

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.
Dallas (FEMA Docket No.: B-7766).	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 (FEMA Docket No.: B-7766).	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 (FEMA Docket No.: B-7766).	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
Tarrant (FEMA Docket No.: B-7766).	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
Virginia:					
Fauquier (FEMA Docket No.: B-7766).	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 (FEMA Docket No.: B-7766).	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

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

Dated: May 28, 2008.

**David I. Maurstad,**

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

[FR Doc. E8-13210 Filed 6-11-08; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs 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).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs 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 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 for the modified BFEs 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 Assistant Administrator of the Mitigation Directorate has resolved any appeals resulting from this notification.

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. FEMA 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 FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*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.

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

#### 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:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
<b>Cherokee County, North Carolina and Incorporated Areas</b> <b>Docket No.: FEMA-D-7824</b>			
Bates Creek .....	At the confluence with Hanging Dog Creek .....	+1,529	Unincorporated Areas of Cherokee County, Eastern Band of Cherokee Indians.
	Approximately 0.8 mile upstream of the confluence with Hanging Dog Creek.	+1,633	
Bearpaw Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 80 feet downstream of Lower Bear Paw Road (State Road 1312).	+1,534	
Beaverdam Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 70 feet downstream of the confluence of Cook Creek.	+1,734	
Beech Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 2.4 miles upstream of the confluence with Hiwassee River.	+1,548	
Brasstown Creek .....	At the confluence with Hiwassee River .....	+1,587	Unincorporated Areas of Cherokee County.
	Approximately 0.4 mile upstream of Brasstown Road .....	+1,605	
Brown Creek .....	At the confluence with Valley River .....	+1,692	Unincorporated Areas of Cherokee County.
	Approximately 0.6 mile upstream of the confluence with Valley River.	+1,709	
Cane Creek .....	At the confluence with Nottely River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 0.9 mile upstream of U.S. Highway 64 .....	+1,536	
Chambers Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 1.7 miles upstream of the confluence with Hiwassee River.	+1,534	
Davis Creek .....	At the confluence with Hanging Dog Creek .....	+1,767	Unincorporated Areas of Cherokee County.
	Approximately 20 feet downstream of the confluence with Dockey Creek and Bald Creek.	+2,054	
Grape Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County.
	Approximately 0.9 mile upstream of Joe Brown Highway (State Road 1326).	+1,530	
Hanging Dog Creek .....	At the confluence with Hiwassee River .....	+1,529	Unincorporated Areas of Cherokee County, Eastern Band of Cherokee Indians.
	Approximately 1,300 feet upstream of Running Deer Lane	+1,914	
Hiwassee River .....	Approximately 1.5 miles downstream of Apalachia Lake Dam.	+1,162	Unincorporated Areas of Cherokee County, Town of Murphy.
	Approximately 875 feet downstream of Mission Dam .....	+1,620	
Junaluska Creek .....	At the confluence with Valley River .....	+1,783	Unincorporated Areas of Cherokee County, Town of Andrews.
