

Commodity	Parts per million
Vegetable, fruiting, group 8, except nonbell pepper	0.10
Vegetable, leaf petioles, subgroup 4B	0.10
Vegetable, legume, edible podded, subgroup 6A	0.50
Vegetable, legume, pea and bean, dried shelled, subgroup 6C, except soybean	0.10
Vegetable, root, subgroup 1B, except sugar beet	0.30
Vegetable, tuberous and corm, subgroup 1C	0.20

(b) *Section 18 emergency exemptions.*

[Reserved]

(c) *Tolerances with regional registrations.* (1) Tolerances with regional registration as defined in § 180.1(m) are established for the combined residues (free and bound) of the herbicide metolachlor, 2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethyl)acetamide, and its metabolites, determined as the derivatives, 2-[(2-ethyl-6-methylphenyl)amino]-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound, in or on the following raw agricultural commodities:

Commodity	Parts per million
Pepper, nonbell	0.50

(2) Tolerances with regional registration as defined in 180.1(m) are established for the combined residues (free and bound) of the herbicide S-metolachlor, S-2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethyl)acetamide, its R-enantiomer, and its metabolites, determined as the derivatives, 2-[(2-ethyl-6-methylphenyl)amino]-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound, in or on the following raw agricultural commodities:

Commodity	Parts per million
Pepper, nonbell	0.50

(d) *Indirect or inadvertent residues.*

(1) Tolerances are established for the indirect or inadvertent combined residues (free and bound) of the herbicide metolachlor, 2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethyl)acetamide, and its metabolites, determined as the derivatives, 2-[(2-ethyl-6-

methylphenyl)amino]-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound in the following raw agricultural commodities:

Commodity	Parts per million
Animal feed, nongrass, group 18	1.0
Barley, grain	0.10
Barley, straw	0.50
Buckwheat, grain	0.10
Millet, forage	0.50
Millet, grain	0.10
Millet, straw	0.50
Oat, forage	0.50
Oat, grain	0.10
Oat, straw	0.50
Rice, grain	0.10
Rice, straw	0.50
Rye, forage	0.50
Rye, grain	0.10
Rye, straw	0.50
Wheat, forage	0.50
Wheat, grain	0.10
Wheat, straw	0.50

(2) Tolerances are established for the indirect or inadvertent combined residues (free and bound) of the herbicide S-metolachlor, S-2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethyl)acetamide, its R-enantiomer, and its metabolites determined as the derivatives, 2-[(2-ethyl-6-methylphenyl)amino]-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as the parent compound in or on the following food commodities:

Commodity	Parts per million
Animal feed, nongrass, group 18	1.0
Barley, grain	0.10
Barley, hay	1.0
Barley, straw	0.50
Buckwheat, grain	0.10
Oat, forage	0.50
Oat, grain	0.10
Oat, hay	1.0
Oat, straw	0.50
Rice, grain	0.10
Rice, straw	0.50
Rye, forage	0.50
Rye, grain	0.10
Rye, straw	0.50
Wheat, forage	0.50
Wheat, grain	0.10
Wheat, hay	1.0
Wheat, straw	0.50

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-7728 and FEMA-D-7812]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities listed below. The 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: William R. Blanton, Jr., Engineering Management Section, Mitigation Division, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

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.

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.

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 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	

Crawford County, Arkansas, and Incorporated Areas

Louemma Creek	At the intersection of Northhills Blvd	+460	+459	City of Van Buren.
	At the intersection with Rena Road	+486	+487	
Town Branch	Intersection with 20th St.	+421	+420	City of Van Buren.
	Intersection with Alma	+441	+445	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES

City of Van Buren

Maps are available for inspection at 1003 Broadway, Van Buren, AR 72956.

Send comments to The Honorable Bob Freeman, Mayor, 1003 Broadway, Van Buren, AR 72956.

