State and county	Location	Dates and name of news- paper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Virginia: Inde- pendent City, (FEMA Docket No. D–7539).	City of Colonial Heights.	Apr. 4, 2003, Apr. 11, 2003, <i>Progress Index</i> .	Mr. Robert Lee Taylor, City of Colo- nial Heights Manager, P.O. Box 3401, Colonial Heights, Virginia 23834.	Mar. 25, 2003	510039 C
Independent City, (FEMA Docket No. D–7539).	City of Petersburg	Apr. 4, 2003, Apr. 11, 2003, <i>Progress Index</i> .	Mr. B. David Canada, City of Peters- burg Manager, 135 North Union Street, Petersburg, Virginia 23803.	Mar. 25, 2003	510112 B

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.") Dated: December 18, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate. [FR Doc. 04–160 Filed 1–5–04; 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, Emergency Preparedness and Response Directorate, Department of Homeland Security. **ACTION:** Final rule.

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

EFFECTIVE DATES: The effective dates for these modified BFEs are indicated on the table below 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: Doug Bellomo, P.E., Hazard

Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2903.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

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

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

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

The modified 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 rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

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

PART 65—[AMENDED]

■ 1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376. ■ 2. The tables published under the authority of § 65.4 are amended as follows:

		D			
State and county	Location	Dates and names of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arkansas: Pulaski, (Case No. 02– 06–2217P), (FEMA Docket No. P7626). Illinois:	City of Little Rock	June 25, 2003, Jul. 2, 2003, <i>Little Rock Free</i> <i>Press</i> .	The Honorable Jim Dailey, Mayor, City of Little Rock, Little Rock City Hall, Room 203, 500 West Mark- ham, Little Rock, AR 72201.	June 13, 2003	050181
Cook, (Case No. 03–05–0548P), (FEMA Docket No. P7626).	Unincorporated areas.	Jul. 10, 2003, Jul. 17, 2003, Orlando Town- ship Messenger.	Mr. John H. Stroger, Jr., President, Cook County Board of Commis- sioners, 118 North Clark Street, 5th Floor, Chicago, IL 60602.	Oct. 16, 2003	170054
Cook, (Case No. 03–05–1844P), (FEMA Docket No. P7626).	City of Country- side.	Jul. 9, 2003, Jul. 16, 2003, <i>The Suburban</i> <i>Life</i> .	The Honorable Carl W. LeGant, Mayor, City of Countryside, City Hall, 5550 East Avenue, Country- side, IL 60525–3689.	Jul. 25, 2003	170079
Michigan: Wayne, (Case No. 02– 05–3652P), (FEMA Docket No. P7626).	Township of Can- ton.	Jul. 10, 2003, Jul. 17, 2003, <i>Canton Eagle.</i>	Mr. Thomas Yack, Township Super- visor, Township of Canton, 1150 South Canton Center, Canton, MI 48188.	June 24, 2003	260219
Minnesota: Jack- son, (Case No. 03–05–2556P), (FEMA Docket No. P7626).	City of Jackson	May 22, 2003, May 29, 2003, <i>Jackson County</i> <i>Pilot</i> .	The Honorable Ray Hansen, Mayor, City of Jackson, 80 West Ashley, Jackson, MN 56143.	Apr. 17, 2003	270213
Missouri: St. Louis, (Case No. 03– 07–111P), (FEMA Docket No. P7626). New Mexico:	City of Town and Country.	Jul. 9, 2003, Jul. 16, 2003, <i>St. Louis Post</i> <i>Dispatch.</i>	The Honorable David A. Karney, Mayor, City of Town and Country, Municipal Center, 1011 Municipal Center Drive, Town and Country, MO 63131.	Oct. 15, 2003	290389
Bernalillo, (Case No. 03–06– 200P), (FEMA Docket No. P7626).	City of Albu- querque.	Jul. 8, 2003, Jul. 15, 2003, <i>Albuquerque</i> <i>Journal</i> .	The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	June 13, 2003	350002
Bernalillo, (Case No. 03–06– 200P), (FEMA Docket No. P7626). Oklahoma:	Unincorporated areas.	Jul. 8, 2003, Jul. 15, 2003, <i>Albuquerque</i> <i>Journal</i> .	Mr. Tim Cummins, Chairperson, Bernalillo County Commission, One Civic Plaza, N.W., Albu- querque, NM 87102.	June 13, 2003	350001
Oklahoma, (Case No. 02–06– 654P), (FEMA Docket No. P7626).	City of Oklahoma City.	June 23, 2003, June 30, 2003, <i>The Daily Okla- homan</i> .	The Honorable Kirk Humphreys, Mayor, City of Oklahoma City, 200 North Walker, 3rd Floor, Oklahoma City, OK 73102.	Sept. 29, 2003	405378
Tulsa, (Case No. 03–06–1535P), (FEMA Docket No. P7626). Texas:	City of Tulsa	June 23, 2003, June 30, 2003, <i>Tulsa World</i> .	The Honorable Bill La Fortune, Mayor, City of Tulsa, City Hall, 200 Civic Center, Tulsa, OK 74103.	Sept. 29, 2003	405381
Donton, (Case No. 03–06– 181P), (FEMA Docket No. P7626).	City of Argyle	Jul. 10, 2003, Jul. 17, 2003, <i>The Argyle Sun</i> .	The Honorable Yvonne Jenkins, Mayor, City of Argyle, 506 North Highway 377, Argyle, TX 76226.	June 13, 2003	480775
Tarrant, (Case No. 03–06– 849P), (FEMA Docket No. P7626).	City of Arlington	Jul. 9, 2003, Jul. 16, 2003, <i>Arlington Morning</i> <i>News</i> .	The Honorable Elzie Odom, Mayor, City of Arlington, 101 West Abram Street, Box 231, Arlington, TX 76004–0231.	June 25, 2003	485454
Bexar, (Case No. 02–06–2298P), (FEMA Docket No. P7626).	Unincorporated areas.	June 30, 2003, Jul. 7, 2003, San Antonio Ex- press News.	The Honorable Nelson W. Wolff, Judge, Bexar County, Bexar Coun- ty Courthouse, 100 Dolorosa, Suite 120, San Antonio, TX 78205.	June 6, 2003	480035

