

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Denton .....	City of Denton (07-06-0913P).	July 19, 2007; July 26, 2007; <i>Denton Record-Chronicle</i> .	The Honorable Perry McNeill, Mayor, City of Denton, 215 East McKinney Street, Denton, TX 76201.	October 25, 2007 .....	480194
El Paso .....	City of El Paso (06-06-B807P).	August 23, 2007; August 30, 2007; <i>El Paso Times</i> .	The Honorable John Cook, Mayor, City of El Paso, City Hall, 10th Floor, Two Civic Center Plaza, El Paso, TX 79901.	August 6, 2007 .....	480214
Harris .....	City of Houston (06-06-BG37P).	July 19, 2007; July 26, 2007; <i>Houston Chronicle</i> .	The Honorable Bill White, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.	July 30, 2007 .....	480296
Medina .....	Unincorporated areas of Medina County (07-06-0574P).	July 19, 2007; July 26, 2007; <i>Hondo Anvil Herald</i> .	The Honorable James E. Barden, Medina County Judge, Medina County Courthouse, 1100 16th Street, Room 101, Hondo, TX 78861.	June 29, 2007 .....	480472
Palo Pinto .....	City of Mineral Wells (07-06-0680P).	July 19, 2007; July 26, 2007; <i>Mineral Wells Index</i> .	The Honorable Clarence Holliman, Mayor, City of Mineral Wells, 115 Southwest First Street, Mineral Wells, TX 76068.	October 25, 2007 .....	480517
Parker .....	Town of Annetta North (07-06-0630P).	August 23, 2007; August 30, 2007; <i>Weatherford Democrat</i> .	The Honorable Ken Hall, Mayor, Town of Annetta North, P.O. Box 1238, Aledo, TX 76008.	November 29, 2007 .....	481664
Parker .....	Unincorporated areas of Parker County (07-06-0630P).	August 23, 2007; August 30, 2007; <i>Weatherford Democrat</i> .	The Honorable Mark Riley, Parker County Judge, Parker County Courthouse, One Courthouse Square, Weatherford, TX 76086.	November 29, 2007 .....	480520
Tarrant .....	City of Benbrook (07-06-1470X).	May 24, 2007; May 31, 2007; <i>Benbrook News</i> .	The Honorable Jerry Dittrich, Mayor, City of Benbrook, 911 Winscott Road, Benbrook, TX 76126.	August 30, 2007 .....	480586
Tarrant .....	City of Fort Worth (07-06-1275P).	August 16, 2007; August 23, 2007; <i>Fort Worth Star-Telegram</i> .	The Honorable Mike J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton St., Fort Worth, TX 76102.	November 22, 2007 .....	480596
Tarrant .....	City of Keller (07-06-0822P).	July 20, 2007; July 22, 2007; <i>The Southlake Journal</i> .	The Honorable Pat McGrail, Mayor, City of Keller, P.O. Box 770, Keller, TX 76244.	June 29, 2007 .....	480602
Tarrant .....	City of Southlake (07-06-0822P).	July 20, 2007; July 27, 2007; <i>The Southlake Journal</i> .	The Honorable Andy Wambsganss, Mayor, City of Southlake, 1400 Main Street, Southlake, TX 76092.	June 29, 2007 .....	480612
Utah: Salt Lake .....	City of West Jordan (07-08-0330P).	August 9, 2007; August 16, 2007; <i>Salt Lake Tribune</i> .	The Honorable David B. Newton, Mayor, City of West Jordan, 2555 West Carson Lane, West Jordan, UT 84084.	July 20, 2007 .....	490108
Wisconsin:					
La Crosse .....	City of La Crosse (07-05-2077P).	July 19, 2007; July 26, 2007; <i>The La Crosse Tribune</i> .	The Honorable Mark Johnsrud, Mayor, City of La Crosse, City Hall, 400 La Crosse Street, La Crosse, WI 54601.	June 29, 2007 .....	555562
Racine .....	Unincorporated areas of Racine County (07-05-1468P).	July 19, 2007; July 26, 2007; <i>Journal Times</i> .	The Honorable William L. McReynolds, Racine County Executive, 730 Wisconsin Avenue, 10th Floor, Racine, WI 53403.	June 25, 2007 .....	550347
Virginia: Roanoke ....	City of Roanoke (07-03-0789P).	August 16, 2007; August 23, 2007; <i>The Roanoke Times</i> .	The Honorable C. N. Harris, Mayor, City of Roanoke, 215 Church Avenue Southwest, Room 452, Roanoke, VA 24011.	September 29, 2007 .....	510130

