Flooding source(s)	Location of referenced elevation**	(NG + Elevati (NA # Depti above ∧Elevatior	on in feet GVD) on in feet VVD) n in feet ground n in meters SL)	Communities affected
		Effective	Modified	

A Mean Sea Level, rounded to the nearest 0.1 meter.

** 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 Belle Haven

Maps are available for inspection at P.O. Box 238, Belle Haven, VA 23306. **Town of Onancock** Maps are available for inspection at 15 North Street, Onancock, VA 23417. **Town of Tangier** Maps are available for inspection at 4301 Joshua Thomas Lane, Tangier, VA 23440.

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

Dated: February 20, 2008.

David I. Maurstad,

Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency. [FR Doc. E8–4723 Filed 3–7–08; 8:45 am] BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-7767]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS. **ACTION:** Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent annualchance) 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 June 9, 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–7767, 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

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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 \S 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	
	Swain County, North Carolina, and Incor	porated Areas		
Adams Creek	Approximately 650 feet upstream of the confluence with Oconaluftee River.	None	+1874	Eastern Band of Cherokee Indians.
Alarka Creek	Approximately 130 feet upstream of Red Clay Road At the confluence with Little Tennessee River	None None	+2233 +1710	Unincorporated Areas of Swain County.
	Approximately 1,100 feet upstream of Unahala Creek Road (State Road 1138).	None	+2556	Swain County.
Bunches Creek	Approximately 150 feet upstream of the confluence with Raven Fork.	+2384	+2385	Eastern Band of Cherokee Indians.
	Approximately 0.8 mile upstream of Bunches Creek Road.	None	+3158	
Conley Creek	At the confluence with Tuckasegee River	None	+1845	Unincorporated Areas of Swain County.
	Approximately 1,900 feet upstream of Childers Barn Lane.	None	+2113	
Cooper Creek	At the confluence with Tuckasegee River	+1795	+1792	Unincorporated Areas of Swain County, Eastern Band of Cherokee Indi- ans.
	Approximately 100 feet upstream of Issac Wiggins Road.	None	+2057	
Deep Creek	At the confluence with Tuckasegee River	+1741	+1740	Unincorporated Areas of Swain County, Town of Bryson City.
	Approximately 150 feet upstream of Access Road to Deep Creek Campgrounds.	None	+1805	
Goose Creek	At the upstream side of Goose Creek Road	None	+1855	Eastern Band of Cherokee Indians.
	Approximately 1,050 feet upstream of Goose Creek Road.	None	+1904	
Jenkins Branch	At the confluence with Tuckasegee River Approximately 200 feet upstream of Eastside Drive	+1728 None	+1727 +1815	Town of Bryson City.
Kirkland Creek	At the confluence with Tuckasegee River	+1754	+1751	Unincorporated Areas of Swain County, Town of Bryson City.
	Approximately 100 feet upstream of Kirklands Creek Road (State Road 1164).	None	+2222	
Little Tennessee River	At the North Carolina/Tennessee State boundary	None	+1088	Unincorporated Areas of Swain County.
	Approximately 150 feet upstream of the Swain/Macon County boundary.	None	+1857	
Nantahala River	At the confluence with Little Tennessee River	None	+1710	Unincorporated Areas of Swain County.
Oconaluftee River	At the Swain/Macon County boundary	None None	+1985 +2056	Unincorporated Areas of
	Approximately 1.0 mile upstream of the confluence with Raven Fork. Approximately 1.8 miles upstream of the confluence	None	+2056	Swain County.
Pigeon Creek	with Raven Fork. Approximately 20 feet upstream of confluence with	None	+2155	Eastern Band of Cherokee
	Raven Fork. Approximately 0.7 mile upstream of the confluence	None	+2717	Indians.
	with Raven Fork.			

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Raven Fork	Approximately 1,650 feet upstream of Big Cove Road	None	+2638	Eastern Band of Cherokee Indians.
Shepherd Creek	Approximately 0.5 mile upstream of Big Cove Road At the confluence with Kirkland Creek	None None	+2663 +1844	Unincorporated Areas of
	Approximately 1.4 miles upstream of the confluence with Kirkland Creek.	None	+2232	Swain County.
Silvermine Creek	At the confluence with Nantahala River	None	+1724	Unincorporated Areas of Swain County.
	Approximately 100 feet upstream of Taylor Road (State Road 1104).	None	+2151	
Straight Fork	Approximately 100 feet upstream of the confluence with Raven Fork.	+2454	+2455	Eastern Band of Cherokee Indians.
	Approximately 1.0 mile upstream of the confluence with Raven Fork.	None	+2558	
Toot Hollow Branch	At the confluence with Tuckasegee River	+1735	+1734	Unincorporated Areas of Swain County, Town of Bryson City.
	Approximately 330 feet upstream of Monteith Road (State Road 1334).	None	+1806	
Tuckasegee River	At the confluence with Little Tennessee River	None	+1710	Unincorporated Areas of Swain County, Eastern Band of Cherokee Indi- ans, Town of Bryson City.
Wesser Creek	At the upstream side of U.S. 74/U.S. 441 At the confluence with Conley Creek	None None	+1845 +1984	Unincorporated Areas of
	Approximately 200 feet upstream of Estes Drive	None	+2052	Swain County.
Wesser Creek (into Nantahala River).	At the confluence with Nantahala River	None	+1711	Unincorporated Areas of Swain County.
	Just downstream of the confluence of Right Fork Wesser Creek.	None	+2201	

* 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

Eastern Band of Cherokee Indians

Maps are available for inspection at Ginger Lynn Welch Complex, 810 Acquoni Road, Cherokee, NC. **Town of Bryson City**

Maps are available for inspection at Town of Bryson City Manager's Office, 45 Everett Street, Bryson City, NC.

Unincorporated Areas of Swain County

Maps are available for inspection at Swain County Mapping Department, 101 Mitchell Street, Bryson City, NC.

(Catalog of Federal Domestic Assistance No.	DEPARTMENT OF HOMELAND	ACTION: Propose
97.022, "Flood Insurance.")	SECURTIY	SUMMARY: This d
Dated: March 3, 2008.	Federal Emergency Management	table to a propos Federal Register
Michael K. Buckley,	Agency	
Deputy Assistant Administrator for		This correction (
Mitigation, Department of Homeland	44 CFR Part 67	representing the
Security, Federal Emergency Management		location of refer
Agency.	[Docket No. FEMA-B-7756]	effective and mo
[FR Doc. E8–4726 Filed 3–7–08; 8:45 am]		and the commu
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BILLING CODE 9110-12-P

Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects the table to a proposed rule published in the **Federal Register** of January 16, 2008. This correction clarifies the table representing the flooding source(s), location of referenced elevation, the effective and modified elevation in feet and the communities affected for Pulaski County, Arkansas, and Incorporated Areas; specifically, for flooding sources "Good Earth Drain, Isom Creek, Kinley Creek, Little Maumelle River, Nowlin Creek, South