

**XII. Executive Order 13084**

*What is Executive Order 13084 and Is It Applicable to this Proposed Rule?*

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

This proposed rule does not significantly or uniquely affect the communities of Indian tribal governments because it does not significantly or uniquely affect their communities. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: February 9, 1999.

**Timothy Fields, Jr.,**

*Acting Assistant Administrator, Office of Solid Waste and Emergency Response.*

[FR Doc. 99-3661 Filed 2-12-99; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL EMERGENCY MANAGEMENT AGENCY****44 CFR Part 67**

[Docket No. FEMA-7274]

**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 and modified 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, 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 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 Associate Director for Mitigation 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. No regulatory flexibility analysis has 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

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	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
Arizona .....	Maricopa County and Incorporated Areas.	Mockingbird Wash .....	Just upstream of U.S. Highway 60/89 .....	* 1,996	* 1,994
			Approximately 3,610 feet upstream of U.S. Highway 60/89.	* 2,071	* 2,070
			Approximately 10,450 feet upstream of U.S. Highway 60/89.	None	* 2,256
			Approximately 2,200 feet downstream of Verde Lane.	* 1,004	* 1,004
			Approximately 300 feet upstream of Indian School Road.	None	* 1,024
		Arrow Wash .....	Just upstream of confluence with Ashbrook Wash.	None	* 1,631
			Approximately 170 feet upstream of Cavern Drive.	None	* 1,808
		Ashbrook Wash .....	Approximately 700 feet downstream of El Pueblo.	None	* 1,509
			Approximately 3,000 feet upstream of Golden Eagle Boulevard.	None	* 1,988
		Balboa Wash .....	Just upstream of confluence with Ashbrook Wash.	None	* 1,557
			Just downstream of confluence with Hesperus Wash.	None	* 1,724
		Caliente Wash .....	Approximately 340 feet downstream of El Pueblo Boulevard.	None	* 1,530
			Approximately 110 feet upstream of McDowell Mountain Road.	None	* 1,660
		Cereus Wash .....	Approximately 800 feet downstream of Shea Boulevard.	None	* 1,527
			Approximately 110 feet upstream of McDowell Mountain Road.	None	* 1,763
		Chukar Wash .....	Just upstream of confluence with Cereus Wash.	None	* 1,640
			Approximately 1,340 feet upstream of Cereus Wash.	None	* 1,671
		Colony Wash .....	Approximately 1,900 feet downstream of Panorama Drive.	None	* 1,519
			Just downstream of Sycamore Drive .....	None	* 1,697
		Cyprus Point Wash .....	Approximately 900 feet downstream of Saguaro Boulevard.	None	* 1,504
			Approximately 950 feet upstream of DeMaret Drive.	None	* 1,581
		Emerald Wash .....	Approximately 500 feet downstream of Saguaro Boulevard.	None	* 1,508
			Approximately 700 feet upstream of Fountain Hills Boulevard.	None	* 1,708
Escalante Wash .....	Approximately 220 feet downstream of Escalante Drive.	None	* 1,516		
	Approximately 60 feet upstream of McDowell Mountain Road.	None	* 1,554		
Fountain Channel .....	Just upstream of confluence with Colony Wash.	None	* 1,561		
	Approximately 1,450 feet upstream of El Lago Drive.	None	* 1,587		
Greystone Wash .....	Just upstream of Sycamore Drive .....	None	* 1,702		
	Approximately 1,650 feet upstream of Sycamore Drive.	None	* 1,764		
Hesperus Wash .....	Just upstream of confluence with Balboa Wash.	None	* 1,724		
	Approximately 4,000 feet upstream of Richwood Avenue.	None	* 1,914		
Jacklin Wash .....	Approximately 300 feet downstream of Indian Wells Drive.	None	* 1,498		

