

Regulatory Commission pursuant to 39 U.S.C. 3661(b).

Stanley F. Mires,
Attorney, Legal Policy & Legislative Advice.
 [FR Doc. 2011-24149 Filed 9-20-11; 8:45 am]
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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1218]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.
ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this proposed rule 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 to 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 December 20, 2011.
ADDRESSES: The corresponding preliminary Flood Insurance Rate Map

(FIRM) for the proposed BFEs for each community is 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-1218, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriguez1@dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriguez1@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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those 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.

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:

State	City/town/county	Source of flooding	Location**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)	
				Existing	Modified
Unincorporated Areas of Washington County, Alabama					
Alabama	Unincorporated Areas of Washington County.	Tombigbee River	Approximately 1,056 feet downstream of the railroad.	None	+35
			Approximately 2.1 miles upstream of the railroad.	None	+36

State	City/town/county	Source of flooding	Location**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)	
				Existing	Modified

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

** 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Washington County

Maps are available for inspection at 45 Court Street, Chatom, AL 36518.

City of DeCordova, Texas

State	City/town/county	Source of flooding	Location**	Existing	Modified
Texas	City of DeCordova	Brazos River	Approximately 100 feet downstream of the Lusk Branch confluence.	None	+695
			Approximately 1.1 miles upstream of the Lusk Branch confluence.	None	+695

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of DeCordova

Maps are available for inspection at 5301 Country Club Drive, Granbury, TX 76049.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in feet (LTD)		Communities affected
		Effective	Modified	

Hawaii County, Hawaii

Kamuela Stream	At the Lower Lanimaumau Stream confluence Approximately 0.4 mile upstream of Kinohou Street	^2701 None	^2703 ^2770	Hawaii County.
Lower Lanimaumau Stream	Approximately 1.9 miles downstream of the Kamuela Stream confluence. Approximately 790 feet upstream of Mamalahoa Highway.	None ^2861	^2619 ^2863	Hawaii County.
Pacific Ocean	Easternmost corner of the Island of Hawaii (in a clockwise direction); Lowest elevation located at approximately 1.2 miles southwest of the intersection of Queen Kaahumanu Highway and Pu'U Pohaku Road. Northeast corner of the Island of Hawaii (in a clockwise direction); Highest elevation located at approximately 1.8 miles southeast of the intersection of Hawaii Belt Mamalahoa Highway and Ohai Road.	None None	^4 ^57	Hawaii County.
Palai Stream	At the upstream side of Kinoole Street At the upstream side of Keone Street	None None	^197 ^417	Hawaii County.
Palai Stream A	At the Palai Stream confluence Approximately 105 feet upstream of Haihai Street	None None	^388 ^500	Hawaii County.
Shallow Flooding	Approximately 2.8 miles northeast of the intersection of Ka'Ulu Street and 'Ahinahina Place.	None	#2	Hawaii County.
Shallow Flooding	Approximately 1,025 feet west of the intersection of Waikoloa Beach Drive and Naupaka Kai Place.	None	#2	Hawaii County.

