

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

Dated: September 11, 1998.

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*Associate Director for Mitigation.*

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## 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 DATES:** 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 maps are available for inspection as indicated on 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, 500 C Street SW., Washington, DC 20472, (202) 646-3461.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or 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.

The Agency 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 Flood Insurance Rate Map 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, Mitigation Directorate, 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 National Flood Insurance Program. 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 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)
<b>ALABAMA</b>	
<b>Bessemer (City), Jefferson County (FEMA Docket No. 7105)</b>	
<i>Valley Creek:</i>	
Approximately 165 feet up-stream of 15th Street bridge .....	* 459
Approximately 0.38 mile up-stream of U.S. Route 11 ...	* 487
<i>Shades Creek:</i>	
Approximately 75 feet up-stream of Dickey Springs Road .....	* 497
Approximately 1.05 miles up-stream of Morgan Road ....	* 514
<i>Unnamed Creek 41:</i>	
Approximately 1,675 feet up-stream of 18th Avenue .....	* 473
Approximately 0.38 mile up-stream of 18th Avenue .....	* 473
<i>Fivemile Creek (Valley Creek Basin):</i>	
(Backwater on an Unnamed Tributary) Approximately 800 feet upstream of Old U.S. Route 11 .....	* 482
<b>Maps available for inspection at the City Hall/Engineering Department, 1800 3rd Avenue North, Bessemer, Alabama.</b>	
<b>Birmingham (City), Jefferson County (FEMA Docket Nos. 7105 and 7255)</b>	
<i>Tarrant Springs Branch:</i>	
Approximately 25 feet up-stream of confluence of Fivemile Creek .....	* 591
Approximately 250 feet downstream of Carson Road .....	* 708
<i>Valley Creek:</i>	
Approximately 750 feet up-stream of U.S. Route 11 ...	* 486
Approximately 1,200 feet up-stream of 4th Avenue .....	* 565
<i>Unnamed Creek 10:</i>	
Approximately 700 feet downstream of Houston Road .....	* 659
Approximately 450 feet up-stream of Houston Road ...	* 672
<i>Black Creek (Fivemile Creek Basin):</i>	
At confluence with Fivemile Creek .....	* 426
Approximately 1,250 feet up-stream of confluence with Fivemile Creek .....	* 427