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Kingstree Wash .....	Approximately 3,420 feet upstream of Jacklin Drive. Just upstream of confluence with Jacklin Wash.	None	*1,614 *1,522
		Laser Drain .....	Approximately 1,550 feet upstream of Inca Avenue. Just upstream of confluence with Cereus Wash.	None	*1,625 *1,545
		Legend Wash .....	Approximately 200 feet upstream of Firebrick Drive. Just upstream of confluence with Ashbrook Wash.	None	*1,561 *1,587
		Logan Wash .....	Just downstream of confluence with Tulip Wash. Just upstream of confluence with Cereus Wash.	None	*1,677 *1,618
		Malta Drain .....	Approximately 3,330 feet upstream of Cereus Wash. Just upstream of confluence with Emerald Wash.	None	*1,687 *1,510
		Magnum Wash .....	Approximately 1,970 feet upstream of Quinto Drive. Just upstream of confluence with Jacklin Wash.	None	*1,616 *1,537
		North Colony Wash .....	Approximately 1,100 feet upstream of Jacklin Wash. Just upstream of confluence with Colony Wash.	None	*1,568 *1,601
		Oxford Wash .....	Approximately 500 feet upstream of Thistle Drive. Just upstream of confluence with Balboa Wash.	None	*1,747 *1,610
		Powder Wash .....	Approximately 400 feet upstream of Glenbrook Boulevard. Approximately 480 feet downstream of Leo Drive.	None	*1,719 *1,572
		Sunburst Wash .....	Approximately 960 feet upstream of Powderhorn Drive. Just upstream of confluence with Colony Wash.	None	*1,677 *1,697
		Sycamore Wash .....	Approximately 690 feet upstream of Sycamore Drive. Just upstream of Sycamore Drive .....	None	*1,733 *1,702
		Tulip Wash .....	Approximately 2,100 feet upstream of Sycamore Drive. Just upstream of confluence with Legend Wash.	None	*1,745 *1,677
		Amir Wash .....	Approximately 540 feet upstream of Glenbrook Boulevard. Approximately 1,500 feet upstream of U.S. Highway 89/Tegner Street.	None	*1,719 *2,112
		Blue Tank Wash .....	At Vulture Mines Road .....	None	*2,234
			Approximately 2,900 feet upstream of Vulture Mines Road.	None	*2,264
		Calamity Wash .....	Just upstream of Jack Burden Road .....	None	*2,076
			Approximately 4,450 feet upstream of Jack Burden Road.	None	*2,176
		Cemetery Wash .....	Approximately 150 feet downstream of Wickenburg Way. Approximately 10,900 feet upstream of Wickenburg Way.	None	*2,022 *2,332
			Approximately 800 feet downstream of AT & SF Railroad.	*2,021	*2,021
			Just upstream of AT & SF Railroad .....	*2,034	*2,036
			Approximately 1,700 feet upstream of Kellis Road.	*2,163	*2,162
			Approximately 4,900 feet upstream of Vulture Peak Road.	None	*2,532
		Cemetery Wash Tributary R1.	Just upstream of confluence with Cemetery Wash.	None	*2,249

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Cemetery Wash Tributary R2.	Approximately 12,570 feet upstream of confluence with Cemetery Wash. Just upstream of confluence with Cemetery Wash.	None	*2,501
		Cemetery Wash Tributary R3.	Approximately 8,100 feet upstream of Vulture Peak Road. Just upstream of confluence with Cemetery Wash.	None	*2,294
		Deadman Wash .....	Approximately 1,000 feet upstream of Vulture Peak Road. Approximately 2,000 feet upstream of confluence with New River.	None	*2,525
		Deadman Wash Stream No. 4.	Approximately 14,630 feet upstream of Black Canyon Highway. Just upstream of confluence with Deadman Wash.	None	*2,446
		Deadman Wash Stream No. 7.	Just downstream of 29th Avenue .....	None	*2,525
		Deadman Wash Stream No. 12.	At confluence with Deadman Wash .....	None	1,490
		Flying "E" Wash .....	Approximately 5,150 feet upstream of confluence with Deadman Wash. Approximately 3,700 feet downstream of Carefree Highway. Approximately 3,450 feet upstream of Carefree Highway.	None	*1,894
		Hartman Wash .....	At confluence with Sols Wash .....	None	*1,736
		Unnamed Tributary to Hartman Wash.	Approximately 1,000 feet downstream of Whipple Street (U.S. Highway 60). Approximately 2,400 feet upstream of Whipple Street (U.S. Highway 60). Approximately 9,850 feet upstream of confluence with Holly Wash.	None	*1,786
		Holly Wash .....	At confluence with Sols Wash .....	None	*1,786
		Iona Wash .....	Approximately 18,000 feet upstream of AT & SF Railroad. Approximately 20,940 feet upstream of Old Highway 60.	None	*1,733
		Little San Domingo Wash	Just upstream of confluence with Hartman Wash.	None	*1,782
		Monarch Wash .....	Approximately 1,630 feet upstream of confluence with Hartman Wash.	None	*1,782
		Ox Wash .....	Approximately 1,930 feet downstream of Deer Valley Road. At Lone Mountain Road .....	None	*1,572
		Power House Wash .....	Approximately 8,450 feet upstream of Black Mountain Road. Approximately 700 feet upstream of confluence with Hassayampa River. Approximately 4,450 feet upstream of Morristown New River Highway.	None	*1,614
		Powder House Wash Tributary #1.	At U.S. Highway 60/89 .....	None	*2,135
			Approximately 20,300 feet upstream of U.S. Highway 60/89.	*2,278	*2,276
			Approximately 800 feet downstream of AT & SF Railroad. Approximately 7,200 feet upstream of U.S. Highway 60/89.	*2,322	*2,317
			At Jack Burden Road .....	None	*2,522
			Approximately 5,950 feet upstream of Jack Burden Road.	None	*2,186
			Approximately 8,750 feet upstream of El Recreo Drive.	None	*2,438
			Just upstream of confluence with Powder House Wash.	None	*2,758
			Approximately 1,760 feet upstream of confluence with Powder House Wash.	None	*2,592
				None	*2,603
				None	*2,603
				None	*2,372
				None	*2,499
				None	*1,461
				None	*1,697
				None	*1,919
				None	*1,787
				None	*2,062
				None	*1,925
				None	*2,368
				None	*1,830
				None	*1,983
				*2,050	*2,050
				*2,179	*2,173
				None	*2,283
				None	*2,208
				None	*2,262

