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(g) You may get copies of the documents referenced in this AD from LET a.s., Kunovice 686 04, Czech Republic; telephone: +420 632 55 44 96; facsimile: +420 632 56 41 13. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

**Is There Other Information That Relates to This Subject?**

(h) Czech Airworthiness Directive CAA-AD-090/2001, dated October 25, 2001, also addresses the subject of this AD.

Issued in Kansas City, Missouri, on March 2, 2004.

**Sandra J. Campbell,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-5264 Filed 3-8-04; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 67**

[Docket No. FEMA-D-7584]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs 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 BFEs 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:**

Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** FEMA proposes to make determinations of BFEs and modified BFEs 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 BFEs, 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to establish and maintain community eligibility in the NFIP. 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:

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) ●Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
FLORIDA Leon County				
East Drainage Ditch .....	Approximately 0.6 mile upstream of the confluence with Monson Slough.	*41	*40	Leon County (Unincorporated Areas), City of Tallahassee.
West Drainage Ditch .....	Approximately 800 feet upstream of Apakin Nene Road .. From Mabry Street .....	None *54	*142 *53	Leon County (Unincorporated Areas), City of Tallahassee.
Gum Creek .....	Approximately 50 feet upstream of New Quincy Highway At the confluence with West Drainage Ditch .....	*62 *60	*61 *55	Leon County (Unincorporated Areas), City of Tallahassee.
North Branch Gum Creek .....	At the confluence with North Branch Gum Creek .....	*60	*58	Leon County (Unincorporated Areas).
	At the confluence with Gum Creek .....	*60	*58	
West Branch Gum Creek .....	At Gum Road .....	*60	*59	Leon County (Unincorporated Areas).
	At the confluence with Gum Creek .....	*60	*58	
	Just upstream of CSX Transportation .....	*60	*59	

**Leon County (Unincorporated Areas)**

Maps available for inspection at the Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida.

Send comments to Mr. Parwez Alam, Leon County Administrator, 301 South Monroe Street, Tallahassee, Florida 32301.

**City of Tallahassee**

Maps available for inspection at the Tallahassee City Hall, 300 South Adams Street, Tallahassee, Florida.

Send comments to The Honorable John Marks, Mayor of the City of Tallahassee, 300 South Adams Street, Tallahassee, Florida 32301-1731.

<b>KENTUCKY</b> <b>Pendleton County</b>				
Ohio River .....	Approximately 475 feet downstream of the downstream county boundary.	None	*506	Pendleton County (unincorporated Areas).
	Approximately 425 feet upstream of the upstream county boundary.	None	*506	
Licking River .....	At the confluence of Grassy Creek .....	None	*530	Pendleton County (Unincorporated Areas).
South Fork Licking River .....	Approximately 1.09 miles upstream of State Route 22 .....	None	*556	Pendleton County (Unincorporated Areas).
	At the confluence with Licking River .....	None	*555	
	Approximately 1.32 miles upstream of U.S. Route 27 .....	None	8559	

**Pendleton County (Unincorporated Areas)**

Maps available for inspection at the Pendleton County Judge's Office, 233 Main Street, Falmouth, Kentucky.

Send comments to The Honorable Henry Bertram, Pendleton County Judge Executive, 233 Main Street, Falmouth, Kentucky 41041.

<b>NORTH CAROLINA</b> <b>Bladen County</b>				
Saespan Branch .....	Approximately 600 feet downstream of the Bladen/Columbus County boundary.	None	•58	Bladen County (Unincorporated Areas).
	At the Bladen/Columbus County boundary .....	None	•59	

**Bladen County (Unincorporated Areas)**

Maps available for inspection at the Bladen County Courthouse, 106 East Broad Street, #106, Elizabethtown, North Carolina.

Send comments to Mr. Gregory Martin, Bladen County Manager, P.O. Box 1048, Elizabethtown, North Carolina 28337.

