

However, we thank the commenter for his interest.

### III. EPA Action

No comments were submitted that change our assessment that the submitted rules comply with the relevant CAA requirements. Therefore, as authorized in section 110(k)(3) of the Act, EPA is fully approving these rules into the California SIP.

### IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045

“Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because it approves a state rule implementing a Federal standard.

In reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission; to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 9, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations,

Particulate matter, Reporting and recordkeeping requirements.

Dated: January 17, 2008.

**Jane Diamond,**

*Acting Regional Administrator, Region IX.*

■ Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52 [AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(342)(i)(C)(4) and (c)(348) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(342) \* \* \*

(i) \* \* \*

(C) \* \* \*

(4) Rule 403, adopted on May 7, 1976 and amended on June 3, 2005.

\* \* \* \* \*

(348) New and amended rules for the following APCDs were submitted on December 29, 2006 by the Governor’s designee.

(i) Incorporation by reference.

(A) San Joaquin Valley Air Pollution Control District.

(1) Rule 4354, adopted on August 17, 2006.

(B) South Coast Air Quality Management District.

(1) Rule 1156, adopted on November 4, 2005.

\* \* \* \* \*

[FR Doc. E8–4147 Filed 3–7–08; 8:45 am]

**BILLING CODE 6560–50–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket No. FEMA-B–7766]

#### Changes in Flood Elevation Determinations

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because

of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Mitigation Assistant Administrator of FEMA reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified 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:** William R. Blanton, Jr., Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed

conditions or new scientific or technical data.

The modifications are made pursuant to section 201 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 BFEs 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 (NFIP).

These 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 the other Federal, State, or regional entities. The changed BFEs are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

*Regulatory Classification.* This interim 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 13132, Federalism.* This interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

*Executive Order 12988, Civil Justice Reform.* This interim rule meets the applicable standards of Executive Order 12988.

#### 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:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Talladega	Unincorporated areas of Talladega County, (07-04-6542P).	December 14, 2007; December 21, 2007; <i>The Daily Home</i> .	The Honorable James G. Hilber, Administrator, Talladega County, P.O. Box 6170, Talladega, AL 35161.	March 21, 2008 .....	010297
Arizona:					
Maricopa .....	Town of Buckeye, (07-09-1734P).	December 7, 2007; December 14, 2007; <i>West Valley View</i> .	The Honorable Bobby Bryant, Mayor, Town of Buckeye, 100 North Apache Road, Suite A, Buckeye, AZ 85326.	December 19, 2007 .....	040039
Yavapai .....	Unincorporated areas of Yavapai County, (07-09-1369P).	December 13, 2007; December 20, 2007; <i>Prescott Daily Courier</i> .	The Honorable Chip Davis, Chairman, Yavapai County Board of Supervisors, 1015 Fair Street, Prescott, AZ 86305.	March 20, 2008 .....	040093
California:					
Santa Barbara ...	Unincorporated areas of Santa Barbara County, (06-09-BF87P).	December 20, 2007; December 27, 2007; <i>Santa Barbara News-Press</i> .	The Honorable Brooks Firestone, Chair, Santa Barbara County Board of Supervisors, 105 East Anapamu Street, Santa Barbara, CA 93101.	December 6, 2007 .....	060331
Riverside .....	City of Corona, (07-09-1194P).	November 1, 2007; November 8, 2007; <i>The Press-Enterprise</i> .	The Honorable Eugene Montanez, Mayor, City of Corona, 400 South Vincentia Avenue, Corona, CA 92882.	February 7, 2008 .....	060250
Colorado:					
El Paso .....	Unincorporated areas of El Paso County, (07-08-0324P).	December 5, 2007; December 12, 2007; <i>El Paso County Advertiser and News</i> .	The Honorable Dennis Hisey, Chairman, El Paso County Board of Commissioners, 27 East Vermijo Avenue, Colorado Springs, CO 80903-2208.	March 12, 2008 .....	080059
El Paso .....	Unincorporated areas of El Paso County, (07-08-0475P).	December 12, 2007; December 19, 2007; <i>El Paso County Advertiser and News</i> .	The Honorable Dennis Hisey, Chairman, El Paso County Board of Commissioners, 27 East Vermijo Avenue, Colorado Springs, CO 80903.	November 30, 2007 .....	080059