	At the confluence of Bear Branch .....	+2,169	
Little Brasstown Creek .....	At the confluence with Brasstown Creek .....	+1,605	Unincorporated Areas of Cherokee County.
	Approximately 1.8 miles upstream of Folk School Road (State Road 1565).	+1,627	
Martin Creek .....	At the confluence with Hiwassee River .....	+1,534	Unincorporated Areas of Cherokee County.
	Approximately 1,740 feet upstream of Brasstown Road (State Road 1564).	+1,655	
McClellan Creek .....	At the confluence with Tatham Creek .....	+1,852	Unincorporated Areas of Cherokee County.
	Approximately 1,200 feet upstream of Pisgah Road (State Road 1507).	+1,903	
Morgan Creek .....	At the confluence with Valley River .....	+1,594	Unincorporated Areas of Cherokee County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Nottely River .....	Approximately 0.5 mile upstream of the confluence with Valley River. At the confluence with Hiwassee River .....	+1,601 +1,529	Unincorporated Areas of Cherokee County.
Owl Creek .....	Approximately 2.2 miles downstream of U.S. Highway 64 At the confluence with Hanging Dog Creek .....	+1,534 +1,677	Unincorporated Areas of Cherokee County.
Peachtree Creek .....	Approximately 0.5 mile upstream of Owl Creek Road (State Road 1340). At the confluence with Hiwassee River .....	+1,904 +1,564	Unincorporated Areas of Cherokee County.
Persimmon Creek .....	Approximately 0.5 mile upstream of Upper Peachtree Road (State Road 1535). At the confluence with Hiwassee River .....	+1,798 +1,529	Unincorporated Areas of Cherokee County.
Phillips Creek .....	Approximately 440 feet upstream of U.S. Highway 64 ..... At the confluence with Tatham Creek .....	+1,821 +1,852	Unincorporated Areas of Cherokee County.
Rapier Mill Creek .....	Approximately 1,610 feet upstream of Sunflower Lane ..... Approximately 0.6 mile upstream of the confluence with Nottely River. At the confluence of South Fork Rapier Mill Creek .....	+2,360 +1,571 +1,596	Unincorporated Areas of Cherokee County.
Ricket Branch .....	At the confluence with Valley River .....	+1,679	Unincorporated Areas of Cherokee County.
Rogers Creek .....	Approximately 200 feet downstream of Airport Road (State Road 1428). At the confluence with Valley River .....	+1,706 +1,572	Unincorporated Areas of Cherokee County.
Slow Creek .....	Approximately 0.7 mile upstream of the confluence with Valley River. Approximately 75 feet downstream of the downstream most crossing of Canyon Road (State Road 1527). Approximately 660 feet upstream of the upstream most crossing of Canyon Road (State Road 1527). At the confluence with Rapier Mill Creek .....	+1,594 +1,678 +1,727	Unincorporated Areas of Cherokee County.
South Fork Rapier Mill Creek ...	At the confluence with Rapier Mill Creek .....	+1,596	Unincorporated Areas of Cherokee County.
South Shoal Creek .....	Approximately 1.9 miles upstream of State Route 60 ..... At the confluence with Hiwassee River .....	+1,674 +1,282	Unincorporated Areas of Cherokee County.
Tatham Creek .....	Approximately 2.7 miles upstream of Shoal Creek Road (State Road 1145). At the confluence with Valley River .....	+1,972 +1,772	Unincorporated Areas of Cherokee County, Town of Andrews.
Valley River .....	At the confluence of McClellan Creek and Phillips Creek .. At the confluence with Hiwassee River .....	+1,852 +1,530	Unincorporated Areas of Cherokee County, Town of Andrews, Town of Murphy.
Whitiaker Branch .....	Approximately 1.0 mile upstream of Cherokee Avenue ..... At the confluence with Valley River .....	+3,678 +1,696	Unincorporated Areas of Cherokee County.
Worm Creek .....	Approximately 0.8 mile upstream of the confluence with Valley River. At the confluence with Valley River .....	+1,715 +1,825	Unincorporated Areas of Cherokee County.
	Approximately 0.9 mile upstream of Robinson Road (State Road 1502).	+2,240	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Eastern Band of Cherokee Indians**