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)
<i>Village Creek:</i> Approximately 150 feet upstream of Avenue F .....	*523	<b>Maps available for inspection</b> at the City Hall, 3700 Main Street, Brighton, Alabama.		Approximately 530 feet upstream of Hurricane Branch .....	*424
Approximately 800 feet downstream of Red Lang Road .....	*679	<b>Brookside (Town), Jefferson County (FEMA Docket No. 7105)</b>		Approximately 600 feet upstream of Southland Drive .....	*513
<i>Unnamed Creek 32:</i> Approximately 0.4 mile downstream of 50th Street .....	*594	<i>Fivemile Creek:</i> At downstream corporate limit .....	*366	<i>Little Shades Creek (Cahaba River Basin):</i> Approximately 1,750 feet upstream from Old Rocky Ridge Road .....	*431
Approximately 0.22 mile upstream of 64th Place South .....	*652	At upstream corporate limit ...	*380	Approximately 500 feet upstream of Loch Haven Road .....	*431
<i>Old Unnamed Creek 34:</i> At confluence with Village Creek .....	*668	<i>Newfound Creek:</i> From its confluence with Fivemile Creek .....	*367	<i>Hurricane Branch:</i> At Al Seier Road .....	*447
At confluence with Unnamed Creek 34 .....	*684	At upstream corporate limits .....	*367	Approximately 500 feet downstream of Private Road .....	*510
<i>Unnamed Creek 34:</i> At confluence with Village Creek .....	*679	<b>Maps available for inspection</b> at the Town Hall, 107 Market Street, Brookside, Alabama.		<b>Maps available for inspection</b> at the City Hall, 100 Municipal Drive, Hoover, Alabama.	
Approximately 0.47 mile upstream of Private Road .....	*695	<b>Cardiff (Town), Jefferson County (FEMA Docket No. 7105)</b>		<b>Hueytown (City), Jefferson County (FEMA Docket No. 7105)</b>	
<i>Pinchgut Creek:</i> Approximately 0.67 mile upstream of Chalkville Road .....	*696	<i>Fivemile Creek:</i> Approximately 500 feet downstream of Cardiff Road .....	*364	<i>Valley Creek:</i> Approximately 1,100 feet upstream of the confluence of Halls Creek .....	*455
Approximately 1,225 feet upstream of Industrial Road ..	*734	Approximately 1,000 feet upstream of Cardiff Road .....	*364	Approximately 0.6 mile upstream of 19th Street .....	*464
<i>Dry Creek (Fivemile Creek Basin):</i> At the confluence with Fivemile Creek .....	*721	<b>Maps available for inspection</b> at the Town Hall, Main Street, Cardiff, Alabama.		<b>Maps available for inspection</b> at the City Hall Annex, 1320 Hueytown Road, Hueytown, Alabama.	
Approximately 150 feet upstream of Westridge Road .....	*797	<b>Fultondale (City), Jefferson County (FEMA Docket No. 7105)</b>		<b>Irondale (City), Jefferson County (FEMA Docket No. 7105)</b>	
<i>Fivemile Creek:</i> Approximately 0.4 mile downstream of Mineral Springs Republic Road .....	*392	<i>Fivemile Creek:</i> At downstream corporate limit .....	*492	<i>Shades Creek:</i> Approximately 0.64 mile upstream of Grover Drive .....	*690