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

Dated: October 1, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-19840 Filed 10-5-07; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

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

**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).

**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:** 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) 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 FEMA 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. FEMA has developed criteria for flood-plain 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 final 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 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 13132, Federalism.* This final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final 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 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:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
<b>Iredell County, North Carolina and Incorporated Areas Docket No.: FEMA-D-7800 and FEMA-D-7660</b>			
Back Creek .....	At the Rowan/Iredell County boundary .....	+760	Unincorporated Areas of Iredell County, Town of Mooresville.
	Approximately 100 feet downstream of Oakridge Farm Highway/NC Highway 150.	+801	
(North) .....	Approximately 1,500 feet upstream of the confluence with Third Creek.	+799	Unincorporated Areas of Iredell County, City of Statesville.
	Approximately 1,400 feet upstream of Arey Road (State Road 1337).	+811	
Tributary 1 .....	Approximately 500 feet upstream of the confluence with Back Creek.	+760	Unincorporated Areas of Iredell County.
	Approximately 1.1 miles upstream of River Hill Road (State Road 2166).	+787	
Beaver Creek .....	At the confluence with Fifth Creek .....	+731	Unincorporated Areas of Iredell County.
	Approximately 1.7 miles upstream of River Hill Road (State Road 2166).	+772	
Tributary .....	At the confluence with Beaver Creek .....	+740	Unincorporated Areas of Iredell County.
	Approximately 0.8 mile upstream of the confluence with Beaver Creek.	+752	
Beaverdam Creek (West) .....	Approximately 250 feet downstream of the Rowan/Iredell County boundary.	+814	Unincorporated Areas of Iredell County.
	Approximately 30 feet upstream of the upstream-most Rowan/Iredell County boundary.	+851	
Bell Branch .....	At the confluence with South Yadkin River .....	+697	Unincorporated Areas of Iredell County.
	Approximately 2.4 miles upstream of Woodleaf Road (State Road 1003).	+752	
Big Kennedy Creek .....	At the confluence with Hunting Creek .....	+762	Unincorporated Areas of Iredell County.
	At the Iredell/Yadkin County boundary .....	+847	
Brushy Creek .....	At the confluence with Hunting Creek .....	+897	Unincorporated Areas of Iredell County.
	Approximately 0.7 mile upstream of the confluence of Pasture Bottom Creek.	+1,034	
Buffalo Shoals Creek .....	At the confluence with Catawba River .....	+765	Unincorporated Areas of Iredell County
	Approximately 0.5 mile upstream of New Sterling Road ....	+876	
Camel Branch .....	At the confluence with Rocky Creek (into South Yadkin River).	+829	Unincorporated Areas of Iredell County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Tributary 1 .....	Approximately 1,600 feet upstream of Jericho Road (State Road 1849). At the confluence with Camel Branch .....	+866 +841	Unincorporated Areas of Iredell County.
Catawba River .....	Approximately 0.5 mile upstream of the confluence with Camel Branch. Approximately 0.6 mile downstream of Buffalo Shoals Road. At the downstream side of Lookout Shoals Dam .....	+858 +762 +781	Unincorporated Areas of Iredell County
Coddle Creek .....	At the Iredell/Cabarrus/Rowan County boundary .....	+674	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 5 .....	Approximately 0.4 mile upstream of the confluence with Coddle Creek Tributary 8. At the confluence with Coddle Creek .....	+779 +695	Unincorporated Areas of Iredell County.
Tributary 6 .....	Approximately 1.2 miles upstream of the confluence with Coddle Creek. At the confluence with Coddle Creek .....	+730 +737	Unincorporated Areas of Iredell County.