<b>NORTH CAROLINA</b> <b>Camden County</b>				
Areneuse Creek .....	At the upstream side of NC 343 .....	None	•6	Camden County (Unincorporated Areas).
	Approximately 150 feet downstream of Smith Corner Road.	None	•6	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Joyce Creek .....	At the confluence with Dismal Swamp Canal .....	None	•6	Camden County (Unincorporated Areas).
Tributary 1 .....	Approximately 100 feet upstream of Keeter Barn Road ...	None	•9	Camden County (Unincorporated Areas).
	At the confluence with Joyce Creek .....	None	*7	
Mill Dam Creek .....	Approximately 1.8 miles upstream of the confluence with Joyce Creek.	None	•8	Camden County (Unincorporated Areas).
	At NC 343 .....	None	•6	
Tributary 1 .....	Approximately 1.0 mile upstream of Ivy Neck Road .....	None	•6	Camden County (Unincorporated Areas).
	At the confluence with Mill Dam Creek .....	None	•6	
Tributary 2 .....	Approximately 60 feet downstream of NC 343 .....	None	•6	Camden County (Unincorporated Areas).
	At the confluence with Mill Dam Creek .....	None	•6	
Tributary 3 .....	Approximately 0.7 mile upstream of Mercer Drive .....	None	•7	Camden County (Unincorporated Areas).
	At the confluence with Mill Dam Creek .....	None	•6	
Tributary 4 .....	Approximately 0.3 mile upstream of Ivy Neck Road .....	None	•6	Camden County (Unincorporated Areas).
	At the confluence with Mill Dam Creek .....	None	•6	
Pasquotank River .....	Approximately 0.7 mile upstream of Bushell Road .....	None	•6	Camden County (Unincorporated Areas).
	Approximately 5.9 miles upstream of the confluence of Sawyers Creek.	None	•5	
Sawyers Creek .....	Approximately 8.1 miles upstream of Morgans Corner Road.	None	•13	Camden County (Unincorporated Areas).
	At the downstream side of Scotland Road .....	None	•5	
Tributary 2 .....	Approximately 0.6 mile upstream of Trafton Road .....	None	•8	Camden County (Unincorporated Areas).
	At U.S. Highway 158/NC 34 .....	None	•5	
Tributary 3 .....	Approximately 1.3 miles upstream of U.S. Highway 158/NC 34.	None	•6	Camden County (Unincorporated Areas).
	At the downstream side of U.S. Highway 158/NC 34 .....	None	•5	
Tributary 4 .....	Approximately 0.5 mile upstream of U.S. Highway 158/NC 34.	None	•6	Camden County (Unincorporated Areas).
	At the downstream side of Scotland Road .....	None	•5	
Tributary 5 .....	Approximately 1,600 feet upstream of Scotland Road .....	None	•6	Camden County (Unincorporated Areas).
	At the confluence with Sawyers Creek .....	None	•5	
	Approximately 400 feet downstream of Bourbon Street ...	None	•6	

**Camden County (unincorporated Areas)**

Maps available for inspection at the Camden County Offices, 117 North NC 343, Camden, North Carolina.

Send comments to Mr. Randell Woodruff, Camden County Manager, P.O. Box 190, Camden, North Carolina 27921.

**NORTH CAROLINA  
Pasquotank County**

East Branch Knobbs Creek Tributary.	At West Ehringhaus Street .....	•7	•8	City of Elizabeth City, Pasquotank County (Unincorporated Areas).
Halls Creek .....	Approximately 550 feet upstream of Roanoke Avenue .....	None	•9	Pasquotank County (Unincorporated Areas).
	Approximately 0.5 mile upstream of Halls Creek Road ...	None	•6	
Halls Creek Tributary 1 .....	Approximately 0.3 mile upstream of Simpson Ditch Road	None	•9	Pasquotank County (Unincorporated Areas).
	At the confluence with Halls Creek .....	None	•6	
Knobbs Creek .....	Approximately 2.0 miles upstream of the confluence with Halls Creek.	None	•9	City of Elizabeth City, Pasquotank County (Unincorporated Areas).
	At Creek Road .....	None	•6	
	Approximately 0.6 mile upstream of Berea Church Road	None	•7	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Tributary .....	Approximately 0.2 mile upstream of Providence Road .....	None	•7	City of Elizabeth City, Pasquotank County (Unincorporated Areas).
Little River .....	Approximately 0.8 mile upstream of U.S. Highway 17 .....	None	•9	Pasquotank County (Unincorporated Areas).
	Approximately 1.4 miles upstream of U.S. Highway 17 .....	None	•9	
New Begun Creek .....	Approximately 2.7 miles upstream of Foreman Bundy Road.	None	•10	Pasquotank County (Unincorporated Areas).
	At Florida Road .....	None	•5	
Newland Drainage Canal .....	Approximately 250 feet downstream of Pitts Chapel Road	None	•6	Pasquotank County (Unincorporated Areas).
	At the confluence with Pasquotank River .....	None	•7	
Canal Tributary 1 .....	Approximately 500 feet downstream of Newland Road ....	None	•14	Pasquotank County (Unincorporated Areas).
	At the confluence with Newland Drainage Canal .....	None	•7	
Canal Tributary 1A .....	Approximately 0.4 mile upstream of Brothers Lane .....	None	•11	Pasquotank County (Unincorporated Areas).
	At the confluence with Newland Drainage Canal Tributary 1.	None	•7	
Pasquotank River .....	Approximately 500 feet downstream of Blindman Road ...	None	•8	Pasquotank County (Unincorporated Areas).
	Approximately 9.1 miles upstream of U.S. Highway 158 ..	None	•5	
Tributary 3 .....	Approximately 6.6 miles upstream of the confluence with Newland Drainage Canal.	None	•13	Pasquotank County (Unincorporated Areas).
	At the confluence with Pasquotank River .....	None	•6	
Symonds Creek .....	Approximately 500 feet downstream of U.S. Highway 17	None	•10	Pasquotank County (Unincorporated Areas).
	Just upstream of Nixonton Road .....	None	•5	
Tributary 2 .....	Approximately 0.4 mile upstream of Nixonton Road .....	None	•6	Pasquotank County (Unincorporated Areas).
	At the confluence with Symonds Creek .....	None	•5	
	Approximately 0.8 mile upstream of the confluence with Symonds Creek.	None	•6	

**City of Elizabeth City**

Maps available for inspection at the Elizabeth City Inspections Department, 306 East Colonial Avenue, Elizabeth City, North Carolina.