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in feet (LTD)		Communities affected
		Effective	Modified	
Shallow Flooding	Approximately 1.6 miles northwest of the intersection of Queen Kaahumanu Highway and Otec Road.	None	#2	Hawaii County.
Shallow Flooding	Approximately 1.4 miles northwest of the intersection of Pao'O Street and A'U Lepe Street.	None	#2	Hawaii County.
Shallow Flooding	Approximately 1.7 miles northwest of the intersection of Pao'O Street and A'U Lepe Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 1.9 miles northwest of the intersection of Pao'O Street and A'U Lepe Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 2.5 miles northwest of the intersection of Pao'O Street and A'U Lepe Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 2.5 miles southwest of the intersection of Prince Kuhio Boulevard and Lanikai Drive.	None	#2	Hawaii County.
Shallow Flooding	Approximately 0.4 mile southwest of the intersection of Aoao Avenue and Akahi Avenue.	None	#2	Hawaii County.
Shallow Flooding	At the intersection of Kai Avenue and Elima Avenue ..	None	#1	Hawaii County.
Shallow Flooding	Approximately 1.9 miles southwest of the intersection of Hawaii Belt Mamalahoa Highway and Kaohe Road.	None	#2	Hawaii County/
Shallow Flooding	Approximately 3.5 miles northeast of the intersection of Ka'Ulu Street and 'Ahinahina Place.	None	#1	Hawaii County.
Shallow Flooding	Approximately 1,625 feet northwest of the intersection of South Kaniku Drive and Konane Street.	None	#2	Hawaii County.
Shallow Flooding	Approximately 3.1 miles northwest of the intersection of Pao'O Street and A'U Lepe Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 2.0 miles southwest of the intersection of Hawaii Belt Mamalahoa Highway and Ke Ala O Keawe Road.	^10	#2	Hawaii County.
Shallow Flooding	Approximately 370 feet southwest of the intersection of Nohoana Place and Nohoana Street.	None	#3	Hawaii County.
Shallow Flooding	Approximately 500 feet southeast of the intersection of Mamalahoa Highway and Waikelehu Place.	None	#1	Hawaii County.
Shallow Flooding	Approximately 150 feet south of the intersection of West Kawaihina Street and Launa Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 3.6 miles southwest of the intersection of Queen Kaahumanu Highway and Pu'U Pohaku Road.	None	#1	Hawaii County.
Shallow Flooding	Approximately 1,260 feet south of the intersection of Mamalahoa Highway and Cheesebro Lane.	None	#1	Hawaii County.
Shallow Flooding	Approximately 2.2 miles southwest of the intersection of Palena'Aina Place and Nana Uka Place.	None	#2	Hawaii County.
Shallow Flooding	Approximately 1.3 miles southwest of the intersection of Queen Kaahumanu Highway and Pu'U Pohaku Road.	None	#2	Hawaii County.
Shallow Flooding	Approximately 3.5 miles southwest of the intersection of Queen Kaahumanu Highway and Pu'U Pohaku Road.	None	#1	Hawaii County.
Shallow Flooding	Approximately 715 feet southwest of the intersection of Mamalahoa Highway and Kipahale Street.	None	#1	Hawaii County.
Shallow Flooding	Approximately 990 feet northwest of the intersection of Kahilu Road and Mana Road.	None	#2	Hawaii County.
Shallow Flooding	Approximately 8.3 miles southwest of the intersection of Chain of Craters Road and Hilina Pali Road.	None	#1	Hawaii County.
Shallow Flooding	Approximately 1,730 feet northwest of the intersection of South Kaniku Drive and Mauna Lani Point Drive.	None	#2	Hawaii County.
Shallow Flooding	Approximately 300 feet northwest of the intersection of Ainaola Drive and Ainalako Road.	None	#1	Hawaii County.
Shallow Flooding	Approximately 730 feet southwest of the intersection of Haihai Street and Ho'Omalu Street.	None	#2	Hawaii County.
Shallow Flooding	Approximately 250 feet southwest of the intersection of Haihai Street and Kaiao Street.	None	#3	Hawaii County.
Shallow Flooding	Approximately 470 feet southwest of the intersection of Keone Street and Palakiko Street.	None	#2	Hawaii County.
Shallow Flooding	Approximately 1.4 miles northeast of the intersection of Paku'i Street and Nehe Street.	None	#2	Hawaii County.
Shallow Flooding	Approximately 0.5 mile west of the intersection of Kakapa Place and Lae Kikaua Mauka Place.	None	#1	Hawaii County.
Unnamed Stream No. 1	Approximately 1,050 feet downstream of 'Ainahua Alanui Road.	None	^2800	Hawaii County.

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in feet (LTD)		Communities affected
		Effective	Modified	
Unnamed Stream No. 3	Approximately 260 feet upstream of Mamalahoa Highway.	None	^2913	Hawaii County.
	At the Unnamed Stream No. 1 confluence	None	^2836	
	Approximately 0.5 mile upstream of Mamalahoa Highway.	None	^2954	
Upper Lanimaumau Stream ..	At the Unnamed Stream No. 1 confluence	None	^2839	Hawaii County.
	Approximately 1.0 mile upstream of Mamalahoa Highway.	^3212	^3248	
Waiakea Stream (upstream)	Approximately 475 feet upstream of Kawaihoni Street	^471	^472	Hawaii County.
	Approximately 1,620 feet upstream of Kupulau Road	^628	^629	
Waiakea Stream/Waiakea Flood Control Channel (downstream).	Approximately 460 feet upstream of Mohouli Street	^53	^54	Hawaii County.
	Approximately 380 feet downstream of Komohana Street.	^304	^306	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Elevation in feet (LTD).

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Hawaii County

Maps are available for inspection at the Hawaii County Department of Public Works, 101 Pauahi Street, Suite 7, Hilo, HI 96720.

