

**DATES:** Comments must be received on or before October 26, 2007.

**ADDRESSES:** Comments may be mailed to Mr. Jeff Robinson, Chief, Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** If you have questions concerning today's proposal, please contact Ms. Adina Wiley (6PD-R), Air Permits Section, Environmental Protection Agency, Region 6, 1445 Ross Avenue (6PD-R), Suite 1200, Dallas, TX 75202-2733. The telephone number is (214) 665-2115. Ms. Wiley can also be reached via electronic mail at [wiley.adina@epa.gov](mailto:wiley.adina@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no relevant adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of the rule, and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: September 18, 2007.

**Richard E. Greene,**

*Regional Administrator, EPA Region 6.*

[FR Doc. E7-18964 Filed 9-25-07; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R07-OAR-2007-0926; FRL-8471-8]

#### Approval and Promulgation of Implementation Plans; State of Missouri

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Missouri State Implementation Plan (SIP) that will fulfill the condition of a previously-published approval (July 11, 2006). The revision will amend the Construction Permits By Rule and require a preconstruction review period before sources may begin construction.

**DATES:** Comments on this proposed action must be received in writing by October 26, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2007-0926 by one of the following methods:

1. *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *E-mail:* [Algoe-Eakin.amy@epa.gov](mailto:Algoe-Eakin.amy@epa.gov).

3. *Mail:* Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

4. *Hand Delivery or Courier:* Deliver your comments to: Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8 to 4:30, excluding legal holidays.

Please see the direct final rule that is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Amy Algoe-Eakin at (913) 551-7942, or by e-mail at [Algoe-Eakin.amy@epa.gov](mailto:Algoe-Eakin.amy@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final

rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule that is located in the rules section of this **Federal Register**.

Dated: September 13, 2007.

**John B. Askew,**

*Regional Administrator, Region 7.*

[FR Doc. E7-18791 Filed 9-25-07; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-B-7736 & D-7820]

#### 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 Division, 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>Cabarrus County, North Carolina and Incorporated Areas</b>				
Rocky River Tributary 14 .....	Approximately 500 feet upstream of the confluence with Rocky River.	None	+561	Town of Harrisburg.
	Approximately 1,700 feet upstream of Rocky River Crossing Road.	None	+574	

\*National Geodetic Vertical Datum.  
+North American Vertical Datum.  
#Depth in feet above ground.

**ADDRESSES**

**Town of Harrisburg**

Maps are available for inspection at the Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg, North Carolina. Send comments to The Honorable Tim Hagler, Mayor of the Town of Harrisburg, P.O. Box 100, Harrisburg, North Carolina 28075.