Maps are available for inspection at Ginger Lynn Welch Complex, 810 Aquoni Road, Cherokee, North Carolina.

**Town of Andrews**

Maps are available for inspection at Andrews Town Hall, 1101 Main Street, Andrews, North Carolina.

**Town of Murphy**

Maps are available for inspection at Murphy Town Hall, 5 Wofford Street, Murphy, North Carolina.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
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**Unincorporated Areas of Cherokee County**

Maps are available for inspection at Cherokee County Mapping Department/GIS, County Courthouse, 39 Peachtree Street, Suite 104, Murphy, North Carolina.

**Clay County, North Carolina and Incorporated Areas**  
**Docket No.: FEMA-D-7822**

Blair Creek .....	At the confluence with Hiwassee River .....	+1,800	Clay County (Unincorporated Areas).
	Approximately 0.4 mile upstream of NC-69 .....	+1,840	
Brasstown Creek .....	At the confluence with Hiwassee River .....	+1,587	Clay County (Unincorporated Areas).
	Approximately 400 feet upstream of West Road (State Road 1111).	+1,713	
Chatuga Lake .....	Entire shoreline within Clay County .....	+1,929	Clay County (Unincorporated Areas).
Coleman Creek .....	At the confluence with Hyatt Mill Creek .....	+1,934	Clay County (Unincorporated Areas).
	Approximately 800 feet upstream of the confluence with Hyatt Mill Creek.	+1,934	
Crawford Creek .....	At the confluence with Brasstown Creek .....	+1,698	Clay County (Unincorporated Areas).
	Approximately 1,430 feet upstream of Pine Ridge Drive ...	+1,837	
Downing Creek .....	At the confluence with Hiwassee River .....	+1,796	Clay County (Unincorporated Areas).
	Approximately 0.4 mile upstream of Lawrence Smith Road (State Road 1324).	+1,959	
Eagle Fork Creek .....	At the confluence with Shooting Creek .....	+2,045	Clay County (Unincorporated Areas).
	Approximately 200 feet upstream of Sally Gap Road .....	+2,211	
Fires Creek .....	At the confluence with Hiwassee River .....	+1,724	Clay County (Unincorporated Areas).
	Approximately 1.5 miles upstream of Fires Creek Road (State Road 1300).	+1,834	
Giesky Creek .....	At the confluence with Shooting Creek .....	+1,981	Clay County (Unincorporated Areas).
	Approximately 1,530 feet upstream of Sally Gap Road .....	+2,172	
Gumlog Creek .....	At the confluence with Brasstown Creek .....	+1,669	Clay County (Unincorporated Areas).
	Approximately 300 feet upstream of Pine Log Road (State Road 1104).	+1,703	
Hiwassee River .....	Approximately 500 feet downstream of Old Highway 64W (State Road 1100).	+1,590	Clay County (Unincorporated Areas), Town of Hayesville.
	Approximately 1,380 feet upstream of the confluence of Hiwassee River Tributary 1.	+1,885	
Hiwassee River Tributary 1 .....	At the confluence with Hiwassee River .....	+1,811	Clay County (Unincorporated Areas).
	Approximately 0.5 mile upstream of Chatuge Dam Road (State Road 1146).	+1,811	
Hothouse Branch .....	At the confluence with Shooting Creek .....	+1,943	Clay County (Unincorporated Areas).
	Approximately 0.7 mile upstream of Fred and Carl Lane ...	+2,015	
Hyatt Mill Creek .....	At the confluence with Hiwassee River .....	+1,802	Clay County (Unincorporated Areas).
	At the confluence of Coleman Creek .....	+1,934	
Licklog Creek .....	Approximately 200 feet downstream of U.S. Highway 64 ..	+1,929	Clay County (Unincorporated Areas).
	Approximately 450 feet upstream of Peckerwood Road (State Road 1328).	+2,005	
Muskrat Branch .....	At the confluence with Shooting Creek and Thompson Creek.	+2,183	Clay County (Unincorporated Areas).
	Approximately 1.5 miles upstream of the confluence with Shooting Creek and Thompson Creek.	+2,429	
Nantahala River .....	At the Clay/Macon County boundary .....	+3,013	Clay County (Unincorporated Areas).
	Approximately 450 feet downstream of Thunderstruck Lane.	+3,089	

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Pinelong Creek .....	At the confluence with Brasstown Creek .....	+1,641	Clay County (Unincorporated Areas).
Qually Creek .....	Approximately 1.0 mile upstream of Royal Oaks Trail ..... At the confluence with Hiwassee River .....	+1,914 +1,788	Clay County (Unincorporated Areas).
Shooting Creek .....	Approximately 0.5 mile upstream of Ali Drive ..... Approximately 800 feet upstream of Old Highway 64E .....	+1,837 +1,929	Clay County (Unincorporated Areas).
Sweetwater Creek .....	Approximately 90 feet upstream of Old Highway 64E ..... At the confluence with Hiwassee River .....	+2,183 +1,686	Clay County (Unincorporated Areas).
Thompson Creek .....	Approximately 1.2 miles upstream of U.S. Highway 64 ..... At the confluence with Shooting Creek .....	+1,844 +2,183	Clay County (Unincorporated Areas).
Town Creek .....	Approximately 0.5 mile upstream of Muskrat Creek Road (State Road 1173). At the confluence with Hiwassee River .....	+2,283 +1,793	Clay County (Unincorporated Areas), Town of Hayesville.
Tusquitee Creek .....	Approximately 0.5 mile upstream of Anderson Street ..... At the confluence with Hiwassee River .....	+1,831 +1,783	Clay County (Unincorporated Areas).
Winchester Creek .....	Approximately 2.0 miles upstream of Chairmaker Drive .... At the confluence with Brasstown Creek .....	+2,214 +1,671	Clay County (Unincorporated Areas).
	Approximately 1,090 feet upstream of West Gum Log Road (State Road 1107).	+1,716	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Clay County

Maps are available for inspection at Clay County Building, 33 Main Street, Hayesville, North Carolina.

##### Town of Hayesville

Maps are available for inspection at Hayesville Town Hall, 235 Sanderson Street, Hayesville, North Carolina.

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

Dated: June 2, 2008.

**Michael K. Buckley,**

*Deputy Assistant Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E8-13191 Filed 6-11-08; 8:45 am]

**BILLING CODE 9110-12-P**

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 67

##### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs 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).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs 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 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 for the modified BFEs 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 Assistant Administrator of the Mitigation Directorate has resolved any appeals resulting from this notification.

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