

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 67****[Docket No. FEMA-B-7792]****Proposed Flood Elevation Determinations****AGENCY:** Federal Emergency Management Agency, DHS.**ACTION:** Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before October 21, 2008.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7792, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal

Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) bill.blanton@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) bill.blanton@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (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 BFEs 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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

Administrative Procedure Act Statement. This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and

comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

National Environmental Policy Act.

This proposed 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.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

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

Executive Order 12988, Civil Justice Reform. This proposed 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 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:

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|--|--|--|----------|--|
| | | Effective | Modified | |
| Walton County, Florida, and Incorporated Areas | | | | |
| Bay Branch | At the confluence with Bruce Creek | None | +106 | Unincorporated Areas of Walton County, City of Defuniak Springs. |
| Black Creek | Approximately 900 feet upstream of U.S. Highway 331 | None | +125 | |
| | At County Highway 3280 | None | +7 | Unincorporated Areas of Walton County. |
| | Approximately 1,570 feet upstream of County Highway 3280 | None | +7 | |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|-------------------------------|--|--|----------|--|
| | | Effective | Modified | |
| Bruce Creek | Approximately 1,100 feet downstream of the confluence with Mill Creek. | None | +72 | Unincorporated Areas of Walton County, City of Defuniak Springs. |
| | Approximately 6,700 feet upstream of the confluence with Bay Branch. | None | +114 | |
| Camp Creek | Approximately 5,400 feet upstream of the confluence with Black Creek. | None | +7 | Unincorporated Areas of Walton County. |
| Gum Creek | At the confluence with Black Creek | None | +7 | Unincorporated Areas of Walton County. |
| | At the confluence with the Shoal River | None | +150 | |
| Lafayette Creek | Approximately 12,700 feet upstream of the confluence with the Shoal River. | None | +156 | Unincorporated Areas of Walton County, City of Freeport. |
| | At State Highway 20 | None | +10 | |
| | Approximately 4,000 feet upstream of J.W. Hollington Road. | None | +58 | |
| Mill Creek | At the confluence with Bruce Creek | None | +73 | Unincorporated Areas of Walton County. |
| Mill Creek Unnamed Tributary. | Approximately 75 feet upstream of Edgewood Circle ... | None | +146 | Unincorporated Areas of Walton County. |
| | At the confluence with Mill Creek | None | +124 | |
| Pate Branch | Approximately 200 feet upstream of Edgewood Circle | None | +175 | Unincorporated Areas of Walton County. |
| | At the confluence with Camp Creek | None | +7 | |
| Shoal River | Approximately 3,900 feet upstream of the confluence with Camp Creek. | None | +7 | Unincorporated Areas of Walton County. |
| | At the Okaloosa/Walton County boundary | None | +111 | |
| | At the confluence with Gum Creek | None | +150 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Defuniak Springs

Maps are available for inspection at Defuniak Springs City Hall, 71 U.S. Highway 90 West, Defuniak Springs, FL.

City of Freeport

Maps are available for inspection at Town of Freeport Planning and Zoning Department, 112 Highway 20 West, Freeport, FL.

Unincorporated Areas of Walton County

Maps are available for inspection at Walton County Planning and Development Department, South Walton County Courthouse Annex, 31 Coastal Centre Boulevard, Santa Rosa Beach, FL.

Catoosa County, Georgia, and Incorporated Areas

| | | | | |
|----------------------------------|---|------|------|---|
| Hurricane Creek | Approximately 660 feet downstream of Cherokee Valley Road. | None | +824 | Unincorporated Areas of Catoosa County. |
| | At confluence of Johnson Branch | None | +825 | |
| Johnson Branch | At confluence with Hurricane Creek | None | +825 | Unincorporated Areas of Catoosa County. |
| | Approximately 840 feet upstream of confluence with Hurricane Creek. | None | +827 | |
| Tributary No. 1 to Black Branch. | Approximately 600 feet upstream of Elaine Circle | None | +715 | City of Fort Oglethorpe. |
| | Approximately 750 feet upstream of Elaine Circle | None | +716 | |

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+ North American Vertical Datum.

Depth in feet above ground.

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| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|--------------------|-------------------------------------|--|----------|----------------------|
| | | Effective | Modified | |

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ADDRESSES

City of Fort Oglethorpe

Maps are available for inspection at City Hall, 500 City Hall Drive, Fort Oglethorpe, GA 30747.

Unincorporated Areas of Catoosa County

Maps are available for inspection at 800 Lafayette Street, Ringgold, GA 30736.

