

National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This proposed rule would not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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

Environmental protection, Air pollution control, Electric utilities, Intergovernmental relations, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: August 22, 2007.

**Ira Leighton,**

*Acting Regional Administrator, EPA New England.*

[FR Doc. E7-17196 Filed 8-30-07; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7733 and FEMA-D-7816]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities listed below. The BFEs are the basis for the floodplain management measures that the 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 comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed 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 Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**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.

*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.

*Regulatory Classification.* This proposed 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 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	
<b>Lowndes County, Georgia, and Incorporated Areas</b>				
Sugar Creek .....	At Baytree Road ..... Approximately 1,100 feet downstream of the confluence of One Mile Branch.	None None	*145 *148	City of Remerton.

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

**ADDRESSES  
City of Remerton**

Maps are available for inspection at 1757 Poplar Street, Remerton, GA 31601.

Send comments to The Honorable Peggy Seifert, Mayor, City of Remerton, 1757 Poplar Street, Remerton, GA 31601.

Flooding source(s)	Location of referenced elevation	Elevation in feet(NGVD)+Elevation in feet(NAVD)#Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Stanly County, North Carolina and Incorporated Areas</b>				
Big Bear Creek .....	At the confluence with Long Creek .....	None	+295	Unincorporated Areas of Stanly County.
	Approximately 1,350 feet upstream of State Highway 49.	None	+645	
Tributary 1 .....	At the confluence with Big Bear Creek .....	None	+369	Unincorporated Areas of Stanly County.
	Approximately 0.5 mile upstream of the confluence with Big Bear Creek.	None	+384	
Tributary 2 .....	At the confluence with Big Bear Creek .....	None	+395	Unincorporated Areas of Stanly County.
	Approximately 0.6 mile upstream of the confluence with Big Bear Creek.	None	+426	
Tributary 3 .....	At the confluence with Big Bear Creek .....	None	+441	Unincorporated Areas of Stanly County.
	Approximately 710 feet upstream of Peaceful Lane	None	+483	
Tributary 4 .....	At the confluence with Big Bear Creek .....	None	+580	Unincorporated Areas of Stanly County.
	Approximately 1.0 mile upstream of Ridenhour Road (State Road 1433).	None	+606	
Big Cedar Creek .....	At the confluence with Rocky River .....	None	+227	Unincorporated Areas of Stanly County.
	Approximately 1,240 feet upstream of West Whitley Street (State Road 1933).	None	+283	
Tributary 1 .....	At the confluence with Big Cedar Creek .....	None	+229	Unincorporated Areas of Stanly County.
	Approximately 0.4 mile upstream of the confluence with Big Cedar Creek.	None	+241	
Camp Branch .....	At the confluence with Rocky River .....	None	+449	Unincorporated Areas of Stanly County.
	Approximately 60 feet downstream of Tite Road (State Road 1152).	None	+455	
Cedar Creek .....	At the confluence with Pee Dee River (Lake Tillery)	None	+279	Unincorporated Areas of Stanly County, Town of Norwood.
	Approximately 0.6 mile upstream of Railroad .....	None	+422	
Coldwater Branch .....	At the confluence with Rocky River .....	None	+327	Unincorporated Areas of Stanly County.
	Approximately 340 feet upstream of Old Sandbar Road (State Road 1100).	None	+330	
Coopers Creek .....	At the confluence with Rocky River .....	None	+254	Unincorporated Areas of Stanly County.
	Approximately 1.1 miles upstream of Old Davis Road (State Road 1943).	None	+328	
Curl Tail Creek .....	At the confluence with Riles Creek .....	None	+572	Unincorporated Areas of Stanly County, Town of Richfield, Village of Misenheimer.
	Approximately 510 feet downstream of Merner Terrace.	None	+655	
East Prong Rock Hole Creek.	At the confluence with Rock Hole Creek .....	None	+488	Unincorporated Areas of Stanly County, Town of Stanfield.
	Approximately 0.5 mile upstream of West Stanly Street.	None	+569	
Hardy Creek .....	At the confluence with Rocky River .....	None	+240	Unincorporated Areas of Stanly County.
	Approximately 150 feet upstream of the confluence of Ugly Creek.	None	+383	
Island Creek .....	At the confluence with Rocky River .....	None	+354	Unincorporated Areas of Stanly County, City of Locust.
	Approximately 1.1 miles upstream of Pless Mill Road (State Road 1136).	None	+537	
Tributary 1 .....	At the confluence with Island Creek .....	None	+368	Unincorporated Areas of Stanly County.
	Approximately 520 feet downstream of Drye-Hill Road (State Road 1120).	None	+412	