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Jefferson .....	City of Arvada, (07-08-0940P).	December 13, 2007; December 20, 2007; <i>The Golden Transcript</i> .	The Honorable Ken Fellman, Mayor, City of Arvada, 8101 Ralston Road, Arvada, CO 80002.	March 20, 2008 .....	085072
Mesa .....	City of Grand Junction, (07-08-0859P).	December 6, 2007; December 13, 2007; <i>The Daily Sentinel</i> .	Mr. Jim Doody, Mayor, City of Grand Junction, 250 North Fifth Street, Grand Junction, CO 81501.	March 13, 2008 .....	080117
Mesa .....	Unincorporated areas of Mesa County, (07-08-0859P).	December 6, 2007; December 13, 2007; <i>The Daily Sentinel</i> .	The Honorable Craig J. Meis, Chairman, Mesa County Board of Commissioners, P.O. Box 20000, Grand Junction, CO 81502-5010.	March 13, 2008 .....	080115
Florida:					
Manatee .....	Unincorporated areas of Manatee County, (07-04-4406P).	December 6, 2007; December 13, 2007; <i>The Bradenton Herald</i> .	The Honorable Amy E. Stein, Chairman, Manatee County Board of Commissioners, P.O. Box 1000, Bradenton, FL 34206-1000.	March 13, 2008 .....	120153
Polk .....	City of Winter Haven, (07-04-5471P).	December 6, 2007; December 13, 2007; <i>News Chief</i> .	The Honorable Nathaniel Birdsong, Mayor, City of Winter Haven, P.O. Box 2277, Winter Haven, FL 33883.	March 13, 2008 .....	120271
Polk .....	Unincorporated areas of Polk County, (07-04-5883P).	December 12, 2007; December 19, 2007; <i>The Polk County Democrat</i> .	Mr. Bob English, Chairman, Polk County Board of Commissioners, P.O. Box 9005, Drawer BC01, Bartow, FL 33831.	March 19, 2008 .....	120261
Georgia: Columbia ...	Unincorporated areas of Columbia County, (07-04-4973P).	December 12, 2007; December 19, 2007; <i>Columbia County News-Times</i> .	The Honorable Ron C. Cross, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	March 19, 2008 .....	130059
Illinois:					
Cook .....	City of Hickory Hills, (07-05-6033P).	December 13, 2007; December 20, 2007; <i>The Reporter</i> .	The Honorable Michael Howley, Mayor, City of Hickory Hills, 8652 West 95th Street, Hickory Hills, IL 60457.	November 30, 2007 .....	170103
DuPage .....	Unincorporated areas of DuPage County, (07-05-2642P).	December 13, 2007; December 20, 2007; <i>Daily Herald</i> .	The Honorable Robert J. Schillerstorm, Chairman, DuPage County Board, 505 North County Farm Road, Wheaton, IL 60187.	March 20, 2008 .....	170197
Kansas:					
Marshall .....	City of Marysville, (07-07-0767P).	December 6, 2007; December 13, 2007; <i>The Marysville Advocate</i> .	The Honorable Bernie Krug, Mayor, City of Marysville, 209 North Eighth Street, Marysville, KS 66508.	March 13, 2008 .....	200212
Marshall .....	Unincorporated areas of Marshall County, (07-07-0767P).	December 6, 2007; December 13, 2007; <i>The Marysville Advocate</i> .	The Honorable Michael J. Keating, Head Commissioner, Marshall County, 1201 Broadway, Marysville, KS 66508.	March 13, 2008 .....	200210
Kentucky: Jefferson	Metropolitan Government of Louisville-Jefferson County, (07-04-4634P).	December 13, 2007; December 20, 2007; <i>The Courier Journal</i> .	The Honorable Jerry E. Abramson, Mayor, Metropolitan Government of Louisville-Jefferson County, 527 West Jefferson Street, Louisville, KY 40202.	March 20, 2008 .....	210120
Maryland:					
Frederick .....	Town of Emmitsburg, (07-03-0468P).	December 13, 2007; December 20, 2007; <i>The Frederick News-Post</i> .	The Honorable James E. Hoover, Mayor, Town of Emmitsburg, 300A-1 South Seton Avenue, Emmitsburg, MD 21727.	December 31, 2007 .....	240029
Frederick .....	Unincorporated areas of Frederick County, (07-03-0468P).	December 13, 2007; December 20, 2007; <i>The Frederick News-Post</i> .	Ms. Jan Gardner, President, Board of Commissioners, Frederick County, 12 East Church Street, Frederick, MD 21701.	December 31, 2007 .....	240027
Missouri: St. Charles	Unincorporated areas of St. Charles County, (07-07-1738P).	December 12, 2007; December 19, 2007; <i>St. Charles Journal</i> .	The Honorable Steve Ehlmann, County Executive, St. Charles County, 201 North Second Street, St. Charles, MO 63301.	December 21, 2007 .....	290315
New Jersey: Monmouth.	Township of Neptune, (07-02-0634P).	December 13, 2007; December 20, 2007; <i>Asbury Park Press</i> .	The Honorable James Manning, Jr., Mayor, Township of Neptune, P.O. Box 1125, Neptune, NJ 07754.	November 28, 2007 .....	340317
North Carolina: Mecklenburg.	Unincorporated areas of Mecklenburg County, (07-04-6546P).	January 14, 2008; January 21, 2008; <i>The Charlotte Observer</i> .	Mr. Harry Jones, Sr., Mecklenburg County Manager, 600 East Fourth Street, Charlotte, NC 28202.	April 20, 2008 .....	370158
Ohio:					
Greene .....	City of Xenia, (07-05-5432P).	November 3, 2007; November 10, 2007; <i>Xenia Daily Gazette</i> .	The Honorable Phyllis Pennewitt, Mayor, City of Xenia, 101 North Detroit Street, Xenia, OH 45385.	February 11, 2008 .....	390197
Greene .....	Unincorporated areas of Greene County, (07-05-5432P).	November 3, 2007; November 10, 2007; <i>Xenia Daily Gazette</i> .	The Honorable Ralph Harper, President, Greene County Board of Commissioners, 35 Greene Street, Xenia, OH 45385.	February 11, 2008 .....	390193
Oregon: Clackamas	City of Wilsonville, (07-10-0469P).	December 12, 2007; December 19, 2007; <i>Wilsonville Spokesman</i> .	The Honorable Charlotte Lehan, Mayor, City of Wilsonville, 29786 Southwest Lehan Court, Wilsonville, OR 97070.	December 31, 2007 .....	410025
South Carolina:					