Delaware County, Iowa, and Incorporated Areas

| | | | | |
|-----------------------|--|------|------|--|
| Maquoketa River | Approximately 750 feet downstream of U.S. Highway 20. | None | +919 | Unincorporated Areas of Delaware County. |
| | Approximately 525 feet upstream of U.S. Highway 20 .. | None | +920 | |
| | Approximately 0.89 mile upstream of West Main Street | None | +935 | |
| | Approximately 1.55 miles upstream of West Main Street. | None | +936 | |

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Depth in feet above ground.

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ADDRESSES

Unincorporated Areas of Delaware County

Maps are available for inspection at 301 East Main Street, Manchester, IA 52057.

Gates County, North Carolina, and Incorporated Areas

| | | | | |
|------------------------------|---|------|-----|---|
| Acorn Hill Millpond | Approximately 0.5 mile downstream of U.S. Highway 158. | None | +20 | Unincorporated Areas of Gates County. |
| | Approximately 1.0 mile upstream of the confluence with Acorn Hill Millpond Tributary 1. | None | +32 | |
| Beaverdam Creek | Approximately 0.8 mile downstream of confluence of Beaverdam Creek Tributary 1. | None | +12 | Unincorporated Areas of Gates County. |
| | Approximately 1.4 miles upstream of Saunders Road (State Road 1208). | None | +44 | |
| Beaverdam Creek Tributary 1. | At the confluence with Beaverdam Creek | None | +19 | Unincorporated Areas of Gates County. |
| | Approximately 500 feet downstream of Saunders Road (State Road 1208). | None | +24 | |
| Beaverdam Creek Tributary 2. | At the confluence with Beaverdam Creek | None | +28 | Unincorporated Areas of Gates County. |
| | Approximately 0.7 mile upstream of the confluence with Beaverdam Creek. | None | +34 | |
| Beaverdam Creek Tributary 3. | At the confluence with Beaverdam Creek | None | +31 | Unincorporated Areas of Gates County. |
| | Approximately 0.9 mile upstream of the confluence of Beaverdam Creek. | None | +38 | |
| Bennetts Creek | Approximately 3.0 miles upstream of the confluence with Chowan River. | None | +7 | Unincorporated Areas of Gates County, Town of Gatesville. |
| | At the confluence of Harrell Swamp and Raynor Swamp. | +26 | +19 | |
| Bennetts Creek Tributary 1 | At the confluence with Bennetts Creek | None | +7 | Unincorporated Areas of Gates County. |
| | Approximately 1.5 miles upstream of the confluence with Bennetts Creek Tributary 1A. | None | +12 | |
| Bennetts Creek Tributary 10. | At the confluence with Bennetts Creek | None | +19 | Unincorporated Areas of Gates County. |
| | Approximately 0.6 mile upstream of Gatlin Road (State Road 1407). | None | +37 | |
| Bennetts Creek Tributary 1A. | At the confluence with Bennetts Creek Tributary 1 | None | +7 | Unincorporated Areas of Gates County. |
| | Approximately 1.2 miles upstream of the confluence with Bennetts Creek Tributary 1A1. | None | +16 | |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|-----------------------------------|--|--|----------|---|
| | | Effective | Modified | |
| Bennetts Creek Tributary 1A1. | At the confluence with Bennetts Creek Tributary 1A | None | +7 | Unincorporated Areas of Gates County. |
| | Approximately 60 feet downstream of Horace Carter Road (State Road 1106). | None | +11 | |
| Bennetts Creek Tributary 2 | At the confluence with Bennetts Creek | None | +8 | Unincorporated Areas of Gates County. |
| | Approximately 1.1 miles upstream of the confluence with Bennetts Creek. | None | +12 | |
| Bennetts Creek Tributary 3 | At the confluence with Bennetts Creek | None | +12 | Unincorporated Areas of Gates County. |
| | Approximately 0.7 mile upstream of the confluence with Bennetts Creek. | None | +36 | |
| Bennetts Creek Tributary 4 | At the confluence with Bennetts Creek | None | +12 | Unincorporated Areas of Gates County. |
| | Approximately 1.3 miles upstream of U.S. Highway 158. | None | +24 | |
| Bennetts Creek Tributary 4A. | At the confluence with Bennetts Creek Tributary 4 | None | +12 | Unincorporated Areas of Gates County. |
| Bennetts Creek Tributary 4B. | Approximately 180 feet upstream of U.S. Highway 158 | None | +31 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek Tributary 4 | None | +12 | |
| Bennetts Creek Tributary 5 | Approximately 1,750 feet upstream of the confluence with Bennetts Creek Tributary 4. | None | +15 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek | None | +12 | |
| Bennetts Creek Tributary 5A. | Approximately 0.5 mile upstream of Silver Spring Road (State Road 1404). | None | +31 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek Tributary 5 | None | +12 | |