Send comments to The Honorable Steven Harrell, Mayor of the City of Elizabeth City, P.O. Box 347, Elizabeth City, North Carolina 27907.

**Pasquotank County (Unincorporated Areas)**

Maps available for inspection at the Pasquotank County Planning Department, 206 East Main Street, 2nd Floor, Elizabeth City, North Carolina.

Send comments to Mr. Randy Keaton, Pasquotank County Manager, P.O. Box 39, Elizabeth City, North Carolina 27907.

**NORTH CAROLINA**  
**Robeson County**

Aaron Swamp .....	At the confluence with Horse Swamp .....	None	•97	Robeson County (Unincorporated Areas).
Alligator Swamp .....	Approximately 2,000 feet upstream of Dew Road .....	None	•147	Robeson County (Unincorporated Areas).
	Approximately 0.7 mile downstream of Affinity Road .....	None	•69	
Ashpole Swamp .....	Approximately 2,800 feet upstream of Marietta Road .....	None	•91	Robeson County (Unincorporated Areas).
	At the NC/SC State boundary .....	None	•60	
Tributary 1 .....	Approximately 0.42 mile upstream of State Route 710 ....	None	•155	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•100	
Tributary 2 .....	Approximately 0.8 mile upstream of Butler Road .....	None	•123	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•107	
Tributary 3 .....	Approximately 100 feet downstream of West Horne Road	None	•113	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•123	
Tributary 4 .....	Approximately 2,100 feet upstream of State Route 710 ...	None	•143	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•126	
	Approximately 0.45 mile upstream of Bridges Road .....	None	•141	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Bay Branch .....	At the confluence with Indian Swamp .....	None	•94	Robeson County (Unincorporated Areas).
	Approximately 0.63 mile upstream of the confluence with Indian Swamp.	None	•100	
Bear Swamp .....	Just upstream of State Route 710 .....	None	•183	Robeson County (Unincorporated Areas).
	Approximately 100 feet downstream of WL Moore Woods Road.	None	•188	
Beaverdam Branch .....	At the confluence with Little Marsh Swamp .....	None	•152	Robeson County (Unincorporated Areas).
	Approximately 2,750 feet upstream of Carolina Church Road.	None	•173	
Big Branch (near Town of Marietta).	At the confluence with Ashpole Swamp .....	None	•76	Robeson County (Unincorporated Areas).
	Approximately 1,800 feet downstream of Shakespeare Road.	None	•86	
Big Branch (near Town of St. Pauls).	At the confluence with Big Marsh Swamp .....	None	•142	Robeson County (Unincorporated Areas).
	Approximately 3,400 feet upstream of CSX Transportation.	None	•155	
Big Branch Tributary 1 .....	At the confluence with Big Branch .....	None	•142	Robeson County (Unincorporated Areas).
	Approximately 2,800 feet upstream of the confluence with Big Branch.	None	•152	
Big Branch Tributary 2 .....	At the confluence with Big Branch .....	None	•145	Robeson County (Unincorporated Areas).
	Approximately 50 feet downstream of U.S. Route 301 .....	None	•156	
Big Branch Canal .....	At the confluence with Lumber River .....	•91	•92	Robeson County (Unincorporated Areas).
	Approximately 1,225 feet upstream of Wilmington Highway.	None	•100	
Big Marsh Swamp .....	At the confluence with Big Swamp .....	None	•122	Robeson County (Unincorporated Areas).
	Approximately 2,200 feet upstream of Balfort Road .....	None	•188	
Tributary 1 .....	At the confluence with Big Marsh Swamp .....	None	•153	Robeson County (Unincorporated Areas).
	Approximately 600 feet upstream of Great Marsh Church Road.	None	•169	
Tributary 2 .....	At the confluence with Big Marsh Swamp .....	None	•167	Robeson County (Unincorporated Areas).
	Approximately 1,400 feet upstream of Pine Street .....	None	•185	
Big Swamp .....	At the upstream side of Railroad .....	None	•99	Robeson County (Unincorporated Areas).
	At the confluence of Big Marsh Swamp and Galberry Swamp.	None	•122	
Black Branch .....	At the confluence with Big Marsh Swamp .....	None	•149	Robeson County (Unincorporated Areas).
	Approximately 800 feet upstream of State Route 20 .....	None	•165	
Black Branch (near Town of Maxton).	At the confluence with Little Bull Branch .....	None	•151	Robeson County (Unincorporated Areas).
	Approximately 0.5 mile upstream of Morrison Road .....	None	•171	
Bogue Swamp .....	At the confluence with Little Marsh Swamp .....	None	•161	Robeson County (Unincorporated Areas).
	Approximately 1,325 feet upstream of State Route 71 .....	None	•187	
Bracey Swamp .....	At the confluence with Mitchell Swamp .....	None	•113	Robeson County (Unincorporated Areas).
	Approximately 250 feet downstream of Bracey Cemetery Road.	None	•128	
Bryant Swamp .....	At the confluence with Big Swamp .....	None	•92	Robeson County (Unincorporated Areas).
	Approximately 1.0 mile upstream of the confluence with Big Swamp.	None	•92	
Buckhorn Swamp .....	At the confluence with Long Branch .....	None	•149	Robeson County (Unincorporated Areas).
	Approximately 1.2 miles upstream of State Route 301 .....	None	•177	
Bull Branch .....	Approximately 0.5 mile upstream of the confluence with Leith Creek.	None	•129	Robeson County (Unincorporated Areas).
	Approximately 1,000 feet upstream of Binyamee Road ....	None	•175	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Burnt Swamp .....	At the confluence with Richland Swamp .....	None	•140	Robeson County (Unincorporated Areas).
