the confluence with Chowan River .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 1.3 miles upstream of the confluence with Chowan River.	None	+39	
Cutawhiskie Creek .....	At the confluence with Potecasi Creek .....	None	+26	Unincorporated Areas of Hertford County.
	Approximately 1.2 miles upstream of Fennell Road (State Road 1155).	None	+55	
Cutawhiskie Creek Tributary 1.	At the confluence with Cutawhiskie Creek .....	None	+36	Unincorporated Areas of Hertford County.
	Approximately 0.9 mile upstream of the confluence with Cutawhiskie Creek.	None	+40	
Cutawhiskie Creek Tributary 2.	At the confluence with Cutawhiskie Creek .....	None	+39	Unincorporated Areas of Hertford County.
	Approximately 0.8 mile upstream of the confluence with Cutawhiskie Creek.	None	+43	
Cutawhiskie Creek Tributary 3.	At the confluence with Cutawhiskie Creek .....	None	+49	Unincorporated Areas of Hertford County.
	Approximately 0.5 mile upstream of the confluence with Cutawhiskie Creek.	None	+51	
Deep Creek .....	At the confluence with Chowan River .....	None	+8	Unincorporated Areas of Hertford County.
	Approximately 1.2 miles upstream of the confluence with Deep Creek Tributary 1.	None	+21	
Deep Creek Tributary 1 .....	At the confluence with Deep Creek .....	None	+11	Unincorporated Areas of Hertford County.
	Approximately 0.6 mile upstream of the confluence with Deep Creek.	None	+23	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Deep Creek Tributary 2 .....	At the confluence with Deep Creek .....	None	+11	Unincorporated Areas of Hertford County, Village of Cofield.
	Approximately 1.2 miles upstream of the confluence with Deep Creek.	None	+22	
Deep Swamp .....	At the confluence with Chowan River .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 1.4 miles upstream of Cullen Road (State Road 1439).	None	+55	
Deep Swamp Tributary 1 ...	At the confluence with Deep Swamp .....	None	+7	Unincorporated Areas of Hertford County.
	Approximately 1.5 miles upstream of the confluence with Deep Swamp.	None	+26	
Deep Swamp Tributary 2 ...	At the confluence with Deep Swamp .....	None	+8	Unincorporated Areas of Hertford County.
	Approximately 0.9 mile upstream of the confluence with Deep Swamp.	None	+29	
Deep Swamp Tributary 3 ...	At the confluence with Deep Swamp .....	None	+8	Unincorporated Areas of Hertford County.
	Approximately 1.2 miles upstream of the confluence with Deep Swamp.	None	+41	
Fort Branch .....	At the confluence with Ahoskie Creek .....	None	+46	Unincorporated Areas of Hertford County.
Hares Branch .....	At the Hertford/Bertie County boundary .....	None	+55	Unincorporated Areas of Hertford County, Town of Murfreesboro.
	At the confluence with Meherrin River .....	None	+15	
Horse Swamp .....	Approximately 0.8 mile upstream of U.S. Highway 158 At the confluence with Bear Swamp .....	None None	+25 +20	Unincorporated Areas of Hertford County.
	Approximately 0.7 mile upstream of the Railroad .....	None	+35	
Indian Creek .....	At the confluence with Cutawhiskie Creek .....	None	+28	Unincorporated Areas of Hertford County.
	Approximately 0.4 mile upstream of Flea Hill Road (State Road 1142).	None	+39	
Kill 'em Swamp .....	At the confluence with Long Branch .....	None	+11	Unincorporated Areas of Hertford County.
	Approximately 2.0 miles upstream of the confluence with Long Branch.	None	+19	
Kirby Creek .....	At the confluence with Meherrin River .....	None	+17	Unincorporated Areas of Hertford County.
	Approximately 150 feet downstream of the confluence with Turkey Creek.	None	+17	
Liverman Creek .....	At the confluence with Meherrin River .....	None	+8	Unincorporated Areas of Hertford County.
	Approximately 0.4 mile upstream of Spiers Road (State Road 1317).	None	+78	
Liverman Creek Tributary 1	At the confluence with Liverman Creek .....	None	+12	Unincorporated Areas of Hertford County.
	Approximately 1.3 miles upstream of Parkers Ferry Road (State Road 1306).	None	+21	
Liverman Creek Tributary 1A.	At the confluence with Liverman Creek Tributary 1 .....	None	+16	Unincorporated Areas of Hertford County.
	Approximately 1.7 miles upstream of the confluence with Liverman Creek Tributary 1.	None	+26	
Liverman Creek Tributary 2	At the confluence with Liverman Creek .....	None	+21	Unincorporated Areas of Hertford County.
	Approximately 0.7 mile upstream of U.S. Highway 258	None	+28	
Long Branch .....	At the confluence with Chinkapin Creek .....	None	+11	Unincorporated Areas of Hertford County.
	Approximately 1,300 feet upstream of Quebec Road (State Road 1002).	None	+37	
Long Branch Tributary 1 ....	At the confluence with Long Branch .....	None	+13	Unincorporated Areas of Hertford County.
	Approximately 0.5 mile upstream of the confluence with Long Branch.	None	+19	
Long Branch Tributary 2 ....	At the confluence with Long Branch .....	None	+15	Unincorporated Areas of Hertford County.

