

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

Addresses:

Depth in feet above ground.

Fresno County (Unincorporated. Areas):

Maps are available for inspection at the Fresno County Department of Public Works and Planning, 2220 Tulare Street, Fresno, California 93721.

Send comments to The Honorable Bart Bohn, Fresno County Administrative Officer, County Hall of Records, Room 304, 2281 Tulare Street, Fresno, California 93721.

City of Fresno:

Maps are available for inspection at City Hall, 2600 Fresno Street, Room 3043, Fresno, California 93721.

Send comments to The Honorable Alan Autry, Mayor, City of Fresno, City Hall, 2600 Fresno Street, Fresno, California 93721-3600.

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

Dated: October 30, 2002.

Anthony S. Lowe,

Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 02-27968 Filed 11-1-02; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-D-7544]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations 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 base flood elevations 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 following table.

FOR FURTHER INFORMATION CONTACT:

Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations 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 base flood and modified base flood elevations, 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 Administrator, Federal Insurance and

Mitigation Administration, certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not 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 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:

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Alabama				
Montgomery County (Unincorporated Areas) and City of Montgomery				
Baldwin Slough	At the confluence with Catoma Creek	*182	*181	City of Montgomery.
	Approximately 600 feet upstream of Vaughn Road	None	*235	
Catoma Creek	Just upstream of Trotman Road	*214	*216	Montgomery County (Unincorporated Areas).
	Approximately 12.5 miles upstream of Trotman Road ..	None	*247	
Catoma Creek Tributary 1 ..	Approximately 550 feet downstream of the most downstream crossing of Troy Highway.	*203	*204	City of Montgomery, Montgomery County (Unincorporated Areas).
	Approximately 2.9 miles upstream of the most upstream crossing of Troy Highway.	None	*233	
Catoma Creek Tributary 1 Branch 1.	At the confluence with Catoma Creek Tributary 1	None	*206	City of Montgomery.
	Approximately 1.5 miles upstream of the confluence with Catoma Creek Tributary 1.	None	*223	
Catoma Creek Tributary 1 Branch 2.	At confluence with Catoma Creek Tributary 1	None	*208	City of Montgomery.
	Approximately 1.7 miles upstream of confluence with Catoma Creek Tributary 1.	None	*234	
Catoma Creek Tributary 1 and Branch 3.	At confluence with Catoma Creek Tributary 1	None	*212	City of Montgomery.
	Approximately 1.4 miles upstream of the confluence with Catoma Creek Tributary 1.	None	*235	
Dry Creek	Approximately 200 feet downstream of Troy Highway ..	None	*247	Montgomery County (Unincorporated Areas).
	Approximately 0.9 mile upstream of Canty Road	None	*271	
Jenkins Creek	Just upstream of CSX Transportation	None	*208	City of Montgomery, Montgomery County (Unincorporated Areas).
	Approximately 100 feet upstream of Vaughn Road	None	*222	
Little Catoma Creek	Approximately 1.25 miles upstream of Troy Highway ...	None	*220	Montgomery County (Unincorporated Areas).
	Just upstream of Old Hayneville Road	None	*268	
Little Catoma Creek Tributary 1.	Approximately 300 feet upstream from the confluence with Little Catoma Creek.	None	*220	Montgomery County (Unincorporated Areas).
	Approximately 50 feet upstream of Old Pike Road	None	*259	
Millies Creek	Just upstream of CSX Transportation	None	*215	Montgomery County (Unincorporated Areas), City of Montgomery.
	Approximately 50 feet upstream of Wallahatchie Road	None	*238	
Oliver Creek	Approximately 0.8 mile downstream of CSX Transportation.	*174	*173	City of Montgomery.
	Approximately 100 feet upstream of Interstate Route 85.	None	*237	

Montgomery County (Unincorporated Areas)

Maps available for inspection at the Montgomery County Engineering Department, 3152 Rolling Road Circle, Montgomery, Alabama.
Send comments to Mr. Bill Joseph, Chairman of the Montgomery County Commission, P.O. Box 1667, Montgomery, Alabama 36102.

