

controlled by another concern. However, the rule states that the business concern with at least 51% ownership and control of the SBIR awardee must be at least 51% owned and controlled by citizens or permanent resident aliens in the United States. The SBA believes that this regulation provides flexibility with respect to investments while ensuring that small R&D concerns obtain SBIR awards.

#### List of Subjects in 13 CFR Part 121

Administrative practice and procedure, Government procurement, Government property, Grant programs—business, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

■ For the reasons set forth in the Preamble, the SBA is amending 13 CFR part 121 as follows:

#### PART 121—SMALL BUSINESS SIZE REGULATIONS

■ 1. The authority citation for Part 121 continues to read as follows:

**Authority:** 15 U.S.C. 632(a), 634(b)(6), 636(b), 637(a), 644(c), and 662(5); and Sec. 304, Pub. L. 103–403, 108 Stat. 4175, 4188, Pub. L. 106–24, 113 Stat. 39.

■ 2. Revise § 121.702 to read as follows:

#### § 121.702 What size standards are applicable to the SBIR program?

To be eligible for award of funding agreements in the SBA's Small Business Innovation Research (SBIR) program, a business concern must meet the requirements of paragraphs (a) and (b) below:

(a) *Ownership and control.*

(1) An SBIR awardee must (i) be a concern which is at least 51% owned and controlled by one or more individuals who are citizens of the United States, or permanent resident aliens in the United States; or

(ii) Be a concern which is at least 51% owned and controlled by another business concern that is itself at least 51% owned and controlled by individuals who are citizens of, or permanent resident aliens in the United States; or

(iii) Be a joint venture in which each entity to the venture must meet the requirements set forth in either paragraphs (a)(1)(i) or (a)(1)(ii) of this section.

(2) If an Employee Stock Option Plan owns all or part of the concern, SBA considers each stock trustee and plan member to be an owner.

(3) If a trust owns all or part of the concern, SBA considers each trustee and trust beneficiary to be an owner.

(b) *Size.* An SBIR awardee, together with its affiliates, not have more than 500 employees.

Dated: November 29, 2004.

**Hector V. Barreto,**

*Administrator.*

[FR Doc. 04–26608 Filed 12–2–04; 8:45 am]

**BILLING CODE 8025–01–U**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2004–19325; Airspace Docket No. 04–ACE–54]

#### Modification of Class E Airspace; Dodge City, KS

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Dodge City, KS.

**EFFECTIVE DATE:** 0901 UTC, January 20, 2005.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on October 19, 2004 (69 FR 61439) and subsequently published corrections to the direct final rule on October 29, 2004 (69 FR 63032) and November 22, 2004 (69 FR 67811). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on January 20, 2005. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on November 23, 2004.

**Elizabeth S. Wallis,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 04–26670 Filed 12–2–04; 8:45 am]

**BILLING CODE 4910–13–M**

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket No. FEMA–P–7638]

#### Changes in Flood Elevation Determinations

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents. **DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Mitigation Division Director of the Emergency Preparedness and Response Directorate reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2903.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief

Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

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

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain

management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities.

The changes in BFEs are in accordance with 44 CFR 65.4.

**National Environmental Policy Act**

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

**Regulatory Flexibility Act**

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

**Regulatory Classification**

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

**Executive Order 12612, Federalism**

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

**Executive Order 12778, Civil Justice Reform**

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

**List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

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

**PART 65—[AMENDED]**

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

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

**§ 65.4 [Amended]**

■ 2. The tables published under the authority of § 65.4 are amended as follows:

| State and county                  | Location                | Dates and name of newspaper where notice was published          | Chief executive officer of community   | Effective date of modification | Community No. |
|-----------------------------------|-------------------------|---|--|--------------------------------|---------------|
| Arkansas:                         |                         |   |  |                                |               |
| Sebastian (Case No.: 03-06-847P). | City of Fort Smith.     | Sept. 15, 2004, Sept. 22, 2004, <i>Southwest Times Record</i> . | The Honorable C. Ray Baker, Jr., Mayor, City of Fort Smith, 4420 Victoria Drive, Fort Smith, AR 72904.                         | Sept. 27, 2004 .....           | 055013        |
| Pulaski (Case No.: 04-06-1607P).  | City of Jacksonville.   | July 14, 2004, July 21, 2004, <i>Jacksonville Patriot</i> .     | The Honorable Tommy Swaim, Mayor, City of Jacksonville, P.O. Box 126, Jacksonville, AR 72076-0126.                             | July 27, 2004 .....            | 050180        |
| Pulaski (Case No.: 03-06-697P).   | City of Little Rock.    | Sept. 15, 2004, Sept. 22, 2004, <i>Little Rock Free Press</i> . | The Honorable Jim Dailey, Mayor, City of Little Rock, 500 West Markham, Room 203, Little Rock, AR 72201.                       | Dec. 22, 2004 .....            | 050181        |
| Pulaski (Case No.: 03-06-2526P).  | City of Little Rock.    | Aug. 4, 2004, Aug. 11, 2004, <i>Little Rock Free Press</i> .    | The Honorable Jim Dailey, Mayor, City of Little Rock, 500 West Markham, Room 203, Little Rock, AR 72201.                       | Nov. 10, 2004 .....            | 050181        |
| Pope (Case No.: 04-06-853P).      | City of Russellville.   | Sept. 3, 2004, Sept. 10, 2004, <i>The Courier</i> .             | The Honorable Raye Turner, Mayor, City of Russellville, P.O. Box 428, Russellville, AR 72811.                                  | Aug. 11, 2004 .....            | 050178        |
| Illinois:                         |                         |   |  |                                |               |
| Will (Case No.: 03-05-5771P).     | Village of Bolingbrook. | Aug. 20, 2004, Aug. 27, 2004, <i>The Bolingbrook Sun</i> .      | The Honorable Roger Claar, Mayor, Village of Bolingbrook, 375 West Briarcliff Road, Bolingbrook, IL 60440.                     | July 27, 2003 .....            | 170812        |
| Cook (Case No.: 03-05-3989P).     | Unincorporated Areas.   | June 24, 2004, July 1, 2004, <i>Orland Township Messenger</i> . | Mr. John H. Stroger, Jr., President, Cook County Board of Commissioners, 118 North Clark Street, 5th Floor, Chicago, IL 60602. | Sept. 30, 2004 .....           | 170054        |

