

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 117****[CGD08-01-044]****Drawbridge Operating Regulation;  
Lake Pontchartrain, LA****AGENCY:** Coast Guard, DOT.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the bascule spans of the Greater New Orleans Expressway Commission Causeway across Lake Pontchartrain between Metairie, Jefferson Parish and Mandeville, St. Tammany Parish, Louisiana. This deviation allows the draws of the bridges to remain closed to navigation from 6 a.m. on Monday, December 17, 2001 until 6 a.m. on Wednesday, December 19, 2001. This temporary deviation allows for the connection of new submarine cables to operate the draw spans of the bridges.

**DATES:** This deviation is effective from 6 a.m. on Monday, December 17, 2001 until 6 a.m. on Wednesday, December 19, 2001.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (ob), 501 Magazine Street, New Orleans, Louisiana, 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** David Frank, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** Presently, the draw is required to open on signal if at least three hours notice is given; except that, the draw need not be opened for the passage of vessels Monday through Friday except Federal holidays from 5:30 a.m. to 9:30 a.m. and from 3 p.m. until 7 p.m. The draw opens on signal for any vessel in distress or vessel waiting immediately following the closures listed above.

During the closure period, the bridges will not be able to open for vessels to transit through the bascule spans of the bridge. The bridges have a vertical clearance of 42 feet above mean high water in the closed-to-navigation position. Navigation on the waterway

consists of small tugs with tows, fishing vessels, sailing vessels, and other recreational craft. In case of an emergency, the bridge owner will be able to hand crank the draws of the bridges to the open-to-navigation position. As an alternate route, the south channel fixed spans of the dual bridges provide a vertical clearance of 50 feet above mean high water.

The Greater New Orleans Expressway Commission requested a temporary deviation from the normal operation of the drawbridge in order to allow for the connection of new submarine cables to operate the draw spans of the bridges.

This deviation allows the draws of the bridges of the Greater New Orleans Expressway Commission Causeway across Lake Pontchartrain to remain closed to navigation from 6 a.m. on Monday, December 17, 2001 until 6 a.m. on Wednesday, December 19, 2001.

Dated: December 3, 2001.

**J. R. Whitehead,**

*Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist., Acting.*

[FR Doc. 01-30475 Filed 12-7-01; 8:45 am]

**BILLING CODE 4910-15-U**

**FEDERAL EMERGENCY  
MANAGEMENT AGENCY****44 CFR Part 64****[Docket No. FEMA-7773]****Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

**EFFECTIVE DATES:** The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

**FOR FURTHER INFORMATION CONTACT:**

Edward Pasterick, Division Director, Program Marketing and Partnership Division, Federal Insurance Administration and Mitigation Directorate, 500 C Street, S.W.; Room 411, Washington, D.C. 20472, (202) 646-3098.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition

against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

*National Environmental Policy Act.* This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Associate Director has determined that this rule is exempt from the

requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

*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.

*Paperwork Reduction Act.* This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

*Executive Order 12612, Federalism.* This rule involves no policies that have federalism implications under Executive

Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp.; p. 252.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp.; p. 309.

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

#### PART 64—[AMENDED]

1. The authority citation for Part 64 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.

#### § 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
<b>Region V</b>				
Illinois: Bureau County, unincorporated areas.	170729	July 25, 1973, Emerg.; June 15, 1984, Reg.; December 6, 2001.	Dec. 6, 2001 .....	Dec. 6, 2001.
Minnesota: Cook, City of, St. Louis County	270420	December 3, 1971, Emerg.; March 1, 1977, Reg.; December 6, 2001.	.....do.....	Do.
<b>Region VIII</b>				
South Dakota: Grenville, Town of, Day County.	461201	August 18, 1995, Emerg.; June 8, 1998, Reg.; December 6, 2001.	.....do.....	Do.
<b>Region II</b>				
New Jersey: New Providence, Borough of, Union County.	345306	July 16, 1971, Emerg.; November 23, 1973, Reg.; December 20, 2001.	Dec. 20, 2001 ...	Dec. 20, 2001.
Roseland, Borough of, Essex County .....	340193	July 31, 1975, Emerg.; September 2, 1981, Reg.; December 20, 2001.	.....do.....	Do.
West Caldwell, Borough of, Essex County	340196	September 8, 1972, Emerg.; April 16, 1979, Reg.; December 20, 2001.	.....do.....	Do.
<b>Region X</b>				
Washington: Castle Rock, City of, Cowlitz County.	530277	May 8, 1975, Emerg.; June 18, 1980, Reg.; December 20, 2001.	.....do.....	Do.
Cowlitz County, unincorporated areas .....	530032	June 18, 1971, Emerg.; August 1, 1980, Reg.; December 20, 2001.	.....do.....	Do.
Kelso, City of, Cowlitz County .....	530033	July 28, 1972, Emerg.; December 4, 1979, Reg.; December 20, 2001.	.....do.....	Do.
Longview, City of, Cowlitz County .....	530034	May 26, 1972, Emerg.; December 18, 1979, Reg.; December 20, 2001.	.....do.....	Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension.