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Greenville .....	Unincorporated areas of Greenville County, (07-04-4899P).	December 13, 2007; December 20, 2007; <i>The Greenville News</i> .	The Honorable Butch Kirven, Chairman, Greenville County Council, 213 League Road, Simpsonville, SC 29681.	March 20, 2008 .....	450089
Greenville .....	Unincorporated areas of Greenville County, (07-04-5198P).	December 13, 2007; December 20, 2007; <i>The Greenville News</i> .	Mr. Joseph Kernell, County Administrator, Greenville County, 301 University Ridge, Suite 2400, Greenville, SC 29601.	March 20, 2008 .....	450089
Greenville .....	Unincorporated areas of Greenville County, (07-04-5413P).	December 13, 2007; December 20, 2007; <i>The Greenville News</i> .	The Honorable Butch Kirven, Chairman, Greenville County Council, 213 League Road, Simpsonville, SC 29681.	March 20, 2008 .....	450089
South Dakota: Pennington.	City of Hill City, (07-08-0906P).	December 12, 2007; December 19, 2007; <i>Hill City Prevalier-News</i> .	The Honorable Don Voorhees, Mayor, City of Hill City, City Hall, 324 Main Street, Hill City, SD 57745.	November 30, 2007 .....	460116
Texas:					
Collin .....	City of McKinney, (07-06-1354P).	December 13, 2007; December 20, 2007; <i>McKinney Courier-Gazette</i> .	The Honorable Bill Whitfield, Mayor, City of McKinney, 222 North Tennessee Street, McKinney, TX 75070.	March 20, 2008 .....	480135
Collin .....	City of McKinney, (08-06-0334P).	December 6, 2007; December 13, 2007; <i>McKinney Courier-Gazette</i> .	The Honorable Bill Whitfield, Mayor, City of McKinney, 222 North Tennessee Street, McKinney, TX 75069.	November 21, 2007 .....	480135
Collin and Dallas	City of Sachse, (07-06-2553P).	December 14, 2007; December 21, 2007; <i>The Rowlett Lakeshore Times</i> .	The Honorable Mike Felix, Mayor, City of Sachse, 5109 Peachtree Lane, Sachse, TX 75048.	March 21, 2008 .....	480186
Dallas .....	Town of Highland Park, (07-06-1969P).	December 13, 2007; December 20, 2007; <i>The Park Cities News</i> .	The Honorable William D. White, Jr., Mayor, Town of Highland Park, 4700 Drexel Drive, Highland Park, TX 75205.	March 20, 2008 .....	480178
El Paso .....	City of El Paso, (07-06-2364P).	December 13, 2007; December 20, 2007; <i>El Paso Times</i> .	The Honorable John Cook, Mayor, City of El Paso, Two Civic Center Plaza, Tenth Floor, El Paso, TX 79901.	November 30, 2007 .....	480214
Johnson .....	City of Burleson, (07-06-2685P).	December 12, 2007; December 19, 2007; <i>Burleson Star</i> .	The Honorable Kenneth Shetter, Mayor, City of Burleson, 141 West Renfro Street, Burleson, TX 76028.	March 19, 2008 .....	485459
Randall .....	City of Canyon, (07-06-1472P).	December 16, 2007; December 23, 2007; <i>The Canyon News</i> .	The Honorable Quinn Alexander, Mayor, City of Canyon, 301 16th Street, Canyon, TX 79015.	March 24, 2008 .....	480533
Randall .....	Unincorporated areas of Randall County, (07-06-1472P).	December 16, 2007; December 23, 2007; <i>The Canyon News</i> .	The Honorable Ernie Houdashell, Randall County Judge, 400 16th Street, Canyon, TX 79015.	March 24, 2008 .....	480532
Tarrant .....	City of Grapevine, (07-06-1696P).	December 6, 2007; December 13, 2007; <i>Northeast Tarrant Star-Telegram</i> .	The Honorable William D. Tate, Mayor, City of Grapevine, P.O. Box 95104, Grapevine, TX 76099.	November 21, 2007 .....	480598
Tarrant .....	City of North Richland Hills, (07-06-2421P).	December 13, 2007; December 20, 2007; <i>Fort Worth Star-Telegram</i> .	The Honorable T. Oscar Trevino, Jr., P.E., Mayor, City of North Richland Hills, 7301 Northeast Loop 820, North Richland Hills, TX 76180.	March 20, 2008 .....	480607
Travis .....	City of Lakeway, (07-06-1024P).	December 6, 2007; December 13, 2007; <i>Austin American-Statesman</i> .	The Honorable Steve Swan, Mayor, City of Lakeway, 1102 Lohman's Crossing, Lakeway, TX 78734.	December 20, 2007 .....	481303
Virginia:					
Fauquier .....	Unincorporated areas of Fauquier County, (07-03-1209P).	December 5, 2007; December 12, 2007; <i>Fauquier Times Democrat</i> .	The Honorable Harry Atherton, Chairman, Fauquier County Board of Supervisors, 10 Hotel Street, Suite 208, Warrenton, VA 20186.	March 12, 2008 .....	510055
Fauquier .....	Unincorporated areas of Fauquier County, (07-03-1250P).	October 31, 2007; November 7, 2007; <i>Fauquier Times Democrat</i> .	The Honorable Harry Atherton, Chairman, Fauquier County Board of Supervisors, 10 Hotel Street, Suite 208, Warrenton, VA 20186.	February 7, 2008 .....	510055
West Virginia: Jefferson.	Unincorporated areas of Jefferson County, (07-03-0824P).	December 13, 2007; December 20, 2007; <i>The Journal</i> .	The Honorable Frances Morgan, President, Jefferson County Board of Commissioners, P.O. Box 250, Charles Town, WV 25414.	March 20, 2008 .....	540065