Cole County, Missouri, and Incorporated Areas

Boggs Creek	At the upstream side of Missouri Pacific Railroad	+555	+558	City of Jefferson City, Unincorporated Areas of Cole County.
Boggs Creek Tributary 1	Approximately 475 feet upstream of U.S. Route 50	None	+633	City of Jefferson City.
	At the Boggs Creek confluence	+555	+559	
Dickerson Creek	Approximately 1,150 feet upstream of McCarty Street	None	+573	City of St. Martins, Unincorporated Areas of Cole County.
	Approximately 1,600 feet downstream of Henwick Lane.	None	+600	
Dickerson Creek Tributary 1	Approximately 1,400 feet upstream of the U.S. Route 50 West exit ramp.	+723	+725	City of St. Martins, Unincorporated Areas of Cole County.
	At the Dickerson Creek confluence	+647	+648	
Dickerson Creek Tributary 2	Approximately 0.47 mile upstream of U.S. Route 50B West.	None	+669	City of Jefferson City, Unincorporated Areas of Cole County.
	At the confluence with Dickerson Creek	+700	+697	
East Branch Wears Creek	Approximately 170 feet upstream of Turnberry Drive ..	None	+738	City of Jefferson City.
	At the Wears Creek confluence	+561	+557	
Frog Hollow Tributary	Approximately 80 feet upstream of Mesa Avenue	None	+606	City of Jefferson City.
	At the Wears Creek confluence	+615	+614	
Grays Creek	Approximately 115 feet upstream of Sardonyx Drive ..	+644	+640	City of Jefferson City, Unincorporated Areas of Cole County.
	Approximately 0.75 mile upstream of the Missouri River confluence.	+561	+560	
Grays Creek Tributary 4	Approximately 285 feet downstream of Missouri Pacific Railroad.	None	+567	City of Jefferson City, Unincorporated Areas of Cole County.
	At Scott Station Lane	None	+580	
Grays Creek Tributary 5	Approximately 950 feet upstream of Catalina Drive	None	+685	Unincorporated Areas of Cole County.
	At the Grays Creek confluence	None	+561	
	Approximately 0.57 mile upstream of Schumate Chapel Road.	None	+578	

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Grays Creek Tributary 6	At the Grays Creek confluence	+562	+561	City of Jefferson City.
	Approximately 800 feet downstream of Belair Drive ...	+565	+564	
Meadows Creek (backwater effects from Missouri River).	From the Missouri River confluence to approximately 1,200 feet upstream of State Route 179.	+566	+568	Unincorporated Areas of Cole County.
Meadows Creek Tributary 2 (backwater effects from Missouri River).	From the Meadows Creek confluence to approximately 650 feet upstream of State Route 179.	+566	+568	Unincorporated Areas of Cole County.
Missouri River	At the Osage County boundary	+548	+551	City of Jefferson City, Unincorporated Areas of Cole County.
	At the Moniteau County boundary	+573	+574	
Moniteau Creek Tributary 1 (backwater effects from Missouri River).	From the Moniteau Creek confluence to approximately 0.63 mile upstream of State Route 179.	+572	+573	Unincorporated Areas of Cole County.
Moniteau Creek Tributary 2 (backwater effects from Missouri River).	From the Moniteau Creek confluence to approximately 0.58 mile upstream of State Route 179.	+568	+570	Unincorporated Areas of Cole County.
Moreau River (backwater effects from Missouri River).	From the Missouri River confluence to approximately 750 feet downstream of Missouri Pacific Railroad.	+552	+553	City of Jefferson City.
Moreau River Tributary 6	At the upstream side of Green Meadow Drive	+568	+571	City of Jefferson City.
	Approximately 600 feet downstream of Tanner Bridge Road.	None	+611	
Mud Creek West (backwater effects from Missouri River).	From the Missouri River confluence to approximately 0.61 mile upstream of the Missouri River confluence.	+568	+569	Unincorporated Areas of Cole County.
North Branch Wears Creek ..	At the Wears Creek confluence	+561	+557	City of Jefferson City.
	Approximately 650 feet upstream of Jaycee Drive	None	+622	
Osage River (backwater effects from Missouri River).	At the Osage County boundary	+548	+551	City of Taos, Unincorporated Areas of Cole County.
	Approximately 9.3 miles upstream of U.S. Route 50 ...	+550	+551	
Osage River Tributary 47 (backwater effects from Missouri River).	From the Osage River confluence to approximately 1,600 feet upstream of Big Meadows Road.	+548	+551	Unincorporated Areas of Cole County.
Rising Creek	At the Missouri River confluence	+550	+552	City of Jefferson City, City of Taos, Unincorporated Areas of Cole County.
	Approximately 2,000 feet upstream of the U.S. Route 50 East exit ramp.	None	+561	
Rising Creek Tributary 4	At the Rising Creek confluence	+551	+552	City of Jefferson City.
	Approximately 250 feet downstream of Stertzer Road	+551	+557	
Rock Creek North (backwater effects from Missouri River).	From the Missouri River confluence to approximately 0.70 mile upstream of State Route 179.	+567	+569	Unincorporated Areas of Cole County.
Sanford Creek (backwater effects from Missouri River).	From the Osage River confluence to approximately 1,200 feet upstream of U.S. Route 50 East.	+548	+551	Unincorporated Areas of Cole County.
Wears Creek	At the Missouri River confluence	+556	+557	City of Jefferson City.
	Approximately 0.44 mile upstream of Edgewood Drive	None	+683	
Workman Creek (backwater effects from Missouri River).	From the Missouri River confluence to approximately 0.47 mile upstream of State Route 179.	+564	+566	Unincorporated Areas of Cole County.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Elevation in feet (LTD).