Cold Camp Creek .....	Approximately 0.44 mile upstream of Melinda Road .....	None	•190	Robeson County (Unincorporated Areas).
	At the confluence with Galberry Swamp .....	None	•144	
Collection Canal .....	Approximately 2.2 miles upstream of the confluence of Cold Camp Creek Tributary 2.	None	•165	Robeson County (Unincorporated Areas), City of Lumberton.
	Approximately 2,000 feet upstream of the confluence with Jacob Swamp.	•114	•113	
Contrary Swamp .....	At the confluence with Underpass Overland North .....	•114	•119	Robeson County (Unincorporated Areas).
	At the confluence with Mitchell Swamp .....	None	•111	
Cotton Mill Branch .....	Approximately 0.72 mile upstream of Interstate 95 .....	None	•119	Robeson County (Unincorporated Areas), City of Lumberton.
	At Martin Luther King Jr. Drive .....	•114	•116	
Cowford Swamp .....	At the confluence with Underpass Overland South .....	•115	•118	Robeson County (Unincorporated Areas).
	At the confluence with McLeod Mill Branch .....	None	•105	
Cowpen Branch .....	Approximately 300 feet downstream of Butler Road .....	None	•121	Robeson County (Unincorporated Areas).
	At the confluence with Ten Mile Swamp .....	None	•145	
Cowpen Swamp .....	Approximately 2,500 feet upstream of Interstate 95 .....	None	•149	Robeson County (Unincorporated Areas).
	Approximately 0.5 mile downstream of Jordache Road ...	None	•80	
Dunn's Marsh Creek .....	Approximately 1,700 feet upstream of State Line Road ...	None	•92	Robeson County (Unincorporated Areas), Town of Parkton.
	At the confluence with Little Marsh Swamp .....	None	•155	
Dunn's Marsh Creek .....	Approximately 300 feet downstream of Mallory Road .....	None	•187	Robeson County (Unincorporated Areas), Town of Parkton.
	At the confluence with Dunn's Marsh Creek .....	None	•173	
Tributary 1 .....	Approximately 0.56 mile upstream of Barlow Road .....	None	•186	Robeson County (Unincorporated Areas).
Tributary 2 .....	At the confluence with Dunn's Marsh Creek .....	None	•177	
First Swamp .....	Approximately 0.35 mile upstream of State Route 71 .....	None	•183	Robeson County (Unincorporated Areas).
	At the confluence with Wilkinson Creek .....	None	•129	
Five Mile Branch .....	Approximately 0.5 mile upstream of Quinn Road .....	None	•169	Robeson County (Unincorporated Areas), City of Lumberton.
	At downstream side of Meadow Road .....	None	•138	
Frazier Branch .....	Approximately 0.5 mile upstream of Meadow Road .....	None	•139	Robeson County (Unincorporated Areas).
	At the confluence with Shoe Heel Creek .....	None	•149	
Fullermore Swamp .....	Approximately 600 feet upstream of Fairley Road .....	None	•174	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•116	
Tributary .....	Approximately 1,500 feet upstream of NW Railroad Avenue.	None	•139	Robeson County (Unincorporated Areas)
	At the confluence with Fullermore Swamp .....	None	•126	
Galberry Swamp .....	Approximately 300 feet upstream of State Route 710 .....	None	•126	Robeson County (Unincorporated Areas).
	At the confluence with Big Swamp .....	None	•122	
Gravel Branch .....	At the confluence with Long Branch and Buckhorn Swamp.	None	•149	Robeson County (Unincorporated Areas).
	At the confluence with Ten Mile Swamp .....	None	•123	
Gum Branch .....	At Reagan Church Road .....	None	•133	Robeson County (Unincorporated Areas).
	At the confluence with Big Marsh Swamp .....	None	•152	
Gum Swamp .....	Approximately 800 feet upstream of Covington Farm Road.	None	•169	Robeson County (Unincorporated Areas).
	At the upstream side of CSX Transportation .....	None	•169	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Hog Swamp .....	Approximately 0.47 mile upstream of McNeill Road .....	None	•219	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•74	
Holy Swamp .....	Approximately 1.9 miles upstream of Pleasant Hope Road.	None	•132	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•126	
Horn Camp Swamp .....	Approximately 0.75 mile upstream of Evergreen Church Road.	None	•149	Robeson County (Unincorporated Areas).
	At the confluence with Horse Swamp .....	None	•95	
Horns Millrace .....	Approximately 500 feet upstream of Horne Camp Road ..	None	•115	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•89	
Horse Branch .....	Approximately 1,300 feet upstream of Farm Lane .....	None	•131	Robeson County (Unincorporated Areas).
	At the confluence with Big Marsh Swamp .....	None	•133	
Horse Swamp .....	Approximately 100 feet downstream of East Great Marsh Church Road.	None	•144	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•94	
Humphrey Branch .....	Approximately 500 feet downstream of CSX Transportation.	None	•133	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•148	
Indian Swamp .....	Approximately 1.1 miles upstream of the confluence with Raft Swamp.	None	•165	Robeson County (Unincorporated Areas), Town of Proctorville.
	At the confluence with Coward Swamp .....	None	•66	
Jackson Swamp .....	Approximately 0.47 mile upstream of Atkinson Road .....	None	•109	Robeson County (Unincorporated Areas).
	At the confluence with Big Swamp .....	None	•101	
Jacob Diversion .....	Approximately 1,400 feet downstream of Judge Road .....	None	•125	Robeson County (Unincorporated Areas), City of Lumberton.
	Approximately 0.4 mile downstream of Contempare Drive	•123	•124	