Tributary 7 .....	Approximately 1,600 feet upstream of the confluence with Coddle Creek. At the confluence with Coddle Creek .....	+749 +759	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 8 .....	Approximately 0.4 mile upstream of the confluence with Coddle Creek. At the confluence with Coddle Creek .....	+779 +762	Unincorporated Areas of Iredell County, Town of Mooresville.
Cornelius Creek (Lake Norman Cornelius Creek).	Approximately 0.5 mile upstream of the confluence with Coddle Creek. Approximately 0.6 mile downstream of Cornelius Road .....	+783 +760	Unincorporated Areas of Iredell County, Town of Mooresville.
Dishmon Creek .....	Approximately 500 feet upstream of Rankin Hill Road .....	+769	Unincorporated Areas of Iredell County.
Dutchman Creek .....	At the confluence with Rocky Creek (into South Yadkin River). Approximately 1.1 mile upstream of the confluence with Rocky Creek (into South Yadkin River). At the confluence with Kinder Creek .....	+1,068 +1,094	Unincorporated Areas of Iredell County.
Tributary 6 .....	Approximately 0.8 mile upstream of Tomlin Road (State Road 1843). Approximately 100 feet downstream of the Iredell/Davie County boundary. Approximately 120 feet downstream of Sandy Springs Road (State Road 2105).	+839 +820 +909	Unincorporated Areas of Iredell County.
Dye Creek .....	At the confluence with Rocky River .....	+704	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary .....	Approximately 280 feet upstream of East McLelland Avenue. At the confluence with Dye Creek .....	+832 +739	Town of Mooresville.
East Fork Creek .....	Approximately 1.3 miles upstream of Briarcliff Road .....	+808	Unincorporated Areas of Iredell County.
Fifth Creek .....	At the confluence with Coddle Creek .....	+674	Unincorporated Areas of Iredell County.
Fourth Creek .....	Approximately 400 feet upstream of Linwood Road (State Road 1150). At the confluence with South Yadkin River .....	+712 +703	Unincorporated Areas of Iredell County.
Fourth Creek .....	Approximately 570 feet upstream of Whites Farm Road (State Road 1911N). Approximately 1,000 feet downstream of the Iredell/Rowan County boundary. Approximately 0.4 mile downstream of Antietam Road (State Road 1562).	+832 +729 +915	Unincorporated Areas of Iredell County, City of Statesville.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Tributary 6 .....	At the confluence with Fourth Creek .....	+731	Unincorporated Areas of Iredell County.
	Approximately 0.5 mile upstream of the confluence with Fourth Creek.	+737	
Tributary 7 .....	At the confluence with Fourth Creek .....	+740	Unincorporated Areas of Iredell County.
	Approximately 0.5 mile upstream of the confluence with Fourth Creek.	+746	
Tributary 8 .....	At the confluence with Fourth Creek .....	+748	Unincorporated Areas of Iredell County.
	Approximately 0.9 mile upstream of the confluence with Fourth Creek.	+763	
Free Nancy Branch .....	At the confluence with Fourth Creek .....	+792	City of Statesville.
	Approximately 250 feet upstream of North Race Street .....	+852	
Greasy Creek .....	At the confluence with Third Creek .....	+741	Unincorporated Areas of Iredell County.
	Approximately 1.8 mile upstream of the confluence with Third Creek.	+770	
Goble Creek .....	At the confluence with Buffalo Shoals Creek .....	+827	Unincorporated Areas of Iredell County.
	Approximately 1.4 miles upstream of I-40 .....	+853	
Harve Creek .....	At the confluence with South Yadkin River .....	+834	Unincorporated Areas of Iredell County.
	Approximately 0.5 mile upstream of the confluence with South Yadkin River.	+860	
Hunting Creek .....	At the Iredell/Davie County boundary .....	+724	Unincorporated Areas of Iredell County.
	Approximately 0.4 mile upstream of Warren Bridge Road (State Road 1708).	+898	
I-L Creek .....	Approximately 0.4 mile upstream of the confluence with Third Creek.	+752	Unincorporated Areas of Iredell County, Town of Troutman.
	Approximately 0.4 mile upstream of Patterson Street .....	+909	
Kinder Creek .....	At the confluence with South Yadkin River .....	+713	Unincorporated Areas of Iredell County.
	Approximately 1.1 miles upstream of Old Mocksville Road (State Road 2158).	+731	
Tributary 1 .....	At the confluence with Kinder Creek .....	+713	Unincorporated Areas of Iredell County.
	Approximately 0.5 mile upstream of Vaughn Mill Road (State Road 2145).	+727	
