

a public hearing on these proposed regulations." is removed.

Cynthia E. Grigsby,

Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedures and Administration).

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-P-7637]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

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 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).

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: Doug Bellomo, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

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. 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to 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 [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) ♦(NAVD)	
				Existing	Modified
Minnesota	Jackson (City), Jackson County.	West Fork Des Moines River.	At the corporate limit, approximately 2,000 feet downstream of the confluence of Nelson Creek. At the corporate limit, about 3,200 feet downstream of Interstate 90.	*1,306 *1,315	*1,304 *1,314
Maps are available for inspection at City Hall, 80 West Ashley Street, Jackson, Minnesota. Send comments to The Honorable Dean Albrecht, City Administrator, City of Jackson, City Hall, 80 West Ashley Street, Jackson, Minnesota 56143.					
Ohio	Bentleyville (Village), Cuyahoga County.	Aurora Branch	Approximately 1,500 feet upstream of the mouth.	*828	*833

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. *(NGVD) ♦(NAVD)	
				Existing	Modified
		Chagrin River	At the corporate limits, approximately 1,700 feet upstream of the Norfolk Southern Railroad bridge.	*892	*893
		Chagrin River	At the corporate limits, approximately 700 feet downstream of Miles Road.	*821	*823
		Tributary 2	At at the corporate limits, approximately 4,550 feet upstream of the confluence of Aurora Branch.	*836	*838
			At the mouth	*883	*889
			Approximately 140 feet downstream of Liberty Road.	*888	*889

Maps are available for inspection at the Bentleyville Village Hall, 6253 Chagrin River Road, Bentleyville, Ohio.

Send comments to The Honorable Michael R. Canty, Mayor, Village of Bentleyville, 6253 Chagrin River Road, Bentleyville, Ohio 44022.

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

Dated: September 10, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 03-2716, MM Docket No. 00-64, RM-9117]

Radio Broadcasting Services; Madison, Alabama and Tullahoma, TN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial.

SUMMARY: This document denies a pending petition for rulemaking proposing the reallocation of Channel 227C1 from Tullahoma, Tennessee to Madison, Alabama, and the modification of the Station WUSX(FM) license accordingly. The Audio Division had requested comment on a petition filed by Tennessee Valley Radio, Inc. proposing the reallocation of Channel 227C1. See 65 FR 20,935, April 19, 2000. The petitioner subsequently amended its proposal in reply comments, asking that Channel 227C1 be removed from Tullahoma, Tennessee, and that Channel 227C2 be allotted at Madison, Alabama. In its reply comments, petitioner also revised the proposed reference coordinates for the new allotment at Madison, Alabama. The revised reference coordinates are 34-50-20 North Latitude and 86-30-53 West Longitude. This document denies the petition, based upon the conclusion that the proposed reallocation and

change of community of license would not serve the public interest, and terminates the proceeding.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Deborah A. Dupont, Media Bureau (202) 418-7072.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 00-64, adopted September 3, 2003, and released September 5, 2003. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail qualexint@aol.com.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 03-23924 Filed 9-18-03; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 03-2828; MB Docket No. 03-195; RM-10745]

Radio Broadcasting Services; Dripping Springs and Marble Falls, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rulemaking filed by Amigo Radio, Ltd. requesting the substitution of Channel 285A for Channel 285C2 at Marble Falls, TX, reallocation of Channel 285A from Marble Falls, TX to Dripping Springs, TX, and modification of the license for Station KXXS to specify operation at Dripping Springs.¹ Channel 285A can be allotted to Dripping Springs at coordinates 30-11-54 and 98-00-46. Mexican concurrence will be requested for the allotment of Channel 285A at Dripping Springs. In accordance with the provisions of Section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest for the use of Channel 285A at Dripping Springs.

DATES: Comments must be filed on or before October 30, 2003, and reply comments on or before November 14, 2003.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Robert B. Jacobi, Richard A. Helmick, Cohn and Marks LLP, 1920 N Street, NW., Suite 300, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 03-195, adopted September 3, 2003, and released September 8, 2003. The full text of this Commission decision is available for inspection and copying

¹ On August 4, 2003, a CFR correction was published in the **Federal Register** correcting the FM Table of Allotments under Texas listing the community of Marble Falls and Channel 285C2. See 68 FR 45786, August 4, 2003.