<b>Chowan County, North Carolina and Incorporated Areas</b>				
Filberts Creek .....	Approximately 250 feet downstream of Virginia Road/ NC Highway 32.	None	+7	Town of Edenton.
	Approximately 1,120 feet upstream of Virginia Road/ NC Highway 32.	None	+14	
Northeast Tributary of Queen Anne Creek.	At the confluence with Queen Anne Creek .....	+10	+7	Unincorporated Areas of Chowan County.
	Approximately 920 feet upstream of the confluence with Northeast Tributary of Queen Anne Creek Tributary 1.	None	+12	
Tributary 1 .....	At the confluence with Northeast Tributary of Queen Anne Creek.	None	+8	Unincorporated Areas of Chowan County.
	Approximately 1,150 feet upstream of the confluence with Northeast Tributary of Queen Anne Creek.	None	+14	
	At the confluence with Queen Anne Creek .....	+10	+7	
Pembroke Creek .....	Approximately 80 feet downstream of Railroad .....	None	+16	Unincorporated Areas of Chowan County.
	At Wildcat Road (State Road 1208) .....	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	
Tributary 1 .....	Approximately 1.2 miles upstream of the confluence with Pembroke Creek Tributary 8.	None	+13	Unincorporated Areas of Chowan County.
	Approximately 0.5 mile upstream of the confluence with Pembroke Creek.	None	+8	
Tributary 2 .....	Approximately 330 feet downstream of VS Road/NC Highway 32.	None	+16	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+7	
Tributary 3 .....	Approximately 0.4 mile upstream of the confluence with Pembroke Creek.	None	+8	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+7	
Tributary 4 .....	Approximately 0.5 mile upstream of the confluence with Pembroke Creek.	None	+8	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+7	
Tributary 5 .....	Approximately 1.4 miles upstream of Greenhall Road (State Road 1316).	None	+15	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+8	
Tributary 6 .....	Approximately 0.6 mile upstream of Greenhall Road (State Road 1316).	None	+13	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+10	
Tributary 7 .....	Approximately 1,620 feet upstream of the confluence with Pembroke Creek.	None	+11	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+11	
Tributary 8 .....	Approximately 1,700 feet upstream of the confluence with Pembroke Creek.	None	+11	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek .....	None	+12	
Tributary 8A .....	Approximately 0.5 mile upstream of the confluence with Pembroke Creek Tributary 8A.	None	+12	Unincorporated Areas of Chowan County.
	At the confluence with Pembroke Creek Tributary 8 ..	None	+12	
Queen Anne Creek .....	Approximately 0.5 mile upstream of the confluence with Pembroke Creek Tributary 8.	None	+12	Unincorporated Areas of Chowan County, Town of Edenton.
	Just downstream of Paxton Lane .....	+7	+6	
Rockyhock Creek .....	Approximately 490 feet upstream of U.S. 17 BYP .....	None	+15	Unincorporated Areas of Chowan County.
	At Rocky Hock Road (State Road 1222) .....	None	+7	
Tributary 1 .....	Approximately 0.8 mile upstream of NC Highway 32	None	+29	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+7	
Tributary 2 .....	Approximately 0.6 mile upstream of the confluence with Rockyhock Creek.	None	+9	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+8	
Tributary 3 .....	Approximately 0.9 mile upstream of the confluence with Rockyhock Creek.	None	+9	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+11	
Tributary 3A .....	Approximately 0.8 mile upstream of Rocky Hock Landing Road (State Road 1224).	None	+15	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek Tributary 3	None	+11	
Tributary 4 .....	Approximately 0.6 mile upstream of the confluence with Rockyhock Creek Tributary 3.	None	+15	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+11	
Tributary 5 .....	Approximately 100 feet downstream of Nixon Road (State Road 1225).	None	+14	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+11	

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 5A .....	Approximately 350 feet downstream of Cisco Road (State Road 1314).	None	+36	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek Tributary 5	None	+20	
Tributary 6 .....	Approximately 0.5 mile upstream of the confluence with Rockyhock Creek Tributary 5.	None	+25	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+12	
Tributary 7 .....	Approximately 0.4 mile upstream of Rocky Hock Landing Road (State Road 1224).	None	+15	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+15	
Tributary 8 .....	Approximately 0.8 mile upstream of the confluence with Rockyhock Creek.	None	+18	Unincorporated Areas of Chowan County.
	At the confluence with Rockyhock Creek .....	None	+15	
	Approximately 150 feet downstream of NC Highway 32.	None	+22	

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

#### ADDRESSES

##### Town of Edenton

Maps are available for inspection at Edenton Town Hall, 400 South Broad Street, Edenton, North Carolina.

Send comments to Ms. Anne-Marie Knighton, Edenton Town Manager, P.O. Box 300, Edenton, North Carolina 27932.

##### Unincorporated Areas of Chowan County

Maps are available for inspection at Chowan County Planning Department, 108 East King Street, Edenton, North Carolina.

Send comments to Mr. Luther C. Copeland, Jr., Chowan County Manager, P.O. Box 1030, Edenton, North Carolina 27932.