| Bennetts Creek Tributary 6 | Approximately 0.8 mile upstream of the confluence with Bennetts Creek Tributary 5. | None | +30 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek | None | +13 | |
| Bennetts Creek Tributary 7 | Approximately 75 feet downstream of U.S. Highway 158. | None | +33 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek | None | +15 | |
| Bennetts Creek Tributary 8 | Approximately 900 feet upstream of Silver Spring Road (State Road 1404). | None | +20 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek | None | +15 | |
| Bennetts Creek Tributary 9 | Approximately 650 feet downstream of Silver Spring Road (State Road 1404). | None | +21 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek | None | +15 | |
| Blackwater River | Approximately 600 feet upstream of Gatlin Road (State Road 1407). | None | +23 | Unincorporated Areas of Gates County. |
| | At the confluence with Chowan River | None | +13 | |
| Buckland Mill Branch | Approximately 0.6 mile upstream of the confluence with Chowan River. | None | +13 | Unincorporated Areas of Gates County. |
| | At the confluence with Cole Creek And Hackley Swamp. | None | +23 | |
| Buckland Mill Branch Tributary 1. | Approximately 1,600 feet upstream of Gates Bank Road (State Road 1302). | None | +39 | Unincorporated Areas of Gates County. |
| | At the confluence with Buckland Mill Branch | None | +28 | |
| Buckland Mill Branch Tributary 2. | Approximately 0.6 mile upstream of Willetown Road (State Road 1304). | None | +31 | Unincorporated Areas of Gates County. |
| | At the confluence with Buckland Mill Branch | None | +29 | |
| Chowan River | Approximately 0.4 mile upstream of the confluence with Buckland Mill Branch. | None | +40 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of the confluence with Chowan River Tributary 1. | None | +7 | |
| | At the confluence of Blackwater River and Nottoway River. | None | +13 | Unincorporated Areas of Gates County, Town of Gatesville. |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|-------------------------------|---|--|----------|---------------------------------------|
| | | Effective | Modified | |
| Cole Creek | At the confluence with Sarem Creek | None | +7 | Unincorporated Areas of Gates County. |
| | At the confluence of Buckland Mill Branch and Hackley Swamp. | None | +23 | |
| Cole Creek Tributary 1 | At the confluence with Cole Creek | None | +7 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of Turner Road (State Road 1114). | None | +25 | |
| Cole Creek Tributary 2 | At the confluence with Cole Creek | None | +8 | Unincorporated Areas of Gates County. |
| | Approximately 780 feet upstream of U.S. Highway Business 158. | None | +30 | |
| Cole Creek Tributary 3 | At the confluence with Cole Creek | None | +9 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of the confluence with Cole Creek. | None | +17 | |
| Cole Creek Tributary 4 | At the confluence with Cole Creek | None | +11 | Unincorporated Areas of Gates County. |
| | Approximately 0.6 mile upstream of the confluence with Cole Creek. | None | +16 | |
| Cole Creek Tributary 5 | At the confluence with Cole Creek | None | +12 | Unincorporated Areas of Gates County. |
| | Approximately 550 feet upstream of U.S. Highway 158 | None | +33 | |
| Cole Creek Tributary 6 | At the confluence with Cole Creek | None | +18 | Unincorporated Areas of Gates County. |
| | Approximately 375 feet downstream of Cotton Gin Road (State Road 1315). | None | +24 | |
| Corapeake Swamp | Approximately 500 feet downstream of Daniels Road (State Road 1332). | None | +22 | Unincorporated Areas of Gates County. |
| | At the confluence of Corapeake Swamp Tributary 1 | None | +33 | |
| Corapeake Swamp Tributary 1. | At the confluence with Corapeake Swamp | None | +33 | Unincorporated Areas of Gates County. |
| | Approximately 0.9 mile upstream of the confluence with Corapeake Swamp. | None | +35 | |
| Cypress Swamp | Just upstream of NC Highway 137 | None | +16 | Unincorporated Areas of Gates County. |
| | Approximately 0.6 mile upstream of NC Highway 137 .. | None | +16 | |
| Duke Swamp | At the confluence with Harrell Swamp | +26 | +21 | Unincorporated Areas of Gates County. |
| | Approximately 1.5 miles upstream of the confluence with Duke Swamp Tributary 5. | None | +47 | |
| Duke Swamp Tributary 1 ... | At the confluence with Duke Swamp | None | +23 | Unincorporated Areas of Gates County. |
| | Approximately 0.6 mile upstream of the confluence with Duke Swamp. | None | +33 | |
| Duke Swamp Tributary 2 ... | At the confluence with Duke Swamp | None | +24 | Unincorporated Areas of Gates County. |
| | Approximately 240 feet downstream of NC Highway 32 | None | +37 | |