Approximately 0.4 mile upstream of confluence of Dry Creek (Fivemile Creek Basin) .....	*731	At upstream corporate limit ...	*514	Approximately 1,600 feet downstream of Norris Dump Road .....	*725
<i>Shades Creek:</i> Approximately 850 feet downstream of Shannon Landfill Road .....	*604	<b>Maps available for inspection</b> at the City Hall, 1005 Walker Chapel Road, Fultondale, Alabama.		<b>Maps available for inspection</b> at the City Hall/City Clerk's Office, 101 South 20th Street, Irondale, Alabama.	
Approximately 0.88 mile upstream of Norris Dump Road .....	*748	<b>Graysville (City), Jefferson County (FEMA Docket Nos. 7105 and 7255)</b>		<b>Jefferson County (Unincorporated Areas) (FEMA Docket Nos. 7105 and 7255)</b>	
<i>Cotton Mill Branch:</i> At downstream side of Southern Railway .....	*582	<i>Fivemile Creek:</i> At downstream corporate limits .....	*323	<i>Unnamed Creek 11:</i> At the confluence with Unnamed Creek 10 .....	*616
Approximately 350 feet upstream of First Avenue .....	*603	At upstream corporate limits .....	*330	Approximately 130 feet upstream of Wood Drive Circle .....	*692
<i>Unnamed Creek 23:</i> Just upstream of intersection between Lawson Road and Wedgewood Drive .....	*618	<i>Unnamed Creek 13:</i> At corporate limits .....	*378	<i>Barton Branch:</i> Just upstream of Sttae Highway 79 .....	*573
At Robin Wood Drive .....	*637	<b>Maps available for inspection</b> at the City Hall, 246 South Main Street, Graysville, Alabama.		Approximately 75 feet upstream of Goodrich Drive ..	*627
<i>Nabors Branch:</i> At confluence with Valley Creek .....	*519	<b>Homewood (City), Jefferson County (FEMA Docket Nos. 7105 and 7255)</b>		<i>Tarrant Springs Branch:</i> Approximately 0.62 mile upstream of confluence with Fivemile Creek .....	*609
Approximately 50 feet downstream of Southern Railway .....	*522	<i>Shades Creek:</i> Approximately 0.73 mile downstream of Interstate 65 .....	*621	Approximately 400 feet downstream of Carson Road .....	*707
<b>Maps available for inspection</b> at the City Hall, Planning and Engineering Office, 710 North 20th Street, 5th Floor, Birmingham, Alabama.		Approximately 1,500 feet downstream of U.S. Route 280 .....	*650	<i>Huckleberry Branch:</i> Approximately 825 feet upstream of Tyler Road .....	*513
<b>Brighton (City), Jefferson County (FEMA Docket No. 7105)</b>		<b>Maps available for inspection</b> at the Homewood Zoning Department, 175 Citation Court, Homewood, Alabama.		Approximately 0.27 mile upstream of Mountain Oaks Drive .....	*824
<i>Valley Creek:</i> Approximately 750 feet upstream of U.S. Route 11 ...	*486	<b>Hoover (City), Jefferson County (FEMA Docket Nos. 7105 and 7255)</b>			
Approximately 50 feet downstream of Jaybird Road .....	*477	<i>Patton Creek:</i>			