| State and county                     | Location                | Dates and name of newspaper where notice was published          | Chief executive officer of community   | Effective date of modification | Community No. |
|--------------------------------------|-------------------------|---|--|--------------------------------|---------------|
| Will (Case No.: 04-05-0768P).        | Village of Frankfort.   | July 22, 2004, July 29, 2004, <i>The Star</i> .                 | The Honorable Raymond E. Rossi, Mayor, Village of Frankfort, 432 West Nebraska Street, Frankfort, IL 60423.  | June 29, 2004 .....            | 170701        |
| McHenry (Case No.: 04-05-0758P).     | City of Marengo         | Aug. 24, 2004, Aug. 31, 2004, <i>The Northwest Herald</i> .     | The Hon. Dennis Hammortree, Mayor, City of Marengo, 132 East Prairie Street, Marengo, IL 60152.  | Nov. 30, 2004 .....            | 170482        |
| Cook (Case No.: 03-05-3989P).        | Village of Orland Park. | June 24, 2004, July 1, 2004, <i>Orland Township Messenger</i> . | The Honorable Daniel McLaughlin, Mayor, Village of Orland Park, Village Hall, 14700 South Ravinia Avenue, Orland Park, IL 60462.                   | Sept. 30, 2004 .....           | 170140        |
| Will County (Case No.: 04-05-0769P). | Village of Plainfield.  | Sept. 22, 2004, Sept. 29, 2004, <i>The Enterprise</i> .         | The Honorable Richard Rock, Mayor, Village of Plainfield, 24000 West Lockport Street, Plainfield, IL 60544.  | Sept. 9, 2004 .....            | 170771        |
| Will (Case No.: 04-05-1634P).        | Village of Plainfield.  | June 23, 2004, June 30, 2004, <i>The Enterprise</i> .           | The Honorable Richard Rock, Mayor, Village of Plainfield, 24000 West Lockport Street, Plainfield, IL 60544.  | July 12, 2004 .....            | 170771        |
| Will County (Case No.: 03-05-1850P). | Village of Shorewood.   | Sept. 14, 2004, Sept. 21, 2004, <i>The Herald News</i> .        | The Hon. Richard E. Chapman, Village President, Village of Shorewood, 903 West Jefferson Street, Shorewood, IL 60431.                              | Aug. 27, 2004 .....            | 170712        |
| Cook (Case No.: 03-05-1457P).        | Village of Tinley Park. | July 22, 2004, July 29, 2004, <i>The Courier News</i> .         | The Honorable Edward J. Zabrocki, Mayor, Village of Tinley Park, 16250 South Oak Park Avenue, Tinley Park, IL 60477.                               | July 30, 2004 .....            | 170169        |
| Will (Case No.: 04-05-1634P).        | Unincorporated Areas.   | June 23, 2004, June 30, 2004, <i>The Enterprise</i> .           | Mr. Joseph Mikan, Executive, Will County, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.                                 | July 12, 2004 .....            | 170695        |
| Will County (Case No.: 03-05-1850P). | Unincorporated Areas.   | Sept. 14, 2004, Sept. 21, 2004, <i>The Herald News</i> .        | The Honorable Joseph Mikan, Executive, Will County, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.                       | Aug. 27, 2004 .....            | 170695        |
| Indiana:                             |                         |   |  |                                |               |
| Johnson (Case No.: 04-05-0097P).     | City of Greenwood.      | Aug. 4, 2004, Aug. 11, 2004, <i>The Daily Journal</i> .         | The Honorable Charles Henderson, Mayor, City of Greenwood, 2 North Madison Avenue, Greenwood, IN 46142.  | July 12, 2004 .....            | 180115        |
| Marion (Case No.: 03-05-3389P).      | City of Indianapolis.   | Aug. 20, 2004, Aug. 27, 2004, <i>The Indianapolis Star</i> .    | The Honorable Barthen Peterson, Mayor, City of Indianapolis, 200 East Washington Street, Suite 2501, City-County Building, Indianapolis, IN 46204. | Nov. 26, 2004 .....            | 180159        |
| Kansas                               |                         |   |  |                                |               |
| Saline (Case No.: 04-07-037P).       | City of Salina ....     | June 23, 2004, June 30, 2004, <i>The Salina Journal</i> .       | The Honorable Allan E. Jilka, Mayor, City of Salina, 300 West Ash Street, P.O. Box 736, Salina, KS 67402.  | Sept. 29, 2004 .....           | 200319        |
| Saline (Case No.: 04-07-037P).       | Unincorporated Areas.   | June 23, 2004, June 30, 2004, <i>The Salina Journal</i> .       | Ms. Sherri Barragree, Chairman, Saline County Comm., 300 West Ash Street, Room 211, Salina, KS 67401.  | Sept. 29, 2004 .....           | 200316        |
| Sedgwick (Case No.: 03-07-878P).     | City of Wichita ..      | June 23, 2004, June 30, 2004, <i>The Wichita Eagle</i> .        | The Honorable Carlos Mayans, Mayor, City of Wichita, City Hall—1st Floor, 455 North Main Street, Wichita, KS 67202.                                | June 17, 2004 .....            | 200328        |
| Maryland:                            |                         |   |  |                                |               |
| Montgomery (Case No.: 03-03-133P).   | City of Rockville       | Aug. 11, 2004, 18, 2004, <i>The Montgomery Journal</i> .        | The Honorable Larry Giammo, Mayor, City of Rockville, Rockville City Hall, 111 Maryland Avenue, Rockville, MD 20850.                               | Nov. 17, 2004 .....            | 240051        |
| Michigan:                            |                         |   |  |                                |               |

