

addressed prior to issuing a final rule. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This proposed rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this proposed rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 9, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this proposed rule.

#### List of Subjects in 40 CFR Part 180

Environmental protection,  
Administrative practice and procedure,

Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 6, 2008.

**Deborah McCall,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, it is proposed that 40 CFR chapter I be amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

#### § 180.910 [Amended]

2. Section 180.910 is amended by removing the following exemption and any associated Limits and Uses from the table: Sperm oil conforming to 21 CFR 172.210.

[FR Doc. E8-10922 Filed 5-15-08; 8:45 am]

**BILLING CODE 6560-50-S**

### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7781]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before August 14, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community’s map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7781, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

#### FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (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. 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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C.

4001 *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

*Executive Order 12866, Regulatory Planning and Review.* This proposed

rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed rule meets the applicable standards of Executive Order 12988.

**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:

Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Leon County, Florida, and Incorporated Areas</b>				
East Drainage Ditch .....	Approximately 400 feet upstream of South Blair Stone Road.	None	+90	City of Tallahassee.
	Approximately 1,000 feet upstream of Paul Russell Road.	None	+94	
Indianhead Branch 2 .....	Just downstream of Putnam Drive .....	+59	+63	City of Tallahassee.
	Just upstream of East Magnolia Drive .....	None	+67	
Northeast Drainage Ditch Tributary 1.	Approximately 200 feet upstream of the confluence of Northeast Drainage Ditch.	+90	+91	City of Tallahassee.
	Just downstream of Lonnbladh Road .....	+90	+95	
Northeast Drainage Ditch Tributary 2.	Approximately 450 feet upstream of the confluence of Northeast Drainage Ditch.	+65	+60	City of Tallahassee.
	Just upstream of U.S. Route 319 .....	+93	+95	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Tallahassee**

Maps are available for inspection at Tallahassee City Hall, 300 South Adams Street, Tallahassee, FL.

**Bannock County, Idaho, and Incorporated Areas**

Rapid Creek .....	Just upstream of Interstate Highway 15 .....	+4544	+4541	Unincorporated Areas of Bannock County, City of Inkom.
	At Private Road approximately 400 feet downstream of Hoot Owl Road.	+5062	+5060	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Inkom**

Maps are available for inspection at 365 North Rapid Creek Road, Inkom, ID 83245.

**Unincorporated Areas of Bannock County**

Maps are available for inspection at 130 North 6th Avenue, Suite C, Pocatello, ID 83201.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Butler County, Kansas, and Incorporated Areas</b>				
Walnut River .....	Approximately 850 feet downstream of SW 220th Street.	None	*1181	City of Douglas.
Whitewater River .....	Approximately 1000 feet upstream of SW 210th Street	None	*1190	City of Towanda.
	Approximately 1000 feet upstream of State Highway 254.	None	*1254	
	Approximately 1320 feet upstream of State Highway 254.	None	*1264	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Douglass**

Maps are available for inspection at City Hall, 322 S. Forrest, Douglass, KS 67039.

**City of Towanda**

Maps are available for inspection at City Hall, 110 S. 3rd Street, Towanda, KS 67114.

<b>Casey County, Kentucky, and Incorporated Areas</b>				
Green River .....	Approximately 4300 feet downstream of confluence with Highway 49 Tributary.	None	+793	Unincorporated Areas of Casey County.
	Approximately 900 feet upstream of KY-817 .....	None	+808	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Unincorporated Areas of Casey County**

Maps are available for inspection at 625 Campbellsville Street, Liberty, KY 42539.

<b>Middlesex County, Massachusetts, and Incorporated Areas</b>				
Aberjona River .....	At outlet to Lower Mystic Lake .....	+8	+7	Town of Arlington, City of Medford, City of Woburn, Town of Reading, Town of Winchester.
Aberjona River—North Spur	At divergence of Aberjona River—North Spur .....	+84	+83	Town of Reading, City of Woburn, Town of Wilmington.
	At confluence with Aberjona River .....	+62	+64	
Alewife Brook (Little River)	Approximately 300 feet upstream of Willow Street .....	+84	+83	Town of Arlington, City of Somerville.
	At confluence with Mystic River .....	+6	+7	
Assabet River .....	Approximately 320 feet downstream of Henderson Street.	+6	+7	Town of Hudson.
	Entire reach within Town of Hudson .....	None	+181	
Assabet River .....	At upstream side of Interstate 495 .....	None	+213	City of Marlborough.
	Approximately 800 feet upstream of Interstate 495 .....	None	+214	
Beaver Brook 1 .....	Approximately 4,040 feet upstream of Beaver Street ....	None	+54	Town of Belmont.
	Approximately 5,765 feet upstream of Beaver Street ....	None	+75	
Beaver Brook 3 .....	Approximately 1,000 feet downstream of Pleasant Street.	+75	+71	Town of Dracut.
	At Pleasant Street .....	+75	+71	
Butter Brook .....	Approximately 1,600 feet upstream of Main Street .....	+173	+176	Town of Westford.
	Approximately 2,100 feet downstream of Old Road .....	+175	+176	