Flooding source(s)	Location of referenced elevation	Elevation in feet(NGVD)+Elevation in feet(NAVD)#Depth in feet above ground		Communities affected
		Effective	Modified	
Tributary 2 .....	At the confluence with Island Creek .....	None	+388	Unincorporated Areas of Stanly County.
	Approximately 0.4 mile upstream of the confluence with Island Creek.	None	+412	
Jacks Branch .....	At the confluence with Rocky River .....	None	+252	Unincorporated Areas of Stanly County.
	Approximately 1.1 miles upstream of the confluence with Rocky River.	None	+281	
Jacobs Creek .....	At the confluence with Pee Dee River (Lake Tillery)	None	+279	Unincorporated Areas of Stanly County, City of Albemarle.
	Approximately 2.5 miles upstream of Indian Mound Road (State Road 1740).	None	+379	
Little Bear Creek (North) ....	At the confluence with Big Bear Creek .....	None	+470	Unincorporated Areas of Stanly County.
	Approximately 450 feet upstream of NC 73 Highway.	None	+523	
Little Bear Creek (South) ....	At the confluence with Long Creek .....	None	+334	Unincorporated Areas of Stanly County.
	Approximately 1.7 miles upstream of Canton Road (State Road 1249).	None	+524	
South Tributary 1 .....	At the confluence with Little Bear Creek (South) ....	None	+417	Unincorporated Areas of Stanly County.
	Approximately 600 feet upstream of NC 24–27 Highway.	None	+443	
South Tributary 2 .....	At the confluence with Little Bear Creek (South) ....	None	+452	Unincorporated Areas of Stanly County.
	Approximately 1,170 feet upstream of Canton Road (State Road 1249).	None	+510	
Little Cedar Creek .....	At the confluence with Rocky River .....	None	+226	Unincorporated Areas of Stanly County, Town of Norwood.
	Approximately 0.4 mile upstream of U.S. Highway 52.	None	+266	
Little Creek (North) .....	At the confluence with Big Bear Creek .....	None	+444	Unincorporated Areas of Stanly County.
	Approximately 1,220 feet upstream of Old Concord Road (State Road 1236).	None	+551	
Little Creek (South) .....	At the confluence with Long Creek .....	None	+302	Unincorporated Areas of Stanly County.
	Approximately 900 feet upstream of Western Road (State Road 1959).	None	+425	
Little Long Creek .....	Approximately 450 feet downstream of Efird Street	+428	+429	Unincorporated Areas of Stanly County, City of Albemarle, Town of New London.
	Approximately 1,480 feet upstream of Railroad .....	None	+569	
Little Meadow Creek .....	Approximately 1.1 miles downstream of State Highway 200.	None	+551	City of Locust.
	Approximately 1,200 feet downstream of Mauney Road (State Road 2625).	None	+581	
Little Mountain Creek .....	At the confluence with Mountain Creek .....	None	+384	Unincorporated Areas of Stanly County, Town of Badin.
	Approximately 1.1 miles upstream of Barnhardt Road (State Road 1545).	None	+588	
Long Creek .....	At the confluence with Rocky River .....	None	+284	Unincorporated Areas of Stanly County, City of Albemarle, Town of Richfield, Village of Misenheimer.
	Approximately 0.7 mile upstream of Matton Grove Church Road (State Road 1454).	None	+637	
Tributary 1 .....	Approximately 500 feet upstream of the confluence with Long Creek.	None	+484	Unincorporated Areas of Stanly County.
	Approximately 1,170 feet upstream of Pennington Road (State Road 1401).	None	+509	
Tributary 2 .....	Approximately 1,500 feet upstream of the confluence with Long Creek.	None	+485	Unincorporated Areas of Stanly 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	
Tributary 3 .....	Approximately 0.9 mile upstream of the confluence with Long Creek.	None	+508	Unincorporated Areas of Stanly County.
	At the confluence with Long Creek .....	None	+530	
Meadow Creek .....	Approximately 650 feet downstream of Sunnybrook Road.	None	+553	City of Locust.
	At the upstream side of Reed Mine Road (State Road 1100).	None	+495	
Melchor Branch .....	Approximately 0.9 mile upstream of Reed Mine Road (State Road 1100).	None	+511	City of Albemarle.
	At the confluence with Little Long Creek .....	+446	+448	
Tributary 1 .....	Approximately 480 feet upstream of North Sixth Street.	+446	+486	City of Albemarle.
	Just upstream of Fox Run Drive .....	+514	+524	
Tributary 1A .....	Approximately 160 feet upstream of Montgomery Avenue.	None	+557	City of Albemarle.
	At the confluence with Melchor Branch Tributary 1	None	+536	
Mountain Creek .....	Approximately 550 feet upstream of Montgomery Avenue.	None	+554	Unincorporated Areas of Stanly County, City of Albemarle.
	At the confluence with Pee Dee River .....	None	+284	
Tributary 1 .....	Approximately 60 feet upstream of State Highway 740.	None	+708	Unincorporated Areas of Stanly County.
	At the confluence with Mountain Creek .....	None	+377	
Pee Dee River .....	Approximately 300 feet upstream of Stony Hill Road (State Road 1729).	None	+407	Unincorporated Areas of Stanly County, Town of Norwood.
	At the Anson/Montgomery/Richmond/Stanly County boundary.	None	+220	
Tributary 6 .....	At the confluence of Yadkin River and Uwharrie River.	None	+287	Unincorporated Areas of Stanly County.
	At the confluence with Pee Dee River .....	None	+229	
Pole Bridge Creek .....	Approximately 150 feet upstream of Railroad .....	None	+264	Unincorporated Areas of Stanly County.
	At the confluence with Little Bear Creek (North) .....	None	+477	
Poplin Creek .....	Approximately 0.7 mile upstream of Lambert Road (State Road 1231).	None	+570	City of Albemarle.
	At Aquadale Road .....	+428	+429	
Tributary 1 .....	Approximately 630 feet upstream of Dr. Martin Luther King Jr. Drive.	None	+501	City of Albemarle.
	Approximately 250 feet upstream of the confluence with Poplin Creek.	None	+428	
Pumpkin Creek .....	Approximately 300 feet upstream of East North Street.	None	+483	Unincorporated Areas of Stanly County.
	At the confluence with Rocky River .....	None	+426	
Ramsey Creek .....	Approximately 0.5 mile upstream of the confluence with Rocky River.	None	+444	Unincorporated Areas of Stanly County.
	At the confluence with Big Bear Creek .....	None	+369	
Riles Creek .....	Approximately 1,270 feet upstream of Canton Road (State Road 1249).	None	+543	Unincorporated Areas of Stanly County, Town of Richfield.
	Approximately 500 feet upstream of Rowan/Stanly County boundary.	None	+572	
Rock Creek .....	Approximately 1.3 miles upstream of Willie Road ...	None	+590	Unincorporated Areas of Stanly County, City of Albemarle.
	At the upstream side of Rock Creek Park Drive .....	+429	+430	
Rock Hole Branch .....	Approximately 1,000 feet upstream of Railroad .....	None	+446	Unincorporated Areas of Stanly County, Town of Stanfield.
	At the confluence with Rock Hole Creek .....	None	+458	
	Approximately 2.3 miles upstream of the confluence with Rock Hole Creek.	None	+544	