| State and county                    | Location              | Dates and name of newspaper where notice was published              | Chief executive officer of community   | Effective date of modification | Community No. |
|-------------------------------------|-----------------------|---|--|--------------------------------|---------------|
| Genesee (Case No.: 03-05-2569P).    | City of Grand Blanc.  | July 22, 2004, July 29, 2004, <i>The Flint Journal</i> .            | Mr. Randall Byrne, City Manager, City of Grand Blanc, 203 East Grand Blanc Road, Grand Blanc, MI 48439.                                | June 29, 2004 .....            | 260255        |
| Oakland (Case No.: 03-05-5184P).    | City of Novi .....    | July 15, 2004, July 22, 2004, <i>The Novi News</i> .                | The Honorable Lou Casordas, Mayor, City of Novi, 45175 West Ten Mile Road, Novi, MI 48375.   | Aug. 2, 2004 .....             | 260175        |
| Minnesota:                          |                       |   |  |                                |               |
| Anoka (Case No.: 03-05-3380P).      | City of Blaine ...    | Aug. 13, 2004, Aug. 20, 2004, <i>Blaine-Spring Lake Park Life</i> . | The Honorable Tom Ryan, Mayor, City of Blaine, 12147 Radisson Road NE, Blaine, MN 55449.   | July 26, 2004 .....            | 270007        |
| Isanti (Case No.: 03-05-3978P).     | Unincorporated Areas. | July 7, 2004, July 14, 2004, <i>Isanti County News</i> .            | Mr. George Larson, Chairman, Isanti County Board of Commissioners, Isanti County Courthouse, 555 18th Avenue, SW, Cambridge, MN 55008. | July 21, 2004 .....            | 270197        |
| Missouri:                           |                       |   |  |                                |               |
| Clay (Case No.: 02-07-552P).        | Village of Glenaire.  | July 21, 2004, July 28, 2004, <i>The Liberty Tribune</i> .          | The Honorable Bryan Smith, Mayor, City of Glenaire, P.O. Box 766, Glenaire, MO 64068.  | Oct. 27, 2004 .....            | 290092        |
| Jefferson (Case No.: 04-07-035P).   | Unincorporated Areas. | June 23, 2004, June 30, 2004, <i>Jefferson County Journal</i> .     | Mr. Mark Mertens, Presiding Commissioner, Jefferson County, P.O. Box 100, County Courthouse, Hillsboro, MO 63050-0100.                 | Sept. 29, 2004 .....           | 290808        |
| Clay (Case No.: 02-07-552P).        | City of Liberty ...   | July 21, 2004, July 28, 2004, <i>The Liberty Tribune</i> .          | The Honorable Stephen Hawkins, Mayor, City of Liberty, 611 Lancelot Drive, Liberty, MO 64069.  | Oct. 27, 2004 .....            | 290096        |
| New Mexico:                         |                       |   |  |                                |               |
| Bernalillo (Case No.: 04-06-1193P). | City of Albuquerque.  | July 22, 2004, July 29, 2004, <i>Albuquerque Journal</i> .          | The Honorable Martin Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.   | July 9, 2004 .....             | 350002        |
| Bernalillo (Case No.: 04-06-1193P). | Unincorporated Areas. | July 22, 2004, July 29, 2004, <i>Albuquerque Journal</i> .          | Mr. Tom Rutherford, Chairman, Bernalillo County Commission, One Civic Plaza NW, Albuquerque, NM 87102.                                 | July 9, 2004 .....             | 350001        |
| Sandoval (Case No.: 03-06-681P).    | Town of Bernalillo.   | June 17, 2004, June 24, 2004, <i>Albuquerque Journal</i> .          | The Honorable Charles Aguilar, Mayor, Town of Bernalillo, P.O. Box 638, Bernalillo, NM 87004.  | June 4, 2004 .....             | 350056        |
| Sandoval (Case No.: 03-06-681P).    | City of Rio Rancho.   | June 17, 2004, June 24, 2004, <i>The Observer</i> .                 | The Honorable Jim Owen, Mayor, City of Rio Rancho, 3900 Southern Boulevard, Rio Rancho, NM 87124.                                      | June 4, 2004 .....             | 350146        |
| Ohio:                               |                       |   |  |                                |               |
| Licking (Case No.: 04-05-0765P).    | Unincorporated Areas. | July 19, 2004, July 26, 2004, <i>The Advocate</i> .                 | Mr. Albert Ashbrook, President, Licking County, Board of Commissioners, 20 South Second Street, Newark, OH 43055.                      | Aug. 2, 2004 .....             | 390328        |
| Shelby (Case No.: 04-05-2336P).     | Unincorporated Areas. | Aug. 12, 2004, Aug. 19, 2004, <i>The Sidney Daily News</i> .        | Mr. Larry Klainhans, Chairman, Shelby County Board of Commissioners, 129 East Court Street, Suite 100, Sidney, OH 45365.               | July 22, 2004 .....            | 390503        |
| Oklahoma                            |                       |   |  |                                |               |
| Mayes (Case No.: 04-06-575P).       | Unincorporated Areas. | Aug. 3, 2004, Aug. 10, 2004, <i>The Daily Times</i> .               | Mr. Jim Montgomery, Chairperson, Mayes County Board of Commissioners, P.O. Box 95, County Courthouse, Pryor, OK 74362-0095.            | July 8, 2004 .....             | 400458        |
| Tulsa (Case No.: 04-06-1737P).      | City of Owasso        | Aug. 12, 2004, Aug. 19, 2004, <i>Owasso Reporter</i> .              | The Honorable Susan Kimball, Mayor, City of Owasso, P.O. Box 180, Owasso, OK 74055.  | Nov. 18, 2004 .....            | 400210        |
| Payne (Case No.: 03-06-840P).       | Unincorporated Areas. | July 21, 2004, July 28, 2004, <i>The News Press</i> .               | Ms. Gloria Hesser, Payne County Commissioner, 2600 S. Main Street, Suite C, Stillwater, OK 74074.                                      | Oct. 27, 2004 .....            | 400493        |

