to this action are also available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Kristeen Gaffney, Ozone/Carbon Monoxide and Mobile Sources Section (3AT21), USEPA—Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, or by telephone at: (215) 566–2092. Questions may also be addressed via e-mail, at the following address:

Gaffney.Kristeen@epamail.epa.gov [PLEASE note that only written comments can be accepted for inclusion in the docket.]

SUPPLEMENTARY INFORMATION: On March 12, 1997, EPA published a direct final rule (62 FR 11334) approving the Commonwealth of Virginia's request to redesignate the Hampton Roads marginal ozone nonattainment area from nonattainment to attainment and the 10 year maintenance plan and mobile emissions budget submitted by the Commonwealth for the Hampton Roads area as revisions to the Virginia SIP. As stated in the March 12, 1997 rulemaking, EPA's action to approve the redesignation was based upon its review of the Commonwealth's submittal and its determination that all five of the Clean Air Act's criteria for redesignation have been met by and for the Hampton Roads area. The ambient air quality data monitored in the Hampton Roads area indicated that it had attained the National Ambient Air Quality Standard (NAAQS) for ozone for the years 1993-1995. Review of the data monitored in 1996 has indicated continued attainment of the ambient standard. EPA also determined that the Commonwealth had a fully approved Part D SIP for the Hampton Roads area, was fully implementing that SIP, and that the air quality improvement in the Hampton Roads area was due to permanent and enforceable control measures. In the same rulemaking, EPA approved the maintenance plan submitted by the Commonwealth of Virginia as a SIP revision because it provides for maintenance of the ozone standard for 10 years and a mobile emissions budget for the Hampton Roads area.

In its March 12, 1997 direct final rulemaking, EPA stated that if adverse comments were received on the direct final rule within the 30 days of its publication, EPA would publish a document announcing the withdrawal of its direct final rulemaking action. In a companion notice of proposed rulemaking published in the Proposed Rules section of the same **Federal**

Register (62 FR 11405), EPA also proposed to approve the Hampton Roads redesignation request and maintenance plan and mobile emission budget SIP revisions. In this proposal, EPA clearly stated that interested parties should comment at that time (during the 30 days), and that EPA did not intend to institute a second comment period. Because EPA received adverse comments on the direct final rulemaking within the prescribed comment period from the Allies in Defense of Cherry Point and U.S. Senator Lauch Faircloth of North Carolina, EPA withdrew the March 12, 1997 final rulemaking action pertaining to the Hampton Roads nonattainment area. In their letter submitting adverse comments, the Allies in Defense of Cherry Point also indicated that they intended to submit additional adverse comments and requested that the comment period be extended. However, because the 30 day public comment period EPA provided on the proposed rule was due to close two days after receipt of their request, there was insufficient time for EPA to publish a document extending the comment period. In order, therefore, to provide additional time to the Allies in Defense of Cherry Point, EPA would have to reopen the public comment period.

Despite the fact that EPA's March 12, 1997 actions clearly stated that all interested parties should comment during the originally prescribed 30 days and that EPA did not intend to institute a second comment period, in the interest of full public participation, EPA is reopening the public comment period for two weeks.

In determining its final action on the Commonwealth's redesignation request and maintenance plan for the Hampton Roads area, EPA shall consider all comments received on its March 12, 1997 proposed action. All interested parties are advised that comments must be received by the EPA Regional office listed in the ADDRESSES section of this document by May 13, 1997.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone.

Dated: April 17, 1997.

W. T. Wisniewski,

Acting Regional Administrator, Region III. [FR Doc. 97–11124 Filed 4–25–97; 12:10 pm] BILLING CODE 6560–50–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-7219]

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: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–2796.