City of Montgomery

Maps available for inspection at the Montgomery City Hall, 103 North Perry, Montgomery, Alabama.
Send comments to The Honorable Bobby Bright, Mayor of the City of Montgomery, City Hall, P.O. Box 1111, Montgomery, Alabama 36101.

Beaufort County, North Carolina (Unincorporated Areas)

Acre Swamp	At the confluence with Pungo Swamp	None	•20	Beaufort County (Unincorporated Areas)
	Approximately 0.6 mile upstream of confluence with Fork Swamp.	None	•28	
Back Creek	Approximately 1.9 miles upstream of State Route 92 ...	None	•9	Beaufort County (Unincorporated Areas).
	Approximately 3.0 miles upstream of State Route 92 ...	None	•10	
Bailey Creek	Approximately 1.1 mile upstream of State Route 306 ...	None	•9	Beaufort County (Unincorporated Areas).
	Approximately 150 feet upstream of railroad	None	•12	

Source of flooding	Location	# Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Blounts Creek	At the upstream side of the railroad	•16	•15	Beaufort County (Unincorporated Areas).
Broomfield Swamp Creek ..	Approximately 1.7 miles upstream of the railroad	None	•23	Beaufort County (Unincorporated Areas), Town of Aurora.
	Approximately 200 feet downstream of Broome Road ..	None	•7	
Cypress Run	Approximately 0.4 mile upstream of Broome Road	None	•11	Beaufort County (Unincorporated Areas).
	At the upstream side of Idalia Road	None	•10	
Duck Creek	Approximately 0.8 mile upstream of Idalia Road	None	•14	Beaufort County (Unincorporated Areas).
	Approximately 0.4 mile upstream of Hawkins Beach Road.	None	•9	
Durham Creek	Approximately 200 feet upstream of Camp Leach Road	None	•9	Beaufort County (Unincorporated Areas).
	Approximately 1.2 miles downstream of Durham Creek Road.	None	•8	
Durham Creek Tributary	Approximately 0.8 mile upstream of Walker Road	None	•37	Beaufort County (Unincorporated Areas).
	At the confluence with Durham Creek	None	•12	
Durham Creek Tributary 2	Approximately 50 feet downstream of Durham Creek Road.	•16	•15	Beaufort County (Unincorporated Areas).
	At the confluence with Durham Creek	None	•21	
Fork Swamp	Approximately 1,875 feet upstream of Fork Road	None	•27	Beaufort County (Unincorporated Areas).
	At the confluence with Acre Swamp	None	•28	
Gum Swamp Run East	Approximately 0.5 mile upstream of the railroad	None	•35	Beaufort County (Unincorporated Areas).
	Approximately 0.4 mile upstream of confluence with South Creek.	None	•7	
Harvey Creek	Approximately 100 feet downstream of Bay City Road	None	•9	Beaufort County (Unincorporated Areas).
	At the upstream side of Interstate Route 264	None	•19	
Herring Run	Approximately 1.0 mile upstream of Interstate Route 264.	None	•25	Beaufort County (Unincorporated Areas).
	Approximately 100 feet downstream of Herring Run Road.	None	•10	
Porter Creek	Approximately 1.0 mile upstream of Gore Point Road ..	None	•17	Beaufort County (Unincorporated Areas).
	Approximately 0.9 mile downstream of Loudon Road ...	None	•8	
Poundpole Swamp Branch	Approximately 100 feet downstream of Gray Road	None	•16	Beaufort County (Unincorporated Areas).
	At the confluence with Blounts Creek	None	•15	
Pungo Swamp	Approximately 0.6 mile upstream of Little Egypt Road	None	•33	Beaufort County (Unincorporated Areas).
	Approximately 0.5 mile upstream of Jones Bridge Road.	None	•12	
Rowland Creek	Approximately 100 feet upstream of State Route 32	None	•25	Beaufort County (Unincorporated Areas).
	Approximately 100 feet upstream of Post Road	None	•9	
South Creek	Approximately 2,000 feet upstream of Jackson Swamp Road.	None	•11	Beaufort County (Unincorporated Areas).
	Approximately 1,800 feet upstream of the confluence with Cypress Run.	None	•7	
Tankard Creek	Approximately 2.7 miles upstream of the confluence with Cypress Run.	None	•15	Beaufort County (Unincorporated Areas).
	Approximately 100 feet upstream of Boyd Loop Road ..	None	•13	
Upper Broad Creek	Approximately 1.2 miles upstream of Boyd Loop Road	None	•18	Beaufort County (Unincorporated Areas).
	At the confluence with Durham Creek	•27	•26	
Whitehurst Creek	At the County boundary	None	•31	Beaufort County (Unincorporated Areas).
	Approximately 0.9 mile upstream of State Route 306 ...	None	•7	
Pamlico River/Pamlico Sound/Ocean/Pamlico Sound.	Approximately 0.5 mile upstream of Brantely Swamp Road.	None	•11	Beaufort County (Unincorporated Areas).
	In the vicinity of the intersection of Austin Road and Cypress Swamp Road.	None	•7	
Atlantic Ocean/Pamlico Sound.	At the intersection of 9th Street and Boston Avenue	•9	•10	City of Washington.
	At the upstream side of State Route 33	None	•27	
Bear Creek	At the upstream side of State Route 33	None	•27	Beaufort County (Unincorporated Areas).