| Duke Swamp Tributary 3 ... | At the confluence with Duke Swamp | None | +25 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of the confluence with Duke Swamp. | None | +28 | |
| Duke Swamp Tributary 4 ... | At the confluence with Duke Swamp | None | +27 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of Union Branch Road (State Road 1305). | None | +31 | |
| Duke Swamp Tributary 5 ... | At the confluence with Duke Swamp | None | +37 | Unincorporated Areas of Gates County. |
| | Approximately 1,000 feet upstream of Drum Hill Road (State Road 1308). | None | +49 | |
| Ellis Swamp | At the confluence with Jady Branch | None | +22 | Unincorporated Areas of Gates County. |
| | Approximately 300 feet upstream of Corner High Road (State Road 1126). | None | +22 | |
| Ellis Swamp Tributary 1 | At the confluence with Ellis Swamp | None | +22 | Unincorporated Areas of Gates County. |
| | Approximately 1.3 miles upstream of the confluence with Ellis Swamp. | None | +24 | |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|------------------------------|--|--|----------|---------------------------------------|
| | | Effective | Modified | |
| Flat Branch | At the confluence with Hackley Swamp | None | +24 | Unincorporated Areas of Gates County. |
| | Approximately 150 feet downstream of U.S. Highway 13. | None | +34 | |
| Folly Swamp | Approximately 1.5 miles downstream of NC Highway 32. | None | +26 | Unincorporated Areas of Gates County. |
| | Approximately 1.9 miles upstream of the confluence with Folly Swamp Tributary 1. | None | +38 | |
| Folly Swamp Tributary 1 | At the confluence with Folly Swamp | None | +31 | Unincorporated Areas of Gates County. |
| | Approximately 1,750 feet upstream of Maryland Lane .. | None | +38 | |
| Goodman Swamp | At the confluence with Duke Swamp | None | +31 | Unincorporated Areas of Gates County. |
| | Approximately 1.3 miles upstream of the confluence of Goodman Swamp Tributary 2. | None | +47 | |
| Goodman Swamp Tributary 1. | At the confluence with Goodman Swamp | None | +34 | Unincorporated Areas of Gates County. |
| | Approximately 0.7 mile upstream of Union Branch Road (State Road 1305). | None | +41 | |
| Goodman Swamp Tributary 2. | At the confluence with Goodman Swamp | None | +36 | Unincorporated Areas of Gates County. |
| | Approximately 1.0 mile upstream of Union Branch Road (State Road 1305). | None | +48 | |
| Goose Creek | Approximately 0.7 mile downstream of Folly Road (State Road 1002). | None | +25 | Unincorporated Areas of Gates County. |
| | Approximately 1.3 miles upstream of the confluence of Goose Creek Tributary 1. | None | +36 | |
| Goose Creek Tributary 1 | At the confluence with Goose Creek | None | +33 | Unincorporated Areas of Gates County. |
| | Approximately 0.9 mile upstream of the confluence with Goose Creek. | None | +40 | |
| Gum Branch | Approximately 500 feet upstream of the confluence with Jady Branch. | None | +11 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of Taylor Mill Road (State Road 1118). | None | +24 | |
| Hackley Swamp | At the confluence with Cole Creek and Buckland Mill Branch. | None | +23 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of Gates School Road (State Road 1202). | None | +39 | |
| Hackley Swamp Tributary 1 | At the confluence with Hackley Swamp | None | +26 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of Sarem Road (State Road 1219). | None | +33 | |
| Harrell Swamp | At the confluence with Bennetts Creek and Raynor Swamp. | +26 | +19 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of the confluence of Duke Swamp. | +26 | +25 | |
| Jady Branch | Just upstream of NC Highway 137 | None | +19 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of Hill Lane Road (State Road 1122). | None | +24 | |
| Jernigan Branch | At the confluence with Somerton Creek | None | +12 | Unincorporated Areas of Gates County. |
| | Approximately 3.1 miles upstream of Gatlington Road (State Road 1302). | None | +31 | |
| Licking Branch | At the confluence with Jady Branch | None | +19 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of Hill Lane Road (State Road 1122). | None | +26 | |
| Middle Swamp | At the confluence with Duke Swamp | None | +27 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of Black Mingle Road (State Road 1312). | None | +32 | |
| Mill Branch | At the confluence with Buckland Mill Branch | None | +35 | Unincorporated Areas of Gates County. |
| | Approximately 500 feet upstream of Paige Riddick Road (State Road 1330). | None | +47 | |
| Mill Swamp | Approximately 2.0 miles downstream of U.S. Highway 13. | None | +28 | Unincorporated Areas of Gates County. |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|------------------------------|---|--|----------|---------------------------------------|