| State and county                   | Location              | Dates and name of newspaper where notice was published                      | Chief executive officer of community   | Effective date of modification | Community No. |
|------------------------------------|-----------------------|---|--|--------------------------------|---------------|
| Payne (Case No.: 03-06-840P).      | City of Stillwater    | July 21, 2004, July 28, 2004, <i>The News Press</i> .                       | The Honorable Bud Lacy, Mayor, City of Stillwater, P.O. Box 1449, Stillwater, OK 74076.                                    | Oct. 27, 2004 .....            | 400493        |
| Tulsa (Case No.: 03-06-1946P).     | City of Tulsa .....   | Aug. 18, 2004, Aug. 25, 2004, <i>Tulsa World</i> .                          | The Honorable Bill LaFortune, Mayor, City of Tulsa, City Hall, 200 Civic Center, Tulsa, OK 74103.                          | Nov. 24, 2004 .....            | 405381        |
| Texas                              |                       |   |  |                                |               |
| Brazoria (Case No.: 03-06-2336P).  | City of Angleton      | June 30, 2004, July 7, 2004, <i>The Facts</i> .                             | The Honorable L.M. Sebesta, Jr., Mayor, City of Angleton, 2372 East Highway 35, Angleton, TX 77515.                        | Oct. 6, 2004 .....             | 480064        |
| Tarrant (Case No.: 03-06-2875P).   | City of Bedford       | Aug. 24, 2004, Aug. 31, 2004, <i>The Star Telegram</i> .                    | The Honorable R.D. Hurt, Mayor, City of Bedford, 200 Forest Ridge Drive, Bedford, TX 76021.                                | Aug. 27, 2004 .....            | 480585        |
| Brazoria (Case No.: 03-06-2336P).  | Unincorporated Areas. | June 30, 2004, July 7, 2004, <i>The Facts</i> .                             | The Honorable John Willy, Judge, Brazoria County, 111 East Locust Street, Angleton, TX 77515.                              | Oct. 6, 2004 .....             | 485458        |
| Dallas (Case No.: 04-06-228P).     | City of Carrollton    | July 28, 2004, Aug. 4, 2004, <i>The Carrollton Leader</i> .                 | The Honorable Mark Stokes, Mayor, City of Carrollton, 1945 East Jackson Road, Carrollton, TX 75006.                        | July 15, 2004 .....            | 480167        |
| Tarrant (Case No.: 03-06-1204P).   | City of Colleyville.  | Sept. 2, 2004, Sept. 9, 2004, <i>The N.E. Tarrant County Morning News</i> . | The Honorable Joe Hocutt, Mayor, City of Colleyville, P.O. Box 185, Colleyville, TX 76034-0185.                            | Dec. 9, 2004 .....             | 480590        |
| Comal (Case No.: 04-06-127P).      | Unincorporated Areas. | June 23, 2004, June 30, 2004, <i>Comal County Beacon</i> .                  | The Honorable Danny Scheel, Judge, Comal County, 199 Main Plaza, New Braunfels, TX 78130.                                  | June 4, 2004 .....             | 485463        |