Source of flooding	Location	# Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Bear Grass Swamp	Approximately 650 feet downstream of Hodges Road ..	None	•35	Beaufort County (Unincorporated Areas).
	At the confluence with Tranters Creek	None	•31	
Beaverdam Swamp	Approximately 1,000 feet upstream of the confluence with Turkey Swamp.	None	•31	Beaufort County (Unincorporated Areas).
	Approximately 50 feet upstream of Slatestone Road	None	•37	
Big Swamp	Approximately 1.0 mile upstream of Slatestone Road ..	None	•46	Beaufort County (Unincorporated Areas).
	Approximately 50 feet upstream of Market Street Ext. ..	None	•31	
Broad Creek	Approximately 1,000 feet upstream of J and W Tram Road.	None	•44	Beaufort County (Unincorporated Areas).
	At Broad Creek Road	•9	•10	
Broad Creek Tributary	Approximately 1.3 miles upstream of Broad Creek Road.	•9	•10	Beaufort County (Unincorporated Areas).
	At the upstream side of Lizard Slip Road	•14	•15	
Chicod Creek	Approximately 1.4 miles upstream of Old Bath Highway.	•28	•31	Beaufort County (Unincorporated Areas).
	Approximately 0.9 mile downstream of Dixon Road	None	•31	
Chocowinity Creek	At the confluence of Juniper Swamp	None	•43	Beaufort County (Unincorporated Areas).
	Approximately 450 feet downstream of the confluence of Morris Run.	None	•22	
Cindy Edwards Branch	Approximately 3.7 miles upstream of the confluence of Morris Run.	None	•40	Beaufort County (Unincorporated Areas).
	At the upstream side of State Route 33	None	•17	
Creeping Swamp	Approximately 1.0 mile upstream of State Route 33	None	•24	Beaufort County (Unincorporated Areas).
	Approximately 0.7 mile downstream of State Route 102.	None	•34	
Gum Swamp	At the County boundary	None	•48	Beaufort County (Unincorporated Areas).
	At the upstream side of U.S. Interstate 17	None	•38	
Gum Swamp Run West	Approximately 650 feet downstream of County boundary.	None	•42	Beaufort County (Unincorporated Areas).
	Approximately 300 feet upstream of the confluence with Morris Run.	None	•26	
Hall Swamp	Approximately 1.5 miles upstream of the confluence with Morris Run.	None	•32	Beaufort County (Unincorporated Areas).
	Approximately 50 feet upstream of Slatestone Road	None	•37	
Harding Swamp	Approximately 150 feet downstream of Bluebird Lane ..	None	•39	Beaufort County (Unincorporated Areas).
	At the confluence with Juniper Swamp	None	•43	
Hills Creek	Approximately 0.7 mile upstream of the confluence of Juniper Swamp.	None	•47	Beaufort County (Unincorporated Areas).
	At the downstream side of Gilead Shores Road	None	•10	
Horse Branch	Approximately 0.8 mile upstream of Gilead Shores Road.	None	•13	Beaufort County (Unincorporated Areas).
	At the confluence with White Branch	None	•14	
Horsepen Swamp	At Gray Road	None	•18	Beaufort County (Unincorporated Areas).
	At the confluence with Tranters Creek	None	•16	
Joe Branch	Approximately 1.4 miles upstream of Wards Bridge Road.	None	•40	Beaufort County (Unincorporated Areas).
	At the upstream side of Possum Track Road	None	•43	
Maple Branch	Approximately 1,500 feet upstream of Possum Track Road.	None	•45	Beaufort County (Unincorporated Areas), City of Washington.
	At the upstream side of U.S. Highway 264	•14	•11	
	Approximately 0.6 mile upstream of Farm Path	None	•21	