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Long Branch Tributary 3 ....	Approximately 0.5 mile upstream of Quebec Road (State Road 1002).	None	+29	Unincorporated Areas of Hertford County.
	At the confluence with Long Branch .....	None	+20	
Long Branch Tributary 4 ....	Approximately 0.6 mile upstream of the confluence with Long Branch.	None	+27	Unincorporated Areas of Hertford County.
	At the confluence with Long Branch .....	None	+24	
Meherrin River .....	Approximately 0.7 mile upstream of the confluence with Long Branch.	None	+44	Unincorporated Areas of Hertford County, Town of Murfreesboro.
	At the confluence with the Chowan River .....	None	+8	
Meherrin River Tributary 1	Approximately 50 feet upstream of the Virginia/North Carolina State boundary.	None	+26	Unincorporated Areas of Hertford County.
	At the confluence with Meherrin River .....	None	+12	
Meherrin River Tributary 2	Approximately 1.9 miles upstream of the confluence with Meherrin River.	None	+22	Unincorporated Areas of Hertford County.
	At the confluence with Meherrin River .....	None	+12	
Meherrin River Tributary 3	Approximately 0.8 mile upstream of Mapleton Road (State Road 1303).	None	+29	Unincorporated Areas of Hertford County.
	At the confluence with Meherrin River .....	None	+19	
Meherrin River Tributary 4	Approximately 0.8 mile upstream of Boones Bridge Road (State Road 1311).	None	+34	Unincorporated Areas of Hertford County.
	At the confluence with Meherrin River .....	None	+19	
Mill Branch .....	Approximately 0.9 mile upstream of Boones Bridge Road (State Road 1311).	None	+25	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+8	
Mill Branch South .....	Approximately 200 feet downstream of U.S. Highway 158.	None	+17	Unincorporated Areas of Hertford County.
	At the confluence with Ahoskie Creek .....	None	+54	
Mill Branch Tributary 1 .....	Approximately 0.8 mile upstream of the confluence with Ahoskie Creek.	None	+57	Unincorporated Areas of Hertford County.
	At the confluence with Mill Branch .....	None	+8	
Old Tree Swamp .....	Approximately 0.6 mile upstream of the confluence with Mill Branch.	None	+19	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+26	
Panther Swamp .....	Approximately 1.8 miles upstream of Beaver Dam Road (State Road 1167).	None	+50	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+30	
Panther Swamp Tributary 2	Approximately 1,170 feet upstream of Pine Tops Road	None	+49	Unincorporated Areas of Hertford County.
	At the confluence with Panther Swamp .....	None	+44	
Potecasi Creek .....	Approximately 0.4 mile upstream of the confluence with Panther Swamp.	None	+49	Unincorporated Areas of Hertford County.
	At the confluence with the Meherrin River .....	None	+8	
Potecasi Creek Tributary 1	At the Hertford/Northampton County boundary .....	None	+36	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+10	
Potecasi Creek Tributary 2	Approximately 1.2 miles upstream of U.S. 158 Highway West.	None	+36	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+23	
Potecasi Creek Tributary 3	Approximately 1,800 feet upstream of Country Club Road (State Road 1108).	None	+28	Unincorporated Areas of Hertford County.
	At the confluence with Potecasi Creek .....	None	+26	
	Approximately 930 feet downstream of Boone Farm Road (State Route 1108).	None	+30	