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 Executive Associate Director, Mitigation Directorate, 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 National Flood Insurance Program. 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:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Connecticut	New Britain (City), Hartford County.	Willow Brook	Approximately 300 feet downstream of Willow Brook Park Road.	*63	*61
			Approximately 800 feet upstream of Reservoir Road.	*345	*344
		Mason Pond Brook	At confluence with Willow Brook	*168	*170
			Approximately 75 feet upstream of Shuttle Meadow Avenue.	*172	*171
		Schultz Pond Brook	At the confluence with Willow Brook	*175	*176
			Approximately 815 feet upstream of Reservoir Road.	*345	*344
		Bass Brook	Approximately 1,600 feet downstream of East Street.	*89	*90
			Approximately 825 feet upstream of upstream crossing of Lewis Road.	*263	*267
		Batterson Park Pond Brook.	Approximately 400 feet downstream of Stanley Park Road.	*178	*177
			Approximately 115 feet upstream of Brittany Farms Road.	*207	*206
		Gaffney Brook	At Francis Street	*174	*176
			Approximately 1,400 feet upstream of Francis Street.	*179	*181
		Sandy Brook	At corporate limits	*89	*90
			Approximately 650 feet upstream of Ella Grasso Road.	None	*131

Maps available for inspection at the New Britain City Hall, Engineering Department—Room 503, 27 West Main Street, New Britain, Connecticut.

Send comments to The Honorable Lucian Pawlak, Mayor of the City of New Britain, New Britain City Hall, 27 West Main Street, New Britain, Connecticut 06051.

Connecticut	·		Approximately 840 feet upst	*96	*95
	field County.	River.	Westport/Wilton corporate limit Approximately 800 feet upsti	*160	*159
			Route 53 (Cedar Road).		

Maps available for inspection at the Inland Wetland Commission, Wilton Town Hall Annex, 238 Danbury Road, Wilton, Connecticut. Send comments to Mr. Bob Russell, First Selectman for the Town of Wilton, 238 Danbury Road, Wilton, Connecticut 06897.

Georgia	Rockdale County (Unincorporated Areas).	Yellow River	At confluence of Big Haynes Creek	*646	*652
	ŕ		Approximately 200 feet downstream of	*659	*660
		Big Haynes Creek	Georgia Highway 138. At confluence with Yellow River	*646	*652

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Little Haynes Creek	At confluence of Little Haynes Creek At confluence with Big Haynes Creek At county boundary	None None None	*661 *661 *697
•	Mr. Randolph W. Poy	•	opment Department, 2570 Old Covington Hig dale County Board of Commissioners, 922 C		•
Michigan	Escanaba (Town- ship) Delta Coun- ty.	Little Bay De Noc	Entire shoreline within community	None	*585
	inspection at the Esca		416, 20th Road, Gladstone, Michigan. , 3983 County 416, 20th Road, Gladstone, M	lichigan 49837.	
Georgia	Trion (Town) Chattooga Coun-	Chattooga River	Approximately 1,400 feet downstream of U.S. 27.	*659	*656
	ty.		Approximately 0.75 mile upstream of confluence of Cane Creek.	*684	*682
		Cane Creek	At confluence with Chattooga River Approximately 0.5 mile upstream of Welcome Hill Road.	*681 *681	*679 *680
		Spring Branch	At confluence with Chappel Creek	*661 *664	*659 *663
		Chappel Creek	At confluence with Chattooga River Approximately 1,150 feet upstream of First Street.	*661 *661	*659 *659
		Trion Branch	At confluence with Chattooga River Approximately 50 feet upstream of Allgood Street.	*663 *663	*661 *662
•	•	Town Hall, 128 Park Avenue Plunkett, Mayor of the Town o	e, Trion, Georgia. f Trion, Trion Town Hall, P.O. Box 727, Trior	n, Georgia 307	53.
Michigan	Fairbanks (Town- ship) Delta Coun-	Big Bay De Noc	Approximately 200 feet west and south of the intersection of 11 Road and 11	None	*584
	ty.		Drive. Approximately 1,550 feet west of the	None	*585
		Green Bay	intersection of HH Road and 8th Road. In the vicinity of Sac Bay	None None	*585 *584
	inapaction at the Fairb	_	sula. Entire shoreline within community	None	*584
		anks Township Hall, 4314 11 banks Township Supervisor, 4	Road, Garden, Michigan. 1677 LL Road, Garden, Michigan 49829.		
Michigan	Garden (Township)	Big Bay De Noc	Entire shoreline within community	None	*585
	Delta County.		Entire shoreline within community	None	*584
•	•	en Supervisor's Office, State en Township Supervisor, P.O.	Road, Garden, Michigan. Box 82, Garden, Michigan 49835.		
New York	Westchester	Saw Mill River	Approximately 1,420 feet downstream of Ashburton Avenue.	None	*95
	County.		Approximately 0.4 mile upstream of Hearst Street.	*117	*115
•		• .	Entire shoreline within community	None	*161
Send comments to	The Honorable John [D. Spencer, Mayor of the City	of Yonkers, Yonkers City Hall, Yonkers, Ne	w York 10701.	
North Carolina	North Topsail Beach (Town) Onslow County.	Atlantic Ocean	Approximately 225 feet south of the intersection of 14th Avenue and Ocean Boulevard (SR 1583).	*16	*19
			Just north of the intersection of Gray Street and North Carolina State Route 210.	*7	*11