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<i>Patton Creek:</i> Approximately 300 feet upstream from confluence with Hurricane Branch .....	*424	<i>Unnamed Creek 38:</i> At confluence with Halls Creek .....	*455	Approximately 875 feet upstream of confluence with Valley Creek .....	*503
Downstream side of Westridge Drive .....	*533	Approximately 750 feet upstream of confluence with Halls Creek .....	*456	<b>Maps available for inspection</b> at the City Hall, 725 Bessemer Super Highway, Midfield, Alabama.	
<i>Turkey Creek:</i> Approximately 0.67 mile downstream of Old Bradford Road .....	*565	<i>Opossum Creek:</i> At confluence with Valley Creek .....	*469	<b>Morris (Town), Jefferson County (FEMA Docket No. 7105)</b>	
Approximately 325 feet upstream of Springville Road .....	*880	Approximately 1,450 feet upstream of confluence with Valley Creek .....	*469	<i>Turkey Creek:</i> Approximately 0.79 mile downstream of Sardis Road .....	*361
<i>Unnamed Creek 9:</i> At the confluence with Turkey Creek .....	*587	<i>Unnamed Creek 45:</i> Approximately 875 feet upstream from confluence with Valley Creek .....	*504	Approximately 600 feet upstream of Old U.S. Route 31 .....	*373
At upstream side of Pinson Heights Road .....	*633	Approximately 0.2 mile upstream of confluence with Valley Creek .....	*504	<b>Maps available for inspection</b> at the Town Hall, 8304 State Road, Morris, Alabama.	
<i>Unnamed Creek 10:</i> At the confluence with Unnamed Creek 9 .....	*597	<i>Unnamed Creek 41:</i> At confluence with Valley Creek .....	*465	<b>Mountain Brook (City), Jefferson County (FEMA Docket No. 7105)</b>	
Approximately 450 feet upstream of Houston Road ...	*672	Upstream of U.S. Highways 20 and 59 .....	*473	<i>Little Shades Creek (Cahaba Basin):</i> Approximately 1,000 feet downstream of Caldwell Mill Road .....	*576
<i>Valley Creek:</i> Approximately 0.84 mile upstream of County Route 54 .....	*329	<b>Maps available for inspection</b> at the Jefferson County Courthouse/Land Development, Room 202A, 716 North 21st Street, Birmingham, Alabama.		Approximately 150 feet upstream of U.S. Highway 280 .....	*598
Approximately 0.3 mile upstream of Midfield Street ...	*511	<b>Kimberly (Town), Jefferson County (FEMA Docket No. 7105)</b>		<i>Shades Creek:</i> Approximately 100 feet downstream of Windsor Drive .....	*650
<i>Dry Creek (Fivemile Creek Basin):</i> Approximately 550 feet upstream of confluence with Fivemile Creek .....	*725	<i>Locust Fork:</i> Approximately 0.4 mile downstream of I-65 .....	*351	Approximately 0.59 mile upstream of Grover Drive .....	*690
At Chalkville Road .....	*958	Approximately 800 feet upstream of I-65 .....	*352	<b>Maps available for inspection</b> at the City Hall, 56 Church Street, Mountain Brook, Alabama.	
<i>Pinchgut Creek:</i> Approximately 845 feet downstream of Chalkville Road .....	*691	<i>Turkey Creek:</i> At downstream corporate limits .....	*350	<b>Tarrant City (City), Jefferson County (FEMA Docket No. 7105)</b>	
Approximately 1.44 miles upstream Morris Springs Lane .....	*851	At upstream corporate limits .....	*350	<i>Fivemile Creek:</i> Just upstream of Louisville and Nashville Railroad. Approximately 350 feet upstream of the confluence of Barton Branch .....	*520
<i>Hurricane Branch:</i> Approximately 1,300 feet upstream of confluence with Patton Creek .....	*425	<b>Maps available for inspection</b> at the Town Hall, 9256 Stouts Road, Kimberly, Alabama.		Approximately 350 feet upstream of the confluence of Barton Branch .....	*568
Approximately 1.04 miles upstream of Al Seier Road ...	*536	<b>Lipscomb (City), Jefferson County (FEMA Docket No. 7105)</b>		<i>Barton Branch:</i> At confluence with Fivemile Creek .....	*567
<i>Little Shades Creek (Cahaba River Basin):</i> Approximately 1,300 feet downstream of U.S. Highway 459 .....	*431	<i>Unnamed Creek 43:</i> Approximately 50 feet upstream of U.S. Route 11 ...	*484	Approximately 200 feet downstream of 6th Avenue .....	*581
Approximately 200 feet upstream of Cahaba Heights Road .....	*623	Approximately 1,750 feet upstream of U.S. Route 11 ...	*484	<b>Maps available for inspection</b> at the City Hall, 1604 Pinson Valley Parkway, Tarrant, Alabama.	
<i>Shades Creek:</i> Approximately 0.4 mile downstream of confluence with Black Creek .....	*393	<b>Maps available for inspection</b> at the City Hall, 5512 Avenue H, Lipscomb, Alabama.		<b>Trussville (City), Jefferson County (FEMA Docket No. 7105)</b>	
Approximately 0.88 mile upstream of Norris Dump Road .....	*745	<b>Midfield (City), Jefferson County (FEMA Docket No. 7105)</b>		<i>Pinchgut Creek:</i> Approximately 800 feet downstream of Southern Railroad .....	*691
<i>Fivemile Creek:</i> Approximately 1.4 miles upstream of the confluence with Locust Creek .....	*294	<i>Valley Creek:</i> Approximately 400 feet downstream of Cairo Avenue .....	*496	Approximately 0.44 mile upstream of Chalkville Road .....	*694
Approximately 1,500 feet upstream of Curtis Drive .....	*840	Approximately 1,850 feet upstream of Midfield Street ...	*511	<b>Maps available for inspection</b> at the City Hall, 131 Main Street, Trussville, Alabama.	
<i>Newfound Creek:</i> At downstream corporate limit of Town of Brookside .....	*367	<i>Unnamed Creek 46:</i> At downstream corporate limit .....	*506		
Approximately 1.5 miles downstream of Louisville and Nashville Railroad .....	*373	Downstream side of U.S. Route 11 .....	*518		
<i>Halls Creek:</i> At confluence with Valley Creek .....	*455	<i>Unnamed Creek 45:</i> At confluence with Valley Creek .....	*499		
Approximately 370 feet upstream of Interstate Routes 20 and 59 .....	*455				

