FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA B–7407]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed Rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations 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 base flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (e-mail) matt.miller@fema.gov.

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

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director for Mitigation certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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

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

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

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and 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*

§ 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	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
Alaska	Shishmaref (City) Nome Division.	Chukchi Sea	Approximately 3,140 feet west of Old Gravel Airstrip along north shore of Sarichef Island.	None	[1]8
			Approximately 400 feet east of Old Gravel Airstrip along north shore of Sarichef Island.	None	[1]8
		Shishmaref Inlet	Approximately 1,100 feet east of Old Gravel Airstrip along south shore of Sarichef Island.	None	[1]5
			Approximately 3,140 feet west of Old Gravel Airstrip along south shore of Sarichef Island.	None	[1]8
Maps are available for inspection at the Shishmaref City Hall, Shishmaref, Alaska.					
Send comments to The Honorable Daniel Iyatunguk, Mayor, City of Shishmaref, P.O. Box 83, Shishmaref, Alaska 99772.					
Nevada	Washoe County (Unincorporated Areas).	Galena Creek	Approximately 12,000 feet downstream of Joy Lake Road.	None	#3
			Approximately 1,950 feet downstream of Joy Lake Road.	None	*5,840

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			Approximately 1,000 feet upstream of Joy Lake Road.	None	*6,830
			At Mount Rose Highway	None	#2
		Jones Creek	At confluence with Galena Creek	None	#3
			At Callahan Ranch Road	None	*5,450
			Approximately 2,600 feet upstream of Bordeaux Drive.	None	*5,888
			At Mount Rose Highway	None	#1
Maps are available for inspection at Washoe County Engineering, 1001 E. 9th Street, Reno, Nevada.					
Send comments to The Honorable Ted Short, Chairman, Washoe County Commission, 1001 E. 9th Street, Reno, Nevada 89512.					
New Mexico	Red River (Town) Toas County.	Bitter Creek	Approximately 220 feet downstream of East River Street.	None	*8,654
			Approximately 760 feet upstream of East High Street.	None	*8,691
		Mallette Creek	Approximately 340 feet downstream of West Main Street.	None	*8,632
			Approximately 180 feet downstream of Mallette Canyon Park Road.	None	*8,656
	Red River (Town) Toas County.	Red River	Approximately 100 feet downstream of High Cost Trail.	None	*8,608
			Approximately 1,500 feet upstream of Fishing Pond Bridge.	None	*8,778
Maps are available for inspection at 100 East Main Street, Red River, New Mexico.					
Send comments to The Honorable Craig Swaggerty, Mayor, Town of Red River, P.O. Box 1020, Red River, New Mexico 87558.					
Oklahoma	Creek County (Unincorporated).	Polecat Creek	Just upstream of 33rd West Avenue	None	*663
			Approximately 4,000 feet upstream of Burlington Northern Railroad.	None	*667
		Rock Creek	At confluence of Polecat Creek	None	*666
			Approximately 1,100 feet downstream of Lake Sahoma Den Outlet.	None	*694
		Nickel Creek	Just upstream of 33rd West Avenue	None	*636
			Approximately 3,500 feet upstream of 66th Street.	None	*712
Maps are available for inspection at the County Courthouse, 317 East Lee, Sapulpa, Oklahoma.					
Send comments to The Honorable Johnny Burke, Chairman, Creek County Board of Commissioners, 317 East Lee, Suite 103, Sapulpa, Oklahoma 74066.					
Oklahoma	Jenks (City) Tulsa County.	Wilmott Creek	Northwest of intersection of 101st Street and Sunbelt Railway.	*614	*612
			Approximately 100 feet downstream of 91st Street.	*614	*613
Maps are available for inspection at 211 North Elm, Jenks, Oklahoma.					
Send comments to The Honorable Mike Tucker, Mayor, City of Jenks, P.O. Box 2007, Jenks, Oklahoma 74037.					
Oklahoma	Logan County (Unincorporated Areas).	Chisholm Creek	Approximately 2,200 feet downstream of Waterloo Road.	*1,014	*1,014
			Just downstream of Waterloo Road	*1,015	*1,016
		Coon Creek	Just upstream of Waterloo Road	None	*969
			Approximately 100 feet upstream of Waterloo Road.	None	*970
Maps are available for inspection at the Logan County Courthouse, 301 East Harrison, Guthrie, Oklahoma.					
Send comments to The Honorable Joe Hall, Chairman, Logan County Board of Commissioners, 301 East Harrison, Guthrie, Oklahoma 73044.					
Oklahoma (cont'd)	Muskogee County and Incorporated Areas.	Arkansas River (Lower Reach).	Just upstream of Interstate Highway 40	None	*476
			Approximately 4,000 feet downstream of U.S. Highway 64.	*481	*479
			Just north of U.S. Highway 64	*482	*480
			Approximately 3,500 feet downstream of Webbers Falls Lock and Dam.	None	*483
		Dirty Creek	Approximately 700 feet downstream of Route 100.	None	*485
			Approximately 500 feet upstream from intersection of Muskogee Turnpike and Interstate 40.	None	*487