| | | Effective | Modified | |
| Mill Swamp Tributary 1 | Approximately 400 feet upstream of Drum Hill Road (State Road 1308). | None | +48 | Unincorporated Areas of Gates County. |
| | At the North Carolina/Virginia boundary | None | +25 | |
| Mill Swamp Tributary 2 | Approximately 0.5 mile upstream of North Carolina/Virginia boundary. | None | +39 | Unincorporated Areas of Gates County. |
| | At the confluence with Mill Swamp | None | +40 | |
| Mill Swamp Tributary 2A | Approximately 1.3 miles upstream of the confluence with Mill Swamp Tributary 2A. | None | +49 | Unincorporated Areas of Gates County. |
| | At the confluence with Mill Swamp Tributary 2 | None | +40 | |
| Mill Swamp Tributary 3 | Approximately 800 feet downstream of Paige Riddick Road (State Road 1330). | None | +42 | Unincorporated Areas of Gates County. |
| | At the confluence with Mill Swamp | None | +41 | |
| Perquimans River | Approximately 950 feet upstream of Mallory Buck Road (State Road 1309). | None | +52 | Unincorporated Areas of Gates County. |
| | Approximately 0.7 mile downstream of the Gates/Perquimans County boundary. | None | +11 | |
| Raynor Swamp | Approximately 390 feet upstream of the Gates/Perquimans County boundary. | None | +11 | Unincorporated Areas of Gates County. |
| | At the confluence with Bennetts Creek and Harrell Swamp. | +26 | +19 | |
| Raynor Swamp Tributary 1 | Approximately 0.4 mile upstream of the confluence with Raynor Swamp Tributary 6. | None | +39 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +19 | |
| Raynor Swamp Tributary 2 | Approximately 0.6 mile upstream of Silver Spring Lane (State Road 1404). | None | +36 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +24 | |
| Raynor Swamp Tributary 2A. | Approximately 865 feet upstream of St. Paul Road (State Road 1338). | None | +35 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp Tributary 2 | None | +28 | |
| Raynor Swamp Tributary 3 | Approximately 1.1 miles upstream of the confluence with Raynor Swamp Tributary 2. | None | +38 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +27 | |
| Raynor Swamp Tributary 4 | Approximately 0.7 mile upstream of Sugar Run Road (State Road 1429). | None | +36 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +28 | |
| Raynor Swamp Tributary 5 | Approximately 0.7 mile upstream of the confluence with Raynor Swamp. | None | +31 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +31 | |
| Raynor Swamp Tributary 6 | Approximately 1,360 feet upstream of Kees Cross Road (State Road 1427). | None | +35 | Unincorporated Areas of Gates County. |
| | At the confluence with Raynor Swamp | None | +37 | |
| Sarem Creek | Approximately 0.5 mile upstream of the confluence with Raynor Swamp. | None | +41 | Unincorporated Areas of Gates County. |
| | At the confluence with Chowan River | None | +7 | |
| Somerton Creek | At the confluence with Jady Branch | None | +10 | Unincorporated Areas of Gates County. |
| | At the confluence with Chowan River | None | +12 | |
| Taylor Mill Pond | Approximately 1.8 miles upstream of the confluence of Jernigan Branch. | None | +12 | Unincorporated Areas of Gates County. |
| | At the confluence with Jady Branch | None | +22 | |
| Taylor Swamp | Approximately 50 feet downstream of Hill Lane Road (State Road 1122). | None | +22 | Unincorporated Areas of Gates County. |
| | At the confluence with Corapeake Swamp | None | +29 | |
| | Approximately 1,130 feet upstream of Brinkley Road (State Road 1307). | None | +39 | |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|------------------------------|---|--|----------|---------------------------------------|
| | | Effective | Modified | |
| Taylor Swamp Tributary 1 .. | At the confluence with Taylor Swamp | None | +30 | Unincorporated Areas of Gates County. |
| | Approximately 1.0 mile upstream of the confluence with Taylor Swamp. | None | +34 | |
| Trotman Creek | Approximately 350 feet downstream of Carters Road (State Road 1100). | None | +7 | Unincorporated Areas of Gates County. |
| | Approximately 0.5 mile upstream of Hobbsville Road (State Road 1414). | None | +33 | |
| Trotman Creek Tributary | At the confluence with Trotman Creek | None | +10 | Unincorporated Areas of Gates County. |
| | Approximately 0.4 mile upstream from the confluence with Trotman Creek. | None | +13 | |
| Walton Pond | At the confluence with Trotman Creek | None | +8 | Unincorporated Areas of Gates County. |
| | Approximately 0.8 mile upstream of NC Highway 37 | None | +22 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Town of Gatesville

