

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

Dated: December 11, 2001.

Robert F. Shea,

Acting Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 01-31372 Filed 12-19-01; 8:45 am]

BILLING CODE 6718-04-P

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (email) *matt.miller@fema.gov*.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or 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 Acting Administrator, Federal Insurance and

Mitigation Administration, 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. As a result, a regulatory flexibility analysis has not 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 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-D-7516]

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 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.

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Florida	Franklin County (Unincorporated Areas).	Apalachicola Bay	Approximately 2.6 miles southeast of West Pass.	*7	*8
		St. George Sound	Approximately 4.1 miles southwest of Government Cut in St. George Island.	*7	*10
			Just east of St. George Island Bridge	*9	*10
			Shoreline of St. George Island at (and include) Marsh Island.	*15	*12
		Gulf of Mexico	Approximately 2.6 miles southeast of West Pass.	*7	*8
Approximately 1.5 miles southeast of the confluence of Big Claires Creek with Ochlockonee Bay.	*21		*23		
Alligator Harbor	Approximately 1,000 feet north of the intersection of State Route 370 and West Harbor Road.	*15	*16		

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 900 feet east of Peninsula Point.	*18	*17

Maps available for inspection at the Planning and Engineering Department, 33 Commerce Street, Apalachicola, Florida.
 Send comments to Mr. Tim Turner, Director of the Franklin County Emergency Management Agency, 33 Commerce Street, Apalachicola, Florida 32320.

Florida	Minneola (City), Lake County.	Plum Lake	Entire shoreline within county	*84	*87
		Ponding Area 535-1		None	*100
		Ponding Area 535-2		None	*99
		Little Grassy Lake	Approximately 0.55 mile northeast of the intersection of Perl Street and Galena Avenue.	None	*90
		Grassy Lake	Entire shoreline within county	None	*85

Maps available for inspection at the Minneola City Hall, 302 West Pearl Street, Minneola, Florida.
 Send comments to The Honorable Glenn A. Irby, Mayor of the City of Minneola, P.O. Box 678, Minneola, Florida 34755.

Illinois	Elburn (Village), Kane County.	Blackberry Creek	At the confluence of Blackberry Creek Tributary D.	None	*741
			Approximately 1,050 feet upstream of Hughes Road.	None	*747
		Blackberry Creek Tributary D.	Approximately 600 feet upstream of confluence with Blackberry Creek.	None	*742
			Approximately 2,550 feet downstream of Keslinger Road.	None	*799

Maps available for inspection at the Elburn Village Hall, 301 East North Street, Elburn, Illinois.
 Send comments to Mr. James Willey, President of the Village of Elburn Board of Trustees, 301 East North Street, Elburn, Illinois 60119.

Illinois	Elgin (City), Kane County.	Sandy Creek	At Randall Road	*821	*826
			Approximately 325 feet upstream of Randall Road.	None	*826
		Tyler Creek	Approximately 500 feet upstream of confluence with Fox River.	*716	*715
			Approximately 120 feet downstream of Soo Line Railroad.	None	*839

Maps available for inspection at City of Elgin Public Works Department, Engineering Division, 150 Dexter Court, Elgin, Illinois.
 Send comments to Ms. Joyce Parker, Elgin City Manager, 150 Dexter Court, Elgin, Illinois 60120.

Illinois	Gilberts (Village), Kane County.	Tyler Creek	Just upstream of Big Timber Road	None	*867
			Approximately 200 feet downstream of McCornack Road.	None	*886

Maps available for inspection at the Gilberts Village Hall, 86 Railroad Street, Gilberts, Illinois.
 Send comments to Mr. Mike Isitoro, Gilberts Village President, 86 Railroad Street, Gilberts, Illinois 60136.