Flooding source(s)	Location of referenced elevation	Elevation in feet(NGVD)+Elevation in feet(NAVD)#Depth in feet above ground		Communities affected
		Effective	Modified	
Rock Hole Creek .....	At the confluence with Rocky River .....	None	+367	Unincorporated Areas of Stanly County, Town of Stanfield.
	Approximately 480 feet upstream of Polk Ford Road.	None	+489	
Rocky River .....	At the confluence with Pee Dee River .....	None	+220	Unincorporated Areas of Stanly County.
	Approximately 0.8 mile upstream of the confluence of Muddy Creek.	+482	+481	
Tributary 1 .....	At the confluence with Rocky River .....	None	+220	Unincorporated Areas of Stanly County.
	Approximately 0.8 mile upstream of the confluence with Rocky River.	None	+245	
Tributary 3 .....	At the confluence with Rocky River .....	None	+237	Unincorporated Areas of Stanly County.
	Approximately 710 feet upstream of Loop Road (State Road 1982).	None	+248	
Tributary 8 .....	At the confluence with Rocky River .....	None	+350	Unincorporated Areas of Stanly County.
	Approximately 0.5 mile upstream of the confluence with Rocky River.	None	+364	
Running Creek .....	At the confluence with Big Bear Creek .....	None	+467	Unincorporated Areas of Stanly County.
	Approximately 0.8 mile upstream of Five Point Road (State Road 1206).	None	+540	
Scaly Bark Creek .....	At the confluence with Long Creek .....	None	+384	Unincorporated Areas of Stanly County.
	Approximately 0.9 mile upstream of St. Martin Road (State Road 1963).	None	+416	
South Ugly Creek .....	At the confluence with Hardy Creek .....	None	+268	Unincorporated Areas of Stanly County.
	Approximately 1.1 miles upstream of the confluence with Hardy Creek.	None	+311	
Stony Run .....	At the confluence with Big Bear Creek .....	None	+339	Unincorporated Areas of Stanly County, Town of Oakboro, Town of Red Cross.
	Approximately 140 feet upstream of Running Creek Church Road (State Road 1134).	None	+636	
Tributary 1 .....	At the confluence with Stony Run .....	None	+445	Unincorporated Areas of Stanly County.
	Approximately 1,120 feet upstream of Liberty Hill Church Road (State Road 1115).	None	+469	
Town Creek .....	At the confluence with Little Long Creek .....	+446	+448	Unincorporated Areas of Stanly County, City of Albemarle, Town of New London.
	Approximately 1,890 feet upstream of Henderson Road (State Road 1436).	None	+530	
Tributary 1 .....	At the confluence with Town Creek .....	None	+516	Unincorporated Areas of Stanly County.
	Approximately 1,060 feet upstream of Burris-Burleson Road (State Road 1437).	None	+546	
Ugly Creek .....	At the confluence with Hardy Creek .....	None	+380	Unincorporated Areas of Stanly County.
	Approximately 1,200 feet upstream of South Stanly School Road (State Road 1922).	None	+407	
Yadkin River .....	At the confluence with Pee Dee River and Uwharrie River.	None	+287	Unincorporated Areas of Stanly County, Town of Badin.
	Approximately 500 feet downstream of State Highway 49/8.	None	+566	