| Dallas (Case No.: 03-06-1942P).    | City of Dallas ....   | Aug. 24, 2004, Aug. 31, 2004, <i>Dallas Morning News</i> .                  | The Honorable Laura Miller, Mayor, City of Dallas, Dallas City Hall, 1500 Marilla Street, Room 5EN, Dallas, TX 75201-6390. | Nov. 30, 2004 .....            | 480171        |
| Denton (Case No.: 04-06-664P).     | City of Denton ..     | July 21, 2004, July 28, 2004, <i>Denton Record Chronicle</i> .              | The Honorable Euline Brock, Mayor, City of Denton, 215 East McKinney Street, Denton, TX 76201.                             | June 29, 2004 .....            | 480194        |
| Tarrant (Case No.: 04-06-875P).    | City of Euless ...    | July 1, 2004, July 8, 2004, <i>The Star Telegram</i> .                      | The Honorable Mary Lib Saleh, Mayor, City of Euless, 201 N. Ector Drive—Building B, Euless, TX 76039.                      | June 4, 2004 .....             | 480593        |
| Fort Bend (Case No.: 03-06-2671P). | Unincorporated Areas. | Sept. 1, 2004, Sept. 8, 2004, <i>Fort Bend Star</i> .                       | The Hon. Robert E. Hebert, PhD, Judge, Fort Bend County, 301 Jackson Street, Richmond, TX 77469.                           | Dec. 9, 2004 .....             | 480228        |
| Tarrant (Case No.: 04-06-1188P).   | City of Fort Worth.   | Sept. 1, 2004, Sept. 8, 2004, <i>The Star Telegram</i> .                    | The Hon. Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.                   | Dec. 8, 2004 .....             | 480596        |
| Tarrant (Case No.: 04-06-038P).    | City of Fort Worth.   | Aug. 18, 2004, Aug. 25, 2004, <i>The Star Telegram</i> .                    | The Hon. Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.                   | July 26, 2004 .....            | 480596        |
| Tarrant (Case No.: 03-06-2694P).   | City of Fort Worth.   | June 30, 2004, July 7, 2004, <i>The Star Telegram</i> .                     | The Hon. Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.                   | Oct. 6, 2004 .....             | 480596        |
| Tarrant (Case No.: 04-06-864P).    | City of Fort Worth.   | July 14, 2004, July 21, 2004, <i>The Star Telegram</i> .                    | The Hon. Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.                   | June 23, 2004 .....            | 480596        |
| Tarrant (Case No.: 03-06-2546P).   | City of Fort Worth.   | June 10, 2004, June 17, 2004, <i>The Star Telegram</i> .                    | The Hon. Michael J. Moncrief, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, TX 76102.                   | May 14, 2004 .....             | 480596        |
| Collin (Case No.: 03-06-2038P).    | City of Frisco ....   | Aug. 6, 2004, Aug. 13, 2004, <i>The Frisco Enterprise</i> .                 | The Honorable Mike Simpson, Mayor, City of Frisco, 6891 Main Street, Frisco, TX 75034.                                     | July 21, 2004 .....            | 480134        |