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<b>VESTAVIA HILLS (CITY), JEFFERSON COUNTY (FEMA DOCKET No. 7105)</b>		<b>NEW JERSEY</b>			
<i>Patton Creek:</i>		<i>Berkeley Heights (Township), Union County (FEMA Docket No. 7247)</i>		Approximately 0.8 mile upstream of confluence with Big Alamance Creek .....	*504
Approximately 200 feet upstream of Creek View Drive .....	*509	<i>Green Brook:</i>	*197	Approximately 1.0 mile upstream of confluence with Big Alamance Creek .....	*512
Just downstream of Westridge Drive .....	*533	At confluence of Blue Brook		<i>Meadow Creek:</i>	
<i>Little Shades Creek (Cahaba River Basin):</i>		Approximately 1,600 feet upstream of Apple Tree Road	*405	Approximately 0.625 mile upstream of the confluence with the Haw River .....	*469
Approximately 450 feet downstream of Gonnedo Road .....	*445	<i>Blue Brook:</i>		Approximately 80 feet upstream of State Route 54 ..	*581
Approximately 0.46 mile upstream of Rocky Ridge Road .....	*532	At confluence with Green Brook .....	*197	<i>Mill Creek:</i>	
<i>Huckleberry Branch:</i>		Approximately 1.4 miles upstream of Seely's Pond Dam .....	*240	Approximately 0.61 mile downstream of Cooks Mill Road (SR 1920) .....	*534
At confluence with Patton Creek .....	*513	<i>Branch Green Brook:</i>		Approximately 0.61 mile downstream of Cooks Mill Road (SR 1920) .....	*534
Approximately 0.4 mile upstream of Hackenberry Lane .....	*636	At confluence with Green Brook .....	*363	<i>Otter Creek:</i>	
<b>Maps available for inspection at the City Hall/City Clerk's Office, 513 Montgomery Highway, Vestavia Hills, Alabama.</b>		Approximately 110 feet upstream of confluence with Green Brook .....	*363	At confluence with Graham-Mebane Lake .....	*534
<b>MINNESOTA</b>		<i>Branch Blue Brook:</i>		At upstream side of Mebane-Rogers Road .....	*620
<b>Red Wing (City), Goodhue County (FEMA Docket No. 7159)</b>		At confluence with Blue Brook .....	*210	<i>Unnamed Tributary to East Back Creek:</i>	
<i>Mississippi River:</i>		Approximately 10 feet upstream of confluence with Blue Brook .....	*210	At confluence with East Back Creek .....	*496
At downstream corporate limits .....	*682	<b>Maps available for inspection at the Berkeley Heights Township Engineering Office, 29 Park Avenue, Berkeley Heights, New Jersey.</b>		Approximately 1.6 miles upstream of Governor Scott Farm Road .....	*581
At upstream corporate limits .....	*687	<b>Highlands (Borough), Monmouth County (FEMA Docket No. 7251)</b>		<i>Unnamed Tributary to the Haw River at Glencoe:</i>	
<i>Spring Creek:</i>		<i>Sandy Hook Bay:</i>		Approximately 550 feet upstream of confluence with Haw River .....	*572
At Chicago and Northwestern Railway .....	*693	At the intersection of Bay Avenue and Central Avenue	*11	Approximately 50 feet upstream of Greenwood Drive (SR 1597) .....	*579
Approximately 0.8 mile upstream of Spring Creek Avenue .....	*799	Approximately 100 feet north from the intersection of Snug Harbor Avenue and Marine Place .....	*15	<i>Varnals Creek:</i>	
<i>Trout Brook:</i>		<i>Shrewsbury River:</i>		Approximately 0.34 mile upstream of Preacher Holmes Road (SR 2116) .....	*472
At confluence with Hay Creek	*699	At shoreline Hillside Avenue extended .....	*11	Approximately 0.92 mile upstream of Thompson Mill Road (SR 2328) .....	*555
Approximately 50 feet upstream of Pioneer Trail .....	*720	At shoreline Jackson Street extended .....	*13	<i>Tickle Creek:</i>	
<i>Hay Creek:</i>		<b>Maps available for inspection at the Borough of Highlands Municipal Building, 171 Bay Avenue, Highlands, New Jersey.</b>		Approximately 0.52 mile upstream of State Route 1500 .....	*643
Chicago, Milwaukee, St. Paul, and Pacific Railroad	*686	<b>NORTH CAROLINA</b>		Approximately 0.53 mile upstream of State Route 1500 .....	*643
Approximately 350 feet downstream of Pioneer Trail .....	*705	<b>Alamance County (Unincorporated Areas) (FEMA Docket No. 7251)</b>		<i>Graham-Mebane Lake:</i>	
<b>Maps available for inspection at the Building Department, 315 East Fourth Street, Red Wing, Minnesota.</b>		<i>Cane Creek:</i>		Entire shoreline within community .....	*534
<b>Sibley County (Unincorporated Areas) (FEMA Docket No. 7190)</b>		Approximately 1,700 feet upstream of the confluence with the Haw River .....	*420	<b>Maps available for inspection at the Alamance County Planning Department, 124 West Elm Street, Graham, North Carolina.</b>	
<i>Minnesota River:</i>		Just upstream of Bethel South Fork Road (SR 2351) .....	*501	<b>Burlington (City), Alamance County (FEMA Docket No. 7251)</b>	
Approximately 0.6 mile downstream of confluence of Rush River .....	*741	<i>Dry Creek:</i>		<i>Gunn Creek:</i>	
At upstream side of Minnesota State Route 93 .....	*747	Upstream side State Route 87 .....	*605	Approximately 2,450 feet downstream of Anthony Road (SR 1148) .....	*512
<b>Maps available for inspection at the Sible County Planning and Zoning Office, 400 Court Avenue, Gaylord, Minnesota.</b>		Approximately 775 feet upstream of State Route 87 ..	*606	Approximately 1,300 feet upstream of Berwick Road ....	*638
		<i>East Back Creek:</i>		<i>Michaels Branch:</i>	
		At confluence with the Haw River .....	*494	Approximately 320 feet upstream of confluence with West Back Creek .....	*575
		Approximately 1,100 feet upstream of NC Highway 54	*496	Approximately 50 feet upstream of U.S. Highway 70	*616
		<i>Gunn Creek:</i>		<i>Dry Creek:</i>	