Tributary 1A .....	At the confluence with Kinder Creek Tributary 1 .....	+713	Unincorporated Areas of Iredell County.
	Approximately 0.4 mile upstream of the confluence with Kinder Creek Tributary 1.	+728	
Little Creek (North) .....	At the Iredell/Davie County boundary .....	+798	Unincorporated Areas of Iredell County.
	Approximately 500 feet downstream of Hayes Farm Road (State Road 2144).	+823	
Little Creek (South) .....	At the Iredell/Rowan County boundary .....	+748	Unincorporated Areas of Iredell County.
	Approximately 800 feet upstream of Iredell/Rowan County boundary.	+755	
Little Rocky Creek .....	At the confluence with Patterson Creek .....	+824	Unincorporated Areas of Iredell County.
	Approximately 80 feet downstream of Hams Grove Road (State Road 2017).	+906	
Tributary 1 .....	At the confluence with Little Rocky Creek .....	+851	Unincorporated Areas of Iredell County.
	Approximately 0.7 mile upstream of the confluence with Little Rocky Creek.	+876	
Long Branch .....	At the confluence with North Little Hunting Creek .....	+773	Unincorporated Areas of Iredell County.
	Approximately 600 feet upstream of Barnard Mill Road (State Road 1824).	+898	
Morrison Creek .....	Approximately 250 feet upstream of the confluence with Fourth Creek.	+798	Unincorporated Areas of Iredell County, City of Statesville.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
North Little Hunting Creek .....	Approximately 1,820 feet upstream of Old Wilkesboro Road (State Road 1645). At the confluence with Hunting Creek .....	+845 +771	Unincorporated Areas of Iredell County.
Norwood Creek .....	At the Iredell/Yadkin County boundary .....	+813	Unincorporated Areas of Iredell County.
Olin Creek .....	Approximately 0.6 mile downstream of State Park Road (SR 1321). Approximately 0.9 mile upstream of Ivey Ostwalt Road .... At the confluence with Patterson Creek .....	+761 +801 +796	Unincorporated Areas of Iredell County.
Pasture Bottom Creek .....	Approximately 600 feet upstream of Eupeptic Springs Road (State Road 1858). At the confluence with Brushy Creek .....	+907 +992	Unincorporated Areas of Iredell County.
Patterson Creek .....	Approximately 1.0 mile upstream of the confluence with Brushy Creek. At the confluence with Rocky Creek (into South Yadkin River).	+1,035 +789	Unincorporated Areas of Iredell County.
Tributary 1 .....	Approximately 0.4 mile upstream of the confluence of Patterson Creek Tributary 2. At the confluence with Patterson Creek .....	+916 +813	Unincorporated Areas of Iredell County.
Tributary 2 .....	Approximately 530 feet downstream of Bussell Road (State Road 1894). At the confluence with Patterson Creek .....	+828 +896	Unincorporated Areas of Iredell County.
Powder Spring .....	Approximately 0.7 mile upstream of the confluence with Patterson Creek. At the confluence with Norwood Creek .....	+920 +780	Unincorporated Areas of Iredell County.
Branch .....	Approximately 0.4 mile upstream of Pilgrim Circle .....	+901	Unincorporated Areas of Iredell County, Town of Troutman.
Reeder Creek .....	Approximately 0.4 mile downstream of State Park Road (SR 1321). Approximately 1.3 miles upstream of Hicks Creek Road ... At the confluence with Lake Norman (Catawba River) .....	+761 +800 +764	Unincorporated Areas of Iredell County.
Tributary 1 .....	Approximately 1,100 feet upstream of Rosebud Lane .....	+821	Unincorporated Areas of Iredell County.
Reeds Creek .....	At the confluence with Reeder Creek .....	+782	Unincorporated Areas of Iredell County.
Tributary 2 .....	Approximately 200 feet upstream of railroad .....	+803	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 3 .....	Approximately 150 feet downstream of U.S. Highway 21 ..	+761	Unincorporated Areas of Iredell County, Town of Mooresville.
Rocky Creek .....	Approximately 0.6 mile upstream of West Plaza Drive .... Upstream side of East Plaza Drive .....	+808 +808	Unincorporated Areas of Iredell County, Town of Mooresville.
Rocky Creek (into South Yadkin River).	Approximately 0.5 mile upstream of East Plaza Drive .....	+825	Town of Mooresville.
Rocky River .....	At the confluence with Reeds Creek Tributary 2 .....	+817	Unincorporated Areas of Iredell County, Town of Troutman.