| State and county                   | Location                | Dates and name of newspaper where notice was published                  | Chief executive officer of community   | Effective date of modification | Community No. |
|------------------------------------|-------------------------|---|--|--------------------------------|---------------|
| Harris (Case No.: 03-06-1393P).    | Unincorporated Areas.   | Aug. 17, 2004, Aug. 24, 2004, <i>The Houston Chronicle</i> .            | The Honorable Robert A. Eckels, Judge, Harris County, 1001 Preston, Suite 911, Houston, TX 77002.      | July 23, 2004 .....            | 480287        |
| Tarrant (Case No.: 03-06-1204P).   | City of Hurst .....     | Sept. 2, 2004, Sept. 9, 2004, <i>The Star Telegram</i> .                | The Honorable Richard Ward, Mayor, City of Hurst, 1505 Precinct Line Road, Hurst, TX 76054.            | Dec. 9, 2004 .....             | 480601        |
| Tarrant (Case No.: 03-06-2875P).   | City of Hurst .....     | Aug. 24, 2004, Aug. 31, 2004, <i>The Star Telegram</i> .                | The Honorable Richard Ward, Mayor, City of Hurst, 1505 Precinct Line Road, Hurst, TX 76054.            | Aug. 27, 2004 .....            | 480601        |
| Tarrant (Case No.: 03-06-2672P).   | City of Hurst .....     | July 21, 2004, July 28, 2004, <i>The Star Telegram</i> .                | The Honorable Bill Souder, Mayor, City of Hurst, 1505 Precinct Line Road, Hurst, TX 76054.             | July 30, 2004 .....            | 480601        |
| Tarrant (Case No.: 03-05-1850P).   | City of Hurst .....     | Oct. 1, 2004, Oct. 8, 2004, <i>The Star Telegram</i> .                  | The Honorable Richard Ward, Mayor, City of Hurst, 1505 Precinct Line Road, Hurst, Texas 76054.         | Oct. 7, 2004 .....             | 480601        |
| Harris (Case No.: 03-06-2671P).    | City of Houston         | Sept. 2, 2004, Sept. 9, 2004, <i>The Houston Chronicle</i> .            | The Honorable Bill White, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.                    | Dec. 9, 2004 .....             | 480296        |
| Tarrant (Case No.: 04-06-1017P).   | City of Mansfield       | Sept. 2, 2004, Sept. 9, 2004, <i>Mansfield News Mirror</i> .            | The Honorable Mel Neuman, Mayor, City of Mansfield, 1200 East Broad Street, Mansfield, TX 76063-0337.  | Aug. 17, 2004 .....            | 480606        |
| Collin (Case No.: 03-06-2534P).    | City of McKinney.       | Aug. 11, 2004, Aug. 18, 2004, <i>McKinney Courier-Gazette</i> .         | The Honorable Bill Whitfield, Mayor, City of McKinney, P.O. Box 517, McKinney, TX 75070.               | Nov. 17, 2004 .....            | 480135        |
| Dallas (Case No.: 03-06-2530P).    | City of Mesquite        | July 29, 2004, Aug. 5, 2004, <i>The Mesquite News</i> .                 | The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.             | Nov. 4, 2004 .....             | 485490        |
| Fort Bend (Case No.: 03-06-2671P). | City of Missouri City.  | Sept. 2, 2004, Sept. 9, 2004, <i>Fort Bend Mirror</i> .                 | The Honorable Allen Owen, Mayor, City of Missouri City, 1522 Texas Parkway, Missouri City, TX 77489.   | Dec. 9, 2004 .....             | 480304        |
| Collin (Case No.: 04-06-027P).     | City of Plano .....     | Sept. 3, 2004, Sept. 10, 2004, <i>Plano Star Courier</i> .              | The Honorable Pat Evans, Mayor, City of Plano, P.O. Box 860358, Plano, TX 75086-0358.                  | Dec. 10, 2004 .....            | 480140        |
| Collin (Case No.: 03-06-2548P).    | City of Plano .....     | Aug. 4, 2004, Aug. 11, 2004, <i>Plano Star Courier</i> .                | The Honorable Pat Evans, Mayor, City of Plano, 1520 Avenue K, Plano, TX 75086-0358.                    | Aug. 17, 2004 .....            | 480140        |
| Tarrant (Case No.: 03-06-848P).    | City of Richland Hills. | Aug. 18, 2004, Aug. 25, 2004, <i>N.E. Tarrant County Morning News</i> . | The Honorable Nelda Stroder, Mayor, City of Richland Hills 3200 Diana Drive, Richland Hills, TX 76118. | July 20, 2004 .....            | 480608        |
| Tarrant (Case No.: 04-06-864P).    | City of Saginaw         | July 14, 2004, July 21, 2004, <i>The Star Telegram</i> .                | The Honorable Frankie Robins, Mayor, City of Saginaw, P.O. Box 79070, Saginaw, TX 76179.               | June 23, 2004 .....            | 480610        |
| Bexar (Case No.: 03-06-1947P).     | City of San Antonio.    | Aug. 31, 2004, Sept. 7, 2004, <i>San Antonio Express News</i> .         | The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.       | Aug. 12, 2004 .....            | 480045        |
| Bexar (Case No.: 03-06-1745P).     | City of San Antonio.    | June 16, 2004, June 23, 2004, <i>San Antonio Express News</i> .         | The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.       | Sept. 22, 2004 .....           | 480045        |
| Bexar (Case No.: 03-06-829P).      | City of San Antonio.    | June 30, 2004, July 7, 2004, <i>San Antonio Express News</i> .          | The Honorable Ed Garza, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283-3966.       | Oct. 6, 2004 .....             | 480045        |
| Tarrant (Case No.: 04-06-866P).    | City of Southlake.      | June 23, 2004, June 30, 2004, <i>The Star Telegram</i> .                | The Honorable Andy Wambsganss, Mayor, City of Southlake, 1400 Main Street, Southlake, TX 76092.        | June 16, 2004 .....            | 480612        |