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Concord River .....	Approximately 450 feet upstream of Interstate Route 495 East.	+106	+104	Town of Billerica, Town of Chelmsford, Town of Tewksbury.
	Approximately 2,280 feet upstream of Interstate Route 495 East.	+106	+105	
Cummings Brook .....	At confluence with Shakers Glen Brook .....	+46	+47	City of Woburn.
	Approximately 130 feet upstream of Winn Street .....	+101	+102	
Fort Meadow Brook .....	At confluence with Assabet River .....	None	+181	Town of Hudson.
	Approximately 100 feet downstream of Main Street .....	+180	+181	
Fort Meadow Reservoir .....	Entire reach within City of Marlborough .....	None	+262	City of Marlborough. City of Lowell.
	Hales Brook .....	Approximately 1,350 feet east of Industrial Avenue East and Lowell Connector intersection—Backwater area.	+103	
	At confluence with River Meadow Brook .....	+103	+102	
	Approximately 1,500 feet upstream of Industrial Avenue East.	+103	+102	
Hales Brook .....	Approximately 1,350 feet east of Industrial Avenue East and Lowell Connector intersection—Backwater area.	None	+102	Town of Chelmsford.
	Approximately 2,200 feet downstream of Interstate Route 495.	+101	+102	
	Approximately 200 feet downstream of Interstate Route 495.	+101	+102	
Halls Brook .....	At confluence with Aberjona River .....	+50	+54	City of Woburn.
	Approximately 220 feet upstream of Merrimac Street ...	+106	+95	
Horn Pond Brook/Fowle Brook.	At confluence with Aberjona River .....	+20	+23	City of Woburn, Town of Winchester.
	At confluence with Shakers Glen Brook .....	+46	+47	
Little Brook .....	At confluence with Cummings Brook .....	+68	+67	City of Woburn.
	Approximately 400 feet upstream of Bedford Road .....	+103	+95	
Lubbers Brook .....	Approximately 1,800 feet downstream of Cook Street ..	None	+102	Town of Wilmington.
	Approximately 3,090 feet upstream of Cook Street .....	None	+103	
Marginal Brook .....	Entire reach within Town of Tewksbury .....	None	+126	Town of Tewksbury. Town of Chelmsford, Town of Dracut, Town of Tewksbury, Town of Tyngsborough.
Merrimack River .....	Approximately 6,000 feet upstream of County boundary.	+55	+57	
	Approximately 10,730 feet downstream of Tyngsborough Bridge.	+103	+104	
Mill Brook .....	Approximately 315 feet downstream of confluence with Tributary to Mill Brook.	None	+119	Town of Bedford.
	Approximately 315 feet upstream of confluence with Tributary to Mill Brook.	None	+119	
Mill Brook 3 .....	Upstream side of Mystic Valley Parkway .....	+11	+7	Town of Arlington, Town of Lexington.
	Approximately 70 feet upstream of Boston and Maine Railroad.	+173	+168	
Mystic River .....	Upstream side of Mystic Valley Parkway—Route 16 ...	+4	+5	Town of Arlington, City of Medford.
	At outlet to Lower Mystic Lake .....	+8	+7	
Nonesuch Pond .....	Entire reach within Town of Natick .....	None	+174	Town of Natick.
North Lexington Brook .....	Approximately 400 feet upstream of confluence with Shawsheen River.	+115	+116	Town of Lexington.
	At Boston and Maine Railroad .....	+116	+117	
Pages Brook .....	Approximately 250 feet northwest of Larsen Lane and Outlook Road intersection—Backwater area.	None	+119	Town of Billerica.
	At confluence with Beaver Brook 3 .....	+75	+71	
Peppermint Brook .....	Approximately 50 feet downstream of State Route 113	+75	+74	Town of Dracut.
Richardson Brook .....	At confluence with Merrimack River .....	+59	+57	Town of Dracut.
	Downstream side of State Route 10 Dam .....	+59	+58	
Schneider Brook .....	At confluence with Aberjona River .....	+42	+45	City of Woburn.
	Approximately 880 feet upstream of Forbes Street .....	+83	+84	
Shakers Glen Brook .....	At confluence with Fowle Brook .....	+46	+47	City of Woburn.
	At Russell Street .....	+63	+62	
Shawsheen River .....	At upstream side of Boston and Maine Railroad .....	+90	+91	Town of Wilmington.
	Approximately 1.9 miles downstream of Boston Road (State Road 3A).	+93	+97	
Shawsheen River .....	Approximately 2,125 feet upstream of Bridge Street ....	+116	+113	Town of Lexington.
	Approximately 300 feet upstream of Summer Street ....	None	+116	
Snake Brook .....	Approximately 2,420 feet downstream of Main Street ...	None	+138	Town of Natick.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Sweetwater Brook .....	Approximately 2,760 feet downstream of Commonwealth Avenue.	None	+147	City of Woburn, Town of Stoneham.
	At confluence with Aberjona River .....	+35	+36	
Town Line Brook .....	Approximately 120 feet upstream of Lindenwood Road	+65	+63	City of Everett.
	Approximately 370 feet upstream of Lynn Street .....	None	+8	
	Approximately 1,650 feet upstream of Lynn Street .....	None	+8	
Trull Brook .....	Approximately 1,850 feet downstream of County boundary.	None	+8	Town of Tewksbury.
	At confluence with Merrimack River .....	+55	+57	
Valley Pond .....	Approximately 100 feet upstream of Golf Course Bridge.	+55	+57	Town of Weston. City of Cambridge, Town of Belmont.
Wellington Brook .....	Entire shoreline within community .....	None	+175	
	Approximately 600 feet upstream of confluence with Alewife Brook (Little River).	+8	+7	
	Approximately 1,700 feet upstream of Concord Avenue	+22	+20	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Cambridge**

