

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
West Fork Tributary	Confluence with Canyon Dam Emergency Spillway Channel.	+755	+760	Unincorporated Areas of Comal County.
	Confluence with West Fork Dry Comal Creek	+802	+799	
	Approximately 774 feet downstream of Schoenthal Rd.	+850	+852	

*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

ADDRESSES

City of Fair Oaks Ranch

Maps are available for inspection at 7286 Dietz Elkhorn, Fair Oaks Ranch, TX 78015.

Send comments to The Honorable E.L. Boots Gaubatz, Mayor, 7286 Dietz Elkhorn, Fair Oaks Ranch, TX 78015.

City of Garden Ridge

Maps are available for inspection at 9357 Schoenthal Road, Garden Ridge, TX 78266.

Send comments to The Honorable Jay Feibelman, Mayor, City of Garden Ridge, 9357 Schoenthal Road, Garden Ridge, TX 78266.

City of New Braunfels

Maps are available for inspection at 424 South Castell, New Braunfels, TX 78130.

Send comments to The Honorable Bruce Boyer, Mayor, City of New Braunfels, 424 South Castell, New Braunfels, TX 78130.

City of Selma

Maps are available for inspection at 9375 Corporate, Selma, TX 78154.

Send comments to The Honorable James Parma, Mayor, City of Selma, 9375 Corporate, Selma, TX 78154.

Unincorporated Areas of Comal County

Maps are available for inspection at 195 David Jonas Drive, New Braunfels, TX 78132.

Send comments to The Honorable Danny Scheel, Judge, Comal County, 199 Main Plaza, New Braunfels, TX 78130.

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

Dated: September 12, 2007.

David I. Maurstad,

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

[FR Doc. E7-18948 Filed 9-25-07; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-7737]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities

listed below. The 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: William R. Blanton, Jr., Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

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.

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.

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 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	
Adams County, Indiana, and Incorporated Areas				
Borum Run	At confluence with St. Marys River	+789	+791	Unincorporated Areas of Adams County, City of Decatur.
Holthouse Ditch	Approximately 5,125 feet upstream of High Street	+789	+791	Unincorporated Areas of Adams County, City of Decatur.
	At confluence with St. Marys River	+785	+787	
Kohne Drain No. 1	Approximately 4,700 feet upstream of Washington Street.	+786	+787	Unincorporated Areas of Adams County, City of Decatur.
	At confluence with Holthouse Ditch	+785	+787	
Koos Ditch	Approximately 1,350 feet upstream of Meibers Street	+786	+787	Unincorporated Areas of Adams County, City of Decatur.
	At confluence with St. Mary's River	+788	+789	
St. Marys River	Approximately 1,550 upstream of Piqua Road	+788	+789	Unincorporated Areas of Adams County, City of Decatur.
	Approximately 14,750 feet downstream of County Road 350 West.	+776	+778	
Yellow Creek	Approximately 16,650 feet upstream of State Road 101.	None	+794	Unincorporated Areas of Adams County.
	At the confluence with the St. Marys River	+789	+791	
	Approximately 1,750 feet upstream of Norfolk and Western Railway.	+790	+791	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES

City of Decatur

Maps are available for inspection at 225 West Monroe Street, Decatur, IN 46733.

Send comments to The Honorable Fred R. Isch, Mayor, 225 West Monroe Street, Decatur, IN 46733.

Unincorporated Areas of Adams County

Maps are available for inspection at 313 W. Jefferson St., Suite 338, Decatur, IN 46733.

Send comments to Mr. Doug Bauman, Adams County Commissioner, 313 W. Jefferson St., Suite 200, Decatur, IN 46733.

Tarrant County, Texas, and Incorporated Areas

Big Bear Creek	Approximately 1270ft downstream of the intersection at Highway 183.	+528	+527	City of Fort Worth, City of Euless, City of Grand Prairie, City of Grapevine, City of Keller, City of South Lake, Town of Colleyville, Unincorporated Areas of Tarrant County.
	Approximately 93ft downstream of the intersection with Bear Creek Pkwy..	+759	+758	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Hogpen Branch	Approximately 83 feet upstream from intersection with Country Club Road.	+584	+582	City of Mansfield.
	Approximately 100 feet downstream from intersection with Highway 157.	+620	+621	
Johnson Creek	Intersection with Avenue K	+470	+467	City of Grand Prairie.
	Approximately 200 feet upstream of intersection with Highway 360.	+510	+511	
Nichols Branch	Intersection with Newt Patterson Road	+601	+599	City of Mansfield.
	Approximately 560 feet downstream of intersection with Columbia Drive.	None	+620	
Plantation East Creek	Upstream of Llano Avenue approximately 290 feet	+652	+651	City of Benbrook.
	Approximately 288 feet upstream of Circle S Road ...	+686	+685	
Plantation West Creek, Stream MSC-1A.	Intersection with Twilight Drive W	+673	+671	City of Benbrook, City of Fort Worth.
	Approximately 705 feet from intersection with Dawn Drive.	+690	+692	
Pond Branch	Approximately 95 feet downstream of intersection with Depot Street.	+586	+587	City of Mansfield.
	Approximately 37 feet downstream of East Kimball Street.	+602	+600	
Stream JC-1	Approximately 300 feet downstream of West Tarrant Road intersection.	+500	+502	City of Grand Prairie.
	Intersection with Duncan Perry Road	+505	+503	
Timber Creek	Approximately 700 feet upstream of confluence with Clear Fork of the Trinity River.	+617	+618	City of Benbrook.
	Approximately 700 feet downstream of the intersection with McKinley Street.	+693	+692	
Walnut Creek 3	Approximately 4850 feet downstream from intersection with Highway 360.	+548	+546	City of Mansfield.
	Approximately 80 feet downstream from the intersection of 287.	+587	+588	
Watson Branch	Confluence with Walnut Creek 3	+578	+580	City of Mansfield.
	Intersection with Highway 157	None	+641	
Willow Bend	The intersection with Willow Bend Creek at Meadowside Drive.	+634	+640	City of Benbrook.
	Approximately 70 feet downstream of intersection with Williams Road.	+706	+707	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES**City of Benbrook**