Dated: December 3, 2001.

**Robert F. Shea,**

*Acting Administrator, Federal Insurance Administration and Mitigation Administration.*

[FR Doc. 01-30428 Filed 12-7-01; 8:45 am]

BILLING CODE 6718-05-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-2735; MM Docket No. 00-31; RM-9815; RM-10014; RM-10095]

#### Radio Broadcasting Services; Nogales, Vail and Patagonia, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a proposal filed on behalf of Desert West Air Ranchers Corporation, licensee of Station KZNO(FM), Nogales, Arizona, the Commission substitutes Channel 253A for Channel 252A at Nogales, reallocates Channel 253A to Vail, Arizona, as that community's first local aural transmission service, and modifies the license for Station KZNO(FM), as requested. See 65 FR 11540, March 3, 2000. Additionally, in response to a counterproposal filed on behalf of Desert West Air Ranchers Corporation, this document allots Channel 251A to Patagonia, Arizona, as that community's first local aural transmission service. And, in response to a counterproposal filed on behalf of Big Broadcasting of Arizona, LLC, this document allots Channel 283A to Vail, Arizona, as that community's second local FM service. Coordinates used for Channel 253A at Vail, Arizona to accommodate the reallocation are 31-55-39 NL and 110-37-57 WL; coordinates for Channel 283A at Vail for general application are 32-02-48 NL and 110-42-42 WL; coordinates used for Channel 251A at Patagonia are 31-33-05 NL and 110-44-45 WL. As Vail and Patagonia are located within 320 kilometers (199 miles) of the US-Mexico border, concurrence of the Mexican government has been requested for Channels 253A, and 283A at Vail, and for Channel 251A at Patagonia, but has not been received. Therefore, if construction permits are granted for the specified channels at Vail and Patagonia prior to receipt of final notification by the Mexican government, the authorizations will include the following condition: "Operation with the facilities specified herein is subject to modification, suspension or termination without right

to a hearing if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement, or if specifically objected to by Mexico.

**DATES:** Effective January 7, 2002. Filing windows for Channel 283A at Vail, Arizona, and for Channel 251A at Patagonia, Arizona, will not be opened at this time. Instead, the issue of opening those allotments for auction will be addressed by the Commission in a subsequent Order.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-31, adopted November 14, 2001, and released November 23, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualtex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, and 336.

##### § 73.202 [Amended].

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 252A at Nogales.

3. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by adding Patagonia, Channel 251A; and Vail, Channel 253A and Channel 283A.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-30391 Filed 12-7-01; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-2681; MM Docket Nos. 01-118, 01-119, 01-122; RM-10106, RM-10127, RM-10130]

#### Radio Broadcasting Services; Grants, Milan, and Shiprock, New Mexico; Van Wert and Columbus Grove, Ohio; Lebanon and Hamilton, Ohio and Fort Thomas, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission allots channels in three separate docketed proceedings which were proposed together in a multiple docket *Notice of Proposed Rule Making*. (1) At the request of KXXQ(FM) Radio Partners, Inc., Channel 264C0 is substituted for Channel 264A at Grants, New Mexico, Channel 264C0 is reallocated from Grants to Milan, New Mexico, and the license for Station KXXQ(FM) is modified to reflect the changes. In addition, Channel 299C1 is substituted for vacant Channel 265C1 at Shiprock, New Mexico to accommodate the changes. See 66 FR 33655 (June 25, 2001). Channel 264C0 is allotted at Milan with a site restriction of 21.2 kilometers (13.2 miles) north of the community. Channel 299C1 is allotted at Shiprock at the original allotment site. Coordinates for Channel 264C0 at Milan are 35-21-19 NL and 107-56-52 WL. Coordinates for Channel 299C1 at Shiprock are 36-46-12 NL and 108-42-49 WL. (2) At the request of Clear Channel Broadcasting Licenses, Inc., we substitute Channel 230B1 for Channel 230A at Van Wert, reallocate the channel to Columbus Grove, Ohio, as the community's first local aural transmission service, and modify Clear Channel's construction permit for its unbuilt station to reflect the changes. See 66 FR 33656 (June 25, 2001). Channel 230B1 is allotted at Columbus Grove with a site restriction of 8.1 kilometers (5.0 miles) northwest of the community. Coordinates for Channel 230B1 at Columbus Grove are 40-57-33 NL and 84-08-14 WL. (3) At the joint request of Infinity Radio License Inc. and Caron Broadcasting, we reallocate Channel 247A from Lebanon, Ohio to Fort Thomas, Kentucky, as the community's first local aural transmission service, and the modify Station WAQZ(FM)'s license to reflect the change. We also reallocate Channel 243B from Hamilton, Ohio to Lebanon, as a replacement channel for the