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Upstream side Powerline Road .....	*631	Haw River (Town), Alamance County (FEMA Docket No. 7251)		<b>Maps available for inspection</b> at the Reynoldsville Municipal Building, 460 Main Street, Reynoldsville, Pennsylvania.	
Upstream side of Private Drive .....	*631	<i>East Back Creek:</i>		<b>TENNESSEE</b>	
<i>Unnamed Tributary to Gunn Creek:</i>		Approximately 1.5 miles downstream of Stone Street Extension .....	*513	<b>Murfreesboro (City), Rutherford County (FEMA Docket Nos. 7182 and 7243)</b>	
Confluence with Gunn Creek	*540	At toe of Graham-Mebane Lake Spillway .....	*522	<i>Lytle Creek:</i>	
Upstream side of Interstate Route 40 and 85 .....	*623	<i>Graham-Mebane Lake:</i>		Approximately 200 feet upstream of Old Fort Parkway at the upstream side of Louisville and Nashville Railroad .....	*581
<b>Maps available for inspection</b> at the Burlington Engineering Department, 425 South Lexington Avenue, Burlington, North Carolina.		Entire shoreline within community .....	*534	Approximately 200 feet upstream of Country Club Drive .....	*604
<b>Elon College (Town), Alamance County (FEMA Docket No. 7251)</b>		<i>East Back Creek (Overflow Path):</i>		<i>Bushman Creek:</i>	
<i>Dry Creek:</i>		At the confluence with East Back Creek .....	*515	At upstream side of Compton Road .....	*546
Approximately 775 feet upstream of State Route 87 ..	*606	Approximately 700 feet downstream of Southern Railway .....	*517	Approximately 200 feet downstream of New Lascassas Road .....	*585
Downstream side of Powerline Road .....	*626	<i>McAdams Creek:</i>		<i>Middle Fork Stones River:</i>	
<i>Gunn Creek:</i>		At confluence with East Back Creek (Overflow Path) .....	*517	At confluence with West Fork Stones River .....	*597
Approximately 1,300 feet upstream of Berwick Road ....	*638	Approximately 58 miles upstream of confluence with East Back Creek (Overflow Path) .....	*517	Approximately 0.6 mile upstream of confluence with West Fork Stones River ....	*597
Approximately 1,100 feet upstream of Berwick Road ....	*636	<b>Maps available for inspection</b> at the Haw River Town Hall, 403 East Main Street, Haw River, North Carolina.		<b>Maps available for inspection</b> at the Murfreesboro City Hall, City Planning Department, 111 West Vine Street, Murfreesboro, Tennessee.	
<b>Maps available for inspection</b> at the Elon College Town Hall, 104 South Williamson Avenue, Elon College, North Carolina.		Mebane (City), Alamance County (FEMA Docket No. 7251).		<b>Smyrna (Town), Rutherford County (FEMA Docket Nos. 7182 and 7243)</b>	
<b>Graham (City), Alamance County (FEMA Docket No. 7251)</b>		<i>Mill Creek:</i>		<i>Stewart Creek:</i>	
<i>Steelhouse Branch:</i>		Approximately 0.58 mile downstream of Cooks Mill Road (SR 1920) .....	*534	Approximately 0.6 mile downstream of 8th Avenue .....	*506
Approximately 125 feet upstream of Gilbreath Street	*495	Approximately 1.27 miles upstream of North First Street (State Route 119) .....	*584	Approximately 500 feet upstream of I-24 Eastbound	*547
Approximately 75 feet upstream of Ivey Street .....	*534	<i>Unnamed Tributary to East Back Creek:</i>		<i>Rock Spring Branch:</i>	
<i>East Back Creek:</i>		1.7 miles upstream of Governor Scott Farm Road (State Route 2124) .....	*580	Approximately 0.29 mile upstream of confluence with Harts Branch .....	*543
Approximately 350 feet upstream of State Route 54 ..	*494	2.2 miles upstream of Governor Scott Farm Road (State Route 2124) .....	*592	Approximately 0.33 mile upstream of Last Crossing of Rock Spring Road .....	*702