Maps are available for inspection at 911 Winscott Rd, Benbrook, TX 76126.

Send comments to The Honorable Jerry Dittrick, Mayor, 911 Winscott Rd, Benbrook, TX 76126.

City of Euless

Maps are available for inspection at 201 N Ector Dr., Euless, TX 76039.

Send comments to The Honorable Mary Saleh, Mayor, 201 N Ector Dr., Euless, TX 76039.

City of Fort Worth

Maps are available for inspection at 1000 Throckmorton St., Fort Worth, TX 76102.

Send comments to The Honorable Mike Moncrief, Mayor, 1000 Throckmorton St., Fort Worth, TX 76102.

City of Grand Prairie

Maps are available for inspection at 317 College St., Grand Prairie, TX 75053.

Send comments to The Honorable Charles England, Mayor, 317 W. College, Grand Prairie, TX 75050.

City of Grapevine

Maps are available for inspection at 413 South Main Street, Grapevine, TX 76051.

Send comments to The Honorable William D Tate, Mayor, P.O. Box 95104, Grapevine, TX 76099.

City of Keller

Maps are available for inspection at 158 South Main, Keller, TX 76248.

Send comments to The Honorable Pat McGrail, Mayor, P.O. Box 770, Keller, TX 76244.

City of Mansfield

Maps are available for inspection at 1305 East Broad St., Mansfield, TX 76063.

Send comments to The Honorable Mel Newman, Mayor, 1200 E Broad St., Mansfield, TX 76063.

City of South Lake

Maps are available for inspection at 667 North Carroll Avenue, Southlake, TX 76092.

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

Send comments to The Honorable Andy Wambsganss, Mayor, 1400 Main St, Southlake, TX 76092.

Town of Colleyville

Maps are available for inspection at 401 Oak Valley Rd., Colleyville, TX 76034.

Send comments to The Honorable David Kelly, Mayor, 100 Main Street, Colleyville, TX 76034.

Unincorporated Areas of Tarrant County

Maps are available for inspection at 100 E Weatherford St, Fort Worth, TX 76196.

Send comments to The Honorable B. Glen Whitley, County Judge, 100 E Weatherford St, Suite 501, Fort Worth, TX 76196.

District of Columbia Washington, D.C.

