

require all sources to meet the applicable monitoring requirements of 40 CFR part 75. Part 75 already incorporates a number of voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority, low-income, and Tribal populations in the United States. During development of this Transport Rule program inclusive of this proposal, EPA considered its impacts on low-income, minority, and tribal communities in several ways and provided multiple opportunities for these communities to meaningfully participate in the rulemaking process. As described in section XII.J of the preamble to the final transport Rule, EPA believes that the final remedy in the Transport Rule program inclusive of this proposal addresses potential environmental justice concerns about localized hot spots and reduces ambient concentrations of pollution where they are most needed by sensitive and vulnerable populations.

EPA believes that the vast majority of communities and individuals in areas covered by the Transport Rule program inclusive of this proposal, including numerous low-income, minority, and tribal individuals and communities in both rural areas and inner cities in the eastern and central U.S., will see significant improvements in air quality and resulting improvements in health. EPA's assessment of the effects of the final Transport Rule program inclusive of this proposal on these communities is detailed in section XII.J of the preamble to the final Transport Rule. Based on this assessment, EPA concludes that we do not expect disproportionately high and adverse human health or environmental effects on minority, low-income, or tribal populations in the United States as a result of implementing the Transport Rule program inclusive of this proposal.

List of Subjects

40 CFR Part 52

Administrative practice and procedure, Air pollution control, Intergovernmental relations, Nitrogen oxides, Ozone, Particulate matter, Regional haze, Reporting and recordkeeping requirements, Sulfur dioxide.

40 CFR Part 97

Administrative practice and procedure, Air pollution control, Electric utilities, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: July 6, 2011.

Lisa P. Jackson,

Administrator.

[FR Doc. 2011-17456 Filed 7-8-11; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1200]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this proposed rule 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 to 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 October 11, 2011.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map

(FIRM) for the proposed BFEs for each community is 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-1200, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriguez1@dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriguez1@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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those 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.

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:

| State | City/town/county | Source of flooding | Location** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) | |
|--|--|--------------------|---|---|----------|
| | | | | Existing | Modified |
| Unincorporated Areas of Solano County, California | | | | | |
| California | Unincorporated Areas of Solano County. | Sweany Creek | Approximately 375 feet upstream of the McCune Creek confluence. | None | +64 |
| | | | Approximately 930 feet upstream of Timm Road. | None | +149 |

* 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Solano County

Maps are available for inspection at the Solano County Public Works Department, 675 Texas Street, Suite 5500, Fairfield, CA 94533.

| Flooding source(s) | Location of referenced elevation** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) | | Communities affected |
|--|---|---|----------|--|
| | | Effective | Modified | |
| Sonoma County, California, and Incorporated Areas | | | | |
| Colgan Creek | Approximately 500 feet upstream of Llano Road | None | +80 | City of Santa Rosa, Unincorporated Areas of Sonoma County. |
| Naval Creek | Approximately 0.98 mile upstream of Meda Avenue ... | None | +356 | City of Santa Rosa, Unincorporated Areas of Sonoma County. |
| | Approximately 960 feet upstream of Llano Road | None | +79 | |
| Roseland Creek | Approximately 0.57 mile upstream of Wright Road | None | +97 | City of Santa Rosa, Unincorporated Areas of Sonoma County. |
| | Approximately 0.5 mile downstream of Llano Road ... | None | +79 | |
| | Approximately 1,000 feet upstream of Dutton Avenue | None | +142 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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

**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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

ADDRESSES

City of Santa Rosa

Maps are available for inspection at 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404.

Unincorporated Areas of Sonoma County

Maps are available for inspection at 575 Administration Drive, Room 100A, Santa Rosa, CA 95404.