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Power House Wash Tributary #2.	Just upstream of confluence with Powder House Wash.	None	*2,242
			Approximately 1,350 feet upstream of confluence with Powder House Wash.	None	*2,280
		Rio Verde North—Wash A	Approximately 3,500 feet downstream of Forest Road.	None	*1,516
			Approximately 9,400 feet upstream of Forest Road.	None	*1,800
		Rio Verde North—Wash A South.	Approximately 300 feet downstream of Forest Road.	None	*1,583
			Approximately 4,450 feet upstream of Forest Road.	None	*1,681
		Rio Verde North—Wash F	Approximately 2,060 feet downstream of Forest Road.	None	*1,527
			Approximately 3,020 feet upstream of Forest Road.	None	*1,662
		Rio Verde North—Wash 1	Approximately 980 feet downstream of Forest Road.	None	*1,530
			Approximately 2,320 feet upstream of Forest Road.	None	*1,651
		San Domingo Wash .....	Just upstream of U.S. Highway 60/89 .....	None	*1,864
			Approximately 12,060 feet upstream of U.S. Highway 60/89.	None	*2,022
		Sols Wash Tributary AH2	At confluence with Sols Wash .....	None	*2,382
			Approximately 9,400 feet upstream of confluence with Sols Wash.	None	*2,426
		Sols Wash Tributary AH3	At confluence with Sols Wash .....	None	*2,324
			Approximately 6,550 feet upstream of U.S. Highway 24.	None	*2,635
		Unnamed Tributary to Sols Wash Tributary AH3.	At confluence with Sols Wash Tributary AH3.	None	*2,380
			Approximately 10,900 feet upstream of confluence with Sols Wash Tributary AH3.	None	*2,503
		Sols Wash Tributary AH4	At confluence with Sols Wash .....	None	*2,315
			Approximately 8,120 feet upstream of confluence with Sols Wash.	None	*2,437
		Sols Wash Tributary AH5	At confluence with Sols Wash .....	None	*2,260
			Approximately 2,000 feet upstream of Old Highway 60.	None	*2,576
		Sunny Cove Wash .....	At confluence with Sunset Wash .....	None	*2,076
			Just downstream of Flood Control Dam ...	None	*2,108
		Sunny Cover Wash (Upper Reach).	At Flood Control Dam .....	None	*2,155
			Approximately 200 feet upstream of Steinway Drive.	None	*2,330
		Sunset Wash .....	At confluence with Hassayampa River .....	None	*2,032
			Approximately 2,650 feet upstream of Jackson Street.	None	*2,108
		Turtle Back Wash .....	At confluence with Hassayampa River .....	None	*1,990
			Approximately 10,300 feet upstream of AT & SF Railroad.	None	*2,185
		Twin Peaks Wash .....	Approximately 520 feet upstream of confluence with Yucca Flat Wash.	None	*2,416
			Approximately 11,500 feet upstream of confluence with Yucca Flat Wash.	None	*2,553
		Wash AG .....	Approximately 900 feet downstream of AT & SF Railroad.	None	*2,028
			Approximately 4,300 feet upstream of AT & SF Railroad.	None	*2,120
		Wash E-2 .....	Approximately 870 feet upstream of confluence with Mockingbird Wash.	None	*2,055
			Approximately 2,120 feet upstream of confluence with Mockingbird Wash.	None	*2,082
		Wash F .....	Approximately 400 feet upstream of U.S. Highway 60/89.	None	*1,872
			Approximately 5,100 feet upstream of U.S. Highway 60/89.	None	*2,028
		Wash F-2 .....	At confluence with Wash F .....	None	*1,872