Illinois	Kane County (Unincorporated Areas).	Blackberry Creek Tributary F.	Approximately 0.6 mile upstream of confluence with Blackberry Creek Tributary B.	*704	*703
			Approximately 250 feet downstream of Bliss Road.	*728	*727
		Main Street Ditch	At confluence with Blackberry Creek Tributary F.	None	*707
			Approximately 130 feet upstream of Main Street.	None	*709
		Tyler Creek	Approximately 375 feet downstream of Eagle Road East.	*791	*793
			Approximately 200 feet upstream of Illinois Route 72.	None	*898
		Pingree Creek	At confluence with Tyler Creek	None	*893
			Approximately 325 feet upstream of U.S. Route 20.	None	*906
		Mastadon Lake	Approximately 300 feet southeast of the intersection of Parker Avenue and Hinman Street.	None	*662
		Sandy Creek	Approximately 130 feet downstream of Randall Road.	*820	*821
			Just downstream of U.S. Route 20	None	*889

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Indian Creek	Approximately 0.41 mile upstream of Wood Street.	None	*676
		Indian Creek Tributary B ..	At downstream side of East-West Tollway	None	*717
			Approximately 0.61 mile upstream of confluence with Indian Creek.	None	*716
		South Tributary	Approximately 0.86 mile upstream of confluence with Indian Creek.	None	*716
			At confluence with Indian Creek	None	*684
		Welch Creek	Approximately 680 feet upstream of confluence with Indian Creek.	None	*688
			Approximately 1,110 feet downstream of Fay's Lane.	None	*680
		Welch Creek Tributary 1 ..	Just upstream of Burlington Northern Railroad.	None	*692
			Just upstream of Aurora Municipal Airport	None	*693
		Blackberry Creek Tributary H.	Approximately 2,600 feet upstream of Aurora Municipal Airport.	None	*694
			Approximately 750 feet southwest of Lake View Court and Lake View Drive intersection.	None	*670
		Selmarten Creek	At confluence with Indian Creek	*715	*716
			At county boundary	*718	*720

Maps available for inspection at the Kane County Water Resources Department, Kane County Government Center Building "A," 719 Batavia Avenue, Geneva, Illinois.

Send comments to Mr. Michael W. McCoy, Chairman of the Kane County Board of Commissioners, 719 Batavia Avenue, Geneva, Illinois 60134.

Illinois	Lily Lake (Village), Kane County.	Ferson Creek	Approximately 100 feet downstream of Great Western Trail Railroad.	None	*862
			Just downstream of Route 64	None	*872

Maps available for inspection at the Lily Lake Village Hall, 43W680 Empire Road, St. Charles, Illinois.

Send comments to Mr. Glenn Bork, Lily Lake Village President, 44W508 I.C. Trail, Lily Lake, Illinois 60151.

Illinois	Montgomery (Village), Kane County.	Blackberry Creek Tributary G.	Approximately 2,050 feet downstream of Aucutt Road.	None	*661	
				Approximately 550 feet downstream of Jericho Road.	None	*666
		Blackberry Creek	Blackberry Creek	Approximately 0.4 mile downstream of Jericho Road.	None	*664
					At Jericho Road	None

Maps available for inspection at the Montgomery Village Clerk's Office, 1300 South Broadway, Montgomery, Illinois.

Send comments to Ms. Marilyn Michelini, Montgomery Village President, 1300 South Broadway, Montgomery, Illinois 60538.

Illinois	Pingree Grove (Village), Kane County.	Pingree Creek	Approximately 1,000 feet upstream of Highland Avenue.	None	*901
				Approximately 800 feet upstream of Soo Line Railroad.	None

Maps available for inspection at the Pingree Grove Village Hall, 14N042 Reinking Road, Hampshire, Illinois.

Send comments to Mr. Vern Wester, President of the Village of Pingree Grove Board, 14N042 Reinking Road, Hampshire, Illinois 60140.

Illinois	Sugar Grove (Village), Kane County.	Blackberry Creek	Approximately 1,050 feet upstream of Densmore Road.	None	*678	
				Approximately 1,800 feet upstream of Bliss Road.	None	*690
		Blackberry Creek Tributary E.	Blackberry Creek Tributary E.	At confluence with Blackberry Creek	None	*680
					At Mankes Road	None

Maps available for inspection at the Sugar Grove Village Office, 10 Municipal Drive, Sugar Grove, Illinois.