Davie County, North Carolina and Incorporated Areas

Baxter Creek	At the confluence with Bear Creek	None	+680	Unincorporated Areas of Davie County.
	Approximately 1.1 miles upstream of the confluence with Bear Creek.	None	+692	
Bear Creek	At the confluence with South Yadkin River	None	+671	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 310 feet downstream of Duke Whitaker Road (State Road 1316).	None	+811	
Tributary 1	At the confluence with Bear Creek	None	+688	Unincorporated Areas of Davie County.
	Approximately 580 feet upstream of Railroad	None	+698	
Tributary 2	At the confluence with Bear Creek	None	+700	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 740 feet upstream of South Davie Drive.	None	+769	
Tributary 3	At the confluence with Bear Creek	None	+708	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 860 feet upstream of Valley Road	None	+763	
Tributary 3A	At the confluence with Bear Creek Tributary 3	None	+715	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 0.5 mile upstream of the confluence of Bear Creek Tributary 3.	None	+743	
Tributary 4	At the confluence with Bear Creek	None	+711	Unincorporated Areas of Davie County, Town of Mocksville.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
	Approximately 240 feet upstream of U.S. 64 Highway W.	None	+735	
Tributary 5	At the confluence with Bear Creek	None	+767	Unincorporated Areas of Davie County.
	Approximately 410 feet upstream of Ralph Ratledge Road (State Road 1312).	None	+776	
Beaver Creek	At the confluence with Hunting Creek	None	+702	Unincorporated Areas of Davie County.
	Approximately 90 feet downstream of Castle Lane	None	+731	
Tributary 1	At the confluence with Beaver Creek	None	+703	Unincorporated Areas of Davie County.
	Approximately 0.6 mile upstream of U.S. 64 Highway W.	None	+738	
Becks Spring Branch	At the confluence with Dutchman Creek	None	+699	Unincorporated Areas of Davie County.
	Approximately 0.6 mile upstream of Eatons Church Road (State Road 1415).	None	+726	
Bryant Branch	At the confluence with Dutchman Creek	None	+690	Unincorporated Areas of Davie County.
	Approximately 120 feet upstream of Lutz Lane	None	+715	
Buffalo Creek	At the confluence with Dutchman Creek	None	+669	Unincorporated Areas of Davie County.
	Approximately 1.2 miles upstream of Milling Road	None	+690	
Cain Mill Branch	At the confluence with Steelman Creek	None	+795	Unincorporated Areas of Davie County.
	At the Davie/Yadkin County boundary	None	+795	
Carter Creek	At the confluence with Yadkin River	+700	+692	Unincorporated Areas of Davie County.
	At NC 801	+700	+699	
Tributary	At the confluence with Carter Creek	+700	+692	Unincorporated Areas of Davie County.
	Approximately 0.7 mile upstream of the confluence with Carter Creek.	+700	+698	
Cedar Creek	At the confluence with Dutchman Creek	None	+673	Unincorporated Areas of Davie County.
	Approximately 2.4 miles upstream of Wyo Road (State Road 1430).	None	+784	
Chinquapin Creek	At the confluence with Dutchman Creek	None	+729	Unincorporated Areas of Davie County.
	At the Davie/Yadkin County boundary	None	+788	
Cody Creek	The confluence with the Yadkin River	None	+658	Unincorporated Areas of Davie County.
	Approximately 0.5 mile upstream of NC 801	None	+709	
Cub Creek	At the confluence with Cedar Creek	None	+674	Unincorporated Areas of Davie County.
	Approximately 1.0 mile upstream of the confluence with Cedar Creek.	None	+687	
Dry Branch	At the confluence with Dutchman Creek	None	+737	Unincorporated Areas of Davie County.
	Approximately 0.7 mile upstream of Chinquapin Road	None	+781	
Dutchman Creek	At the confluence with the Yadkin River	None	+661	Unincorporated Areas of Davie County.
	Approximately 0.4 mile upstream of Amber Hill Road (State Road 1325).	None	+811	
Tributary 2	At the confluence with Dutchman Creek	None	+661	Unincorporated Areas of Davie County.
	Approximately 0.6 mile upstream of NC 801	None	+681	
Tributary 3	At the confluence with Dutchman Creek	None	+661	Unincorporated Areas of Davie County.
	Approximately 1.2 miles upstream of Frank Short Road.	None	+705	
Tributary 4	At the confluence with Dutchman Creek	None	+683	Unincorporated Areas of Davie County.
	Approximately 640 feet upstream of Woodward Road (State Road 1407).	None	+695	
Tributary 5	At the confluence with Dutchman Creek	None	+776	Unincorporated Areas of Davie County.