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			Approximately 2,250 feet upstream of confluence with Wash F.	None	*1,953
		Wash G .....	Just upstream of U.S. Highway 60/89 .....	None	*1,895
			Approximately 5,340 feet upstream of U.S. Highway 60/89.	None	*2,022
		Wash H .....	Just upstream of U.S. Highway 60/89 .....	None	*1,898
			Approximately 9,250 feet upstream of U.S. Highway 60/89.	None	*2,052
		Wash I .....	Just upstream of U.S. Highway 60/89 .....	None	*1,934
			Approximately 6,380 feet upstream of U.S. Highway 60/89.	None	*2,071
		Wash K .....	Approximately 900 feet downstream of U.S. Highway 60/89.	None	*1,944
			Approximately 19,650 feet upstream of U.S. Highway 60/89.	None	*2,394
		Wash K-1 .....	Just upstream of confluence with Wash K	None	*2,292
			Approximately 4,400 feet upstream of confluence with Wash K.	None	*2,396
		Wash L .....	Just upstream of Palm Lake Spillway .....	None	*1,955
			Approximately 6,500 feet upstream of U.S. Highway 60/89.	None	*2,152
		Wash O .....	Approximately 700 feet downstream of U.S. High 60/89.	None	*1,997
			Approximately 7,000 feet upstream of U.S. Highway 60/89.	None	*2,189
		Wash P .....	Approximately 420 feet downstream of Jack Burden Road.	None	*2,089
			Approximately 1,430 feet upstream of Jack Burden Road.	None	*2,131
		Wash Q .....	Just downstream of AT&SF Railroad .....	None	*2,010
			Approximately 5,500 feet upstream of AT&SF Railroad.	None	*2,180
		Wash S-2 .....	Approximately 1,850 feet upstream of confluence with Little San Domingo Wash.	None	*1,844
			Approximately 2,450 feet upstream of confluence with Little San Domingo Wash.	None	*1,854
		Yucca Flat Wash .....	At confluence with Upper Flying "E" Wash.	*2,315	*2,310
			At confluence with Twin Peaks Wash .....	None	*2,416
			Approximately 6,550 feet upstream of confluence with Twin Peaks Wash (just downstream of Yucca Tank).	None	*2,497
		White Tanks Wash .....	Approximately 2,000 feet upstream of Buckeye Flood Retarding Structure.	None	*1,081
			Approximately 350 feet downstream of Sun Valley Parkway.	None	*1,389
		White Tanks Wash Tributary No. J.	Just upstream of White Tanks Wash Approximately 300 feet downstream of.	None	*1,159
			Sun Valley Parkway	None	*1,336
		Skunk Tank Wash .....	At confluence with Skunk Creek .....	None	*1,760
			At Rockaway Hills road	None	*1,929
		Valley Wash .....	Approximately 750 feet upstream of confluence with Skunk Tank Wash.	None	*1,784
			Just downstream of 11th Avenue	None	*1,800
		Queen Creek .....	Just upstream of Hawes Road .....	None	*1,379
			Just downstream of Southern Pacific Railroad	None	*1,441

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified

Maps are available for inspection at the Flood Control District of Maricopa County, 2801 West Durango Street, Phoenix, Arizona. Send comment to The Honorable Janice K. Brewer, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, Tenth Floor, Phoenix, Arizona 85003.

Maps are available for inspection at the Town of Buckeye Town Hall, 100 North Apache Street, Buckeye, Arizona. Send comments to The Honorable Dusty Hull, Mayor, Town of Buckeye, 100 North Apache Street, Suite A, Buckeye, Arizona 85326.