Wilson County, North Carolina, and Incorporated Areas

| | | | | |
|-----------------------------|---|------|------|--|
| Black Creek | At the Contentnea Creek confluence | +69 | +66 | Town of Black Creek, Unincorporated Areas of Wilson County. |
| Black Creek Tributary | Approximately 50 feet upstream of U.S. Route 117 | +92 | +91 | Town of Lucama, Unincorporated Areas of Wilson County. |
| | Approximately 1,500 feet upstream of the Black Creek confluence. | +93 | +92 | |
| Bloomery Swamp | Approximately 100 feet upstream of the Tributary to Black Creek Tributary confluence. | +103 | +102 | City of Wilson, Unincorporated Areas of Wilson County. |
| | Approximately 500 feet upstream of the Bloomery Swamp Tributary 2 confluence. | +103 | +102 | |
| Bloomery Swamp Tributary 3 | At the Millstone Creek and Juniper Creek confluence | +156 | +155 | City of Wilson, Unincorporated Areas of Wilson County. |
| | Approximately 50 feet upstream of Alternate U.S. Route 264. | +133 | +130 | |
| Contentnea Creek | Approximately 1,560 feet upstream of Packhouse Road (State Route 1382). | +151 | +150 | Town of Stantonsburg, Unincorporated Areas of Wilson County. |
| | Approximately 1,800 feet downstream of North Carolina Highway 58. | +62 | +59 | |
| Contentnea Creek Tributary | Approximately 0.8 mile downstream of the Little Swamp confluence. | +110 | +109 | Town of Black Creek, Unincorporated Areas of Wilson County. |
| | At the Contentnea Creek confluence | +76 | +77 | |
| Goss Swamp | Approximately 1,920 feet upstream of Yank Road (State Route 1615). | None | +106 | Town of Stantonsburg, Unincorporated Areas of Wilson County. |
| | At the Toisnot Swamp confluence | +62 | +63 | |
| Hog Island Tributary | Approximately 0.8 mile upstream of the Toisnot Swamp confluence. | +63 | +64 | City of Wilson, Unincorporated Areas of Wilson County. |
| | At the Toisnot Swamp confluence | +99 | +98 | |
| Hominy Swamp Tributary 1 .. | Approximately 50 feet downstream of Firestone Parkway (State Route 1328). | None | +109 | City of Wilson, Unincorporated Areas of Wilson County. |
| | Approximately 0.5 mile upstream of the Hominy Swamp confluence. | +86 | +85 | |
| Little Swamp | Approximately 75 feet upstream of Tuskegee Street | None | +131 | Unincorporated Areas of Wilson County. |
| | Approximately 1.6 miles upstream of the Contentnea Creek confluence. | +117 | +116 | |
| Marsh Swamp | Approximately 140 feet upstream of Radio Tower Road (State Route 1152). | None | +163 | Unincorporated Areas of Wilson County. |
| | Approximately 0.6 mile upstream of the Contentnea Creek confluence. | +126 | +125 | |
| Marsh Swamp Tributary | Approximately 1,600 feet upstream of the dam | None | +230 | Unincorporated Areas of Wilson County. |
| | At the Marsh Swamp confluence | +145 | +141 | |

| Flooding source(s) | Location of referenced elevation** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) | | Communities affected |
|---|--|---|----------|--|
| | | Effective | Modified | |
| Mill Branch (into Contentnea Creek). | Approximately 1,830 feet upstream of High Road (State Route 1148). | None | +196 | Unincorporated Areas of Wilson County. |
| | Approximately 1,900 feet upstream of the Contentnea Creek confluence. | +107 | +108 | |
| Millstone Creek | Approximately 410 feet upstream of I-95 | None | +140 | Unincorporated Areas of Wilson County. |
| | At the Bloemery Swamp and Juniper Swamp confluence. | +156 | +155 | |
| Shepard Branch | Approximately 530 feet upstream of Countryside Road (State Route 1302). | +159 | +160 | City of Wilson, Unincorporated Areas of Wilson County. |
| | Approximately 0.7 mile upstream of the Contentnea Creek confluence. | +107 | +106 | |
| Toisnot Swamp | Approximately 0.8 mile upstream of Old Raleigh Road (State Route 1136). | None | +134 | City of Wilson, Town of Stantonsburg, Unincorporated Areas of Wilson County. |
| | Approximately 1,400 feet upstream of the Contentnea Creek confluence. | +62 | +59 | |
| Toisnot Swamp Tributary | Approximately 0.8 mile upstream of Lake Wilson Road. | +120 | +121 | City of Wilson, Unincorporated Areas of Wilson County. |
| | At the Toisnot Swamp confluence | +106 | +107 | |
| Tributary 1 to Toisnot Swamp Tributary. | Approximately 1.2 miles upstream of the Tributary 2 to Toisnot Swamp Tributary confluence. | +155 | +145 | City of Wilson, Unincorporated Areas of Wilson County. |
| | At the Toisnot Swamp Tributary confluence | +134 | +131 | |
| Tributary 2 to Toisnot Swamp Tributary. | Approximately 1,150 feet upstream of Grandy Drive ... | None | +152 | City of Wilson, Unincorporated Areas of Wilson County. |
| | At the Toisnot Swamp Tributary confluence | +135 | +132 | |
| Tributary to Black Creek Tributary. | Approximately 0.6 mile upstream of the Toisnot Swamp Tributary confluence. | None | +144 | Town of Lucama, Unincorporated Areas of Wilson County. |
| | At the Black Creek Tributary confluence | +103 | +102 | |
| Whiteoak Swamp | Approximately 330 feet upstream of Little Rock Church Road (State Route 1649). | None | +118 | Unincorporated Areas of Wilson County. |
| | At the Buck Branch confluence | +79 | +80 | |
| Whiteoak Swamp Tributary ... | Approximately 800 feet upstream of the Mill Branch (into Whiteoak Swamp) confluence. | +83 | +84 | Unincorporated Areas of Wilson County. |
| | At the Whiteoak Swamp confluence | +81 | +82 | |
| Wiggins Mill Tributary | Approximately 160 feet upstream of Etheridge Road (State Route 1522). | None | +88 | City of Wilson, Unincorporated Areas of Wilson County. |
| | Approximately 0.4 mile upstream of Forest Hills Road | +100 | +99 | |
| | Approximately 1.7 miles upstream of Forest Hills Road. | +116 | +120 | |

