

Flooding Source(s)	Location of referenced elevation	Elevation in feet *(NGVD) Elevation in feet + (NAVD)		Communities affected
		Effective	Modified	
Strait of Georgia at Sandy Point.	Along shoreline near intersection of Halda Road and Nitinat Road.	None	*14	Whatcom County (Uninc. Areas) and LummilIndian Reservation.
	At marina .....	None	*8	
Strait of Georgia at Village Point.	Along eastern Shore Drive .....	None	*9	Whatcom County (Uninc. Areas).
	Along western shoreline .....	None	*14	
	Along West Shore Drive .....	None	*9	
Lummi Bay .....	Along southern shoreline .....	None	*10	Whatcom County (Uninc. Areas).
	Approximately 600 feet from intersection of East Turtle Lane and Shore Drive.	None	*8	
Bellingham Bay at Hermosa Beach.	Along shoreline near intersection of Lummi Park Road and Lane Split Road.	None	*10	Whatcom County (Uninc. Areas) and LummilIndian Reservation.
	East of Lummi Shore Road .....	None	*8	
Lummi Bay at Gooseberry Point.	At intersection of Lummi View Drive and Haxton Way .....	None	*8	Whatcom County (Uninc. Areas) and LummilIndian Reservation.
Bellingham Bay at Eliza Island.	Approximately 300 feet west of intersection of Lummi View Drive and Haxton Way.	None	*9	Whatcom County (Uninc. Areas).
	In the south-facing valley of Eliza Island .....	None	*8	
	At the southern shore of Eliza Island .....	None	*10	
	At the western shore of Eliza Island .....	None	*10	

**ADDRESSES**

**Whatcom County (Unincorporated. Areas)**

Maps are available for inspection at the Watcom County Department of Public Works, Division of Engineering, 284 West Kellogg Street, Suite C, Bellingham, Washington 98226.

Send comments to The Honorable Pete Kremen, Whatcom County Executive, 285 West Kellogg Street, Bellingham, Washington 98226.

**Lummi Indian Reservation**

Maps are available for inspection at the Lummi Indian Business Council Planning Department, 2828 Kwina Road, Bellingham, Washington 98226.

Send comments to The Honorable Darrell Frye, Chairman, Lummi Indian Business Council, Tribal Office, 2616 Kwina Road, Bellingham, Washington 98226.

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

Dated: September 30, 2002.

**Anthony S. Lowe,**

*Administrator, Federal Insurance and Mitigation Administration.*

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listed below. The BFEs and modified 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).

(202) 646-3461 or (e-mail) [matt.miller@fema.gov](mailto:matt.miller@fema.gov).

**SUPPLEMENTARY INFORMATION:** 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.

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

[Docket No. FEMA-P-7615]

**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 (BFEs) and proposed BFE modifications for the communities

**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:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street, SW., Washington, DC 20472,

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 Administrator for Federal Insurance and Mitigation Administration certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified BFEs 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 record keeping 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.	
				Existing *(NGVD)	Modified ♦(NAVD)
OK .....	Prague, City of (Lincoln County).	Shan Creek .....	.....	961—992	.....
		San Creek Tributary .....	.....	975—983	.....

Maps are available for inspection at 1116 North Jim Thorpe Boulevard, Prague, Oklahoma.

Send comments to The Honorable Michael Fairbanks, Mayor, City of Prague, 1116 North Jim Thorpe Boulevard, Prague, Oklahoma 74862.

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

Dated: September 23, 2002.

**Anthony S. Lowe,**

*Administrator, Federal Insurance and Mitigation Administration.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 02-2504, MB Docket No. 02-315, RM-10566]

**Digital Television Broadcast Service; Moscow, ID**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by the State Board of Education, State of Idaho, licensee of noncommercial station KUID, proposing the exchange of KUID's analog and digital allotments at Moscow. TV channel \*35 can be

substituted for TV channel \*12-at Moscow with a minus offset at coordinates 46-41-07 N. and 116-50-34 W. DTV channel \*12 can be substituted for DTV channel \*35 at Moscow at coordinates 46-40-54 N. and 116-58-13 W. with a power of 128.5, a height above average terrain HAAT of 339.7 meters. Since the community of Moscow is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government must be obtained for these allotments.

**DATES:** Comments must be filed on or before December 2, 2002, and reply comments on or before December 17, 2002.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding involving petitions for rule making (except in broadcast allotment proceedings). See *Electronic Filing of Documents in Rule Making Proceedings*, GC Docket No. 97-113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we

continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Anne Goodwin Crump, Fletcher, Heald & Hildreth, PLC, 1300 North 17th Street, Eleventh Floor,