Maps area available for inspection at the Town of Fountain Hills Town Hall, 16836 East Palisades Boulevard, Fountain Hills, Arizona. Send comments to The Honorable Sharon Morgan, Mayor, Town of Fountain Hills, 16836 East Palisades Boulevard, Fountain Hills, Arizona 85268.

Maps area available for inspection at the City of Goodyear City Hall, 119 North Litchfield Road, Goodyear, Arizona. Send comments to The Honorable William Arnold, Mayor, City of Goodyear, 119 North Litchfield Road, Goodyear, Arizona 85338.

Maps are available for inspection at the City of Peoria City Hall, 8401 West Monroe Street, Peoria, Arizona. Send comments to The Honorable John Keegan Mayor, City of Peoria, 8401 West Monroe Street, Peoria, Arizona 85345.

Maps are available for inspection at the City of Phoenix Street Transportation Department, 200 West Washington Street, Fifth Floor, Phoenix, Arizona. Send comments to The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, Phoenix, Arizona 85003-1611.

Maps are available for inspection at the Town of Queen Creek Town Hall, 22350 South Ellsworth Road, Queen Creek, Arizona. Send comments to The Honorable Mark Schnepf, Mayor, Town of Queen Creek, 22350 South Ellsworth Road, Queen Creek, Arizona 85242.

Maps are available for inspection at the City of Surprise, Community Development Services, 12425 West Bell Road, Suite D-100, Surprise, Arizona. Send comments to The Honorable Joan Shafer, Mayor, City of Surprise, 12425 West Bell Road, Suite D-100, Surprise, Arizona 85374.

Maps are available for inspection at the Town of Wickenburg Town Hall, 155 North Tegner Street, Wickenburg, Arizona. Send comments to The Honorable Dallas Gant, Mayor, Town of Wickenburg, 155 North Tegner Street, Suite A, Wickenburg, Arizona 85390.

California .....	Alturas (City) Modoc County.	North Fork Pit River .....	Approximately 1,750 feet downstream from Main Street.	None	*4,359
			Approximately 6,800 feet upstream from Estalos Street.	None	*4,371

Maps are available for inspection at 202 West Fourth Street, Alturas, California. Send comments to The Honorable Dick Steyer, Mayor, City of Alturas, 200 North Street, Alturas, California 96101.

California .....	Modoc County (Unincorporated Areas).	North Fork Pit River .....	Approximately 50 feet downstream from Southern Pacific Railroad.	None	*4,358
			Approximately 7,550 feet upstream from Estalos Street.	None	*4,372

Maps are available for inspection at 202 West Fourth Street, Alturas, California. Send comments to The Honorable Mike Maxwell, Director of Administrative Services, Modoc County, P.O. Box 1728, Alturas.

California .....	Woodland (City) Yolo County.	Right Overbank Flow .....	Approximately 1300 feet downstream of County Road 102.	None	*34
			Approximately 400 feet upstream of intersection of North Kern Avenue and West Beamer Street.	None	*72

Maps are available for inspection at the City of Woodland Community Development, 300 First Street, Woodland, California. Send comments to The Honorable Gerald R. Davis, Interim City Manager, City of Woodland, 300 First Street, Woodland, California 95695.

California .....	Yolo County (Unincorporated Areas).	Cache Creek .....	Downstream side of Southern Pacific Railroad.	None	*81	
			Right Overbank Flow .....	At Capay Dam .....	None	*226
				At East Highway 113 .....	None	*39
				At Cache Creek .....	None	*89

Maps are available for inspection at Yolo County Planning and Public Works, 292 West Beamer Street, Woodland, California. Send comments to The Honorable Vic Singh, Yolo County Administrative Officer, 625 Court Street, Woodland, California 95695.

Nevada .....	Douglas County and Incorporated Areas.	Clear Creek .....	At Douglas County boundary, Approximately 200 feet downstream from Center Drive.	None	*4,715
			Approximately 200 feet upstream From R19E/R20E.	None	*4,824

Maps are available for inspection at Douglas County Planning, 1594 Esmeralda Avenue, Room 202, Minden, Nevada. Send comments to the Honorable Jacques Etchegoyhen, Chairman, Douglas County Board of Commissioners, P.O. Box 218, Minden, Nevada 89423.

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

Dated: February 6, 1999.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

[FR Doc. 99-3536 Filed 2-12-99; 8:45 am]

BILLING CODE 6718-04-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2 and 25

[ET Docket No. 98-206; DA 99-284]

#### Fixed Satellite Service and Terrestrial System in the Ku-Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of time for comments.

**SUMMARY:** This document extends the time to file comments on the Notice of Proposed Rule Making which published in the **Federal Register** of January 12, 1999, (64 FR 1786). Comments on this notice were due February 16, 1999, and reply comments were due on or before March 15, 1999. Pursuant to a request by the Boeing Company, the Commission is extending the time to file comments to afford interested parties the necessary time to coordinate and file substantive comments for the record. On February 5, 1999, the Commission released an Order (DA 99-284) which grants Boeing's "Motion for Extension of Time."

**DATES:** Comments must be filed on or before March 2, 1999, and reply comments on or before March 29, 1999.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Tom Derenge, Office of Engineering and Technology, (202) 418-2451.

**SUPPLEMENTARY INFORMATION:** 1. On November 24, 1998, the Commission released a Notice of Proposed Rule Making (NPRM), ET Docket No. 98-206, 64 FR 1786, January 12, 1999. Comments on the NPRM were due on or before February 16, 1999, and reply comments were due on or before March 15, 1999.

2. On February 1, 1999, the Boeing Company ("Boeing") submitted a motion to the Commission to extend the comment and reply comment dates in the above captioned proceeding. Boeing states that it would like to incorporate into their comments detailed technical information being developed by the International Telecommunications

Union, Radiocommunication Bureau, Joint Task Group 4-9-11 ("JTG 4-9-11"). Boeing argues that since a JTG 4-9-11 meeting recently concluded on January 29, 1999, commenters have little more than two weeks to analyze the outputs of the meeting and incorporate them into their comments. Boeing believes that extending the comment and reply comment dates by two weeks would permit parties to engage in a more in depth analysis of the JTG 4-9-11 information.

3. Although the Commission does not routinely grant extensions of time in rule making proceedings, we find that Boeing has demonstrated that providing more time will enable all interested parties to submit additional information that will be materially beneficial to the record in this proceeding. Accordingly, *it is ordered* that the date for filing comments and reply comments in the above captioned proceeding *is extended to March 2, 1999, and March 29, 1999, respectively.*

4. This action is taken pursuant to the authority found in Section 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303; and pursuant to Sections 0.31, 0.241 and 1.46 of the Commission's Rules, 47 CFR 0.31, 0.241 and 1.46.

#### List of Subjects

##### 47 CFR Part 2

Communications equipment, Radio.

##### 47 CFR Part 25

Communications equipment, Radio, Satellites.

Federal Communications Commission.

**Dale N. Hatfield,**

*Chief, Office of Engineering and Technology.*

[FR Doc. 99-3576 Filed 2-12-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 99-25; FCC 99-6]

#### Creation of a Low Power Radio Service

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This *Notice of Proposed Rule Making* proposes to establish rules authorizing the operation of new, low power FM (LPFM) radio stations. It explores the appropriate technical parameters for such a service. It also examines potentially conflicting demands for such a service. In

addressing these issues, we are and will remain mindful of the technical requirements necessary to protect existing radio services and preserve the excellent technical quality of radio service available today, as well as any impact on the future introduction of terrestrial digital audio broadcasting. We hope to receive comment from a wide range of existing and potential users of the FM spectrum regarding the nature and extent of different and possibly conflicting demands for this spectrum (including the development of future terrestrial digital audio services), and technical analysis to assist us in best resolving those conflicts for the benefit of the public.

**DATES:** Comments must be filed on or before April 12, 1999. Reply comments must be filed on or before May 12, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, Room TW-A306, SW, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room C-1804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov). Alternatively, comments may also be filed by using the Commission's Electronic Comment Filing System (ECFS), via the Internet to <http://www.fcc.gov/e-file/ecfs.html>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gordon or Bruce Romano, Policy and Rules Division, Mass Media Bureau, (202) 418-2120.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *NPRM*, FCC 99-6, adopted January 28, 1999 and released February 3, 1999. The full text of this Commission *NPRM* is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room TW-A306), 445 12 St. S.W., Washington, D.C. The complete text of this *Notice* may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. It is also available on the Commission's web page at [www.fcc.gov/mmb/prd/lpfm](http://www.fcc.gov/mmb/prd/lpfm).

#### Synopsis of Notice of Proposed Rule Making

##### I. Introduction

1. By this *Notice*, we are proposing to establish rules authorizing the operation of new, low power FM (LPFM) radio stations. In particular, we are proposing to create two classes of low power radio service: a 1000-watt primary service and