Maps are available for inspection at Gatesville Town Hall, 127 Main Street, Gatesville, NC.

Unincorporated Areas of Gates County

Maps are available for inspection at Gates County Building Inspection Office, 105 New Ferry Road, Gatesville, NC.

Transylvania County, North Carolina, and Incorporated Areas

| | | | | |
|--------------------------|--|------|-------|--|
| Horsepasture River | Approximately 200 feet downstream of the Jackson/Transylvania County boundary. | None | +2968 | Unincorporated Areas of Transylvania County. |
| | At the Jackson/Transylvania County boundary | None | +2989 | |

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Unincorporated Areas of Transylvania County

Maps are available for inspection at Transylvania County Inspections Department, 98 East Morgan Street, Brevard, NC.

Oconee County, South Carolina, and Incorporated Areas

| | | | | |
|------------------------------|---|------|------|--|
| Barton Creek | At the confluence with Tugaloo River | None | +670 | Unincorporated Areas of Oconee County. |
| | Approximately 1,540 feet upstream of Barton Creek Road. | None | +708 | |
| Beaverdam Creek | At Oconee/Pickens County boundary | None | +672 | Unincorporated Areas of Oconee County. |
| | Approximately 5,500 feet upstream of State Highway 59. | None | +808 | |
| Beaverdam Creek Tributary 3. | At the confluence with Beaverdam Creek | None | +677 | Unincorporated Areas of Oconee County. |
| | Approximately 5,500 feet upstream of the confluence with Beaverdam Creek. | None | +700 | |
| Cane Creek | Approximately 1,100 feet upstream of the confluence with Little Cane Creek. | None | +804 | Unincorporated Areas of Oconee County, Town of Walhalla, Town of West Union. |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|--|---|--|----------|--|
| | | Effective | Modified | |
| | Approximately 2,460 feet upstream of Rocky Knoll Road. | None | +966 | |
| Choestoea Creek | At the confluence with Tugaloo River | None | +666 | Unincorporated Areas of Oconee County. |
| | Approximately 4,370 feet upstream of the confluence with Choestoea Creek Tributary 9. | None | +744 | |
| Cleveland Creek | At the confluence with Beaverdam Creek | None | +676 | Unincorporated Areas of Oconee County. |
| | Approximately 1.5 miles upstream of Feltman Road | None | +740 | |
| Colonels Fork Creek | At the confluence with Conecross Creek | None | +772 | Unincorporated Areas of Oconee County. |
| | Approximately 1,670 feet upstream of Bennett Road | None | +813 | |
| Conecross Creek | Approximately 2.2 miles downstream of Tokeena Road | None | +678 | Unincorporated Areas of Oconee County, City of Seneca. |
| | Approximately 2,630 feet upstream of Conecross Farm Road. | None | +708 | |
| Conecross Tributary 1 | Approximately 2.7 miles upstream of the Oconee/Anderson County boundary. | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 3.4 miles upstream of the Oconee/Anderson County boundary. | None | +708 | |
| Conecross Tributary 2 | At the confluence with Conecross Creek | None | +784 | Unincorporated Areas of Oconee County, Town of Walhalla. |
| | Approximately 2,420 feet upstream of Bear Swamp Road. | None | +833 | |
| Conecross Tributary 3 | At the confluence with Conecross Creek | None | +756 | Unincorporated Areas of Oconee County. |
| | Approximately 850 feet upstream of State Highway 11 | None | +780 | |
| Cornhouse Creek | Approximately 1,610 feet downstream of Stamp Creek Road. | None | +813 | Unincorporated Areas of Oconee County. |
| | Approximately 2,195 feet upstream of Stamp Creek Road. | None | +819 | |
| Fair Play Creek | At the confluence with Tugaloo River | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 3,200 feet downstream of Rock Creek Road. | None | +665 | |
| Fall Creek | Approximately 1,830 feet downstream of Cliffs South Parkway. | None | +795 | Unincorporated Areas of Oconee County. |
| | Approximately 935 feet downstream of Cliffs Cart Path Drive. | None | +858 | |
| Hartwell Lake Tributary 1 ... | Approximately 360 feet downstream of Martin Creek Road. | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 1,850 feet upstream of Martin Creek Road. | None | +672 | |
| Hartwell Lake Tributary 2 ... | At the confluence with Hartwell Lake | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 140 feet downstream of Sunshine Road | None | +827 | |
| Hartwell Lake Tributary 3 ... | At the confluence with Hartwell Lake | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 185 feet upstream of Rays Road | None | +859 | |
| Keowee River 2 Tributary 7 | Approximately 1,295 feet downstream of Maple Avenue. | None | +810 | City of Seneca. |
| | Approximately 2,090 feet upstream of Maple Avenue ... | None | +877 | |