	Approximately 1.0 mile upstream of Ben Anderson Road (State Road 1321).	None	+800	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary 6	At the confluence with Dutchman Creek	None	+784	Unincorporated Areas of Davie County.
	Approximately 300 feet upstream of Davie/Iredell County boundary.	None	+822	
Elisha Creek	At the confluence with Dutchman Creek	None	+667	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 1,560 feet upstream of the confluence of Elisha Creek Tributary.	None	+712	
Tributary	At the confluence with Elisha Creek	None	+706	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 0.8 mile upstream of the confluence with Elisha Creek.	None	+719	
Elsworth Creek	At the confluence with Dutchman Creek	None	+664	Unincorporated Areas of Davie County.
	Approximately 1.2 miles upstream of Williams Road (State Road 1610).	None	+699	
Frost Mill Creek	At the confluence with Dutchman Creek	None	+688	Unincorporated Areas of Davie County.
	Approximately 0.4 mile upstream of Cana Road (State Road 1408).	None	+744	
Fulton Creek	At the confluence with the Yadkin River	None	+677	Unincorporated Areas of Davie County.
	Approximately 1,080 feet upstream of Markland Road (State Road 1618).	None	+714	
Greasy Creek	At the confluence with Dutchman Creek	None	+699	Unincorporated Areas of Davie County.
	Approximately 2.0 miles upstream of Eatons Church Road (State Road 1415).	None	+757	
Hauser Creek	Approximately 100 feet downstream of the Davie/ Yadkin County boundary.	None	+711	Unincorporated Areas of Davie County.
	Approximately 0.7 mile upstream of Spillman Road (State Road 1458).	None	+725	
Howard Branch	At the confluence with Dutchman Creek	None	+730	Unincorporated Areas of Davie County.
	Approximately 1.3 miles upstream of Jack Booe Road (State Road 1330).	None	+772	
Humpy Creek	At the confluence with Dutchman Creek	None	+661	Unincorporated Areas of Davie County.
	Approximately 680 feet upstream of Riverview Road (State Road 1814).	None	+686	
Hunting Creek	At the confluence with South Yadkin River	None	+674	Unincorporated Areas of Davie County.
	At the Davie/Iredell County boundary	None	+724	
Tributary 1	At the confluence with Hunting Creek	None	+690	Unincorporated Areas of Davie County.
	Approximately 140 feet downstream of Godbey Road (State Road 1150).	None	+707	
Tributary 1A	At the confluence with Hunting Creek Tributary 1	None	+690	Unincorporated Areas of Davie County.
	Approximately 1,420 feet upstream of I-40 Highway W.	None	+701	
Tributary 2	At the confluence with Hunting Creek	None	+715	Unincorporated Areas of Davie County.
	Approximately 0.4 mile upstream of County Line Road (State Road 1338).	None	+752	
Tributary 3	At the confluence with Hunting Creek	None	+719	Unincorporated Areas of Davie County.
	Approximately 0.8 mile upstream of the confluence with Hunting Creek.	None	+731	
Leonard Creek	At the confluence with Dutchman Creek	None	+666	Unincorporated Areas of Davie County, Town of Mocksville.
	Approximately 1,610 feet upstream of the confluence of Leonard Creek Tributary 1.	None	+698	
Tributary 1	At the confluence with Leonard Creek	None	+689	Unincorporated Areas of Davie County, Town of Mocksville.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary 1A	Approximately 500 feet upstream of the confluence of Leonard Creek Tributary 1B.	None	+739	Unincorporated Areas of Davie County, Town of Mocksville.
	At the confluence with Leonard Creek Tributary 1	None	+701	
Little Bear Creek	Approximately 0.8 mile upstream of the confluence with Leonard Creek Tributary 1.	None	+725	Unincorporated Areas of Davie County.
	At the confluence with Bear Creek	None	+739	
Little Creek (North)	Approximately 700 feet downstream of Black Welder Road (State Road 1309).	None	+798	Unincorporated Areas of Davie County.
	At the confluence with South Yadkin River	None	+682	
Little Creek Tributary 1 ..	Approximately 100 feet upstream of the Davie/Iredell County boundary.	None	+799	Unincorporated Areas of Davie County.
	At the confluence with Little Creek (North)	None	+750	
Nelson Creek	Approximately 640 feet upstream of Crescent Drive (State Road 1157).	None	+760	Unincorporated Areas of Davie County, Town of Mocksville.
	At the confluence with Elisha Creek	None	+693	
Tributary 1	Approximately 0.5 mile upstream of the confluence of Nelson Creek Tributary 1.	None	+740	Town of Mocksville.