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: February 26, 2008.

**David I. Maurstad,**

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E8-4621 Filed 3-7-08; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

#### Changes in Flood Elevation Determinations

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

**ACTION:** Final rule.

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

**DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

**ADDRESSES:** The modified 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:** William R. Blanton, Jr., Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

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

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

The modified BFEs 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 BFEs 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 (NFIP).

These 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 modified BFEs 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 BFEs are in accordance with 44 CFR 65.4.

**National Environmental Policy Act.** This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

**Regulatory Flexibility Act.** As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

**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 13132, Federalism.** This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

**Executive Order 12988, Civil Justice Reform.** This final rule meets the applicable standards of Executive Order 12988.

#### 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:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama:					
Madison, (FEMA Docket No: B-7750).	City of Huntsville (06-04-BY84P).	September 21, 2007; September 28, 2007; <i>Madison County Record</i> .	The Honorable Loretta Spencer, Mayor, City of Huntsville, P.O. Box 308, Huntsville, AL 35804.	October 1, 2007 .....	010153
Madison, (FEMA Docket No: B-7750).	Unincorporated areas of Madison County (06-04-BY84P).	September 21, 2007; September 28, 2007; <i>Madison County Record</i> .	The Honorable Mike Gillespie, Chairman, Madison County Commission, 6994 Courthouse 700, 100 North Side Square, Huntsville, AL 35801.	October 1, 2007 .....	010151
Arizona: Coconino, (FEMA Docket No: B-7750).	Unincorporated areas of Coconino County (07-09-0172P).	September 13, 2007; September 20, 2007; <i>Arizona Daily Sun</i> .	The Honorable Elizabeth Archuleta, Chairperson, Coconino County, Board of Commissioners, 2500 North Fort Valley Road, Building One, Flagstaff, AZ 86001.	September 27, 2007 .....	040019
California:					