

designated on-scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed. U.S. Coast Guard Auxiliary, representatives of the event organizer, and local or state officials may be present to inform vessel operators of this regulation and other applicable laws.

9. Add temporary § 165.T09-011 to read as follows:

§ 165.T09-011 Safety Zone: Saginaw Bay and River, Bay City, Michigan.

(a) *Location.* The following area is a safety zone: All waters of Saginaw Bay and the Saginaw River within a one hundred (100) yard radius and one mile ahead of a group of 12 to 20 tall ships and other parade vessels as they transit from position 43°43'54" N, 083°46'54" W, "Light 12" (LLNR 10644) to Veterans Memorial Bridge.

(b) *Effective Date.* This section is effective from 1 p.m. on Thursday, July 26, 2001 until 7 p.m.

(c) *Regulations.*

(1) The general regulations in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed. U.S. Coast Guard Auxiliary, representatives of the event organizer, and local or state officials may be present to inform vessel operators of this regulation and other applicable laws.

10. Add temporary § 165.T09-012 to read as follows:

§ 165.T09-012 Safety Zone: Veterans Park and Wenonah Park, Saginaw River, Bay City, Michigan.

(a) *Location.* The following area is a safety zone: All waters of the Saginaw River between the Liberty Street Bridge at mile 4.99 and the Veterans Memorial Bridge at mile 5.60.

(b) *Effective Date.* The safety zone will be in effect from 7 p.m. on Thursday, July 26, 2001 to 12 p.m., noon, on Monday, July 30, 2001.

(c) *Regulations.* The following special regulations apply:

(1) The general regulations in 33 CFR 165.23 apply.

(2) Vessels operating in the Saginaw River within the safety zone during the

effective period must proceed at no wake speeds, and not within 50 feet of the hull of any moored tall ship, in traffic patterns as directed by on-scene Coast Guard patrol craft, so as not to hazard tall ships or shoreside visitors boarding tall ships.

(3) Vessels shall remain outside the designated hazard area in the safety zone, as directed by on-scene Coast Guard personnel, during any evening fireworks event.

(4) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or designated on-scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed. U.S. Coast Guard Auxiliary, representatives of the event organizer, and local or state officials may be present to inform vessel operators of this regulation and other applicable laws.

Dated: March 28, 2001.

James D. Hull,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District, Cleveland, Ohio.

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**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 67

[Docket No. FEMA-B-7410]

**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.

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	Little Rock (City) (Pulaski County).	Fourche Creek	At confluence with Arkansas River	*249	*249
			Just downstream of Frazier Pike	*253	*254
			Just downstream of State Highway 67/70 (Northbound University Avenue).	*257	*258
		Fourche Bayou	Approximately 1,000 feet downstream of Frazier Pike.	None	*240
			Grassy Flat Creek	At confluence with Rock Creek	*331
		Just downstream of Reservoir Road		*369	*367
		Little Maumelle River	Approximately 300 feet upstream of Rocky Valley Drive.	None	*481
			Approximately 1.2 miles upstream of confluence with Arkansas River.	*262	*263
		Rock Creek	At confluence with Fourche Creek	*258	*258
			Approximately 200 feet upstream of Barrow Road.	*332	*333

Maps are available for inspection at the City of Little Rock Department of Public Works, 701 West Markham Street, Little Rock, Arkansas. Send comments to The Honorable Jim Dailey, Mayor, City of Little Rock, 500 West Markham Street, Room 203, Little Rock, Arkansas 72201.

Arkansas	Pulaski County (Unincorporated Areas).	Fourche Creek	Approximately 200 feet Downstream of Airport Road.	*253	*253
			Just upstream of Mabelvale Pike	*257	*258
		Little Fourche Creek	Approximately 2,700 feet Upstream of West 65th Stream.	*256	*257
			Rock Creek	Just downstream of Geyer Springs Road	*268
		Just upstream of Kanis Road Approximately 1,300 feet.		*466	*467
Rock Creek Tributary A	Upstream of Kanis Road	*489	*493		
	At confluence with Rock Creek	None	*479		
		Approximately 2,600 feet Upstream of Chenal Valley Parkway.	None	*538	

Maps are available at the Pulaski County Planning Department, 201 South Broadway, Room 370, Little Rock, Arkansas. Send comments to The Honorable Floyd Villines, Pulaski County Judge, 201 South Broadway, Little Rock, Arkansas 72201.

South Dakota	Day County and Incorporated Areas.	Bitter Lake	Along entire shoreline	None	*1,810											
			Blue Dog Lake	Along entire shoreline	None	*1,810										
				Foldager Slough	Along entire shoreline	None	*1,810									
					Goose Lake	Along entire shoreline	None	*1,810								
						Hillebrands Lake	Along entire shoreline	None	*1,810							
							Little Rush Lake	Along entire shoreline	None	*1,810						
								Minnewasta Lake	Along entire shoreline	None	*1,810					
									Rush Lake	Along entire shoreline	None	*1,810				
										Solomon Slough	Along entire shoreline	None	*1,810			
											South Waubay Lake	Along entire shoreline	None	*1,810		
												Spring Lake	Along entire shoreline	None	*1,810	
													Swan Pond	Along entire shoreline	None	*1,810
														Waubay Lake	Along entire shoreline	None

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

Maps for the Cities of Waubay and Webster, the Town of Grenville and the unincorporated areas of Day County are available for inspection at the Day County Zoning Administration office, County Courthouse, 711 West First Street, Webster, South Dakota.

Send comments to The Honorable Kevin Jens, Mayor, City of Waubay, c/o Ms. Sheryl Town, Finance Officer, PO Box 155, Waubay, South Dakota 57273-0155.

Send comments to The Honorable Mike Grosek, Mayor, City of Webster, PO Box 543, Webster, South Dakota 57274.

Send comments to The Honorable Tom Aldentower, Mayor, Town of Grenville, c/o Ms. Janet Knapp, 711 West First Street, Webster, South Dakota 57274.

Send comments to The Honorable Darrell Hildebrant, Chairman, Day County Board of Commissioners, Day County Courthouse, 711 West First Street, Webster, South Dakota 57274.

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

Dated: April 2, 2001.

Margaret E. Lawless,
Acting Executive Associate Director for Mitigation.

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