Jacob Swamp .....	Approximately 0.3 mile upstream of Emery Road .....	None	•133	Robeson County (Unincorporated Areas), City of Lumberton.
	Approximately 900 feet upstream of the confluence with Lumber River.	•106	•107	
Jordan Swamp .....	Approximately 0.5 miles upstream of Kenny Biggs Road	•123	•121	Robeson County (Unincorporated Areas).
	At the confluence with Gum Swamp .....	None	•187	
Jowers Branch .....	At County boundary .....	None	•218	Robeson County (Unincorporated Areas).
	At the confluence with Shoe Heel Creek .....	None	•159	
Juniper Branch .....	Approximately 0.49 mile upstream of Charlie Watt Road	None	•190	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•170	
Lee's Branch .....	Approximately 100 feet downstream of Johnson Road ....	None	•203	Robeson County (Unincorporated Areas).
	At the confluence with Ten Mile Swamp .....	None	•121	
Leith Creek .....	Approximately 1,000 feet upstream of Vester Road .....	None	•132	Robeson County (Unincorporated Areas).
	At State boundary .....	None	•125	
Little Bear Swamp .....	At County boundary .....	None	•126	Robeson County (Unincorporated Areas).
	Approximately 325 feet upstream of the confluence of Bear Swamp.	•183	•185	
Little Bull Branch .....	Approximately 150 feet upstream of WL Moore Woods Road.	None	•188	Robeson County (Unincorporated Areas).
	At the confluence with Bull Branch .....	None	•139	
Little Burnt Swamp .....	Approximately 0.5 mile upstream of Bethea Road .....	None	•169	Robeson County (Unincorporated Areas).
	At the confluence with Burnt Swamp .....	None	•163	
	Approximately 0.43 mile upstream of Townsends Chapel Road.	None	•178	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Little Hog Swamp .....	At the confluence with Hog Swamp .....	None	•106	Robeson County (Unincorporated Areas).
Little Indian Swamp .....	Approximately 0.42 mile upstream of Greenville Road ...	None	•123	Robeson County (Unincorporated Areas).
	At the confluence with Little Indian Swamp .....	None	•90	
Little Jacob Swamp .....	Approximately 400 feet downstream of State Route 130	None	•97	Robeson County (Unincorporated Areas), City of Lumberton.
	Approximately 250 feet downstream of Lovette Road .....	•114	•113	
Little Juniper Branch .....	Approximately 1,000 feet downstream of Kenny Biggs Road.	•123	•122	Robeson County (Unincorporated Areas).
	At the upstream side of CSX Transportation .....	None	•170	
Little Marsh Swamp .....	Approximately 0.76 mile upstream of Hezekiah Road .....	None	•186	Robeson County (Unincorporated Areas), Town of Lumber Bridge.
	At the confluence with Galberry Swamp .....	None	•131	
Tributary .....	At the County boundary .....	None	•191	Robeson County (Unincorporated Areas).
	At the confluence with Little Marsh Swamp .....	None	•171	
Little Raft Swamp .....	Approximately 2,750 feet upstream of State Road 20 .....	None	•182	Robeson County (Unincorporated Areas), Town of Red Springs.
	At the confluence with Raft Swamp .....	None	•155	
Little Swamp .....	Approximately 100 feet upstream of Springside Road .....	None	•187	Robeson County (Unincorporated Areas).
	At the confluence with Big Swamp .....	None	•100	
Little Ten Mile Swamp .....	Approximately 4,800 feet upstream of Singletary Church Road.	None	•107	Robeson County (Unincorporated Areas).
	At the confluence with Ten Mile Swamp .....	None	•145	
Long Branch (near City of Lumberton).	Approximately 850 feet upstream of McDuffie Crossing Road.	None	•163	Robeson County (Unincorporated Areas).
	At the confluence with Big Swamp .....	None	•99	
Long Branch (near Town of Parkton).	Approximately 1.0 mile upstream of McKinnon Rollin Road.	None	•113	Robeson County (Unincorporated Areas).
	At the confluence with Galberry Swamp .....	None	•149	
Long Swamp .....	Approximately 1.5 miles upstream of Council Road .....	None	•169	Robeson County (Unincorporated Areas).
	At the confluence with Richland Swamp .....	None	•194	
Lumber River .....	At County boundary .....	None	•208	Robeson County (Unincorporated Areas), City of Lumberton.
	Approximately 1.9 miles upstream of Willoughby Road ...	•96	•95	
McGregor Branch .....	Approximately 0.4 mile downstream of NC 72 .....	•112	•111	Robeson County (Unincorporated Areas).
	At the confluence with Shoe Heel Creek .....	None	•124	
McLeans Branch .....	Approximately 0.4 mile upstream of Elsie Road .....	None	•151	Robeson County (Unincorporated Areas), Town of Red Springs.
	At the confluence with Little Raft Swamp .....	None	•171	
McLeod Mill Branch .....	Approximately 0.4 mile upstream of State Route 71 .....	None	•204	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•98	
McLeod Mill Branch .....	Approximately 1,800 feet downstream of Butler Road .....	None	•132	Robeson County (Unincorporated Areas).
	At the confluence with McLeod Mill Branch .....	None	•103	
Tributary .....	Approximately 0.74 mile upstream of the confluence with McLeod Mill Branch.	None	•111	
McRae Branch .....	At the confluence with Shoe Heel Creek .....	None	•137	Robeson County (Unincorporated Areas).
Mercer Branch .....	Approximately 0.6 mile upstream of U.S. Route 501 .....	None	•169	Robeson County (Unincorporated Areas).
	At the confluence with Little Marsh Swamp .....	None	•133	
	Approximately 1,200 feet upstream of Interstate 95 .....	None	•167	



Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Middle Branch .....	At the confluence with Wilkinson Creek .....	None	•131	Robeson County (Unincorporated Areas).
Mill Branch (near Town of Fairmont).	Approximately 850 feet upstream of McLeod Drive .....	None	•164	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•85	
Mill Branch (near City of Lumberton).	Approximately 1,700 feet upstream of White Pond Road .....	None	•103	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•137	
Mirey Branch .....	Approximately 0.47 mile upstream of East 4th Avenue ....	None	•154	Robeson County (Unincorporated Areas).
	At the confluence with Big Marsh Swamp .....	None	•161	
Mitchell Swamp .....	Approximately 2,000 feet upstream of the confluence with Big Marsh Swamp.	None	•167	Robeson County (Unincorporated Areas).
	At the State boundary .....	None	•111	
Mitchell Swamp .....	Approximately 1,800 feet downstream of Viper Lane .....	None	•151	Robeson County (Unincorporated Areas), Town of Rowland.
	At the confluence with Mitchell Swamp .....	None	•119	
Tributary .....	Approximately 0.89 mile upstream of the confluence with Mitchell Swamp.	None	•129	
Moss Neck Swamp .....	At the upstream side of Moss Neck Road .....	None	•144	Robeson County (Unincorporated Areas).
Old Field Branch .....	Approximately 0.6 mile upstream of North Chicken Road .....	None	•162	Robeson County (Unincorporated Areas).
	At the confluence with Ten Mile Swamp .....	None	•134	
Old Field Swamp .....	Approximately 2,800 feet upstream of the confluence with Ten Mile Swamp.	None	•139	Robeson County (Unincorporated Areas), Town of Fairmont.
	At the confluence with Hog Swamp .....	None	•86	
Tributary .....	Approximately 150 feet downstream of Interstate 95 .....	None	•135	Robeson County (Unincorporated Areas).
	At the confluence with Old Field Swamp .....	None	•103	
Old Hill Branch .....	Approximately 500 feet upstream of CSX Transportation .....	None	•127	Robeson County (Unincorporated Areas).
	At the confluence with Hog Swamp .....	None	•93	
Panther Branch .....	Approximately 1,300 feet upstream of the confluence with Hog Swamp.	None	•95	Robeson County (Unincorporated Areas).
	At the confluence with Richland Swamp .....	None	•154	
Pittman Mill Branch .....	Approximately 1,650 feet upstream of Old Lowry Road ...	None	•201	Robeson County (Unincorporated Areas), Town of Fairmont.
	At the confluence with Old Field Swamp .....	None	•92	
Raft Swamp .....	Approximately 0.42 mile upstream of Pittman Street .....	None	•113	Robeson County (Unincorporated Areas).
	Approximately 0.5 mile upstream of the confluence with the Lumber River.	•124	•123	
Reedy Branch .....	At the downstream County boundary .....	None	•182	Robeson County (Unincorporated Areas).
	At the confluence with Old Field Swamp .....	None	•111	
Richland Swamp .....	Approximately 0.72 mile upstream of the confluence with Old Field Swamp.	None	•121	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•133	
Saddletree Swamp .....	Approximately 0.47 mile upstream of Mt. Zion Church Road.	None	•210	Robeson County (Unincorporated Areas).
	Approximately 1,250 feet upstream of McDuffie Crossing Road.	None	•155	
Tributary .....	Approximately 0.8 mile upstream of McDuffie Crossing Road.	None	•158	Robeson County (Unincorporated Areas), City of Lumberton.
	At the upstream side of Mt. Moriah Church Road .....	None	•144	
Scotts Mill Branch .....	Approximately 500 feet upstream of West Powersville Road.	None	•147	Robeson County (Unincorporated Areas).
	At the confluence with Ashpole Swamp .....	None	•105	