Tributary 12 .....	Approximately 0.4 mile upstream of the confluence with Reeds Creek Tributary 2. At the upstream side of Perth Road .....	+844 +760	Unincorporated Areas of Iredell County, Town of Troutman.
Tributary 12 .....	Approximately 1.1 miles upstream of Perth Road .....	+774	Unincorporated Areas of Iredell County.
Tributary 12 .....	At the confluence with South Yadkin River .....	+732	Unincorporated Areas of Iredell County.
Tributary 12 .....	Approximately 1.3 miles upstream of Branton Road (State Road 1601). At the Iredell/Mecklenberg/Cabarrus County boundary .....	+1,115 +688	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 12 .....	Approximately 2.1 miles upstream of Coddle Creek Highway. At the Iredell/Mecklenburg County boundary .....	+827 +691	Unincorporated Areas of Iredell County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Shinns Creek .....	Approximately 1.2 miles upstream of the confluence with Rocky River. At the confluence with Weathers Creek .....	+727 +768	Unincorporated Areas of Iredell County, Town of Troutman.
Sills Creek .....	Approximately 2.8 miles upstream of Weathers Creek Road (State Road 2379 S). At the Iredell/Rowan County boundary .....	+901 +813	Unincorporated Areas of Iredell County.
Snow Creek .....	Approximately 1,000 feet upstream of the Iredell/Rowan County boundary. At the confluence with South Yadkin River .....	+825 +769	Unincorporated Areas of Iredell County.
South Fork Withrow Creek .....	Approximately 100 feet upstream of the Alexander/Iredell County boundary. At the confluence with Weathers Creek and Withrow Creek.	+1,013 +746	Unincorporated Areas of Iredell County.
South Yadkin River .....	Approximately 0.5 mile upstream of Winthrow Creek Road (State Road 2379 S). At the Davie/Iredell/Rowan County boundary .....	+791 +697	Unincorporated Areas of Iredell County.
Tributary 6 .....	Approximately 100 feet upstream of the Alexander/Iredell County boundary. At the confluence with South Yadkin River .....	+843 +709	Unincorporated Areas of Iredell County.
Tributary 7 .....	Approximately 0.5 mile upstream of the confluence with South Yadkin River. At the confluence with South Yadkin River .....	+709 +713	Unincorporated Areas of Iredell County.
Tributary 8 .....	Approximately 1,940 feet upstream of the confluence with South Yadkin River. At the confluence with South Yadkin River .....	+713 +716	Unincorporated Areas of Iredell County.
Third Creek .....	Approximately 150 feet downstream of White Oak Branch Road (State Road 2162 W). Approximately 100 feet downstream of the Iredell/Rowan County boundary.	+716 +722	Unincorporated Areas of Iredell County, City of Statesville, Town of Troutman.
Tributary 1 .....	Approximately 400 feet upstream of the Iredell/Alexander County boundary. At the confluence with Third Creek .....	+915 +724	Unincorporated Areas of Iredell County.
Tributary 2 .....	Approximately 1,900 feet upstream of Knox Farm Road (State Road 2363). At the confluence with Third Creek .....	+735 +725	Unincorporated Areas of Iredell County.
Tributary 3 .....	Approximately 0.8 mile upstream of the confluence with Third Creek. At the confluence with Third Creek .....	+740 +730	Unincorporated Areas of Iredell County.
Tributary 3A .....	Approximately 0.6 mile upstream of Cornflower Road ..... At the confluence with Third Creek Tributary 3 .....	+752 +730	Unincorporated Areas of Iredell County.
Tributary 3B .....	Approximately 0.6 mile upstream of the confluence with Third Creek Tributary 3. At the confluence with Third Creek Tributary 3 .....	+744 +741	Unincorporated Areas of Iredell County.
Tributary 4 .....	Approximately 0.7 mile upstream of the confluence with Third Creek Tributary 3. At the confluence with Third Creek .....	+757 +894	Unincorporated Areas of Iredell County.
Tributary 1 .....	Approximately 0.4 mile upstream of the confluence with Third Creek. At the confluence with Fourth Creek ..... Approximately 2,000 feet upstream of the confluence with Fourth Creek.	+904 +770 +771	City of Statesville.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Tributary 2 .....	Approximately 700 feet upstream of the confluence with Third Creek.	+805	Unincorporated Areas of Iredell County, City of Statesville.
Tributary 2A .....	Approximately 0.4 mile upstream of Johnson Drive ..... Approximately 500 feet upstream of the confluence with Third Creek.	+863 +815	City of Statesville.