			J · 1		
State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Stump Sound/Intracoastal Waterway.	Approximately 0.7 mile north of the intersection of Sand Piper Drive and New River Inlet Road.	*7	*13
			Approximately 0.5 mile northeast of confluence of Normans Creek and Old Sound Channel.	*7	*11
			008 Loggerhead Court, North Topsail Beach, lanager, 2008 Loggerhead Court, North Top		
North Carolina	Surf City (Town) Pender and Onslow Counties.	Atlantic Ocean	Approximately 250 feet south of the intersection of NC 50 and Reachwood Drive.	*16	*19
			At intersection of Goldsboro Avenue and New River Drive.	*7	*11
		Topsail Sound	Approximately 1,250 feet northwest of the intersection of Pender Avenue and Shore Drive.	*7	*12
			Approximately 1,400 feet northwest of the intersection of NC 50 and Reachwood Drive.	*10	*9
		City Town Hall, P.O. Box 247	'5, Surf City, North Carolina. Surf City, P.O. Box 2475, Surf City, North Ca	rolina 28445	
North Carolina	Topsail Beach	Atlantic Ocean		*17	*20
North Carolina	(Town) Pender County.	Aliantic Ocean	Approximately 350 feet southeast of the intersection of Clark Avenue and NC State Route 1554. At intersection of Humphrey Avenue and	None	*13
		T "0 !	Shore Drive.		
		Topsail Sound	Approximately 700 feet west of the inter- section of Shore Line Drive and God- win Avenue.	*14	*13
			Approximately 450 feet northwest of intersection of Fields Avenue and Shore Drive.	*9	*10
•			uth Anderson Boulevard, Topsail Beach, Nor P.O. Box 3089, Topsail Beach, North Carolin		
Ohio	Clark County (Unin- corporated Areas).	Mad River	At CONRAIL	*889	*888
	,		Approximately 2,100 feet downstream of Snider Road.	None	*856
			7, 25 West Pleasant Street, Springfield, Ohio. Board of Commissioners, P.O. Box 2639, Spr		5501.
	Hatfield (Township) Montgomery	West Branch Neshaminy Creek Tributary No. 2.	Approximately 600 feet upstream of confluence with West Branch Neshaminy	*288	*289
	County.		Creek. Approximately 600 feet upstream of Lansdale Tributary.	*303	*302
	Ms. Jean R. Vande		Building, 1950 School Road, Hatfield, Pennsy hip of Hatfield Board of Commissioners, 19		ad, Hatfield,
Pennsylvania	Lansdale (Borough) Montgomery County.	West Branch Neshaminy Creek Tributary No. 2 (previously Lansdale Tributary and Neshaminy Creek Branch).	Approximately 250 feet upstream of Schues Road.	*299	*301
		,	Approximately 650 feet upstream of West 5th Street.	*324	*318
			/ine Street, Lansdale, Pennsylvania. v Vine Street, Lansdale, Pennsylvania 19446		
Pennsylvania		Bieber Creek		None	*398