	At the confluence with Nelson Creek	None	+723	
Tributary 1A	Approximately 660 feet upstream of Park Avenue	None	+758	Town of Mocksville.
	At the confluence with Nelson Creek Tributary 1	None	+726	
No Creek	Approximately 1,260 feet upstream of the confluence with Nelson Creek Tributary 1.	None	+752	Unincorporated Areas of Davie County.
	At the confluence with Dutchman Creek	None	+661	
Noland Creek	Approximately 0.5 mile upstream of U.S. Highway 64	None	+689	Unincorporated Areas of Davie County.
	At the confluence with Dutchman Creek	None	+675	
Tributary 1	Approximately 1,430 feet upstream of McClamrock Road (State Road 1640).	None	+687	Unincorporated Areas of Davie County.
	At the confluence with Noland Creek	None	+676	
Peeler Creek	Approximately 0.4 mile upstream of McClamrock Road.	None	+695	Unincorporated Areas of Davie County.
	At the confluence with Cody Creek	None	+658	
Peoples Creek	Approximately 0.6 mile upstream of Will Boone Road (State Road 1802).	None	+696	Unincorporated Areas of Davie County.
	At the confluence with the Yadkin River	None	+684	
Reedy Creek	Approximately 1.5 miles upstream of Palomino Road	None	+770	Unincorporated Areas of Davie County.
	At the confluence with the Yadkin River	None	+653	
Sheek Creek	Approximately 400 feet downstream of Cherry Hill Road (State Road 1819).	None	+671	Unincorporated Areas of Davie County, Town of Bermuda Run.
	At the confluence with the Yadkin River	None	+702	
Smith Creek	Approximately 1,640 feet upstream of Double A Trail	None	+722	Unincorporated Areas of Davie County, Town of Bermuda Run.
	Approximately 1,000 feet upstream of Kingsmill Drive	+701	+700	
South Yadkin River	Approximately 1,510 feet upstream of I-40 Highway W.	None	+746	Unincorporated Areas of Davie County, Town of Cooleemee.
	At the confluence with Yadkin River	None	+648	
Tributary 1	Approximately 400 feet upstream of the Rowan/Davie/Iredell County boundary.	None	+698	Unincorporated Areas of Davie County.
	At the confluence with South Yadkin River	None	+656	
	Approximately 0.7 mile upstream of the confluence with South Yadkin River.	None	+669	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary 2	At the confluence with South Yadkin River	None	+656	Unincorporated Areas of Davie County.
	Approximately 2,000 feet upstream of the confluence of South Yadkin River Tributary 2B.	None	+656	
Tributary 2A	At the confluence with South Yadkin River Tributary 2	None	+656	Unincorporated Areas of Davie County.
	Approximately 1,590 feet downstream of Pine Ridge Road (State Road 1103).	None	+656	
Tributary 2B	At the confluence with South Yadkin River Tributary 2	None	+656	Unincorporated Areas of Davie County.
	Approximately 0.4 mile upstream of the confluence with South Yadkin River Tributary 2.	None	+660	
Tributary 3	At the confluence with South Yadkin River	None	+690	Unincorporated Areas of Davie County.
	Approximately 0.6 mile upstream of the confluence with South Yadkin River.	None	+691	
Tributary 4	At the confluence with South Yadkin River	None	+693	Unincorporated Areas of Davie County.
	Approximately 0.5 mile upstream of the confluence with South Yadkin River.	None	+695	
Steelman Creek	At the confluence with Dutchman Creek	None	+740	Unincorporated Areas of Davie County.
	Approximately 0.4 mile upstream of the confluence of Cain Mill Branch.	None	+769	
Sugar Creek	At the confluence with Cedar Creek	None	+681	Unincorporated Areas of Davie County.
	Approximately 370 feet upstream of Bobbit Road (State Road 1444).	None	+742	
Tributary 1	At the confluence with Sugar Creek	None	+729	Unincorporated Areas of Davie County.
	Approximately 80 feet downstream of Rainbow Road (State Road 1441).	None	+737	
Yadkin River	Approximately 1,200 feet downstream of the confluence of South Yadkin River.	None	+648	Unincorporated Areas of Davie County, Town of Bermuda Run.
	Approximately 1,500 feet upstream of the Forsyth/Davie/Yadkin County boundary.	None	+711	
Tributary 1	At the confluence with the Yadkin River	None	+678	Unincorporated Areas of Davie County.
	Approximately 780 feet upstream of Todd Road (State Road 1645).	None	+678	
Tributary 3	At the confluence with Yadkin River	+704	+695	Town of Bermuda Run.
	Approximately 450 feet upstream of Bridge Street	None	+703	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES

Town of Bermuda Run

Maps are available for inspection at Bermuda Run Town Hall, 169 Yadkins Valley Road, Suite 100, Advance, North Carolina.

Send comments to The Honorable John Ferguson, Mayor of the Town of Bermuda Run, 169 Yadkins Valley Road, Suite 100, Advance, North Carolina 27006.

Town of Cooleemee

Maps are available for inspection at Davie County Courthouse, 140 South Main Street, Mocksville, North Carolina.

Send comments to The Honorable John Chandler, Mayor of the Town of Cooleemee, P.O. Box 1080, Cooleemee, North Carolina 27014.

Town of Mocksville

Maps are available for inspection at Mocksville Town Hall, 171 Clement Street, Mocksville, North Carolina.

Send comments to The Honorable Francis Slate, Mayor of the Town of Mocksville, 171 Clement Street, Mocksville, North Carolina 27028.

Unincorporated Areas of Davie County

Maps are available for inspection at Davie County Development Services, 172 Clement Street, Mocksville, North Carolina.

Send comments to Mr. Terry Bralley, Davie County Manager, 172 Clement Street, Mocksville, North Carolina 27028.

Orange County, North Carolina, and Incorporated Areas

Dry Branch	At the confluence with New Hope Creek Tributary 1 ..	+285	+286	Town of Chapel Hill.
	Approximately 870 feet upstream of Silver Creek Trail	None	+397	

* National Geodetic Vertical Datum.

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

+ North American Vertical Datum.

Depth in feet above ground.

ADDRESSES

Town of Chapel Hill

Maps are available for inspection at Chapel Hill Town Hall, Stormwater Management Program Office, 209 North Columbia Street, Chapel Hill, North Carolina.

Send comments to The Honorable Kevin C. Foy, Mayor of the Town of Chapel Hill, 405 Martin Luther King Jr. Boulevard, Chapel Hill, North Carolina 27514.