State and county	Location	Dates and names of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Dallas, (Case No. 03–06– 844P), (FEMA Docket No.	City of Carrollton	June 25, 2003, Jul. 2, 2003, <i>Carrollton Leader</i> .	The Honorable Mark Stokes, Mayor, City of Carrollton, P.O. Box 110535, Carrollton, TX 75006.	Oct. 1, 2003	48016
P7626). Collin, (Case No. 02–06–1413P), (FEMA Docket	Unincorporated areas.	June 25, 2003, Jul. 2, 2003, <i>Plano Star Cou-</i> <i>rier</i> .	The Honorable Ron Harris, Judge, Collin County, 210 South McDon- ald Street, McKinney, TX 75069.	Oct. 1, 2003	48013
No. P7626). Dallas, (Case No. 03–06– 844P), (FEMA Docket No. P7626).	City of Coppell	June 25, 2003, Jul. 2, 2003, <i>Coppell Gazette</i> .	The Honorable Candy Sheehan, Mayor, City of Coppell, 255 Park- way Boulevard, P.O. Box 9478, Coppell, TX 75019.	Oct. 1, 2003	48017(
Denton, (Case No. 03–06– 181P), (FEMA Docket No. P7626).	City of Denton	Jul. 10, 2003, Jul. 17, 2003, Denton Record Chronicle.	The Honorable Euline Brock, Mayor, City of Denton, 215 East McKinney Street, Denton, TX 76201.	June 13, 2003	480194
El Paso, (Case No. 02–06– 1458P), (FEMA Docket No. P7626).	City of El Paso	June 24, 2003, Jul. 1, 2003, <i>El Paso Times</i> .	The Hon. Raymond Caballero, Mayor, City of El Paso, Two Civic Center Plaza, El Paso, TX 79901.	June 5, 2003	480214
Collin, (Case No. 02–06–1413P), (FEMA Docket No. P7626).	Town of Fairview	June 25, 2003, Jul. 2, 2003, <i>Plano Star Cou-</i> <i>rier</i> .	The Honorable Don Phillips, Mayor, Town of Fairview, 500 S. Highway 5, Fairview, TX 75069.	Oct. 1, 2003	48106
Tarrant, (Case No. 03–06– 448P), (FEMA Docket No. P7626).	City of Fort Worth	June 30, 2003, Jul. 7, 2003, <i>The Star Tele- gram</i> .	The Honorable Kenneth Barr, Mayor, City of Forth Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.	Oct. 6, 2003	480596
Dallas, (Case No. 02–06– 2315P), (FEMA Docket No. P7626).	City of Irving	Jul. 10, 2003, Jul. 17, 2003, The Irving Morn- ing News.	The Honorable Joe H. Putnam, Mayor, City of Irving, 825 West Ir- ving Boulevard, Irving, TX 75060.	June 24, 2003	480180
Denton, (Case No. 03–06– 844P), (FEMA Docket No. P7626).	City of Lewisville	June 25, 2003, Jul. 2, 2003, <i>Lewisville Leader</i> .	The Honorable Gene Carey, Mayor, City of Lewisville, P.O. Box 299002, 1197 West Main Street, Lewisville, TX 75029.	Oct. 1, 2003	48019
Gregg and Har- rison, (Case No. 02–06– 1532P), (FEMA Docket No. P7626).	City of Longview	June 30, 2003, Jul. 7, 2003, <i>Longview News Journal</i> .	The Honorable Murray Moore, Mayor, City of Longview, P.O. Box 1952, Longview, TX 75606.	Oct. 6, 2003	480264
Tarrant, (Case No. 02–06– 1674P), (FEMA Docket No. P7626).	City of Mansfield	June 12, 2003, June 19, 2003, <i>Mansfield News</i> <i>Mirror</i> .	The Honorable David Harry, Mayor, City of Mansfield, No. 2 Brookway Court, Mansfield, TX 76063.	Sept. 18, 2003	480606
Dallas, (Case No. 03–06– 682P), (FEMA Docket No. P7626).	City of Mesquite	May 22, 2003, May 29, 2003, <i>Mesquite Morn- ing News</i> .	The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.	May 2, 2003	485490
Brazoria, (Case No. 03–06– 176P), (FEMA Docket No. P7626).	City of Pearland	June 25, 2003, Jul. 2, 2003, Pearland Re- porter News.	The Honorable Thomas Reid, Mayor, City of Pearland, 3519 Liberty Drive, Pearland, TX 77581.	Jul. 11, 2003	480077