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
	Maps for the unincorporated areas of Muskogee County are available for inspection at the Muskogee County Courthouse, 1300 South Cherokee, Muskogee, Oklahoma.				
	Send comments to The Honorable Bruce Crittenden, Chairperson, Muskogee County Board of Commissioners, Muskogee County Courthouse, 1300 South Cherokee, Muskogee, Oklahoma 74403.				
	Maps for the Town of Webbers Falls are available for inspection at the Webbers Falls City Hall, 100 River Street, Webbers Falls, Oklahoma.				
	Send comments to The Honorable Jewell Horne, Mayor, Town of Webbers Falls, P.O. Box 216, Webbers Falls, Oklahoma 74470.				
Oklahoma	Sapulpa (City) Creek County.	Nickel Creek	Approximately 3,000 feet downstream of Land Road.	None	*663
			Approximately 300 feet upstream of Tulsa Sapulpa Union Railroad.	None	*695
		Polecat Creek	Approximately 4,000 feet downstream of Hilton Road.	None	*649
			Approximately 8,000 feet upstream of Hilton Road.	*653	*654
			Just upstream of Route 117	*662	*662
			Just downstream of alternate Route 75	*667	*667
		Rock Creek	Approximately 3,300 feet upstream of the confluence with Polecat Creek.	*667	*667
			Just downstream of Old Highway 66	*676	*678
			Just downstream of Turner Turnpike	*682	*684
	Maps are available for inspection at 425 East Dewey, Sapulpa, Oklahoma.				
	Send comments to The Honorable Brian Bingman, Mayor, City of Sapulpa, P.O. Box 1130, Sapulpa, Oklahoma 74067.				
	Sequoyah County and Incorporated Areas.	Arkansas River	Just above Highway 40	*477	*476
			Approximately 4,200 feet upstream of Route 100—U.S. Highway 64.	None	*481
			Western corporate limits just south of the Union Pacific Railroad.	None	*481
	Maps for the unincorporated areas of Sequoyah County are available for inspection at the Sequoyah County Courthouse, 120 East Chickasaw, Sallisaw, Oklahoma.				
	Send comments to The Honorable Cleon Harrell, Chairman, Sequoyah County Board of Commissioners, 117 South Oak Street, Sallisaw, Oklahoma 74037.				
	Maps for the Town of Gore are available for inspection at the Town Municipal Building, 8th and South Main Streets, Gore, Oklahoma 74435.				
	Send comments to The Honorable Bill Summers, Mayor, Town of Gore, P.O. Box 181, Gore, Oklahoma 74435.				
Texas	Vernon (City) Wilbarger County.	Pease River Tributary 1	Approximately 100 feet downstream of Harrison Street.	None	+1,206
			Approximately 2,400 feet upsteram of Brewer Street.	None	+1,231
		Pease River Tributary 2	Approximately 100 feet downstream of the BN&SF Railroad.	None	+1,200
			Just upstream of U.S. Highway 287	None	+1,219
	Maps are available for inspection at the City of Vernon City Hall, 1725 Wilbarger Street, Vernon, Texas.				
	Send comments to The Honorable Kelly Couch, Mayor, City of Vernon, 1725 Wilbarger Street, Vernon, Texas 76384.				

[1] Mean Sea Level

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

Dated: November 27, 2000.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 00–30868 Filed 12–4–00; 8:45 am]

BILLING CODE 6718–04–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 112700D]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: NMFS announces that the Administrator, Northeast Region, NMFS (Regional Administrator), has made a preliminary determination to issue EFPs that would allow two vessels to conduct fishing operations otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The Manomet Center for Conservation Sciences (Manomet) submitted a complete application for the issuance of EFPs to two commercial fishing vessels, which warrants further consideration. The EFPs would allow two federally permitted groundfish vessels to conduct composite mesh selectivity studies with small-mesh codend covers to target mixed groundfish species--primarily yellowtail flounder, winter flounder (blackback), summer flounder (fluke), American plaice (dab) and cod, and may also allow access to seasonal area closures in the Gulf of Maine (GOM). The study is intended to determine the selective efficiency of each experimental codend and will attempt to correlate fish behavior with these findings. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments on this action must be received at the appropriate address or fax number (see **ADDRESSES**) on or before December 20, 2000.