* 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

ADDRESSES

City of Wilson

Maps are available for inspection at City Hall, 112 Goldsboro Street, Wilson, NC 27893.

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

Town of Black Creek

Maps are available for inspection at the Town Hall, 112 West Center Street, Black Creek, NC 27813.

Town of Lucama

Maps are available for inspection at the Town Hall, 111 South Main Street, Lucama, NC 27851.

Town of Stantonsburg

Maps are available for inspection at the Town Hall, 108 East Commercial Avenue, Stantonsburg, NC 27883.

Unincorporated Areas of Wilson County

Maps are available for inspection at the Wilson County Manager's Office, 2201 Miller Road South, Wilson, NC 27893.

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

Dated: June 15, 2011.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2011-17342 Filed 7-8-11; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 0808061074-81147-01]

RIN 0648-AW66

Fisheries in the Western Pacific; Pelagic Fisheries; Purse Seine Prohibited Areas Around American Samoa

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Disapproval of fishery ecosystem plan amendment and withdrawal of proposed rule.

SUMMARY: NMFS announces that it has disapproved proposed Amendment 3 to the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific (FEP) that would have prohibited purse seine fishing within 75 nm of shore around American Samoa. Therefore, NMFS withdraws the proposed rule for Amendment 3.

FOR FURTHER INFORMATION CONTACT: Adam Bailey, NMFS, (808) 944-2248.

SUPPLEMENTARY INFORMATION: In Amendment 3 to the FEP, the Council recommended that NMFS prohibit purse seine fishing in the EEZ within 75 nm

of shore around American Samoa. Fishing by all U.S. vessels 50 ft and longer, including purse seiners, is currently prohibited within 50 nm of shore. Amendment 3 would have extended the boundaries of the prohibited areas offshore an additional 25 nm specifically for purse seine fishing. The recommended additional prohibited areas were intended to prevent localized stock depletion by purse seine fishing, and to reduce catch competition and gear conflicts between U.S. purse seine vessels and American Samoa-based local longline and trolling fleets.

NMFS disapproved Amendment 3 on July 5, 2011, because the proposed measures were inconsistent with the Magnuson-Stevens Fishery Management and Conservation Act's National Standard 2. National Standard 2 requires conservation and management measures to be based on the best scientific information available, and requires that fishery actions be founded on thorough analyses that allow NMFS to conclude that the selected alternative will accomplish necessary and appropriate conservation and management objectives. The Council's recommendation found inadequate support in the scientific evidence presented to NMFS. As a result of disapproving Amendment 3, NMFS will not publish a final rule to implement the proposed prohibited areas.

NMFS hereby withdraws the proposed rule (76 FR 23964, April 29, 2011).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 5, 2011.

Eric C. Schwaab,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2011-17357 Filed 7-8-11; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

RIN 0648-XA421

Fisheries of the Exclusive Economic Zone Off Alaska; Scallops

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of a fishery management plan amendment; request for comments.

SUMMARY: The National Marine Fisheries Service (NMFS) announces that the North Pacific Fishery Management Council (Council) has submitted Amendment 13 to the Fishery Management Plan for the Scallop fishery off Alaska (FMP) for review by the Secretary of Commerce (Secretary). If approved, Amendment 13 would implement an annual catch limit (ACL) and accountability measures (AMs) to prevent overfishing in the target fishery for weathervane scallops. Implementing these measures would require revising the maximum sustainable yield (MSY) and the optimum yield (OY) for weathervane scallops to account for total catch. Amendment 13 would also clarify that, in the absence of a statewide estimate of spawning biomass for weathervane scallops, the overfishing level (OFL) is specified as the MSY. Under Amendment 13, scallop species not targeted in the fishery would be classified as Ecosystem Component (EC) species. Amendment 13 is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMP, and other applicable laws.