Maps are available for inspection at City of Cambridge Department of Public Works, 795 Massachusetts Avenue, Cambridge, MA.

**City of Everett**

Maps are available for inspection at Everett City Hall, Office of the City Engineer, 484 Broadway Street, Room 26, Everett, MA.

**City of Lowell**

Maps are available for inspection at Lowell City Hall, 375 Merrimack Street, Lowell, MA.

**City of Marlborough**

Maps are available for inspection at Marlborough City Hall, Office of Inspectional Services, 140 Main Street, Marlborough, MA.

**City of Medford**

Maps are available for inspection at Medford City Hall, Engineering Division, 85 George P. Hassett Drive, Room 300, Medford, MA.

**City of Somerville**

Maps are available for inspection at Somerville City Hall, Public Works Department, 93 Highland Avenue, Somerville, MA.

**City of Woburn**

Maps are available for inspection at Woburn City Hall, Engineering Department, 10 Common Street, Woburn, MA.

**Town of Arlington**

Maps are available for inspection at Arlington Town Hall, 730 Massachusetts Avenue, Arlington, MA.

**Town of Bedford**

Maps are available for inspection at Bedford Town Hall, 10 Mudge Way, Bedford, MA.

**Town of Belmont**

Maps are available for inspection at Town of Belmont Community Development Office, 19 Moore Street, Belmont, MA.

**Town of Billerica**

Maps are available for inspection at Town of Billerica Building Department, 365 Boston Road, Billerica, MA.

**Town of Chelmsford**

Maps are available for inspection at Town of Chelmsford Public Works Department, 50 Billerica Road, Chelmsford, MA.

**Town of Dracut**

Maps are available for inspection at Dracut Town Hall, 11 Springpark Avenue, Dracut, MA.

**Town of Hudson**

Maps are available for inspection at Town of Hudson Inspections Department, 78 Main Street, Hudson, MA.

**Town of Lexington**

Maps are available for inspection at Town of Lexington Engineering Department, 1625 Massachusetts Avenue, Lexington, MA.

**Town of Natick**

Maps are available for inspection at Natick Town Hall, 13 East Central Street, Natick, MA.

**Town of Reading**

Maps are available for inspection at Reading Town Hall, Building Department, 16 Lowell Street, Reading, MA.

**Town of Stoneham**

Maps are available for inspection at Town of Stoneham Department of Public Works, 16 Pine Street, Stoneham, MA.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	

**Town of Tewksbury**

Maps are available for inspection at Tewksbury Town Hall, Building Department, 1009 Main Street, Tewksbury, MA.

**Town of Tyngsborough**

Maps are available for inspection at Tyngsborough Town Hall, Building Department, 25 Bryants Lane, Tyngsborough, MA.

**Town of Westford**

Maps are available for inspection at Westford Town Hall, Building Department, 55 Main Street, Westford, MA.

**Town of Weston**

Maps are available for inspection at Weston Town Hall, 11 Town House Road, Weston, MA.

**Town of Wilmington**

Maps are available for inspection at Wilmington Town Hall, 121 Glen Road, Wilmington, MA.

**Town of Winchester**

Maps are available for inspection at Town of Winchester Engineer's Office, 71 Mt. Vernon Street, Winchester, MA.