Tributary 3 .....	Approximately 0.8 mile upstream of Newton Drive ..... At the confluence with Fourth Creek .....	+910 +785	Unincorporated Areas of Iredell County, City of Statesville.
Tributary 4 .....	Approximately 1.2 miles upstream of Interstate 40 ..... Approximately 1,000 feet upstream of the confluence with Third Creek.	+839 +798	City of Statesville.
Tributary 5 .....	Approximately 130 feet downstream of Cochran Street ..... Approximately 650 feet upstream of the confluence with Third Creek.	+858 +772	City of Statesville.
Tributary 6 .....	Approximately 0.8 mile upstream of the confluence with Third Creek. Approximately 500 feet upstream of the confluence with Third Creek.	+866 +764	City of Statesville.
Tributary 6A .....	Approximately 0.6 mile upstream of the confluence of Tributary 6B. At the confluence with Tributary 6 .....	+853 +817	City of Statesville.
Tributary 6A1 .....	Approximately 900 feet upstream of I-77 Highway .....	+843	City of Statesville.
Tributary 6A2 .....	At the confluence with Tributary 6A .....	+817	City of Statesville.
Tributary 6A2 .....	Approximately 0.4 mile upstream of Tributary 6A .....	+857	City of Statesville.
Tributary 6B .....	At the confluence with Tributary 6A .....	+827	City of Statesville.
Tributary 6B .....	Approximately 1,200 feet upstream of Tributary 6A .....	+846	City of Statesville.
Tributary 6B .....	At the confluence with Tributary 6 .....	+822	City of Statesville.
Tributary 6B1 .....	Approximately 0.3 mile upstream of the confluence of Tributary 6B1.	+859	City of Statesville.
Tributary 6B1 .....	At the confluence with Tributary 6B .....	+829	City of Statesville.
Tributary 6B1 .....	Approximately 880 feet upstream of the confluence with Tributary 6B.	+841	City of Statesville.
Tuckers Creek .....	At the confluence with Patterson Creek .....	+878	Unincorporated Areas of Iredell County.
Tuckers Creek .....	Approximately 1.7 miles upstream of the confluence with Patterson Creek.	+942	Unincorporated Areas of Iredell County.
Weathers Creek .....	At the confluence with South Fork Withrow Creek and Withrow Creek.	+746	Unincorporated Areas of Iredell County.
Tributary 1 .....	Approximately 1.4 miles upstream of Westmoreland Road (State Road 2390).	+837	Unincorporated Areas of Iredell County.
Tributary 1 .....	At the confluence with Weathers Creek .....	+757	Unincorporated Areas of Iredell County.
West Branch Rocky River .....	Approximately 0.6 mile upstream of the confluence with Weathers Creek.	+773	Unincorporated Areas of Iredell County.
West Branch Rocky River .....	At the Iredell/Mecklenberg County boundary .....	+687	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary .....	Approximately 0.5 mile upstream of Timber Road .....	+794	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary .....	At the confluence with West Branch Rocky River .....	+713	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 1 .....	Approximately 0.9 mile upstream of Mott Road .....	+750	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 1 .....	At the confluence with West Branch Rocky River .....	+695	Unincorporated Areas of Iredell County, Town of Mooresville.
Tributary 2 .....	Approximately 0.7 mile upstream of Midway Lake Road (State Road 1137).	+734	Town of Mooresville.
Tributary 2 .....	At the confluence with West Branch Rocky River .....	+763	Town of Mooresville.
Westmoreland Creek .....	Approximately 0.6 mile upstream of Timber Road .....	+806	Unincorporated Areas of Iredell County.
Westmoreland Creek .....	At the confluence with Weathers Creek .....	+761	Unincorporated Areas of Iredell County.
Withrow Creek .....	Approximately 0.5 mile upstream of the confluence with Weathers Creek.	+771	Unincorporated Areas of Iredell County.
Withrow Creek .....	At the Rowan/Iredell County boundary .....	+743	Unincorporated Areas of Iredell County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
Woodleaf Branch (West) .....	At the confluence of South Fork Withrow Creek and Weathers Creek. Approximately 50 feet downstream of the Rowan/Iredell County boundary. Approximately 450 feet upstream of the Rowan/Iredell County boundary.	+746  +765  +767	Unincorporated Areas of Iredell County.