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ADDRESSES

City of Jefferson City

Maps are available for inspection at City Hall, 320 East McCarty Street, Jefferson City, MO 65101.

City of St. Martins

Maps are available for inspection at City Hall, 6909 A Business 50 West, Jefferson City, MO 65109.

City of Taos

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in feet (LTD)		Communities affected
		Effective	Modified	

Maps are available for inspection at City Hall, 4909 Countryside Park, Jefferson City, MO 65101.

Unincorporated Areas of Cole County

Maps are available for inspection at the Cole County Courthouse, 301 East High Street, Jefferson City, MO 65101.

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

Dated: September 9, 2011.

Sandra K. Knight,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2011-24287 Filed 9-20-11; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R2-ES-2010-0085; MO 922110-0-0009-B4]

RIN 1018-AX12

Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for the Chiricahua Leopard Frog

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the reopening of the public comment period on the March 15, 2011, proposed threatened status for the Chiricahua leopard frog (*Lithobates chiricahuensis*) and proposed designation of critical habitat under the Endangered Species Act of 1973, as amended (Act). We are proposing to revise the primary constituent elements (PCEs) and designate as critical habitat an additional 331 acres (133 hectares) for the Chiricahua leopard frog in Catron and Sierra Counties, New Mexico. We also announce the availability of a draft economic analysis and draft environmental assessment of the proposed designation of critical habitat for Chiricahua leopard frog and an amended required determinations section of the proposal. We are reopening the comment period to allow all interested parties an opportunity to comment simultaneously on the

proposed rule, revisions to the proposed rule, the associated draft economic analysis and draft environmental assessment, and the amended required determinations section. Comments previously submitted need not be resubmitted, as they will be fully considered in preparation of the final rule.

DATES: We will consider comments received on or before October 21, 2011. Comments must be received by 11:59 p.m. Eastern Time on the closing date. Any comments that we receive after the closing date may not be considered in the final decision on this action.

ADDRESSES: You may submit written comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for Docket No. FWS-R2-ES-2010-0085, which is the docket number for this rulemaking.
(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R2-ES-2010-0085; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

We will post all comments on the Internet at <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the *Public Comments* section below for more information).

FOR FURTHER INFORMATION CONTACT: Steve Spangle, Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, 2321 West Royal Palm Road, Suite 103, Phoenix, AZ 85021; by telephone (602/242-0210), or by facsimile (602/242-2513). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Public Comments

We will accept written comments and information during this reopened comment period on our proposed listing and designation of critical habitat for the Chiricahua leopard frog that was

published in the **Federal Register** on March 15, 2011 (76 FR 14126), our revised designation of critical habitat provided in this document, our draft economic analysis and draft environmental assessment of the proposed designation, and the amended required determinations provided in this document. We will consider information and recommendations from all interested parties. We are particularly interested in comments concerning:

(1) Information about the status of the species, especially the Ramsey Canyon portion of the range, including:

- (a) Genetics and taxonomy;
- (b) Historical and current range, including distribution patterns;
- (c) Historical and current population levels, and current and projected trends; and
- (d) Past and ongoing conservation measures for the species, its habitat, or both.

(2) The factors that are the basis for making a listing determination for a species under section 4(a) of the Act (16 U.S.C. 1531 *et seq.*), which are:

- (a) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (b) Overutilization for commercial, recreational, scientific, or educational purposes;
- (c) Disease or predation;
- (d) The inadequacy of existing regulatory mechanisms; or
- (e) Other natural or manmade factors affecting its continued existence.

(3) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to Chiricahua leopard frog and regulations that may be addressing those threats.

(4) Additional information concerning the range, distribution, and population size of Chiricahua leopard frog, including the locations of any additional populations.

(5) Any information on the biological or ecological requirements of Chiricahua leopard frog.

(6) The reasons why we should or should not designate habitat as "critical habitat" under section 4 of the Act, including whether there are threats to