| Keowee River 2 Tributary 7, Tributary 1. | At the confluence with Lake Keowee | None | +800 | City of Seneca. |
| | Approximately 2,310 feet upstream of Seneca Drive | None | +827 | |
| Keowee River 2 Tributary 7, Tributary 1. | At the confluence with Lake Keowee | None | +800 | City of Seneca. |
| | Approximately 65 feet upstream of North Pine Square | None | +870 | |
| Keowee River 2 Tributary 7, Tributary 1. | At the confluence with Lake Keowee | None | +800 | Unincorporated Areas of Oconee County. |
| | Approximately 1.5 mile upstream of the confluence with Lake Keowee. | None | +824 | |
| Tributary 2 | At the Oconee/Pickens County boundary | None | +692 | Unincorporated Areas of Oconee County. |
| Little Beaverdam Creek | Approximately 260 feet upstream of Donald Road | None | +771 | |
| Little Beaverdam Creek Tributary 1. | At the Oconee/Pickens County boundary | None | +695 | Unincorporated Areas of Oconee County. |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|---|--|--|----------|--|
| | | Effective | Modified | |
| | Approximately 3,550 feet upstream of the Oconee/Pickens County boundary. | None | +708 | |
| Little Cane Creek | Approximately 5,000 feet downstream of Pickens Highway. | None | +805 | Unincorporated Areas of Oconee County. |
| | Approximately 1,240 feet upstream of Pickens Highway. | None | +902 | |
| Little Choestoea Creek | Approximately 1 mile downstream of Little Choestoea Road. | None | +670 | Unincorporated Areas of Oconee County. |
| | Approximately 1,570 feet downstream of Mount Pleasant Road. | None | +706 | |
| Martin Creek | Approximately 4,920 feet downstream of the confluence with Martin Creek Tributary 3. | None | +666 | City of Seneca, Unincorporated Areas of Oconee County. |
| | Approximately 2,560 feet upstream of South 6th Square. | None | +891 | |
| Martin Creek Tributary 1 | At the confluence with Martin Creek | None | +822 | City of Seneca, Unincorporated Areas of Oconee County. |
| | Approximately 140 feet upstream of South 6th Square | None | +906 | |
| Martin Creek Tributary 2 | At the confluence with Martin Creek | None | +717 | Unincorporated Areas of Oconee County. |
| | Approximately 1,125 feet upstream of Owens Road | None | +875 | |
| Martin Creek Tributary 3 | At the confluence with Martin Creek | None | +715 | Unincorporated Areas of Oconee County. |
| | Approximately 2,690 feet upstream of Martin Creek Tributary 6. | None | +832 | |
| Martin Creek Tributary 6 | At the confluence with Martin Creek Tributary 3 | None | +740 | Unincorporated Areas of Oconee County. |
| | Approximately 2,320 feet upstream of Blue Sky Boulevard. | None | +864 | |
| McKinneys Creek | At the confluence with Keowee River | None | +800 | Unincorporated Areas of Oconee County. |
| | Approximately 1.9 mile upstream from the confluence of Keowee River. | None | +809 | |
| Mud Creek | At the confluence with Beaverdam Creek | None | +695 | Unincorporated Areas of Oconee County. |
| | Approximately 1.2 miles upstream of Cedar Lane Road | None | +846 | |
| Mud Creek Tributary 1 | At the confluence of Mud Creek | None | +695 | Unincorporated Areas of Oconee County. |
| | Approximately 630 feet upstream of Cody Road | None | +728 | |
| Perkins Creek Tributary 1 .. | At the confluence of Perkins Creek Tributary | None | +833 | City of Seneca, Unincorporated Areas of Oconee County. |
| | Approximately 1,715 feet upstream of Rolling Hills Drive. | None | +889 | |
| Tributary 1 | | | | |
| Perkins Creek Tributary 1 .. | At the confluence of Perkins Creek Tributary 1 | None | +786 | Unincorporated Areas of Oconee County, City of Seneca. |
| | Approximately 2,130 feet upstream of Dalton Road | None | +847 | |
| Tributary 2 | | | | |
| Perkins Creek Tributary 1, Tributary 2. | At the confluence with Perkins Creek Tributary 1, Tributary 2. | None | +812 | City of Seneca. |
| | Just downstream of W. South 6th Square | None | +897 | |
| Tributary 1 | | | | |
| Perkins Creek Tributary 1, Tributary 3. | At the confluence of Perkins Creek Tributary 1 | None | +801 | City of Seneca, Unincorporated Areas of Oconee County. |
| | Approximately 450 feet upstream of Emerald Road | None | +878 | |
| Richland Creek | At the confluence of Conecross Creek | None | +758 | Unincorporated Areas of Oconee County. |
| | Approximately 3,400 feet upstream of Bountyland Road. | None | +824 | |
| Seneca Creek | Just upstream of Davis Creek Road | None | +665 | Unincorporated Areas of Oconee County, City of Seneca. |
| | Approximately 3,100 feet upstream of Meadowbrook Drive. | None | +878 | |
| Seneca Creek Tributary 1 .. | At the confluence of Seneca Creek | None | +667 | Unincorporated Areas of Oconee County. |
| | Approximately 1.1 miles upstream of the confluence of Seneca Creek. | None | +745 | |