\* National Geodetic Vertical Datum.

# Depth in feet above ground

+ North American Vertical Datum

**ADDRESSES****City of Albemarle**

Maps are available for inspection at City of Albemarle Engineering Department, 157 North Second Street, Albemarle, North Carolina.

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

Send comments to The Honorable Elbert Whitley, Mayor of the City of Albemarle, P.O. Box 190, Albemarle, North Carolina 28001.

**City of Locust**

Maps are available for inspection at Locust City Hall, 211 Town Centre, Locust, North Carolina.

Send comments to The Honorable Harold Greene, Mayor of the City of Locust, P.O. Box 190, Locust, North Carolina 28097.

**Town of Badin**

Maps are available for inspection at Badin Town Hall, 36 Falls Road, Badin, North Carolina.

Send comments to The Honorable James L. Harrison, Mayor of the Town of Badin, P.O. Box 707, Badin, North Carolina 28009.

**Town of Norwood**

Maps are available for inspection at Norwood Town Hall, Zoning Department, 116 South Main Street, Norwood, North Carolina.

Send comments to The Honorable Larry McMahon, Mayor of the Town of Norwood, P.O. Box 697, Norwood, North Carolina 28128.

**Town of Oakboro**

Maps are available for inspection at Oakboro Town Hall, 109A North Main Street, Oakboro, North Carolina.

Send comments to The Honorable Joe Lowder, Mayor of the Town of Oakboro, P.O. Box 610, Oakboro, North Carolina 28129.

**Town of Red Cross**

Maps are available for inspection at Red Cross Town Clerk's Residence, 680 West Red Cross Road, Oakboro, North Carolina.

Send comments to The Honorable Ray Quick, Mayor of the Town of Red Cross, 231 East Red Cross Road, Oakboro, North Carolina 28129.

**Town of Richfield**

Maps are available for inspection at Richfield Town Hall, 138 Highway 49 North, Richfield, North Carolina.