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Snake Branch .....	At the confluence with Ahoskie Creek .....	None	+29	Unincorporated Areas of Hertford County.
	Approximately 1,020 feet upstream of Jernigan Airport Road (State Road 1100).	None	+41	
Stony Creek .....	At the confluence with Ahoskie Creek .....	None	+25	Unincorporated Areas of Hertford County.
Turkey Creek .....	The Hertford/Bertie County boundary .....	None	+25	Unincorporated Areas of Hertford County.
	At the confluence with Kirby Creek .....	None	+17	
Turkey Creek (South) .....	Approximately 70 feet upstream of U.S. Highway 158 ..	None	+50	Unincorporated Areas of Hertford County.
	At the confluence with Ahoskie Creek .....	None	+41	
Turnpike Branch .....	Approximately 930 feet upstream of NC Highway 11 ...	None	+49	Unincorporated Areas of Hertford County, Village of Cofield.
	At the confluence with Wiccacon River .....	None	+10	
White Oak Swamp .....	Approximately 500 feet upstream of Ahoskie Cofield Road.	None	+37	Unincorporated Areas of Hertford County, Town of Ahoskie.
	At the confluence with Ahoskie Creek .....	None	+11	
Wiccacon River .....	Approximately 2.1 miles upstream of Newsome Grove Road.	None	+42	Unincorporated Areas of Hertford County.
	At the confluence with Chowan River .....	None	+7	
Wiccacon River Tributary 2	At the confluence of Ahoskie Creek and Bear Swamp	None	+11	Unincorporated Areas of Hertford County.
	At the confluence with Wiccacon River .....	None	+7	
Wiccacon River Tributary 4	Approximately 0.5 mile upstream of Wiccacon Road (State Road 1443).	None	+14	Unincorporated Areas of Hertford County.
	At the confluence with Wiccacon River .....	None	+8	
Wiccacon River Tributary 6	Approximately 0.7 mile upstream of the confluence with Wiccacon River.	None	+13	Unincorporated Areas of Hertford County.
	At the confluence with Wiccacon River .....	None	+9	
Wiccacon River Tributary 6A.	Approximately 0.5 mile upstream of the confluence with Wiccacon River Tributary 6A.	None	+12	Unincorporated Areas of Hertford County.
	At the confluence with Wiccacon River Tributary 6 .....	None	+9	
	Approximately 0.5 mile upstream of the confluence with Wiccacon River Tributary 6.	None	+12	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### **Town of Ahoskie**

Maps are available for inspection at Ahoskie Town Hall, 201 West Main Street, Ahoskie, NC.

##### **Town of Murfreesboro**

Maps are available for inspection at Murfreesboro Town Hall, 105 East Broad Street, Murfreesboro, NC.

##### **Town of Winton**

Maps are available for inspection at Hertford County Planning Department, 704 North King Street, Winton, NC.

##### **Unincorporated Areas of Hertford County**

Maps are available for inspection at Hertford County Planning Department, 704 North King Street, Winton, NC.

##### **Village of Cofield**

Maps are available for inspection at Cofield Village Hall, 105 Milton Street, Cofield, NC.

#### Yadkin County, North Carolina, and Incorporated Areas

North Deep Creek .....	Approximately 250 feet upstream of the confluence with Deep Creek and South Deep Creek.	None	+739	Unincorporated Areas of Yadkin County, Town of Yadkinville.
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Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
North Deep Creek Tributary 2A.	Approximately 1.2 miles upstream of Spencer Road (SR 1385).	None	+1,065	Unincorporated Areas of Yadkin County, Town of Yadkinville.
	At the confluence with North Deep Creek Tributary 2 ...	None	+860	
	Approximately 0.7 mile upstream of the confluence with North Deep Creek Tributary 2.	None	+877	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Town of Boonville

Maps are available for inspection at Boonville Town Hall, 110 North Carolina Avenue, Boonville, NC.

##### Town of East Bend

Maps are available for inspection at East Bend Town Hall, 108 West Main Street, East Bend, NC.

##### Town of Jonesville

Maps are available for inspection at Jonesville Town Hall, 136 West Main Street, Jonesville, NC.

##### Town of Yadkinville

Maps are available for inspection at Yadkinville Town Hall, 213 Van Buren Street, Yadkinville, NC.

##### Unincorporated Areas of Yadkin County

Maps are available for inspection at Yadkin County Manager's Office, 217 East Willow Street, Yadkinville, NC.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: May 7, 2008.

##### David I. Maurstad,

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E8-10868 Filed 5-14-08; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FWS-R8-ES-2008-0049; 1111 FY08 MO-B2]

#### Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Ashy Storm-Petrel (*Oceanodroma homochroa*) as Threatened or Endangered

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

**ACTION:** Notice of 90-day petition finding and initiation of status review.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding on a petition to list the ashy storm-petrel (*Oceanodroma*

*homochroa*) as threatened or endangered under the Endangered Species Act of 1973, as amended (Act). We find that the petition presents substantial scientific or commercial information indicating that listing the ashy storm-petrel may be warranted. Therefore, with the publication of this notice, we are initiating a status review of the species to determine if listing the species is warranted. To ensure that the review is comprehensive, we are soliciting information and data regarding this species. We will make a determination on critical habitat for this species, which was also requested in the petition, if, and when, we initiate a listing action.

**DATES:** To allow us adequate time to conduct this review, we request that information be submitted on or before July 14, 2008.

**ADDRESSES:** You may submit information by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: FWS-R8-ES-2008-0049; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We will post all information received at <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Information Solicited section below for more information).

**FOR FURTHER INFORMATION CONTACT:** Mike Long, Field Supervisor, Arcata Fish and Wildlife Office, 1655 Heindon Road, Arcata, CA 95521; telephone 707-822-7201; facsimile 707-822-8411. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Information Solicited

When we make a finding that substantial information is presented to indicate that listing a species may be warranted, we are required to promptly commence a review of the status of the species. To ensure that the status review is complete and based on the best available science and commercial information, we are soliciting additional information on the ashy storm-petrel. We request information from the public, other concerned governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties on the status of the