Flooding source(s)	Location of referenced elevation**	* Elevation in meters (NGVD) + Elevation in meters (NAVD) # Depth in meters above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

**Commonwealth of Puerto Rico County, Puerto Rico and Incorporated Areas**

Rio Bairoa .....	At confluence with Rio Grande de Loiza Reach 2 .....	^ 51.3	^ 52	Commonwealth of Puerto Rico.
Rio Caguitas .....	Approximately 290 meters upstream of Calle Gardena At confluence of Rio Grande de Loiza Reach 2 .....	^ 90.3 ^ 52.1	^ 90.1 ^ 52	Commonwealth of Puerto Rico.
Rio Grande de Loiza Reach 2.	Approximately 1,830 meters upstream of Calle Canaboncito. Approximately 3,640 meters downstream of PR Highway 30.	None	^ 81.2	Commonwealth of Puerto Rico.
Rio Gurabo .....	Approximately 2,700 meters upstream of Carretera 183 At confluence with Rio Grande de Loiza Reach 2 .....	None ^ 49.6	^ 96.2 ^ 51.3	Commonwealth of Puerto Rico.
Rio Turabo .....	Approximately 1,800 meters upstream of Carretera 31 At confluence with Rio Grande de Loiza Reach 2 .....	None ^ 59.1	^ 71.4 ^ 59.7	Commonwealth of Puerto Rico.
	Approximately 7,500 meters upstream of Calle Georgetti.	None	^ 105.8	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Commonwealth of Puerto Rico**

Maps are available for inspection at Puerto Rico Planning Board, North Building, 16th Floor, De Diego Avenue, Stop 22, Santurce, San Juan, PR.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	

**Minnehaha County, South Dakota, and Incorporated Areas**

Big Sioux River .....	Approximately 7120 feet downstream from South Dakota Highway 42.	None	+1286	Unincorporated Areas of Minnehaha County.
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Flooding source(s)	Location of referenced elevation **	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Big Sioux River .....	Approximately 1000 feet downstream from South Dakota Highway 42.	None	+1289	City of Sioux Falls, Unincorporated Areas of Minnehaha County.
	Approximately 2500 feet downstream from Burlington Northern Santa Fe Railroad.	+1306	+1305	
Cherry Creek .....	Approximately 1000 feet downstream from West 60th Street.	+1432	+1431	City of Sioux Falls, Unincorporated Areas of Minnehaha County.
	Approximately 70 feet downstream from South Sertoma Avenue.	+1435	+1434	
Skunk Creek .....	Approximately 1000 feet upstream from East 266th Street.	None	+1458	City of Sioux Falls, Unincorporated Areas of Minnehaha County.
	2750 feet downstream from Interstate 29 .....	+1417	+1422	
Willow Creek .....	Approximately 50 feet downstream from South 467th Avenue.	None	+1459	Unincorporated Areas of Minnehaha County, City of Sioux Falls.
	Approximately 1130 feet upstream from North Lamesa Drive.	None	+1438	
	Approximately 1300 feet upstream from Highway 38 ....	None	+1475	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Sioux Falls**

Maps are available for inspection at 224 West 9th Street, P.O. Box 7402, Sioux Falls, SD 57117-7402.

**Unincorporated Areas of Minnehaha County**

Maps are available for inspection at County Administration Building, 415 N. Dakota Avenue, Sioux Falls, SD 57106.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: May 9, 2008.

**Michael K. Buckley,**

*Deputy Assistant Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E8-10933 Filed 5-15-08; 8:45 am]

BILLING CODE 9110-12-P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MB Docket Nos. 07-294; 06-121; 02-277; 04-228, MM Docket Nos. 01-235; 01-317; 00-244; FCC 07-217]

**In the Matter of Promoting Diversification of Ownership in the Broadcasting Services**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document seeks comment on various proposals to increase participation in the broadcasting industry by new entrants and small businesses, especially minority- and women-owned businesses, with the goal of promoting innovation, diversity of ownership and viewpoints, spectrum efficiency, and competition in media markets.

**DATES:** Comments for this proceeding are due on or before July 15, 2008. Reply comments are due on or before August 14, 2008.

**ADDRESSES:** You may submit comments, identified by MB Docket No. 07-294; FCC 07-217, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Federal Communications Commission's Web Site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- *Mail:* 445 12th Street, SW., Washington, DC 20554, with a copy to the Commission's duplicating

contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554.

- **People with Disabilities:** Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Mania Baghdadi, 202-418-2133.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's *Report and Order and Third Further Notice of Proposed Rulemaking* (the "Notice") in MB Docket Nos. 07-294; 06-121; 02-277; 04-228, MM Docket Nos. 01-235; 01-317; 00-244; FCC 07-217, adopted December 18, 2007, and released March 5, 2008. The full text of this document is available for public inspection and