| State and county                 | Location                      | Dates and name of newspaper where notice was published            | Chief executive officer of community   | Effective date of modification | Community No. |
|----------------------------------|-------------------------------|---|--|--------------------------------|---------------|
| Tarrant (Case No.: 04-06-1192P). | City of North Richland Hills. | Sept. 16, 2004, Sept. 23, 2004, N.E. Tarrant County Morning News. | The Honorable Oscar Trevino, Jr., P.E., Mayor, City of N. Richland Hills, P.O. Box 820609, North Richland Hills, TX 76182. | Aug. 23, 2004 .....            | 480607        |
| Wise (Case No.: 03-06-2058P).    | Unincorporated Areas.         | July 15, 2004, July 22, 2004, Wise County Messenger.              | The Honorable Dick Chase, Judge, Wise County, P.O. Box 393, Decatur, TX 76231-0393.  | Oct. 21, 2004 .....            | 481051        |

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: November 17, 2004.

**David I. Maurstad,**

Acting Director, Mitigation Division, Emergency Preparedness and Response Directorate.

[FR Doc. 04-26599 Filed 12-2-04; 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, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations and modified Base Flood Elevations (BFEs) are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**EFFECTIVE DATE:** 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 FIRM is available for inspection as indicated in the table below.

**ADDRESSES:** The final base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate,

Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below for the BFEs and modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and 44 CFR part 67.

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

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

**National Environmental Policy Act**

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

**Regulatory Flexibility Act**

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

**Regulatory Classification**

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

**Executive Order 12612, Federalism**

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

**Executive Order 12778, Civil Justice Reform**

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

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and record keeping requirements.

■ Accordingly, 44 CFR part 67 is amended to read as follows:

**PART 67—[AMENDED]**

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

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

**§ 67.11 [Amended]**

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

| Source of flooding and location  | # Depth in feet above ground.<br>* Elevation in feet (NGVD) modified<br>◆ Elevation in feet (NAVD) modified |
|--|---|
| <b>ARKANSAS</b>  |   |
| <b>Beebe (City) White County (FEMA Docket No. P7647)</b><br><i>Cypress Bayou:</i><br>Just upstream of the Union Pacific Railroad ..... | ◆ 220   |