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

**ADDRESSES**

**City of Statesville**

Maps are available for inspection at City of Statesville Planning Department, 301 South Center Street, Statesville, North Carolina.

**Town of Mooresville**

Maps are available for inspection at Town of Mooresville Planning Department, 413 North Main Street, Mooresville, North Carolina.

**Town of Troutman**

Maps are available for inspection at the Troutman Town Hall, 400 North Eastway Drive, Troutman, North Carolina 28166.

**Unincorporated Areas of Iredell County**

Maps are available for inspection at the Iredell County Planning Department, City Hall, 227 South Center Street, Statesville, North Carolina 28687.

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

Dated: October 1, 2007.

**David I. Maurstad,**

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

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**BILLING CODE 9110-12-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 070213032-7032-01]

RIN 0648-XD07

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; prohibition of retention.

**SUMMARY:** NMFS is prohibiting retention of Pacific ocean perch in the Western Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that Pacific ocean perch caught in this area be treated in the same manner as

prohibited species and discarded at sea with a minimum of injury. This action is necessary because the 2007 total allowable catch (TAC) of Pacific ocean perch in this area has been reached.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 3, 2007, until 2400 hrs, A.l.t., December 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Hogan, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2007 TAC of Pacific ocean perch in the Western Regulatory Area of the GOA is 4,244 metric tons as established by the 2007 and 2008 harvest specifications for groundfish of the GOA (72 FR 9676, March 5, 2007).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the Pacific ocean perch TAC in the Western Regulatory Area of the GOA has been reached. Therefore, NMFS is requiring that Pacific ocean perch caught in the Western Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b).

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the prohibition of retention of Pacific ocean perch in the Western Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 1, 2007.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*