ADDRESSES: Written comments should be sent to Patricia Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope ''Comments on EFP Proposal.'' Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Bonnie Van Pelt, Fishery Management Specialist, 978-281-9244.

SUPPLEMENTARY INFORMATION: Manomet submitted an industry cooperative proposal on November 6, 2000, for two EFPs to conduct composite codend mesh selectivity studies to address bycatch and discard of incidental catch and sub-legal sized fish in the mixed-groundfish fisheries of the Northeast. The study would be conducted in that portion of the GOM/Georges Bank Regulated Mesh Area that extends east from the New Hampshire shoreline at 43° N. lat. to 43° N. lat./70° W. long., then following the 70° W. long. line south to the 42° N. lat. line, and then extending west to the Cape Cod shoreline.

This industry collaborative study involves Manomet, the Massachusetts Division of Marine Fisheries, and the Maine Department of Marine Resources as co-principal investigators, and proposes to field test two composite mesh combinations against two industry-standard codend mesh sizes as follows: (1) Two composite codends made of 6.5-inch (16.51-cm) square mesh on the top half, one with 6.5-inch (16.51-cm) diamond mesh on the bottom half and the other with 6-inch (15.24-cm) diamond mesh on the bottom half, and (2) Two industry-standard codends, one made entirely of 6-inch (15.24-cm) diamond mesh and one made entirely of 6.5-inch (16.51-cm) square mesh.

The purpose of the study is to compare the length frequencies (size classes) of the catch retained by the two industry-standard codends and the two composite mesh codend combinations. To accomplish this, 1-7/8 inch (4.78-cm) codends will be used to cover the four test codends in order to retain for analysis fish that pass through the larger-mesh codends. The catch data for each sample (tow) would be used to prepare species-specific mesh selectivity curves. That is, the research will determine the size of each fish species retained by each of the codends tested versus the fish that are excluded by the codends. Data would be pooled for each of the codends tested and the selective efficiency of each codend will be determined for each important target species. Manomet will also conduct a detailed behavioral analysis to ascertain the presence/absence of species-specific behavioral patterns that may explain observed differences in the selective efficiency of the experimental composite codend mesh.

The field trials would take place over a period of approximately 5 days, with a total sample size of 40 tows. The 40 tows will consist of 10 tows for each of four codend mesh sizes (standard and composite mesh), at eight tows per day. These commercial gear trials would operate in the designated study area outside the Western GOM Year Round Closure Area beginning in December 2000, until the 40 tows are obtained. However, the principal investigator may decide that access to the GOM seasonal closure areas is necessary to catch the desired species at the appropriate time, in order to achieve the optimal sample. This would only occur as a last resort, in the event that the required species cannot be caught outside of these areas. Should access to these areas be necessary, the GOM seasonal closures that may correspond in time and location with the proposed study are as follows: Rolling Closure Area I (March 1- March 31), Rolling Closure Area II (April 1- April 30), Rolling Closure Area III (May 1 - May 31), and Rolling Closure Area VI (February 1 - February 28).

The experimental sampling design (use of double codend) is intended to greatly minimize the number of tows necessary to yield the necessary amount of catch information; a minimum of 10 tows (1 hour in length) is required for satisfactory selectivity curve results. The target species are yellowtail flounder, winter flounder (blackback), summer flounder (fluke), American plaice (dab) and cod. The main incidental species are expected to be skates, smooth and spiny dogfish, sculpins, sea raven and sea robin. Any sub-legal sized fish would be processed by the researcher (e.g., measured) and returned immediately to the water. During the experimental trials, participating vessels would be instructed to conduct normal fishing operations. Therefore, the vessels may only retain fish for commercial sale in the amount allowed under their respective Federal fishery permits and Days-at-Sea allocations. Catch would be sampled on each trip by NMFS-certified observers and all data, including the weight and length of all fish caught, would be entered into NMFS logbooks and submitted to the Northeast Fisheries Science Center upon completion of a trip.

Manomet will train up to five commercial fishers as sea samplers for use during the course of this