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			At a point approximately 0.27 mile upstream of Keim Road.	None	*407
•	•	Township Building, Hill Churck, Chairman of the Pike Towr	th Road, Oley, Pennsylvania. ship Board of Supervisors, R.D. #4, Box 280), Boyertown, P	ennsylvania
Pennsylvania	Plains (Township) Luzerne County.	Mill Creek	Confluence with Susquehanna River	*551	*549
	,		Approximately 900 feet upstream from State Route 315.	None	*694
		Unnamed Tributary to Mill Creek.	Confluence with Mill Creek	None	*680
		oroon.	Approximately 1,400 feet upstream of confluence with Mill Creek.	None	*68
		Susquehanna River	At downstream corporate limits	*550	*549
			Approximately 900 feet upstream of the upstream corporate limits.	*555	*55
	Mr. Robert Stella, Chania 18705.	airman of the Township of Pl	26 North Main Street, Plains, Pennsylvania. ains Board of Commissioners, Luzerne Coul	, ·	
Pennsylvania	Reynoldsville (Borough) Jefferson County.	Soldier Run	Approximately 600 feet upstream of Worth Street.	*1,369	*1,368
Maps available for	nspection at the Revn	 	At corporate limits	*1,378	*1,376
•		, ,	e Borough Council, P.O. Box 67, Reynoldsvil		a 15851.
Pennsylvania	Winslow (Township) Jefferson County.	Soldier Run	Downstream corporate limits	*1,378	*1,376
	concident county:		Upstream corporate limits	None	*1,482
•	•	· · · · · · · · · · · · · · · · · · ·	ling, R.D. 1, Reynoldsville, Pennsylvania.		
	Mr. Kenneth J. Long, ville, Pennsylvania 158		of Winslow Board of Supervisors, Township	Municipal Build	ing, R.D. 1,
Wisconsin	Eau Claire (City) Chippewa and Eau Claire Counties.	Chippewa River	At Interstate 94	*774	*77:
			Upstream corporate limits	*808	*806
		Sherman Creek	Confluence with Chippewa River	*778 *807	*776 *808
		Eau Claire River	At the confluence with Chippewa River	*784	*782
			Downstream side of Chicago and North- western Railroad spur.	*784	*783

Maps available for inspection at the Eau Claire City Hall, Inspection Service Office, 203 South Farwell Street, Eau Claire, Wisconsin. Send comments to Mr. Don Norrell, Manager of the City of Eau Claire, 203 South Farwell Street, Call Box 5148, Eau Claire, Wisconsin 54707–5148.

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

Dated: April 16, 1997.

Richard W. Krimm,

Executive Associate Director, Mitigation Directorate

[FR Doc. 97–11001 Filed 4–28–97; 8:45 am] BILLING CODE 6718–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AD99

Endangered and Threatened Wildlife and Plants: Proposed Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Northwestern Colorado and Northeastern Utah

AGENCY: Fish and Wildlife Service,

Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service), in cooperation with the Bureau of Land Management (Bureau), the Colorado Division of Wildlife (Colorado Division), and the Utah Division of Wildlife Resources (Utah Division) proposes to introduce black-footed ferrets (Mustela nigripes) into northwestern Colorado and northeastern Utah. The purposes of this reintroduction are to implement the recovery action of the species and to evaluate release techniques. Surplus captive-raised black-footed ferrets will be released in 1997, or later and additional animals will be released annually for several years thereafter or until a self-sustaining population is established. If the northwestern Colorado/northeastern Utah program is successful, a wild population could be established within about 5 years. The northwestern Colorado/northeastern Utah population would be established as a nonessential experimental population in accordance with section 10(j) of the Endangered Species Act of 1973, as amended (Act). This population would be managed under the provisions of an accompanying special rule.

DATES: Comments from all interested parties must be received by June 30, 1997.