#### Macon County, North Carolina and Incorporated Areas

Allison Creek .....	The confluence with Jones Creek .....	None	+2,232	Unincorporated Areas of Macon County.
Beasley Creek .....	Approximately 0.5 mile upstream of Southards Road (State Road 1133).	None	+2,492	Unincorporated Areas of Macon County.
	At the confluence with Cowee Creek .....	None	+2,179	
Big Creek .....	Approximately 215 feet downstream of Goshen Road (State Road 1347).	None	+2,269	Unincorporated Areas of Macon County, Town of Highlands.
	The confluence with Cullasaja River .....	None	+3,606	
Brooks Creek .....	Approximately 25 feet downstream of the confluence of Houston Branch.	None	+3,837	Unincorporated Areas of Macon County.
	The confluence with Clear Creek .....	None	+2,477	
Burningtown Creek .....	Approximately 0.4 mile upstream of the confluence with Clear Creek.	None	+2,483	Unincorporated Areas of Macon County.
	At the confluence with Little Tennessee River .....	None	+1,890	
Caler Fork .....	Approximately 480 feet upstream of Younce Creek Road (State Road 1390).	None	+2,030	Unincorporated Areas of Macon County.
	The confluence with Cowee Creek .....	None	+2,013	
Cartoogechaye Creek .....	Approximately 20 feet downstream of the confluence of Dalton Creek.	None	+2,081	Unincorporated Areas of Macon County, Town of Franklin.
	The confluence of Little Tennessee River .....	None	+2,024	
Cat Creek .....	At the confluence of Jones Creek and Poplar Cove Creek.	None	+2,179	Unincorporated Areas of Macon County.
	The confluence with Rabbit Creek .....	None	+2,046	
	Approximately 0.5 mile upstream of Ferguson Road (State Road 1507).	None	+2,087	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Chattooga River .....	The North Carolina/Georgia state boundary .....	None	+2,150	Unincorporated Areas of Macon County.
Clear Creek .....	At the confluence of Cane Creek .....	None	+2,512	Unincorporated Areas of Macon County.
	The North Carolina/Georgia state boundary .....	None	+2,467	
Cold Spring Creek .....	Approximately 390 feet upstream of Clear Creek Road (State Road 1613).	None	+2,498	Unincorporated Areas of Macon County.
	The confluence with Whiteoak Creek .....	None	+3,162	
Commissioner Creek .....	Approximately 625 feet upstream of Cold Springs Creek Road (State Road 1397).	None	+3,382	Unincorporated Areas of Macon County.
	At the confluence with Little Tennessee River .....	None	+2,099	
Coon Creek .....	Approximately 0.8 mile upstream of the confluence with Little Tennessee River.	None	+2,159	Unincorporated Areas of Macon County.
	The confluence with Watuaga Creek .....	None	+2,053	
Cove Branch .....	Approximately 430 feet upstream of Brendle Road (State Road 1331).	None	+2,268	Unincorporated Areas of Macon County.
	The confluence with Cullasaja River .....	None	+2,018	
Cowee Creek .....	Approximately 890 feet upstream of Hunnicutt Road (State Road 1664).	None	+2,065	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+1,958	
Coweeta Creek .....	At the confluence of Beasley Creek and Mica City Creek.	None	+2,179	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+2,047	
Crawford Branch .....	Approximately 490 feet upstream of the confluence of Howard Branch.	None	+2,123	Unincorporated Areas of Macon County, Town of Franklin.
	The confluence with Little Tennessee River .....	None	+2,012	
Cullasaja River .....	Approximately 660 feet upstream of Crawford Lane ..	None	+2,096	Unincorporated Areas of Macon County, Town of Franklin, Town of Highlands.
	The confluence with Little Tennessee River .....	None	+2017	
Ellijay Creek .....	Approximately 200 feet upstream of Crescent Trail ...	None	+3979	Unincorporated Areas of Macon County.
	The confluence with Cullasaja River .....	None	+2,054	
Jones Creek .....	Approximately 60 feet upstream of Little Ellijay Road (State Road 1528).	None	+2,235	Unincorporated Areas of Macon County.
	At the confluence with Poplar Cove Creek and Cartoogechaye Creek.	None	+2,179	
Little Tennessee River .....	At the confluence of Allison Creek .....	None	+2,232	Unincorporated Areas of Macon County, Town of Franklin.
	The Macon/Swain County boundary .....	None	+1,835	
Tributary 5 .....	Approximately 0.5 mile upstream of the confluence of Commissioner Creek.	None	+2,100	Unincorporated Areas of Macon County, Town of Franklin.
	At the confluence with Little Tennessee River .....	None	+2,015	