Approximately 5,800 feet upstream of Trollingwood Road (SR 1940) .....	*514	<i>Graham-Mebane Lake:</i>		<i>J. Percy Priest Reservoir:</i>	
<i>Unnamed Tributary to East Creek:</i>		Entire shoreline within community .....	*534	Shoreline within community ..	*506
At the confluence with East Back Creek .....	*496	<i>Eastside Creek:</i>		<i>Olive Branch:</i>	
Approximately 1.45 mile upstream of Governor Scott Farm Road (SR 2124) .....	*572	At confluence with Mill Creek	*564	At the confluence with Stewart Creek .....	*532
<b>Maps available for inspection</b> at the Graham City Hall, 201 South Main Street, Graham, North Carolina.		Approximately 200 feet downstream of Diet Road ..	*566	Approximately 375 feet upstream of Rosewood Drive	*559
Green Level (Town), Alamance County (FEMA Docket No. 7251).		<i>Lake Michael Tributary:</i>		<i>West Fork Stones River:</i>	
<i>Otter Creek:</i>		Confluence with Mill Creek ...	*581	Approximately 0.5 mile southeast of intersection of Enon Springs Road and Florence Road .....	*509
At upstream side of Deer Run Trail .....	*594	Approximately 300 feet upstream of confluence with Mill Creek .....	*585	Northwest corner of intersection of Wade Herrod Road and Florence Road .....	*520
Approximately 575 feet upstream of Deer Run Trail ...	*596	<b>Maps available for inspection</b> at the Mebane City Hall, 106 East Washington Street, Mebane, North Carolina.		<b>Maps available for inspection</b> at the Smyrna Town Hall, 315 South Lowry Street, Smyrna, Tennessee.	
<b>Maps available for inspection</b> at the Green Level Town Hall, 2510 Green Level Church Road, Green Level, North Carolina.		<b>Pennsylvania</b>		<b>WEST VIRGINIA</b>	
		<b>Reynoldsville (Borough), Jefferson County (FEMA Docket No. 7219)</b>		<b>Jefferson County (Unincorporated Areas) (FEMA Docket No. 7247)</b>	
		<i>Soldier Run:</i>		<i>Rockymarsh Run:</i>	
		Approximately 600 feet upstream of Worth Street .....	*1,368		
		At corporate limits .....	*1,376		

Source of flooding and location	# Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 430 feet downstream of Billmyer Mill Road .....	*411
Approximately 700 feet upstream of State Route 45 ..	*442
<i>Tributary to Rockymarsh Run:</i> At confluence with Rockymarsh Run .....	*427
Approximately 820 feet upstream of State Route 45 ..	*436
<b>Maps available for inspection</b> at the Jefferson County Clerk's Office, 100 East Washington Street, Charleston, West Virginia.	

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

Dated: September 11, 1998.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

[FR Doc. 98-25074 Filed 9-17-98; 8:45 am]

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 65

### Changes in Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATES:** The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

**ADDRESSES:** The modified 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,

500 C Street SW., Washington, DC 20472, (202) 646-3461.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified 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 modified 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.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

### 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, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. 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 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

### PART 65—[AMENDED]

1. The authority citation for part 65 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.

### § 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows: