

Dated: December 17, 1997.

Carol M. Browner,

Administrator.

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**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 67

[Docket No. FEMA-7234]

**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: Frederick H. Sharrocks, Jr., Chief,

Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

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 [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
Arkansas	Pulaski County (Unincorporated Areas).	Bringle Creek	Approximately 500 feet upstream of confluence with Maumelle River.	None	*300
			At confluence with Bringle Creek Tributary A.	None	*345
		Bringle Creek Tributary A	At confluence with Bringle Creek	None	*345
			Approximately 1,600 feet above confluence with Bringle Creek.	None	*364
Ferndale Creek	At confluence with Maumelle River	Approximately 200 feet upstream of Ferndale Road.	*368	*368	
		Just upstream of Ferncliff Road	None	*442	

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

Maps are available for inspection at 501 West Markham, Little Rock, Arkansas.

Send comments to The Honorable Floyd G. Villines, Pulaski County Judge, County Courthouse, 201 South Broadway, Little Rock, Arkansas 72201.

California	Agoura Hills (City)	Medea Creek	Approximately 975 feet upstream of Canwood Street.	*859	*859
	Los Angeles County.		Approximately 1,105 feet upstream of Canwood Street.	*859	*860
			Approximately 750 feet upstream of Fountainwood Street.	None	*947

Maps are available for inspection at the City of Agoura Hills Planning Department, City Hall, 30101 Agoura Court, Agoura Hills, California.

Send comments to The Honorable Fran Pavley, Mayor, City of Agoura Hills, 30101 Agoura Court, Suite 102, Agoura Hills, California 91301.

	Colusa (City) Colusa County.	Colusa Trough	Approximately 600 feet downstream of State Highway 20.	None	*50
			Approximately 4,000 feet downstream of State Highway 20.	None	*50

Maps are available for inspection at the City of Colusa Planning Department, 425 Webster Street, Colusa, California.

Send comments to The Honorable John Hicks, Mayor, City of Colusa, P.O. Box 1063, Colusa, California 95932.

	Colusa County (Unincorporated Areas).	Colusa Trough	At State Highway 20	None	*50
			Approximately 10,850 feet upstream of Lurline Road.	None	*55

Maps are available for inspection at the Colusa County Department of Planning and Building, 220 12th Street, Colusa, California.

Send comments to The Honorable William R. Waite, Chairperson, Colusa County Board of Supervisors, 546 Jay Street, Colusa, California 95932.

Hawaii	Maui County	Pacific Ocean	At intersection of Front and Baker Streets	*7	*7
			At intersection of Front and Shaw Streets	*7	*6
			Approximately 3,300 feet south of confluence with Kauaula Stream.	*9	*9

Maps are available for inspection at the Maui County Planning Department, 250 South High Street, Wailuku, Hawaii.

Send comments to The Honorable Linda Crockett Lingle, Mayor, Maui County, 200 South High Street, Wailuku, Hawaii 96793.

Idaho	Bellevue (City) Blaine County.	Quigley Creek	At intersection of Third and Cedar Streets	None	*5,187
			Approximately 380 feet upstream of Spruce Street.	None	*5,199

Maps are available for inspection at the Building Inspector's Office, City Hall, 117 Pine Street, Bellevue, Idaho.

Send comments to The Honorable Monte Brothwell, Mayor, City of Bellevue, P.O. Box 449, Bellevue, Idaho 83313.

	Blaine County (Unincorporated Areas).	Quigley Creek	At intersection of Third and Cedar Streets	None	*5,187
			Approximately 380 feet upstream of Spruce Street.	None	*5,199

Maps are available for inspection at the Blaine County Planning and Zoning Department, Blaine County Courthouse, 206 First Avenue South, Hailey, Idaho.

Send comments to The Honorable Leonard Harlig, Chairperson, Blaine County Board of Commissioners, P.O. Box 400, Hailey, Idaho 83333.

Louisiana	Greenwood (Town) Caddo Parish.	Cross Bayou Tributary 1 ..	Approximately 1,900 feet downstream of State Highway 79.	None	*203
			Approximately 1,600 feet upstream of U.S. Highway 80.	None	*220
		Cross Bayou Tributary 2 ..	Approximately 800 feet downstream of Speedway Drive.	None	*202
			Approximately 3,000 feet upstream of U.S. Highway 80.	None	*229
		Cross Bayou Tributary 3 ..	Approximately 100 feet downstream of Union Pacific Railroad.	None	*209
			Approximately 1,000 feet upstream of U.S. Highway 80.	None	*259
		Gilmer Bayou Tributary 1	At limit of detailed study at eastern corporate limits.	None	*234
			Approximately 6,000 feet above eastern corporate limits.	None	*265

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Gilmer Bayou Tributary 2	Approximately 550 feet downstream of Waterwood Drive.	None	*234
			Approximately 3,000 feet upstream of Beebe Drive.	None	*270
		Gilmer Bayou Tributary 3	Approximately 1,750 feet downstream of Winburn Drive.	None	*244
			Approximately 2,250 feet upstream of Winburn Drive.	None	*272

Maps are available for inspection at 9381 Greenwood Road, Greenwood, Louisiana.

Send comments to The Honorable Owen D. Adams, Mayor, Town of Greenwood, P.O. Box 195, Greenwood, Louisiana 71033.

Oklahoma	Allen (Town) Pontotoc and Hughes Counties.	Town Branch	Approximately 500 feet downstream of Commerce Street.	None	*837
			Approximately 1,500 feet upstream of "B" Street.	None	*855

Maps are available for inspection at the Town of Allen Town Hall, Allen, Oklahoma.

Send comments to The Honorable Geneva Vinson, Mayor, Town of Allen, P.O. Box 402, Allen, Oklahoma 74825.

Oregon	Troutdale (City) Multnomah County.	Beaver Creek	At Jackson Park Road	*40	*40
			Just upstream of Troutdale Road	None	*183
			Approximately 200 feet downstream of Southeast Stark Street.	None	*242

Maps are available for inspection at the City of Troutdale Community Development Department, 104 Southeast Kibling Avenue, Troutdale, Oregon.

Send comments to The Honorable Paul Thalhofer, Mayor, City of Troutdale, 104 Southeast Kibling Avenue, Troutdale, Oregon 97060.

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

Dated: December 18, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 97-33931 Filed 12-29-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 376

[FHWA Docket No. FHWA-97-3050]

RIN 2125-AE26

Exemption of Commonly-Owned Motor Carriers From Equipment Identification and Receipt Requirements Applicable to Leased and Interchanged Vehicles

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of proposed rulemaking; request for comments.

SUMMARY: The FHWA is proposing to modify its regulations under 49 CFR part 376 governing the lease and interchange of motor vehicle equipment by exempting commonly-owned and controlled motor carriers from the vehicle identification and exchange of

receipt requirements of § 376.22 and the identification of equipment requirement of § 376.31. The FHWA routinely grants waivers from these requirements on an individual basis. This proposed action would eliminate the need for carriers to obtain individual waivers from the FHWA.

DATES: Comments to this NPRM should be received no later than March 2, 1998. Late comments will be considered to the extent practicable.

ADDRESSES: All signed, written comments should refer to the docket number appearing at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Grimm, Director, Office of Motor Carrier Information Analysis, (202) 366-4039, or Mr. Michael J. Falk, Motor Carrier Law Division, Office of the Chief Counsel, (202) 366-1384, Federal Highway Administration, Department of

Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 8 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: The FHWA's regulations at 49 CFR part 376 govern motor carrier transportation provided in nonowned equipment. These regulations, originally promulgated by the Interstate Commerce Commission (ICC), were formerly codified at 49 CFR part 1057 until redesignated on October 21, 1996. The ICC Termination Act of 1995 (ICCTA), Public Law 104-88, 109 Stat. 803, transferred jurisdiction over motor carrier leasing and interchange of equipment practices to the Secretary of Transportation, who delegated this function to the FHWA under 49 CFR 1.48(h)(6).

Section 376.22 permits motor carriers of property, subject to registration under the ICCTA (authorized carriers), to trip lease equipment between themselves and private motor carriers under specified conditions. A trip lease is a contract for the use of nonowned vehicles for single point-to-point hauls. Section 376.22(a) requires that trip-leasing carriers comply with the identification of equipment