Source of flooding	Location	# Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Mitchell Branch	At U.S. Highway 264	•12	•14	Beaufort County (Unincorporated Areas), City of Washington.
Morris Run	Approximately 160 feet upstream of Cherry Run Road At the confluence with Chocowinity Creek	None None	•21 •22	Beaufort County (Unincorporated Areas).
Old Ford Swamp	Approximately 1.8 miles upstream of State Route 33 ... Approximately 1,250 feet downstream of Calf Branch Road.	None •25	•32 •26	Beaufort County (Unincorporated Areas).
Pinelog Branch	Approximately 0.7 mile upstream of Calf Branch Road At the confluence with Tranter's Creek	None None	•36 •29	Beaufort County (Unincorporated Areas).
Pineygrove Branch	Approximately 0.8 mile upstream of Cherry Run Road Approximately 100 feet upstream of Corsica Road	None None	•30 •27	Beaufort County (Unincorporated Areas), City of Washington.
Snoad Branch	Approximately 2,000 feet upstream of Singleton Road Approximately 600 feet downstream of Voa Road	None •18	•33 •19	Beaufort County (Unincorporated Areas).
Tranter's Creek	Approximately 1.4 miles upstream of Voa Road	None	•33	Beaufort County (Unincorporated Areas).
	Approximately 1,600 feet upstream of the confluence with Maple Branch.	None	•11	
White Branch	At the confluence of Bear Grass Swamp	None	•31	Beaufort County (Unincorporated Areas).
	At the confluence with Chocowinity Creek	•11	•12	
	At the downstream side of Gray Road	None	•16	

•North American Vertical Datum.

Town of Aurora

Maps available for inspection at the Aurora Town Hall, 295 Main Street, Aurora, North Carolina.

Send comments to The Honorable Joe Hooker, Mayor of the Town of Aurora, P.O. Box 86, Aurora, North Carolina 27806.

Beaufort County (Unincorporated Areas)

Maps available for inspection at the Beaufort County Building Inspection, 220 North Market Street, Washington, North Carolina.

Send comments to Mr. Donald Davenport, Beaufort County Manager, P.O. Box 1027, Washington, North Carolina 27889.

City of Washington

Maps available for inspection at the City of Washington Building Inspection Department, 102 East Second Street, North Carolina.

Send comments to Mr. R.L. Willoughby, Washington City Manager, P.O. Box 1988, Washington, North Carolina 27889.

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

Dated: October 30, 2002.

Anthony S. Lowe,

Administrator, Federal Insurance and Mitigation Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. I.D. 083002E]

RIN 0648-AP86

International Fisheries; Pacific Tuna Fisheries

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

ACTION: Proposed rule; 2002 management measures for yellowfin and juvenile bigeye tuna; request for comments.

SUMMARY: NMFS proposes this rule to implement the 2002 management measures to prevent overfishing of eastern tropical Pacific ocean (ETP) tuna stocks, pursuant to recommendations by the Inter-American Tropical Tuna Commission (IATTC) that have been approved by the Department of State (DOS) under the terms of the Tuna Conventions Act. The purse seine fishery for tuna in the Convention Area would be closed for the month of December, 2002. This action is taken to limit total fishing mortality caused by purse seine fishing in the Convention Area and thus prevent overfishing and maintain the tuna stocks at levels that support healthy fisheries. In addition, the current bycatch reduction pilot program scheduled to run through 2002 would be extended through 2004.