Anacostia River	Approximately at Anacostia Railroad Bridge	+11	+13	District of Columbia.
	At approximately 200 feet upstream of New York Avenue.	+15	+17	
Barnaby Run	Approximately at the confluence with Oxon Run	None	+21	District of Columbia.
	At approximately 1200 feet upstream of South Capital and Southern Avenue.	+49	+53	
Broad Branch	At approximately 2560 feet upstream of Ridge Road	+101	+102	District of Columbia.
	At approximately 760 feet upstream of 27th Street	+180	+187	
Creek Along Normanstone Drive.	At approximately 230 feet downstream of the Rock Creek Drive.	+41	+40	District of Columbia.
	At approximately 190 feet upstream of Normanstone Drive.	+149	+150	
East Creek A	At approximately 2250 feet downstream of Dalecarlia Parkway.	+164	+165	District of Columbia.
	At approximately 675 feet downstream of Dalecarlia Parkway.	+168	+169	
East Creek B	Approximately at the Glenbrook Road	+239	+240	District of Columbia.
	At approximately 760 feet upstream of Driveway Bridge #4.	+314	+308	
Fenwick Branch	Approximately at the confluence with Rock Creek	+174	+176	District of Columbia.
	At approximately 3620 feet upstream of the confluence with Tributary of Fenwick Branch.	+234	+232	
Fort Dupont Creek	Approximately 500 feet downstream of Minnesota Avenue Bridge.	+24	+23	District of Columbia.
	At approximately 40 feet downstream of Minnesota Avenue Bridge.	+28	+29	
Melvin Hazen Branch	Approximately 1000 feet upstream from Connecticut Avenue, NW.	+209	+208	District of Columbia.
	At approximately 125 feet downstream of Reno Road	+245	+244	
Oxon Run	At approximately 320 feet upstream of the confluence with Barnaby Run.	+22	+23	District of Columbia.
	At approximately 6160 feet upstream of Wheeler Road.	+102	+103	
Pinehurst Run	Approximately at the confluence with Rock Creek	None	+165	District of Columbia.
	At approximately 3100 feet upstream of Oregon Avenue.	+251	+255	
Pope Branch	At approximately 80 feet upstream of Minnesota Avenue.	+32	+45	District of Columbia.
	Approximately 4630 feet upstream of Minnesota Avenue.	+152	+159	
Potomac River	At approximately 500 feet downstream of Route 95 ..	+10	+9	District of Columbia.
	At approximately 2200 feet upstream of Chain Bridge Road.	+42	+41	
Rock Creek	Approximately at the confluence with Potomac River	+15	+16	District of Columbia.
	Approximately at the confluence with Fenwick Branch	+174	+176	
Tributary to Fenwick Branch	Approximately at the confluence with Fenwick Creek	+189	+191	District of Columbia.
	At approximately 2500 feet upstream of the confluence with Fenwick Branch.	+232	+231	
Watts Branch	Approximately at the confluence with Anacostia River	+13	+15	District of Columbia.
	Approximately at Southern Avenue	+93	+96	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES

District of Columbia

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

Maps are available for inspection at 51 N Street, NE., Suite 5020, Washington, DC 20002.

Send comments to Mr. Timothy Karikari, P.E., CPESC, NFIP Coordinator, 51 N Street, NE., 5th Floor, Room 5021, Washington, DC 20002.

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

Dated: September 18, 2007.

David I. Maurstad,

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

[FR Doc. E7-18951 Filed 9-25-07; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 578

[Docket No. NHTSA-2007-28445; Notice 1]

RIN 2127-AK07

Civil Penalties

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to increase the maximum aggregate civil penalties for violations of the odometer tampering and disclosure requirements and certain administrative provisions of the Energy Policy and Conservation Act. This action would be taken pursuant to the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, which requires us to review and, as warranted, adjust penalties based on inflation at least every four years.

DATES: Comments on the proposal are due October 26, 2007.

Proposed effective date: 30 days after date of publication of the final rule in the **Federal Register**.

ADDRESSES: You may submit comments [identified by DOT Docket ID Number NHTSA-2007-28445] by any of the following methods:

If filing comments by September 27, 2007, please use:

- **Web Site:** <http://dms.dot.gov>.

Follow the instructions for submitting comments on the Department of Transportation Docket Management System electronic docket site. No electronic submissions will be accepted

between September 28, 2007, and October 1, 2007.

If filing comments on or after October 1, 2007, use:

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

Alternatively, you can file comments using the following methods:

- **Mail:** Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001
- **Hand Delivery or Courier:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- **Fax:** 202-493-2251.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://www.dms.dot.gov> or <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> until September 27, 2007, or the street address listed above. The DOT docket may be offline at times between September 28 through September 30 to migrate to the Federal Docket Management System (FDMS). On October 1, 2007, the internet access to the docket will be at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT:

Michael Kido, Office of Chief Counsel, NHTSA, telephone (202) 366-5263, facsimile (202) 366-3820, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Background

In order to preserve the remedial impact of civil penalties and to foster compliance with the law, the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990 (28 U.S.C. 2461, Notes, Pub. L. 101-410), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) (referred to collectively as the "Adjustment Act" or, in context, the "Act"), requires us and other Federal agencies to adjust civil penalties for inflation. Under the Adjustment Act, following an initial adjustment that was capped by the Act, these agencies must make further adjustments, as warranted, to the amounts of penalties in statutes they administer at least once every four years.

NHTSA's initial adjustment of civil penalties under the Adjustment Act was published on February 4, 1997. 62 FR 5167. At that time, we codified the penalties under statutes administered by NHTSA, as adjusted, in 49 CFR Part 578, Civil Penalties. On July 14, 1999, we further adjusted certain penalties. 64 FR 37876. In 2000, the Transportation Recall Enhancement, Accountability, and Documentation ("TREAD") Act increased the maximum penalties under the National Traffic and Motor Vehicle Safety Act as amended (sometimes referred to as the "Motor Vehicle Safety Act"). We codified those amendments in Part 578 on November 14, 2000. 65 FR 68108. On August 7, 2001, we also adjusted certain penalty amounts pertaining to odometer tampering and disclosure requirements and vehicle theft prevention. 66 FR 41149. On September 28, 2004, we adjusted the maximum penalty amounts for a related series of violations involving the agency's provisions governing vehicle safety, bumper standards, and consumer information. 69 FR 57864. On September 8, 2005, the agency adjusted its penalty amounts for violations of its