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Shoe Heel Creek .....	Approximately 0.63 mile downstream of U.S. Route 301 At State boundary .....	None None	•134 •114	Robeson County (Unincorporated Areas), Town of Maxton.
Short Swamp .....	At Scotland/Robeson County boundary .....	None	•164	
	At the confluence with Wilkinson Creek .....	None	•129	Robeson County (Unincorporated Areas).
Ten Mile Swamp .....	Approximately 100 feet downstream of Cabinet Shop Road. At the confluence with Big Swamp .....	None None	•140 •116	
	Approximately 1,450 feet upstream of McDuffie Crossing Road. At the confluence with Ten Mile Swamp .....	None None	•162 •127	Robeson County (Unincorporated Areas).
Tributary .....	Approximately 1,050 feet upstream of East Powersville Road. At the confluence with Ten Mile Swamp .....	None None	•137 •126	
Thick Branch .....	Approximately 1,400 feet upstream of Indian Heritage Road. At the confluence with Mitchell Swamp .....	None None	•133 •119	Robeson County (Unincorporated Areas), Town of Rowland.
Town Ditch .....	Approximately 0.9 mile upstream of the confluence with Mitchell Swamp. At the confluence with Collection Canal .....	None •114	•129 •119	
Underpass Overland .....	At the confluence with Underpass Overland South .....	None	•119	City of Lumberton.
North .....	At the confluence with Cotton Mill Branch .....	None	•118	
South .....	Approximately 150 feet upstream of Interstate 95 .....	None	•124	Robeson County (Unincorporated Areas).
Watering Hole Swamp .....	At the confluence with Wilkinson Creek .....	None	•135	
White Oak Branch .....	Approximately 50 feet downstream of O'Quinn Road .....	None	•167	Robeson County (Unincorporated Areas).
	At the confluence with Raft Swamp .....	None	•129	
White Oak Swamp .....	Approximately 2,250 feet upstream of Oak Grove Church Road. At the confluence with Big Swamp .....	None None	•148 •110	Robeson County (Unincorporated Areas).
Wildcat Branch .....	Approximately 1,100 feet upstream of Howell Road .....	None	•135	
	At the confluence with Ten Mile Swamp .....	None	•116	Robeson County (Unincorporated Areas).
Wilkinson Creek .....	Approximately 2,200 feet upstream of Smith Mill Road .... At the confluence with Shoe Heel Creek .....	None None	•132 •117	
	Approximately 450 feet downstream of O'Quinn Road .... At the confluence with Wilkinson Creek .....	None None	•167 •122	Robeson County (Unincorporated Areas)
Tributary .....	Approximately 1.5 miles upstream of Gaddy's Mill Road	None	•154	