Send comments to The Honorable Wade Barbee, Mayor of the Town of Richfield, P.O. Box 158, Richfield, North Carolina 28137.

**Town of Stanfield**

Maps are available for inspection at Stanfield Town Hall, 203 West Stanly Street, Stanfield, North Carolina.

Send comments to The Honorable Kevin Barbee, Mayor of the Town of Stanfield, P.O. Box 699, Stanfield, North Carolina 28163.

**Unincorporated Areas of Stanly County**

Maps are available for inspection at Stanly County Planning and Zoning Department, 1000 North First Street, Albemarle, North Carolina.

Send comments to Mr. Jerry Myers, Stanly County Manager, 1000 North First Street, Albemarle, North Carolina 28001.

**Village of Misenheimer**

Maps are available for inspection at Misenheimer Town Hall, 48384 U.S. Highway 52 North, Misenheimer, North Carolina.

Send comments to The Honorable Peter Edquist, Mayor of the Village of Misenheimer, P.O. Box 100, Misenheimer, North Carolina 28109.

**Williamson County, Illinois, and Incorporated Areas**

Campground Creek .....	Where Main Street crosses over Campground Creek.	None	+423	Unincorporated Areas of Williamson County.
	490 feet upstream of Main Street .....	None	+424	
	1090 feet upstream of Edgewood Park .....	None	+428	
	1160 feet upstream of Edgewood Park .....	None	+428	
Crab Orchard Creek .....	200 feet upstream of Fosse Road .....	None	+417	Unincorporated Areas of Williamson County.
	Just Downstream of State Highway 13 .....	None	+430	
East Fork Campground Creek.	Where Main Street crosses East Fork Campground Creek.	None	+423	Unincorporated Areas of Williamson County 865 feet upstream of Belinda Road.
	865 feet upstream of Belinda Road .....	None	+426	
Lake Creek .....	Where Prosperity Road crosses Lake Creek .....	None	+402	Unincorporated Areas of Williamson County.
	650 feet upstream of Newton Avenue .....	None	+410	
West Fork Campground Creek.	Confluence with Campground Creek .....	None	+424	Unincorporated Areas of Williamson County.
	25 feet downstream of Honeysuckle Lane .....	None	+424	
West Fork Westenaire Creek.	Confluence with Westenaire Creek .....	None	+423	Unincorporated Areas of Williamson County.
	700 feet Downstream of Bainbridge Trail .....	None	+426	
Westenaire Creek .....	Where Main Street crosses over Westenaire Creek.	None	+421	Unincorporated Areas of Williamson County.
	750 feet upstream of DeYoung Street .....	None	+432	

\* National Geodetic Vertical Datum.

# Depth in feet above ground.

+ North American Vertical Datum.

**ADDRESSES**

**Unincorporated Areas of Williamson County**

Maps are available for inspection at Supervisor of Assessments Office, 200 West Jefferson, Marion, IL 62959.

Send comments to The Honorable Brent Gentry, County Board Chairman, Williamson County Courthouse, 200 West Jefferson, Marion, IL 62959.

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

Dated: August 21, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-17346 Filed 8-30-07; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7732]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities listed below. The BFEs are the basis for the floodplain management measures that the 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 comment period is ninety (90) days following the second publication of this proposed rule in a

newspaper of local circulation in each community.

**ADDRESSES:** The proposed 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 Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151.

**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.

*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.

*Regulatory Classification.* This proposed 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 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	
<b>Mobile County, Alabama, and Incorporated Areas</b>				
Branch B .....	Approximately 2,900 feet downstream of Golfway Street.	None	+87	City of Mobile, City of Prichard.
	Approximately 3,300 feet downstream of Golfway Street.	None	+172	
Branch C .....	Approximately 50 feet downstream of U.S. 45 .....	None	+42	City of Prichard.
	Approximately 1,200 feet upstream of West Meyers Road.	None	+91	
Branch D .....	Approximately 100 feet downstream of West Meyers Road.	None	+56	City of Prichard.
Branch D Tributary .....	Approximately 500 feet upstream Cochran Road .....	None	+117	City of Prichard.
	Confluence with Branch D .....	None	+88	
	Approximately 1,100 feet upstream of Confluence with Branch D.	None	+127	