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.") Dated: December 18, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate. [FR Doc. 04–159 Filed 1–5–04; 8:45 am] BILLING CODE 6718–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

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

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).

EFFECTIVE 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:

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

SUPPLEMENTARY INFORMATION: FEMA 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 Mitigation Division Director of the Emergency Preparedness and Response 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.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and 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 rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements. • Accordingly, 44 CFR part 67 is

amended as follows:

PART 67—[AMENDED]

■ 1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.;* Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	 # Depth in feet above ground. *Elevation in feet (NGVD) Elevation in feet (NAVD)
INDIANA	
Adams County	
Yellow Creek:	
At the confluence with St.	* 700
Marys River Approximately 1,750 feet up-	* 790
stream of Norfolk and	* 700
Western Rail Adams County	*790
(Unincorporated Areas)	
Blue Creek: At the confluence with St.	
Marys River At U.S. Route 27	*793
At U.S. Route 27 Adams County	* 836
(Unincorporated Areas)	
St. Marys River At South County Line Road	* 787
At the upstream state bound-	
ary Adams County (Unincor-	* 794
Adams County (Unincor- porated Areas), City of	
Decatur	
Kohne Drain No. 1: At confluence with Holthouse	
Ditch	* 786
Just downstream of County Road 050 West	* 796
City of Decatur, Adams	
Ćounty (Unincorporated Areas)	
Borum Run:	
At the confluence with St. Marys River	* 789
Approximately 0.98 mile up-	
stream of High Street City of Decatur, Adams	* 789
County (Unincorporated	
Areas)	
Koos Ditch At the confluence with St.	
Marvs River	* 788
Approximately 1,175 feet up- stream of Pigua Road	* 788
City of Decatur, Adams County (Unincorporated	
Areas)	
Holthouse Ditch:	
At the confluence with St. Marys River	* 786
Approximately 1,400 feet	700
downstream of Nottman Road	* 787
City of Decatur, Adams	101
County (Unincorporated Areas)	
Adams County (Unincor- porated Areas)	