ADDRESSES: Comments and materials concerning this proposal in northwestern Colorado or Wyoming should be sent to Mr. LeRoy Carlson, U.S. Fish and Wildlife Service, Ecological Services Office, 730 Simms

Street, Room 290, Golden, Colorado, 80401. Comments and materials concerning this proposal in northeastern Utah should be sent to Mr. Robert Williams, U.S. Fish and Wildlife Service, Utah Field Office, 145 East 1300 South, Suite 404, Salt Lake City, Utah, 84115. All comments and materials received will be available for public inspection, by appointment, during normal business hours at each of the above addresses, as well as at the Service's Ecological Service's office at 764 Horizon Drive, South Annex A, Grand Junction, Colorado, 81506-3946. FOR FURTHER INFORMATION CONTACT: Mr. Robert Leachman at the Grand Junction address above, telephone: 970/243-2778; or Ms. Marilet A. Zablan at the Salt Lake City address above, telephone: 801/524-5001.

SUPPLEMENTARY INFORMATION:

Background

1. Legislative

The Endangered Species Act of 1973, as amended (Act) was changed significantly when subsection 10(j) was added to allow for the designation of specific populations of listed species as "experimental populations." Previously, the U.S. Fish and Wildlife Service (Service) was authorized to reintroduce populations into unoccupied portions of a listed species' historical range when it would foster the conservation and recovery of the species. However, local citizens often opposed these reintroductions because they were concerned about restrictions and prohibitions being placed on Federal and private activities. Under section 10(j), the Service can designate reintroduced populations established outside the species' current range but within its historical range as 'experimental.'' This designation allows the Service flexibility in managing reintroduced populations of endangered species. Experimental populations are treated as threatened species under the Act, affording the Service greater discretion in devising management programs and special regulations for listed species. Section 4(d) of the Act allows the Service to adopt whatever regulations are necessary to provide for the conservation of a threatened species. These regulations are usually less restrictive than those for endangered species and are more compatible with routine human activities in the reintroduction area.

The Service can designate experimental populations to be either essential or nonessential and based on the best available information, determine whether such populations are

essential to the continued existence of the species. Nonessential experimental populations located outside of the National Wildlife Refuge System or National Park System are treated, under section 7 of the Act, as if they were species proposed for listing. Thus, only two provisions of section 7 apply to experimental populations found outside the above two systems: 1) section 7(a)(1)—which requires all Federal agencies to use their authority to conserve listed species; and 2) section 7(a)(4)—which requires Federal agencies to confer with the Service on actions that are likely to jeopardize the continued existence of a proposed species throughout its range. Activities undertaken on private lands are not affected by section 7 of the Act unless they are authorized, funded, or carried out by a Federal agency.

However, pursuant to section 7(a)(2), specimens used to establish an experimental population may be removed from a donor population, provided their removal is not likely to jeopardize the continued existence of the species and that appropriate permits have been issued in accordance with 50

CFR 17.22.

2. Biological

The black-footed ferret has a black facemask, black legs, and a black-tipped tail; is nearly 60 centimeters (2 feet) in length and weighs up to 1.1 kilograms (2.5 pounds). It is the only ferret species native to North America. The historical range of the species, based on specimen collections, includes 12 States (Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming) and the Canadian Provinces of Alberta and Saskatchewan. Prehistoric evidence indicates that ferrets once occurred from the Yukon Territory in Canada to New Mexico and Texas (Anderson et al. 1986)

Black-footed ferrets depend almost exclusively on prairie dog colonies for food, shelter, and denning (Henderson et al. 1969, Forrest et al. 1985). The range of the ferret coincides with that of prairie dogs (Anderson et al. 1986), and ferrets with young have never been sighted outside of prairie dog colonies. Black-footed ferrets have been reported from black-tailed prairie dog (Cynomys ludovicianus), white-tailed prairie dog (Cynomys leucurus), and Gunnison's prairie dog (Cynomys gunnisoni) towns (Anderson et al. 1986).

In the last century, widespread poisoning of prairie dogs, the conversion of native prairie to farmlands, and sylvatic plague have drastically reduced prairie dog numbers;