Tributary 6 .....	Approximately 720 feet upstream of John Justice Road (State Road 1509).	None	+2,104	Unincorporated Areas of Macon County, Town of Franklin.
	At the confluence with Little Tennessee River .....	None	+2,018	
Lotla Creek .....	Approximately 1.0 mile upstream of the confluence with Little Tennessee River.	None	+2,083	Unincorporated Areas of Macon County.
	At the confluence with Little Tennessee River .....	None	+1,972	
Lowery Creek .....	Approximately 0.7 mile upstream of Airport Road (State Road 1434).	None	+2,017	Unincorporated Areas of Macon County.
	At the confluence with Jones Creek .....	None	+2,191	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Mashburn Branch .....	Approximately 330 feet downstream of Anderson Creek Road (State Road 1302).	None	+2,315	Unincorporated Areas of Macon County.
	The confluence with Cullasaja River .....	None	+2,027	
Matlock Creek .....	Approximately 0.5 mile upstream of Fulton Road (State Road 1668).	None	+2,094	Unincorporated Areas of Macon County.
	The confluence with Cowee Creek .....	None	+1,994	
Middle Creek .....	The confluence with Rickman Creek .....	None	+2,055	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+2,064	
Mill Creek .....	Approximately 155 feet downstream of the confluence of Drymans Branch.	None	+2149	Unincorporated Areas of Macon County.
	The confluence with Cartoogechaye Creek .....	None	+2,091	
(Highlands) .....	The confluence of Mint Branch .....	None	+2,147	Town of Highlands.
	The confluence with Cullasaja River .....	None	+3,658	
Monger Creek (Club Lake) ...	Approximately 150 feet downstream North 4th Street	None	+3,819	Unincorporated Areas of Macon County, Town of Highlands.
	The confluence with Cullasaja River .....	None	+3,606	
Nantahala River .....	Approximately 1,230 feet upstream of Hummingbird Lane.	None	+3,641	Unincorporated Areas of Macon County.
	Approximately 250 feet downstream of Macon/Swain County boundary.	None	+1,961	
North Fork Coweeta Creek ..	Approximately 1.9 miles upstream of U.S. Highway 64.	None	+3,320	Unincorporated Areas of Macon County.
	The confluence with Coweeta Creek .....	None	+2,094	
North Prong Ellijay Creek ....	Approximately 0.6 mile upstream of Coweeta Church Road (State Road 1115).	None	+2,156	Unincorporated Areas of Macon County.
	The confluence with Ellijay Creek .....	None	+2,191	
Otter Creek .....	Approximately 0.6 mile upstream of the confluence with Ellijay Creek.	None	+2,236	Unincorporated Areas of Macon County.
	At the confluence with Whiteoak Creek .....	None	+2,653	
Poplar Cove Creek .....	Approximately 1,200 feet upstream of Otter Creek Road (State Road 1365).	None	+2,842	Unincorporated Areas of Macon County.
	At the confluence with Cartoogechaye Creek and Jones Creek.	None	+2,179	
Rabbit Creek .....	Approximately 380 feet upstream of Smith Hill Road (State Road 1306).	None	+2,264	Unincorporated Areas of Macon County, Town of Franklin.
	The confluence with Little Tennessee River .....	None	+2,001	
Rocky Branch .....	At the confluence of Corbin Creek and Berry Creek ..	None	+2,220	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+1,977	
Rose Creek .....	Approximately 950 feet downstream of Nettie Hurst Road.	None	+1,996	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+1,946	
Satulah Branch .....	Approximately 1,110 feet upstream of Furman Welch Road (State Road 1374).	None	+1,953	Town of Highlands.
	At the confluence with Mill Creek (Highlands) .....	None	+3,819	
Skeenah Creek .....	Approximately 850 feet upstream of Smallwood Avenue.	None	+3,832	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+2,037	
Tessentee Creek .....	Approximately 190 feet upstream of the confluence of South Fork Skeenah Creek.	None	+2,073	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+2,056	
Watuaga Creek .....	The confluence of Whiterock Branch .....	None	+2,347	Unincorporated Areas of Macon County.
	The confluence with Little Tennessee River .....	None	+1,985	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Wayah Creek .....	Approximately 155 feet downstream of Brown Branch Road.	None	+2,230	Unincorporated Areas of Macon County.
	At the confluence with Cartoogechaye Creek .....	None	+2,152	
Whiteoak Creek .....	At the confluence of Shingletree Branch .....	None	+2,225	Unincorporated Areas of Macon County.
	At the confluence with Nantahala River .....	None	+2,515	
	Approximately 900 feet upstream of the confluence of Cold Spring Creek.	None	+3,169	