Send comments to Mr. P. Sean Michels, Sugar Grove Village President, 10 Municipal Drive, Sugar Grove, Illinois 60554.

Massachusetts	Malden (City), Middlesex County.	Town Line Brook	Approximately 1,000 feet downstream of corporate limits.	None	*9
				Approximately 500 feet upstream of Lynn Street	*8

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Linden Brook	Approximately 250 feet downstream of corporate limits. On downstream side of Beach Street	None	*9
				None	*9
<p>Maps available for inspection at the Malden Engineering Office, Malden City Hall, 200 Pleasant Street, Malden, Massachusetts. Send comments to The Honorable Richard C. Howard, Mayor of the City of Malden, Malden City Hall, 200 Pleasant Street, Malden, Massachusetts 02148.</p>					
Massachusetts	Revere (City), Suffolk County.	Town Line Brook	Approximately 100 feet east of intersection of Washington Avenue and Squire Road.	None	*9
		Linden Brook	Approximately 180 feet south of the intersection of Lynn Street and Adamski Memorial Highway.	None	*9
<p>Maps available for inspection at the Revere Planning Office, 281 Broadway, Revere, Massachusetts. Send comments to The Honorable Thomas Ambrosino, Mayor of the City of Revere, City Hall, 281 Broadway, Revere, Massachusetts 02151.</p>					
New Hampshire	Errol (Town), Coos County.	Akers Pond	Entire shoreline within community	None	*1,231
<p>Maps available for inspection at the Errol Town Office Building, 33 Main Street, Errol, New Hampshire. Send comments to Mr. Larry S. Enman, Chairman of the Town of Errol Board of Selectmen, P.O. Box 100, Errol, New Hampshire 03579.</p>					
New Hampshire	Nashua (City), Hillsborough County.	Nashua River	At the downstream side of B&M Railroad bridge.	*115	*114
			Approximately 0.75 mile upstream of State Route 111.	*177	*176
		Bartemus Brook	At confluence with Nashua River	*167	*165
			At upstream corporate limits	*168	*166
		Lyle Reed Brook	At confluence with Nashua River	*169	*167
			Approximately 0.75 mile upstream of State Route 11.	*169	*167
<p>Maps available for inspection at the Nashua City Hall, 229 Main Street, Nashua, New Hampshire. Send comments to The Honorable Bernard A. Streeter, Mayor of the City of Nashua, City Hall, 229 Main Street, Nashua, New Hampshire 03061-2019.</p>					
New York	Corning (City), Steuben County.	Post Creek	Approximately 0.52 mile upstream of the confluence with Chemung River. Approximately 1.55 miles upstream of the confluence with Chemung River.	*923	*924
				None	*958
<p>Maps available for inspection at Corning Code Enforcement Office, 7 Nasser Civic Center, Corning, New York. Send comments to The Honorable Alan Lewis, Sr., Mayor of the City of Corning, 7 Nasser Civic Center, Corning, New York 14830.</p>					
New York	Hamilton (Village), Madison County.	Canal Tributary	At confluence with Payne Brook Tributary	None	*1,110
			At the upstream corporate limits	None	*1,116
		Payne Brook	Approximately 1,360 feet downstream of College Street.	None	*1,101
			At upstream corporate limits	None	*1,125
		Payne Brook Tributary	At the confluence with Payne Brook	None	*1,104
			Approximately 80 feet upstream of Eaton Street.	None	*1,119
<p>Maps available for inspection at the Hamilton Village Hall, 3 Broad Street, Hamilton, New York. Send comments to The Honorable Charlie Getchonis, Mayor of the Village of Hamilton, 3 Broad Street, Hamilton, New York 13346-0119.</p>					
New York	Lisle (Town), Broome County.	Dudley Creek	Approximately 650 feet downstream of Owen Hill Road.	None	*1,044
			At Popple Hill Road	None	*1,097
		Culver Creek	At the confluence with Dudley Creek	None	*1,075
			At Hunts Corners Road	None	*1,106
		Tioughnioga River	Approximately 3.12 miles downstream of Main Street.	None	*979
			A point approximately 1.19 miles upstream of Main Street.	None	*1,003
<p>Maps available for inspection at the Lisle Town Office, 9234 NYS Route 79, Lisle, New York. Send comments to Mr. James C. Dunham, Lisle Town Supervisor, P.O. Box 98, Lisle, New York 13797.</p>					
New York	Lockport (Town), Niagara County.	Eighteen Mile Creek	At downstream corporate limits	None	*356