| Flooding source(s) | Location of referenced elevation ** | * Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground | | Communities affected |
|---------------------|--|--|----------|--|
| | | Effective | Modified | |
| Shiloh Branch | Approximately 980 feet upstream of Seneca Creek Road. | None | +665 | Unincorporated Areas of Oconee County. |
| | Approximately 1.5 miles upstream of Seneca Creek Road. | None | +687 | |
| Snow Creek | Approximately 690 feet downstream of Sitton Shoals Road. | None | +665 | Unincorporated Areas of Oconee County. |
| Speeds Creek | Approximately 290 feet upstream of Snow Creek Road | None | +789 | Unincorporated Areas of Oconee County. |
| | At the confluence of Lake Hartwell | None | +665 | |
| Tugaloo River | Approximately 3,630 feet upstream of Wells Highway .. | None | +831 | Unincorporated Areas of Oconee County. |
| | Approximately 2.4 miles downstream of Interstate 85 ... | None | +665 | |
| | Approximately 3,550 feet upstream of the confluence of Battle Creek. | None | +896 | |

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+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Seneca

Maps are available for inspection at Seneca City Administrator, 221 East North First Street, Seneca, SC 29679.

Town of Walhalla

Maps are available for inspection at City of Walhalla City Administrator, 206 North Church Street, Walhalla, SC 29679.

Town of West Union

Maps are available for inspection at 1442 West Main Street, West Union, SC 29696.

Unincorporated Areas of Oconee County

Maps are available for inspection at Oconee County County Administrator, 415 South Pine Street, Walhalla, SC 29691.

Madison County, Tennessee, and Incorporated Areas

| | | | | |
|-----------------------------------|--|------|------|--|
| Cane Creek | At Hicks Avenue | +356 | +355 | City of Jackson, Unincorporated Areas of Madison County. |
| | | | | |
| Dyer Creek | Approximately 1.5 miles upstream of Riverside Drive ... | +437 | +434 | City of Jackson, Unincorporated Areas of Madison County. |
| | Approximately 1,000 feet upstream of the confluence with Middle Fork of Forked Deer River. | +357 | +356 | |
| Middle Fork of Forked Deer River. | Just downstream of North Royal Street | +444 | +441 | City of Three Way. |
| | Approximately 2,160 feet upstream of the confluence of Moize Creek. | None | +351 | |
| Turkey Creek | Approximately 650 feet downstream of U.S. Route 45 | None | +356 | City of Three Way. |
| | Approximately 3,070 feet above the confluence of Middle Fork of Forked Deer River. | None | +356 | |
| | Approximately 3,470 feet upstream of Mason Road | None | +367 | |

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+ North American Vertical Datum.

Depth in feet above ground.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Jackson

Maps are available for inspection at Planning Department, 111 East Main Street, Suite 201, Jackson, TN 38301.

City of Three Way

Maps are available for inspection at Office of the Mayor, 136 Green Road, Three Way, TN 38343.

Unincorporated Areas of Madison County

Maps are available for inspection at Madison County Commissioner's Office Building, 100 East Main Street, Jackson, TN 38301.

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

Dated: July 14, 2008.

David I. Maurstad,

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

[FR Doc. E8-16811 Filed 7-22-08; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-7795]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency
Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before October 21, 2008.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection

at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-7795, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) bill.blanton@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) bill.blanton@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (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 BFEs 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.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act
Statement.* This matter is not a

rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

National Environmental Policy Act. This proposed 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.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

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

Executive Order 12988, Civil Justice Reform. This proposed 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 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: