

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona: Maricopa	City of Phoenix	December 22, 1998, December 29, 1998, <i>Arizona Republic</i> .	The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, Arizona 85003-1611.	November 19, 1998.	040051
Pima	Unincorporated Areas.	December 15, 1998, December 22, 1998, <i>Arizona Daily Star</i> .	The Honorable Mike Boyd, Pima County Board of Supervisors, 130 West Congress, Fifth Floor, Tucson, Arizona 85701.	November 20, 1998.	040073
California: Santa Clara.	City of Gilroy	December 11, 1998, December 18, 1998, <i>Gilroy Dispatch</i> .	The Honorable K. A. Mike Gilroy, Mayor, City of Gilroy, 7351 Rosanna Street, Gilroy, California 95020.	November 10, 1998.	060340
Colorado: Gilpin	City of Black Hawk	December 11, 1998, December 18, 1998, <i>Weekly Register Call</i> .	The Honorable Kathryn Ecker, Mayor, City of Black Hawk, P. O. Box 17, Black Hawk, Colorado 80422.	November 9, 1998	080076
El Paso	Unincorporated Areas.	December 10, 1998, December 17, 1998, <i>The Tribune</i> .	The Honorable Charles C. Brown, Chairman, El Paso County Board of Commissioners, 27 East Vermijo Avenue, Third Floor, Colorado Springs, Colorado 80903-2208.	November 9, 1998	080059
Jefferson	Unincorporated Area.	December 16, 1998, December 23, 1998, <i>Columbine County Courier</i> .	The Honorable Michelle, Chairperson, Jefferson County, Board of Commissioners, 100 Jefferson County Parkway, Suite 5550, Golden, Colorado 80419.	December 3, 1998	080087
Missouri: Jackson	City of Raytown	December 23, 1998, December 30, 1998, <i>Raytown Post</i> .	The Honorable Jack R. Nesbitt, Mayor, City of Raytown, 10000 East 59th Street, Raytown, Missouri 64133.	March 30, 1999	290176
Nevada: Clark	City of Las Vegas	December 22, 1998, December 29, 1998, <i>Las Vegas Review Journal</i> .	The Honorable Jan Laverty Jones, Mayor, City of Las Vegas, 400 East Stewart Avenue, Las Vegas, Nevada 89101-2986.	November 30, 1998.	325276
Texas: Bexar	City of Alamo Heights.	December 10, 1998, December 17, 1998, <i>North San Antonio Times</i> .	The Honorable Robert Biechlin, Mayor, City of Alamo Heights, 6116 Broadway, San Antonio, Texas 78209.	March 17, 1999	480036
Dallas	City of Irving	December 17, 1998, December 24, 1998, <i>Irving News</i> .	The Honorable Morris H. Parrish, Mayor, City of Irving, P. O. Box 152288, Irving, Texas 75015-2288.	November 20, 1998.	480180
Bell	City of Killeen	December 22, 1998, December 29, 1998, <i>Killeen Daily Herald</i> .	The Honorable Fred Latham, Mayor, City of Killeen, P. O. Box 1329, Killeen, Texas 76540.	November 20, 1998.	480031
Bexar	City of San Antonio.	December 10, 1998, December 17, 1998, <i>North San Antonio Times</i> .	The Honorable Howard W. Peak, Mayor, City of San Antonio, P. O. Box 839966, San Antonio, Texas 78283-3966.	March 17, 1999	480045

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

Dated: February 6, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-3535 Filed 2-11-99; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each 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).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM)

showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the FIRM is available for inspection as indicated in the table below.

ADDRESSES: The final 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 table below.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 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 makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR Part 67.

FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR Part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act

This 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 Associate Director for Mitigation certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final 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. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This final 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 rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This 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 amended to read 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.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
ALASKA	
Homer (City), Kenai Peninsula Borough (FEMA Docket No. 7250)	
<i>Kachemak Bay:</i>	
At the northern end of Kachemak Bay Drive	*14
Near Coal Point	*22
Near the intersection of Lake Street and Ocean Drive	*28
Maps are available for inspection at the City of Homer City Hall, Homer, Alaska.	
To convert from NGVD to mean Lower Low Water (MLLW), subtract 9.7 feet.	
CALIFORNIA	
Palo Alto (City), Santa Clara County (FEMA Docket No. 7246)	
<i>Shallow Flooding:</i>	
At the intersection of Channing Avenue and Wildwood Lane	*10
At the intersection of Palo Alto Avenue and Chaucer Street	*40
At the intersection of Palo Alto Avenue and Byron Street	*56

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
Maps are available for inspection at the City of Palo Alto Public Works Department, 250 Hamilton Avenue, Sixth Floor, Palo Alto, California.	
San Diego (City), San Diego County (FEMA Docket No. 7258)	
<i>Alvarado Creek:</i>	
At confluence with San Diego River	*66
Approximately 2,850 feet upstream of Alvarado Road ..	*379
Maps are available for inspection at Engineering and Capital Projects, 1010 Second Avenue, Suite 1200, San Diego, California.	
Shasta County (Unincorporated Areas) (FEMA Docket No. 7246)	
<i>Churn Creek North Branch:</i>	
Approximately 3,100 feet upstream of Shasta Dam Boulevard	*992
Approximately 3,750 feet upstream of Shasta Dam Boulevard	*1,043
<i>Churn Creek South Branch:</i>	
Just downstream of Southern Pacific Railroad	*750
Just upstream of Southern Pacific Railroad	*750
<i>Little Churn Creek:</i>	
Approximately 2,700 feet upstream of Lake Boulevard	*864
Approximately 3,150 feet upstream of Lake Boulevard	*871
<i>Rich Gulch Creek:</i>	
Approximately 600 feet upstream of Southern Pacific Railroad	*912
Approximately 1,000 feet upstream of Southern Pacific Railroad	*921
<i>Nelson Creek:</i>	
Approximately 950 feet upstream of Flanagans Road	*865
Approximately 1,600 feet upstream of Flanagans Road	*889
<i>Salt Creek (Upper Reach):</i>	
Approximately 800 feet downstream of Southern Pacific Railroad	*835
Just upstream of Southern Pacific Railroad	*889
<i>Moody Creek:</i>	
Approximately 750 feet downstream of Moody Creek Drive	*660