\*National Geodetic Vertical Datum.  
 +North American Vertical Datum.  
 #Depth in feet above ground.

**ADDRESSES**

**Town of Franklin**

Maps are available for inspection at Franklin Town Hall, 188 West Main Street, Franklin, North Carolina.  
 Send comments to The Honorable Joe Collins, Mayor of the Town of Franklin, 188 West Main Street, Franklin, North Carolina 28734.

**Town of Highlands**

Maps are available for inspection at Highlands Town Hall, 210 North Fourth Street, Highlands, North Carolina.  
 Send comments to The Honorable Don Mullen, Mayor of the Town of Highlands, P.O. Box 460, Highlands, North Carolina 28741.

**Unincorporated Areas of Macon County**

Maps are available for inspection at Macon County Planning Department, Human Services Building, 5 West Main Street, Franklin, North Carolina.  
 Send comments to Mr. Sam Greenwood, Macon County Manager, Courthouse Annex, 5 West Main Street, Franklin, North Carolina 28734.

**Comal County, Texas, and Incorporated Areas**

Alligator Creek .....	Approximately 4500 feet downstream from the intersection with FM 1101 Road.	+640	+643	City of New Braunfels.
Tributary No. 6 .....	Intersection with Hoffman Lane .....	None	+717	City of New Braunfels, Unincorporated Areas of Comal County.
	Confluence with Alligator Creek .....	None	+715	
Bear Creek (Dry Comal Watershed).	Intersection with FM 306 .....	None	+795	City of Garden Ridge, Unincorporated Areas of Comal County.
	Confluence of Bear Creek and Dry Comal Watershed	None	+730	
Blieder's Creek .....	Confluence of Bear Creek and Bear Creek Tributary 14.	None	+831	City of New Braunfels, Unincorporated Areas of Comal County.
	Intersection with River Road .....	None	+663	
Bracken Tributary .....	Intersection with Schoenthal Road .....	None	+892	City of Garden Ridge, Unincorporated Areas of Comal County.
	Confluence with Cibolo Creek .....	None	+772	
Cibolo Creek .....	Approximately 2075 feet upstream from the intersection with Garden North Drive.	None	+899	Unincorporated Areas of Comal County, City of Fair Oaks Ranch, City of Selma.
	Intersection with Lookout Road .....	None	+763	
Dry Comal Creek .....	Approximately 1.1 mile upstream from the confluence with Postoak Creek.	+1274	+1276	City of New Braunfels, Unincorporated Areas of Comal County.
	At Altgelt Lane .....	+643	+646	
Garden Ridge Tributary .....	Confluence of West Fork Dry Comal Creek and Upper Comal Creek.	+784	+780	City of Garden Ridge, Unincorporated Areas of Comal County.
	Confluence of HID Tributary of Garden Ridge Tributary and Garden Ridge Tributary.	None	+784	
Guadalupe River (Lower Reach).	Intersection with Water Wood Drive .....	None	+903	Unincorporated Areas of Comal County.
	Approximately 300 feet upstream from the intersection with Missouri Kansas Texas Railroad.	+626	+634	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
West Fork Tributary .....	Confluence with Canyon Dam Emergency Spillway Channel.	+755	+760	Unincorporated Areas of Comal County.
	Confluence with West Fork Dry Comal Creek .....	+802	+799	
	Approximately 774 feet downstream of Schoenthal Rd.	+850	+852	

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

#### ADDRESSES

##### City of Fair Oaks Ranch

Maps are available for inspection at 7286 Dietz Elkhorn, Fair Oaks Ranch, TX 78015.

Send comments to The Honorable E.L. Boots Gaubatz, Mayor, 7286 Dietz Elkhorn, Fair Oaks Ranch, TX 78015.

##### City of Garden Ridge

Maps are available for inspection at 9357 Schoenthal Road, Garden Ridge, TX 78266.

Send comments to The Honorable Jay Feibelman, Mayor, City of Garden Ridge, 9357 Schoenthal Road, Garden Ridge, TX 78266.

##### City of New Braunfels

Maps are available for inspection at 424 South Castell, New Braunfels, TX 78130.

Send comments to The Honorable Bruce Boyer, Mayor, City of New Braunfels, 424 South Castell, New Braunfels, TX 78130.

##### City of Selma

Maps are available for inspection at 9375 Corporate, Selma, TX 78154.

Send comments to The Honorable James Parma, Mayor, City of Selma, 9375 Corporate, Selma, TX 78154.

##### Unincorporated Areas of Comal County

Maps are available for inspection at 195 David Jonas Drive, New Braunfels, TX 78132.

Send comments to The Honorable Danny Scheel, Judge, Comal County, 199 Main Plaza, New Braunfels, TX 78130.

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

Dated: September 12, 2007.

##### David I. Maurstad,

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

[FR Doc. E7-18948 Filed 9-25-07; 8:45 am]

BILLING CODE 9110-12-P

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 67

[Docket No. FEMA-B-7737]

##### 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