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

Dated: July 26, 2007.

David I. Maurstad,

Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E7-15427 Filed 8-7-07; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

[MB Docket Nos. 06-121, 02-277, 04-228; MM Docket Nos. 01-235, 01-317, 00-244; FCC 07-136]

47 CFR Part 73

2006 Quadrennial Regulatory Review

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document seeks comment on various proposals to promote minority and female ownership in the media industry. It also addresses a motion to withdraw, revise, and republish the Commission's Further Notice of Proposed Rulemaking in its media ownership review.

DATES: The agency must receive comments on or before October 1, 2007 and reply comments on or before October 16, 2007.

ADDRESSES: Comments may be filed electronically using the Internet by accessing the Electronic Comment Filing System, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. 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, Express, and Priority mail should be addressed to 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: The Media Bureau contacts for this proceeding are Mania Baghdadi and Jamila Bess Johnson, both at (202) 418-7200. Press inquiries should be directed to Mary Diamond at (202) 418-2388.

SUPPLEMENTARY INFORMATION:

I. Introduction

1. The Commission has before it the "Motion for Withdrawal of the Further Notice of Proposed Rulemaking and for the Issuance of a Revised Further Notice" filed on August 23, 2006 (the "Motion for Withdrawal") by the Diversity and Competition Supporters (collectively, "MMTC"). MMTC states that the Commission's Further Notice of Proposed Rule Making (FNPRM) in the media ownership proceeding, 71 FR 45511, August 9, 2006, is flawed and should be withdrawn, revised, and republished. The FNPRM invited comment on the several media ownership rules adopted by the Commission in its *2002 Biennial Review Order*, 68 FR 46286, August 5, 2003, and the pending petitions for reconsideration of the *2002 Biennial Review Order*, and initiates the statutorily mandated 2006 quadrennial review of the Commission's media ownership rules. Specifically, MMTC asserts that the FNPRM is deficient because it fails to: (1) Identify and describe MMTC's minority ownership proposals remanded by the court in *Prometheus Radio Project, et al. v. FCC*, 373 F.3d 372 (3d Cir. 2004); (2) refer to or seek comment on a definition of a socially and economically disadvantaged business ("SDB"); and (3) identify section 257 of the Telecommunications Act of 1996 as a central legal basis for minority ownership relief. MMTC requests that the Commission restart the ownership proceeding.

2. The FNPRM sought comment on MMTC's various proposals, as well as on the general issue of fostering minority and female ownership. We urged commenters to explain the effects, if any, that their rule proposals would have on ownership of broadcast outlets by minorities, women and small businesses. Given the impact of these issues on our comprehensive ownership review, we believe it would be beneficial to issue this Second FNPRM to set forth in greater detail the proposals MMTC identified in its Motion for Withdrawal and to clarify the record as requested by MMTC. Thus, in this Second FNPRM, we seek comment on the proposals MMTC submitted in the 2002 biennial review proceeding, as they are described in Appendix A, as well as on the proposals submitted to the Commission by the Advisory Committee on Diversity for Communications in the Digital Age ("Diversity Committee"), which are also described in Appendix A and are set forth more fully in the Committee's recommendations to the Commission. See <http://www.fcc.gov/DiversityFAC/> for a full listing of Diversity Committee meetings, recommendations and white papers. In order to consider fully the issues raised by MMTC, as discussed further below, we consolidate our ongoing section 257 proceeding with this proceeding.

3. We find it unnecessary to adopt the specific approach suggested by MMTC that we rescind and reissue the FNPRM in its entirety. The approach we take, in conjunction with the initial FNPRM, provides ample notice to the commenting public on the specific issues germane to our media ownership review, including those raised by MMTC relating to ownership diversity.

II. Background

4. In comments filed in the Commission's 2002 biennial review proceeding, MMTC proposed numerous measures to promote minority broadcast ownership. In the subsequent *2002*