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
Just downstream of Cascade Boulevard	*768	<i>Rich Gulch Creek:</i> Approximately 170 feet upstream of Lake Boulevard	*832	Approximately at Highway 112 (8,500 feet above unnamed walk bridge)	*68
Approximately 9,150 feet upstream of Cascade Boulevard	*868	Approximately 2,550 feet upstream of Lake Boulevard	*907	Approximately at the walk bridge	*69
<i>Rancheria Creek:</i> Approximately 850 feet downstream of Southern Pacific Railroad	*895	<i>Salt Creek:</i> Approximately 4,100 feet downstream of Twin View Boulevard	*647	Maps are available for inspection at 1302 Weemes, LeCompte, Louisiana.	
Just upstream of Southern Pacific Railroad	*992	Just downstream of Shasta Dam Boulevard	*755	Rapides Parish (Unincorporated Areas) (FEMA Docket No. 7254)	
<i>Rancheria Creek North Branch:</i> Approximately 2,600 feet upstream of confluence with Rancheria Creek	*841	Approximately 1,200 feet upstream of Black Canyon Road	*835	<i>Bayou Boeuf:</i> Approximately at Highway 112 (8,500 feet above unnamed walk bridge)	*68
Approximately 6,400 feet upstream of confluence with Rancheria Creek None	*872	<i>Salt Creek North Branch:</i> Approximately 650 feet downstream of Deer Creek Road	*736	Approximately at the walk bridge at the corporate limits	*69
Maps are available for inspection at 1855 Placer Street, Room 206, Redding, California		Just downstream of Southern Pacific Railroad	*835	Maps are available for inspection at 5610 East Coliseum Boulevard, Alexandria, Louisiana.	
Shasta Lake County (City), Shasta County (FEMA Docket No. 7246)		Just upstream of Shop Road	*941	MISSOURI	
<i>Churn Creek:</i> Approximately 8,200 feet downstream of Ashby Road	*663	<i>Salt Creek South Branch:</i> Approximately 300 feet downstream of Deer Creek Boulevard	*680	Alexandria (City), Clark County (FEMA Docket No. 7258)	
Just upstream of Hill Street ..	*811	Approximately 2,400 feet upstream of Smith Avenue ...	*735	<i>Mississippi River:</i> At intersection of Tilford and Pecan	*492
Approximately 900 feet upstream of wooden foot-bridge	*1,119	<i>Moody Creek:</i> Approximately 1,550 feet upstream of Moody Creek Road	*674	At intersection of Walnut and Washington	*492
<i>Churn Creek North Branch:</i> Approximately 850 feet downstream of Coeur d'Alene Avenue	*710	At confluence with Rancheria Creek	*810	Maps are available for inspection at the City of Alexandria Planning Department, 505 Jackson, Alexandria, Missouri.	
Just upstream of Southern Pacific Railroad	*793	Approximately 4,200 feet upstream of confluence with Rancheria Creek	*856	Warren County (Unincorporated Areas) (FEMA Docket No. 7270)	
Approximately 2,900 feet upstream of Shasta Dam Boulevard	*786	<i>Rancheria Creek:</i> Approximately 250 feet upstream of confluence with Moody Creek	*813	<i>Peruque Creek:</i> Approximately 6,200 feet downstream of Stringtown Road	*644
<i>Churn Creek South Branch:</i> Approximately 3,600 feet downstream of Shasta Gateway Drive	*683	Approximately 6,000 feet upstream of confluence with Moody Creek	*890	Approximately 1,885 feet upstream of Stringtown Road	*672
Approximately 450 feet upstream of Phoenix Spa Road	*745	<i>Rancheria Creek North Branch:</i> Approximately 100 feet upstream of confluence with Rancheria Creek	*815	Maps are available for inspection at the Warren County Plans and Zoning Department, 105 South Market, Warrenton, Missouri.	
<i>Nelson Creek:</i> Approximately 1,650 feet downstream of Southern Pacific Railroad	*734	Approximately 5,850 feet upstream of confluence with Rancheria Creek None	*867	NEVADA	
Just upstream of Southern Pacific Railroad	*776	Maps are available for inspection at the City of Shasta Lake Planning Division, 1650 Stanton Drive, Shasta Lake, California.		West Wendover (City), Elko County (FEMA Docket No. 7258)	
Approximately 950 feet upstream of Flanagan's Road	*865	LOUISIANA		<i>Shallow Flooding:</i>	
<i>Little Churn Creek:</i> Just upstream of Lake Boulevard	*815	LeCompte (Town), Rapides Parish (FEMA Docket No. 7254)			
Approximately 2,300 feet upstream of Lake Boulevard	*859	<i>Bayou Boeuf:</i>			

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
Along Wendover Boulevard, approximately 5,500 feet northwest of the intersection of Wendover Boulevard and State Highway 93A	(1) #1	At confluence with East Tributary to the Heart River At U.S. Highway 10	*2,394 *2,432	At Willamette Highway Bridge	*1,162
Along Wendover Boulevard, approximately 2,000 feet northwest of the intersection of Wendover Boulevard and State Highway 93A	(1) #1	<i>Tributary B to East Tributary to the Heart River:</i> At confluence with East Tributary to the Heart River At 21st Street East	*2,444 *2,478	South of south levee at railroad spur	*1,195
Approximately 500 feet east of the intersection of Wendover Boulevard and State Highway 93A	(1) *4,327	Maps are available for inspection at the City of Dickinson Public Works Department, 615 West Broadway, Dickinson, North Dakota.		South of south levee at Salmon Creek Road	#1
Approximately 2,500 feet north of Interstate Highway 80, along the Nevada/Utah State line	(1) #2	OREGON		TEXAS	
Approximately 500 feet southeast of the intersection of State Highway 93A and the Union Pacific Railroad	(1) #1	Clatsop County (Unincorporated Areas) (FEMA Docket No. 7258) <i>Neacoxie Creek:</i> Approximately 70 feet downstream of Golf Course Road	*14	Austin County (and Incorporated Areas) (FEMA Docket No. 7258) <i>Allens Creek:</i> Approximately 2,825 feet downstream of Atchison, Topeka, and Santa Fe Railroad bridge	*157
Just north of State Highway 93A, approximately 5,000 feet southwest of the intersection of State Highway 93A and the Union Pacific Railroad	(1) #3	870 feet upstream of Surf Pines Road	*20	Approximately 1,870 feet downstream of Atchison, Topeka, and Santa Fe Railroad bridge	*159
Maps are available for inspection at 801 Alpine Street, West Wendover, Nevada.		Maps are available for inspection at the Clatsop County Planning Department, 800 Exchange, Suite 100, Astoria, Oregon.		Approximately 1,300 feet upstream of U.S. Route 90 ...	*179
NORTH DAKOTA		Florence (City), Lane County (FEMA Docket No. 7254) <i>Siuslaw River:</i> At confluence of Munsel Creek	*10	Approximately 1,690 feet downstream of Atchison, Topeka, and Santa Fe Railroad bridge	*160
Dickinson (City), Stark County (FEMA Docket No. 7254) <i>Heart River:</i> Approximately 1,000 feet downstream of Ninth Avenue Southeast bridge	*2,381	At U.S. Highway 101 bridge	*10	Approximately 530 feet downstream of Atchison, Topeka, and Santa Fe Railroad bridge	*161
Approximately 1,000 feet upstream of Ninth Avenue Southeast bridge	*2,383	Maps are available for inspection at the City of Florence Planning Department, 250 Highway 101, Florence, Oregon.		Approximately 1,300 feet upstream of U.S. Route 90 ...	*179
Just downstream of Dickinson Dam	*2,397	Gearhart (City), Clatsop County (FEMA Docket No. 7258) <i>Neacoxie Creek:</i> Approximately 70 feet downstream of G Street	*11	Approximately 3,000 feet downstream of Atchison, Topeka, and Santa Fe Railroad bridge	*158
<i>Dickinson Drainage Ditch:</i> Approximately 500 feet downstream of Burlington Northern Railroad	*2,397	Approximately 50 feet upstream of Golf Course Road	*17	Just upstream of U.S. Route 10	*172
Just upstream of Interstate Highway 94	*2,448	Maps are available for inspection at the City of Gearhart City Hall, 698 Pacific Way, Gearhart, Oregon.		Approximately 1,300 feet upstream of U.S. Route 90 ...	*179
At 21st Street West	*2,456	Lane County (and Incorporated Areas) (FEMA Docket No. 7254) <i>Salmon Creek:</i>		Maps are available for inspection at the City of Sealy Public Works Department, 415 Main Street, Sealy, Texas.	
<i>East Tributary to the Heart River:</i> At confluence with the Heart River	*2,363			Maps are available for inspection at the Austin County Courthouse, 1 East Main Street, Bellville, Texas.	
At Tenth Avenue East	*2,474			WASHINGTON	
<i>Tributary A to East Tributary to the Heart River:</i>				Ferry County (Unincorporated Areas) (FEMA Docket No. 7258) <i>Kettle River:</i>	

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
Approximately 475 feet downstream of confluence with Cottonwood Creek	*1,789
Approximately 600 feet upstream of confluence with unnamed tributary	*1,794
Approximately 1,100 feet downstream of confluence with Emanuel Creek	*1,798
Maps are available for inspection at the Ferry County Planning Department, 146 North Clark, Suite 7, Republic, Washington.	
Thurston County (Unincorporated Areas) (FEMA Docket No. 7258)	
<i>Yelm Creek:</i>	
4,300 feet upstream from the intersection of Crystal Spring and Canal Roads ...	*302
2,500 feet west of Clark Road	*302
At the junction of State Highway 507	*344
1,003 feet upstream of Bald Hill Road	*348
Maps are available for inspection at Thurston County Development Services, 2000 Lakeridge Drive, Southwest, Building 1, Olympia, Washington.	
Yelm (City), Thurston County (FEMA Docket No. 7258)	
<i>Yelm Creek:</i>	
Approximately 4,125 feet downstream of Crystal Springs Road	*302
Approximately 175 feet downstream of the Burlington Northern Railroad ..	*331
Approximately 2,400 feet upstream of 103rd Avenue ...	*343
Maps are available for inspection at the City of Yelm Planning Department 105 Yelm Avenue West, Yelm, Washington.	