**Town of Fairmont**

Maps available for inspection at the Fairmont Town Hall, 421 South Main Street, Fairmont, North Carolina.

Send comments to The Honorable Nedward Gaddy, Mayor of the Town of Fairmont, Municipal Building, Box 248, Fairmont, North Carolina 28340.

**Town of Lumber Bridge**

Maps available for inspection at the Lumber Bridge Town Hall, 101 Railroad Street, Lumber Bridge, North Carolina.

Send comments to The Honorable William L. Davis, Mayor of the Town of Lumber Bridge, P.O. Box 91, Lumber Bridge, North Carolina 28357.

**City of Lumberton**

Maps available for inspection at the City of Lumberton Planning Department, 501 East 5th Street, Lumberton, North Carolina.

Send comments to The Honorable Ray B. Pennington, Mayor of the City of Lumberton, P.O. Box 1388, Lumberton, North Carolina 28359.

**Town of Maxton**

Maps available for inspection at the Maxton Town Hall, 201 McCaskill Street, Maxton, North Carolina.

Send comments to The Honorable Lillie A. McKoy, Mayor of the Town of Maxton, 201 McCaskill Street, Maxton, North Carolina 28364.

**Town of Parkton**

Maps available for inspection at the Parkton Town Hall, 28 West Second Street, Parkton, North Carolina.

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	

Send comments to The Honorable Tim Parnell, Mayor of the Town of Parkton, P.O. Box 55, Parkton, North Carolina 28371.

#### Town of Proctorville

Maps available for inspection at the Proctorville Town Hall, Corner of Carolina & Main Street, Proctorville, North Carolina.

Send comments to The Honorable Hal D. Ivey, Mayor of the Town of Proctorville, P.O. Box 190, Proctorville, North Carolina 28375.

#### Town of Red Springs

Maps available for inspection at the Red Springs Town Hall, 217 South Main Street, Red Springs, North Carolina.

Send comments to The Honorable George T. Paris, Mayor of the Town of Red Springs, 217 South Main Street, Red Springs, North Carolina 28377.

#### Robeson County (Unincorporated Areas)

Maps available for inspection at the Robeson County Inspections & Zoning Office, 415 Country Club Drive, Lumberton, North Carolina.

Send comments to Mr. Kenneth Windley, Jr., Robeson County Manager, County Administration Building, 701 North Elm Street, Lumberton, North Carolina 28358.

#### Town of Rowland

Maps available for inspection at the Rowland Town Hall, 202 West Main Street, Rowland, North Carolina.

Send comments to The Honorable Harris McCall, Mayor of the Town of Rowland, P.O. Box 127, Rowland, North Carolina 28383.

### NORTH CAROLINA Town of St. James, Brunswick County

Atlantic Ocean .....	Approximately 500 feet north of the intersection of Glenscare Lane SE and Pinecrest Drive SE.	None	•11	Town of St. James
	Approximately 1,000 feet south of the intersection of Marshwood Court and Marshpoint Road.	•13	•11	

#### Town of St. James

Maps available for inspection at the St. James Town Hall, 3628 St. James Drive, Southport, North Carolina.

Send comments to The Honorable Leonard B. Harmon, Mayor of the Town of St. James, 3628 St. James Drive, Southport, North Carolina 28461.

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

Dated: March 3, 2004.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

[FR Doc. 04-5245 Filed 3-8-04; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### 45 CFR Parts 74, 92, 96, and 87

#### Participation in Department of Health and Human Services Programs by Religious Organizations; Providing for Equal Treatment of all Department of Health and Human Services Program Participants

**AGENCY:** Office of the Secretary, Department of Health and Human Services.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This proposed rule is intended to implement executive branch policy that, within the framework of

constitutional church-state guidelines, religiously affiliated (or "faith-based") organizations should be able to compete on an equal footing with other organizations for the Department's funding without impairing the religious character of such organizations. It proposes to revise Department regulations at 45 CFR Parts 74, 92, and 96 to remove barriers to the participation of faith-based organizations in Department programs and to ensure that these programs are implemented in a manner consistent with applicable statutes and the requirements of the Constitution, including the Establishment, Free Exercise, and Free Speech Clauses of the First Amendment.

**DATES:** Comments must be submitted by May 10, 2004.

**ADDRESSES:** You may submit comments by any of the following methods. All submissions must include the agency name and Regulation Identifier Number (RIN) for this rulemaking:

- **Mail:** HHS/OS Executive Secretariat, Room 603-H, 200 Independence Avenue, SW., Washington, DC 20201.

- **Hand delivery/courier:** HHS/OS Executive Secretariat, Room 603-H, 200 Independence Avenue, SW., Washington, DC 20201. Delivery must be made between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Federal Rulemaking Portal:** At Regulations.gov located at <http://www.regulations.gov/index.cfm>.

**Instructions:** At Regulations.gov you may find, review, and submit comments on this and other proposed regulations open for comment and published in the **Federal Register**. Once you have performed a search and located the open proposed regulation, you may submit comments by clicking the "Submit a Comment on this Regulation" link. The link will open a blank comment form in a separate Internet browser window for you to fill out. The form is limited to 4,000 characters or roughly two pages of comments. You may send more than one comment form. In most cases, you may also attach an electronic file as a part of your comment. The comment form that appears when you click the "Submit a Comment on this Regulation" link is specific to the particular Department or Agency that will receive