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 130 feet upstream of Stone Road.	None	365
		East Tributary to Eighteen Mile Creek.	At downstream corporate limits	None	*360
			Approximately 1 mile upstream of State Route 104.	None	*363
		West Tributary to Eighteen Mile Creek.	At confluence with Eighteen Mile Creek ..	None	*359
			At Lockport town line	None	*384
		East Branch to Eighteen Mile Creek.	At downstream corporate limits	None	*357
			Approximately 1,500 feet upstream of upstream corporate limits.	None	*375
		Gulf Branch	At Niagara Street	None	*472
			Just downstream of Upper Mountain Road.	None	*584
		Gulf Tributary	At confluence with Gulf Branch	None	*497
			Approximately 2,250 feet upstream of confluence with Gulf Branch.	None	*514
		Tonawanda Creek	Approximately 1 mile upstream of Rapids Road.	*590	*591
			At upstream corporate limits	*590	*591
		Donner Creek	At the downstream corporate limits	*605	*606
			Approximately 1,660 feet upstream of Hamm Road.	*617	*618

Maps available for inspection at the Lockport Town Hall, 6560 Dysing Road, Lockport, New York.

Send comments to Mr. John Austin, Lockport Town Supervisor, Town Hall, 6560 Dysinger Road, Lockport, New York 14094.

Ohio	Portsmouth (City), Scioto County.	Scioto River	From approximately 0.80 mile upstream of U.S. Route 52.	*536	*535
		Ohio River	At the downstream corporate limit	*537	*538
			Approximately 1.0 mile downstream of CSX Transportation.	*537	*538

Maps available for inspection at the Portsmouth Municipal Building, 728 2nd Street, Portsmouth, Ohio.

Send comments to The Honorable Gregory A. Bauer, Mayor of the City of Portsmouth, 728 2nd Street, Portsmouth, Ohio 45662.

Ohio	Rarden (Village), Scioto County.	Rarden Creek	At Norfolk Southern Railway	None	*615
			At the upstream corporate limits	None	*615

Maps available for inspection at the Rarden City Hall, 1400 Main Street, Rarden, Ohio.

Send comments to The Honorable Anna J. Gardner, Mayor of the Village of Rarden, P.O. Box 8, Rarden, Ohio 45671.

Ohio	Scioto County (Unincorporated Areas).	Ohio River	Approximately 1,270 feet downstream of the confluence of Spencer Creek.	*530	*531
			Approximately 4.2 miles downstream of CSX Transportation.	*536	*537

Maps available for inspection at the Scioto County Courthouse, 602 7th Street, Room 1, Portsmouth, Ohio.

Send comments to Mr. Vern Riffe III, Chairman of the Scioto County Board of Commissioners, 602 7th Street, Room 1, Portsmouth, Ohio 45662.

Vermont	Hardwick (Town/Village), Cal- edonia County.	Lamoille River Divergence	Approximately 460 feet upstream of the confluence with Lamoille River.	*793	*794
			At the divergence from Lamoille River	*805	*804

Maps available for inspection at the Hardwick Town Hall, 20 Church Street, Hardwick, Vermont.

Send comments to Mr. Daniel P. Hill, Hardwick Town/Village Manager, P.O. Box 523, 20 Church Street, Hardwick, Vermont 05843.

Wisconsin	Bay City (Village), Pierce County.	Mississippi River (Lake Pepin).	Entire shoreline within community	*681	*682
		Bay City Creek	Approximately 520 feet downstream of CSX Transportation.	*682	*683
			Approximately 900 feet upstream of Great River Road.	*691	*690

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified

Maps available for inspection at Bay City Village Hall, W6371 Main Street, Bay City, Wisconsin.
Send comments to Mr. James Turvaville, Bay City Village President, P.O. Box 9, Bay City, Wisconsin 54723.

Wisconsin	Chippewa Falls (City), Chippewa County.	Duncan Creek	Upstream side of Bridge Street	*828	*827
			Approximately 0.72 mile upstream of Glen Loch Dam.	*899	*898

Maps available for inspection at the Chippewa Falls City Hall, 30 West Central Street, Chippewa Falls, Wisconsin.
Send comments to The Honorable Virginia O. Smith, Mayor of the City of Chippewa Falls, 30 West Central Street, Chippewa Falls, Wisconsin 54729.

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

Dated: December 11, 2001.

Robert F. Shea,

Acting Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 01-31371 Filed 12-19-01; 8:45 am]

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(RDSS) website at <http://www.rdss.osd.mil>."

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

[FR Doc. 01-31354 Filed 12-19-01; 8:45 am]

BILLING CODE 5000-04-M

seeks suggestions from the public for peer reviewers to take part in the peer review process for the Atlantic white marlin status review.

DATES: Comments and information related to this petition finding must be received by February 19, 2002.

ADDRESSES: Requests for copies of the petition, and information and comments on this finding should be submitted to Georgia Cranmore, Assistant Regional Administrator for Protected Resources, National Marine Fisheries Service, Southeast Regional Office, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432. The petition, finding and supporting data are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jennifer Lee, NMFS Southeast Region, (727) 570-5312; or David O'Brien, NMFS, Office of Protected Resources, (301) 713-1401.

SUPPLEMENTARY INFORMATION:

Background

Section 4 (b)(3)(A) of the ESA (16 U.S.C. 1531 *et seq.*) requires that NMFS make a finding as to whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. NMFS' ESA implementing regulations (50 CFR 424.14) define "substantial information" as the amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted. In determining whether substantial information exists for a petition to list a species, NMFS takes into account several factors, including information submitted with, and referenced in, the petition and all other information readily available in NMFS' files. To the maximum extent

DEPARTMENT OF DEFENSE

48 CFR Part 235

[DFARS Case 2001-D002]

Defense Federal Acquisition Regulation Supplement; Research and Development Streamlined Contracting Procedures; Correction

AGENCY: Department of Defense (DoD).

ACTION: Correction.

SUMMARY: DoD is issuing a correction to the preamble to the proposed rule published at 66 FR 63348-63349, December 6, 2001, pertaining to streamlined research and development contracting.

FOR FURTHER INFORMATION CONTACT: Ms. Angelena Moy, Defense Acquisition Regulations Council, OUSD (AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-1302; facsimile (703) 602-0350.

Correction

In the issue of Thursday, December 6, 2001, on page 63349, in the first column, the second sentence of the **Background** section is corrected to read as follows: "The standard format is available on the research and development streamlined solicitation

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223 and 224

[Docket No. 011212298-1298-01; I.D. No. 113001A;]

Listing Endangered and Threatened Wildlife and Plants and Designating Critical Habitat; 90-Day Finding for a Petition to List Atlantic White marlin (*Tetrapturus albidus*)

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

ACTION: Notice of petition finding; request for information and comments.

SUMMARY: NMFS announces the 90-day finding for a petition to list Atlantic white marlin (*Tetrapturus albidus*) as threatened or endangered throughout its known range and to designate critical habitat under the Endangered Species Act (ESA). NMFS finds that the petition presents substantial scientific information indicating that the petitioned action may be warranted. NMFS will conduct a status review of Atlantic white marlin to determine if the petitioned action is warranted. To ensure that the review is comprehensive, NMFS is soliciting information and comments pertaining to this species and potential critical habitat from any interested party. NMFS also