¹ None.

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

Dated: February 6, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-3533 Filed 2-11-99; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[CS Docket No. 98-201; FCC 99-14]

Satellite Delivery of Broadcast Network Signals under the Satellite Home Viewer Act

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In response to petitions for rulemaking filed by the National Rural Telecommunications Cooperative (NRTC) and EchoStar Communications Corporation (EchoStar) in connection with the Satellite Home Viewer Act, this Report and Order amends the Commission's rules to provide a procedure for measuring television signal strength at an individual location, such as a household. The Report and Order also endorses a model to predict signal intensity at individual households. The intended effect is to better identify those households that are "unserved," for purposes of the SHVA.

EFFECTIVE DATE: February 12, 1999.

FOR FURTHER INFORMATION CONTACT: Donnie Fowler at (202) 418-7200 or via internet at dfowler@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, FCC 99-14, CS Docket No. 98-201, adopted February 1, 1999 and released February 2, 1999. The full text of this Notice is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, Washington, DC 20554, or may be purchased from the Commission's copy contractor, International Transcription Service ("ITS"), (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036, or may be reviewed via internet at <http://www.fcc.gov/Bureaus/Cable/News_Releases/1999/nrcb8022.html>. For copies in alternative formats, such as braille, audio cassette or large print, please contact Sheila Ray at ITS.

Paperwork Reduction Act

The requirements adopted in this Report and Order have been analyzed with respect to the Paperwork Reduction Act of 1995 (the "1995 Act") and found to impose new or modified information collection requirements on the public. The Commission has requested Office of Management and Budget ("OMB") approval, under the emergency processing provisions of the 1995 Act (5 CFR 1320.13), of the information collection requirements contained in this Report and Order.

OMB Approval Number: 3060-0863.

Title: Satellite Delivery of Network Signals to Unserved Households for Purposes of the Satellite Home Viewer Act.

Type of Review: Revision of a currently approved collection.

Respondents: Business and other for-profit entities.

Annual Number of Respondents: 848.

Estimated Time Per Response: 30 minutes.

Frequency of Response: On occasion.

Total Annual Burden to Respondents: 125,000 hours.

Total Annual Cost to Respondents: \$12,500.

Needs and Uses: The information gathered as part of Grade B signal strength tests will be used to indicate whether consumers are "unserved" by over-the-air network signals. The written records of test results will be made after testing and predicting the strength of a television station's signal. Parties impacted by the test results will be consumers; parties using the written test results will primarily be the satellite and broadcasting industries.

Title: Satellite Delivery of Network Signals to Unserved Households for Purposes of the Satellite Home Viewer Act.

Synopsis of Report and Order

Introductory Background

1. In this proceeding, we address an issue involving the television broadcast industry, the direct-to-home satellite industry, and consumers who subscribe to satellite carriers for their video programming. Over nine million households subscribe to satellite carriers, and roughly one third of these subscribers pay an additional subscription fee to receive broadcast network programming via satellite. Broadcasters contend that many of these broadcast network subscribers, as well as many potential subscribers, are not eligible under the 1988 Satellite Home Viewer Act ("SHVA") to receive such programming using their home satellite service.

2. The broadcast television industry has the right, through the Copyright Act and private contracts, to control the distribution of the national and local programming that it transmits. In 1988, Congress adopted the SHVA as an amendment to the Copyright Act in order to protect the broadcasters' interests while simultaneously enabling satellite carriers to provide broadcast programming to those satellite subscribers who are unable to obtain broadcast network programming over-the-air. (17 U.S.C. 119 (1998), the SHVA